

[Public health enactments, 1903-1926].

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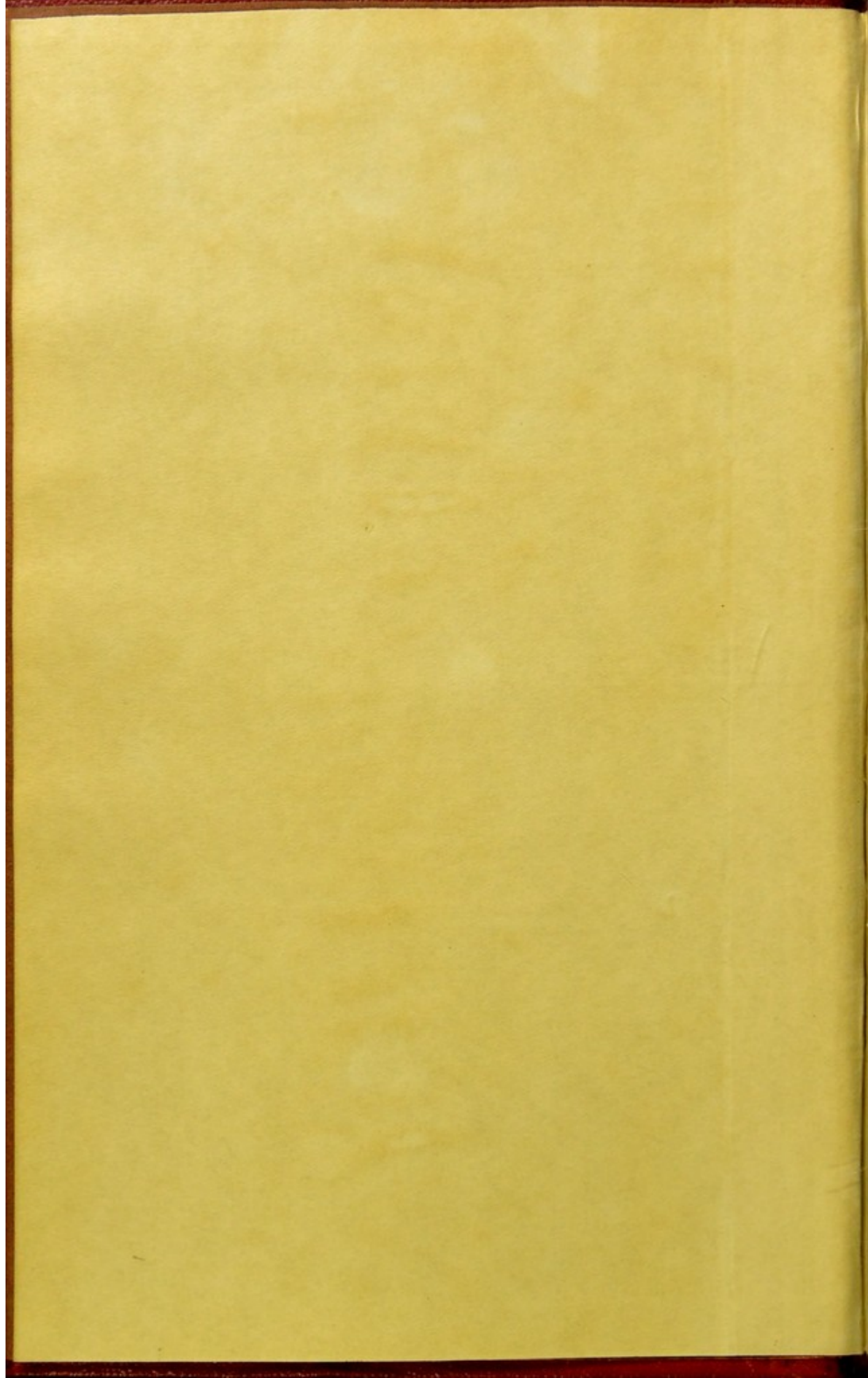
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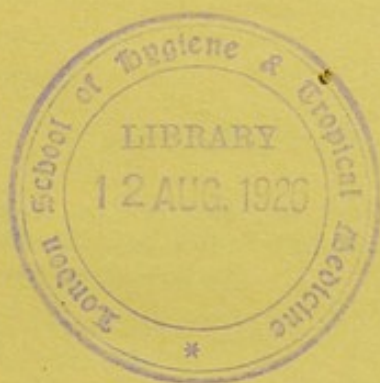
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FEDERATED MALAY STATES.
STATE OF NEGRI SEMBILAN.

ENACTMENT No. 22 OF 1903.

An Enactment to make provision for Preventing the
Introduction and Spread of Infectious and Contagious
Diseases.

WALTER EGERTON,
British Resident.

[20th August, 1903.]

It is hereby enacted by His Highness the Yang di Pertuan and
Chiefs in Council as follows:—

1. This Enactment may be cited as "The Quarantine and Pre-
vention of Disease Enactment, 1903," and shall come into force upon
the publication thereof in the *Gazette*.

Short title and
commence-
ment.

2. In this Enactment, and in any rules made thereunder, unless
the context otherwise requires—

Interpretation.

"Cattle" means bulls, cows, oxen, buffaloes, heifers and calves.

"Animals" includes horses, asses, mules, cattle, sheep, goats and
swine, and any kind of four-footed beast, except dogs,

"Fodder" means grass or other substance used for food for animals.

"Litter" means straw or other substance used for bedding or
otherwise for or about animals.

"Disease" means any disease of an infectious or contagious nature
dangerous to mankind or animals, but does not include any venereal
disease.

"Diseased" means infected with disease.

"Carcase" means the carcase of an animal, or any portion thereof.

"Health Officer" means any officer appointed by the Resident by
notification in the *Gazette* to perform the duties imposed by this Enact-
ment or the rules made thereunder on Health Officers, or any person
authorised by such Health Officer in writing to act as his deputy.

"Quarantine" means the compulsory detention in isolation for the
purposes and under the provisions of this Enactment and of rules
made thereunder, of any ship, person, animal, or thing, so that it or they
shall have no communication or traffic with any other ship, person,
animal, or thing or with any place except in accordance with the said
Enactment and rules.

3. (i.) The Resident may, with the approval of the Resident-
General, from time to time make such rules as may seem to him
necessary or expedient for the purpose of preventing the introduction
into the State of any disease, and also of preventing the spread of any
disease.

Power to make
rules.

(ii.) All such rules together with the approval thereof by the Resident-General shall be published in the *Gazette*, and shall thereupon have the force of law.

is of

4. (i.) The rules made under the last preceding section may provide, amongst other things:—

- (a) For placing vessels arriving or being at any port or place within the waters of the State in quarantine and for their management while in quarantine; and for requiring vessels to leave the waters of the State forthwith for such periods as may be deemed necessary;
- (b) For prohibiting or regulating the admission of persons or animals into the State, or their movement within the State or their departure therefrom either absolutely or conditionally;
- (c) For establishing and maintaining quarantine stations for persons and animals, and for regulating the management of the same;
- (d) For slaughtering, with or without compensation, as may be deemed expedient, diseased animals or, with compensation, animals suspected of being diseased or having been in circumstances in which they were likely to have become diseased;
- (e) For prohibiting or regulating the movement of diseased persons and animals, or of persons and animals suspected of being diseased, or having been in circumstances in which they were likely to have become diseased, and the removal and disposal of the dead bodies of persons and animals, and of fodder, litter, dung and other things;
- (f) For the examination, removal, isolation and detention, for such time as may be deemed necessary, of all persons or animals diseased or suspected of being diseased, and for entering and searching houses, buildings, rooms and other places in which the presence of diseased or dead persons or animals may be suspected;
- (g) For the removal of diseased persons to hospitals or other places for medical treatment, and for their detention until they can be discharged with safety to the public; and for the temporary occupation of places required for the treatment of diseased persons;
- (h) For ordering the vacating, cleansing, disinfecting, destruction, closing or alteration of houses, buildings, rooms and other places which have been occupied by any diseased person or animal, or which are suspected of being infected with disease, or which are overcrowded or otherwise in an insanitary condition;
- (i) For seizing, disinfecting and, if expedient, destroying, with or without compensation as may be deemed expedient, furniture, clothing, litter, fodder, and other articles which have been in contact with any diseased person or animal, or which are reasonably suspected of being a vehicle for spreading disease;

- (j) For prescribing and regulating the seizure, detention and disposal of any animal dealt with in contravention of any rule made under this Enactment;
 - (k) For the regulation of all persons carrying on the trade of cow-keepers, dairymen, or purveyors of milk, and for securing the cleanliness of cow-sheds and milk shops or other places where milk is kept for sale, and of milk vessels and utensils used by such persons, and for the protection of milk against infection or contamination, and for preventing and punishing the adulteration of milk by the abstraction or addition of any substance; provided that no rule made under this Enactment for any of the purposes described in this sub-section shall have effect within any area which is subject to the control of a Sanitary Board;
 - (l) For prescribing the reporting to Government by medical practitioners or others of cases of disease;
 - (m) For prescribing the liability of any persons to defray the expenses connected with the enforcement of any rule made under this Enactment, and for regulating questions of compensation in connection therewith;
 - (n) For the appointment of Health Officers, Inspectors and other officers to carry out the provisions of this Enactment or of any rules made thereunder, and for regulating their duties and conduct, and for investing them with all powers necessary for the due execution of their duties;
 - (o) For prescribing and regulating the form and mode of service or delivery of notices and other documents;
 - (p) For prescribing the fine with which the contravention of any rule made under this Enactment shall be punishable, but so that no such fine shall exceed five hundred dollars.
- (ii.) Provided always that nothing in this section contained shall in any way restrict or be construed to restrict the generality of the powers conferred on the Resident by the last preceding section, but such powers shall extend to all matters, whether similar or not to those in this section mentioned, as to which it may be expedient to make rules for the better carrying into effect the objects of this Enactment.

OFFENCES, PENALTIES AND FORFEITURES.

5. If any person, without lawful authority or excuse (proof whereof shall be on him), does or omits to do anything which under the provisions of this Enactment or of rules made thereunder he ought not to do or omit, or if he obstructs or impedes, or assists in obstructing or impeding, any Health Officer or other officer appointed under this Enactment or any Police Officer in the execution of his duty under this Enactment or the rules made thereunder, or disobeys any lawful order of any such Health Officer or other officer as aforesaid, he shall be guilty of an offence against this Enactment. Offence defined

6. If any person is guilty of an offence against this Enactment for which no penalty is provided by any rule made thereunder, he shall be liable, on conviction before a Magistrate, to a fine not exceeding two hundred dollars, and if such offence be of a continuing nature, to a further fine not exceeding twenty dollars for every day during which such offence shall continue. Penalty.

Second offence.

7. A person convicted of any offence against this Enactment who is within a period of twelve months from the date of such conviction convicted of a second or subsequent like offence against this Enactment shall be liable in the discretion of the Magistrate to imprisonment of either description for any term not exceeding two months, either in addition to or in lieu of fine.

Forfeitures.

8. (i.) If any person lands or moves, or attempts to land or move, or otherwise brings into the State, any animal or thing in contravention of this Enactment or of any rule made thereunder, such animal or thing shall be liable to be forfeited.

(ii.) Forfeitures under this Enactment may be declared by a Magistrate, and all animals and things forfeited shall be dealt with as the Resident directs.

Duties of inspectors and Police Officers.

9. (i.) When a person is seen or found committing, or is reasonably suspected of being engaged in committing an offence against this Enactment, any Inspector or other officer appointed under this Enactment or any Police Officer may, without warrant, stop and detain him and, if his name and address are not known, may apprehend him.

(ii.) If any person obstructs or impedes an Inspector or other officer appointed under this Enactment or any Police Officer in the execution of his duty under this Enactment or the rules made thereunder, or assists in any such obstruction or impeding, he may be apprehended by such Inspector or other officer or Police Officer without warrant.

(iii.) Nothing in this section shall take away or abridge any power or authority that a Police Officer would have had if this section had not been enacted.

Presumption.

10. When any occupant of a house in which a case of disease occurs or any person in charge of a diseased person, or the owner or person in charge of a diseased animal, is charged with an offence against this Enactment relative to such disease, he shall be presumed to have known of the existence of such disease in such person or animal, unless and until he shows to the satisfaction of the Magistrate before whom he is charged that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Officers to be public servants.

11. Inspectors and other officers appointed under this Enactment shall be deemed to be public servants within the meaning of the Penal Code.

Execution of rules may be delegated to local authority.

12. The Resident may delegate the enforcement and execution of any rule made under this Enactment to any local authority, subject to such restrictions as he may from time to time think fit to impose.

Protection of persons acting under this Enactment.

13. (i.) No action shall be brought against any person for anything done or *bonâ fide* intended to be done in the exercise or supposed exercise of the powers given by this Enactment, or by any rule made thereunder—

(a) Without giving to such person one month's previous notice in writing of the intended action and of the cause thereof;

(b) After the expiration of three months from the date of the accrual of the cause of action;

(c) After tender of sufficient amends.

(ii.) In every action so brought it shall be expressly alleged that the defendant acted either maliciously or negligently and without reasonable or probable cause and if at the trial the plaintiff shall fail to prove such allegation judgment shall be given for the defendant.

(iii.) Though judgment be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Magistrate before whom the action is tried shall certify his approbation of the action.

RULES made by the Resident, with the Approval of the Resident-General, under sections 3 and 4 of "The Quarantine and Prevention of Disease Enactment, 1903."

PART I.

RELATING TO MAN.

Prevention of the Introduction of Disease.

1. No Master of any vessel bringing passengers to any port of the State shall land or permit to land or to be landed, from his vessel any of such passengers until they have been inspected and passed by the Health Officer if such officer so requires, in which case the Master shall afford all reasonable facilities for enabling such inspection to be duly carried out: and no Master shall land, or permit to land or to be landed, from his vessel, either at any port or any other place within the State, any diseased person except with the written permission of the Health Officer, and any Master from whose vessel any diseased person is landed without such permission shall, on demand by the Health Officer, forthwith remove such person from the State.

Duty of Master of ship.

2. Whenever information is received that disease has broken out or exists or is reasonably suspected to exist at any place without the State, it shall be lawful for the Resident to declare, by notification in the *Gazette*, that such place is infected, whereupon all vessels and persons arriving from such place shall be placed in quarantine and so remain until released by the Health Officer.

Provision as to infected place without the State.

3. The Master of any vessel entering or being within the waters of the State, having on board, or having had on board, within fifteen days previous to arrival in the State, any case or suspected case of disease, shall fly the quarantine flag and remove his vessel to the nearest quarantine anchorage.

Duty of Master of ship with cases of disease on board.

4. (i.) The Health Officer shall without delay proceed to such vessel and make enquiry, and, if he deem necessary for the public health that the vessel and persons on board should be placed in quarantine, shall order the Master to place his vessel, with the persons on board, in quarantine. As soon as such orders are given the Master shall, if he have not already done so, take his vessel to the quarantine anchorage or to such place as shall be pointed out to him by a Port Officer and there remain in quarantine until released on the written order of the Health Officer. In the alternative the Health Officer may, with the approval of the Resident, order the Master to take the

Health Officer may quarantine or order vessel to leave waters of the State.

vessel out of the waters of the State forthwith, and not re-enter them until after a specified period, or until such order has been rescinded; as soon as such orders are given the Master shall forthwith take his vessel out of the waters of the State without communicating with the shore, and whilst such order is in force shall not enter or attempt to enter the waters of the State.

(ii.) No Master of a vessel excluded by order of a Health Officer of any other of the Federated Malay States from the waters of such State shall during the period of such exclusion enter the waters of the State.

Power of
Health Officer.

5. The Health Officer may board any vessel arriving in the waters of the State, and inspect every person in the vessel. He may, if he thinks proper, call for and inspect the ship's books and papers, and he shall use every lawful means which to him may seem expedient for ascertaining the sanitary condition of the vessel and the persons therein.

Duty of Master
and Surgeon of
vessel.

6. On the arrival at any port in the State of any vessel on board of which there shall have been any disease before the departure of such vessel from the original port of clearance, or during the voyage, or on which there shall be any diseased person or which shall have come from any place in which there was disease, the Master and Surgeon of such vessel shall truly declare the same to the Pilot or Port Officer and to the Health Officer who shall come alongside or on board such vessel.

Duty of pilot.

7. On the arrival of any vessel from an infected place, the Pilot may approach the vessel within speaking distance, but shall not go alongside, or on board, unless he has reason to believe that the vessel is free from disease.

Quarantine
flag.

8. All vessels ordered to the quarantine anchorage shall display by day the usual quarantine or yellow flag at the foremasthead, with the commercial code pendant under it; and by night, at the foremast, a red light over a green light, at a distance one above the other of not more than six nor less than four feet.

Guard boats.

9. All guard boats shall display a similar yellow flag at the stern by day; and from sunset to sunrise a light.

Guards to be
supplied.

10. The senior Police Officer available shall, on the requisition of the Health Officer, supply the guards necessary to enforce these rules. Police on guard duty shall temporarily be under instruction of the Health Officer.

Boats not to
come alongside.

11. Except with the written permission of the Health Officer no boat except that of the Health Officer shall go alongside of any vessel in quarantine, nor shall any person except the Health Officer communicate with any such vessel; and the persons on board shall not be allowed to go ashore or board any other vessel without the written permission of the Health Officer.

Person going
on board
quarantined
vessel, etc.

12. Any person going on board any vessel undergoing quarantine, or entering or landing at any quarantine station, may be detained in quarantine for such period as the Health Officer may deem proper.

Disinfection of
vessels.

13. Vessels placed in quarantine shall be thoroughly washed down and disinfected to the satisfaction of the Health Officer after disembarkation of the passengers if required at the quarantine station, and may then be released.

14. The Master of any vessel arriving in the waters of the State on board of which there shall have been any disease before the departure of such vessel from the original port of clearance, or during the voyage, or on which there shall be any diseased person shall deliver the Post Office packets and mails to the Health Officer, who, after subjecting the same to such disinfection as he may deem necessary, shall forward the same to the Post Office of the district. Provision as to mails, etc.
15. All letters or parcels for persons in quarantine shall be sent to the Post Office, and shall be forwarded at the earliest opportunity through the Health Officer. Provision as to letters, etc.
16. No article shall, without the written permission of the Health Officer, be conveyed out of any place or vessel in quarantine or outside the limits of any quarantine anchorage or quarantine station, and every article which is conveyed thereout shall, before being forwarded to its destination, be disinfected in such manner as the Health Officer shall direct. Disinfection of articles.
17. No vessel touching at any port shall take supplies of fuel, water or provisions, or land cargo, except under such precautions, if any, as the Health Officer may prescribe to prevent infection or contagion. Power of Health Officer as to vessel touching at port.
18. Whenever the Health Officer shall so require, all the persons on board any vessel in quarantine, or so many of them as he may direct, shall be taken to a quarantine station and there be kept and attended to for such time as he may deem proper, before allowing them to return on board the ship, or to be transferred to any other ship, or to communicate with the shore. Power of Health Officer as to persons on vessel.
19. Persons landed at a quarantine station shall ordinarily undergo quarantine for the periods stated below :—
 For cholera or bubonic plague ... { For a period not exceeding five days from the death or perfect recovery of the last case.
 For small-pox ... { For a period not exceeding fifteen days from the death or perfect recovery of the last case. Quarantine periods.
20. The Master of a vessel in quarantine shall, if required by the Health Officer, furnish the necessary boats, crews and appliances for the landing of the passengers and crew at the quarantine station. Duty of Master
21. Whenever it is found necessary to place in quarantine the passengers of a vessel arriving or being in the waters of the State, or to detain a vessel for inspection, and whenever any vessel is released from quarantine, the Health Officer shall forthwith report the facts to the Resident, and shall notify the District Officer and the Conservator of the Port. Report to be made by Health Officer.
22. Whenever any persons are detained in quarantine at the quarantine station a yellow flag shall be kept hoisted by day at a conspicuous place on the station, and by night the lights required by Rule 8 in the case of vessels shall be displayed. Quarantine flag.
23. No person, except the Health Officer or persons authorised by him in writing shall land at or enter the quarantine station when the yellow flag is flying or the prescribed lights are shown. Isolation of quarantine station.
24. No person detained in quarantine at the quarantine station shall, on any pretence whatsoever, leave such station without the written permission of the Health Officer. No person to leave station.

Liability of
Agent and
Master of vessel.

25. The Owner, Agent and Master of the vessel shall be jointly and severally liable to repay the cost of the maintenance of all persons landed therefrom at the quarantine station, and such cost may be recovered before any Magistrate on the certificate of the Health Officer.

Disinfection of
Health Officer.

26. The Health Officer shall after having visited either a vessel in quarantine or the quarantine station, when persons are detained in quarantine there, take such precautions as he may deem necessary to prevent infection.

Exclusion of
persons coming
from infected
place.

27. After any such declaration by the Resident as is provided for in Rule 2, it shall be lawful for the Health Officer to prohibit, either absolutely or conditionally, the entry into the State at any place on the coast or land frontiers of persons coming from any place declared to be infected; and no person shall enter the State in contravention of such prohibition. Where there is no Health Officer it shall be lawful for the Officer in charge of the nearest police station to take steps to prevent the entry into the State of persons coming from any such place as aforesaid.

PART II.

RELATING TO MAN.

Prevention of Disease on Land.

Occupant of
house to give
information.

28. Whenever a case of disease occurs the occupants of the house in which such case occurs shall at once give information thereof at the nearest hospital or police station or, if neither is accessible, to the Penghulu.

Medical
practitioners
to give
information.

29. Every medical practitioner, or person professing to treat disease, who becomes cognizant of the existence of disease in any dwelling or place other than a Government hospital, shall forthwith give information thereof at the nearest hospital or police station or, if neither is accessible, to the Penghulu, and shall furnish returns of such cases to the Health Officer of the district weekly, or oftener if the Health Officer so require, stating the name of the diseased person, his residence and the nature of the disease.

Proceedings to
be taken upon
receipt of
report.

30. The chief Officer of such hospital or police station, or such Penghulu, shall, immediately on the receipt of such information, forward an official report thereof to the Health Officer, who may, if he considers that there are no proper means of attending to the patient in his own house without danger to others, remove the patient to a hospital or any other suitable building. A patient so removed to a hospital or other suitable building shall remain there until discharged by the Medical Officer in charge.

Regulation of
movement in
infected areas.

31. (i.) Whenever it appears to the Resident, after such enquiry as he shall deem necessary, that disease exists amongst persons within any area or place, it shall be lawful for the Resident to declare such area or place infected, and to issue an order to regulate or prohibit movements of persons into, out of or within limits fixed by him and all persons shall obey such order.

(ii.) Every such order shall be published in the *Gazette* at the earliest opportunity but shall come into operation and may be enforced immediately upon the making of the order.

32. Any building or place which is in the opinion of the Health Officer suitable and required for the purposes of isolation and treatment of persons suffering from, or suspected to be suffering from, disease, and for their detention until they shall be certified to be free from disease, may, with the written approval of the Resident, be entered upon and occupied, if untenanted without any notice whatsoever and if tenanted after twenty-four hours' notice in writing conspicuously posted on such building or place. The owner or person entitled to the use of such building or place shall not be entitled to claim anything beyond a reasonable rent for the period during which such building or place may be so occupied; provided always that the Health Officer shall be bound at the cost of Government to cleanse and disinfect the said building or place, and if a building, and he is so required to do, to whitewash it, both internally and externally, immediately after vacating it.

Occupation of
buildings for
hospital.

33. Except with the written permission of the Health Officer no diseased person, or person having been in contact with disease, shall depart from the house or place in which the disease manifested itself to any other house or place, nor shall any person assist in such departure as aforesaid.

Prohibition of
removal of
diseased
persons.

34. The Health Officer may for the purpose of carrying out the provisions of these rules temporarily impress carts or other vehicles ordinarily let for hire with the beasts necessary to draw them and may engage the services of labourers or coolies. The owner of any cart or vehicle so impressed shall not be entitled to claim more than a reasonable sum for the use thereof. All such carts or other vehicles as the Health Officer shall use for the transport of diseased persons or of things likely to spread disease shall be thoroughly disinfected by the Health Officer before being returned to their owners.

Impress of
vehicles and
beasts.

35. (i.) Except on the requisition of the Health Officer, or of a Police Officer, no owner, driver or person in charge of a public conveyance shall permit any diseased person to enter such conveyance, nor shall any diseased person enter a public conveyance, except as aforesaid.

Diseased
persons not to be
carried in public
conveyances.

(ii.) Whenever it appears to the Health Officer that any vehicle has been infected by disease he may detain such vehicle for such time as may be necessary for the purpose of disinfecting it.

36. (i.) After the removal of any diseased person from any house the Health Officer shall cause the room which such person occupied to be thoroughly disinfected, and the house may be closed for such period as the Health Officer directs.

Disinfection of
room and
quarantine of
houses.

(ii.) No person except the Health Officer or others authorised by him in writing shall enter such room or house during such period.

Quarantined
houses not to be
entered.

37. Whenever the Health Officer shall certify in writing that any house or building which has been occupied by a diseased person cannot be effectively disinfected, he may cause such building or such part thereof as he may deem necessary to be destroyed and shall thereupon report the facts to the Resident, who may at his discretion award or withhold compensation in respect of the house or building or part thereof which has been so destroyed.

Destruction of
infected
buildings.

38. The clothing and bedding, and personal effects of all persons detained or segregated or removed to a hospital or other suitable

Destruction or
disinfection of

infected
clothing and
bedding.

building under the provisions of these rules shall be thoroughly disinfected or may be destroyed at the discretion of the Health Officer; and no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the destruction or disinfection of such articles.

Rags and
clothing.

39. The Health Officer may disinfect or destroy any rags, clothing, or other articles infected by disease or suspected to be so infected, and no person shall be entitled as of right to recover any compensation by way of damages or otherwise for the disinfection or destruction of any such articles.

Search of
buildings,
examination
and segregation
of suspected
cases of disease.

40. The Health Officer may enter and search or cause to be entered and searched any building or enclosure for the purpose of ascertaining whether there are any diseased persons or whether there is any corpse therein, and may cause any persons found therein to be examined in order to ascertain whether any of them are diseased. He may further cause any person to be detained for medical examination and may segregate in such place as he may appoint for the purpose any person found or suspected to be diseased.

Segregation of
inmates of
infected
building.

41. If the Health Officer has reason to believe that any building is, or has recently been, occupied by a diseased person, or that any death which has not been certified by a Medical Officer to be due to some cause other than disease, has recently occurred in any building, the Health Officer may cause the inmates of such building to be segregated in such place as he may appoint for a period not exceeding fifteen days and may prevent such building from being used as a human habitation in the meanwhile.

Disposal of
corpses.

42. In the event of the death of any person from disease the occupier of the house or place in which such death occurs, and any relatives of the deceased who live within one mile of such house or place, and in default of such occupier or relative, each person present at the death shall forthwith report to the Health Officer or at the nearest police station, and the friends of the deceased shall be permitted to dispose of the corpse by cremation or burial in accordance with their religious practices at the burning ground or burial ground set apart for persons dying from disease or at such other places as the Health Officer shall permit, and shall obey the directions of the Health Officer in all matters relating to disinfection or to the time, route and method of removing the corpse to the cremation or burial place. Every such corpse shall, in case of burial, be covered with quicklime, and in case of cremation be thoroughly and completely burned. In the event of failure or refusal of the friends of the deceased to dispose of the corpse the Health Officer shall see to the proper disposal of it and the disinfection of all persons employed in connection therewith. The clothing, bedding and all personal effects of the deceased that are liable, in the opinion of the Health Officer, to carry infection shall, if the Health Officer so order, be destroyed by fire, and no person shall be entitled to claim compensation, as of right, for the destruction of any such articles.

Insanitary
buildings.

43. (i.) If the Health Officer is of opinion that any building is in such an insanitary condition as to facilitate the spread of disease, he may by written order prohibit the use of such building as a dwelling-house; and so long as such prohibition remains in force no person shall use such building for human habitation or permit the same to be so used.

(ii.) For the purpose of enforcing such prohibition the Health Officer may, if necessary, forcibly remove or cause to be removed any person from such building.

44. If it shall appear to the Health Officer that any building used as a dwelling is so overcrowded as to expose the inmates thereof to risk of disease he may by written order require the owner or occupier of the building, within a reasonable time, to be specified in the order, to abate the overcrowding by reducing the number of inmates. For the purpose of enforcing this section the Health Officer may, if necessary, at the expiration of the time prescribed in the written order forcibly remove or cause to be removed such and so many of the inmates of the building as shall seem to him proper.

Abatement of overcrowding.

45. In the case of any building ordered to be vacated under Rule 43 and in the case of any other building or enclosure which may appear to the Health Officer to be in such a filthy or insanitary condition as to facilitate the spread of disease he may by written order require the owner or occupier to carry out within a reasonable time, to be specified in the order, or may of his own motion, at the expense of the owner or occupier or either of them, carry out such measures as may seem to him necessary for the purpose of cleansing, ventilating or disinfecting such building or enclosure, and for the purpose of such cleansing, ventilating or disinfecting, may, if necessary, forcibly break open and enter any such building or enclosure, and may remove and disinfect or destroy any articles found therein.

Cleansing, ventilation and disinfection of buildings.

46. (i.) Any person aggrieved by any order or act of the Health Officer under either of the three preceding rules may appeal to a Magistrate who after hearing the Health Officer, if he desires to be heard, may confirm, reverse or vary any such order or may award reasonable compensation to be paid from public funds or otherwise dispose of the matter as may be just; provided that such appeal shall not be admitted after the expiration of thirty days from the date of the order or act to which such appeal relates.

Appeal to Magistrate.

(ii.) No claim to compensation for any such order or act as aforesaid shall be entertained by any Court except as provided in this rule.

47. (i.) In any case where the health Officer shall certify in writing that the removal of the whole or part of any partition or wall or of the roof of any house, in order that light and air may be admitted, is necessary as a precaution against the introduction or spread of disease in any place, he may with the aid of a competent Engineer cause such removal to be effected and may recover the cost thereof from the owner or occupier of such house or either of them. No person shall be entitled to claim compensation in respect of anything done under this rule.

Admission of light and air into houses, and cleansing of wells.

(ii.) In any case where the Health Officer shall certify in writing that it is necessary as a precaution against the introduction or spread of disease in any place that any well should be filled up, cleansed or disinfected, he may by written order require the owner or occupier of the house or land wherein such well is situate to fill up, cleanse or disinfect such well within a reasonable time to be specified in the order, and such owner or occupier shall fill up, cleanse or disinfect such well accordingly.

48. The provisions of Rules 43, 44, 45 and 47 shall not have effect within any area which is subject to the control of a Sanitary Board.

Sanitary Board areas.

Rats.

49. (i.) Whenever there is in any house or place, without obvious cause, any unusual or excessive mortality among rats, the Health Officer may by written order require the occupants of such house or place or any of them to remove therefrom within a reasonable time, to be specified in the order, and all persons so required to remove shall comply with the terms of such order.

(ii.) All owners and occupiers of houses shall report without delay to the Health Officer or at the nearest police station any such mortality among rats as aforesaid of which they may become aware.

Special provision as to Asiatics.

50. (i.) Every Penghulu of a mukim who becomes aware of the occurrence of any case of disease within his mukim shall take immediate steps to prevent any person not authorised in writing by the Health Officer from leaving or entering any house or houses in which disease has appeared, and shall immediately give information to the District Officer and at the nearest hospital or police station of the occurrence of the disease.

(ii.) If the Health Officer considers that any diseased person, being an Asiatic not resident within the limits of any town, can be properly attended to without removal, the following provisions shall, so far as may be practicable, apply to the case of such person:—

- (a) The Penghulu shall forthwith cause a fence to be erected at a distance of 50 feet round the house or houses in which disease has appeared. Such house or houses shall be placed in charge of the Police, who shall prevent any person not authorised in writing by the Health Officer from entering or leaving such house or houses, whether such persons are or are not diseased.
- (b) The Penghulu shall take steps to supply sufficient cooked food and water daily, and as often as is necessary, to the inmates of such house or houses.
- (c) If the friends of such inmates fail to provide the necessary food the Penghulu shall purchase what is necessary, and recover the cost thereof from the person to whom it has been supplied, as a debt due to the Government; provided that if such person is unable from poverty to pay the cost thereof such cost shall be borne by the Government.
- (d) The supplies of food shall be deposited at a distance of twenty-five yards from the house or houses, and conveyed to the inmates under the direction of the Health Officer.

PART III.

LEPROSY.

Provisions as to cases of leprosy.

51. (i.) The Senior Police Officer of a district shall, on receipt of information that there is within the district a person affected or suspected to be affected with leprosy who is not in a hospital, asylum or other building provided for the reception of lepers, request the nearest Government Surgeon to examine such person, and such Surgeon shall examine such person and, on receipt of a written certificate from such Surgeon to the effect that, to the best of his knowledge and belief, the said person is affected with leprosy and is a danger to the public

health, the Senior Police Officer shall forthwith apply to the nearest Magistrate for an order authorising the removal of such person to a hospital, asylum or other building provided for the reception of lepers; and such Magistrate may in his discretion grant or refuse such order.

(ii.) Every such order shall be in writing, and shall be signed by the Magistrate granting the same, and by the certifying Surgeon, and shall be sufficient authority for the removal of the person therein named to the hospital, asylum or other building specified in the order, whether the same be within or without the State.

(iii.) A person so removed to a hospital, asylum or other building shall remain there until discharged by the Medical Officer in charge of such hospital, asylum or building, and in the event of his escaping may be captured by the officer in charge thereof or by any officer or servant belonging thereto, or by any Police Officer, and may be re-conveyed thereto, and received and detained therein.

(iv.) Any person aggrieved by an order of a Magistrate made under this section may appeal to the Senior Magistrate's Court, which may confirm, reverse, or vary such order.

52. No leper shall carry on or be employed in the trade or calling of baker, butcher, gardener, cook, or any trade or calling involving contact with articles of food or drink, drugs, medicines, or tobacco in any form; or that of washerman, tailor, or any trade or calling involving the manufacture of or contact with wearing apparel; or that of barber, or any trade or calling involving contact with other persons; or that of domestic servant, nurse, jinrikisha puller, or hackney carriage driver; and no person shall knowingly employ a leper in any such trade or calling.

Trades
prohibited to
lepers.

53. No leper shall lodge in any hotel, boarding-house or lodging-house, or bathe in any public bath, or, except with the written permission of the Health Officer, enter any hackney carriage, jinrikisha, or other public vehicle.

Lepers
forbidden to use
public convey-
ances, etc.

54. No person shall purchase or receive from any inmate of any hospital, asylum or other building provided for the reception of lepers any food, clothing, or other article.

Purchases from
lepers in asylum
forbidden.

PART IV.

RELATING TO ANIMALS.

Prevention of the Introduction of Disease.

55. (i.) Whenever information is received that disease exists amongst any animals at any place without the State it shall be lawful for the Resident to issue an order prohibiting, either absolutely or conditionally, the importation into the State of any animals from such place.

Prohibition of
importation.

(ii.) Such order shall be published in the *Gazette* at the earliest opportunity, but shall come into operation and may be enforced immediately upon the making of the order.

Orders to be
Gazetted.

56. It shall be lawful for the Resident by notification in the *Gazette* to prescribe ports or places by which alone cattle may be imported into the State, and no persons shall import cattle into the State in contravention of any such notification. All cattle intended

Ports and
places for
importation of
cattle.

for import into the State shall on arrival at any such prescribed port or place there undergo quarantine for a period not exceeding ten days from date of arrival at a quarantine station provided by Government. At the termination of the period of quarantine, the Health Officer or person in charge of the quarantine station shall grant a pass in respect of all cattle found to be free from disease authorising the movement of such cattle within the State.

Arrival of
animals in State
to be reported.

57. The Master of every vessel which shall bring an animal to a port of the State to be landed thereat, and the owner or person in charge who brings an animal to any place on the land frontier for import into the State shall forthwith on arrival at such port or place report the same to the Health Officer or person in charge of the quarantine station.

Animals
brought into
the State.

58. Every animal brought into the State is liable to undergo an examination by the Health Officer, and no animal shall enter the State without his written permission.

Ships with
diseased
animals may be
excluded from
the waters of
the State.

59. (i.) The Master of any vessel having on board any diseased animal shall, if the Health Officer so require, leave the waters of the State without landing such animal or any others that have been associated with it, and shall not re-enter the waters of the State until the expiration of such time as may be prescribed by the Health Officer.

(ii.) Every Health Officer who shall require the Master of any vessel to leave the waters of the State under the provisions of this rule shall forthwith communicate to the Health Officers at the ports of the other Federated Malay States, by telegram if possible, the name of such vessel and the period during which it is excluded from the waters of the State.

(iii.) No Master of a vessel excluded by order of a Health Officer of any other of the Federated Malay States from the waters of such State shall during the period of such exclusion enter the waters of the State.

Power to apply
Mallein test.

60. When the Health Officer is of opinion or has reason to suspect that any horse brought into the State has glanders it shall be lawful for him to place in quarantine such horse and any others that have been in association with it, and to apply the Mallein test.

Destruction of
diseased animal.

61. If any animal brought into the State is found to be diseased the Health Officer may cause it, if necessary, to be destroyed at once and its carcase disposed of in such a manner as may be best calculated to prevent the spread of infection.

Detention or
destruction of
animals
suspected of
disease.

62. (i.) Any animal which has been conveyed in the same ship, or has otherwise been in contact or in association with any diseased animal, or which, in the opinion of the Health Officer, may be likely to spread the infection, may be destroyed or detained by the Health Officer in quarantine for such period as he may, under the circumstances of the case, think proper.

(ii.) Where any animal not actually diseased is ordered to be destroyed, such compensation shall be paid to the owner thereof as may be assessed by the Health Officer, and approved by the Resident.

(iii.) No animal detained in quarantine in any place shall on any pretence whatever be moved from or be allowed to leave such place without the written permission of the Health Officer.

63. Whenever it appears to the Health Officer that any bedding, litter, fodder, fittings, or other articles brought into the State may be likely to spread disease, he shall at once seize and detain the same, and may order the destruction or further detention of the same, or the restoration thereof to the owner, after such disinfection as he may deem necessary.

Bedding.

64. All expenses connected with the seizure, detention, and disposal of animals quarantined shall be borne and paid by the owner, or consignor, or consignee, or importer of the animal, and may be recovered from them or any or either of them before any Magistrate on the certificate of the Health Officer.

Expenses.

PART V.

RELATING TO ANIMALS.

Prevention of Disease on Land.

65. The owner or person in charge of or treating any diseased animal shall forthwith give notice of such disease at the nearest hospital or police station or to the Penghulu, and the Officer in charge of such hospital or police station, or the Penghulu, shall on receipt of such notice forthwith report the same to the Health Officer.

Duty of owner, etc., on outbreak of disease.

66. The owner or person in charge of the diseased animal shall at once cause it and all other animals which have been associated with it, to be confined within his premises till the arrival of the Health Officer, and shall cause the stable or place wherein such animal is found to be thoroughly disinfected to the satisfaction of the Health Officer, and shall also cause any harness, clothing, bedding, brushes and utensils used for such animal to be destroyed or disinfected to such satisfaction as aforesaid.

Duty of owner of diseased animal.

67. The owner or person in charge of any animal dying from disease shall bury the carcase thereof at such a depth as the Health Officer shall direct, and if the disease be rinderpest shall so fence the place of burial as to prevent access to it by wild pigs. No such carcase shall on any account be thrown into a river or other watercourse.

Disposal of carcase.

68. It shall be lawful for the Health Officer, or any person generally authorised in that behalf by him in writing, to enter into or upon any stable or place where any animal is kept, for the purpose of inspecting such animal or place.

Inspection of stables.

69. If any animal be found to be diseased, it shall be lawful for the Health Officer forthwith to destroy or cause to be destroyed such animal, and to burn or otherwise dispose of the carcase in such manner as may be best calculated to prevent the spread of infection, and to recover the cost thereof from the owner of such animal.

Destruction of diseased animal.

70. It shall be lawful for the Health Officer to isolate or detain, or require the owner or person in charge to isolate or detain any diseased animal or any animal that has been in contact or association with a

Isolation.

diseased animal, or is suspected to be diseased, in such place and for such period as he may, under the circumstances of the case, think proper, and every person affected by such requisition shall forthwith comply with the same. In the case of horses and ponies the Health Officer may at his discretion apply the Mallein test for glanders. All costs and expenses incurred by the Health Officer in pursuance of this rule shall be recoverable from the said owner or person in charge.

Prohibition of removal of diseased animal.

71. No diseased animal shall be led through any public thoroughfare or otherwise removed from the owner's premises except on the written order of the Health Officer and under precautions approved by him.

Disinfection of stable.

72. No animal shall be moved into any stable or pig-stye or other place where disease has existed until such stable or pig-stye or place has been cleansed and disinfected to the satisfaction of the Health Officer.

Destruction of building.

73. Whenever it appears to the Health Officer that any house, stable, cattle-shed or other building, which has been occupied by any diseased animal cannot be effectively disinfected, it shall be lawful for such Health Officer to cause such building to be pulled down or otherwise destroyed and the materials thereof to be burnt, and to recover the cost thereof from the owner of such building.

Report to Resident.

74. Every act done by such Health Officer under the powers conferred by the preceding rule shall be forthwith reported by him in writing to the Resident; whereupon it shall be lawful for the Resident at his discretion to award or withhold compensation in respect of the building so destroyed.

Stables to be cleansed.

75. All stables, cattle-sheds, pig-styes and other place where animals are kept, shall be thoroughly cleansed and lime-washed by the owner or his agent at least once every six months, and also at any other time when the Health Officer so directs.

Power to prohibit use of insanitary stables, etc.

76. If the Health Officer is of opinion that any stable, cattle-shed, pig-stye, or other place where animals are kept is in an insanitary condition he may prohibit its further use, and after such prohibition, the owner or person in charge shall not use or suffer the same to be used till the requirements of the Health Officer in respect of such place have been complied with.

Regulation of movements of animals.

77. (i.) Whenever it appears to the Resident, after such enquiry as he shall deem necessary, that disease exists amongst any animals, it shall be lawful for the Resident to issue an order to regulate or prohibit the movement of any animals into, out of or within limits fixed by him.

(ii.) Such order shall be published in the *Gazette* at the earliest opportunity but shall come into operation and may be enforced immediately upon the making of the order.

Destruction of pigs.

78. Whenever an order has been issued by the Resident under the last preceding rule owing to the existence of disease amongst pigs, it shall be lawful for the Deputy Commissioner of Police, or any officer deputed by him, to shoot or otherwise destroy all pigs found straying in contravention of such order.

PART VI.

DAIRIES.

79. (i.) Except within the limits of any area subject to the control of a Sanitary Board no person shall carry on the trade of a cow-keeper, dairyman, or purveyor of milk in any district who is not registered at the office of the Health Officer of the district or, if there be no such Health Officer, at the office of the District Officer, as authorised to carry on such trade within such district. No person shall be so registered until he shall have furnished full information, to the satisfaction of the Health Officer or District Officer as the case may be, as to his place of residence, the place where his cows are kept, the place where the milk is to be kept for sale and the general suitability of his arrangements for carrying on such trade; and no such registration shall remain in force after the 31st day of January of the year next following the date thereof.

Provision as to dairies.

(ii.) All cow-sheds, dairies, and places for the sale of milk shall have a plentiful supply of pure water, and the premises and all utensils used therein shall be kept clean to the satisfaction of the Health Officer.

(iii.) All cow-sheds shall be freely ventilated and well drained, and all filth and refuse shall be removed at least once in every twenty-four hours.

(iv.) All cow-sheds, dairies, and places for the sale of milk shall at all times be open to inspection by the Health Officer or District Officer, or by any other officer duly authorised by them or either of them to make such inspection, and may at any time be closed by written order of the Health Officer or District Officer.

(v.) No person shall sell or offer for sale any milk which has been adulterated by the addition of any substance or from which any of its nutritive constituents have been abstracted.

(vi.) Any person offering milk for sale, and any proprietor, occupier, or manager of a cow-shed, dairy, or place for the sale of milk, and any person entrusted for the time being with the charge of any milk, shall permit any officer duly authorised in that behalf in writing by the Health Officer or District Officer at any time to take such quantity of such milk as such officer shall require for the purpose of analysis, on his making or tendering payment therefor.

(vii.) Every proprietor, occupier, or manager of a cow-shed, dairy or place for the sale of milk, who shall have in his possession or under his charge any diseased animal shall give immediate notice thereof in writing to the Health Officer or District Officer and no person shall sell or offer for sale the milk of any such animal or dispose of such milk for human food until the Health Officer shall have given written permission therefor.

(viii.) Every Proprietor, occupier, or manager of a cow-shed, dairy or place for the sale of milk shall, when any person residing in his house or being in his employment becomes diseased, give immediate notice in writing thereof to the Health Officer or the District Officer.



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of April 1, 1910, No. 11, Vol. II, Notification No. 580.*

FEDERATED MALAY STATES.

"THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENT, 1903."

REGISTRATION OF DOGS.

IN exercise of the powers conferred on them by section 4 of "The Quarantine and Prevention of Disease Enactment, 1903," the Residents of Perak, Selangor and Pahang, for their respective States, with the approval of the Resident-General, hereby prescribe a fee of fifty cents to be charged on the issue of a metal numbered badge in respect of a dog or bitch, previously registered in accordance with the rules made under the said Enactment, whose badge during the current year of such registration has been lost or otherwise rendered unserviceable.



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1910.



FEDERATED MALAY STATES.

"THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENTS, 1903."

IN exercise of the powers in them severally vested by section 3 of "The Quarantine and Prevention of Disease Enactments, 1903," the Residents of Perak, Selangor, Negri Sembilan and Pahang for their several States, with the approval of the Resident-General, have made the following new rule, to be numbered 89A, and inserted immediately after rule 89 of the Rules under the said Enactments published as Notifications Nos. 755, 452, 360 and 243, respectively, in the *Perak Government Gazette* of the 17th September, 1909, the *Selangor Government Gazette* of the 5th August, 1909, the *Negri Sembilan Government Gazette* of the 20th August, 1909, and the *Pahang Government Gazette* of the 5th November, 1909, and to be read and construed as a portion of the said rules :

"89A. (i) Whenever an order has been made by the Resident under rule 89 and for so long as such order shall remain in force, it shall be lawful for the Health Officer—

(a) to isolate or detain or to order the owner or person in charge of such animal to isolate or detain in such place and for such period as the Health Officer may in the circumstances of the case think proper any animal which has been in contact or association with, or is suspected to have been bitten by, a rabid dog, or is in the opinion of the Health Officer likely to spread the infection ;

(b) in any case in which it appears to the Health Officer necessary or expedient in the interests of the public health to destroy, or to order the owner or person in charge of any such animal to destroy any such animal as aforesaid.

"(ii) Every person shall be bound to comply forthwith with any order made by the Health Officer under this rule.

"(iii) All expenses incurred by the Health Officer in pursuance of this rule whether for the isolation or detention or for the maintenance while so isolated or detained of any animal shall be recoverable from the owner or person in charge of such animal.

"(iv) In any case in which an animal not actually diseased or infected is destroyed by order of the Health Officer under the powers given by this rule such compensation shall be paid to the owner thereof as may be assessed by the Health Officer and approved by the Resident, but no compensation shall be payable in respect of the destruction of any animal shown to have been diseased or infected, and no compensation shall be payable in respect of the destruction of any animal not actually diseased or infected except as approved by the Resident."



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FEDERATED MALAY STATES.

"THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENTS, 1903."

IN exercise of the powers vested in them by section 3 of
"The Quarantine and Prevention of Disease Enact-
ments, 1903," and of all other the powers them
hereunto enabling the Residents of Perak, Selangor,
Negri Sembilan and Pahang, each for their respective
State, with the approval of the Chief Secretary to
Government, hereby make the following amend-
ments to rule 27 of the rules made under the said
Enactments:

"By inserting in line 2 thereof, after the words "rule 2," the
words "or after any order has been made by the Health Officer under
rule 4," and after the word "infected" in line 5 thereof the words
"or from any ship subject to an order under rule 4."



KUALA LUMPUR:

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1911.



FEDERATED MALAY STATES.

ENACTMENT No. 37 OF 1918.

An Enactment to further amend the Quarantine and Prevention of Disease Enactments, 1903.

ARTHUR YOUNG,
President of the Federal Council.

[26th December, 1918.]

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as "The Quarantine and Prevention of Disease Enactments, 1903, Amendment Enactment, 1918," and shall come into force on the publication thereof in the *Gazette*. Short title, commencement and construction.

(ii) This Enactment shall be read and construed as one with the Enactments mentioned in the schedule, which are hereinafter called the "principal Enactments," and any copies of the principal Enactments printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

2. Immediately after section 4 of the principal Enactments there is inserted a new section, as follows: New section 4A.

"4A. (i) The Court of a Magistrate of the First Class may on the information and application of a Health Officer, after summons to the owner or occupier of the building or place in respect whereof the application is made to attend and shew cause against the making of an order and after taking such evidence as the Court thinks proper, make an order as hereinafter provided: Order by Court of a Magistrate.

(a) Where it is made to appear to the Court that any building is in such an insanitary condition as to facilitate the spread of disease, the Court may by order prohibit the use of such building as a dwelling-house until the said order shall be revoked by the Court.

(b) Where it is made to appear to the Court that any building used as a dwelling is so overcrowded as to expose the inmates thereof to risk of disease, the Court may by order require the owner or occupier of the building to abate the overcrowding within a reasonable time, to be fixed by the Court, by reducing the number of inmates and may fix the extent of such reduction.

(c) In the case of

(1) a building prohibited under this section to be used as a dwelling-house, or

(2) a building or enclosure appearing to the Court to be in such a filthy or insanitary condition as to facilitate the spread of disease,

the Court may by order require the owner or occupier to carry out within a reasonable time, to be fixed by the Court, such measures as may seem to the Court necessary for the purpose of cleansing, ventilating or disinfecting such building or enclosure, as the case may be.



(ii) For the enforcement of any order made under this section the Court by which the order was made may cause any person to be forcibly removed from any building and may cause any building or enclosure to be forcibly broken open and any articles found therein to be disinfected or destroyed.

(iii) If any person acts in contravention of or disobeys any order made under this section, he shall be guilty of an offence against this Enactment.

(iv) For the purposes of Part VII of the Criminal Procedure Codes, 1902 and 1903, proceedings under this section shall be deemed to be proceedings in a criminal matter."

SCHEDULE.

PRINCIPAL ENACTMENTS.

State.	No. and year.	Short title.
Perak	18 of 1903	The Quarantine and Prevention of Disease Enactment, 1903
Selangor	13 "	" " "
Negri Sembilan	22 "	" " "
Pahang	16 "	" " "



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Gazette of May 31, 1919, No. 12, Vol. XI, Notification No. 2175.*

FEDERATED MALAY STATES.
THE QUARANTINE AND PREVENTION OF DISEASE
ENACTMENTS, 1903.

In exercise of the powers vested in them respectively by section 3 of the Quarantine and Prevention of Disease Enactments, 1903, the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, with the approval of the Chief Secretary to Government, hereby vary and add to the rules now in force under the said Enactments as follows:

Rule 56A (a) is amended by the addition of the words "or Padang Besar, Perlis" after the words "Sungei Patani, Kedah".



KUALA LUMPUR:

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Federated Malay States.

1919.

Published in Supplement to the Journal of the Royal Asiatic Society
Volume 51, Part 1, 1901, No. 1, p. 1.

FEDERATED MALAY STATES THE GUARANTEE AND INVESTMENT OF THE SINGAPORE TRUST

In exercise of the power vested in me respectively by sections 2
of the Companies and Investment of Money Ordinances
1904, the Board of Directors of the Singapore Trust and
Investment Company Limited, do hereby certify that the
guarantee of the said Trust is in accordance with the
provisions of the said Ordinances and that the said
Trust is in accordance with the provisions of the said
Ordinances.

Witness my hand and seal at the City of Singapore
this 1st day of April 1923.



Printed by the Singapore Government Press, Singapore.
1923.

*Published in the Federated Malay States Government Gazette
of April 23, 1920, No. 9, Vol. XII, Notification No. 1658.*

FEDERATED MALAY STATES.

THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENTS, 1903.

IN exercise of the powers in them severally vested by section 3 of the Quarantine and Prevention of Disease Enactments, 1903, the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, hereby with the approval of the Chief Secretary to Government make the following addition to the rules now in force under the said Enactments:

Immediately after paragraph (ii) of rule 90 there is inserted a new paragraph, as follows:

“(iii) Notwithstanding any order issued by the Resident under this rule, dogs may be conveyed in a cage by railway train through any area to which such order relates, subject to the following provisions:

- (a) 24 hours before the dog enters the area, notice in writing shall be given to the Government Veterinary Surgeon, of the train by which the dog will be brought into, and the train by which it will leave the area.
- (b) the dog shall not remain within the area for a longer time than is necessary to make the journey through by train;
- (c) the dog shall not under any circumstances be permitted to leave the railway premises and if and when it is permitted to descend from the train, shall be kept in a cage.”



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1920.

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No. 11, Malacca Street, Singapore.

FEDERATED MALAY STATES

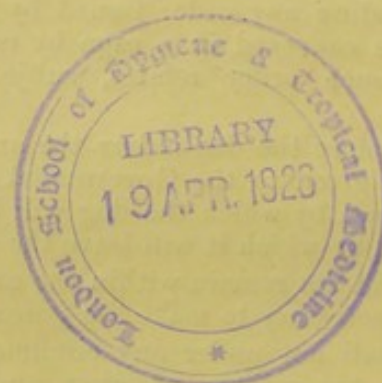
THE GUARANTEE AND CERTIFICATION OF MEDICAL EXAMINATIONS

In pursuance of the provisions of the Federal Medical Examination Act, 1919, the Government of the Federated Malay States has the honor to certify that the following persons have been examined and found to be qualified to practice as medical officers in the Federated Malay States.

A list of the names of the persons who have been so qualified is published in the Government Gazette, and a copy of the same is forwarded to the undersigned for his information.

The undersigned has the honor to acknowledge the receipt of the above-mentioned list, and to certify that the same has been forwarded to the appropriate authorities for their consideration.

Yours faithfully,
The Secretary to the Government of the Federated Malay States.



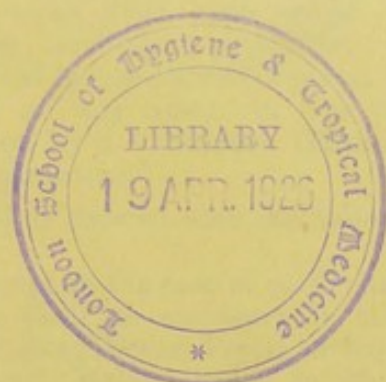
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*Published in the Federated Malay States Government Gazette
of July 15, 1921, No. 15, Vol. XIII, Notification No. 3332.*

FEDERATED MALAY STATES.

THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENTS, 1903.

IN exercise of the powers vested in them respectively by section 3 of the Quarantine and Prevention of Disease Enactments, 1903, the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, with the approval of the Chief Secretary to Government, hereby vary and amend rule 51 of the rules now in force under the said Enactments by the rescission of the words "request the nearest Government Surgeon to examine such person" in the fourth line of sub-section (i) thereof and the substitution therefor of the words "remove such person forthwith to the nearest Government hospital and request the Government Medical Officer in charge of such hospital to detain him for examination," and by the substitution of the words "Medical Officer" for the word "Surgeon" wherever occurring in the said rule.



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1921.

FEDERATED MALAY STATES.

"THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENTS, 1903."

IN exercise of the powers vested in them, respectively, by section 3 of "The Quarantine and Prevention of Disease Enactments, 1903," the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, with the approval of the Chief Secretary to Government, hereby vary and add to the rules heretofore made and now in force under the said Enactments, as follows:

Rule 56 (ii) is amended by the addition at the end thereof of a proviso as follows:

"Provided that nothing herein contained shall apply to cattle imported by train and entrained at Padang Besar, Perlis."

Rule 56A (b) is amended by the addition at the end thereof of a proviso as follows:

"Provided further that nothing herein contained shall apply to cattle imported by train and entrained at Padang Besar, Perlis."

Immediately after rule 56A (b) there is inserted a new sub-rule as follows:

"(bb) Cattle imported by train and entrained at Padang Besar, Perlis, shall before being entrained undergo quarantine for a period of ten days at the Government Quarantine Station at Padang Besar, and the certificate required under rule 56A (a) above shall state, in addition to the particulars required under the said rule, that such cattle have undergone quarantine for the prescribed period. Cattle accompanied by such a certificate as aforesaid may be detained at any place in the State and after examination by a Veterinary Officer moved without further quarantine."

The proviso to rule 57 is deleted and the following substituted therefor:

"Provided that, except in the case of cattle brought to a port, no such report shall be necessary in the case of cattle brought from Padang Besar, Perlis, or from a place situate in the Federated Malay States, in Malacca or in the Dindings."

The proviso to rule 58 is deleted and the following substituted therefor:

"Provided that, except in the case of cattle brought to a port, the said permission shall not be required for cattle brought from Padang Besar, Perlis, or from a place situate in the Federated Malay States, in Malacca or in the Dindings."

KUALA LUMPUR:

Printed by the Superintendent, Government Printing Department,
Federated Malay States.

FEDERATED MALAY STATES

"THE QUARANTINE AND PREVENTION OF DISEASE EXACTMENTS, 1903"

In exercise of the powers vested in them, respectively, by section 2
of "The Quarantine and Prevention of Disease Examinations, 1903,"
the Residents of Perak, Selangor, Negri Sembilan and Pahang,
each in respect of the State where he is Resident, with the
approval of the Chief Secretary to Government, hereby vary and
add to the rules heretofore made and now in force under the
said Examinations, as follows:

Rule 56 (ii) is amended by the addition of the following of
a proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (i) is amended by the addition of the following of a
proviso as follows:

"Provided further that nothing herein contained shall apply to
cattle imported by train and entered at the port of Kuala Lumpur."

Rule 56a (ii) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (iii) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (iv) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (v) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (vi) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (vii) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (viii) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."

Rule 56a (ix) is amended by the addition of the following of a
proviso as follows:

"Provided that nothing herein contained shall apply to cattle
imported by train and entered at the port of Kuala Lumpur."



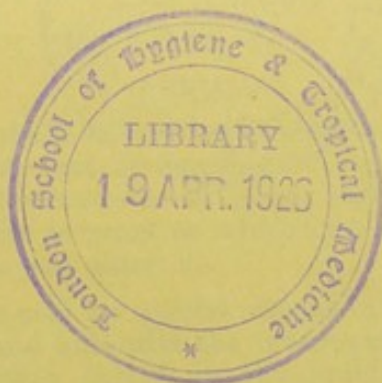
*Published in the Federated Malay States Government Gazette
of February 20, 1925, No. 4, Vol. XVII, Notification No. 1129.*

FEDERATED MALAY STATES.

"THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENT, 1903."

IN exercise of the powers vested in them by sections 3 and 4 of "The Quarantine and Prevention of Disease Enactment, 1903," the Residents of Perak, Selangor, Negri Sembilan and Pahang, each in respect of the State whereof he is Resident, with the approval of the Chief Secretary to Government, hereby make the following addition to the rules heretofore made and now in force under the said Enactment:

91. It shall be lawful for any member of the Police Force to seize any diseased dog or any dog suspected of being diseased, and to produce such dog for inspection by the Government Veterinary Surgeon, and the Government Veterinary Surgeon may cause any dog found to be diseased to be destroyed. [G. 2907/24.]



1925.

KUALA LUMPUR :

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Price 5 cents.



FEDERATED MALAY STATES.

ENACTMENT No. 4 OF 1910.

An Enactment to repeal and re-enact with amendments
the Law relating to Burials.

JOHN ANDERSON,
President of the Federal Council.

[1st November, 1910.]

IT is hereby enacted by the Rulers of the Federated Malay States
in Council as follows:

1. (i) This Enactment may be cited as "The Burials Enactment, 1910," and shall come into force upon the publication thereof in the *Gazette*. Short title, commencement and repeals.

(ii) Upon the coming into force of this Enactment the Enactments mentioned in the schedule shall be repealed to the extent specified in the fourth column thereof, provided that all licences issued and all rules made under the Enactments hereby repealed shall in so far as they are not inconsistent with the provisions of this Enactment be deemed to have been issued or made under this Enactment.

PART I.

BURIALS.

2. (i) No place shall, save as hereinafter in this section provided, be used for the interment or burning of any corpse except under a licence from the Resident who is hereby empowered, at his discretion, from time to time to grant or refuse such licences and to impose such conditions as he may think fit. No place to be used for the interment or burning of any corpse except under a licence from the Resident.

(ii) The Resident may for special reasons in any particular case by writing under his hand authorise the interment of the corpse of any person in such writing named in any building or place, whether licensed or not under the last preceding sub-section, under such conditions as he thinks necessary for the protection of the public health and upon payment of such fee not exceeding one hundred dollars as he may consider reasonable in each case. Special permits in particular cases.

3. Every licence for the use of a place as a burial or burning ground shall be in the form prescribed by rules made under this Enactment and shall be issued to the owner or person having the control or charge of the burial or burning ground in respect of which the same is granted, or if there be no registered owner or other person having the lawful control or charge of such burial or burning ground then to such person or body of persons as the Resident shall think fit: provided that the issue of the licence to any person or persons shall not be taken to convey or establish any title to land or to corroborate, qualify or bar any right thereto. Form of licence and to whom licences may be issued.

Sanitary Boards
may provide
burial grounds.

4. A Sanitary Board may, with the approval of the Resident provide within the area subject to its control fitting places to be used as burial or burning grounds, having due regard to the nationalities and religious usages of the several classes of the community, and may, with the like approval, make rules for the management of such burial and burning grounds not inconsistent with any rules made by the Resident, with the approval of the Resident-General, under this Enactment.

Public burial
grounds.

5. Every burial or burning ground provided by a Sanitary Board and every burial or burning ground in respect of which the Resident is satisfied on enquiry that its use is open without discrimination to all members of a particular nationality or of a particular religious community or to all persons of a particular nationality who are also members of a particular religious community shall be deemed a public burial ground, and no fee shall be payable in respect of a licence issued for such burial or burning ground, but the licence issued shall state the classes to which the use of such burial ground is open.

Private burial
grounds.

6. Every burial or burning ground other than a public burial or burning ground as defined in the last preceding section shall be deemed a private burial or burning ground, as the case may be, and there shall be paid in respect of every licence for such burial ground or burning ground issued under this Enactment a fee of five hundred dollars.

Power to close
burial grounds
and revoke
licences.

7. The Resident may at any time on being satisfied that any burial ground or burning ground cannot be further used without danger to the public health or comfort, or that the same being licensed is being used in contravention of the terms or conditions of the licence, order the same to be closed or may revoke the licence.

Penalty for
unlawful
burial.

8. (i) Whoever, save as is provided in section 2, buries or burns or causes, procures or suffers to be buried or burned any corpse or the remains of any corpse, or prepares any place to be used for the interment of a corpse in or upon any place not being a licensed burial or burning ground, or in or upon any burial or burning ground which has been closed by order of the Resident under the last preceding section or the licence for which has been revoked, shall be liable on conviction before a Magistrate of the First Class to a fine not exceeding five hundred dollars, and the Magistrate may by written order under his hand direct such person within a time to be fixed in such order

Magistrate's
order to remove
corpse unlaw-
fully buried.

(a) to remove the corpse or remains of the corpse in respect of which the offence has been committed from the place where it has been buried or burned to a licensed burial or burning ground;

(b) to remove any structure erected in contravention of the provisions of this section and to restore the ground to its original state.

Penalty for
disobedience of
Magistrate's
order.

(ii) If any person refuses or neglects to obey any such order he shall for such default be liable on conviction to a penalty not exceeding one hundred dollars together with such further sum not exceeding twenty-five dollars a day for every day during which such default shall continue as the Magistrate shall order, and the Magistrate may proceed to carry the order into execution at the expense of such person and to hire and employ proper persons for that purpose

and may recover all expenses incurred in carrying the order into execution in the manner provided by law for the levy of fines imposed by a Magistrate.

9. Nothing in this Enactment contained shall prevent the burial or interment in or upon State land, or in or upon any land belonging to a private person with the consent of such person, of any corpse or the remains of a corpse found in an advanced state of decomposition under an order in writing for such burial or interment made by a Magistrate or by the Secretary to the Resident. Exception.

10. (i) The Resident may, with the approval of the Resident-General, from time to time make and when made vary or rescind rules for any of the following purposes—viz., Power to make rules.

- (a) to provide for the registration, inspection and regulation of public and private burial grounds ;
- (b) to prescribe the depth of graves and places of interment and the space to be reserved between them ;
- (c) to prescribe the mode of making and keeping the register of burial and burning grounds ;
- (d) to prescribe the form in which the register of burials and burnings shall be kept at each licensed burial or burning ground, and the particulars with regard to each burial and burning which shall be entered in such register ;
- (e) to prescribe the form of licences and the form and mode of publication or service of orders made under this Enactment ;
- (f) to prescribe the fees, if any, to be taken in any licensed public burial or burning ground ;
- (g) generally to carry out the provisions of this Enactment in relation to all matters connected with the management, upkeep and good order of burial and burning grounds, due regard being had to the religious usages of the several classes of the community ;

and may attach to the breach of any such rules a penalty on conviction before a Magistrate not exceeding twenty-five dollars.

(ii) All such rules shall be published in the *Gazette* and shall thereupon have the force of law.

PART II.

EXHUMATIONS.

11. (i) Except as hereinbefore provided no person shall exhume any corpse or the remains of any corpse other than Exhumation unlawful except by order of Magistrate or under a licence.

- (a) by order of a Magistrate for the purpose of a judicial enquiry ;
- (b) under a licence granted by the Resident under his hand authorising such exhumation.

(ii) The Resident may from time to time, with the approval of the Resident-General, make rules to prescribe the form and conditions of licences to be issued under this section and the fees payable in respect of such licences and generally for carrying into effect the provisions of Power to make rules.

this section, and all such rules shall be published in the *Gazette* and when so published shall have the force of law.

Penalty for unlawful exhumation.

(iii) Any person who shall exhume or cause to be exhumed any corpse or the remains of any corpse contrary to the provisions of this section or of any rules made under the last preceding sub-section, or who shall neglect to observe any precaution prescribed as a condition of the licence to exhume or who shall fail to comply with any reasonable directions issued to him by a Health Officer for the purpose of preventing danger to the public health, shall be liable on conviction before a Magistrate to a fine not exceeding two hundred and fifty dollars.

PART III.

GENERAL PROVISIONS.

Sanction of Resident required to prosecute.

12. No prosecution shall be instituted under section 8 or section 11 of this Enactment without the previous sanction in writing of the Resident or of an officer to whom the power of granting such sanction shall have been delegated by him.

Delegation of powers.

13. The Resident may delegate any of the powers conferred upon him by this Enactment, other than the power of granting licences for the exhumation of corpses, to a Sanitary Board to be exercised within the area subject to its control under such conditions as he may think fit.

SCHEDULE.

ENACTMENTS REPEALED.

State.	No. of Enactment.	Short title.	Extent of repeal.
Perak ...	Order in Council No. 1 of 1896	The Burials Order in Council, 1896	The whole
Selangor ...	Regulation No. VII of 1895	The Burials Regulation, 1895	"
Negri Sembilan	Enactment No. 18 of 1904	The Burials Enactment, 1904	"
Pahang ...	Enactment No. 12 of 1904	"	"

KUALA LUMPUR:

Printed by the Superintendent, Printing Department, F.M.S.

1910.



FEDERATED MALAY STATES.

"THE BURIALS ENACTMENT, 1910."

IN pursuance of the powers in them severally vested by section 10 of "The Burials Enactment, 1910," and of all other the powers them hereunto enabling the Residents of Perak, Selangor and Negri Sembilan, each for their respective State, with the approval of the Chief Secretary to Government, hereby make the following rules under the said Enactment:

1. In these rules the following terms shall bear the meanings hereby assigned to them—

"Manager" means the owner or owners or person or persons having the control or charge of any burial or burning ground licensed under the Enactment.

"Caretaker" means any person appointed by the manager to the custody of a burial or burning ground with the approval of the District Officer or Collector of Land Revenue.

"Burial" includes cremation.

"Enactment" means Enactment 4 of 1910.

2. Every licence for the use of a place as a burial ground shall be in the form in schedule "A" hereto and shall be issued in manner prescribed by section 3 of the Enactment.

3. A register of all licences issued by the Resident shall be kept in the office of the Secretary to Resident.

4. Every application for a licence shall be made to a Collector of Land Revenue or District Officer and shall be accompanied by a plan of the land applied for. The site shall be reported upon by a Health Officer before a licence is issued.

5. All licences issued shall be registered in the Land Office of the district.

6. A notice shall be posted in a conspicuous place at the main entrance to every burial ground, giving the name and address of a caretaker of such ground.

7. It shall be the duty of a Registrar or Deputy Registrar of Deaths or of the officer in charge of the nearest Police Station upon receiving a report of the death of any person when there are no special circumstances requiring the delay in issuing such permit to forthwith issue to the occupier of the house in which such death occurs or to the principal person concerned in the burial of any corpse a permit to bury in the form in schedule "B" hereto.

8. In any case in which a permit to bury is not issued forthwith such permit may be issued by any Government Medical Officer, Coroner or Magistrate instead of in manner prescribed by rule 7 hereof.

9. No manager or caretaker shall permit the burial of any person until the permit referred to in rule 7 hereof shall have been produced to him.

10. The particulars contained in such permit shall forthwith be entered by the manager or caretaker in a register of burials in the form in schedule C hereto.

11. The register of burials shall at all times be open to the inspection of any officer of the Government authorised by the Resident to inspect the same.

12. The digging of all graves shall be under the supervision of the caretaker, who shall see that every grave is properly dug to a depth of at least five feet.

13. No interment shall take place except in the presence of the caretaker, and with the permission of the manager which may be conveyed through the caretaker, who, if unable to be present, shall appoint a qualified deputy.

14. All burial grounds shall be open to inspection at any time by any officer of the Government authorised by the Resident to inspect the same.

15. Every burial ground shall be fenced in or otherwise closed and kept in decent and proper order.

16. The manager shall, upon receipt of a notice in writing from the Collector of Land Revenue or District Officer, forthwith fence in, enclose, clear or trim the burial ground under his control.

17. Should he fail to make a commencement to carry out the work specified in such notice within 15 days of the day on which the notice was served on him, or to complete the said work within a period to be stated in the notice, the Collector of Land Revenue or District Officer may carry out the work and shall recover the cost thereof from the manager.

18. All orders issued under the Enactment or any rules made thereunder shall be signed by the authority making the order or some other duly authorised officer and shall be served on the manager, who shall be responsible for their being carried out.

19. The manager shall at any time during reasonable hours allow the register of burials to be searched in his presence or that of the caretaker after receipt of a fee of \$1, and shall, if required, give a certified copy of any entry after receipt of a further fee of \$1.

20. Any person committing a breach of these rules shall be liable, upon conviction before a Magistrate, to fine which may amount to \$25.

SCHEDULE A.

BURIAL GROUND LICENCE.

.....of.....having satisfied the Resident that he is the proper person to have control or charge of the land specified in the schedule hereto is hereby licensed to use the said land as a place of interment for.....subject to the provisions of "The Burials Enactment, 1910," and of the rules made by the Resident under section 10 thereof.

.....19...

.....
Resident.

DESCRIPTION OF LAND.

SCHEDULE B.
PERMIT TO BURY.
TO BE GIVEN TO KEEPER OF BURIAL GROUND.

No. in register.	No.	Name.	Age.	Sex.	Nationality.	Residence at death.	Date of death.	Cause of death.	Station at which death registered and date of registration.
Name									
Age									
Sex									
Date of Registration									

SCHEDULE C.
REGISTER OF BURIALS.
.....in.....District of.....

No.	Name.	Age.	Sex.	Nationality.	Residence at death.	Date of death.	Cause of death.	Name of informant.	Date of registration.	No. of grave.

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1926

FEDERATED MALAY STATES.

"THE BURIALS ENACTMENT, 1910."

IN exercise of the powers in them severally vested, and of all other the powers them hereunto enabling the Residents of Perak, Selangor, Negri Sembilan and Pahang for their several States hereby with the approval of the Chief Secretary to Government, make the following rules under section 11, sub-section (ii) of "The Burials Enactment, 1910":

1. Every application for a licence to exhume a corpse shall be made in writing to a District Officer or Collector of Land Revenue, and shall be in the form in the first schedule hereto.

Copies of the form may be obtained from any District Officer or Collector of Land Revenue.

2. Every such applicant must satisfy the Resident that he is a fit and proper person to obtain possession of the body and has the right to remove it.

3. Licences issued under this section shall be subject to the following conditions:

- (i) There shall be in readiness at the time of exhumation a coffin with an inner casing of lead, zinc, or other material capable of being hermetically sealed, or a jar or other suitable receptacle and another casing of sufficient strength to bear transporting or shipment shall also be provided;
- (ii) The receptacle containing the corpse shall, if it be not forthwith re-interred or placed on board ship be so kept as not to be a nuisance or injurious or dangerous to health;
- (iii) After the removal of the corpse the grave shall at once be filled in with earth;
- (iv) The Health Officer shall have twenty-four hours previous notice of the day and hour when exhumation will take place.

4. There shall be paid for every such licence a fee of \$5, which may be remitted at the discretion of the Resident.

5. All expenses in connection with the exhumation shall be paid by the person to whom the licence is issued.

6. Whenever there are reasonable grounds for believing that the deceased person died of an infectious or contagious disease, a licence for exhumation will not be granted within a period of twelve months from the demise of the deceased person, except in such special cases and subject to such special conditions as the Resident may approve.

7. The Resident may, if he thinks fit, require any applicant to make such deposit by way of security for the fulfilment of the conditions of the licence as he may deem necessary.

8. In cases in which the corpse in respect of which an application is made under this Enactment is buried within the boundaries of alienated land, a licence shall not be granted unless and until full compensation has been made to the owner for all actual damage to be caused by disinterment of the corpse.

9. An exhumation licence shall be in the form contained in the second schedule hereto.

10. The rules published as Notification No. 2059 in the *Gazette* of 15th September, 1911, are hereby rescinded.

FIRST SCHEDULE.

APPLICATION FOR EXHUMATION LICENCE.

Full name of the deceased.....
 Nationality.....
 Sex.....
 Age.....
 Occupation.....
 Residence at death.....
 Cause of death.....
 Date of death.....
 Situation of burial ground.....
 Purpose for which applicant desires to remove the body.....
 Full name of applicant.....
 Full address of applicant.....
 Dated.....

.....
Signature of applicant.

SECOND SCHEDULE.

EXHUMATION LICENCE.

In pursuance of the power conferred by "The Burials Enactment, 1910," permission is hereby granted to.....to exhume the corpse of.....buried on the.....at.....for the purpose of.....in accordance with the rules made under the said Enactment.

Fee paid.....

Date.....19...

.....
British Resident.

KUALA LUMPUR:

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1920.



*Published in Supplement to the Federated Malay States Government
Gazette of August 31, 1923, No. 17, Vol. XV, Notification No. 5290.*

FEDERATED MALAY STATES.

ENACTMENT No. 10 OF 1923.

An Enactment to amend "The Burials Enactment, 1910."

L. N. GUILLEMARD,
President of the Federal Council.

[18th August, 1923.]

It is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as "The Burials Enactment, 1910, Amendment Enactment, 1923," and shall come into force on the publication thereof in the *Gazette*.

Short title,
commencement
and construc-
tion.

(ii) This Enactment shall be read and construed as one with "The Burials Enactment, 1910," hereinafter called the "principal Enactment," and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendment made by this Enactment.

2. Section 6 of the principal Enactment is amended by adding at the end thereof the words "provided that the Resident may remit the aforesaid fee wholly or in part in the case of estate burial grounds."

Amendment of
section 6.

Passed this 10th day of July, 1923.

G. W. BRYANT,
Clerk of Council.

KUALA LUMPUR:

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Federated Malay States.

1923.



*Published in the Federated Malay States Government Gazette
of February 23, 1923, No. 4, Vol. XV, Notification No. 1058.*

FEDERATED MALAY STATES.

"THE SALE OF FOOD AND DRUGS ENACTMENT, 1913."

IN exercise of the power conferred upon him by section 27 of "The Sale of Food and Drugs Enactment, 1913," the Chief Secretary to Government hereby amends the rules made by him and published in the *Gazette* as Notification No. 2725 of 14th September, 1917, as follows:

1. After the definition of "brandy" in rule 1 the following definition is inserted:

"'Toddy' means the fermented juice of the coconut, palmyra, date or any other kind of palm tree, although such juice may not have perceptibly begun to ferment."

2. The following standard is added to the standards prescribed under rule 2:

"(k) toddy must not contain more than ten per centum of alcohol by volume or have an acidity exceeding 0.8 per centum expressed in terms of acetic acid."

KUALA LUMPUR:

Printed by the Superintendent, Government Printing Department,
Federated Malay States.

1923.

Published in the *Journal of Tropical Medicine and Hygiene*, Vol. 27, No. 1, 1924, p. 1-10.

FERMENTED-MALAY STOUT

THE SALMON FISH AND OILS ASSOCIATION LTD.
In 1917, the first standard was adopted for the
sale of fish and oils. This standard was
based on the following points: the fish must be
and packed in the same as sold in 1917 at 1917
standard 1917 as follows:

1. After the addition of "bushy" in rule 1, the following
definition is inserted:
"Tobacco" means the fermented juice of the tobacco plant,
in any form of pipe or cigarette, although such juice
may not have previously been so treated.
2. The following standard is added to the standard previously
under rule 2:
(a) The following standard is added to the standard previously
under rule 2:



Printed by the Government Printer, Singapore.
Published by the Government Printer, Singapore.

FEDERATED MALAY STATES.

ENACTMENT No. 13 OF 1916.

AS AMENDED BY FED. E. 12 OF 1917, 17 OF 1918, 4 OF 1919,
21 OF 1920, 17 OF 1921, 23 OF 1922, AND 19 OF 1924.

An Enactment to repeal and re-enact The Sanitary
Boards Enactments, 1907, being the Law with
regard to Sanitary Boards.

ARTHUR YOUNG,
President of the Federal Council.

[27th November, 1916.
22nd December, 1916.]

IT is hereby enacted by The Rulers of the Federated Malay States in
Council as follows:

1. (i) This Enactment may be cited as "The Sanitary Boards
Enactment, 1916," and shall come into force upon the publication
thereof in the *Gazette*.

Short title,
commence-
ment and
repeal.

(ii) Upon the coming into force of this Enactment the Enactments
mentioned in the first schedule shall be repealed.

(iii) All by-laws passed, declarations, appointments and valuations
made, rates imposed and exemptions granted under any Enactment
hereby repealed which were in force immediately prior to the
commencement of this Enactment shall, so far as they are consistent
with the provisions of this Enactment and of any by-laws passed
hereunder, be deemed to have been passed, made, imposed and granted
under this Enactment.

(iv) Nothing in this Enactment contained shall affect the pro-
visions of any Enactment in force for the time being for preventing
the introduction and spread of infectious and contagious diseases or
the liability of any person to any punishment or penalty to which he
may be liable under any Enactment other than this Enactment, but so
that no person shall be twice punished for the same offence.

2. In this Enactment and in any by-laws passed hereunder unless
there be something repugnant in the subject or context—

Interpretation.

"Owner" means the person for the time being receiving the rent
of the land or premises in connection with which the word is used
whether on his own account or as agent or trustee for any other
person, or who would so receive the same if such land or premises
were let to a tenant; and in any case in which such person cannot be
found or makes default shall include also the occupier if any of such
land or premises.

"Sanitary Board area" means an area subject to the control of a
Sanitary Board in respect of the matters provided for by this
Enactment.

"Street" includes every road, square, footway, passage or waterway
(whether a thoroughfare or not) over which the public has a right of
way and also the way over any public bridge.

"Public street" means a street repairable out of Government funds.

"Footway" includes five-foot ways and verandahs at the sides of streets.

"Town limits" means the limits of a town as defined from time to time under the provisions of any law regulating the establishment of towns.

"Horse" includes pony.

"Dairy" includes any cowshed, milk store, milk shop, or other place from which milk is supplied or in which milk is drawn or kept for purposes of sale.

"Premises" includes messuages, buildings, lands, easements and hereditaments of any tenure, whether open or enclosed, whether built on or not, whether public or private, and whether maintained or not under statutory authority.

"Chairman" means the officer for the time being lawfully performing the duties of the office of Chairman of the Sanitary Board, and includes a Deputy Chairman.

"Health Officer" means the officer for the time being performing the duties of Health Officer to the Sanitary Board, and includes Assistant Health Officer.

"House" includes dwelling-house, warehouse, office, counting-house and shop, also schools and any other buildings in which persons are employed.

"Building" includes any house, hut, shed or roofed enclosure whether used for the purpose of a human habitation or otherwise, and also any wall, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing-stage or bridge.

"Nuisance" means any act, omission or thing occasioning or likely to occasion injury, annoyance, offence, harm, danger or damage to the sense of sight, smell or hearing, or which is or is likely to be injurious or dangerous to health or property.

A person is said to "reside" in any dwelling in which he sometimes uses a sleeping apartment, although he does not use it uninterruptedly or has elsewhere a dwelling where he has and sometimes uses another such apartment. A person does not cease to "reside" in a dwelling where he has such an apartment merely because he is absent from it if there is the liberty of returning at any time and no abandonment of the intention to return at pleasure.

"Market" means any place (other than a shop) ordinarily used for the sale of animals or of fish, meat, fruit, vegetables or other perishable articles of food for human consumption.

"Public market" means a market which has been declared a market, or which may hereafter be declared a market, under this Enactment.

"Arcade" includes verandah.

"Occupier" means the person in occupation of the premises in respect of which the word is used, or having the charge, management or control thereof either on his own account or as agent of another person, but does not include a lodger.

"Sky-sign" means any erection consisting of a frame, hoarding, board, bar, pillar, post, wire or any combination of such things, or any erection of a like nature, displayed for the purposes of trade or professional advertisement in such a position as to be conspicuously visible against the sky above the general level of the roofs of surrounding buildings from any street or public place.

"Motor car" has the meaning assigned to that expression in "The Traction Engines and Motor Cars Enactment, 1912."

"Common lodging house" includes—

E. 23 of 1922.

- (a) any house which, or part of which, is occupied as lodgings at a nightly rate of payment not exceeding forty cents for each person; or in which the sleeping accommodation provided for lodgers is such that two or more persons though strangers to one another may occupy one and the same room; or in which the same class of accommodation is furnished by an employer of workmen to the workmen employed by him or is paid for by subscription to a common fund;
- (b) any house or part of a house (not being a public hospital) used for the reception of sick or dying persons or for the lying-in of women;
- (c) any house where six or more jinrikisha-pullers are lodged as tenants or sub-tenants.

3. (i) The Resident of a State may from time to time by notification in the *Gazette* declare any area within such State to be a Sanitary Board area for the purposes of this Enactment.

E. 19 of 1924.
Appointment
of Sanitary
Boards.

(ii) The Resident of a State may from time to time by notification in the *Gazette* appoint Sanitary Boards consisting of such public servants and other persons as he may nominate to exercise control within the area mentioned in such appointment over all matters in respect of which power is given to them by this Enactment and may appoint any member of a Sanitary Board to be the Chairman thereof. Every such appointment shall cease and determine at the expiration of the year in respect of which the same is made.

(iii) The Resident of a State may also, with the approval of the Chief Secretary to Government, appoint Secretaries, Health Officers, Inspectors and such other officers as may be necessary for the purposes of this Enactment; the appointment of every Secretary, Health Officer and Inspector shall be notified in the *Gazette*.

(iv) The boundaries of any Sanitary Board area may be declared to be coincident with any town limits or may be separately defined.

(v) Any declaration or appointment made under this section may from time to time in like manner be added to, varied or revoked.

Duties of Sanitary Boards.

4. The duties of a Sanitary Board shall be to take all lawful measures for the following purposes within the area subject to its control:—

E. 17 of 1918.

- (a) The regulation and control of buildings and building operations including such alteration of existing buildings as may, in the opinion of the Sanitary Board, be necessary or expedient for reasons of health and, in the case of buildings erected in accordance with plans approved by the Sanitary Board, the payment, with the approval of the Resident, of the cost of any such alteration in whole or in part from public funds; provided that nothing in section 48 shall apply to any such payment;
- (b) The laying out and maintenance of reserves for recreation and other purposes; the enclosure and care of unoccupied premises; the planting and preservation of trees and shrubs; the laying out, cleaning, watering, lighting and control of streets, canals and bridges; the removal of undue projections; the numbering of houses; the naming of streets subject to the approval of the Resident of the State; and in places within the jurisdiction of a Sanitary Board to which a Sanitary Board Engineer has been appointed the making, repairing and draining of streets, canals and bridges;

E. 17 of 1921.

- (c) (1) The control and supervision of drains, latrines, cess pools and dust-bins, wells and water tanks;
- (2) The control and supervision by registration, licensing or otherwise of stables and cattle sheds and places for keeping sheep, goats, swine and poultry including if the Sanitary Board shall think necessary power to make it compulsory for all owners of hackney carriages to use only public stables for their horses and carriages upon such terms and subject to such charges as may from time to time be prescribed;
- (d) The establishment and regulation of markets and slaughter-houses and the fixing of the fees to be charged for the use of the same, including, if the Sanitary Board shall think necessary, the grant to particular persons of the exclusive right to use any slaughter houses, or of the exclusive right to provide or slaughter any particular description of beast for human food, and the prohibition of the sale within a certain radius from a market of articles of any kind sold in such market and the licensing of or otherwise controlling persons selling any article of food in a market;

E. 17 of 1921.

E. 17 of 1921.

- (e) (1) The regulation and control by registration, licensing or otherwise of bakeries, dairies, and places in which human food or drink is sold or prepared or stored for sale, and of the sale of water, fresh provisions and milk;
- (2) The licensing of persons to hawk food-stuffs;
- (3) The seizure and disposal of unwholesome fish, flesh or other provisions;
- (4) The regulation and control by registration, licensing or otherwise of laundries and street stalls;

- (f) The regulation, inspection and licensing of common lodging-houses, eating-houses, jinrikisha stables, theatres, native inns and other places of public resort, and premises where jinrikisha-pullers reside with the view of enforcing the observance of ordinary sanitary regulations in respect of lighting, ventilation, white-washing, drainage and overcrowding therein; E. 4 of 1919.
- (g) The establishment and regulation of public bathing places, including power to charge fees for the use of or to lease the same;
- (h) The removal and disposal of refuse and night-soil, including, if the Sanitary Board shall think necessary, the publication of rules making it compulsory on all persons who may require night-soil buckets to buy such buckets from the Sanitary Board at such price as the Sanitary Board may fix;
- (i) The prevention and abatement of nuisances and the regulation of dangerous, unhealthy or offensive trades or occupations and of places favourable to the breeding of mosquitoes; E. 21 of 1920.
- (j) The regulation by registration, licensing or otherwise of places, whether covered or open, kept or used for repairing, painting, housing or storing motor cars (except garages or places used in connection with private dwelling-houses for housing motor cars kept for private use only); E. 17 of 1921.
- (k) The prevention and removal of obstructions in the streets and in verandahs or footways;
- (l) The repair or removal of ruinous or dangerous houses, huts or outbuildings, and the removal of occupants therefrom;
- (m) The examination of the bodies of dead persons and the certification of the cause of death in cases where the cause of death has not been certified by a duly qualified medical practitioner; E. 12 of 1917.
- (n) The prevention and abatement of malaria, including treatment of persons, removal of persons, and action in respect of buildings, land and other property;
- (o) The control and regulation, by licensing or otherwise, and in the discretion of the Sanitary Board, the prohibition of the use, erection and display of placards, posters, sign-boards, sky-signs and other devices;
- (p) The regulation and control of traffic in the streets, whether of vehicles, traction engines, animals, foot-passengers or otherwise;
- (q) All other matters, whether similar or not to those above-mentioned, connected with the conservancy and the improvement of the area subject to its control.

5. For the various purposes described in section 4 and for the conduct of its own business a Sanitary Board shall have power to pass by-laws not inconsistent with the provisions of this Enactment or of any other Enactment for the time being in force and to declare whether such by-laws shall apply to the whole area subject to its control or to some specified part or parts thereof, and to prescribe penalties for breach thereof not exceeding the penalties prescribed by

Power to pass
by-laws.

section 7; and every Sanitary Board is hereby required to pass such by-laws, either in addition to or in substitution for by-laws already existing, as may from time to time be prescribed by the Resident of the State with the approval of the Chief Secretary to Government; and such by-laws may provide for the payment of reasonable fees for such registration, licenses or other matters as may be required for the purposes of this Enactment.

Confirmation
and publication
of by-laws.

6. No by-law passed under this Enactment in any State and no resolution rescinding or varying any such by-law shall have effect unless and until it has been confirmed by the Resident of such State with the approval of the Chief Secretary to Government and published in the *Gazette*.

Penalty for
breach of by-
laws.

7. If any person is guilty of the contravention of any such by-law for the breach of which no penalty is otherwise expressly provided, or of infringing any exclusive right granted under section 4 (d), he shall be liable upon conviction to a fine not exceeding one hundred dollars, or in the case of a continuing offence to a fine not exceeding ten dollars for every day during which such offence is continued.

Enquiries into
fires.

8. (i) Where any fire occurs within a Sanitary Board area whereby damage or loss is occasioned to any dwelling-house or other building, the Chairman may, if he thinks fit, and shall if requested thereto in writing by two or more rate-payers, institute an enquiry into the cause of such fire and the circumstances attending the same.

(ii) For the purpose of such enquiry the Chairman shall have and may exercise all the statutory and other powers which shall for the time being be vested in and exercisable by a Magistrate of the First Class for summoning and enforcing the attendance of witnesses, for administering oaths or affirmations to such witnesses, and for compelling such witnesses to answer all reasonable and proper questions relative to the matters which are the subject of such enquiry.

(iii) The Chairman shall within seven days from the conclusion of such enquiry transmit to the Resident of the State the depositions taken by him together with his finding as to the cause of the fire.

Minutes to be
submitted to
Resident.

9. Full minutes of the proceedings at all meetings of every Sanitary Board shall be submitted for the information of the Resident of the State at the earliest opportunity after the close of the meeting, and the Resident of the State shall have power to annul the whole or any part thereof.

Public servants.

10. All members and servants of a Sanitary Board shall be deemed to be public servants within the meaning of the Penal Code.

Powers of Sani-
itary Board
where default
made.

11. (i) When any by-law passed under this Enactment or any notice issued to enforce the provisions of this Enactment or of any such by-law requires any act to be done or refrained from or any work to be executed by the owner or occupier of any premises and default is made in complying with the provisions of such by-law or notice, the Sanitary Board may cause such act to be done or such work to be executed and may pull down any work executed in contravention of any such by-law or notice.

(ii) All expenses incurred by the Sanitary Board in carrying out the provisions of this section may be recovered in the manner provided by this Enactment for the recovery of unpaid rates, or the Sanitary Board may at its option recover the same from the owner or occupier by action in a court of law.

12. (i) The Resident of any State, after consultation with the Sanitary Board of any area in such State, may from time to time so often as he thinks necessary impose either separately or as a consolidated rate or rates an annual rate or rates within such area for all or any of the following purposes :

Power to levy rates.
E. 19 of 1924.

- (a) the general purposes of this Enactment,
- (b) public lighting,
- (c) the extinction and prevention of fire,

and may for this purpose subdivide the Sanitary Board area into two or more parts, and impose in each separate part such rate as may be considered just and proper.

(ii) Such rate or rates shall be assessed upon the annual value of all lands houses and buildings, or upon the improved or unimproved value of all lands, as the case may be, according as the Resident of the State after consultation with the Sanitary Board may determine; provided that such rate or rates, if assessed upon the annual value of lands houses and buildings, shall not exceed in the aggregate in one year fifteen per centum of such annual value.

(iii) The rate or rates shall be fixed from time to time by the Resident of the State after consultation with the Sanitary Board and shall be payable by half yearly instalments in advance without demand by the owners of such lands houses and buildings in the months of January and July in each year.

(iv) The terms "improved value of land" and "unimproved value of land" shall be deemed to have the meanings assigned to them respectively in "The Valuation of Land Enactment, 1922."

13. (i) In addition to the rate referred to in section 12, a further annual rate for the said purposes may be imposed upon all holdings and portions of holdings which being held under grant or certificate of title or Government lease the terms, express or implied, whereof are not inconsistent with a right to build a house or houses covering one-half of the area of such holdings or portions of holdings and being within a distance of 100 feet of any public street have no house erected thereon; provided that

Further rate on land which is not built on.

(a) in the case of a holding whereof part only is within a distance of 100 feet of a public street the said further rate shall not be imposed on any part of such holding which is distant more than 100 feet from a public street; and

(b) in the case of a holding whereof a part only has no house erected thereon the said further rate shall not be imposed upon such part unless the area of such part exceeds one-half of the area included in the holding and within a distance of 100 feet of a public street.

(ii) The annual rate to be imposed under this section shall be fixed from time to time by the Resident of the State after consultation with the Sanitary Board; such rate shall not exceed fifteen per centum of the annual value of the holdings and portions of holdings whereon it is imposed and shall be payable in manner prescribed for payment of the rate referred to in section 12.

(iii) No rate imposed under this section shall be payable in respect of any period prior to the 1st day of January, 1916, and no such rate shall be payable in respect of any holding or portion of a holding until the expiration of three years from the date of the grant

or lease under or pursuant to which the same is held nor in respect of any holding or portion of a holding which shall have been included within a Sanitary Board area for a period of less than three consecutive years.

(iv) In this section "holding" means land comprised in one grant or certificate of title or Government lease.

(v) This section shall have effect only within such Sanitary Board areas or portions of Sanitary Board areas as may be declared from time to time by the Resident of the State, with the approval of the Chief Secretary to Government, to be subject to the provisions thereof.

Drainage rate.
E. 12 of 1917.

13A. (i) In addition to the draining of streets, canals and bridges and the control and supervision of drains in section 4 referred to, a Sanitary Board may install and maintain within the area subject to its control a system or systems of drainage for the removal of superfluous water from any lands within the said area.

(ii) To meet the cost of such instalment and maintenance a further annual rate or further annual rates may, in addition to the rates referred to in sections 12 and 13, be imposed upon all lands and upon all houses and buildings within the whole of the Sanitary Board area or within such part or parts thereof as may be appointed under sub-section (iii).

(iii) Every annual rate to be imposed under this section shall be fixed from time to time by the Resident of the State after consultation with the Sanitary Board, and where any such rate is not to be imposed on the whole of a Sanitary Board area the limits within which it is to be imposed shall be fixed in the manner in this sub-section provided for the fixing of rates.

(iv) A rate imposed under this section shall not exceed five per centum of the annual value of the land, houses and buildings whereon it is imposed and shall be payable in the manner prescribed for payment of the rate referred to in section 12.

Resident may
exempt certain
property.

14. Houses and buildings used exclusively as places for religious worship, all public burial and burning grounds, all buildings used exclusively for public schools or for charitable purposes, and all property belonging to or rented by the Ruler of the State or the Government may be exempted by direction of the Resident of the State wherein the same are situated from payment of any rate.

Board may
exempt certain
property.

15. The Board may exempt from payment of any rate any house, building or land the annual value whereof is less than ten dollars if the same be the sole rateable property of the owner, or any house or hut which shall be occupied rent free by labourers employed at any plantation or mine.

Remission of
rate when a
house is not
occupied.

16. In cases of property assessed as described in section 18 where any house or building shall have been vacant for thirty consecutive days during any year the Board shall remit so much of the rate for that year as may be proportionate to the number of days during which the said house or building may have remained unoccupied: provided that the owner of such house or building or his agent shall have given notice in writing of the vacancy thereof to the Board, and that the amount of rate to be remitted shall be calculated from the date of the delivery of such notice.

Assessment
upon annual
value of pro-
perty.

17. The rate or rates imposed upon houses, buildings and lands according to the annual value thereof in any Sanitary Board area shall be assessed in the manner hereinafter provided.

18. In cases in which the whole area comprised under one document of title is built upon exclusive of such open spaces as are required for sanitary purposes the estimated gross annual rent at which such lands together with the houses or buildings thereon might reasonably be expected to let from year to year shall for the purposes of the rate be held and deemed to be the annual value of such lands together with the houses or buildings thereon. The annual value of premises so estimated shall not include the value of any machinery contained therein.

Annual value of premises wholly built upon how to be ascertained.

19. In cases of lands which are vacant or unoccupied or only partially built upon the Board may in its discretion assess the annual value thereof as described in section 18, or one-tenth of the selling value of such property at the time when the assessment is made may be held and deemed to be the annual value of such property for the purposes of the rate. For the purpose of ascertaining the selling value of such property all such facts shall be taken into consideration as may in the opinion of the Board be deemed to be material evidence as to the current market value of such property.

Annual value of premises not wholly built upon how to be ascertained.

20. For the purpose of such assessment the Board shall from year to year cause a valuation to be made of all houses and buildings. Such valuation shall be entered in a book to be kept at the office of the Board, wherein also shall be written in distinct columns the name of the owner of the property, the name of the occupier, a designation of the property either by name or number sufficient to identify the same, the name of the street or locality in which such property is situated and the amount of the rate assessed thereon.

Record of valuation.

21. When the name of the owner or occupier is not known, it shall be sufficient to designate him in the said book, and also in any notice or other proceeding under this Enactment, as the "owner" or "occupier" of the property on which the rate is assessed, without further description.

Designation of owner if name unknown.

22. (i) In order to enable the Board to assess the annual value of any houses, lands, tenements or buildings liable to assessment the Chairman may require the owner or occupier thereof to furnish returns of the rent thereof and to give all such information as may be necessary for the preparation of the assessment list or otherwise for the purpose of such assessment, and for the like purpose the Chairman or any person appointed in writing by him for that purpose may at any time between sunrise and sunset enter and inspect and if necessary survey the same. Provided that no entry shall be made under this section into any dwelling-house in actual occupation, unless with the consent of the occupier, without twenty-four hours' previous notice in writing to such occupier specifying the hour as near as may be of such intended entry.

Returns may be required for purposes of valuation.

Power to enter houses, etc.

(ii) Whoever refuses or fails to furnish such return or to give such information as aforesaid for the space of one week from the day on which he shall have been required so to do, and whoever knowingly makes a false or incorrect return or gives false or incorrect information, and whoever hinders, obstructs or prevents the Chairman or any person appointed by him as aforesaid from entering, inspecting or surveying any such houses, lands, buildings or tenements, shall be liable to a fine not exceeding fifty dollars.

Penalties for not furnishing returns, etc.

Public notice of valuation.

23. When the valuation has been completed the Board shall notify in the *Gazette* and by placards in Malay, English, Chinese and Tamil posted in conspicuous places throughout the town the place where the record of valuation may be inspected; and the person in whose custody such record may be shall permit every person appearing to be the owner or occupier of any property included in the assessment or the agent of such owner or occupier to inspect the same during office hours and to make extracts therefrom without payment of any fee.

Notice of consideration of complaints.

24. The Board shall give public notice of a day, not being less than six weeks from the date of publication of such notice, when it will proceed to consider complaints against such valuation and assessment, and in all cases in which any property is for the first time assessed or the assessment thereof is increased the Board shall also give notice thereof to the owner or occupier of the property. All complaints shall be made personally or by agent or in writing at least fourteen days before the day fixed in the notice and all complaints so made shall be enquired into by the Board and such amendments of the valuation shall thereupon be made as the Board may deem just.

Adoption of assessment.

25. After the complaints have been enquired into and the revision of the valuation and assessment has been completed the amendments made shall be authenticated by the signatures of two members of the Board, who shall at the same time certify that no valid complaint has been made against the valuation and assessment except in the cases in which amendments have been made; and, subject to such amendments as may thereafter be duly made, the rate so assessed shall be deemed to be the rate for the whole year for which the assessment is made, and such year shall commence on the first day of January.

Further amendments of assessment list.

26. (i) Where owing to mistake, oversight or fraud the name of any person or any property which ought to have been inserted in or omitted from the assessment list has been omitted from or inserted in such list or any property has been insufficiently assessed or where any building newly built or rebuilt becomes liable to assessment after the list has been compiled, the Board may at any time amend such list accordingly; provided that notice is given to all persons interested in the amendment of a time, not less than one month from the date of the service of such notice, at which the amendment is to be made. Provided that in the case of any building newly built or rebuilt only a proportional part of the assessment shall be charged from the date of the completion of such building.

(ii) Any person interested in any such amendment may tender his objection to the Board in writing before the time fixed in the notice, or orally or in writing at that time, and shall be allowed an opportunity of being heard in support of the same in person or by authorised agent, as he thinks fit.

New assessment not compulsory each year.

27. It shall not be necessary to prepare a new record every year, but the Board may adopt the valuation and assessment for the preceding year with such alterations as may in particular cases be deemed necessary as the valuation and assessment for the year following; provided that public notice of such valuation and assessment shall be given in the manner prescribed by section 23, and that the provisions of such section and of the three following sections shall be applicable to such valuation and assessment.

28. Any person who, having made a complaint or objection in the manner prescribed by section 24 against any rate assessed under the provisions of this Enactment, is dissatisfied with the decision of the Board thereon may appeal to the Court of a Judicial Commissioner; provided that with the presentation of the petition of appeal there shall be paid into Court the amount of the rate appealed against.

Appeals against Board's assessment.

29. Every such appeal shall be commenced within thirty days of the date of the certificate of the Board under section 25, or in case of any subsequent amendment under the provisions of section 26 within thirty days of the receipt by the person aggrieved of notice of such amendment.

Time allowed for appeal.

30. The decision of the Court of a Judicial Commissioner upon any appeal under section 28 shall be final and conclusive.

Finality of appeal.

31. Subject to the provisions of "The Land Enactment, 1911," any rate duly imposed under this Enactment shall be a first charge on the property in respect of which it is imposed and shall be recoverable in the manner hereinafter provided.

Rates to be a first charge on property.

32. All payments shall be made at the office of the Board or at such other place as the Board may appoint, and counterfoil receipts shall be issued signed by the Secretary or other officer of the Board duly authorised thereto.

Place of payment.

33. If any rate or fee be not paid within the prescribed time, the Board may cause to be served upon the person liable therefor a notice substantially in the form A in the second schedule, signed by the Secretary or other officer of the Board duly authorised in that behalf, requiring such person to pay the same together with a fee of fifty cents for the cost of the notice within fifteen days from the date of the service of such notice; and if within fifteen days from the date of service of such notice payment be not made or sufficient cause be not shewn to the satisfaction of the Board why payment should not be made, it shall be lawful for a Magistrate on information laid by the Secretary of the Board or other officer of the Board duly authorised in that behalf to issue a warrant substantially in the form B in the second schedule for the recovery of the amount due with all costs by attachment and sale of the movable property of the person liable to the amount of the said rate or fee, together with the expenses of such attachment and sale, and if the person liable be the occupier of any premises in respect of which the said rate or fee is due by attachment and sale also of any movable property found on such premises.

Procedure if payment be not made.

34. (i) The officer charged with the execution of such warrant shall make an inventory of the property attached thereunder and shall at the same time give notice in writing substantially in the form C in the second schedule to the person in possession thereof at the time of the attachment that such property will be sold as therein mentioned.

Inventory of property attached.

(ii) It shall be lawful for such officer to break open in the daytime any house or building for the purpose of effecting such attachment.

35. Unless the amount due with costs be paid within seven days from the date of the attachment or the operation of the warrant be suspended, the property attached or such part thereof as may be necessary shall be sold by public auction and the proceeds shall be applied in satisfaction of the said amount and costs, and the surplus if any shall be paid to the person in possession of the property at the time of the attachment.

Sales under warrant: application of proceeds.

Property may
be attached
wherever
found.

36. The movable property of any person from whom any rate or fee is due may be attached in manner aforesaid wherever the same may be found for default in payment of the money due from such person.

Attachment
and sale of
immovable
property.

37. (i) If the amount due cannot be recovered in the manner aforesaid, it shall be lawful for the Court of a Judicial Commissioner on the application of the Secretary of the Board or other officer of the Board duly authorised in that behalf to issue a warrant substantially in the form D in the second schedule for the attachment and sale of the immovable property in respect of which such amount has accrued due.

(ii) The provisions of section 68 of "The Registration of Titles Enactment, 1911," shall apply in the case of any warrant issued under this section in the same way as in the case of a warrant of execution of a decree.

(iii) The attachment shall be made by an order under the hand of the officer named in the warrant and expressed to be made pursuant to such warrant, prohibiting the person liable for the said amount from transferring or charging the property in any way and all persons from receiving the same from him by purchase, gift or otherwise. A copy of the order shall be served upon the person liable as aforesaid, and a copy shall also be fixed up in a conspicuous part of the property attached.

(iv) If at the expiration of three months from the date of such attachment such amount has not been paid or the operation of the warrant suspended, the property attached may be sold in accordance with the terms of the warrant.

Application of
proceeds.

38. The proceeds of such sale shall be applied in the first place in satisfaction of the amount due and of all costs including fees for preparation and registration of title and for registration of transfer of the property to the purchaser, and in the event of their being any surplus remaining the Board shall, if it is satisfied as to the right of any person claiming such surplus, pay the amount to such person, and if it is not so satisfied shall place the amount on deposit in the Treasury to be held in trust for the person who may ultimately succeed in establishing his claim thereto.

Purchaser's
title.

39. To the purchaser at a sale under section 37 there shall be issued on payment of his purchase money to the Board an order in writing from the Judicial Commissioner's Court entitling him to have the title to the property or interest so purchased by him duly registered in his name without the payment of any fee therefor, and such registration shall have the effect of transferring to and vesting in him such property or interest free from all incumbrances created over it and from all subordinate interests derived from it except such as are expressly reserved at the time of the sale.

Application to
Court against
attachment.

40. If any person whose movable or immovable property has been attached under the provisions of this Enactment disputes the propriety of the attachment, he may apply to the Court whence the warrant of attachment issued for an order to stay the proceedings, and the Court after making such enquiry as may be necessary shall make such order in the premises as may be just.

41. If the sum due from the owner of any house or building on account of any rate or fee is paid by the occupier thereof, such occupier may in the absence of any agreement to the contrary with the owner deduct from the next and following payments of his rent the amount which may have been so paid by him.

Recovery from owner of assessment paid by occupier.

42. No rate or fee which has remained due from the owner of any house or building for more than one year shall be recoverable from the occupier thereof not being the owner.

Occupier when not liable.

43. Instead of proceeding by attachment and sale, or in case of failure to realise by attachment and sale the whole or any part of the sum due in respect of any rate or fee, the Board may sue the person liable to pay the same in any court of competent jurisdiction.

Alternative procedure.

44. Every notice, order or document required or authorised by this Enactment or by any by-law passed hereunder to be served on any person may be served personally upon the person to whom it is addressed or be left at his usual place of abode with some adult member or servant of his family, or if it cannot with the exercise of due diligence be so served may be affixed in some conspicuous part of such place of abode, and shall thereby be deemed to be duly served; provided that if the place of abode of the owner or occupier of any land, house or building in respect of which such notice, order or document is required to be served be unknown, or if the owner or occupier of such land, house or building be not resident within the Sanitary Board area, every such notice, order or document shall be deemed to be duly served if affixed on some conspicuous part of such land, house or building.

Service of notices and other documents.

45. No attachment or sale under this Enactment shall be deemed unlawful nor shall any person making the same be deemed a trespasser on account of any defect or want of form in any notice, warrant of attachment and sale, inventory or other proceeding relating thereto nor shall any person be deemed a trespasser *ab initio* on account of any irregularity afterwards committed by him; but all persons aggrieved by such irregularity may seek relief for the special damage in any court of competent jurisdiction.

Irregular proceedings.

46. (i) Whenever any rateable property within a Sanitary Board area is sold or transferred, it shall be the duty of the purchaser or transferee within three months after such sale or transfer to give notice thereof to the Board in writing.

Notice to be given of the transfer of rateable property.

(ii) Whenever the owner of any rateable property within a Sanitary Board area dies, it shall be the duty of the person becoming the owner thereof by succession or otherwise to give notice thereof in writing to the Board within one year after the death of the deceased.

(iii) On receipt of any such notice the Board may require the production of the instrument of sale or transfer if any.

Board may require production of deeds.

(iv) Every person who sells or transfers any rateable property within a Sanitary Board area shall continue liable for the payment of all rates payable in respect of such property and for the performance of all other obligations imposed by this Enactment upon the owner of such property which become payable or are to be performed at any time before notice of such transfer has been given or until the sale or transfer has been recorded in the books of the Board. Nothing herein

Liability for rates of transferor who has not given notice.

contained shall affect the liability of the purchaser or transferee to pay the rates in respect of such property or to perform such obligation as aforesaid or affect the right of the Board to recover such rates or to enforce such obligation under this Enactment.

Notice to be given of new buildings, etc.

(v) When any new building is erected or when any building is rebuilt or enlarged or when any building which has been vacant is re-occupied, the owner of such building shall within fifteen days give notice thereof in writing to the Board.

(vi) The said period of fifteen days shall be reckoned from the date of the completion or of the occupation, whichever first occurs, of the building which has been newly erected or re-built or of the enlargement, as the case may be, and in the case of a building which has been vacant from the date of the re-occupation thereof.

Notice to be given of demolitions and removals of buildings.

(vii) When any building or portion of a building which is liable to the payment of rates is demolished or removed otherwise than by the order of the Board, the owner shall give notice thereof in writing to the Board. Until such notice is given the owner shall continue liable to pay rates in respect of such building or portion of a building as if the same had not been demolished or removed.

Penalty for failing to give notice.

(viii) Every person failing to give any notice required by this section shall be liable to a fine not exceeding ten dollars.

Power to enter upon lands for the purposes of this Enactment.

47. (i) The Board shall for the purposes of this Enactment have power by itself or its officers, servants, workmen or contractors to enter at all reasonable hours in the daytime into and upon any building or land, as well for the purpose of making any survey or inspection as for the purpose of executing any work authorised by this Enactment to be executed by it, without being liable to any legal proceedings or molestation whatsoever on account of such entry or of anything done in any part of such building or land in pursuance of this Enactment. Provided that except when herein otherwise provided the Board or its officers shall not enter into any dwelling-house in actual occupation, unless with the consent of the occupier thereof, without six hours' previous notice to such occupier.

Proviso.

E. 4 of 1919.

(ii) The Resident of a State may declare that any class of premises for the control, supervision, regulation or inspection of which by-laws may be made under section 5 are liable to night inspection, and thereupon the Chairman or Health Officer may at any time of the day or night and without notice by himself or by any Sanitary Board officer generally authorised by the Chairman in that behalf in writing enter into and inspect any premises of the class specified in the declaration.

Compensation, damages and costs to be determined by Magistrate.

48. (i) Except as herein otherwise provided, in all cases when compensation, damages, costs or expenses are by this Enactment or any by-laws made thereunder directed to be paid the amount and if necessary the apportionment of the same shall in case of dispute be summarily ascertained and determined by a Magistrate, or if the compensation claimed amount to one thousand dollars then by the Court of a Judicial Commissioner.

(ii) If the amount of compensation, damages, costs or expenses be not paid by the party liable to pay the same within seven days after demand, such amount may be reported to such Magistrate or Court and recovered in the same way as if it were a fine imposed by such Magistrate or Court.

49. Every licence issued under any by-law shall be subject to such conditions and restrictions as the Sanitary Board issuing the same shall think fit and shall be revocable at any time by such Board without compensation at the expiry of one month's notice in writing served upon the holder thereof, or by the Chairman of such Board without compensation and without notice if in his opinion or in the opinion of the Health Officer the holder thereof or his agents or servants shall have failed to observe or comply with any such condition or restriction or with the provisions of this Enactment or any by-law made thereunder.

E. 17 of 1921.
Revocation and
cancellation of
licences.

50. All moneys received by a Sanitary Board by virtue of this or of any other Enactment shall be paid into the District Treasury for the credit of the public revenue; and all moneys entrusted to a Sanitary Board by the Government for expenditure shall be applied by the Board for the purposes described in section 4 and in the execution of any other measures necessary to promote the health or convenience of the public and generally for the purposes of this Enactment as may be deemed expedient by the Board and subject in all cases to the control and direction of the Resident of the State.

Disposal of
revenue and
objects of
expenditure.

51. Proper statements of all receipts and disbursements on account of any Sanitary Board shall be kept and periodically rendered in such form and at such times as the Resident of the State may direct.

Accounts.

51A. (i) The Resident of a State, with the approval of the Chief Secretary to Government, may from time to time by notification in the *Gazette* apply, with such modifications as to him shall seem fit, any of the provisions of this Enactment or any by-law made thereunder to any area situate in the State whereof he is Resident which is not comprised in whole or in part within any Sanitary Board area, and thereupon all such provisions of this Enactment and all such by-laws made thereunder as are specified in such notification shall, subject to such modifications as aforesaid, come into force within the area to which the same have been applied.

Application of
Enactment to
areas not being
Sanitary Board
areas.
E. 12 of 1917.

(ii) Where under sub-section (i) any of the provisions of this Enactment or any by-law made thereunder shall have been applied to any area, the Resident of the State, with the approval of the Chief Secretary to Government, may by notification in the *Gazette* appoint any person or persons, either by name or office, to exercise and perform within such area all or any of the powers and duties which are by this Enactment or by any by-law made thereunder conferred or imposed on a Sanitary Board or on any of its officers.

52. (i) No action shall be brought against any person for anything done or *bonâ fide* intended to be done in the exercise or supposed exercise of the powers given by this Enactment or by any by-law made thereunder—

Protection of
persons acting
under this
Enactment.

(a) Without giving to such person one month's previous notice in writing of the intended action and of the cause thereof;

(b) After the expiration of three months from the date of the accrual of the cause of action;

(c) After tender of sufficient amends.

(ii) In every action so brought it shall be expressly alleged that the defendant acted either maliciously or negligently and without reasonable or probable cause, and if at the trial the plaintiff shall fail to prove such allegation judgment shall be given for the defendant.

(iii) Though judgment be given for the plaintiff in any such action such plaintiff shall not have costs against the defendant unless the Magistrate or Judicial Commissioner before whom the action is tried shall certify his approbation of the action.

THE FIRST SCHEDULE.
ENACTMENTS REPEALED.
FEDERAL ENACTMENTS.

No. and year.	Short title.
4 of 1911	The Sanitary Boards Enactments, 1907, Amendment Enactment, 1911
27 of 1914	The Sanitary Boards Enactments, 1907, Amendment Enactment, 1914

STATE ENACTMENTS.

State.	No. and year.	Short title.
Perak ...	10 of 1907	The Sanitary Boards Enactment, 1907
Selangor ...	10 "	" " "
Negri Sembilan	9 "	" " "
Pahang ...	7 "	" " "

THE SECOND SCHEDULE.

FORM A.

NOTICE OF DEMAND.

"The Sanitary Boards Enactment, 1916," section 33.

Take notice that whereas the sum of \$.....which became due on the.....day of....., 191...from (you) as owner (or occupier) of.....(here describe the property or thing upon which the rate is imposed) for the months of.....191...is still unpaid you are now informed that, unless within fifteen days from the date of the service of this notice the said sum together with the sum of fifty cents for this notice be paid into the office of the said Board at.....or sufficient cause be shewn to the satisfaction of the said Board why such sum should not be paid, the said sum together with the costs of process will be recovered under the powers contained in "The Sanitary Boards Enactment, 1916."

.....
Secretary, Sanitary Board.

Date.....

FORM B.

WARRANT OF ATTACHMENT AND SALE OF MOVABLE PROPERTY.

"The Sanitary Boards Enactment, 1916," section 33.

To.....(here insert the name of the officer charged with the execution of the warrant).

Whereas it has been made to appear to me that.....of.....has not paid or shewn sufficient cause why he should not pay the sum of \$.....due to the Sanitary Board of.....for the rates mentioned in the margin for the months of.....191..., although the period provided by law has elapsed since the service of the notice of demand:

This is to command you to attach the movable property of the said.....(or, as the case may be, any movable property found on the premises referred to) to the amount of the said sum of \$.....and such further sum as may be sufficient to defray the charges of attaching, keeping and selling such property; and if within seven days next after such attachment the said sum shall not be paid together with such further sum as may be sufficient to defray the charges of attaching and keeping such property, to sell the said property, and having paid and deducted out of the proceeds of such sale the said sum of \$.....and the charges of attaching, keeping and selling such property to pay the surplus, if any, on demand to the person in whose possession the said property was found.

You are further commanded to return this warrant on or before the.....day of.....191...with an endorsement stating the date and manner of its execution or why it has not been executed.

Given under my hand and seal this.....day of.....191....

(Seal)

.....
Magistrate.

FORM C.

FORM OF INVENTORY AND NOTICE.

"The Sanitary Boards Enactment, 1916," section 34.

To.....of.....

(State particulars of goods attached.)

Take notice that I have this day attached the property specified in the above Inventory for the sum of \$.....due for the rates (or fees) (or rates and fees) mentioned in the margin for the months of.....191... and that unless you pay into the Office of the Sanitary Board the amount due together with the costs of this attachment within seven days after the date of this notice the property will be sold.

Date.....

Signature of the Officer executing the Warrant of Attachment.

FORM D.

WARRANT OF ATTACHMENT AND SALE OF IMMOVABLE
PROPERTY.

"The Sanitary Boards Enactment, 1916," section 37.

To.....(here insert the name of the officer charged with the execution of the warrant.)

Whereas it has been made to appear to me that.....of..... has not paid or shewn sufficient cause why he should not pay the sum of \$.....due to the Sanitary Board of.....for the rates mentioned in the margin for the months of.....191..., although the period provided by law has elapsed since the service of the notice of demand, and that the said sum cannot be recovered in the manner provided by section 35 of "The Sanitary Boards Enactment, 1916":

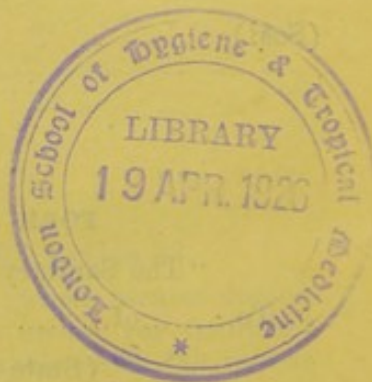
This is to command you to attach the immovable property hereunder described, being the property in respect of which the said sum is due, and if within three months next after such attachment the said sum shall not be paid to the said Sanitary Board together with all costs due, to sell the same (or any portion thereof or interest therein, as the case may be,) subject to the directions of the said Sanitary Board.

You are further commanded to return this warrant on or before the.....day of.....191... with an endorsement stating the date and manner of its execution or why it has not been executed.

Given under my hand and seal this.....day of.....191...

(Seal)

DESCRIPTION OF LAND.



1924.

KUALA LUMPUR :

Printed by the Superintendent, Government Printing Department,
Federated Malay States.

To be purchased from the Government Printing Department, Kuala Lumpur, Federated Malay States; the Crown Agents for the Colonies, 4, Millbank, London, S.W. 1; and the Malay States Information Agency, 88, Cannon Street, London, E.C. 4.

Price 25 cents.

FEDERATED MALAY STATES.

ENACTMENT No. 20 OF 1925.

An Enactment to further amend "The Sanitary Boards Enactment, 1916."

L. N. GUILLEMARD,

[3rd February, 1926.]

President of the Federal Council.

It is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. This Enactment may be cited as "The Sanitary Boards (Further Amendment) Enactment, 1925," and shall come into force on publication thereof in the *Gazette*. Short title and commencement.

2. Sub-section (i) of section 3 of "The Sanitary Boards Enactment 1916" hereinafter called the principal Enactment is amended by adding at the end thereof the words "and may after consultation with the Sanitary Board appointed for such area vary the boundaries of any area so declared". Amendment of section 3.

3. Section 4 of the principal Enactment is amended by inserting immediately after paragraph (p) two new paragraphs as follows: Amendment of section 4.

"(q) The draining, filling or re-claiming of land, provided that no owner shall be required to incur expense in excess of the difference in values of his land before and after such draining, filling or re-claiming."

"(r) The prevention and abatement of mosquito breeding on wet lands or in or about any pond, well, spring, drain or stream"

and by re-lettering the original paragraph (q) as (s).

4. Section 13A of the principal Enactment is repealed and the following sections substituted therefor: Substituted section 13A.

"13A. (i) In addition to the drainage of streets, canals and bridges and the control and supervision of drains in section 4 referred to, a Sanitary Board may construct and maintain within the area subject to its control a system or systems of drainage for the removal of water from any lands within the said area and may fill up irregularities in the surface of the land and adjust the surface as part of such system or systems. Drainage, contribution and rate.

(ii) A Sanitary Board may require the owner or owners of lands benefited thereby to contribute the whole or a portion of the cost of such construction. The amount of the contribution to be paid by every owner of land so required to contribute shall be assessed with regard to the condition of his land prior to such construction and the benefit accruing to him from such construction: provided always that the amount of contribution shall not exceed the difference between the selling value of such land prior to such construction and the selling value of such land after such construction ascertained as provided in section 19 of this Enactment.

(iii) For the purpose of the previous sub-section the cost of construction shall not include the cost of any work or service for which provision is made from the general rate imposed under section 12 of this Enactment.

(iv) The Board shall give notice of the assessment of contributions and consider and enquire into complaints against such assessment in the manner provided in section 24 of this Enactment, and shall further afford any owner or his agent all reasonable facilities for ascertaining the nature of the proposals in respect of which the assessment is made.

A notice given under this sub-section shall state the time or times within which payment of the contribution shall be made.

(v) Any person who, having made a complaint or objection in the manner prescribed by the previous sub-section, is dissatisfied with the decision of the Board thereon may appeal in the manner provided by section 28 of this Enactment.

(vi) Any contribution duly imposed under this section shall be a first charge on the property in respect of which it is imposed and may be recovered in the manner provided by this Enactment for the recovery of unpaid rates.

(vii) To meet the cost of maintenance of any system or systems of drainage constructed under the provisions of this section a Sanitary Board may impose a further annual rate or further annual rates, in addition to the rates referred to in sections 12 and 13 of this Enactment upon all lands and upon all buildings within the whole of the Sanitary Board area or within such part or parts thereof as may be appointed under sub-section (viii).

(viii) Every annual rate to be imposed under this section shall be fixed from time to time by the Resident of the State after consultation with the Sanitary Board, and where any such rate is not to be imposed on the whole of a Sanitary Board area the limits within which it is to be imposed shall be fixed in the same manner.

(ix) A rate imposed under this section shall be in respect of the cost of maintenance of the system or systems of drainage excluding the cost of any work or service for which provision is made from the general rate imposed under section 12 of this Enactment and shall be payable in the manner prescribed for payment of the rate referred to in section 12; provided that such rate if assessed upon the annual value of lands houses and buildings shall not exceed five per centum of such annual value.

Prevention of
damage.

13B. For the better maintenance of any system of drainage constructed under the preceding or any repealed section the Board may, with or without the payment of compensation as the Board may determine, remove or otherwise deal with any tree or other vegetation which in the opinion of the Board is likely to cause obstruction or damage to such system of drainage."

1926.

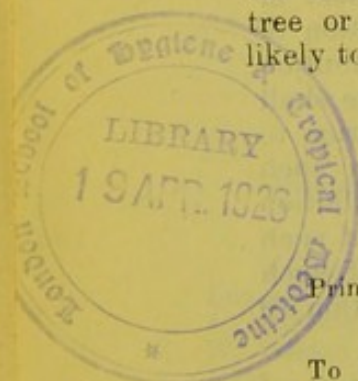
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24-2-1926.

Price 5 cents.



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FEDERATED MALAY STATES.

ENACTMENT No. 13 OF 1920.

An Enactment to consolidate and amend the Law with respect to the Registration of Births and Deaths.

L. N. GUILLEMARD,

[18th September, 1920.]

President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. (i) This Enactment may be cited as "The Births and Deaths Registration Enactment, 1920," and shall come into force upon such date as the Chief Secretary to Government may by notification in the *Gazette* appoint. Short title, commencement and repeal.

(ii) Upon the coming into force of this Enactment the Enactments specified in the schedule shall be repealed.

(iii) All appointments and rules made under any Enactment hereby repealed which were in force immediately prior to the commencement of this Enactment shall be deemed to have been made under this Enactment, but so that the operation thereof shall not be thereby extended.

2. In this Enactment, unless the context otherwise requires—

Interpretation.

Words referring to burial of bodies shall be deemed to include burning of bodies;

"House" includes a public institution;

"Public institution" includes prison, lock-up, lunatic asylum, hospital and any other public or charitable institution;

"Occupier" includes the keeper, master, matron, superintendent or other chief resident officer of every public institution, and where a house is let in separate apartments or lodgings includes any person residing in such house who is the person under whom such lodgings or separate apartments are immediately held or his agent;

"Registered Medical Practitioner" means any person whose name is included in the latest list of registered Medical Practitioners published in the *Gazette* under the provisions of "The Medical Registration Enactment, 1907";

"Registration area" means the area for which a Registrar or Deputy Registrar is appointed.

3. (i) The Chief Secretary to Government may appoint a Registrar-General of Births and Deaths for the Federated Malay States, with necessary clerks and subordinate officers. Appointment of officers.

(ii) The Resident of each State may appoint such Registrars and Deputy Registrars of Births and Deaths for specified areas in such State as he may think fit, with necessary clerks and subordinate officers.

4. (i) The Registrar-General shall cause to be provided a sufficient number of registration-books for the record of all births and of separate registration-books for the record of all deaths, and shall, from time to time, furnish to the Registrar of each registration area, for distribution to Deputy Registrars, such registration-books as the Registrar may require. Registration-books.

(ii) Such registration-books shall be strongly bound books of forms, each page of which shall be furnished with a counterfoil from which it shall be detachable, by means of perforation or otherwise, the pages shall be numbered consecutively, and the number printed on each page shall be also printed on the counterfoil thereof, and each page and counterfoil of every birth registration-book shall contain identical printed headings indicating the information which is to be filled in, in the spaces provided therefor, by or on behalf of the person reporting a birth; and each page and counterfoil of every death registration-book shall contain identical printed headings indicating the information which is to be filled in, in the spaces provided therefor, by or on behalf of the person reporting a death. Such information shall, in the case of a report of a death, include, so far as possible, the name, age, sex, place of residence and birth, race and occupation of the deceased, and in the case of an Asiatic the name of the father, the period of his continuous residence in the registration area, his last place of residence before arrival in the registration area, the duration of his illness, the date and cause of his death, and the name and qualification of the registered medical practitioner certifying the cause of the death. Subject as aforesaid the nature and form of the headings in registration-books, the language or languages in which they are to be rendered and all other matters relating to the preparation thereof may be prescribed by rules under this Enactment.

Record of
information by
or on behalf of
person report-
ing a birth or
death.

5. (i) Every person reporting a birth or death to a Deputy Registrar shall, if and so far as he is able, write, in the language which he ordinarily uses and if that language be not English then also in the English language, in the appropriate spaces of the page of the registration-book placed before him for that purpose by the Deputy Registrar and also of the counterfoil of the said page all the information indicated by the printed headings appearing on the page and counterfoil. If and so far as any person so reporting is unable to write in the prescribed languages the information indicated by the said headings, he shall furnish the required information orally to the Deputy Registrar, who shall write it in the said appropriate spaces.

(ii) When the required information has been written on the page and counterfoil, the person furnishing the information shall sign his name in the appropriate place on the page and counterfoil or if he be unable to sign his name shall in lieu of signature affix the impression in ink of his right thumb which shall be witnessed by the Deputy Registrar; and thereafter the Deputy Registrar shall, in the appropriate spaces on the page and counterfoil, fill in the date of the furnishing of the said information as the date of registration and affix his signature.

Provided that in the event of a person who is required to affix a signature or thumb impression to information recorded under this section being a woman and unable through illness or other cause to affix such signature or impression she may authorize any male relative to affix on her behalf his signature or thumb impression thereto.

(iii) Every person reporting a birth or death under the provisions of this section shall be entitled to receive free of charge a copy of the entry signed by the Deputy Registrar.

6. (i) The pages of the registration-books filled in as hereinbefore provided shall constitute the original register of births and deaths, respectively, and the counterfoils of the said pages filled in as hereinbefore provided shall constitute the duplicate register of births and deaths, respectively.

Original and duplicate registers.

(ii) The district register books containing entries made under the Enactments hereby repealed together with the alphabetical indexes thereof made under the provisions of the said Enactments shall be kept in the custody of such Registrar as the Resident in each State may direct.

7. Whenever any page of a registration-book, or the counterfoil of any page, in the possession of a Deputy Registrar which has not been filled in as hereinbefore provided is in the opinion of the Deputy Registrar so spoiled, defaced or injured as to be unsuitable for record of the prescribed particulars, the Deputy Registrar shall cancel both the page and counterfoil by writing across the face of each the word "Cancelled" and affixing his signature together with the date of affixing the same.

Cancellation of spoiled pages.

8. Every Deputy Registrar shall inform himself carefully of every birth and death occurring in his registration area and shall cause the prescribed information to be furnished and recorded without delay in the proper registration-book furnished to him for that purpose. In cases of death the Deputy Registrar shall, if practicable, personally inspect the corpse and make enquiries among the persons present at the death.

Duty of Deputy Registrars to keep informed of births and deaths and to get the prescribed information recorded.

9. (i) Every Deputy Registrar shall

- (a) detach, at such intervals as may be prescribed, from their counterfoils all such pages of the registration-books in his possession as shall have been filled in as hereinbefore provided, together with those which shall have been cancelled by the Deputy Registrar, and shall forward them to the Registrar of his registration area; and
- (b) so soon as all the pages and counterfoils of any registration-book in his possession shall have been filled in or cancelled, as hereinbefore provided, and the pages shall have been detached from their counterfoils, forward the counterfoils in their original binding to the Registrar of his registration area.

Disposal and custody of completed pages and counterfoils of registration-books.

(ii) Every Registrar shall transmit, at such intervals as may be prescribed, to the Registrar-General all pages of registration-books received by him from Deputy Registrars under paragraph (a) of sub-section (i), and shall keep in a suitable strong room or other safe place all bound counterfoils received by him under paragraph (b) of sub-section (i).

(iii) The Registrar-General shall cause the pages received by him from the Registrars under sub-section (ii) to be strongly bound from time to time in books, preserving the original sequence of the pages as indicated by the printed numbers thereon and separating, in such manner and to such extent as may be prescribed, the pages relating to one registration area from the pages relating to other registration areas, and shall keep the said pages and books in a suitable strong room or other safe place.

Inspection of registers; certified copies of entries.

10. (i) The original registers of births and of deaths respectively in the custody of the Registrar-General and the Registrars and the duplicate registers and the district registers containing entries made under the Enactments hereby repealed in the custody of the Registrars shall, on payment of the prescribed fees, be open to inspection by any person on any day, not being a Saturday, Sunday or holiday, between the hours of ten in the forenoon and four in the afternoon and the Registrar-General and every Registrar shall, on payment of the prescribed fees, furnish to any person requiring the same a certified copy of any entry in any register in his charge.

(ii) Every copy of any entry in any register certified under the hand of the Registrar-General or of a Registrar in charge of the same for the time being to be a true copy shall, subject to the limitation in section 15 provided, be *prima facie* evidence in all Courts and before all tribunals in the Federated Malay States of the dates and facts contained or set forth in such copy.

Yearly summary and report.

11. The Registrar-General shall, by the 1st day of March in every year, compile

- (a) a summary of the births and deaths of the past year according to such forms as shall, from time to time, be approved by the Chief Secretary to Government, and
- (b) a general report on the increase or decrease of the population and on any special causes appearing to affect the same, so far as the same can be gathered from the registers of births and of deaths.

The persons on whom rests the duty to report births and deaths.

12. (i) In the case of every child born alive after the commencement of this Enactment, it shall be the duty of the father and mother of the child, and of the occupier of the house in which to his knowledge the child is born, and of each person present at the birth, and of the person having charge of the child, to report such birth within fourteen days after the same shall have taken place to the Deputy Registrar of the registration area within which the birth shall have taken place and to comply with the provisions of section 5.

(ii) Whenever the name of a child is not settled and cannot be notified to the Deputy Registrar within fourteen days of birth, the person whose duty it is to report such birth shall, so soon thereafter as the name is settled and not later than seven years thereafter, attend again at the office of the Deputy Registrar of the registration area within which the birth took place or, if such Deputy Registrar so directs, at the office of the Registrar of the registration area and there record the name in the manner (so far as is practicable) prescribed by section 5 for the recording of information by a person reporting a birth.

(iii) When a person dies in a house after the commencement of this Enactment, it shall be the duty of the occupier of the house in which to his knowledge the death took place, and of the nearest relatives of the deceased in attendance during his last illness, and of each person present at the death, and in default of the persons hereinbefore in this sub-section mentioned of each inmate of the house and of the person causing the body of the deceased to be buried, to report such death within twelve hours (exclusive of the time necessary for the journey and of any intervening hours of darkness) after the same shall have taken place to the Deputy Registrar of the registration area within which the death took place and to comply with the provisions of section 5.

(iv) When a person dies in a place which is not a house, or a dead body is found elsewhere than in a house, it shall be the duty of every relative of such deceased person having knowledge of any of the particulars prescribed to be registered concerning the death, and of every person present at the death, and of any person taking charge of the body, and of the person causing the body to be buried, to report such death or finding within twelve hours (exclusive of the time necessary for the journey and of any intervening hours of darkness) after the death or the finding to the Deputy Registrar of the registration area within which the death took place or the body was found and to comply (so far as is practicable) with the provisions of section 5 applicable to a person reporting a death.

13. Any person whose duty it shall be under this Enactment to report, or furnish information as to, any birth or the name of any child or any death or the finding of any dead body and who shall, without reasonable cause, omit to do so within the time prescribed by this Enactment, shall be guilty of an offence and liable on conviction to a fine not exceeding fifty dollars, except in any case for which a smaller penalty is provided by this Enactment.

Penalty for omission to report or furnish information within the time prescribed.

14. Notwithstanding the commission by any person of such an offence as is in section 13 referred to, a Deputy Registrar may, on payment by such person of the prescribed fee, permit the prescribed information relating to any birth or death to be recorded in the manner prescribed by section 5 within forty-two days after the birth and within three days after the death, as the case may be.

Extended time within which information may be recorded.

15. Notwithstanding any omission to report, or furnish information as to, any birth within forty-two days or any death within three days, it shall be the duty of the Deputy Registrar to procure by all means in his power the best and most accurate information respecting any birth or death which may have occurred within his registration area and to cause the same to be recorded (so far as is practicable) in the manner prescribed by section 5, but not until after the expiration of the time last mentioned in each case. Provided that every entry made under this section on any page of a registration-book and on the counterfoil thereof shall be marked by the Deputy Registrar, in such manner as may be prescribed, with the words "Post Registration"; and no copy of any entry so marked shall be receivable in evidence, as prescribed in section 10, unless the truth of the facts therein entered shall have been found by a Magistrate in a proceeding instituted before him under this section, and such Magistrate has certified his finding in the register. Such a proceeding may be instituted by any person claiming to have an interest in substantiating the record marked "Post Registration" and shall be brought by way of information and summons to be served on the Registrar calling upon him to show cause why a certified copy of such entry should not be entitled to be received in evidence in the manner and to the extent provided by section 10.

Post registration.

16. (i) It shall be the duty of all police officers, penghulus and headmen to obtain information of every birth and death within their respective areas or mukims, and also respecting the father or mother of every child born in their respective areas or mukims, and respecting the occupier of any house in their respective areas or mukims in which any birth or death may take place, and to give notice thereof to the Deputy Registrar of the registration area.

Duties of police officers, penghulus and headmen.

(ii) Any police officer, penghulu or headman who, knowing such particulars, shall wilfully neglect or omit to give notice thereof to the Deputy Registrar shall be guilty of an offence and liable on conviction to a fine not exceeding twenty-five dollars.

Duty of medical practitioner as to certificate.

17. (i) It shall be the duty of every registered medical practitioner, upon the death of any person who has during his last illness been attended by such medical practitioner, to sign and deliver within twelve hours of the death to some person required by this Enactment to furnish particulars of the death or to the Deputy Registrar of the registration area within which the death took place a certificate in the prescribed form, and such person shall, when reporting or furnishing information as to the death, deliver such certificate to the Deputy Registrar.

(ii) In case any certificate under the last sub-section shall certify that the cause of death of any person has arisen from plague, cholera, small-pox or any disease that is or shall hereafter be required to be notified to foreign countries as a dangerous infectious disease under any convention with regard to dangerous infectious diseases for the time being in force which is not known at the time to be prevalent in the State where the deceased person died it shall be lawful in any case where the Registrar-General or Registrar is not satisfied of the correctness of the diagnosis made by the registered medical practitioner for him to refuse to act upon such certificate and to refuse to register the death until a further and other opinion as to the cause of death has been given upon an examination made by a Health Officer and in every such case the cause of death that shall be entered in the register book shall be that certified by such officer.

(iii) When a registered medical practitioner has made a *post mortem* examination of the body of any person, such medical practitioner shall, within twenty-four hours after the conclusion of the examination, forward a certificate in the prescribed form to the Deputy Registrar of the registration area within which the death took place.

(iv) The cause of death as stated in the certificate, together with the name of the certifying medical practitioner, shall be entered on the appropriate page of the registration-book and on the counterfoil thereof.

Duty of Magistrate holding enquiry of death to forward copy of finding.

18. When an enquiry is held into the death of any person, the Magistrate holding such enquiry shall, within twenty-four hours after the conclusion thereof forward a certified copy of his finding to the Deputy Registrar of the registration area within which the death took place, and the cause of death as stated in such finding shall be entered on the appropriate page of the registration-book and on the counterfoil thereof.

Penalty for breach of section 17 or 18.

19. Any person wilfully neglecting or omitting to comply with the provisions of section 17 or section 18 shall be guilty of an offence and liable, on conviction, to a fine not exceeding twenty-five dollars.

Penalty for false information, false entry, or destruction of entry.

20. Any person who shall

- (a) wilfully make or permit to be made for the purposes of registration any false statement, or
- (b) wilfully or knowingly furnish or permit to be furnished any false information, touching any of the particulars hereby required to be made known, or

- (c) make or permit to be made any false entry in any registration-book or register, knowing the same to be false, or
- (d) wilfully destroy or permit to be destroyed any entry in any registration-book or register

shall be guilty of an offence and liable, on conviction, to a fine not exceeding five hundred dollars or to imprisonment of either description for a term not exceeding twelve months or to both such fine and imprisonment.

- 21.** (a) Any person who shall wilfully or carelessly destroy, injure, mutilate, deface or lose any registration-book or register used for the purposes of this Enactment, and

Penalty for injury to register and for omission by Deputy Registrar to effect registration.

- (b) any Deputy Registrar who shall refuse or omit without reasonable cause (the burden of proof whereof shall lie on him) to effect or secure the due registration of any birth or death within his registration area of which he shall have notice or knowledge, and

- (c) any Registrar-General, Registrar or Deputy Registrar who shall carelessly or wilfully allow any register or registration-book to be destroyed, injured, mutilated, defaced or lost whilst in his custody or keeping

shall be guilty of an offence and liable, on conviction, to a fine not exceeding one hundred dollars or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.

- 22.** No prosecution for any offence under this Enactment shall be instituted except by the authority of the Public Prosecutor, the Registrar-General or a Registrar.

Authority for prosecution.

- 23.** (i) No alteration in any registration-book or register shall be made except as authorized by this section.

Correction of errors.

(ii) Any clerical error which may from time to time be discovered in any such registration-book or register may be corrected by a Deputy Registrar while the counterfoil is in his possession and thereafter by the Registrar of the registration area in the manner directed by the Registrar-General.

(iii) An error of fact or substance in any such registration-book or register may be corrected by entry in the margin (without any alteration of the original entry) by the Registrar of the registration area, upon payment of the prescribed fee and upon production to him by the person requiring such error to be corrected of a statutory declaration setting forth the nature of the error and the true facts of the case, and made by two persons required by this Enactment to give information concerning the birth or death with reference to which the error has been made, or in default of such persons then by two credible persons having knowledge of the truth of the case.

(iv) Where an error of fact or substance occurs in the information forwarded by a Magistrate under section 18 concerning a dead body upon which he has held an enquiry the Magistrate, if satisfied by evidence on oath or statutory declaration that such error exists, may certify under his hand to the Registrar of the registration area within which

the death took place the nature of the error and the true facts of the case as ascertained by him on such evidence and the error may thereupon be corrected by such Registrar by entering in the margin (without any alteration of the original entry) the facts as so certified by the Magistrate.

(v) When any correction is made under the provisions of this section after the page of the registration-book has been transmitted to the Registrar-General, the Registrar shall forthwith forward the necessary information to the Registrar-General in order that the correction may be recorded in the original register.

Still born child.

24. Nothing in this Enactment shall apply to a still born child.

Rules.

25. (i) Subject to the provisions of this Enactment the Chief Secretary to Government may make rules in respect of all or any of the following matters:

- (a) the form and contents of the registration-books and of any certificates, notices or other documents required for carrying out the purposes of this Enactment;
- (b) the fees to be taken under this Enactment;
- (c) the custody of the registration-books, registers and other documents connected with the business of registration;
- (d) the making of searches and the giving of certified copies;
- (e) the preparation and custody of indexes of matters contained in registers;
- (f) any other matters as to which it may be expedient to make rules for carrying into effect the objects of this Enactment.

(ii) Such rules shall be published in the *Gazette* and shall thereupon be of the same force as if they had been enacted in this Enactment.

Fees to be paid into Treasury.

26. All fees taken under this Enactment shall be paid into the Treasury for the credit of the public revenue.

SCHEDULE.

ENACTMENTS REPEALED.

State.	No. and year.	Short title.
Perak	2 of 1901	The Births and Deaths Registration Enactment, 1901
Selangor	1 of 1901	" "
Negri Sembilan	1 of 1901	" "
Pahang	6 of 1897	The Registration of Births and Deaths and Notification of Sickness Enactment, 1896.

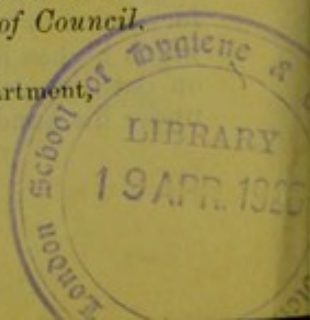
Passed this 28th day of July, 1920.

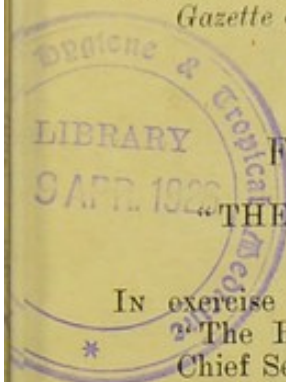
T. S. ADAMS,
Clerk of Council.

KUALA LUMPUR:

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1920.





FEDERATED MALAY STATES.

"THE BIRTHS AND DEATHS REGISTRATION ENACTMENT, 1920."

IN exercise of the powers conferred on him by section 25 (i) of
The Births and Deaths Registration Enactment, 1920," the
Chief Secretary to Government hereby makes the following rules,
with effect from the first day of July, 1922 :

The rules made under "The Births and Deaths Registration
Enactment, 1901," of Perak, Selangor and Negri Sembilan, and
published in the *Perak Government Gazette* of 21st June, 1901, in
the *Selangor Government Gazette* of 31st May, 1901, and in the
Negri Sembilan Government Gazette of 12th April, 1901, are rescinded
with effect from the first day of July, 1922.

FORMS.

1. The following shall be in the forms given in the schedule
to these rules :

- Register of Births, in form A.
- Register of Deaths, in form B.
- Index of Register of Births, in form C.
- Index of Register of Deaths, in form D.

2. Reports of births and deaths shall be in forms E and F,
respectively.

3. Reports for registering the name of a child subsequent to the
registration of its birth shall be in form G.

4. The medical certificate of the cause of death shall be in
form H; and forms of certificate of the cause of death after *post-*
mortem examination shall be in form I.

5. Forms H and I shall not be used by Medical Officers in charge of,
or attached to, hospitals or other public institutions. Such officers
shall fill in and sign the report of death, form F, when deaths are
registered by them.

6. Every report of a birth or death (forms E and F) shall be
signed by the informant, or person making such report.

7. Certified extracts from the registers shall be given on forms,
giving particulars identical with the particulars shown in the registers.

FEES.

8. The fees to be paid under this Enactment shall be—

For a certified extract from register or post registration book of a birth or death	...	81
For a search in register or post registration book of births or deaths	...	1
For late registration (section 14)	...	1

Provided that any different fees collected in Pahang prior to the
publication of these rules shall be accepted in lieu of the fees hereby
prescribed.

SCHEDULE.

FORM A.

REGISTER OF BIRTHS.

No.	Name.	Sex.	Father's			Mother's		Date and hour when born.	Where born.	Name of informant.	Date and hour of registration.	Date of issue of notice of vaccination.	Date of vaccination and remarks.
			Name.	Occupation.	Nationality.	Maiden name.	Nationality.						

FORM B.

REGISTER OF DEATHS.

No.	Name.	Age.			Sex.	Residence at death.	Nationality.	Occupation.	Period of continuous residence in district.	Last place of residence before arrival in district.	Date and hour of death.	Cause of death.	Duration of illness.	Date and hour of registration.	Name of informant.	Remarks. Name and qualification of medical man certifying.
		Y.	M.	D.												

INDEX OF REGISTER OF BIRTHS.

FORM D.

INDEX OF REGISTER OF DEATHS.

FORM E.

No.....
 DUPLICATE REGISTER OF BIRTH.
 Name.....
 Sex.....
 { Name.....
 { Occupation.....
 { Nationality.....
 { Maiden name.....
 { Nationality.....
 { Nationality.....
 When born.....
 Where born.....
 Name of informant and signature.....
 Date of registration.....
 Counterfoil receipt No. (in cases of post registration only).....
 19....

Deputy Registrar, Births and Deaths.
 NOTE.—A vaccination notice will be issued to the informant at the time of registration.

No.....
 ORIGINAL REGISTER OF BIRTH.
 Name.....
 Sex.....
 { Name.....
 { Occupation.....
 { Nationality.....
 { Maiden name.....
 { Nationality.....
 { Nationality.....
 When born.....
 Where born.....
 Name of informant and signature.....
 Date of registration.....
 Counterfoil receipt No. (in cases of post registration only).....
 19....

Deputy Registrar, Births and Deaths.
 NOTE.—A vaccination notice will be issued to the informant at the time of registration.

No.....
 CERTIFICATE OF REGISTRATION
 OF BIRTH.
 Name.....
 Sex.....
 { Name.....
 { Occupation.....
 { Nationality.....
 { Maiden name.....
 { Nationality.....
 { Nationality.....
 When born.....
 Where born.....
 Name of informant and signature.....
 Date of registration.....
 Counterfoil receipt No. (in cases of post registration only).....
 19....

Deputy Registrar, Births and Deaths.
 NOTE.—A vaccination notice will be issued to the informant at the time of registration.

FORM F.

No.....
 DUPLICATE REGISTER OF DEATH.
 Name.....
 Age.....
 Sex.....
 Occupation.....
 Residence at death and period of
 continuous residence thereat.
 Last place of residence before arrival in
 district.....
 Nationality.....
 Date of death.....
 Cause of death.....
 Duration of illness.....
 Date of registration.....
 Name of informant and his signa-
 ture.....
 Counterfoil receipt No. (in cases of post
 registration only).....

....., 19....

Deputy Registrar, Births and Deaths.

No.....
 ORIGINAL REGISTER OF DEATH.
 Name.....
 Age.....
 Sex.....
 Occupation.....
 Residence at death and period of
 continuous residence thereat.....
 Last place of residence before arrival in
 district.....
 Nationality.....
 Date of death.....
 Cause of death.....
 Duration of illness.....
 Date of registration.....
 Name of informant and his signa-
 ture.....
 Counterfoil receipt No. (in cases of post
 registration only).....

....., 19....

Deputy Registrar, Births and Deaths.

No.....
 CERTIFICATE OF REGISTRATION
 OF DEATH.
 Name.....
 Age.....
 Sex.....
 Occupation.....
 Residence at death and period of
 continuous residence thereat.....
 Last place of residence before arrival in
 district.....
 Nationality.....
 Date of death.....
 Cause of death.....
 Duration of illness.....
 Date of registration.....
 Name of informant and his signa-
 ture.....
 Counterfoil receipt No. (in cases of post
 registration only).....

....., 19....

Deputy Registrar, Births and Deaths.

42

FORM G.

I hereby certify that the name of the child registered by me on
.....is.....

Date.....

FORM H.

No.....

CERTIFICATE OF
PARTICULARS OF
DEATHS.

(Under section 17 of
Enactment 13 of 1920.)

Name.....

Stated age.....

Last seen.....

Died.....

Cause of death.....

Date.....

No.....

CERTIFICATE OF PARTICULARS OF DEATHS.
(Under section 17 of Enactment 13 of 1920.)

I hereby certify that I attended.....of
.....whose age was stated to be.....
during ^{his}_{her} last illness and that I last saw ^{him}_{her}
alive on.....

and that ^{he}_{she} died on.....

Cause of death.....

Duration of illness.....

District.....

Name.....

Date.....

Qualification.....

In the event of the medical practitioner making a
post-mortem examination, he must give a certificate
on the form provided for that purpose.

FORM I.

Not to be used by any other than a Registered
Medical Practitioner.

No.....

MEDICAL CERTIFI-
CATE OF CAUSE
OF DEATH.

Name.....

Examination.....

post mortem.....

Cause of death.....

Date....., 19....

No.....

MEDICAL CERTIFICATE OF CAUSE
OF DEATH.

I certify that I made on.....a *post-*
mortem examination of the body of.....
and that the cause of death was.....

District.....

Name.....

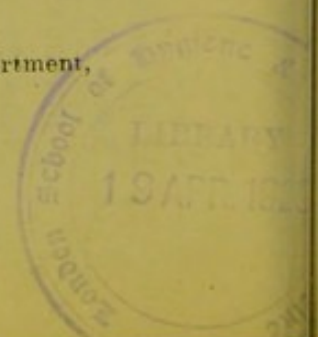
Date....., 19....

Qualification.....

KUALA LUMPUR:

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1922.



*Published in the Federated Malay States Government Gazette
of December 28, 1923, No. 26, Vol. XV, Notification No. 8408.*

FEDERATED MALAY STATES.

"THE BIRTHS AND DEATHS REGISTRATION ENACTMENT, 1920."

IN exercise of the powers conferred on him by section 25 (i) of "The Births and Deaths Registration Enactment, 1920," the Chief Secretary to Government hereby amends the rules published as Notification No. 4383 in the *Gazette* of 22nd July, 1922, with effect from the 28th day of December, 1923, as follows:

"Rule 8 of the above rules is amended by inserting immediately after the item 'for a certified extract from register or post registration book of a birth or death' the words 'Exemption--in the case of the death of a contributor or of the wife of a contributor or in the case of the birth or death of the child of a contributor under 'The Widows and Orphans' Pension Enactment, 1915,' when such extract is required for the purposes of the said Enactment'."

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1923.

Printed in the Federal Malay States Government Office
of December 25, 1922, No. 22, P. 27, No. 2102

ENHANCED MALAY STATES
"THE HINDU AND BUDDHIST REGISTRATION
ACT, 1922."

In exercise of the power conferred on him by section 22 (1) of
the Hindu and Buddhist Registration Act, 1922, the
Governor of the Malay States has made the following
regulations which are hereby published for general
information. These regulations shall come into force
on the 1st day of January, 1923, and shall be
subject to the approval of the Council of the Malay
States.



Printed by the Government Printing Department,
F. M. S. 1922.

FEDERATED MALAY STATES.

ENACTMENT No. 26 OF 1922.

An Enactment to secure the better training of Midwives
and to regulate their practice.

L. N. GUILLEMARD,
President of the Federal Council.

[11th December, 1922.]

It is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. This Enactment may be cited as "The Midwives Enactment, 1922." Short title.
2. This Enactment shall come into force within the limits for the time being of such Sanitary Board areas and at such date or respective dates as the Chief Secretary to Government shall by notification in the *Gazette* direct and appoint. Commencement.
3. It shall be lawful for the Chief Secretary to Government to appoint an officer to be "Registrar of Midwives", hereinafter referred to as the "Registrar", within any Sanitary Board area in which this Enactment comes into force. Appointment of Registrar.
4. The Registrar shall from time to time cause the names of all duly qualified midwives to be registered in a book to be kept by him at his office called the "Register of Midwives", hereinafter referred to as the "register". Register of midwives.
5. A register shall be kept in each Sanitary Board area in which this Enactment comes into force. Register to be kept in each area.
6. Every woman is entitled to be registered who satisfies the Registrar Persons entitled to be registered.
 - (a) that she holds a certificate in midwifery from a training school in midwifery recognized by the Chief Secretary to Government;
 - (b) that she holds a certificate under this Enactment or such other certificate as may be approved by the Registrar;
 - (c) within four months after the date of the coming into force of this Enactment in any Sanitary Board area that she was at such date in *bona fide* practice as a midwife in such Sanitary Board area and that she possesses a competent practical knowledge of conducting midwifery cases.
7. Examinations in midwifery shall be held at the prescribed times and places. Every woman who satisfies the examiners appointed by the Principal Medical Officer at any such examinations as to her proficiency is entitled to a certificate under this Enactment. Examinations.
8. It shall be the duty of every Registrar Supervision of midwives.
 - (a) to exercise general supervision over all midwives practising within his district in accordance with the rules to be made under this Enactment;

(b) to temporarily suspend any midwife from practice in the area for which he is Registrar in accordance with the rules under this Enactment in any case where such suspension appears necessary in order to prevent the spread of infection;

(c) to investigate charges of malpractice, negligence, or misconduct on the part of any midwife practising within the area for which he is Registrar.

Removal of
names from
register.

9. The Registrar may remove from the register the name of any midwife convicted of any offence or who is proved to have been guilty of any malpractice or misconduct or of a breach of any rule made under this Enactment.

Right of appeal.

10. (i) Any woman who thinks herself aggrieved by any decision of the Registrar in refusing to enter her name in the register or in removing her name from the register, may within one month after the date of the decision appeal to the Chief Secretary to Government.

(ii) The Chief Secretary to Government may make such order as he thinks just, and such order shall have effect accordingly.

Register to be
gazetted.

11. (i) The Registrar shall in the month of January in every year cause a copy of the register corrected to the thirty-first day of December then last past to be published in the *Gazette*.

(ii) A copy of the *Gazette* containing such register shall be evidence that the women therein named are registered under this Enactment, and the absence of the name of any woman from such copy shall be *prima facie* evidence that she is not registered under this Enactment.

Provided that, in the case of a woman whose name does not appear in such copy, a certificate under the hand of the Registrar of the entry of her name in the register shall be evidence that she is registered under this Enactment.

(iii) A certificate under the hand of the Registrar that the name of the woman, whose name appears in such copy of the *Gazette*, has been removed from the register and of the date of such removal shall be evidence that she is not registered under this Enactment and of the date as from which she ceased to be so registered.

Midwife to give
notice before
practising.

12. (i) Every woman registered under this Enactment shall before holding herself out as a practising midwife or commencing to act as a midwife in any Sanitary Board area in which she is not registered give notice in writing of her intention to do so and of the address at which she resides to the Registrar for such area.

(ii) Every such notice shall contain such particulars as are required by the rules under this Enactment to secure the identity of the person giving it.

(iii) On being satisfied of the identity of such woman giving such notice the Registrar shall enter her name in the register.

(iv) Any woman who omits to give such notice, or knowingly or willingly makes, or causes or procures any other person to make, any false statement in such notice shall be liable to a fine not exceeding fifty dollars.

13. (i) Every woman who, not being registered under this Enactment, takes or uses the name or title of midwife (either alone or in combination with any word or words) or any name, title, addition or description implying that she is registered under this Enactment, or is a person specially qualified to practise midwifery or is recognized by law as a midwife shall be liable to a fine not exceeding fifty dollars.

Penalty for—
(1) Unlawfully using title, etc., implying qualification.

(ii) No woman shall attend women habitually or for gain in child-birth otherwise than under the direction of a registered medical practitioner unless she be registered under this Enactment, and any woman so acting without being registered under this Enactment shall be liable to a fine not exceeding one hundred dollars.

(2) Practising without being registered.

(iii) This section shall not apply to registered medical practitioners or to anyone rendering assistance in a case of emergency, where no qualified aid can be obtained.

Exemption.

14. Every person who

(a) procures or attempts to procure a certificate under this Enactment by making or producing or causing to be made or produced any false or fraudulent declaration, certificate or representation, either in writing or otherwise; or

Offences relating to the register.

(b) wilfully makes or causes to be made any falsification in any matter relating to the register;

shall be liable to imprisonment for a term which may extend to twelve months.

15. Registration under this Enactment shall not confer on any woman any right or title to be registered under "The Medical Registration Ordinance, 1907," of the Colony or to assume any name, title, or designation implying that she is by law recognized as a medical practitioner, or that she is authorized to grant any medical certificate or any certificate of death or to undertake the charge of cases of abnormality or disease in connection with parturition.

Registration not to carry right to medical practice.

16. (i) The Chief Secretary to Government may make rules—

Rules.

(a) regulating the course of training and the conduct of examinations;

(b) prescribing the subjects of examinations and the places where and the time when such examinations shall be held;

(c) regulating, supervising and restricting within due limits the practice of midwives;

(d) defining the conditions under which and fixing the period during which midwives may be suspended from practice;

(e) defining particulars required to be given in any notice under section 12;

(f) generally providing for anything which by this Enactment is expressed to be prescribed, or which the Chief Secretary to Government considers necessary in order to carry out the purposes of this Enactment.

(ii) All such rules shall be published in the *Gazette* and shall thereupon have the force of law.

(iii) All such rules shall be laid before the Federal Council at the first meeting after such publication, and may be amended or disallowed by resolution of the said Council.

(iv) Any rule so amended shall come into force as amended from the date of the passing of such resolution, and any rule disallowed shall cease to have force or effect from the date of such resolution.



KUALA LUMPUR:

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1923.

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FEDERATED MALAY STATES.

ENACTMENT No. 18 OF 1923.

An Enactment to consolidate and amend the law relating to Labour.

L. N. GUILLEMARD,

[18th August, 1923.]

President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

PART I.

PRELIMINARY.

CHAPTER I.

SHORT TITLE AND REPEAL.

1. This Enactment may be cited as "The Labour Code, 1923," and shall come into force upon such date as shall be appointed by the Chief Secretary to Government by notification in the *Gazette*. Short title and commencement.

2. The Enactments mentioned in the first schedule are hereby repealed.

3. All appointments, rules, orders and notifications made under any Enactment hereby repealed which were in force immediately prior to the commencement of this Enactment shall, so far as they are not inconsistent with the provisions of this Enactment, be deemed to have been made under this Enactment. Saving of appointments, rules, etc.

4. The provisions of Part VIII of this Enactment shall, as near as may be, apply to natives of Netherlands India and the places where they are employed, but with this exception none of the provisions of this Enactment which may be inconsistent with the provisions of the Netherlands Indian Labourers' Protection Enactments, 1909, shall apply to any native of Netherlands India who has entered into a contract of service under the provisions of those Enactments or to the employers with whom such contract of service has been entered into. Saving of Netherlands Indian Labourers' Protection Enactments, 1909.

CHAPTER II.

INTERPRETATION.

5. For the purposes of this Enactment unless the context otherwise requires: Interpretation.

"Agreement" means a verbal engagement to labour entered into in accordance with the provisions of this Enactment.

"Contract" means a written engagement to labour entered into in accordance with the provisions of this Enactment.

"Contract labourer" means a person who is legally bound to labour by virtue of a contract.

"Court" means the Court of a Magistrate of the First Class.

"Domestic servant" includes coachmen, grooms, motor-car drivers, gardeners, water-carriers and other house, stable or garden servants employed in, or in connection with, the domestic services of any public

or private dwelling-house or eating-house, but does not include Indians being immigrants as defined in section 34 employed on such services on estates as defined in section 159.

"Employer" includes any person, and any body of persons, corporate or unincorporate, who or which enters into an agreement or contract with any labourer as hereinafter defined, and the duly authorised agent or manager of such person or body of persons.

"Government" means the Government of the Federated Malay States or of any of them.

"Immigrant ship" means a ship carrying immigrants.

"Labourer" includes every Asiatic artificer, miner, servant in husbandry, and every other Asiatic employed for the purpose of personally performing any manual labour or of recruiting or supervising Asiatics for, or in the performance of, such labour, but does not include domestic servants as hereinbefore defined.

"Lines" means any building or collection of buildings used or intended to be used, either temporarily or permanently, for the housing of labourers employed on an estate.

"Master" means the person for the time being in charge of a ship.

"Health Officer" means the Principal Medical Officer, Federated Malay States, and includes any officer to whom the Principal Medical Officer shall, by writing under his hand, have delegated the exercise or performance of all or any of the powers or duties conferred or imposed on the Health Officer by this Enactment to the extent of the powers or duties so delegated.

"Place of employment" means any place where work is carried on by or on behalf of an employer.

"Port Officer" includes the Conservator of a Port or the Harbour Master.

"Protector" means the Secretary for Chinese Affairs and includes such other officers as the Chief Secretary to Government may declare, by notification in the *Gazette*, to be vested with the powers conferred upon the Protector by this Enactment.

"Resident" means the Resident of the State in which the place of employment is situated.

"Ship" includes every kind of vessel used for the conveyance of passengers by water whether propelled by oars or otherwise.

Controller of
Labour.

6. (i) It shall be lawful for the Chief Secretary to Government to appoint an officer to be styled the "Controller of Labour," hereinafter referred to as "the Controller," and also to appoint one or more officers to be styled "Deputy Controller of Labour," "Assistant Controller of Labour," or "Extra Assistant Controller of Labour," who, subject to such limitations as the Chief Secretary to Government may by rule prescribe, may perform all duties imposed and exercise all powers conferred on the Controller by this Enactment, and every duty so performed and power so exercised shall be deemed to have been duly performed and exercised for the purposes of this Enactment.

(ii) It shall also be lawful for the Chief Secretary to Government to appoint such other officers as he may deem necessary for the purpose of giving effect to the provisions of this Enactment.

(iii) If any employer is dissatisfied with any decision or order of a Deputy Controller of Labour, an Assistant Controller of Labour or an Extra Assistant Controller of Labour he may appeal from such decision or order to the Controller of Labour within 14 days of the date of such decision or order being communicated to him.

7. Nothing in this Enactment shall operate to relieve any employer of any duty or liability imposed upon him by the provisions of any other Enactment for the time being in force or to limit any powers given to any Government officer by any such Enactment.

Existing Enactments not affected.

8. All agreements and contracts valid and in force at the date of the coming into force of this Enactment shall continue to be in force after such date, and, subject to the express provisions in any such agreement or contract contained, the parties thereto shall be subject to and entitled to the benefit of the provisions of this Enactment.

Extent of retrospective action of Enactment.

PART II.

PROVISIONS RELATING TO IMMIGRATION.

CHAPTER III.

ARRIVAL, EXAMINATION AND DETENTION OF IMMIGRANTS.

9. It shall be lawful for the Chief Secretary to Government

(a) to establish at any port in the Federated Malay States depôts for the examination of immigrants (hereinafter called examination depôts);

Examination depôts.

(b) to establish at any place in the Federated Malay States depôts for the detention of indebted immigrants (hereinafter called detention depôts).

Detention depôts.

10. (i) No immigrant shall land in or enter the Federated Malay States except at such ports and places as the Chief Secretary to Government may, by notification in the *Gazette*, prescribe, or at such ports or places until authorised by the Controller or an officer of his department.

Ports and places at which immigrants may land or enter the Federated Malay States.

(ii) Any master causing or permitting any immigrant to land contrary to the provisions of sub-section (i) shall be liable to a fine not exceeding fifty dollars for each immigrant so landing. A master from whose ship an immigrant shall land contrary to the provisions of sub-section (i) shall, in the absence of proof to the contrary, be deemed to have caused or permitted him so to land.

Penalty and presumption.

11. Ships having any immigrants on board shall, on arrival within signalling distance of any port prescribed under the provisions of the last preceding section, hoist such signals as may be prescribed by rules under this Enactment.

Arrival of ships to be signalled.

12. On the arrival of the ship the Port Officer shall give immediate notice to the Controller, or in the case of an immigrant ship arriving at a port in the Federated Malay States on a voyage from China to the Protector, who shall forthwith proceed on board.

Controller to receive notice of arrival and go on board.

13. (i) Subject to the provisions of "The Customs Enactment, 1923," it shall not be lawful for any person other than the Controller, Health Officer, Port Officer, Chief Police Officer, or any of their subordinate officers, or in the case of an immigrant ship arriving at a port in the Federated Malay States on a voyage from China the

No communication with ship till after immigrants landed except by certain officers.

Protector, or the owner, agent or consignee of an immigrant ship to communicate with any such ship on its arrival in port, except for the purpose of landing passengers or disembarking immigrants under the provisions of this Part until after the immigrants on board thereof have been disembarked; and no immigrant shall disembark or land, or attempt to disembark or land, from any such ship except as provided by this Part or by rules made under this Enactment.

Exemption.

(ii) Nothing in this section shall be held to prevent the Consul-General, Consul, Vice-Consul or Consular Agent of any foreign Power from boarding any ship of the nationality represented by him.

Penalty.

(iii) Any person communicating, or attempting to communicate, with any immigrant ship contrary to the provisions of sub-section (i), and any immigrant disembarking, or attempting to disembark, contrary to the provisions of this Enactment, and any person aiding or abetting any immigrant to disembark from any such ship, contrary to the provisions of this Enactment, shall be liable to a fine not exceeding five hundred dollars and in default of payment to imprisonment of either description for a period not exceeding six months.

CHAPTER IV.

SPECIAL PROVISIONS RELATING TO CHINESE IMMIGRANTS.

Limitation of application.

14. The provisions of this Chapter shall only apply to immigrants from China and shall, where such provisions are repugnant to the other provisions of this Enactment, be taken to repeal for the purpose of carrying into effect this Chapter such other provisions but except in so far as is necessary to give effect to this section the provisions of this Chapter shall be additional to, and in extension of, the other provisions of this Enactment.

Interpretation.

15. In this Chapter unless the context otherwise requires:

“Advances” includes maintenance and clothes provided and cash given, whether provided or given in China or on board ship or in the Colony, and all expenses of bringing an immigrant from China.

“China” includes Hongkong, Macao and all such territory as formed part of the Chinese Empire on the 1st day of January, 1841.

“China immigrant ship” means an immigrant ship arriving at a port in the Federated Malay States on a voyage from China.

“Creditor” means the person to whom an immigrant is found as hereinafter provided to be indebted for advances and includes a creditor's agent in the Federated Malay States.

“Immigrant” means a native of China (not being a first or second class passenger nor the personal servant of such passenger nor a person on the articles of a ship) travelling by sea to, or who has within one year arrived by sea at, any port of the Federated Malay States from China or from a port in the Colony at which he has within the two months preceding such arrival landed from a vessel arriving at such port from China.

“Indebted immigrant” means any immigrant who is found as hereinafter provided to be indebted for passage money and advances, whether he has before his arrival in the Federated Malay States entered into an engagement to labour or not.

"Passage money" includes the value of a passage supplied free.

"Passage money and advances" includes passage money without advances and advances without passage money.

"Qualified medical practitioner" means (notwithstanding anything contained in the Medical Registration Enactments, 1907) the holder of any of the diplomas, degrees or licences from time to time specified by the Chief Secretary to Government as constituting the qualification of a qualified medical practitioner under this Enactment.

16. On the departure of an immigrant ship from China on a direct voyage to any port or ports in the Federated Malay States, or from Singapore or Penang on a voyage to any port or ports in the Federated Malay States, the agent or consignee of such ship at any such port shall forthwith inform the Protector in the State in which such port lies of the approximate date and, if possible, time of the arrival of such ship and of the number of immigrants to be landed at such port: provided that in the case of an immigrant ship departing from Singapore or Penang such agent or consignee need only inform the Protector of the number of persons travelling on such ship who are known to the master or to the agent in the Colony of such ship to be immigrants.

Departure of immigrant ship to be notified.

Proviso.

17. The master of every China immigrant ship shall on arrival at any port in the Federated Malay States prevent all immigrants from disembarking until such ship has been boarded as provided by section 19.

Duty of master of China immigrant ship on arrival.

18. Any person who without reasonable excuse omits to comply with the provisions of section 16 or of section 17 shall be liable, on conviction, to a fine not exceeding two hundred and fifty dollars.

Penalty.

19. (i) On the arrival of a China immigrant ship at a port in the Federated Malay States she shall as soon as possible be boarded by an officer of the Chinese Protectorate, to whom the master of such ship shall give a list containing the names of all immigrants brought by such ship from China and such information relating to the immigrants, the payment of their passage money, the place of their embarkation, their state of health during the voyage, the deaths of or absence of any immigrants who may have been on board at any time at or after the ship's departure from her first port of departure in China on the voyage, and any other matters as he may reasonably be required to give for the purposes of this Enactment or of "The Women and Girls Protection Enactment, 1914."

Boarding of ship by officer. Master to give information.

(ii) The master of a China immigrant ship intentionally omitting to comply with the provisions of sub-section (i) or furnishing as true any list or information which he knows or has reason to believe to be false, or refusing to answer such questions as such officer may reasonably put to him for the purposes of this Enactment, shall be guilty of an offence under sections 176, 177 or 179 of the Penal Code, as the case may be.

Penalty.

20. When any China immigrant ship is boarded on arrival by an officer of the Chinese Protectorate such officer may cause all or any of the immigrants on board to be removed to an examination dépôt, and any immigrant removed to such dépôt shall on arrival thereat be examined by an officer of the Chinese Protectorate as to the payment of

Removal to examination dépôt.

his passage money and as to any advances that may have been received by him and as to any engagement to repay such passage money and advances, or any engagement to labour entered into, or proposed to be entered into, by him, and as to his age and fitness to labour, and as to any such other matters as may seem necessary for the purposes of this Enactment or "The Women and Girls Protection Enactment, 1914."

Powers of search.

21. If the Protector has reason to believe that any immigrant who has arrived in the Federated Malay States by an immigrant ship is indebted for passage money and advances and has without permission from an officer of the Chinese Protectorate entered any place other than a dépôt established under Chapter III, it shall be lawful for the Protector or any officer of the Chinese Protectorate authorised in writing by him to search any place (including any house or ship) in which such immigrant as aforesaid is believed to be, and if he is found to take him forthwith to an examination dépôt for examination under the last preceding section. If in the course of such search any documents relating to the indebtedness of such immigrant are found by the Protector or such officer he may seize such documents and retain them in his possession for so long as they are required for the purpose of any proceeding arising out of the matter.

Immigrants not indebted for passage money to be released.

22. Every immigrant who upon such examination as aforesaid is found not to be indebted for passage money and advances shall forthwith be allowed to leave the examination dépôt.

Immigrant brought to Federated Malay States by fraud.

23. When it appears upon such examination as aforesaid that an immigrant has been brought to the Federated Malay States by fraud or by misrepresentation as to work or wages or other matters, the Protector shall enquire into his case and, if satisfied that he has just cause of complaint, shall either release him or treat him under section 25 as an immigrant who has been declared permanently unfit for labour in the Federated Malay States.

Immigrant indebted to be detained in dépôt.

24. Every immigrant found to be indebted for passage money and advances may be detained in a detention dépôt until he has made arrangements satisfactory to the Protector for the payment of his debt: provided that no immigrant without his consent to be signified before the Protector shall be so detained at any time after such debt shall have been paid or for a longer period than ten days except as provided by section 30.

Proviso.

Immigrant unfit for labour.

25. (i) When upon an examination made under the provisions of this Chapter or at any time before he has made arrangements satisfactory to the Protector for the payment of his debt any indebted immigrant appears to the Protector to be unfit for labour owing to disease or from physical or mental debility or defect, or to be suffering from any complaint, he may be sent to a Government hospital for medical examination and treatment and shall, except as provided in sub-section (iii), be detained there at the expense of his creditor till declared by the Government Medical Officer in charge of the hospital

(a) to be fit for labour, or to be fit for certain kinds of labour, or for labour in certain places, in which case he shall be handed over to the Protector, or to a person authorised by the Protector to receive him, and may then be detained in a dépôt under the care of the Protector as provided by this Chapter; or

(b) to be incurable or permanently unfit for labour in the Federated Malay States, in which case information shall be given to the Protector, who may cause such immigrant at the first opportunity to be sent back at the expense of his creditor to the place in China from which he was brought.

(ii) When upon such examination or at any such time as aforesaid, any indebted immigrant appears to be under the age of sixteen or over the age of forty-five years he may be sent back at the expense of his creditor to the place in China from which he was brought.

(iii) Any indebted immigrant who has been sent to a Government hospital under sub-section (i) may, if or when he be declared by the Government Medical Officer in charge of such hospital to be fit to travel, be sent back, if his creditor so desires, at the expense of his creditor to the place in China from which he was brought.

26. (i) Any indebted immigrant who refuses or omits to go to a hospital or to a detention dépôt having been ordered to do so under the provisions of section 25 and any indebted immigrant leaving or attempting to leave such dépôt without the permission of an officer authorised by the Protector or such hospital without the permission of the Government Medical Officer in charge, shall be guilty of an offence and may be arrested by any police officer, or by an officer authorised by the Protector, and taken to a detention dépôt or to the Chinese Protectorate or to a police station and detained there until he can be brought before the Protector.

Immigrant refusing to go to a dépôt or absconding.

Arrest.

(ii) Any person who commits or abets the commission of an offence under this section shall be liable, on conviction, to a penalty not exceeding twenty-five dollars or to imprisonment of either description for any term not exceeding one month.

Abetment.

Penalty.

27. (i) The Protector may fix from time to time the maximum sum for which any immigrant from any port in China to any port in the Federated Malay States shall be indebted as for passage money and advances and such maximum sum shall be notified in the *Gazette*.

Maximum sums for passage money and advances.

(ii) No immigrant shall be held to be liable for the amount of any passage money and advances in excess of the maximum sum fixed by the Protector.

28. Any indebted immigrant who may have been found on examination to have obtained passage money and advances by a promise to find on his arrival in the Federated Malay States some person to repay such passage money and advances and who is unable to fulfil such promise may, at the discretion of the Protector, be released or sent back to China at the expense and with the consent of his creditor.

Immigrant detained unable to fulfil promise to repay passage money.

29. Any indebted immigrant found on examination to have obtained passage money and advances by a promise to enter into a contract on arrival in the Federated Malay States to labour may, at the discretion of the Protector,

Immigrant who has promised to enter into contract.

- (a) be sent back to China at the expense of his creditor; or
- (b) be released.

Return of
immigrants to
China.

30. (i) Whenever any immigrant is to be sent back to China at the expense of his creditor under the provisions of this Part or to be sent to hospital under the provisions of section 25 all arrangements shall be made by the Protector, and all necessary expenses of, and incidental to, sending such immigrant back to China or to hospital may be recovered from the creditor of such immigrant in any Civil Court at the suit of the Protector, whose certificate as to the amount of such expenses shall be sufficient evidence thereof.

Detention.

(ii) Any such immigrant may pending his departure be detained at the expense of a creditor in a detention depôt.

Conditions on
which Chinese
immigrants
may be
imported.

31. No immigrant shall be imported into the Federated Malay States on a China immigrant ship except on the following conditions:

- (a) The ship in which he is imported if carrying more than twenty immigrants shall carry during the whole course of the voyage a qualified medical practitioner who shall attend to the health of the passengers and the sanitation of the ship;
- (b) The master of the ship shall on arrival at any port within the Federated Malay States produce to the Boarding Officer a certificate from the port of departure signed, if such port be Hongkong, by a competent officer or, in the case of any Chinese port, by a qualified person appointed by the British Consul, stating:
 - (1) The voyage the ship was intended to make;
 - (2) That at the time of her departure she had the proper complement of officers and seamen and was sufficiently equipped for the voyage;
 - (3) The number of immigrants on board and that such immigrants together with the other passengers on board were not in excess of the number of passengers which may properly be carried on board such ship;
 - (4) That at the time of her departure there was on board the ship a good and sufficient supply of food, pure water and medicines for the use of the immigrants during the intended voyage;
 - (5) That the accommodation and sanitary arrangements for the immigrants during the voyage on board the ship were satisfactory.

Penalty for
wrongful
importation.

32. (i) Every person who shall import, or attempt to import, any immigrant contrary to the provisions of section 31, and every person who shall aid, abet, procure or be interested or concerned in or knowingly derive any profit from the importation or attempted importation of any immigrant contrary to the said provisions shall be liable to a fine not exceeding one thousand dollars or to imprisonment of either description for any period not exceeding twelve months or to both fine and imprisonment.

(ii) Any ship which shall be used for the importation or attempted importation of any immigrant contrary to the provisions of section 31 shall be liable to forfeiture and may be seized and detained by the Chief Police Officer until adjudicated on according to law.

(iii) Proceedings to enforce any forfeiture under this section may be taken in the name of the Chief Secretary to Government.

(iv) At any time after the detention of any ship under sub-section (ii) it shall be lawful for the Chief Secretary to Government to release such ship upon such security as he shall think sufficient or without security.

CHAPTER V.

SPECIAL PROVISIONS RELATING TO INDIAN IMMIGRANTS.

33. The provisions of this Chapter shall apply to immigrants from India only and shall, where such provisions are repugnant to the other provisions of this Enactment, be taken to repeal for the purpose of carrying into effect this Chapter such other provisions, but except in so far as is necessary to give effect to this section the provisions of this Chapter shall be additional to, and in extension of, the other provisions of this Enactment.

Limitation of application.

34. In this Chapter unless the context otherwise requires:

Interpretation.

“Certificated immigrant” means an immigrant who holds a certificate in the form A in the second schedule or to the like effect, issued under the authority of the Indian Government or of the Government of the Colony or under this Enactment or under any Enactment hereby repealed.

“Immigrant” means an Asiatic native of British India or of an Indian State adjoining the Madras Presidency, and for the purposes of this Chapter every Asiatic of Indian descent shall be deemed to be a native of British India or of such Indian State until the contrary is proved.

“Place of employment” means a place where any of such kinds of labour or work as are specified in section 122 or as may hereafter be declared, under the provisions of the said section, to be subject to the provisions of Part VI is carried on and on which ten or more immigrants reside or are employed.

35. Nothing in this Chapter shall apply to

Exemption.

- (a) first-class cabin passengers;
- (b) second-class cabin passengers;
- (c) menial servants in actual service;
- (d) seamen, firemen and other persons serving on board a ship.

36. Every immigrant holding an unexpired certificate to the effect indicated in section 37 issued by the proper authority in British India or in the Colony shall have all the immunities given in this Chapter to immigrants holding like certificates issued in the Federated Malay States.

Certificates issued in India or the Colony.

37. Any immigrant in the Federated Malay States may apply to the Controller for a certificate declaring that the person named and described therein is not subject to the provisions of this Part.

In the Federated Malay States.

38. The Controller shall, if he is of opinion that the applicant is not a labourer or of a class ordinarily employed in agricultural work, issue forthwith under his hand and seal free of charge a certificate in the form or to the effect of form A in the second schedule.

Issue of certificate.

Particulars to
be entered in it.

39. Every certificate issued under this Chapter shall contain the names of the holder thereof and of his or her father, and shall specify his or her place of abode in India, age, sex, religion, caste (if any) and calling. A general description of the holder of such certificate and of any marks on the portions of the body ordinarily unclothed by which he or she may be more certainly known shall also be written therein. The certificate shall be dated on the day of its issue and shall have force until it be revoked by the Controller.

Certificated
immigrant
exempt from
restrictions.

40. A certificated immigrant shall, upon production of his certificate, be wholly exempted from every restriction imposed upon immigrants by this Part.

Certificate to be
produced when
required.

41. Every certificated immigrant shall be bound to produce his certificate when required to do so by a Magistrate or police officer or by an officer of the Controller's Department or by the master or officer of a ship in which such certificated immigrant is, or proposes to be, a passenger; and if he shall refuse or fail to do so when so required he may be treated in all respects as an uncertificated immigrant until such time as he shall produce such certificate.

New certificate.

42. A certificated immigrant whose certificate not having been revoked has been lost or destroyed may apply to the Controller for a fresh certificate, and the same shall be issued accordingly: provided that it shall be lawful for the Controller to require satisfactory evidence of such loss or destruction before issuing a new certificate.

Special classes
may be
exempted.

43. The Chief Secretary to Government may from time to time, with the consent of the Government of India transmitted through the Government of the Straits Settlements, declare that any class of immigrants is not a labouring class and that any person belonging thereto is entitled to a certificate without enquiry; or that any class of immigrants is a labouring class and that persons belonging thereto are not entitled to certificates.

Examination
of immigrants.

44. (i) (a) All immigrants on arrival at the port of disembarkation shall be examined by the Health Officer or a Government Medical Officer;

Immigrant
unfit to travel;

(b) Any immigrant found on such examination to be unfit to travel may be sent forthwith to a Government hospital and there detained until he is pronounced by the Health Officer or Government Medical Officer in charge of such hospital to be either fit to travel or to be incurable or permanently unfit to labour;

fit to travel;

(c) When an immigrant sent to a Government hospital under this section is found to be fit to travel the Controller may, if the employer for whom such immigrant was recruited so desires, send him back to the place in India where he was recruited;

or incurable.

(d) When an immigrant sent to a Government hospital under this section is found to be incurable or permanently unfit to labour the Controller may send him back to the place in India where he was recruited and may detain him so long as may be necessary for that purpose.

(ii) All expenses of the maintenance and the treatment in hospital of any immigrant sent to a Government hospital under this section, and all expenses of sending back under this section any immigrant found to be fit to travel or to be incurable or permanently unfit to labour to the place where he was recruited, may be recovered by the Controller from the employer for whom such immigrant was recruited or from the agent by whom such immigrant was imported.

Hospital and travelling expenses.

(iii) The Chief Secretary to Government may make rules for the examination of immigrants by the Health Officer or Government Medical Officers under this section and prescribe the fees to be charged for the maintenance and treatment of immigrants in a Government hospital.

Power to make rules.

(iv) The Controller may at any time within one year of his arrival in the Federated Malay States send back to the place in India where he was recruited any immigrant on any of the following grounds:

Repatriation.

- (a) the state of his health;
- (b) that the work which he is required to do is unsuited to his capacity;
- (c) that he has been unjustly treated by his employer;
- (d) any other sufficient reason.

All expenses incurred may in cases falling under (a) or (d) above be defrayed from the Indian Immigration Fund and shall in cases falling under (b) and (c) be paid by the employer.

45. It shall be lawful for the Chief Secretary to Government to appoint an Emigration Commissioner to reside in India with such Assistant Emigration Commissioners as may be necessary, to supervise emigration to the Federated Malay States.

Commissioner in India.

46. (i) Any immigrant who has received a free passage from India under a promise to labour in the Colony of the Straits Settlements or in a country or State to which Indian emigration is authorised by the Governor of the Straits Settlements, with the consent of the Government of India, or in the Federated Malay States or in Johore may be detained in a depôt until he can be forwarded to his destination.

Detention at a depôt.

(ii) Except as provided in section 49 no immigrant shall be detained in a depôt against his will for more than one week.

47. (i) Any immigrant who has received a free passage from India under a promise to labour in the Colony of the Straits Settlements or in a country or State to which Indian emigration is authorised by the Governor of the Straits Settlements, with the consent of the Government of India, or in Johore, and who neglects or refuses to leave the Federated Malay States in pursuance of his promise shall be liable to pay the Controller the sum of twenty dollars or such lesser sum as the Chief Secretary to Government shall from time to time fix by notification in the *Gazette*; provided that the Controller may at his discretion remit the whole or any part of such sum.

Reimbursement on failure to fulfil promise to labour.

(ii) Such sum shall be recoverable from such immigrant as a debt due to the State in which such neglect or refusal has taken place, and a certificate signed by the Controller shall be conclusive evidence that such sum is due.

(iii) Any such sum so received or recovered by the Controller shall be paid by him to the Indian Immigration Fund.

Reimbursement
on failure to
proceed to
place of
employment.

48. Any immigrant who has received a free passage from India under a promise to labour in the Federated Malay States, and who neglects or refuses to proceed to his place of employment in pursuance of his promise shall be liable to pay the Controller the sum of twenty dollars or such lesser sum as the Chief Secretary to Government shall from time to time fix by notification in the *Gazette*; provided that the Controller may at his discretion remit the whole or any part of such sum.

(ii) Such sum shall be recoverable from such immigrant as a debt due to the State in which such neglect or refusal has taken place, and a certificate signed by the Controller shall be conclusive evidence that such sum is due.

(iii) Any such sum so received or recovered by the Controller shall be paid by him to the Indian Immigration Fund.

Redemption of
female immi-
grant.

49. Whenever it appears to the Controller that any female immigrant tendering the sum of twenty dollars or other prescribed sum in redemption of her obligation to labour in the Colony of the Straits Settlements or in a country or State to which Indian emigration is authorised as aforesaid, or in the Federated Malay States or in Johore, is in the custody or control of any other person, he may refuse to accept such sum and to permit such obligation to be redeemed unless and until the person in whose custody or control such female immigrant appears to be has given reasonable security to the satisfaction of the Controller that such female immigrant shall not leave the Federated Malay States without the previous consent in writing of the Controller and shall not be disposed of as a prostitute or for immoral purposes and that she shall be produced before the Controller whenever he so requires. In default of such security being given within seven days the Controller at his discretion may cause such female immigrant to be returned to India and for that purpose may cause her to be detained for any further period not exceeding twenty-one days.

Security.

Immigrant not
to leave the
Federated
Malay States.

50. No immigrant shall depart from the Federated Malay States except to go

- (a) to a country or State to which Indian emigration is authorised by the Governor of the Straits Settlements, with the consent of the Government of India; or
- (b) to British India or Ceylon; or
- (c) to the Colony of the Straits Settlements or to Johore.

To what
countries or
States Indian
emigration
lawful.

51. The Chief Secretary to Government may from time to time declare, by notification in the *Gazette*, to what countries or States Indian emigration is authorised by the Governor of the Straits Settlements, with the consent of the Government of India.

Penalty for
unlawful depar-
ture from
Federated
Malay States or
abetment
thereof.

52. Any immigrant unlawfully departing or attempting to depart from the Federated Malay States in breach of the provisions of section 50, or making any false representation to the Controller for the purpose of obtaining any certificate under this Chapter, shall be guilty of an offence and shall be liable to a fine not exceeding twenty dollars, and may be arrested without warrant by any police officer or officer of the department of the Controller; and any

person abetting an offence under this section shall be liable to a fine not exceeding fifty dollars or to imprisonment of either description for a term not exceeding seven days for each immigrant whose offence he has abetted. The master of a ship in which an immigrant shall embark in order to depart unlawfully from the Federated Malay States shall, until the contrary be proved, be deemed to have abetted such offence.

53. In every judicial proceeding a certificate in form B in the second schedule purporting to be signed by an Emigration Commissioner or Assistant Emigration Commissioner of the Government of the Colony or of the Federated Malay States in India at the port of embarkation shall be deemed to be evidence that the persons named therein have respectively received a free passage from India under a promise to labour in the Colony of the Straits Settlements or in some country or State to which Indian emigration is authorised by the Governor of the Straits Settlements, with the consent of the Government of India, or in the Federated Malay States or in Johore, as the case may be.

Evidence of
promise to
enter into
contract.

54. (i) Every employer who within the Colony, the Federated Malay States, or any other State of the Malay Peninsula under the protection of His Britannic Majesty engages an immigrant to labour on a place of employment within the Federated Malay States at any of the employments mentioned in section 122, or at any other work or labour declared under the provisions of the said section to be subject to the provisions of Part VI, shall ascertain the name and the particulars of the last employment of such labourer, and shall within seven days after the arrival of such labourer upon the said place of employment present or forward to the Controller a statement in duplicate in the form in the third schedule together with a fee of one dollar in respect of each labourer named in such statement which shall be paid to the Indian Immigration Fund. A register of such statements shall be compiled by the Controller, and such register and statements shall be open to inspection at the office of the Controller by any person at all reasonable times.

Registration of
immigrants
locally engaged.

(ii) The Controller shall, if satisfied that the requirements of this section have been duly observed, issue to the employer a certificate to the effect that in respect of the labourer so registered he is exempted from the payment of the fee prescribed by section 130.

(iii) Any employer failing to present or forward a statement as required by the provisions of sub-section (i) shall on the complaint of any other employer be liable, on conviction, to a fine not exceeding one hundred dollars in respect of every labourer whose name should have been included in such statement.

Penalties.

(iv) Any employer knowingly furnishing any false particulars in a statement required by sub-section (i) shall be liable, on conviction, to a fine not exceeding five hundred dollars in respect of each labourer regarding whom he shall be proved to have furnished such false particulars.

(v) Any labourer furnishing false particulars to an employer for the purposes of a statement required by sub-section (i) shall be liable, on conviction, to a fine not exceeding fifty dollars or to imprisonment for a term not exceeding three months.

Inspector of
Madras
Government to
have powers of
inspection, etc.

55. The officer from time to time deputed, with the concurrence of the Governor of the Straits Settlements, by the Government of Madras to examine and report to that Government the condition of immigrants in the Federated Malay States may exercise under this Enactment all or any of the powers of entry, inspection, enquiry and investigation which are conferred on the Controller by this Enactment.

PART III.

GENERAL PROVISIONS RELATING TO LABOUR.

CHAPTER VI.

AGREEMENTS.

Term of
agreement.

56. (i) An agreement may be entered into for any period not exceeding one month, or for any number of days' work not exceeding thirty or for the performance of any specified piece of work. All agreements shall, subject to any stipulation to the contrary, terminate on the last day of the term agreed upon or upon the completion of the specified number of days' work or piece of work, as the case may be: provided that each party to an agreement for a period not exceeding one month shall on the termination of such agreement in the manner aforesaid be conclusively presumed to have entered into a fresh agreement upon the same terms and conditions as those of the agreement so terminated unless notice shall have been given previously by either party to such agreement in accordance with the provisions of section 57.

Proviso.

Presumption.

(ii) In the absence of proof to the contrary all agreements shall be presumed to be for a period of one month.

Termination of
agreement by
notice.

57. (i) Either party to an agreement for a period of time may terminate such agreement on the expiration of due notice given by him to the other party of his intention so to do; the length of the notice to be given shall, unless otherwise stipulated by the terms of the agreement, be equal to the period of the agreement to be terminated; provided that in no case shall it be necessary to give notice exceeding in length one month or in the case of domestic servants fourteen days.

Method of
giving notice.

(ii) Such notice may be either verbal or written and may be given at any time, and the day on which notice is given shall be included in the period of the notice.

(iii) When notice has been given there shall be paid to the labourer on the date of the expiration of the notice all wages then due to him.

Wages when
payable.

58. Wages earned by a labourer under an agreement shall become payable upon the termination of such agreement: provided that when the parties to an agreement enter into a fresh agreement as provided by section 56 the wages due under the prior agreement shall be paid not later than seven days after the expiration of such prior agreement.

Termination of
agreement
without notice.

59. It shall be lawful for either party to an agreement to terminate the same without notice upon payment to the other party of a sum equal to the amount of wages which would have accrued to the labourer during the term of such notice.

60. When an agreement is terminated by the employer without notice to the labourer, on the ground of misconduct, such labourer shall, subject to any order which may be made by the Court or Controller under section 98 on complaint of either party, be entitled to receive wages only up to the day on which the agreement was terminated.

Wages payable upon the termination of an agreement without notice.

61. In the event of any dispute arising between the parties to an agreement concerning wages due thereunder or concerning the termination of the same it shall be lawful for the Court, in addition to any other adjudication, to order either party to forfeit to the other party a sum not exceeding the amount of thirty days wages.

Disputes regarding wages, Order of Court.

CHAPTER VII.

GENERAL.

62. (i) Except as hereinafter provided under the provisions of Part VII, no engagement to labour for a period exceeding one month or for more than thirty days' work and no contract to labour shall be entered into; any such engagement or contract entered into in contravention of this section shall be void and of no effect.

Contracts and certain agreements void.

(ii) Nothing in the above shall affect the validity of any contract entered into before the commencement of this Enactment under any of the Enactments hereby repealed, and all the provisions of section 252 (i) and Chapters VII, XXIII and XXIV of The Labour Code, 1912, hereby repealed, which were in force immediately prior to such commencement shall still apply to such contracts as if the said Chapters had not been repealed.

Saving of certain contracts.

63. Notwithstanding anything contained in The Contract Enactments, 1899, any male person not below the age of sixteen years and any female person not below the age of fifteen years shall be deemed to be competent to enter into an agreement under this Enactment.

Contractual capacity.

64. (i) Notwithstanding anything in this or in any other Enactment to the contrary, no Indian child under the age of ten, being an immigrant as defined under section 34, shall be employed as a labourer on any place of employment.

Indian child labour.

(ii) Any employer wilfully disregarding the provisions of subsection (i) shall be deemed to have committed an offence against this Enactment.

65. No labourer shall be bound, in or by virtue of any agreement or contract under this Enactment, to answer for the debt, default, or miscarriage of another person, so as to give any remedy under this Enactment for a breach of such agreement or contract as to such debt, default or miscarriage.

Labourer not liable for default of another.

66. No labourer shall be held to be liable for the amount of any advances made to him or on his behalf, or of any moneys expended on his behalf, prior to his arrival in the Federated Malay States, in consideration of his engagement to labour within the Federated Malay States.

Liability of labourer for advances.

67. Subject to any provisions to the contrary contained in his contract, if any:

Days and hours of labour.

(i) No labourer shall be bound to work on more than six days in one week, or more than six consecutive hours, or (subject as hereinafter mentioned) more than nine hours a day of actual labour.

Overtime.

(ii) If any labourer works for and at the request of his employer more than nine hours in any one day, he shall be paid for such extra work at the rate of not less than one-ninth part of his ordinary daily wages for each half hour of overtime work.

Overtime in case of factory work.

(iii) Any labourer who is employed exclusively in factory work may be lawfully required by the employer, in case of need, to work for any time not exceeding three hours in any one day over and above the nine hours hereinbefore mentioned, and shall be entitled to receive for such extra work pay at the rate of not less than one-ninth part of his ordinary daily wages for each half hour of overtime work.

Overtime for purpose of food cultivation.

(iv) In case of emergency any labourer may be required by the employer, subject to the approval in writing of the Controller, to work at the cultivation of foodstuffs suitable for the subsistence of labourers for any time not exceeding three hours in any one day over and above the nine hours hereinbefore mentioned, or over and above his task for that day assigned under section 68, and shall be entitled to receive for such extra work pay at the rate of not less than one-eighteenth part of his ordinary daily wages for each half hour of overtime work.

Task work.

68. (i) It shall be lawful for the employer with the consent of the labourer to assign tasks to be performed by labourers as equivalent to work for a day of nine hours. Such assignment of tasks shall be subject to revision by the Controller who may fix the number of days' work to be credited to the labourers who have performed such tasks. A schedule of such tasks as revised by the Controller shall be written in English and some other language understood by such labourers and signed by the Controller, and copies thereof shall be kept fixed up in conspicuous places in or about the place of employment and in the lines, so that the same may be made known to such labourers.

Wages at agreed rate.

(ii) Nothing in this Enactment contained shall prevent any employer from agreeing with any labourer in his employ that the wages of such labourer shall be paid at an agreed rate in accordance with the amount of work done and not by the day.

Periods on account of which wages are not payable.

69. No wages shall become payable to or recoverable by any labourer for or on account of the term of any sentence of imprisonment undergone by him, or for or on account of any period spent by him in going to or returning from prison, or for or on account of any period spent by him in going to, attending before, or returning from a Court in or about a case in which he shall have been convicted of an offence, or in respect of which the Court before which the case is tried certifies that such attendance was not necessary for the ends of public justice.

Dispute as to work done.

70. Any dispute between a labourer and his employer as to whether the work done by such labourer on any specified day shall be counted as a day's work may be referred to the Controller whose decision shall be final.

Supply of food.

71. Every employer, who has agreed or contracted with a labourer to supply him with food free of charge, shall supply the same on all holidays and other days upon which such labourer is entitled to absent himself from work.

Employer may deduct cost of food.

72. If any labourer absent himself from work otherwise than as provided by this Enactment or by his contract (if any), it shall be lawful for the employer, subject to any order which may be made

by the Court or by the Controller on complaint of either party, to deduct from any wages due to such labourer the cost of the food supplied to him during such absence.

73. (i) The Controller, the District Officer and Health Officer shall have power to enter at all reasonable times upon any estate, factory, mine or place in which labourers are employed, and to put questions concerning such labourers to their employer or to any person who may be in charge of them, or to the labourers themselves, and the employer or such person, or any such labourer, shall be legally bound to answer such questions truly to the best of his ability.

Government inspections.

(ii) If on such inspection the Controller or other inspecting officer shall have reasonable ground for suspecting that any offence has been committed against a labourer, and whenever any complaint of personal ill-usage or breach of any of the provisions of this Enactment is made to the Controller, the Controller or other inspecting officer, as the case may be, may forthwith remove, or cause to be removed, such labourer from the estate, factory, mine or place of employment where he is employed for further enquiry into the matter; and if the labourer has entered into a contract with the employer may, at his discretion, cause such labourer to be detained, if necessary, until the conclusion of such enquiry, at the nearest police station or at any other place that may appear to such officer suitable for the purpose.

Powers of an inspecting officer.

(iii) The powers conferred upon inspecting officers by this section may also be exercised in the case of any place of employment where Indian labourers reside or are employed by any Agent of the Government of India appointed under section 7 of the Indian Emigration Act of 1922.

Such Agent may at all reasonable times inspect every house, hospital, tent, camp or building in any way used by such labourers and enquire into the condition of such labourers.

He shall inform the Controller of any irregularity which may have come to his notice and the Controller shall forthwith take such steps as he may deem fit to rectify the same.

74. (i) The Controller may at any time by order in writing require any employer on any estate, factory, mine or place in which more than fifty female labourers are employed to construct within a reasonable time to be stated in such order and thereafter to maintain at his own expense a nursery properly equipped to the satisfaction of the Controller on or in the immediate neighbourhood of such estate, factory, mine or place on a site to be approved by the Controller, with accommodation for such number of infants under the age of three as may be stated in such order, and may further require him to employ such number of nurses as may be stated in the order to have charge of such nursery.

Employer to maintain nursery for infants.

(ii) Such nursery shall be open for the accommodation of infants during all hours in which the mothers or guardians of such infants are at work.

(iii) The employer shall at his own expense supply milk and rice to each infant accommodated in such nursery.

(iv) The Controller may at any time by order in writing prescribe the quantity and description of milk and rice to be supplied to each infant under the preceding sub-section.

Maternity
allowance.

75. (i) Every female labourer shall be entitled to abstain from work during terms of one month each before and after confinement and, in respect of such terms, hereinafter jointly referred to as "benefit period", to receive from her employer maternity allowance to be calculated as provided in sub-section (ii) hereunder.

(ii) A first maternity allowance shall be calculated at the rate of two-sixths of the total wages earned by such female labourer during and in respect of the six months, or, if she has not worked for six months, then of any such lesser period, next preceding a first benefit period. A second and all subsequent maternity allowances shall be calculated at the rate of two-elevenths of the total wages earned by such female labourer during and in respect of the eleven months next preceding a second or subsequent benefit period, or of any period less than eleven months falling between such second or subsequent benefit period and the one next preceding it. Provided that no employer shall be liable to pay maternity allowance otherwise than in respect of work performed for and wages earned from such employer.

(iii) No female labourer shall be entitled to maternity allowance unless during benefit periods she resides on her place of employment, or in an estate hospital maintained under section 176 or, if there is no estate hospital, in a Government hospital, or, whether there is an estate hospital or not, in any reasonably situated Government hospital where free maternity treatment is provided, or otherwise elsewhere as authorised by her employer, and does not work for any person other than such employer.

(iv) In respect of any period spent as above provided in sub-section (iii) in an estate or Government hospital, the liability of such employer for expenses of maintenance and treatment in addition to payment of maternity allowance shall be limited as provided by sections 177 and 178.

(v) If a female labourer during a benefit period perform her ordinary labour or such lighter labour as may be suitable to her condition, she shall not be entitled to payment for such labour in addition to maternity allowance.

(vi) Maternity allowance shall be payable in two equal amounts, one for each month of benefit period, as and in the manner and at the times provided under section 58 for the payment of wages, and shall not be payable in advance.

Schools.

76. The Controller may at any time by order in writing require any employer on a place of employment where ten or more children of any one race between the ages of seven and fourteen years, being dependants of labourers on such place of employment, reside, to construct within a reasonable time to be stated in such order and thereafter to maintain at his own expense a school for such children with such schoolteacher or schoolteachers as shall seem sufficient to the Controller, but not in excess of a reasonable number.

Inspection of
documents.

77. The Controller and every District Officer and Health Officer shall have power to call for and inspect all contracts, registers, books of account and other documents concerning any labourers or relating to their employment; and any employer who without reasonable excuse, the proof of which shall lie upon him, neglects or refuses to produce the same, shall be liable, on conviction, to a fine not exceeding two hundred dollars.

78. (i) Every employer of more than ten labourers shall keep in a safe and accessible position on the estate where such labourers are employed an Estate Inspection Report Book. Inspection Report Book.

(ii) Every employer who neglects or refuses to comply with the requirements of sub-section (i) shall be liable, on conviction, to a fine not exceeding one hundred dollars. Penalty.

79. The Controller accompanied by the Health Officer shall once within each of such periods as may be fixed for such purpose by the Chief Secretary to Government and may, in addition, whenever he thinks fit, whether accompanied by the Health Officer or not, visit all places of employment on which any labourers shall reside or be employed and inspect every house, hospital, tent, camp or building in any way used by any labourers and enquire into the condition of such labourers and investigate the books of account of their wages; and for such purpose the Controller may require the employer to produce before him all or any of the labourers then under contract or agreement with him, together with all contracts and books of accounts of wages, and to answer such questions relating thereto as the Controller may think proper to ask. Inspection of labourers to be made by the Controller.

80. (i) It shall be lawful for the Controller at any time to direct any employer of labourers to keep a register, in such form as the Controller prescribes, of all headmen, kanganis or mandors employed by him to supervise the work of any labourers, and to direct that such headmen, kanganis or mandors shall be photographed in such place and manner as he thinks fit, and that a copy of any such photograph be affixed to such register, and it shall be lawful for the Controller, in the event of any such headman, kangani or mandor being convicted of ill-treating any labourer, to order the employer to dismiss him from his service. Registers of mandors.

(ii) Any person acting in contravention of any direction or order given under the provisions of sub-section (i) shall be liable, on conviction, to a fine not exceeding fifty dollars. Penalty.

81. It shall be lawful for the Controller to require any employer to keep a register of labourers in a prescribed form. Register of labourers.

82. (i) Every employer shall, within the first fourteen days of the months of January, April, July and October in each year, forward to the Controller a return in such form or forms as may be approved by the Controller, giving the particulars prescribed thereby. Returns to be made by employer.

(ii) Every such form shall be published in the *Gazette*. Copies of such forms shall be supplied to employers free of charge on application to the Controller.

83. It shall be the duty of every employer to make a report of the death of any labourer in his employment to the nearest police station, or to the Penghulu, within twelve hours after such death shall have taken place, and the person receiving such report shall with the least possible delay notify the Controller. Report in cases of death.

84. (i) Every employer who shall fail to keep the register prescribed in pursuance of section 81 or to forward such returns as are prescribed in pursuance of section 82 or to make the report required by section 83 shall be liable, on conviction, to a fine not exceeding two hundred dollars for every such failure. Penalty for failure to keep register, forward returns or make report of death.

Certificate by
Controller.

(ii) A certificate under the hand of the Controller stating that such returns have not been forwarded or are incorrect shall be sufficient *prima facie* evidence of the truth of the facts stated in such certificate.

Power of sum-
mons.

85. (i) Whenever the Controller has reasonable grounds for suspicion that any offence under this Enactment has been committed by an employer against a labourer or whenever the Controller wishes to enquire into any matter concerning disputes as to wages, wrongful determination of agreement or contract, misconduct, food, medical attendance, deaths, mining usage and mining complaints, Government inspections, sanitation or any other matter relating to employer and labourer dealt with under the provisions of this Enactment, it shall be lawful for the Controller to summon any person who he has reason to believe can give information respecting the subject-matter of the enquiry, and the person so summoned shall be legally bound to attend at the time and place specified in the summons and to answer truthfully all questions which the Controller may put to him.

Penalty for
obstruction.

(ii) Any person who in any way wilfully obstructs the service of or obedience to such summons, and any person summoned who neglects to attend as required in such summons, and any person who commits in respect of any such complaint or enquiry any offence described in Chapter X of the Penal Code, shall be punished as provided in Chapter X of the Penal Code.

Employer to
give notice to
Controller if
labourer
wishes to com-
plain.

86. If any labourer states to his employer, or to any person acting for such employer in the conduct of the business of the place of employment, that he desires to make a complaint to the Controller of personal ill-usage or breach of any provision of this Enactment on the part of such employer or any other person, the employer or person to whom such statement is made shall within forty-eight hours send notice thereof in writing to the Controller, and in default of so doing such employer or person shall be liable to a fine not exceeding one hundred dollars, and in addition to a fine not exceeding twenty-five dollars for each day during which such default is continued.

If complaint is
untrue or
frivolous.

87. If upon any such enquiry made on the complaint of a labourer the Controller is of opinion that the complaint is untrue or frivolous, he shall enter in his book the particulars of such complaint and a short statement of the grounds of his opinion respecting it, and in such case he may impose on the complainant a fine not exceeding two dollars and fifty cents, which may be deducted from the labourer's wages and retained by his employer.

If complaint
well-founded.

88. If, upon enquiry as aforesaid, the Controller is of opinion that the complaint is well-founded, he shall institute such proceedings, civil or criminal, for and in the name of the labourer as he shall deem necessary under the circumstances.

Consolidation
of causes of
action.

89. (i) In the event of there being more labourers than one making a similar complaint the Controller may if he shall institute civil proceedings for and in the name of such labourers consolidate the complaint of all such labourers into one cause of action and he shall only be required to sue out one plaint for and in the name of all such labourers in respect of such causes of action.

(ii) Any Court which would have jurisdiction to hear and determine separate suits based on such causes of action shall be competent to hear and determine such consolidated suit as aforesaid, notwithstanding that the subject-matter of such consolidated suit is in excess of the ordinary jurisdiction of such Court.

(iii) Judgment may be given without any amendment for such one or more of the plaintiffs as may be found to be entitled to relief for such relief as he or they may be entitled to.

90. No Court fees shall be chargeable in the first instance on any proceeding commenced by a labourer, or by the Controller on his behalf, against his employer under this Enactment; but in case a conviction shall be had or judgment given against the employer, the same shall be paid by the employer, together with the general costs of the proceeding.

Costs of proceedings.

91. Ill-treatment of a labourer by his employer or the neglect of the employer to fulfil any condition of the labourer's agreement or contract may be deemed to be a valid reason for the termination of such agreement or contract without notice.

Default by employer.

92. (i) If any labourer proves physically unfit and unable to perform the work that he has undertaken to perform, it shall be lawful for the Controller to order that such labourer be given such other work or task in place of that which he has proved unfit and unable to perform as the Controller, after consultation with the employer, shall deem reasonable and just.

Labourer unfit for particular work.

(ii) If any employer shall compel any labourer to perform any work which the Court or the Controller has directed that he shall not be bound to perform, he shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding one hundred dollars.

Penalty.

93. Any employer omitting to comply with any order made under sections 74 or 76 shall be liable, on conviction by the Court, to a fine not exceeding one hundred dollars and to a further fine of ten dollars a day for every day during which such default shall continue.

Penalties for sections 74, 76.

PART IV.

PROVISIONS RELATING TO SPECIAL CLASSES OF LABOUR.

CHAPTER VIII.

LABOUR WORKING BOARD AND SCHEDULE OF LABOUR LAWS FOR CHINESE LABOURERS.

94. A "Kung-pai" (工牌) or working board shall be affixed in some conspicuous position on each place of employment or on the lines thereof, and on such working board shall be entered by the employer, at intervals not exceeding two days, the amount of tasks done or length of time worked on each day by each labourer, the rate of wages per "kung" (工) or working-day, and the amount of all work done overtime.

Employer to exhibit a working board on estate.

95. Any employer failing to comply with the provisions of section 94 shall be liable, on conviction, to a fine not exceeding twenty-five dollars.

Penalty for breach of section 94.

Limitation of section.

Employer about to abscond to evade payment of wages.

96. Section 94 shall not apply to labourers on mines.

97. (i) Whenever any labourer complains to the Court or the Controller that he has reasonable grounds for believing that his employer, in order to evade payment of his wages, is about to leave the State wherein the place of employment is situated, the Court or the Controller may summon such employer and direct him to show cause why he should not be required to give security by bond to remain in the State till such wages are paid; and if after hearing the evidence of such employer the Court or the Controller adjudicates that such bond shall be given, the Court or the Controller may order such employer to give security by bond in a reasonable sum that he will not leave the district or the State (as the Court or the Controller may direct) until he satisfies the Court or the Controller that all the just claims of his labourers against him for wages have been paid or settled.

(ii) If the employer fails to comply with the terms of such order to give security, he shall be detained in the civil prison till arrangements are made by the Court or the Controller for settling the claims of his labourers; provided that such employer shall be released at any time on security being furnished or on his payment, either in whole or in a reasonable part, of all claims of his labourers; and provided that in no case shall the period of such detention exceed three months.

(iii) The bond to be given by an employer shall be a personal bond with one or more sureties, and the penalty for breach of the bond shall be fixed with due regard to the circumstances of the case and the means of the employer.

Arrest of employer.

(iv) If on or after complaint made by any labourer under subsection (i) it appears to the Court or the Controller that there is good ground for believing that the employer complained against has absconded or is absconding or is about to abscond, the Court or the Controller may issue a warrant for the apprehension of such employer, and such employer shall be detained in safe custody pending the hearing of the complaint unless he finds good and sufficient security to the satisfaction of the Court or the Controller for his appearance to answer the complaint.

Frivolous complaint.

(v) If after summoning an employer to appear to show cause why he should not be required to give security by bond to remain in the State wherein the place of employment is situated till the wages of his labourers are paid it shall appear to the Court or the Controller after enquiry that the labourer who made the complaint had no reasonable or sufficient grounds for making it, the Court or the Controller may impose a fine of five dollars upon such labourer and in default of payment sentence him to imprisonment of either description for a term not exceeding fourteen days.

Penalty.

Controller may adjudicate between employer and Chinese labourer.

98. (i) In the event of there arising between an employer and a Chinese labourer any dispute relating to the conditions or period of employment, to advances of goods or money, to wages or to the keeping of accounts, the Controller may enquire into and decide such dispute and make without any limitation in respect of amount or value any order which he may deem just for the purpose of giving effect to such decision.

(ii) The mode of procedure shall be as follows :

- (a) The person complaining shall lodge a memorandum in writing at the office of the Controller, specifying shortly the subject-matter of the complaint and the remedy sought to be obtained, or he may make his complaint in person at any time or place to the Controller, who shall forthwith reduce it or cause it to be reduced to writing. Upon receipt of such memorandum or verbal complaint the Controller shall summon in writing the party against whom such complaint is made, giving notice to him of the nature of the complaint and the time and place at which the same will be enquired into, and he shall also notify or summon all persons whose interests may appear to him likely to be affected by the proceedings ;
- (b) At the time and place appointed the parties shall attend and state their case before the Controller and may call evidence, and the Controller having heard such statements and evidence and any other evidence which he may deem necessary shall give his decision ;
- (c) If any person interested shall have been duly summoned by the Controller to attend at such enquiry and shall have made default in so doing, the Controller may hear and decide the complaint in the absence of such person, notwithstanding that the interests of such person may be prejudicially affected by his decision ;
- (d) The Controller shall keep a Case Book, in which he shall enter notes of the evidence taken and the decisions arrived at in each case heard before him, and shall authenticate the same by attaching his signature thereto, and the record in such Case Book shall be sufficient evidence of the giving of any decision, or of the making of any order, and of the terms thereof ; and any person interested in a dispute, decision or order shall be entitled to a copy of such record upon payment of the prescribed fee ;
- (e) No fees shall be charged by the Controller in respect of processes issued by him under this section and all orders made by the Controller shall, notwithstanding that the same may in respect of amount or value be in excess of the ordinary jurisdiction of the Court, be enforced by the Court in the same manner as a judgment of the Court, and all necessary processes may be served by the Court on behalf of the Controller ; provided that no sale of immovable property shall for the purposes of such enforcement be ordered except by the Supreme Court ;
- (f) In the event of any person interested being dissatisfied with the decision or order of the Controller, he may, within fourteen days after such decision or order, file a memorandum of appeal therefrom in the Supreme Court ; for the purposes of any such appeal the decision or order of the Controller shall be deemed to be a decision of the Court of a Magistrate ;

(g) Nothing in this section shall limit or affect the jurisdiction of any Court;

(h) In proceedings under this section where it appears to the Controller that there are more labourers than one having a common cause, or similar causes, of complaint against the same employer, it shall not be necessary for each of them to make a separate complaint under this section, but the Controller may, if he thinks fit, permit one or more of them to lodge a memorandum or make a complaint and to attend and act on behalf of, and generally to represent, the others, and the Controller may proceed to adjudicate on the several or joint claims of each and all such labourers; provided that where the Controller is of opinion that the interests of the employer are or are likely to be prejudiced by the non-attendance of any labourer, he shall require the personal attendance of such labourer.

(iii) In this section the expressions "employer" and "labourer" include all persons who are included within the scope of those expressions, respectively, for the purposes of Part VII.

Translation of abstract to be posted in certain cases.

99. (i) An abstract of Chinese labour law shall, as soon as conveniently may be after the passing of this Enactment, be prepared and published in the *Gazette*.

(ii) Every employer who employs not less than fifty Chinese labourers shall affix and exhibit continuously in a conspicuous place in all lines a translation in Chinese of the said abstract.

(iii) Printed copies of the said abstract, with such translations as may be necessary, shall on application be supplied free by the District Officer or the Controller to all such employers as are referred to in sub-section (ii).

Penalty.

(iv) Every employer who refuses or neglects to comply with the provisions of sub-section (ii) shall be liable, on conviction, to a fine not exceeding one hundred dollars.

CHAPTER IX.

DOMESTIC SERVANTS.

Application.

100. The provisions of Chapter VI are hereby made applicable to domestic servants.

Offences.

101. Any domestic servant who shall without reasonable excuse to be allowed by the Court

(a) quit the service of his employer without due notice;

(b) be guilty of wilful negligence or carelessness with regard to the property in his custody or control;

Penalty.

shall be liable, on conviction, to a fine not exceeding twenty-five dollars or to imprisonment of either description for a term not exceeding one month.

PART V.

PROVISIONS RELATING TO PRIORITY OF WAGES
AND THE TRUCK SYSTEM.

CHAPTER X.

PRIORITY OF LABOURERS' WAGES.

102. In this Chapter unless the context otherwise requires :

Interpretation.

(i) "The Court" includes a Collector or Assistant Collector duly appointed under "The Land Enactment, 1911," in any case in which such Collector or Assistant Collector has power to order a sale.

(ii) "Declaration of insolvency" includes an order or decree for the liquidation or winding up of a corporation or company.

(iii) "Labourer" includes clerk.

(iv) "Receiver" includes the liquidator of a corporation or company.

(v) "Secured creditor" means a person holding a mortgage, charge or lien on any mine or agricultural estate or other place of employment, or any part thereof, as a security for a debt due to him, but shall not include the holder of a bill of sale as defined in the Bills of Sale Enactment, 1922.

(vi) "Wages" shall not include money due as a share of profits.

"Wages."

103. In the event of the issue of an attachment in execution of a decree against an employer, and of the interest in any mine, agricultural estate or other place of employment belonging to such employer, or the produce thereof, or the money due to such employer on account of work done on such place of employment or derived from the sale of the proceeds thereof, being seized or sold or otherwise realized in pursuance of such execution, the proceeds of such sale or other realization shall not be paid to any execution creditor unless and until the Court ordering the sale or other realization shall have ascertained and provided for the amount due at the date of the sale or other realization for wages due to all the labourers employed on such mine, agricultural estate or other place of employment.

Protection of labourers' interests in execution proceedings.

104. In the event of any interest in any mine or agricultural estate or other place of employment being sold on the application of a secured creditor under any law in force for the time being, the proceeds of such sale shall not be paid to any creditor other than the Government or a secured creditor, unless and until the Court ordering the sale shall have ascertained and provided for the amount due at the date of the sale for wages to all labourers employed on such mine, agricultural estate or other place of employment or unless the Court shall be satisfied that such wages have been duly paid up to the date of sale.

Procedure on sale under mortgage or charge.

105. For the purpose of ascertaining the amount so due, the Court or receiver ordering the sale under section 103 or 104 (hereinafter in this section called "the Court") shall take notice of the system under which the mine, agricultural estate or other place of employment is worked, and shall not allow, in the case of a clerk or headman, more than two months' wages; and in the case of other labourers, more than three months' wages.

Mode of ascertaining amount due.

Reference to
Controller.

106. The Court may refer the matter to the Controller, who shall enquire into the same and report to the Court the amount that is, in his opinion, justly due for wages from the employer to the labourers.

Report.

107. The Court may adopt the report of the Controller, or may make such further enquiry as it may think fit.

Order by Court.

108. After the enquiry is completed the Court shall make an order declaring the amount due at the date of the sale for wages by the employer to the labourers, and the mine, agricultural estate or other place of employment in respect of which such wages have become due.

Deductions.

109. In ascertaining such amount, in the case of an employer against whom a declaration of insolvency or a receiving order in bankruptcy has been made, there shall be deducted from the amount due at the date of such declaration or order any sums which the labourers may have received since such date from the assets of their employer, whether by way of dividend or in priority to the general body of creditors.

CHAPTER XI.

PROVISIONS AS TO THE TRUCK SYSTEM.

Agreements to
pay wages
otherwise than
in legal tender
illegal.

110. In all agreements or contracts for the hiring of any labourer or for the performance by any labourer of any labour the wages of such labourer shall be made payable in legal tender 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.

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

111. No employer shall impose in any agreement or contract for the employment of any labourer any terms as to the place at which, or the manner in which, or the person with whom, any wages paid to the labourer are to be expended, and every agreement or contract between an employer and a labourer containing such terms shall be illegal, null and void.

Wages to be
paid entirely in
legal tender.

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

Labourer's
right to recover.

113. Every labourer shall be entitled to recover in the Courts of the Federated Malay States so much of his wages exclusive of sums lawfully deducted in accordance with the provisions of this Enactment as shall not have been actually paid to him in legal tender.

Interest on
advances
forbidden.

114. No employer shall make any deduction by way of discount, interest or any similar charge on account of any advance of wages made to any labourer in anticipation of the regular period of payment of such wages.

Deductions or
payments in
respect of fines,
injury to
materials, etc.

115. Except where otherwise expressly permitted by the provisions of this Enactment no employer shall make any deduction or make any agreement or contract with a labourer for any deduction from the wages to be paid by the employer to the labourer, or for any payment to the employer by the labourer, for or in respect of any fine, or of bad or negligent work, or of injury to the materials or other property of the employer.

116. Nothing in this Chapter shall be held to apply to any body of persons working on an agreement of co-operation. Agreements of co-operation.

117. Nothing in this Chapter 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, but so that no employer shall give to a labourer any opium or chandu or intoxicating liquor by way of such remuneration. Remuneration other than wages.

118. (i) Nothing in this Chapter shall prevent the employer, with the approval in writing of the Controller, which may at any time be revoked, from establishing a shop for the sale of rice and provisions generally to his labourers; but no labourer shall be compelled by any contract or agreement, written or verbal, to purchase rice or other provisions at such shop, and no opium or chandu or intoxicating liquor shall be sold at any such shop. Authority to employer to open shop.

(ii) Nothing in this Chapter shall be held to apply to a toddy-shop licensed, with the approval of the Controller in writing, under the provisions of "The Excise Enactment, 1923," but no labourer shall be compelled by any contract or agreement, written or verbal, to purchase toddy at such shop. Toddy-shop.

(iii) No employer shall establish or keep, or permit to be established or kept, a shop on any place of employment for the sale of provisions to his labourers otherwise than in accordance with the preceding sub-sections. Offence.

119. Any employer who enters into any agreement or contract or gives any remuneration for service contrary to the provisions of this Chapter or declared by this Chapter to be illegal, or makes any deduction from the wages of any labourer or receives any payment from any labourer contrary to the provisions of this Chapter or contravenes the provisions of sub-section (iii) of section 118, shall be liable, on conviction, to a fine not exceeding five hundred dollars or for a second or subsequent offence to a fine not exceeding one thousand dollars. Penalties.

120. (i) When an employer is charged with an offence against this Chapter he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the Court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the employer shall prove to the satisfaction of the Court that he has used due diligence to enforce the provisions of this Chapter and that the said other person has committed the offence in question without his knowledge, consent or connivance, the said other person shall be summarily convicted of such offence, and the employer shall be exempt from any penalty. Exemption of employer on conviction of actual offender.

(ii) When it is made to appear to the satisfaction of the Controller at the time of discovering the offence that the employer has used due diligence to enforce the provisions of this Chapter and also by what person such offence has been committed, and also that it has been committed without the knowledge, consent or connivance of the employer, then the Controller shall proceed against the person whom he believes to be the actual offender in the first instance without first proceeding against the employer. Proceedings to be taken against actual offender.

PART VI.

PROVISIONS RELATING TO ASSISTED IMMIGRATION.

CHAPTER XII.

THE INDIAN IMMIGRATION FUND.

Limitation of application.

121. The provisions of this Part shall only apply to Indian labourers and shall, where such provisions are repugnant to the other provisions of this Enactment, be taken to repeal for the purpose of carrying into effect this Part such other provisions, but except in so far as is necessary to give effect to this section the provisions of this Part shall be additional to, and in extension of, the other provisions of this Enactment.

Interpretation.

122. In this Part unless the context otherwise requires :

“Employer” means any person, including the Government, and any body of persons, corporate or unincorporate, who employs any Indian labourers, and shall in his absence include his agent or manager or other person in charge of the work on which such Indian labourers are employed, and a person who makes payments for work executed by Indian labourers to some person other than such Indian labourers shall be deemed to be the employer of such Indian labourers if such work is done in the conduct of any trade, business, undertaking or industry carried on by him or on his behalf ;

“Indian labourer” means an Asiatic native of the Madras Presidency of British India or of the adjoining Indian States of the age of fourteen years and upwards, who is employed in any of the following kinds of labour, namely—

- (1) Agriculture, including the treatment of produce and its portorage to the place of treatment ;
- (2) The making and upkeep of roads ;
- (3) The construction and maintenance of canals ;
- (4) Railway construction, maintenance and working ;
- (5) The construction, maintenance and working of all works of a public nature or for the public good ;
- (6) Mining and work on mines ;
- (7) Quarrying and stone-breaking ;
- (8) Brick-making ;
- (9) The treatment in mills and factories of padi, rubber and other agricultural produce, including portorage in connection with such treatment ;

or in any other kind of labour which may be declared by the High Commissioner to be subject to the provisions of this Part: provided always that persons employed exclusively in administrative or clerical work, or in gardens attached to private residences, shall not be deemed to be Indian labourers for the purposes of this Part. For the purpose of this Part every Asiatic of Indian descent shall be deemed to be a native of the Madras Presidency or an adjoining Indian State until the contrary is proved ;

“The Indian Immigration Committee” means the Immigration Committee existing at the time of the passing of this Enactment or hereafter notified by the order of the High Commissioner in the *Gazette* to be the Indian Immigration Committee ;

"A quarter" means a quarter of a year consisting of the months of January to March, April to June, July to September, or October to December;

"Register" means the books which are required to be kept under section 124;

"Return" means the return which is required to be sent to the Controller under section 125.

123. (i) It shall be lawful for the High Commissioner from time to time to define the duties of the Indian Immigration Committee and to appoint such persons as he may think fit to be members of such Committee and to add members to or remove members from such Committee.

High Commissioner may define duties of Indian Immigration Committee and appoint members.

(ii) The Indian Immigration Committee by such name shall be a body corporate and have perpetual succession and a common seal and power to acquire, hold and sell property and may by such name sue and be sued.

(iii) The Controller shall be the Chairman of the Indian Immigration Committee and the common seal of the Committee shall be in his custody and may be affixed by him,

124. Every employer shall keep and write up to date, or cause to be kept and written up to date, books in the English language showing the names of all Indian labourers of whom he was the employer or who have worked on his place of employment, the days on which they have worked and the amounts paid or payable to them as wages. Such books shall be deemed not to be written up to date if by the tenth day of any month all entries required by this section to be made therein in respect of the preceding month have not been made.

Employer to keep books.

125. Every employer shall within one month after the end of each quarter send to the Controller a return showing the number of Indian labourers whose names are entered in his register during the preceding quarter, the total amount paid for work done by Indian labourers, the total number of days' work done by all Indian labourers of whom he was the employer or who have worked on his place of employment during the preceding quarter and the amount of any fines imposed under sections 185 and 193 during such quarter: such return shall be accompanied by a certificate signed by the employer that it is a correct summary of the entries in his register during the preceding quarter.

Employer to send return to Controller.

126. The employer shall include in the return under section 125 a statement showing the number of Indian labourers engaged by him under section 54 (i) during the quarter in respect of which the return is made, whether or not the statement required under section 54 (i) has been presented or forwarded.

Engagements under section 54.

127. Every employer shall, whenever called upon so to do by the Controller or by any officer authorised in writing by the Controller in that behalf, produce for the inspection of the Controller or officer so authorised his register and all other books kept by him in so far as they relate to payments made by him in respect of work done by Indian labourers.

Employer to produce register for inspection.

Power to enter upon and inspect any place reasonably suspected to be a place of employment.

128. The Controller and any officer authorised by him in writing in that behalf may at any time between sunrise and sunset enter upon and inspect any place of employment and any place which he may reasonably suspect to be a place of employment for the purpose of ascertaining the number of Indian labourers employed thereon, and any person wilfully hindering or obstructing such entry or inspection shall be liable, on conviction, to a fine not exceeding five hundred dollars.

Indian Immigration Committee may impose rates.

129. The Indian Immigration Committee may from time to time, with the consent of the Chief Secretary to Government, by notification published in the *Gazette* at least one month before the commencement of the period to which it relates, prescribe quarterly rates to be paid for the ensuing quarter or quarters of the year in which the notification is published or of the ensuing year as follows:

- (a) A rate to be paid by every employer in respect of every Indian labourer employed or working on the place of employment during the quarter;
- (b) A further rate to be paid by every employer who employed during the quarter Indian labourers in excess of the number of Indian labourers imported by him with free passages provided by the Indian Immigration Committee during the twenty-four months preceding the commencement of the quarter.

Provided that the rate referred to in clause (b) shall not be payable in respect of Indian labourers directly employed by any Government department and that in the case of Indian labourers not directly employed by any Government department in respect of whom the said rate would, but for this proviso, be payable by the Government the person directly employing such labourers shall for the purposes of clause (b) be deemed to be the employer of such labourers.

Provided further that the rate referred to in clause (b) shall not, during the continuance of any exemption granted hereunder, be payable in respect of Indian labourers employed

- (1) within such areas, or
- (2) within such areas and on such kinds of labour therein

as may be from time to time expressly exempted from the operation of clause (b) by order of the Indian Immigration Committee made with the approval of the Chief Secretary to Government and published in the *Gazette*. Any order or exemption published hereunder may be varied or rescinded by order of the Indian Immigration Committee made with the approval of the Chief Secretary to Government and published in the *Gazette*.

Fee for labourers engaged locally.

130. The Indian Immigration Committee may prescribe a fee not exceeding fifty dollars to be paid by every employer in respect of each labourer who is or ought to have been included in the statement referred to in section 126, subject to the exemption under section 54 (ii).

This fee shall form part of the assessment under section 132 and be collected in the manner provided in section 133.

131. The rate referred to in clause (a) of section 129 shall not exceed six dollars a quarter. The rate referred to in clause (b) may be whatever rate the Indian Immigration Committee from time to time, with the consent of the Chief Secretary to Government, thinks fit to prescribe: provided always that the whole assessment payable by an employer under the last preceding section in respect of any one quarter shall in no case exceed six dollars for every Indian labourer employed during the quarter. Limit of rate.

132. The assessment payable by each employer under section 129 shall be collected by the Controller who shall send by post to each employer a notice stating the amount at which he has been assessed for the last preceding quarter. Assessment to be collected by Controller.

133. Every employer shall within twenty-one days after the posting to him or to his place of employment of the notice referred to in section 132 stating the amount at which he has been assessed for the last preceding quarter under section 129 pay to the Controller the amount mentioned in such notice together with the amount of any fines imposed under sections 185 and 193: such amounts shall be deemed a debt due to the State in which his place of employment is situated and if not paid within such twenty-one days shall bear interest at the rate of eight per cent. per annum. Any such notice signed by the Controller shall unless and until rectified by the Controller be conclusive evidence that the amount stated therein is due by the employer: provided that the employer may within fourteen days after the receipt of any notice appeal to the Indian Immigration Committee and in such case the Indian Immigration Committee shall consider the matter and its decision shall be final. Employer to pay assessment within twenty-one days.

134. (i) The amount at which each employer shall be assessed in respect of each quarter shall be ascertained as hereinafter in this section provided. Amount of assessment, how calculated.

(ii) The amount of the assessment under clause (a) of section 129 shall be the amount obtained by multiplying the average number of Indian labourers employed or working on the place of employment during the quarter by the rate.

(iii) The amount of the assessment under clause (b) of section 129 (if any) shall be the amount obtained by multiplying the average number of Indian labourers employed or working on the place of employment during the quarter, less the number of adult Indian labourers shown to the satisfaction of the Controller to have been imported by the employer with free passages from India paid for by the Indian Immigration Committee during the twenty-four months preceding the commencement of the quarter, by the rate.

(iv) For the purposes of the calculations referred to in this section:

(a) The "average number of Indian labourers employed or working on the place of employment" shall be the number obtained by adding together the total number of days' work done by each Indian labourer during the quarter and dividing the total by the number of working days comprised in the quarter;

(b) The "number of working days comprised in any quarter" shall be such number as may be fixed by the Indian Immigration Committee for such quarter;

(c) An "adult Indian labourer" means an Indian labourer for whom a free full rate passage from India has been paid for by the Indian Immigration Committee.

(v) The Indian Immigration Committee may from time to time make rules determining what shall be deemed to constitute a day's work, and such rules shall be published in the *Gazette*.

Immigration
Fund.

135. (i) The fund now subsisting under the provisions of "The Labour Code, 1912," hereby repealed shall be taken over by and form part of the fund constituted under this Enactment.

Disbursement
of Fund.

(ii) All moneys paid by employers to the Controller in accordance with the provisions of this Part shall be paid into a fund to be known as "The Indian Immigration Fund" which shall be vested in the Indian Immigration Committee and may be disbursed for the following purposes only:

- (a) For or towards the payment of free passages for Indian labourers and their families from the Madras Presidency to the Federated Malay States or the Colony or Johore or Kedah or Perlis or Kelantan: such passages shall be allotted in accordance with rules to be framed from time to time by the Indian Immigration Committee and published in the *Gazette*;
- (b) For the general expenses incurred in connection with the recruiting of labour in the Madras Presidency and in connection with
 - (1) the quarantine on arrival at Singapore, Penang or Port Swettenham from India, and
 - (2) the transport to their destinations of those for whom free passages have been provided under this Enactment;
- (c) For the maintenance of a home or homes for decrepit and unemployed Indian labourers and the children and orphans of Indian labourers;
- (d) For the payment of interest upon moneys borrowed by the Indian Immigration Committee under sub-section (iii);
- (e) For the payment of recruiting allowances;
- (f) For the payment of the cost of preparing the register prescribed by section 54 (i);
- (g) For the payment of expenses reasonably incurred by members of the Indian Immigration Committee in travelling to and from places where the Committee meets or other places necessary to be visited for the purposes of this Part;
- (h) For the payment of fees and charges incidental to legal proceedings and of the cost of legal advice and assistance incurred and obtained in and for carrying out the purposes of this Part;

- (i) For the payment of expenses of collection and administration of the Fund ;
- (j) For the repatriation of and assistance to Indian labourers in need of relief ;
- (k) For such purposes as may be determined from time to time by resolution of the Federal Council.

(iii) It shall be lawful for the Indian Immigration Committee to borrow from time to time at such rates of interest as the Chief Secretary to Government shall approve such moneys as the Committee may deem necessary for the purpose of making the payments referred to in sub-section (ii). Borrowing powers.

136. (i) Payments out of the Indian Immigration Fund shall be made by the Controller on the authority of the Indian Immigration Committee. Mode of management.

(ii) The Controller shall present half-yearly accounts of the Indian Immigration Fund to the Committee.

(iii) Such half-yearly accounts, when passed by the Indian Immigration Committee, shall be published in the *Gazette*.

137. Any employer who is subject to the provisions of this Part Offences under this Part.

- (a) Who shall fail to keep or cause to be kept a register ;
- (b) Whose register shall not be kept up to date, unless he shall explain such omission to the satisfaction of the Court ;
- (c) Whose register shall contain any incorrect or incomplete entry, unless he shall satisfy the Court that such entry was not made with intent to evade payment of moneys payable under this Part ;
- (d) Who shall fail to send in a return within the time prescribed by section 125 ;
- (e) Who shall send in a return containing any incorrect or incomplete statement, unless he shall satisfy the Court that such statement was not made with intent to evade payment of moneys payable under this Part ;
- (f) Who shall refuse or wilfully omit to produce any book for inspection as required by section 127 ;

shall be liable, on conviction, to a fine not exceeding five hundred dollars. Penalty.

138. In every case in which an employer who is subject to the provisions of this Part is convicted of failure to keep or cause to be kept a register, and in every case in which such an employer is convicted of keeping or causing to be kept a register which contains any incorrect or incomplete entry, and in every case in which such an employer is convicted of sending in a return containing any incorrect or incomplete statement, the Court shall forthwith proceed to determine, taking further evidence if necessary, the number of Indian labourers in respect of whom the employer is liable to Special penalty where there is intent to evade payment.

assessment under this Part, and the employer shall, in addition to any fine imposed upon him, pay a penalty of ten dollars in respect of each such Indian labourer. Such penalty shall be added to the fine imposed and shall be recovered and dealt with as part thereof. The payment of such penalty shall not be deemed to be a payment of the assessment due under the provisions of this Part in respect of such Indian labourer, and in a suit for the recovery of assessment no set-off or defence shall be allowed on account of such payment.

No prosecution without the authority of the Controller.

139. (i) No prosecution for any offence against the provisions of this Part shall be instituted except by the Controller or by an officer authorised by him in writing in that behalf.

Right to appear.

(ii) The Controller and any officer authorised by him in writing in that behalf shall have the right to appear before any Court.

Disposal of fines.

140. Every fine imposed by virtue of this Part shall be paid over to the Controller and shall become part of the Indian Immigration Fund.

CHAPTER XIII.

STANDARD RATES OF WAGES.

Standard rates of wages.

141. (i) It shall be lawful for the Indian Immigration Committee from time to time with the approval of the Chief Secretary to Government by notification in the *Gazette* to prescribe standard rates of wages payable to all or any classes of labourers performing all or any of the kinds of labour specified in section 122 in areas to be set forth in such notification.

(ii) The Indian Immigration Committee shall give reasonable notice, to be published in the *Gazette* and in at least three issues of not less than one English and one Indian vernacular newspaper circulating, if any, in the area or areas to be affected of its intention to fix such rates at a meeting of which the date and place shall at the same time be notified. All persons interested including the Government shall have the right to appear and be heard before the Indian Immigration Committee at such meeting. Any agent of the Government of India appointed under section 7 of the Indian Emigration Act, 1922, shall be deemed to be a person interested. The Indian Immigration Committee may at its discretion allow such persons interested to appear by solicitors or by the duly authorised and usual agents of duly constituted bodies or by other representatives, and may order that any class of persons having a common interest shall appear by such solicitors, agents or other representatives.

(iii) The date or dates from which such standard rates are to come into force shall be stated in the notification referred to in sub-section (i), but shall not be earlier than two months after the date of publication of such notification.

(iv) Standard rates of wages mean the rates proper for an able-bodied male labourer above the age of sixteen or for an able-bodied female labourer above the age of fifteen for a day's work or equivalent task as provided by section 68.

PART VII.

SPECIAL PROVISIONS RELATING TO LABOURERS EMPLOYED
IN MINES.

CHAPTER XIV.

INTERPRETATION AND PROVISIONS FOR THE OBSERVANCE
OF MINING USAGE.

142. The provisions of this Part shall only apply to labourers in mines and shall, where such provisions are repugnant to the other provisions of this Enactment, be taken to repeal for the purpose of carrying into effect this Part such other provisions, but except in so far as is necessary to give effect to this section the provisions of this Part shall be additional to, and in extension of, the other provisions of this Enactment.

Limitation of application.

143. For the purposes of this Part unless the context otherwise requires:

Interpretation.

“Employer” includes a mining advancer, commonly called Kiu-chu (繳主).

“Labourer” includes mining headmen commonly called Nai-cheng-thau (垵井頭) or Hop-thung-thau (合同頭), mining overseers commonly called Hang-kong (行港), and mining clerks.

“Tribute labourers” means labourers who work in any mine without any fixed remuneration but with the right to retain for themselves the value of all minerals won from the mine, subject to the obligation to pay to the mine owner or his lessee a fixed percentage of such value, and who agree with any person to receive from him exclusively advances of food and supplies and pledge the value of all minerals won as security therefor;

“A day’s work,” commonly called a Kung (工), means work for a day of as many hours, not exceeding nine, as is customary for any labourer to work in a mine.

144. (i) Any person who employs labourers in a mine either as labourers on time wages or as piece-work labourers or as tribute labourers may define the conditions upon which such labourers are engaged by affixing in a conspicuous place in such mine a notice in the Chinese language setting out the conditions upon which he engages such labourers, and, in the absence of any special agreement to the contrary, the terms of such notice shall be deemed to be binding as a contract under this Enactment as between such employer and such labourers as may enter such employment whilst such notice shall continue to be so affixed.

Mining notices deemed to be binding as contracts in the case of mining labourers.

Provided always that

- (a) such notice shall clearly set out the name of the employer responsible to the labourers for their wages and other emoluments due to them or in the case of tribute labourers for the advancing to them of all necessary goods and moneys;

Provisos.

- (b) such notice shall contain no illegal or immoral conditions ;
- (c) no labourer taking service under such notice shall be compelled to continue working under its conditions for a longer period than six or in the case of tribute labourers twelve months notwithstanding any debt that he may owe to any person ;
- (d) (i) all the terms and conditions of every such notice shall be subject to the approval of the Controller, who may at his discretion require the employer to furnish such reasonable security for the due observance by such employer of the terms and conditions of such notice as may to the Controller seem proper ;
- (ii) the Controller shall retain a copy signed by the employer stating the date from which the notice is to be in force ;

And further in the case of tribute labourers that

- (e) such notice shall also clearly set out the term during which the labourer may be required to labour ;
- (f) if at any time the employer shall fail to make due and sufficient advances to the labourers of the necessary goods and moneys, none of the conditions of the notice shall be enforceable by the employer against the labourers, and such labourers shall be at liberty to seek another advancer.

Penalty.

(ii) Any employer who shall contravene any of the provisions of this section shall be liable, on conviction, to a fine not exceeding five hundred dollars.

Wages of labourers, when payable.

145. All wages earned by a labourer under such an engagement shall become due and payable on a date previously arranged between the parties thereto in accordance with the mining usage of the place in which such labourer is working: provided that in no case shall such date be more than six months later than the date of the commencement of such engagement, and provided further that in the event of the employer ceasing to provide a proper and sufficient supply of money and necessaries for the use of the labourer, as required by the terms of his engagement, all moneys due from him to such labourer shall immediately become payable.

Provisos.

Mining usage.

146. All agreements and notices deemed to be binding as contracts under this Part shall be construed according to the mining usage of the place in which the same are to be performed.

Documents to be evidence.

147. All documents and books of account having relation to agreements and notices deemed to be binding as contracts under this Part or to the work to be performed under such agreements, contracts or notices shall be *prima facie* evidence thereof: provided that such documents and books shall have been kept in accordance with the mining usage of the place in which the agreement, contract or notice is to be performed.

Provisos.

Exhibition of working-board.

148. Every employer shall exhibit, in a conspicuous place in the kongsi-house, a correct Kung-Pai (工牌) or working-board, containing the names of all labourers working in such kongsi, and shall enter thereon, according to mining usage, the work done by each labourer in the kongsi.

149. Every employer shall exhibit, in a conspicuous place in the kongsi-house, at the end of every month, a Lat-Tsai (叻仔) or account, kept according to mining usage, of moneys earned and received by each labourer in the kongsi during such month.

Exhibition of labourers' accounts.

150. Every employer who shall make default in any of the obligations imposed upon him by the two last preceding sections, shall be liable to a fine not exceeding one hundred dollars.

Penalty for default.

151. The advancer to a mine and the employer, if separate persons, shall be jointly and severally liable to the labourer for the payment of wages due to him: provided that the liability of the advancer shall cease if he shall have given reasonable notice to the labourer that on a certain day and at a certain time and place he intends to hand over his wages to the employer, and shall have so handed them over accordingly.

Liability for payment of wages.
Provisos.

152. Labourers on time or fixed wages employed in a mine worked by tribute labourers shall, in the absence of proof to the contrary, be regarded as being employed by the advancer and not by such tribute labourers.

Labourers not employed by tribute labourers.

CHAPTER XV.

SANITATION AND HOSPITALS UPON MINES.

153. Every employer who has agreed or contracted to provide house accommodation for his labourers shall supply and maintain such accommodation as shall fulfil all reasonable sanitary requirements. Should it appear to the Controller that the accommodation provided is likely, by reason of its site, construction, size, or otherwise, to endanger the health of any labourer or of any other person, it shall be lawful for the Controller to serve the employer with an order in writing requiring him to remove, alter or enlarge such accommodation within a reasonable time, to be stated in such order; and such order may also, if necessary, declare that no labourer shall be permitted to occupy any building the subject of such order, pending such removal, alteration, or enlargement.

House accommodation.

(ii) Any employer who shall neglect or refuse to comply with any order made under sub-section (i) shall be liable, on conviction, to a fine not exceeding two hundred dollars, and further to a fine not exceeding ten dollars for each day beyond the prescribed time during which such removal, alteration, or enlargement remains uncompleted.

Penalty.

154. Should the accommodation upon any mine be insanitary or otherwise unsatisfactory, it shall be lawful for the Controller or a Magistrate to order that no labourers shall be admitted to such mine until the necessary improvement has been effected.

Order prohibiting admission of labourers.

155. Every employer who is bound to provide house accommodation for his labourers shall also be bound to provide for them a sufficient quantity of wholesome water.

Water supply.

156. (i) Should it appear to the Controller that the water provided for the use of the labourers upon any mine is insufficient in quantity or unwholesome in quality, it shall be lawful for the Controller to serve such employer with an order in writing requiring him

Order to improve water supply.

to increase or improve such supply within a reasonable time, to be stated in such order, and such order may also, if necessary, declare that the employer shall not permit any labourer to use the water which is the subject of such order until such improvement has been effected.

Penalty.

(ii) Any employer who shall neglect or refuse to comply with any order made under sub-section (i) shall be liable, on conviction, to a fine not exceeding two hundred dollars, and further to a fine not exceeding ten dollars for each day beyond the prescribed time during which such increase or improvement shall remain uncompleted.

Sick labourer
to be sent
to hospital.

157. (i) In the event of any labourer requiring medical treatment it shall be the duty of his employer to take or cause him to be taken, with as little delay as possible, to the nearest Government hospital for treatment, providing transport if necessary.

Penalty for
non-compli-
ance.

(ii) Every employer who shall fail to take, or cause to be taken, to hospital any such labourer shall be liable, on conviction, to a fine not exceeding one hundred dollars, or to imprisonment of either description for a term not exceeding two months, and upon conviction for a second or subsequent similar offence, committed within two years from the date of a previous conviction for such an offence, shall be liable to a fine not exceeding five hundred dollars, or to imprisonment of either description for a term not exceeding six months, or to both.

Order for
removal of
sick labourer.

158. If it shall appear at any time to the Controller or to a Magistrate or to the Health Officer or a Government Medical Officer that a labourer is suffering from a contagious or infectious disease or that it is otherwise desirable that he should be removed and placed under medical care, it shall be lawful for the Controller or such Magistrate, Health Officer or Government Medical Officer to cause such labourer to be forthwith removed to such place as he may direct, and such labourer shall thereupon be detained until discharged by an order in writing under the hand of the Health Officer or a Government Medical Officer.

PART VIII.

PROVISIONS RELATING TO THE HEALTH OF ASSISTANTS AND LABOURERS.

CHAPTER XVI.

HOUSE ACCOMMODATION.

159. In this Part unless the context otherwise requires :

Interpretation.

"Dangerous infectious or contagious disease" means plague, cholera and small-pox and any other disease which the Chief Secretary to Government may from time to time, by notification in the *Gazette*, declare to be a dangerous infectious or contagious disease for the purposes of this Part.

"Estate" means any agricultural land exceeding twenty-five acres in extent upon which agricultural operations of any kind are carried on or upon which the produce of any plants or trees is collected or treated or any mine or other place of employment to which the provisions, or any portion of the provisions, of this Part have been declared to apply under section 160 to the extent of the provisions so declared to apply.

"Labourer" includes any Asiatic who performs or is under agreement or contract to perform any work for any other person for payment or reward, whether the payment or reward is to be made by the employer or by some other person who has entered into a contract with the employer to have the work done, and except in sections 177, 185 (i) and 193 (ii) includes his dependants.

"Dependant" of a labourer includes such of the members of the labourer's family, namely wife, father, mother and children and adopted children under the age of fourteen, as are living with and dependant on him.

"Resident manager" of an estate means any employer or agent of an employer who resides on, or is in immediate charge of, the estate on which the labourers are employed.

160. It shall be lawful for the Resident upon the recommendation of the Controller, to declare by notification in the *Gazette* that the provisions of this Part or of such sections thereof as may be specified in such notification shall apply to any mine or other place of employment and be complied with by the owner, lessee or occupier thereof.

Power to apply to mines, etc.

161. (i) It shall be the duty of every employer to provide for all assistants or persons other than labourers employed by him on an estate sufficient and proper house accommodation.

House accommodation for assistants.

(ii) Should it appear to the Health Officer that any such accommodation is by reason of site, construction, size or otherwise likely to endanger the health of the assistants or other employees housed therein or of any other person he shall report accordingly to the Resident, and shall submit with his report his recommendations as to the action necessary to be taken; and on receipt of such report it shall be lawful for the Resident to give to the employer or to the resident manager, or to both, an order in writing requiring him to demolish, remove, alter or enlarge such accommodation within a reasonable time to be stated in the order, and such order may also, if it appears necessary to the Resident, prescribe the site to which such accommodation is to be removed, the nature of the alterations to be made or the manner in which, and the extent to which, the accommodation is to be enlarged, and may further declare that no assistants or other employees as stated in the order may be permitted to occupy such accommodation pending such demolition, removal, alteration or enlargement.

Order in respect thereof.

162. It shall be the duty of every employer to provide for every labourer employed by him on an estate for whom he is bound either by contract or agreement or under any written law to provide house accommodation and for every labourer employed by him on an estate who resides on such estate or on any other land owned or leased by such employer or otherwise in his control

Provisions to be made for labourers on an estate by the employer.

- (a) sufficient and proper house accommodation;
- (b) a sufficient supply of wholesome water;
- (c) sufficient and proper sanitary arrangements;
- (d) hospital accommodation and equipment;
- (e) medical attendance and treatment including diets in hospital;
- (f) a sufficient supply of medicines of good quality.

House accommodation to be sanitary.

163. (i) The house accommodation provided shall in all cases fulfil all reasonable sanitary requirements and the surroundings thereof shall be kept in a clean, sanitary and safe condition.

Penalty for housing in insanitary building.

(ii) Every employer who houses any labourer in a building the state of which, or of the surroundings of which, is such as to endanger the health or safety of such labourer shall, on conviction, be liable to a fine not exceeding one hundred dollars for each labourer housed in such building.

Separate lines to be provided for each race.

164. On every estate upon which the labourers employed or residing are not all of one race, the employer shall provide separate lines for the labourers of each race as the Controller shall direct, and shall not without the written consent of the Controller transfer labourers of one race to lines designed for labourers of another race.

Permanent lines to be in accordance with approved design.

165. (i) Subject to the exceptions contained in this sub-section, no lines shall be erected by an employer upon any estate or upon other land adjacent to an estate unless

- (a) the lines are erected in general accordance with one or other of the designs (hereinafter called standard designs) prepared by order of the Chief Secretary to Government and approved by the Health Officer as suitable for the accommodation of labourers according to the nature of the site selected (copies of which shall be obtainable free of charge by any employer on application to the Controller) and are of such materials as are thereon specified, or
- (b) the permission of the Controller to erect lines otherwise than as aforesaid has been obtained.

Exception 1.—Lines not in accordance with a standard design may be erected for occupation for a period not exceeding three years on or within two hundred yards of, and for the purposes of, land which has been cleared for planting within the two years next preceding such erection and may be occupied for a period not exceeding three years after the clearing of such land for planting.

Exception 2.—Lines not in accordance with a standard design may, with the approval of the Health Officer, be erected for occupation for a period not exceeding two years on such site as the Health Officer approves.

(ii) The Controller may order an employer to remove any lines under such employer's control which have been erected, or are occupied, in contravention of sub-section (i).

Drains.

(iii) Drains shall be carried to such distance as the Health Officer shall in each case order.

Surroundings of lines to be kept clean.

166. All lines shall be erected as far as possible, having regard to all circumstances, from any jungle. A space of not less than 200 feet all round such lines shall wherever possible be kept clear of jungle and of buildings, and it shall be the duty of the resident manager to see that such space is kept clear of refuse and excreta and that the lines are cleaned out daily and all refuse in or near the lines collected and buried or burned, and to detail a sufficient number of labourers daily to carry out these duties.

No cultivation of any kind shall be permitted within the above provided space of 200 feet if such cultivation would in the opinion of the Health Officer interfere with the ventilation or general sanitary condition of such lines.

167. Should it appear to the Health Officer that any lines are by reason of site, construction, size or otherwise likely to endanger the health of any labourers housed therein or of any other person, he shall report accordingly to the Controller, and shall submit with his report his recommendations as to the action necessary to be taken; and on receipt of such report it shall be lawful for the Controller to give to the employer or to the resident manager, or to both, an order in writing requiring him to demolish, remove, alter, enlarge or replace such lines within a reasonable time to be stated in the order, and such order may also, if it appears necessary to the Controller, prescribe the site to which the lines are to be removed, the nature of the alterations to be made or the manner in which, and the extent to which, the buildings are to be enlarged, and may further declare that no labourer or no more than a fixed number of labourers as stated in the order may be permitted to occupy such lines pending such demolition, removal, alteration or enlargement.

Insanitary lines.

CHAPTER XVII.

PREVENTION OF MALARIAL FEVER.

168. Whenever it appears to the Health Officer that on any estate any pond, tank, well, spring, drain, stream, water-logged ground or swamp, or other collection of water is or is likely to be prejudicial or dangerous to health or favourable to the existence or propagation of mosquitoes, he shall report accordingly to the Controller and, on receipt of such report, it shall be lawful for the Controller to give to the employer or to the resident manager, or to both, an order in writing requiring him or them within a reasonable time to be stated in such order to take such action as may to the Controller seem necessary to prevent such pond, tank, well, spring, drain, stream, water-logged ground or swamp, or other collection of water being prejudicial or dangerous to health or favourable to the existence or propagation of mosquitoes.

Prevention of malarial fever.

CHAPTER XVIII.

WATER SUPPLY.

169. (i) The supply of water available for each labourer for drinking, cooking or bathing purposes shall be not less than such number of gallons a day as the Controller shall by order either generally or for any particular estate direct.

Water supply to be adequate.

(ii) Any employer failing to provide the quantity of water ordered by the Controller under this section shall be liable, on conviction, to a fine not exceeding one hundred dollars for each day during which the quantity provided shall fall short of the quantity ordered to be available.

Penalty for not providing adequate supply.

170. The Health Officer may at any time if it appears to him necessary for the health of any labourers employed or residing on an estate by order in writing direct the employer or resident manager to prevent the use for drinking, cooking or bathing purposes of the water from any river, stream, canal, tank, pond, well or other source of supply on the estate either absolutely or unless and until certain precautions specified in such order have been taken or enforced, as the case may be, and may in like manner direct the employer or resident manager to have any tank or well closed and any pond filled up.

Protection of water supply.

Protection of wells.

171. (i) On any estate upon which there are wells the water of which is or may be used for drinking, cooking or bathing purposes it shall be the duty of the employer or resident manager, if so directed by the Health Officer, to have all or any of such wells bricked or protected in accordance with one or other of the plans approved by the Chief Secretary to Government, copies of which shall be obtainable free of charge by any employer from the Controller.

For public safety.

(ii) Every well, water-hole, or tank on an estate shall be securely fenced or otherwise guarded so as not to be dangerous to adults or children.

Water supply insufficient or unwholesome.

172. Should it appear to the Health Officer that the water provided for the use of any labourers housed in any lines is insufficient in quantity or unwholesome in quality, he shall report accordingly to the Controller, and on receipt of such report it shall be lawful for the Controller to give to the employer or to the resident manager, or to both, an order in writing requiring him within a reasonable time to be stated in the order to increase or improve the supply of water or to adopt any precautions regarding the use of such water as may to the Controller seem necessary, and such order may also declare that no labourer shall be permitted to use the water the subject of such order unless and until such improvement has been effected or such precautions have been taken or enforced.

CHAPTER XIX.

SANITARY ARRANGEMENTS.

Disposal of night-soil.

173. (i) The arrangements for the disposal of night-soil shall be in accordance with the provisions of any rules made from time to time by the Chief Secretary to Government under this Enactment and published in the *Gazette*.

Penalty.

(ii) Every employer who shall neglect after receipt of a notice in writing from the Health Officer notifying him that the arrangements for the disposal of night-soil on any estate are not in accordance with such rules to take within a time specified in such notice such steps as may be necessary to secure that the rules are complied with, shall be liable, on conviction before the Court, to a fine not exceeding one hundred dollars and to a further fine in addition of ten dollars for each day during which such neglect shall continue after the date of such conviction.

Defective latrine accommodation.

174. Should it appear to the Health Officer that the latrine accommodation for the labourers housed in any lines is such as to be dangerous to the health of such labourers or of any other persons, the Health Officer shall report accordingly to the Controller and shall submit with his report his recommendations as to the action necessary to be taken; and on receipt of such report it shall be lawful for the Controller to give to the employer or to the resident manager, or to both, an order in writing to remove or alter the construction of such latrine accommodation within a reasonable time to be stated in such order, and the order may also, if it appears necessary to the Health Officer, prescribe the site to which such latrine accommodation is to be removed or the alterations in construction to be made, and may further declare that no labourer may be permitted to use such latrine accommodation until such removal or alteration has been carried out.

Order by Controller.

175. The Health Officer may at any time, if it appears to him necessary for the health of any labourers employed or residing on an estate, by order in writing direct the employer or resident manager to have any latrine immediately closed or disinfected in the manner prescribed in such order and may by a like order give directions as to the use of disinfectants generally on the estate.

Use of disinfectants.

CHAPTER XX.

HOSPITAL ACCOMMODATION, EQUIPMENT AND MEDICAL ATTENDANCE.

176. (i) The Controller may at any time by order in writing require any employer to construct within a reasonable time to be stated in such order and thereafter to maintain at his own expense a hospital on or in the immediate neighbourhood of any estate upon which labourers are employed by him with accommodation for such number of patients as may be stated in such order, or if there is already a hospital maintained by such employer to enlarge or add to such hospital, so as to provide accommodation for a further number of patients as stated in the order; and may further require him to employ a registered medical practitioner as defined by "The Medical Registration Enactment, 1907," to reside at and have charge of such hospital or any hospital maintained by such employer, and to provide such medical practitioner with fit and proper house accommodation to the satisfaction of the Health Officer.

Employer to maintain estate hospital.

(ii) If two or more estates are so situated that the required accommodation for patients from such estates can be conveniently provided in one hospital the employers concerned may, with the sanction of the Controller, provide one hospital for such estates instead of a separate hospital for each estate; but in such case every such employer and resident manager shall be responsible for the due maintenance of such hospital and for the provision of the prescribed staff, equipment, diets and medicines and for the observance of any rules made for the inspection and management of such hospital and the furnishing of any returns required as if such hospital were provided and maintained solely by him.

Hospitals for two or more adjacent estates.

177. (i) The employer shall bear the expenses of the maintenance and treatment in such hospital of every contract labourer so long as he remains in such hospital who was at the time of his admission to the hospital or within seven days previously employed on the estate, and shall also bear the expenses of the maintenance and treatment in such hospital of the dependants of such contract labourer so long as they remain in such hospital, and shall not be allowed to recover such expenses from the labourer either by deduction from wages or otherwise, but shall not, except as may be provided in the contract of such labourer, be required to pay wages in respect of any time during which the labourer is in hospital.

Maintenance and treatment of contract labourer in estate hospital.

(ii) In the case of a labourer who was employed under an agreement or of any dependant of such labourer the employer shall defray the expenses of maintenance and treatment in such hospital so long as the labourer or any of his dependants remain in hospital, but may recover from such labourer the expenses of such treatment and maintenance at such rate as the Controller, with the approval of

the Chief Secretary to Government, may from time to time prescribe by notification in the *Gazette* in respect of any period in excess of thirty days during which such labourer or any of his dependants shall have remained in the hospital.

Sick labourer admitted to a Government hospital.

178. (i) If a labourer at the time of his admission to a Government hospital or within ten days previously was employed on or after employment was residing on any estate the employer shall pay the expenses of maintenance and treatment in such hospital of such labourer and of any dependant of such labourer at such rate as the Controller, with the approval of the Chief Secretary to Government, may from time to time prescribe by notification in the *Gazette*. Such expenses shall, whatever be the amount, be recoverable from such employer in a Civil Court at the suit of the Government Medical Officer in charge of such hospital, and the certificate of such Government Medical Officer shall be sufficient *prima facie* evidence that the amount therein specified is due from the employer; provided that unless such labourer was serving under a contract no more than thirty days' expenses in hospital in respect of any labourer or dependant shall be recoverable.

Proviso.

(ii) Provided further that if no estate hospital is maintained on such estate, all the provisions of section 177 (ii) shall apply to such employer's liability for expenses and to his right to recover at the rate prescribed under sub-section (i).

Employer to provide appliances for conveying labourers to hospital.

179. (i) It shall be the duty of the employer and of the resident manager

(a) to have every labourer employed on the estate who requires medical treatment taken with the least possible delay to the hospital provided for labourers employed on the estate or, if there is no such hospital, to the nearest Government hospital; and

(b) to make such arrangements and to provide such appliances for the transport of sick labourers to hospital as the Health Officer may from time to time order.

Removal of labourer to hospital.

(ii) The Health Officer or any Government Medical Officer may order the employer or resident manager to remove any labourer on an estate who requires medical treatment to hospital.

Penalty.

(iii) Any employer or resident manager who without reasonable excuse, the proof whereof shall lie on him, shall neglect or refuse to comply with any order made under sub-section (ii) shall be liable on conviction by the Court to a fine not exceeding two hundred dollars and to a further fine of ten dollars a day for every day during which such default shall continue.

Penalty for not taking sick labourer to hospital.

180. Any employer or resident manager who without reasonable excuse, the proof whereof shall lie on him, shall fail to take, or cause to be taken, to hospital any labourer employed on the estate who requires medical treatment shall be liable, on conviction, to a fine not exceeding fifty dollars, and upon conviction for a second or subsequent offence committed within two years from the date of a previous conviction for such an offence shall be liable to a fine not exceeding five hundred dollars.

181. Unless there is a registered medical practitioner resident on the estate in pursuance of section 176 every estate hospital shall be visited at least once in every month, and oftener if the Health Officer shall so require, by a private medical practitioner holding a qualification registrable by the Medical Council of the United Kingdom, and it shall be the duty of the employer to make arrangements accordingly and of the resident manager if he is not the employer to report to the employer if this is not done.

Estate hospital to be visited by a qualified medical practitioner.

182. On every estate on which an estate hospital is not required to be constructed and maintained by the employer for the labourers employed thereon it shall be the duty of the employer to make such provision for the treatment of sick labourers as the Controller, after consultation with the Health Officer, shall in each case order.

Estates on which a hospital is not maintained.

CHAPTER XXI.

INFECTIOUS AND CONTAGIOUS DISEASES.

183. (i) It shall be the duty of the resident medical practitioner, and in his absence or if there is no resident medical practitioner, of the resident manager, to isolate at once any labourer or other person on an estate whom he may suspect to be suffering from any dangerous infectious or contagious disease and to detain under observation any other persons whom he may deem likely to have contracted such disease and with the least possible delay to notify the nearest Government Medical Officer, and pending the arrival on the estate of the Health Officer or such Government Medical Officer to take immediate steps to prevent any person from occupying the building in which the person suspected to be suffering from such disease has been housed.

Duty to report suspected case of infectious disease, etc.

(ii) Any person who neglects to perform to the best of his ability the duty imposed upon him by sub-section (i) shall be liable, on conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months.

Penalty for neglect.

184. (i) On the occurrence of any infectious or contagious disease on any estate it shall be the duty of the employer forthwith, if so directed by the Health Officer or a Government Medical Officer, to set apart a place for the reception of any labourers employed on the estate whom it shall appear necessary or desirable to segregate in the interests of the public health or of any other labourers employed on the estate and to make at his own expense such arrangements for the maintenance of such labourers while so segregated and for the treatment of any labourers suffering from such disease as may to the Health Officer or such Government Medical Officer seem necessary.

Duty of employer to make special provision for infectious cases and contacts.

(ii) If it shall at any time appear to the Health Officer or a Government Medical Officer that a labourer employed on any estate is suffering from a contagious or infectious disease or that it is otherwise necessary in the interest of the public health or of the health of any other labourers employed on the estate that he be removed and placed under medical supervision, it shall be lawful for the Health Officer or such Government Medical Officer to cause such labourer to be removed to such place as he may direct and there to be detained until discharged by order in writing under the hand of the Health Officer or a Government Medical Officer.

Powers of Health and Medical Officers to remove infectious cases and contacts.

CHAPTER XXII.

GENERAL.

Duty of kanganis, etc., to report cases of sickness.

Penalty.

Rations may be ordered to be supplied according to prescribed scales, and deductions in respect thereof may be made from wages.

185. (i) It shall be the duty of every headman, kangani, mandor or other person in immediate charge of any gang of labourers to report immediately to the resident manager the absence of any labourer from work on account of sickness.

(ii) The resident manager shall have power to fine any person who neglects to furnish the report required by sub-section (i). Such fine shall not exceed five dollars for each such offence and may be deducted from the wages of such person. A record thereof shall be kept by the resident manager and shall be open to inspection by the Controller who may at his discretion remit the whole or any part of any fine so imposed.

(iii) All such fines shall be paid into the Indian Immigration Fund.

186. (i) The Chief Secretary to Government may from time to time by notification in the *Gazette* prescribe scales of rations, cooked and uncooked, for different classes of labourers and may also in like manner fix the maximum deductions which may be made by an employer from wages in respect of each such ration supplied by him.

(ii) Every employer shall, if so required in writing by the Controller, supply to all labourers employed by him (other than contract labourers) or to all labourers of a particular class specified in the requisition and to all children over one year and under twelve years of age living with and dependent upon such labourers rations according to such of the scales prescribed under sub-section (i) as shall be specified in the requisition, and shall continue to supply such rations, until such requisition be withdrawn by the Controller in writing, to every such labourer being from time to time under agreement with him and to all children over one year and under twelve years of age living with and dependent on such labourer; provided that in the case of children under ten years of age only one-third rations and in the case of children of ten years and over only half-rations need be supplied.

(iii) For and in respect of all rations supplied in pursuance of such requisition of the Controller as is mentioned in sub-section (ii) the employer shall be entitled to deduct from the wages of the labourer the sum fixed by the Chief Secretary to Government under sub-section (i) as the maximum deduction which may be made in respect of such rations; provided that such deduction shall not exceed the actual cost to the employer of such rations and shall not be made from any wages accrued due to the labourer before the date of the Controller's requisition.

(iv) When such a requisition as is mentioned in sub-section (ii) has been made, the employer shall day by day supply rations as therein specified to all labourers to whom the requisition relates and to all children (if any) living with and dependent on them, whether work is done by the labourers or not, so long as the labourers remain in his employment; provided that

(a) in the event of any labourer or child being removed to hospital the rations supplied shall be in accordance with the scale prescribed for patients in hospital and not according to the scale prescribed under sub-section (i); and

(b) no deduction shall be made in respect of rations supplied in hospital except in accordance with the provisions of section 177.

(v) Any employer who shall omit to comply with a requisition made under this section or who shall make any deduction in respect of rations supplied in pursuance of such requisition otherwise than in accordance with the provisions of this section shall be liable to a fine not exceeding two hundred dollars and to an additional fine not exceeding fifty dollars for each day during which such omission is or has been continued.

187. The Controller or the Health Officer may by order in writing at any time require the employer of any labourer to supply such labourer with cooked rations, either in accordance with one of the scales prescribed under sub-section (i) of section 186 or in accordance with the scale for native patients for the time being in force in Government hospitals, for such period not exceeding one month as shall be specified in the order, and any employer who shall omit to comply with such order shall be liable to a fine not exceeding ten dollars for each day during which such omission continues in respect of each and every such labourer.

Special order for cooked rations or hospital rations.

188. When any requisition by the Controller under section 186 for the supply of cooked rations or any order by the Controller or the Health Officer under section 187 has been made, the Controller may require the employer to employ and the employer shall thereupon employ in the preparation of such cooked rations such number of cooks approved by the Controller as the Controller shall consider necessary.

Cooks.

189. Any employer may, with the written sanction of the Controller, agree with his labourers or any of them that he shall supply such labourers with

Supply of rations or rice and deduction from wages by agreement.

(a) rations according to one or other of the scales prescribed under section 186 or according to such other scale as shall be specially approved in writing by the Controller after consultation with the Health Officer, or

(b) rice in such quantities as the labourers may require and at a price not exceeding a specified rate,

and may deduct from the wages of each such labourer the actual cost of rations or of rice so supplied to him, as the case may be; provided that no deduction so made shall

(1) in the case of rations, exceed, except with the written sanction of the Controller, the maximum deduction fixed under section 186 in respect of the scale of rations, if any, prescribed under that section for the class of labourers to which such labourer belongs;

(2) in the case of rice, exceed the amount which the rice supplied would cost at the rate specified as in paragraph (b) provided.

190. Every employer who is by a requisition under section 186 or by an order under section 187 directed to supply rations to any labourer and every employer who supplies rations or rice by agreement under section 189 shall keep conspicuously exhibited on the place of employment and at all lines occupied by any labourer to whom rations are directed to be supplied or to whom rations or rice

Particulars of rations and deductions to be notified to labourers.

are agreed to be supplied notices, expressed in the native language or languages of such labourers, containing full particulars as to

- (a) the scale according to which rations are directed or rations or rice are agreed to be supplied ;
- (b) the maximum deduction permitted to be made from wages in respect of rations or rice supplied.

Power of Health Officer to order quinine, etc., to be administered.

191. The Health Officer may at any time if it appears to him necessary for the health of the labourers employed on any estate by order in writing to the employer or resident manager direct

- (a) that quinine be regularly administered free of charge in such doses and at such times as shall be stated in the order to all or any persons or to any class of persons employed or residing on the estate ;
- (b) that all or any of the labourers employed on the estate be vaccinated ;
- (c) that hot coffee or congee be provided at such times as shall be stated in the order, free of charge and in addition to the diets, if any, which the employer is bound to supply, to all or any labourers or to any class of labourers employed on the estate.

Daily inspection of lines.

192. (i) It shall be the duty of the employer to provide that all lines are visited and inspected daily by a dresser or other responsible person who shall report to the resident manager if the lines are not kept clean or if any refuse is allowed to accumulate in the neighbourhood of the lines, and shall also examine and if necessary take, or cause to be taken, to hospital any labourer found in the lines who appears to be suffering from any complaint and report to the resident manager that he has done so.

(ii) In any case where the Health Officer shall consider that the visits, inspections or other duties prescribed by sub-section (i) are not satisfactorily carried out he may notify the resident manager accordingly, specifying the matters in respect whereof he is not satisfied, and the resident manager shall thereupon make such further or other arrangements, whether by substituting a different dresser or person to perform the said duties or otherwise, as the Health Officer may require.

Employer may make sanitary regulations.

193. (i) It shall be lawful for an employer or resident manager, with the approval of the Controller, to make and publicly notify sanitary regulations for observance on any estate.

Penalty.

(ii) Any labourer guilty of wilfully disregarding or allowing his dependant to disregard any sanitary regulation made and publicly notified under sub-section (i), and any labourer neglecting or refusing to go to hospital or to send his dependant to hospital when so ordered by the resident manager or the resident medical practitioner shall be liable to a fine not exceeding fifty cents.

(iii) Such fine may be imposed by order of the resident manager only and may be deducted from the wages of such labourer. A record thereof shall be kept by the resident manager and shall be open to inspection by the Controller who may at his discretion remit any fine so imposed.

(iv) All such fines shall be paid into the Indian Immigration Fund.

194. The employer shall cause to be erected and exhibited by the high road at the main entrance to the estate a notice board on which shall be painted, in English characters easily legible, the name of the estate, the name and address of the person responsible for the management of the estate and, if the employer is a corporation, the address of the registered office of the corporation.

Notice board.

195. Any employer omitting to comply with any of the provisions of section 162 or with any order made under sections 161, 167, 168, 172, 176, 182 or 184 shall be liable, on conviction, to a fine not exceeding two hundred and fifty dollars and to a further fine of fifty dollars a day for every day during which such default shall continue.

Neglect by employer to comply with certain orders.

196. Any employer omitting to comply with any order made under sections 170, 171, 174, 175 or 191 shall be liable, on conviction, to a fine not exceeding two hundred dollars and to a further fine of ten dollars a day for every day during which such default shall continue.

Neglect by employer to comply with other orders.

197. Any resident manager neglecting or refusing to comply with any order made under sections 161, 167, 168, 170, 171, 172, 174, 175 or 191 or with any requirement of the Health Officer under section 192 shall be liable, on conviction, to a fine not exceeding two hundred dollars and to a further fine of ten dollars a day for every day during which such default shall continue.

Neglect by resident manager to comply with orders.

198. Every employer or resident manager who shall

Offences against sections 164, 165, 171, 194, and rules.

- (a) fail to provide separate lines for labourers of separate races as directed by the Controller;
- (b) erect or cause to be erected any lines in contravention of sub-section (i) of section 165 or neglect or refuse to comply with any order made under sub-section (ii) of section 165;
- (c) fail to comply with the provisions of section 171 (ii);
- (d) fail to erect and exhibit a notice board, as required by section 194;
- (e) fail to comply with any rule made under section 231 or to furnish within the prescribed time any return required to be forwarded by him under any rule made under the said section;

shall be liable, on conviction, to a fine not exceeding two hundred dollars.

PART IX.

PROVISIONS RELATING TO PLACES UNFIT FOR THE EMPLOYMENT OF LABOUR.

CHAPTER XXIII.

ENABLING POWERS.

199. (i) Any person who desires to engage labourers for a place of employment on which labourers have not hitherto been employed or have not been employed within the preceding twelve months or who desires to increase the number of labourers already on such place of employment so that the existing arrangements will be inadequate and insufficient for such increase of labourers shall give notice in writing of his desire to the Controller, who shall as soon as possible

Inspection of place of employment before employment of labourers or additional labourers.

Permission
required.

enquire into and inspect the arrangements which have been made for the residence and employment of labourers on such place and may either permit or refuse to permit the employment of labourers or of additional labourers, as the case may be. If he refuses he shall forthwith furnish a report in writing to the Resident. No person shall employ or permit to reside on such place any labourers or additional labourers, as the case may be, without the permission in writing of the Controller.

Exemption.

(ii) The provisions of this section shall not apply to any person employing less than fifty labourers on any one place of employment unless such labourers are contract labourers.

Prohibition of
further engage-
ment of
labourers where
arrangements
are inadequate.

200. (i) If the Controller shall at any time have reason to believe that the arrangements made for the residence and employment of labourers on any place of employment where labourers are living or employed are from any cause inadequate for the residence and employment of additional labourers on such place or that the health or condition of the labourers living or employed on such place is from any cause unsatisfactory, he shall have power by order under his hand conveyed to the employer to prohibit the employment of additional labourers on such place, and it shall thereupon be unlawful for any person to employ or permit to reside on such place any labourers other than those who were residing or employed thereon before the issue of such notice.

Removal of
prohibitions.

(ii) On subsequent proof being furnished to the satisfaction of the Controller that adequate arrangements have been made for the residence and employment of additional labourers on such place of employment or that the health and condition of the labourers living or employed thereon have become satisfactory the Controller may rescind the order made under sub-section (i), and thereupon it shall be lawful for the employer to engage labourers for such place.

Penalty for
causing or
permitting
labourers
to reside in
unhealthy
locality.

201. Any employer who shall permit the residence or employment of labourers on any part of the place of employment in contravention of section 199 or section 200 shall be liable to a fine of five hundred dollars or to imprisonment of either description for a period not exceeding six months.

Power to
Resident to
prohibit
employment
of labourers or
class of labour-
ers when
supervision is
inadequate.

202. (i) If the Controller shall at any time have reason to believe that there is no supervision of labourers, or that the supervision provided on any estate or place of employment is inadequate or ineffective to secure labourers or any class of labourers from ill-treatment or ill-usage, it shall be lawful for the Controller to make such requisitions on the employer as he may deem necessary for obtaining the necessary supervision and causing such ill-usage and ill-treatment to cease, and unless the same are forthwith complied with the Controller shall furnish a full report of the case to the Resident, who may thereupon make an order prohibiting the further employment after a date to be named in such order of labourers or of any class of labourers on such estate or place of employment, and on the publication of the order in the *Gazette* it shall be unlawful for any person after the day named in such order to employ or permit to reside on such estate or place of employment any labourers or class of labourers specified in such order until the Resident shall cancel such order.

(ii) If the Controller shall at any time have reason to believe that any estate or place of employment is unfit for the employment of labourers or any class of labourers he shall furnish a report in writing to the Resident who may make an order to the same effect as an order under sub-section (i).

Order in cases where place of employment is unfit.

(iii) No order shall be made under this section by the Resident until the employer shall have had an opportunity of showing cause against the making of an order and of producing evidence.

203. Any person who acts contrary to the terms of any order made under the provisions of section 202 shall be liable, on conviction, to a fine of one thousand dollars with an additional penalty of two hundred dollars a day after the first day's disobedience during the continuance of such contrary action.

Penalty for disobedience to an order.

PART X.

SPECIAL OFFENCES.

CHAPTER XXIV.

OFFENCES AGAINST LABOURERS.

204. (i) Any person separating, or abetting the separation of, a labourer from his wife or from his children under the age of fifteen years or from any person dependent on him without in any of the above cases his or their consent shall be liable to a fine not exceeding one hundred dollars, and any agreement or contract involving such separation shall be void, and such wife, children or dependent shall be forthwith restored to the labourer by the Controller.

Separating families.

(ii) In the event of an agreement or contract with any married labourer being determined, the agreement or contract of the husband or wife, as the case may be, of such labourer shall *ipso facto* be determined, and any employer refusing to allow the husband or wife, as the case may be, to accompany such labourer shall be liable to a fine not exceeding one hundred dollars.

205. Any person who, whether alone or in combination with others, hinders or molests by word, gesture or act any labourer in the performance of his agreement or contract, shall be liable to a fine not exceeding two hundred dollars or to imprisonment of either description for a period not exceeding six months.

Penalty for molesting labourer.

206. Every employer who without reasonable excuse (the proof whereof shall lie with him) refuses to allow a labourer whose contract or agreement has been determined in any of the ways hereinbefore provided to leave his service shall be liable, on conviction, to a fine not exceeding fifty dollars or in default to simple imprisonment for a term not exceeding one month, and the whole or any portion of any fine recoverable under this section may be adjudged by the Court to be paid to the labourer.

Wrongful detention of labourer.

Penalty.

207. If any employer of contract labour who is bound by the terms of his contract to supply a contract labourer free of charge with clothing or other articles shall debit such labourer with such charges, he shall be guilty of an offence and be liable, on conviction, to a fine not exceeding fifty dollars.

Debiting labourer with improper charges.

Obstruction of
labourer by
employer.

208. Any employer who in any way obstructs any labourer in appearing before the Controller in pursuance of this Enactment or fails or neglects to pay his wages within the time provided by this Enactment shall be liable, on conviction, to a fine not exceeding one hundred dollars.

CHAPTER XXV.

GENERAL.

Penalty for
obstructing
inspection or
enquiry.

209. If any employer or other person wilfully obstructs or impedes any entry, inspection, enquiry or investigation made under this Enactment or commits, with respect to such entry, inspection, enquiry or investigation made, any offence described in Chapter X of the Penal Code, he shall be punished as provided in Chapter X of the Penal Code.

General
penalty.

210. Every person who is guilty of an offence against the provisions of this Enactment or of any rules made thereunder for which no penalty is otherwise provided shall be liable, on conviction, to a fine not exceeding one hundred dollars and for a second or subsequent offence under the same section or rule committed within one year of the conviction for the former offence to a fine not exceeding two hundred and fifty dollars.

PART XI.

PROVISIONS RELATING TO PROCEDURE, ACTIONS AND RULES.

CHAPTER XXVI.

PROCEDURE.

Jurisdiction
of the Court.

211. The Court shall have power to try any offence and to impose any fine or penalty under this Enactment.

Controller may
appear.

212. The Controller shall have the right to appear and be heard before all Courts, civil or criminal, inferior to the Supreme Court in any proceeding under this Enactment and shall also have the right to be heard before such Courts in any prosecution under Chapter XVI of the Penal Code instituted by him in accordance with the provisions of section 88 (i).

Prosecution
may be
withdrawn.

213. Any prosecution under this Enactment may be withdrawn by the Controller before judgment, and a fresh prosecution instituted for the same offence under the Penal Code or other law applicable to the circumstances of the case.

Power to deal
with evidence
taken down by
another officer.

214. Where the Controller, or any officer performing the duties or exercising the powers conferred on the Controller, has for the purpose of enquiring into any matter under this Enactment taken down any evidence or made any memorandum and is prevented by death, transfer or other cause from concluding such enquiry, any successor to such Controller or other officer may deal with such evidence or memorandum as if he had taken it down or made it and proceed with the enquiry from the stage at which his predecessor left it.

Public servants.

215. For the purposes of this Enactment and of the Penal Code, the Controller and all officers duly appointed or authorised under this Enactment shall be deemed to be public servants.

216. For the purpose of any criminal prosecution, every estate, factory, mine or place in which ten or more labourers are employed shall be deemed to be a public place. Public place.

217. Nothing in this Enactment shall operate to prevent any employer or labourer from enforcing their respective civil rights and remedies for any breach or non-performance of an agreement or contract by any suit in Court, in any case in which proceedings are not instituted, or, if instituted, are not proceeded with to judgment and satisfaction under this Enactment. Enactment no bar to civil suit.

218. In all proceedings under Chapter XV or under Part VIII the onus of proving that he is not the employer or resident manager or the person whose duty it is under such Chapter or Part or under any rule made thereunder to do or abstain from doing anything shall be on the person who alleges that he is not the employer, resident manager or other person, as the case may be. Onus of proof.

219. A copy of the written statement made by any employer under section 54 certified by the Controller as a true copy shall be received in evidence in any prosecution under that section and shall be conclusive evidence of the statement made by the employer to the Controller under the said section. Certified statement under section 54.

220. (i) A summons issued by the Controller under section 85, section 97 or section 98 may be served on any person by delivering or tendering to him a copy thereof signed by the Controller; provided that Service of summons.

- (a) if the person to be summoned have an agent empowered to accept service of the summons on his behalf, service on such agent shall be sufficient;
- (b) if the person to be summoned cannot be found and have no agent empowered to accept service of the summons on his behalf, service on any adult male member (not being a servant) of the family of the person to be summoned who is residing with him shall be sufficient.

When such summons as aforesaid is addressed to a corporation, it may be served

- (a) by leaving a copy thereof, signed by the Controller, at the registered office (if any) of the corporation;
- (b) by sending such copy by post in a letter addressed to the corporation at its principal office, whether such office be situated within the Federated Malay States or elsewhere;
- (c) by delivering such copy to any director, secretary or other principal officer of the corporation.

(ii) When the serving-officer delivers or tenders a copy of the summons to the person to be summoned or to an agent or other person on his behalf, he shall require the signature of the person to whom the copy is so delivered or tendered to an acknowledgment of service endorsed on the original summons.

(iii) If

(a) such person refuses or is unable to sign the acknowledgment, or

(b) the serving-officer cannot find the person to be summoned and there is no agent empowered to accept service of the summons on his behalf nor any other person on whom the service can be made,

the serving-officer shall affix a copy of the summons on the outer door of the house in which the person to be summoned ordinarily resides and then return the original to the Controller with a return endorsed thereon or annexed thereto stating that he has so affixed the copy and the circumstances under which he did so.

(iv) The serving-officer shall, in all cases in which the summons has been served under sub-section (ii), endorse or annex, or cause to be endorsed or annexed, on or to the original summons a return stating the time when and the manner in which the summons was served.

(v) When a summons is returned under sub-section (iii), the Controller shall, if the return under that sub-section has not been verified by the affidavit of the serving-officer, and may if it has been so verified, examine the serving-officer on affirmation touching his proceedings and may make such further enquiry in the matter as he thinks fit and shall either declare that the summons has been duly served or order such service as he thinks fit.

(vi) Where the Controller is satisfied that there is reason to believe that the person to be summoned is keeping out of the way for the purpose of avoiding service or that for any other reason the summons cannot be served in the ordinary way, the Controller may order the summons to be served by affixing a copy thereof in some conspicuous place in or near the office of the Controller and also upon some conspicuous part of the house, if any, in which the person to be summoned is known to have last resided, or in such other manner as the Controller thinks fit, or may order the substitution for service of notice by advertisement in the *Gazette* and in such local newspaper or newspapers as the Controller may think fit.

(vii) The service substituted by order of the Controller shall be as effectual as if it had been made personally on the person to be summoned.

(viii) Whenever service is substituted by order of the Controller, the Controller shall fix such time for the appearance of the person to be summoned as the case may require.

221. (i) Where a warrant has been issued in the Colony under any Ordinance of the Colony for the apprehension of an employer who has absconded or is absconding or is about to abscond from the Colony in order to evade payment of wages due to any of his labourers, and such employer is or is suspected of being in or on the way to the Federated Malay States, a Magistrate in the Federated Malay States, if satisfied that the warrant was issued by a person having lawful authority to issue the same, may endorse such warrant in the manner provided in this section, and the warrant so endorsed shall be a sufficient authority to apprehend, within the jurisdiction of the endorsing Magistrate, the employer named in the warrant, and bring him before the endorsing Magistrate or some other Magistrate in the Federated Malay States.

Action on
Colonial
warrant for
apprehension
of absconding
employer.

(ii) The Magistrate before whom an employer so apprehended is brought, if he is satisfied that the warrant was issued by a person having lawful authority to issue the same, and is satisfied on oath that the prisoner is the person named or otherwise described in the warrant, may order such prisoner to be returned to the Colony, and for that purpose to be delivered into the custody of the persons to whom the warrant is addressed, or any one or more of them, and to be held in custody and conveyed to the Colony there to be dealt with according to law as if he had been there apprehended.

A Magistrate shall, so far as is requisite for the exercise of the powers of this sub-section, have the same power, including the power to remand and admit to bail a prisoner, as he has in the case of a person apprehended under a warrant issued by him.

(iii) An endorsement of a warrant in pursuance of this section shall be signed by the authority endorsing the same, and shall authorize all or any of the persons named in the endorsement, and of the persons to whom the warrant was originally directed, and also every police officer, to execute the warrant within the part of the Federated Malay States within which such endorsement is by this Enactment made a sufficient authority, by apprehending the person named in it and bringing him before some Magistrate in the said part, whether the Magistrate named in the endorsement or some other.

(iv) For the purposes of this section every warrant, and every endorsement made in pursuance of this section thereon, shall remain in force, notwithstanding that the person signing the warrant or such endorsement dies or ceases to hold office.

222. In the event of any person within the definition of the word "Employer" being subjected to any fine or penalty under the provisions of this Enactment such fine or penalty may, in addition to any other means of recovery, be recovered by distress and sale of the estate, mine or place of employment, or of any property belonging to such estate, mine or place of employment.

Penalty against employer.

223. Subject to any special provision to the contrary contained in this Enactment, from and after the determination of any imprisonment suffered under this Enactment for non-payment of the amount of any fine, compensation, or damages, with the costs assessed and directed to be paid by any order of Court, the amount so ordered shall be deemed to be liquidated and discharged, and the order shall be annulled.

Imprisonment to be in discharge of compensation, etc.

224. When it is alleged by any party to a contract that the condition of a recognizance or bond entered into or given for the fulfilment of the contract under the provisions of this Enactment has not been performed, the Court, being satisfied thereof, after hearing the parties and the sureties (if any), or in the case of any party or surety not appearing, after proof of service of summons in that behalf, may order that the recognizance or bond be enforced for the whole or part of the sum secured, as to the Court may seem fit.

Enforcement of recognizance or bond.

225. When under this Enactment any Court imposes a fine or enforces the payment of any sum secured by recognizance or bond, the Court may, if it think fit, direct that the whole or any part of such fine or sum when recovered be paid to the party complaining.

Application of fines and money recovered.

Reports by
Controller.

226. The Controller shall make such reports to the Chief Secretary to Government relative to the conduct of the duties of his office in such form and with such particulars as the Chief Secretary to Government may from time to time direct and shall forward a copy of such reports to the Resident of each State to which such reports relate.

CHAPTER XXVII.

LIMITATION OF LIABILITY OF PERSONS EXERCISING POWERS.

Provisions
regarding
actions.

227. (i) No action shall be brought against any person for anything done, or *bona fide* intended to be done, in the exercise or supposed exercise of the powers given by this Enactment or by any rules made thereunder

(a) without giving to such person one month's previous notice in writing of the intended action and of the cause thereof;

(b) after the expiration of three months from the date of the accrual of the cause of action;

(c) after tender of sufficient amends.

(ii) In every action so brought it shall be expressly alleged that the defendant acted either maliciously or negligently and without reasonable or probable cause, and if at the trial the plaintiff shall fail to prove such allegation, judgment shall be given for the defendant.

(iii) Though judgment shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Court, before which the action is tried, shall certify its approbation of the action.

CHAPTER XXVIII.

PROVISIONS AS TO RULES.

Power to make
rules.

228. (i) The Chief Secretary to Government, in addition to the powers expressly conferred by any other of the provisions of this Enactment, may from time to time make rules

(a) subject to which immigrants may be engaged in the Federated Malay States for service in a country or State to which Indian emigration is authorised;

(b) to prescribe the ports in the Federated Malay States at which all or any class of immigrant ships may call and the place at such ports at which any such ships shall anchor;

(c) to prescribe the time at which immigrants shall disembark and at each port the place at which they shall land and the route by which they shall be conveyed from the landing place to the examination depôt;

(d) to prohibit all or any class of persons from boarding or communicating with or approaching all or any class of immigrant ships until the immigrants have disembarked;

(e) to prescribe the information to be given by a creditor to the Controller or Protector or to the keeper of a detention depôt with regard to each immigrant indebted to him for passage money and advances;

(f) for the management and regulation of depôts established under section 9;

(g) to prescribe the fees

- (1) which may be lawfully demanded of an immigrant for the conveyance of such immigrant from an immigrant ship to an examination depôt;
- (2) which may be lawfully demanded from a creditor for the use of a detention depôt and for the maintenance of an indebted immigrant while detained therein;
- (3) payable for copies of notes of evidence recorded under the provisions of section 98 (ii) (d).

(h) to prescribe with regard to estate hospitals

- (1) the nature of the accommodation and equipment to be provided and maintained;
- (2) the description and quantities of diets for patients to be provided;
- (3) the description of drugs and of surgical and medical appliances to be kept in stock; and also
- (4) the number of dressers, hospital attendants, cooks, scavengers and other necessary servants to be employed;
- (5) the quantities of each drug and the number of each kind of surgical and medical appliance to be kept in stock;

at every such hospital according to the number of patients for whom accommodation is provided therein.

(i) for the inspection and management of estate hospitals, and in particular to prescribe the duties of the resident medical practitioner, and where there is no resident medical practitioner of the dresser in charge, and the registers and records to be kept at every estate hospital in respect of every patient treated thereat, with the form in which such registers and records are to be kept and the particulars to be included therein;

(j) to direct that duly authenticated returns of diseases, deaths and other matters relating to estates or estate hospitals be furnished to the Health Officer and other officers of Government at such times and in such manner as may be specified in such rules;

(k) not inconsistent with the provisions of this Enactment which may in his opinion be necessary to provide for the due carrying into effect of any of the provisions of this Enactment.

(ii) Any person who is convicted of the breach of any rule made under clause (e) or (f) of sub-section (i) shall be liable to a fine not exceeding twenty-five dollars, and any person who is convicted of the breach of any rules made under the other provisions of this section shall be liable to a fine not exceeding five hundred dollars.

Penalty for
breach of rules.

THE FIRST SCHEDULE.
ENACTMENTS REPEALED.

No. and year.	Short title.	Extent of repeal.
6 of 1912 ...	The Labour Code, 1912	The whole
12 of 1913 ...	The Labour Code, 1912, Amendment Enactment, 1913	
27 of 1913 ...	The Labour Code, 1912, Amendment Enactment, 1913 (No. 2)	
32 of 1914 ...	The Labour Code, 1912, Amendment Enactment, 1914	
18 of 1917 ...	The Labour Code, 1912, Amendment Enactment, 1917	
2 of 1918 ...	The Labour Code, 1912, Amendment Enactment, 1918	
22 of 1918 ...	The Labour Code, 1912, Amendment Enactment, 1918 (No. 2)	
1 of 1919 ...	The Labour Code, 1912, Amendment Enactment, 1919	
17 of 1919 ...	The Labour Code, 1912, Amendment Enactment, 1919 (No. 2)	
31 of 1919 ...	The Labour Code, 1912, Amendment Enactment, 1919 (No. 3)	
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18 of 1922 ...	The Labour Code, 1912, Amendment Enactment, 1922	

THE SECOND SCHEDULE.

Form A (Section 38).

I hereby certify that the person herein named and described is not subject to the provisions of Part II of "The Labour Code, 1923."

Signed

Dated.....

Controller of Labour.

Name.	Father's name.	Age. Sex.	Religion and caste (if any).	Place of abode in India.	Calling.	General description and distinctive marks.

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BENEFIT PERIOD

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

WITH reference to section 1 of "The Labour Code, 1923," published in Notification No. 5287 of the *Gazette* of the 25th August, 1923, the Chief Secretary to Government hereby notifies that the said Enactment shall come into force on the first day of October, 1923.

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

IN exercise of the powers conferred on him by section 122 of "The Labour Code, 1923," the High Commissioner hereby rescinds Notification No. 2169, published in the *Gazette* of the 20th May, 1921, in so far as it relates to labour "Loading and unloading cargo".

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FEDERATED MALAY STATES.

THE LABOUR CODE 1925.

It consists of the papers contained on this page 122 of
"The Labour Code, 1925," the High Commissioner's
Memorandum No. 2189, published in the Gazette of the
F.M.S. No. 1921, in so far as it relates to the
unloading cargo."



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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

THE following form has been approved by the Controller of Labour for the return under section 82 (i) of "The Labour Code, 1923," in substitution for the form published in Notification No. 60 in the *Gazette* of the 13th January, 1922, which is hereby rescinded:

Return under section 82 (i) of "The Labour Code, 1923," of labourers employed during the quarter ending.....19...

This return should be forwarded by every employer to the Labour Office for the State within the first fourteen days of the months of January, April, July and October of each year.

Nationality.	Number employed on.....19....—i.e., last day of previous quarter.		Additions made during the { first second } quarter third of..... fourth				Deductions made during the { first second } quarter third of..... fourth				Number remaining on.....19....—i.e., last day of quarter.		Remarks.	
	Newly arrived immigrants.	Engaged locally.	Additions from resident population (such as estate children starting work).	Total additions.	Total of columns 1 and 2 and 6.	Died.	Paid off.	Left otherwise than paid off.	Total deductions.					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	M.	F.										M.	F.	
Indians (of Madras Presidency)...														
Chinese ...														
Javanese...														
Japanese...														
Others ...														

Definition of Labourer.—"Labourer" includes every Asiatic artificer, miner, servant in husbandry and every other Asiatic employed for the purpose of personally performing any manual labour or of recruiting or supervising Asiatics for, or in the performance of, such labour, but does not include domestic servants other than Indians employed on estates.

All labourers and working children whether on check-roll or on contract must be included. No Indian child under ten may be allowed to work.

Labourers direct from India with "voluntary emigrant" certificates may be classed as newly arrived immigrants.

Name of place of employment.....

Description (i.e., whether agricultural, estate, mine, factory, etc.).....

Situation.....

Signature of employer.....

Status (i.e., whether manager, attorney, owner, etc.).....

Name of company or owner.....

Date.....19....

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

IN pursuance of the powers vested in him by sections 6 and 228 of "The Labour Code, 1923," the Chief Secretary to Government hereby makes the following rules under the said Enactment:

1. Deputy Controllers of Labour may perform all the duties and exercise all the powers of the Controller under this Enactment, except as to sections 76, 81, 82, 136 (ii), 139, 165, 167, 168, 172, 174, 176, 177, 178, 186, 187, 200, 202 and 226.

Assistant Controllers of Labour and Extra Assistant Controllers of Labour may perform all the duties and exercise all the powers of the Controller under this Enactment, except as to sections 73 (iii), 74, 76, 80, 81, 82, 84 (ii), 92, 118, 120 (ii), 136, 139, 153, 154, 156 (i), 164, 165, 167, 168, 169, 172, 174, 176, 177, 178, 186, 187, 188, 189, 193 (i), 199, 200, 202 and 226.

"Depôt" means a depôt established under section 9 of the Enactment.

"The Enactment" means "The Labour Code, 1923."

"Health Officer" has the meaning assigned to that expression by the Enactment.

In rules 12 to 37 inclusive "hospital" means an estate hospital.

"Dresser" means a person who has a certificate as a hospital assistant from the Medical School, Singapore, or as a dresser in the Federated Malay States Medical Department, or a certificate from a Health Officer to the effect that he holds qualifications similar to the above.

2. Port Swettenham is prescribed to be a port at which all classes of immigrant ships may call.

3. No person shall communicate or attempt to communicate with a tongkang or lighter in which immigrants are being disembarked under the provisions of Part II of "The Labour Code, 1923," or with the immigrants who are being conveyed therein.

4. The depôts shall be used primarily for the accommodation of immigrants who have received a free passage from India provided from the Indian Immigration Fund.

5. No person shall without the written permission of the Controller enter or attempt to enter a depôt or communicate or attempt to communicate with any immigrant detained therein.

6. Any immigrant detained in a depôt who shall be found to be suffering from any infectious or contagious disease may be sent to a hospital or quarantine station.

7. Any employer, or any person acting on behalf of an employer, who removes any immigrant from a depôt shall if so required by the officer in charge of the depôt sign at the time of such removal an acknowledgment that such an immigrant has been so removed.

8. No immigrant shall be removed from a depôt until arrangements to the satisfaction of the officer for the time being in charge of the depôt shall have been made by the employer for the transport from the depôt to their place of employment of the immigrants imported by him.

9. The Controller may refuse to re-admit to a depôt any immigrant who has been removed therefrom by an employer or by any person acting on behalf of an employer.

10. Immigrants detained in a depôt will be provided with food. No immigrant will be permitted to bring food into a depôt.

HOUSE ACCOMMODATION.

11. House accommodation shall not be deemed to fulfil reasonable sanitary requirements if each married couple is not provided with a separate room nor if more than three adults are accommodated in a standard room of which the floor measures 10 feet by 10 feet.

HOSPITAL ACCOMMODATION.

12. New hospitals shall be erected in open clearings as far removed as possible from jungle and swamps. A space of not less than 200 feet all round all hospitals shall be kept clear of jungle. No cultivation of any kind shall be permitted within 200 feet of a hospital if such cultivation would, in the opinion of the Health Officer, interfere with the ventilation or general sanitary condition of such hospital.

13. The accommodation for the number of patients for which accommodation is from time to time required by order of the Controller to be made shall be in a proportion of not less than three beds for every 200 labourers employed on the estate, exclusive of the provision required to be made under rule 15 and may be in such higher proportion, not exceeding eight beds for every 100 labourers, as the Controller shall direct, and shall, unless the sanction of the Controller is obtained to the contrary, consist of buildings of a permanent character.

14. Separate accommodation to the satisfaction of the Health Officer shall be provided for females, and separate accommodation shall also be provided if the Controller so directs for patients of any particular nationality or race.

15. A separate additional ward or wards shall be kept for use in special cases (*e.g.*, for dysentery and diarrhoea cases); each such separate ward shall be not less than 22 feet wide and shall provide accommodation to the extent of one bed for every 100 labourers employed on the estate.

16. Unless special sanction in writing from the Controller has been obtained wards must be constructed in accordance with approved type plans, copies of which may be obtained from the Health Officer.

17. A bed shall be provided for each patient, and the minimum superficial area allowed for each bed in ordinary wards shall be 60 square feet. In the wards for use in special cases it shall be 90 square feet.

18. A kitchen, bathing tanks, latrines and a mortuary shall be erected for each hospital under separate roofs at a suitable distance from the wards and from one another. None of these buildings shall be constructed except in accordance with a plan approved by the Health Officer.

19. A suitable dispensary shall be provided at each hospital to the satisfaction of the Health Officer.

20. The beds for the patients shall consist of three separate hardwood planks, each ten inches wide, and of uniform thickness, resting on iron trestles.

EQUIPMENT.

21. Mosquito curtains of a type approved by the Health Officer shall be provided in the proportion of three for every two beds.

22. Two suits of hospital clothing and one pillow shall be provided for every bed and blankets in the proportion of three for every two beds.

23. Bed pans and other utensils shall be provided for the use of patients unable to leave their wards.

Enamelled iron chamber pots with covers shall be provided for all diarrhoea and dysentery cases. The excreta of all such cases shall be disinfected before being disposed of.

24. All articles of equipment shall be cleansed as often as may be necessary—and those used in the wards for use in special cases shall not be used in the ordinary wards.

DIETS, MEDICINES, INSTRUMENTS, ETC.

25. The scales of diets shall be those set out in schedule A attached, but extra articles of diet and medical comforts shall be provided as ordered by the visiting medical practitioner or by the person in charge of the hospital. Copies of the scales of diets in English, and Tamil or Malay or Chinese according to the race of labourers under treatment, shall be hung up in each ward.

26. There shall be kept in stock in each hospital the medicines and preparations specified in schedule B hereto, to the amounts mentioned in the said schedule, with the necessary apparatus for compounding and dispensing, and such other medicines and preparations as may be specially ordered by the medical practitioner or dresser in charge of the hospital or by the Health Officer.

27. For the purpose of satisfying himself that food and drugs are sound and of good quality the Health Officer may from time to time without payment take samples of any food or drug for analysis.

28. The following instruments and appliances shall also be provided in each hospital—namely :

- One pocket case of surgical instruments;
- One Higginson's enema syringe;
- One rubber stomach tube and funnel;
- Three catheters, sizes 1, 3 and 9, or 2, 4 and 8;
- Three clinical thermometers;
- One hypodermic syringe;
- A sufficiency of surgical dressings and Gouch's splinting;
- Two bed pans;
- A microscope of a type approved by the Health Officer if ordered by him;
- Such other instruments and appliances as may be specially ordered by the Health Officer with the approval of the Controller.

SUBORDINATE STAFF.

29. The number of resident dressers shall be not less than one for every 36 patients or less for whom there is accommodation and the number of attendants (male and female) shall be such as the Health Officer, subject to the approval of the Controller, may require. Cooks, dhobies and scavengers shall be employed in such numbers as the Health Officer considers necessary according to the number of patients in hospital. Resident dressers shall not be allowed to visit estates other than the estate on which the hospital is situated except in case of emergency.

MANAGEMENT.

30. The registered medical practitioner mentioned in section 176 of the Enactment or dresser in charge, as the case may be, shall live in the immediate vicinity of his hospital; he shall, subject to the supervision of the private medical practitioner mentioned in section 181, have the immediate care of all hospital patients and shall see that all treatment ordered is carried out. The hospital staff shall for the performance of their duties be under his direction and he shall report any neglect of duty on their part to the private medical practitioner, and to the resident manager of the estate.

31. The registered medical practitioner or the dresser in charge, as the case may be, shall see that his hospital is kept clean and in order and that any directions of the private medical practitioner or the Health Officer with regard to these points are carried out. Each ward shall be swept twice a day and the floor washed at least once a week. Latrines shall be cleaned daily and their contents buried or otherwise disposed of to the satisfaction of the Health Officer.

32. The registered medical practitioner or the dresser in charge, as the case may be, shall see that the supply of medicines is kept up and that poisons are kept under lock and key and that the instruments and general equipment of his hospital are kept in order; he shall keep the nominal registers and any other hospital books; he shall also indent for the hospital diets, according to the authorized scales, in sufficient numbers, as well as for any extra articles of diet that may be necessary and shall report to the private medical practitioner or to the resident manager any delay in the supply of such diets and extras.

33. An attendance register of the staff shall be kept in every hospital.

34. An in-patient register shall be kept. In-patient registers, temperature charts and treatment sheets shall be in the forms used in Government hospitals. Separate records shall be kept of out-patients treated, giving number of out-patients treated daily, date, name, disease, and whether the patient is at work or not.

35. Monthly and annual returns shall be furnished to the Health Officer in the form in schedule C, whether an estate has its own hospital or not. The return for each month shall reach the Health Officer not later than the 10th of the following month and the annual return not later than the 20th of January. Nil returns shall be sent whenever necessary.

36. There shall be kept in every hospital a visitors' book in which the Health Officer and the visiting medical practitioner shall, and any other inspecting officer may, record his visits and any remarks regarding the management of the hospital.

37. Every employer shall forthwith, after receipt of a notice in writing from the Health Officer notifying him that any of the above rules has not been or is not being complied with in any particular specified in such notice, take such steps as may be necessary to secure that the rule is thereafter complied with.

LATRINE ACCOMMODATION, ETC.

38. On every estate there shall be sufficient sanitary accommodation provided to the satisfaction of the Health Officer for all persons residing or employed thereon.

39. Pit, trench or other latrines as the Health Officer may direct shall be constructed on every estate for the use of all labourers employed on the estate.

40. No pit, trench or other latrine shall be constructed in any such position as shall, in the opinion of the Health Officer, cause it to be likely to become a nuisance or dangerous to the health of persons residing or employed in the vicinity.

41. A sufficient supply of disinfectants, dry earth or lime shall always be available for the purpose of keeping all latrines in a sanitary condition.

SCHEDULE A.

DIET SCALES.

DIET No. 1.

FULL MEAT DIET FOR CHINESE.

- 14 tahils rice;
 $\frac{1}{2}$ tahlil dholl;
 4 tahils fresh beef (free from bone) twice a week;
 4 „ pork (free from bone) twice a week;
 4 „ fish (free from head and tail) twice a week;
 4 „ dried salt fish (free from head and tail) once a week;
 6 „ fresh green vegetables;
 $\frac{1}{4}$ tahlil salt;
 $\frac{1}{4}$ „ coconut or kachang oil;
 $\frac{1}{8}$ „ curry stuffs;
 $\frac{1}{10}$ „ tea (Chinese);
 Fruit—2 bananas or $\frac{1}{4}$ papaya.

Three hen's eggs, three duck's eggs, four tahils of mutton or goat free from bone or eight tahils of chicken may be substituted in the daily ration issued in those hospitals where fresh beef, fresh pork, or fresh fish cannot be obtained.

DIET No. 2.

FULL MEAT DIET FOR TAMILS AND MALAYS.

- 14 tahils rice;
 3 eggs (twice a week);
 4 tahils fresh beef or mutton or goat (free from bone) twice a week;
 4 „ fish (free from head and tail) twice a week;
 4 „ dried salt fish (free from head and tail) once a week;
 6 „ fresh green vegetables;
 $\frac{1}{4}$ tahlil salt;
 $\frac{1}{4}$ „ coconut oil;
 $\frac{1}{2}$ „ dholl;
 1 coconut for eight patients;
 $\frac{2}{3}$ tahlil curry stuffs;
 $\frac{1}{2}$ „ coffee;
 Fruit—2 bananas or $\frac{1}{4}$ papaya.

Where fresh fish cannot be obtained dried salt fish may be substituted, also when and where fresh fish or goat cannot be obtained three hen's eggs or three duck's eggs may be substituted in daily rations.

DIET No. 3.

FULL FISH AND EGG DIET.

- 14 tahils rice;
 3 eggs (twice a week);
 4 tahils fresh fish (free from head and tail) thrice a week;
 4 „ salt fish (free from head and tail) twice a week;
 6 „ green vegetables;
 $\frac{1}{4}$ tahlil salt;
 $\frac{1}{4}$ „ coconut oil;
 $\frac{1}{2}$ „ dholl;
 $\frac{2}{3}$ „ curry stuffs;
 $\frac{1}{10}$ „ tea (Chinese) or half tahlil coffee;
 1 coconut for eight patients;
 Fruit—2 bananas or $\frac{1}{4}$ papaya.

DIET No. 4.

HALF DIET.

- 6 tahils rice;
 6 „ soup meat;
 2 eggs;
 3 tahils fresh green vegetables;
 2 „ sago;
 $\frac{1}{4}$ tahlil salt;
 $\frac{1}{2}$ „ sugar;
 $\frac{1}{10}$ „ tea (Chinese) or half tahlil coffee;
 Fruit—2 bananas or $\frac{1}{4}$ papaya.

DIET No. 5.

KANJEE DIET.

- 9 tahils rice;
 $\frac{1}{4}$ tahlil salt;
 Milk to be ordered as required.

DIET No. 6.

FULL DIET FOR SIKHS.

- 12 tahils wheat flour;
 6 „ fresh green vegetables;
 2 „ ghee;
 2 duck's eggs;
 1 tahlil sugar;
 $\frac{1}{4}$ „ salt;
 $\frac{2}{3}$ „ curry stuffs;
 $\frac{1}{10}$ „ tea (Ceylon);
 $\frac{1}{2}$ pint fresh milk.

NOTES.—(i) Except where otherwise specifically stated the quantities of all the articles mentioned in the diet scales set out above are the quantities which are to be issued daily for each patient.

(ii) The issue of $\frac{1}{10}$ tahl of tea in respect of each patient is intended to enable a full supply of weak tea to be always available in each ward for the use of the patients therein.

(iii) Where curry stuff is prescribed in these diet scales it shall consist of tamarind, garlic, chillies, onions, black pepper, turmeric, cumin seeds and coriander seeds and the constituent parts shall be proportioned that not less than 20 per cent. of the curry stuff shall be tamarind.

(iv) If tinned milk is substituted in any diet for fresh milk, the brand and dilution shall be such as are approved by the Health Officer.

SCHEDULE B. LIST OF MEDICINES.

Carbolic acid (pure) ...	1 lb.	Jeyes' or other purifier	10 gals.
Dilute sulphuric acid ...	1 „	Goa powder ...	8 ozs.
Nitrate of silver (lunar caustic) ...	1 oz.	Spirit of nitrous æther	1 lb.
Sulphate of copper (blue stone) ...	8 ozs.	Zinc sulphate ...	4 ozs.
Resin plaster ...	3 lbs.	Lead acetate ...	4 „
Lint ...	2 „	Wine of ipecacuanha ...	8 „
Blistering fluid ...	8 ozs.	Nitrate of potash ...	8 „
Sulphate of magnesia (Epsom salt) ...	2 lbs.	Common liniment ...	2 lbs.
Extract of opium ...	1 oz.	Prepared chalk ...	$\frac{1}{2}$ lb.
Castor oil ...	2 qts.	Sulphur ...	1 „
Oil of peppermint ...	1 oz.	Calomel ...	1 oz.
Compound jalap powder	1 lb.	Ipecacuanha powder ...	8 ozs.
Dover's powder ...	8 ozs.	Emetine ($\frac{1}{2}$ gr. ampules)	12
Iodide of potassium ...	8 „	Vaseline ...	10 lbs.
Iodoform ...	8 „	Boracic acid ...	1 lb.
Quinine ...	2 lbs.	Tannic „ ...	4 ozs.
Santonine ...	1 oz.	Ammon. carb. ...	2 lbs.
Tincture of asafoetida	8 ozs.	Hydrarg. perchlorid ...	2 ozs.
„ catechu ...	1 lb.	Liq. arsenicalis ...	8 „
„ iron (steel drop) ...	1 „	Chloroform ...	1 lb.
„ iodine ...	1 „	Liq. ammon. acetatis ...	2 lbs.
„ kino... ...	1 „	Phenacetin ...	1 oz.
„ opium ...	8 ozs.	Beta-naphthol ...	8 ozs.
„ ginger ...	8 „	Eucalyptus oil ...	8 „
		Liq. strychnine ...	$\frac{1}{2}$ oz.
		Æther, pure ...	8 ozs.

SCHEDULE C.

I.—RETURN OF SICK FOR THE YEAR19...
MONTH
ESTATE OR ESTATE HOSPITAL AT.....

Diseases.	Remained from previous month.	Admitted.	Total treated.	Discharged.	Transferred.	Absconded.	Died.	Remaining.	Remarks.
Dysentery ...									
Diarrhoea ...									
Ankylostomiasis ...									
Malaria ...									
Anæmia ...									
Beri-beri ...									
Phthisis ...									
Pneumonia ...									
Syphilis ...									
Gonorrhœa ...									
Ulcer ...									
Abscess ...									
Wound... ..									
Ophthalmia ...									
Other diseases {									
{									
{									
{									
Total ...									

II.—YEARLY MONTHLY SUMMARY OF ADMISSIONS, DEATHS, LABOUR FORCE AND DEPENDANTS OF EACH ESTATE SERVED BY THE ABOVE HOSPITAL.

Name of estate.	Race.	Admissions.		No. of deaths.				Total No. of each race on estate.	
		Working labourers.	Depen- dants.	In hospital.		Outside hospital.		Working labourers.	Depen- dants.
				Working labourers.	Depen- dants.	Working labourers.	Depen- dants.		
Adults.	Children.	Adults.	Children.	Adults.	Children.	Adults.	Children.		
	Malays ...								
	Indians ...								
	Chinese ...								
	Javanese ...								
	Japanese ...								
	Others ...								

NOTE.—1. All children under the age of twelve years, even if working, should be entered as dependants (children) and not as working labourers.

NOTE.—2. When the employment of labourers has been temporarily suspended a "Nil" return shall be furnished.

.....
*Registered Medical Practitioner or
 Dresser in Charge.*

.....
Resident Manager.

Date.....19....

Gazette Notification No. 3904 dated the 12th December, 1916, as modified by *Gazette* Notifications Nos. 3418 dated the 23rd November, 1917, and 5378 dated the 8th December, 1922, are hereby rescinded.

Establishment
 of a depôt at
 Port
 Swettenham.

THE Chief Secretary to Government hereby establishes, under section 9 of "The Labour Code, 1923," the following place as a depôt for the examination of immigrants and for the detention of indebted immigrants under the provisions of the aforesaid Enactment.

The buildings and compound at Port Swettenham hitherto used for the purpose and situated upon and consisting of section 15 of Port Swettenham town.

Notification No. 3141 dated the 6th December, 1912, is hereby rescinded.

Ports and
 places at
 which immi-
 grants may
 enter.

IN exercise of the powers vested in him by section 10 of "The Labour Code, 1923," the Chief Secretary to Government prescribes the following ports and places to be ports and places at which immigrants may land in or enter the Federated Malay States :

Ports.	Places.
Gula	Parit Buntar
Kuala Kurau	
Port Weld	
Sitiawan	
Telok Anson	
Port Swettenham	
Port Dickson	Gemas
Kuantan	

Notification No. 3142 dated the 6th December, 1912, is hereby rescinded.

In exercise of the powers conferred upon him by section 177 (ii) of "The Labour Code, 1923," the Controller of Labour, with the approval of the Chief Secretary to Government, hereby prescribes a rate of twenty-four cents *per diem* as the rate at which an employer may recover from a labourer who was employed under an agreement the expenses of his maintenance and treatment in an estate hospital for any period in excess of thirty days.

Sum recoverable from labourer in estate hospital.

Notification No. 3144 dated the 6th December, 1912, is hereby rescinded.

In exercise of the powers vested in him by section 178 (i) of "The Labour Code, 1923," the Controller of Labour, with the approval of the Chief Secretary to Government, hereby prescribes a rate of thirty cents *per diem* as the rate at which a resident manager shall pay the expenses of the maintenance and treatment of a labourer in a Government hospital, subject to the proviso that maternity cases of wives of labourers shall be treated free of charge.

Notification No. 2700 dated the 17th June, 1921, is hereby rescinded.

In exercise of the powers vested in him by section 6 of "The Labour Code, 1923," the Chief Secretary to Government hereby appoints:

- (a) all officers from time to time appointed to officiate or act as Protectors of Chinese to be Deputy Controllers of Labour, and
- (b) all officers from time to time appointed to officiate or act as Assistant Protectors of Chinese to be Assistant Controllers of Labour.

Notification No. 2701 dated the 17th June, 1921, is hereby rescinded.

SCALE OF RATIONS PRESCRIBED.

In exercise of the powers vested in him by section 186A of "The Labour Code, 1923," the Chief Secretary to Government prescribes the scale of rations contained in the schedule hereto for natives of the Madras Presidency of British India, and fixes the maximum deductions which may be made from the wages of a native of the Madras Presidency of British India in respect of each ration supplied to him at fifteen cents.

SCHEDULE.

DAILY RATION.

Rice	Eighteen tahils
Fresh vegetables ...	Six tahils
Fish	Four tahils
Or flesh	"
Or dhal	Two and a half tahils
Salt	Three-eighths of a tahlil
Curry-stuff	Three-fourths of a tahlil
Tamarind	" "
Coconut oil	Three-eighths of a tahlil

Hot congee, coffee or tea to be supplied every morning before work is begun.

The fish, flesh or dhal to be given either in regular alternation or in such alternation as the management, with the consent of the Medical Practitioner, shall direct, provided that dhal shall not be given more than two days in succession, and that if desired eggs may occasionally be substituted; two eggs to be reckoned as the equivalent of the ration of fish, flesh or dhal.

The scale will be the same whether cooked or uncooked rations are required by the Controller of Labour.

Notification No. 1859 dated the 9th July, 1915, is hereby rescinded.



KUALA LUMPUR:

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

RULES made by the Indian Immigration Committee under section 135 (ii) (a) of "The Labour Code, 1923."

1. Free or assisted tickets for *bonâ fide* labourers and their families may be issued on behalf of the Indian Immigration Committee in Negapatam by the Assistant Emigration Commissioner and in Madras by the Emigration Commissioner

(a) to all holders of kangani licences issued on the authority of the Government of the Straits Settlements, Federated Malay States and Unfederated Malay States;

(b) to all labourers and their families who have not been recruited by any kangani, but present themselves at the Government Depôts at Negapatam and Madras and promise to work in the Straits Settlements, Federated Malay States, Johore, Kedah, Perlis or Kelantan.

2. Kangani licences authorising a kangani to recruit labour for a particular estate may be obtained only from the Deputy Controller of Labour, Penang.

3. Every kangani licence shall show the amount of commission payable for each labourer recruited and the wages payable to labourers to be recruited and shall stipulate that nothing shall be recovered from any labourer for expenses incurred on his behalf or advance made to him previous to his arrival at the place of employment.

4. (i) The Controller or Deputy Controller of Labour may refuse to issue kangani licences and may cancel licences previously issued for an employer—

(a) who has been convicted of an offence against the provisions of "The Labour Code, 1923";

(b) whose assessment under Chapter XII of the Labour Code for any quarter has not been paid at the expiration of six months from the date of receipt of the assessment notice;

(c) who has failed to observe the conditions set forth on kangani licences previously issued to him;

(d) who has employed or is employing labourers at rates lower than any standard rates notified under section 141, and in contravention of such notification.

(ii) The Controller or Deputy Controller may in addition cancel or suspend any such licences for any reason that he thinks fit, provided that such cancellation or suspension is reported by him to the Indian Immigration Committee at their next meeting.

(iii) An employer who is dissatisfied with the decision of the Controller or Deputy Controller under clause (i) and clause (ii) hereof may appeal to and appear personally before the Indian Immigration Committee, whose decision in the matter shall be final.

5. The Controller or Deputy Controller of Labour may refuse to issue a kangani licence to a kangani whom he considers to be unsuitable and may cancel the licence of any kangani on reasonable proof of misconduct.

6. No kangani licence will be granted to any applicant who appears to be under the age of 21 years.

The rules published as Notification No. 2168 in the *Gazette* dated the 20th May, 1921, are hereby rescinded.



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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

RULES made under section 134 (v) of the Labour Code:

1. In cases where a labourer works on daily wages, the work actually performed in respect of which he is credited in the register with one day's full wages shall constitute a day's work.

2. In cases where payment is made for overtime or for work on contract or piece-work let to a contractor or sub-contractor the assessment shall be calculated on the actual number of day's work done but where it is not practicable to ascertain the actual number of working days a day's work shall be the amount of work (other than cultivation of foodstuffs in pursuance of an order of the Director of Food Production) performed for a total payment of 50 cents.

3. In cases where a labourer is under an agreement, written or verbal, to pay a percentage to an employer on the value of the commodities produced or won by him on a place of employment, or to sell all such commodities to an employer, each calendar month for which he works shall be reckoned at 25 days' work; and if such a labourer works for less than a calendar month, the work performed on every day on which he is so employed shall be reckoned as five-sixths of a day's work.

The rules published as Notification No. 3325 dated the 20th December, 1912, as modified by Notifications Nos. 2561 dated the 4th July, 1919, and 1243 dated the 26th March, 1920, are hereby rescinded.

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1924.

FEDERATED MALAY STATES.

"THE LABOUR CODE, 1928."

Enacted under section 14 (1) of the Labour Code:

1. In cases where a labourer works on daily wages, the work actually performed in respect of which he is engaged in the day shall be reckoned as a day's work.

2. In cases where payment is made for overtime in the form of a bonus or piece-work, the actual number of days' work done but where it is not possible to ascertain the actual number of working days a day's work shall be the amount of work done in the day in which the labourer is engaged in the day's work.

3. In cases where a labourer is engaged in the day's work, he shall be paid a bonus or piece-work in the form of a bonus or piece-work, each day's work shall be reckoned as a day's work, and if such a labourer is engaged in the day's work, he shall be paid a bonus or piece-work in the form of a bonus or piece-work, each day's work shall be reckoned as a day's work.

The rules published in the Federal Malay States Government Gazette, 1928, as amended by the Federal Malay States Government, 1929, and 1930, are hereby included.

FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

ABSTRACT OF CHINESE LABOUR LAW.

THE following is published in accordance with the provisions of section 99 (i) of "The Labour Code, 1923," and replaces the Abstract of Chinese Labour Law published in *Gazette Notification No. 1405* dated 23rd May, 1913:

1. A Kung-Pai must be hung up at each place of employment and must be written up at least every two days. Sections 148 and 94.
2. A Lat-Tsai written up to date must be hung up by the employer at every mine at the end of each month. Section 149.
3. It is permissible for a mining notice to be hung up by an employer at a mine, stating the conditions upon which labourers are engaged, and all labourers engaged while the notice is hung up will be engaged on the conditions stated in the notice. Every such notice must be approved by a Labour Officer and a copy, signed by the employer, must be delivered to the Labour Officer. If this is not done the mining notice is not binding. Section 144.
- Any employer committing a breach of these provisions is liable to a fine not exceeding \$500.
4. All wages due under a mining notice must be paid on the date arranged but this date must not be more than six months after the engagement of the labourer concerned. Section 145.
5. If the employer does not provide the money and necessaries stipulated in the mining notice, the labourers may immediately demand payment of wages. Section 145.
6. Except in the case of mines on which the employer has exhibited a mining notice, wages for work done in any month must be paid not later than the 7th of the following month. Section 59.
7. On the eighth day after the beginning of each month a labourer may demand his wages for the previous month and if they are not then paid he may stop work. Section 58.
8. All wages must be paid in cash and labourers can purchase food, clothing and other articles wherever they please. It is not lawful to compel labourers to buy from any particular person. Section 114.
9. It is unlawful for an employer to make any deduction by way of discount, interest or any similar charge, on account of any advance of wages made to any labourer. Section 115.
10. Except in the case of the neglect of a headman to report the sickness of coolies working under him, and of the failure of a labourer to comply with duly authorised sanitary regulations, no employer shall make any deduction from any labourer's wages by way of fine or on account of bad or negligent work or injury to materials or other property of the employer. Section 185.
Section 193.
Section 115.
11. The advancer is liable for payment of wages equally with the employer, unless due notice is given beforehand that the advancer will not be responsible after a certain date, on which he will hand over the wages to the employer. Section 97.
12. If labourers believe that their employer is about to abscond to evade payment of wages they should complain to a Labour Officer or to a Magistrate, so that the employer may be called upon to give security. Section 97.

- Sections 57 and 59. 13. A labourer may leave his employment after giving due notice which is usually equal to the period of the engagement to be terminated but in no case more than one month. Otherwise he must pay to his employer a sum equal to the amount of wages which would have accrued to him during the term of the notice. A labourer who has undertaken to do any specified piece of work may, however, leave when that work is done.
- Section 63. 14. No labourer can be compelled to repay advances made to him outside the Federated Malay States or the expenses of bringing him from China or elsewhere to the Federated Malay States.
- Section 65. 15. No labourer can be made liable for the debt or default of any other labourer.
- Section 67. 16. A labourer need only work for six days in the week for nine hours a day and for not more than six consecutive hours. For special and important work he may be told to work longer but for all such overtime he shall receive extra payment.
- Section 68. 17. Any labourer may be employed on task work, a day's task to be equivalent to nine hours' work, but no labourer can be compelled to work more than nine hours in one day at a task. If the task set is too heavy it may be revised by a Labour Officer.
- Section 86. 18. Any labourer may lay a complaint before a Labour Officer, and if a labourer informs his employer that he desires to do so the employer must write and inform a Labour Officer.
- Section 85 (i). 19. A Labour Officer may settle disputes in which labourers are concerned and may summon witnesses. All persons are obliged to answer correctly questions put to them by a Labour Officer.
- Sections 157, 177 (ii) and 179. 20. If a labourer falls sick his employer must send him to hospital and maintain him there free of charge for thirty days.
- Sections 157 (ii) and 179 (iii). 21. Employers who do not send their sick labourers to hospital are liable to a heavy fine.
- Section 185. 22. Headmen and mandors must report to their employer when any labourer is absent from work through sickness. If they do not do so they are liable to fine.
- Section 193. 23. Labourers must obey all local sanitary regulations and if ordered to go to hospital for treatment they must obey.
- Section 204 (i). 24. No labourer may be separated against his will from his wife or children under the age of 15 years.
- Section 205. 25. Any person who molests a labourer in his work may be fined or sent to prison.
- Section 99 (ii). 26. Every employer who employs not less than fifty Chinese labourers shall affix and exhibit continuously in a conspicuous place in all lines a Chinese translation of this abstract.
27. The above is a short summary of the Labour Law as it concerns Chinese labourers. The full English text of the Labour Laws is much longer and copies of it can be bought at the Government Printing Department.

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

DUTIES OF THE INDIAN IMMIGRATION COMMITTEE.

IN exercise of the powers conferred upon him by section 123 of "The Labour Code, 1923," His Excellency the High Commissioner hereby defines the duties of the Indian Immigration Committee as follows:

1. To administer the Indian Immigration Fund.
2. To carry out the duties assigned to the Indian Immigration Committee by "The Labour Code, 1923."
3. To advise the Government of the Federated Malay States generally on the subject of Indian labour.

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FEDERATED MALAY STATES

THE LABOUR CODE 1925

CHAPTER OF THE LABOUR INSPECTION COMMISSION

1. The Commission of the Labour Inspection Commission was established by the Labour Inspection Commission Act, 1925, and its functions are defined in the Labour Inspection Commission Act, 1925.

2. The Commission of the Labour Inspection Commission was established by the Labour Inspection Commission Act, 1925, and its functions are defined in the Labour Inspection Commission Act, 1925.

3. The Commission of the Labour Inspection Commission was established by the Labour Inspection Commission Act, 1925, and its functions are defined in the Labour Inspection Commission Act, 1925.

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

AMENDMENT OF RULE MADE UNDER SECTION 135 (ii) (a).

THE rules published as Notification No. 398 of the *Federated Malay States Government Gazette* of 25th January, 1924. have been amended by the Indian Immigration Committee under section 135 (ii) (a) of "The Labour Code, 1923," by altering rule 4 (ii) to read as follows :

"4. (ii) The Controller or Deputy Controller of Labour may in addition refuse to issue licences and cancel or suspend any licence already issued for any reason that he thinks fit, provided that any such refusal or cancellation or suspension is reported by him to the Indian Immigration Committee at their next meeting."

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Price 5 cents.

Printed at the Government Press, Singapore.
No. 10,000, 1921, No. 10,000, 1921, No. 10,000, 1921.

PROBATIONARY ACTS

THE PROBATION ACT, 1921

AN ACT TO PROVIDE FOR THE PROVISION OF PROBATIONARY SERVICES IN THE STRAITS SETTLEMENTS AND THE FEDERATED STATES OF MALAYA.

Enacted by the Legislative Council of the Straits Settlements and the Federated States of Malaya, in the first year of the reign of His Majesty King George V.

1921.



Printed at the Government Press, Singapore.
No. 10,000, 1921, No. 10,000, 1921, No. 10,000, 1921.

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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

IN exercise of the powers vested in him by section 178 (i) of "The Labour Code, 1923," the Controller of Labour, with the approval of the Chief Secretary to Government, hereby amends Notification No. 304 published in the *Gazette* of the 11th January, 1924, by inserting the words "or of any dependent of a labourer" after the word "labourer" occurring in line 6 of the Notification.

1925.

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Price 5 cents.



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FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

IN exercise of the powers vested in him by section 228 of "The Labour Code, 1923," the Chief Secretary to Government hereby varies the rules made by him under the said Code and published as Notification No. 300 in the *Gazette* of January 11, 1924

- (i) by deleting the words "and annual" in line 1 of rule 35 and also the words "and the annual return not later than the 20th of January" in line 5 thereof;
- (ii) by rescinding schedule C and substituting therefor the following schedule:

"SCHEDULE C."

I.—VITAL STATISTICS OF LINES.....ON.....ESTATE FOR THE MONTH OF.....

Race.	Population.					Births.		Sickness.				
	Dependants.					In hospital.	In lines.	Labourers.				
								Hospital ad-missions.	Treated in lines.	Total treated.	Total number of sick days.	
	Labourers.	Adults.	Children.	Total.								
	1	2	3	4	5	6	7	8	9	10	11	12
	M.	F.	M.	F.								
Indians ...												
Chinese ...												
Javanese ...												
Malays ...												
Others ...												
Grand Total ...												

Race.	Sickness.				Deaths.								Infants under 1 year of age.
	Dependants.				In hospital.			Outside hospital.					
					Labourers.	Dependants.	Total.	Labourers.	Dependants.	Total.	Grand total.		
	Hospital ad-missions.	Treated in lines.	Total treated.	Total number of sick days.									
	13	14	15	16	17	18	19	20	21	22	23	24	
Indians ...													
Chinese ...													
Javanese ...													
Malays ...													
Others ...													
Grand Total ...													

NOTES.—A "sick day" means a day in which a labourer is absent from work owing to sickness.

In columns 10 and 14—"Treated in lines"—the number of persons so treated in the month should be given and not the total of daily treatments.

II.—RETURN OF SICK ADMITTED TO HOSPITAL.

Diseases.	Remained from previous month.	Admitted.	Total treated.	Discharged.	Transferred.	Absconded.	Died.	Remaining.	Remarks.
Benign tertian malarial fever ..									
Sub-tertian malarial fever ..									
Quartan malarial fever ..									
Fever of unknown origin ..									
Dysentery—									
(a) amœbic									
(b) bacillary									
Diarrhœa									
Ankylostomiasis									
Pneumonia									
Phthisis									
Syphilis									
Gonorrhœa									
Ophthalmia									
Beri-beri									
Accidents									
Injury									
Ulcer									
Abscess									
Other diseases (nature to be specified)									



III.—RETURN OF SICK TREATED OUTSIDE HOSPITAL—EITHER IN THE LINES OR AS OUT-PATIENTS.

Diseases.	Remained from previous month.	New cases during month.	Total treated.	No. relieved or cured.	Transferred to hospital.	Died outside hospital.	Discharged from estate.	Remaining.	Remarks.
Benign tertian malarial fever ...									
Sub-tertian malarial fever ...									
Quartan malarial fever ..									
Fever of unknown origin ...									
Dysentery									
Diarrhœa									
Ankylostomiasis									
Pneumonia									
Phthisis									
Syphilis									
Gonorrhœa									
Ophthalmia									
Beri-beri									
Injury									
Ulcer									
Abscess									
Other diseases (nature to be specified)									

NOTE.—All children under the age of 12 years, even if working should be entered as dependants (children) and not as working labourers.

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Price 5 cents.

FEDERATED MALAY STATES.

"THE LABOUR CODE, 1923."

IN exercise of the powers conferred on it by section 141 (i) of "The Labour Code, 1923," the Indian Immigration Committee, with the approval of the Chief Secretary to Government, hereby prescribes the under-mentioned standard rates of wages as payable to all able-bodied Indian male and female labourers within the Klang, Kuala Selangor and Kuala Langat districts of the State of Selangor performing all or any of the kinds of labour specified in section 122 of "The Labour Code, 1923," viz.:

Payable to a male labourer above the age
of sixteen 40 cents per diem

Payable to a female labourer above the age
of fifteen 30 " "

for a day's work or equivalent task as provided by section 68 of the said Code.

The above notification shall come into force on the 1st January, 1926.

Notification No. 3230, published in the *Federated Malay States Gazette* of the 16th May, 1924, is hereby cancelled. [G. 1458/25.]

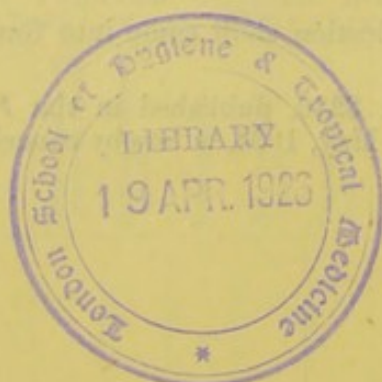
1925.

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Price 5 cents.



FEDERATED MALAY STATES.

ENACTMENT No. 19 OF 1925.

An Enactment to amend "The Labour Code, 1923."

L. N. GUILLEMARD,

[3rd February, 1926.]

President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

1. This Bill may be cited as "The Labour Code, 1923, Amendment Enactment, 1925," and shall come into force upon the publication thereof in the *Gazette*. Short title and commencement.

2. Section 54 of "The Labour Code, 1923," hereinafter called the principal Enactment, is amended by the addition at the end thereof of a new sub-section as follows: Amendment of section 54.

"(vi) Nothing contained in this section shall apply to Exceptions.

(a) the first engagement after his arrival from India of an immigrant who has received a free passage from India, such immigrant not having entered into a promise in India to labour on any particular place of employment, provided that the employer shall in such case within seven days after the arrival of such immigrant upon the place of employment present or forward to the Controller the certificate issued to such immigrant by the Emigration Commissioner or Assistant Emigration Commissioner in India and shall be liable in case of failure so to do to the punishment prescribed by sub-section (iii) hereof;

(b) The engagement of a dependant of a labourer resident on the same place of employment as such labourer by the employer of such labourer, provided that such labourer has himself at the date of such engagement been employed on such place of employment for not less than one month."

3. Section 56 of the principal Enactment is amended by the addition at the end thereof of two new sub-sections as follows: Amendment of section 56.

"(iii) In the case of a labourer employed on agreement for a period of one month and paid according to the number of days work performed in such month an employer shall be bound to provide work suitable to his capacity for twenty-four days in every calendar month, with the exception of authorised holidays and if he is unable or fails to provide such work on such number of days in each calendar month (except as aforesaid) whereon the labourer presents himself for work and is fit to work the employer shall nevertheless be bound to pay to the labourer in respect of each of such days wages at the same rate as if such labourer had performed a day's work, provided that any dispute between a labourer and his employer as to whether such labourer was fit to work may be referred to the Controller whose decision shall be final.

- (iv) An agreement shall be deemed to be broken
 (a) by the labourer if he is continuously absent from work for more than one day, exclusive of any day on which the employer is not bound under sub-section (iii) to provide work, without leave from the employer or without reasonable excuse;
 (b) by the employer if he fails to provide work or pay wages as provided in sub-section (iii)."

Repeal of
section 61.

Amendment of
section 65.

Amendment of
section 78.

Amendment of
section 98.

4. Section 61 of the principal Enactment is repealed.
5. Section 65 of the principal Enactment is amended by deleting all words after the word "person" in line 3 thereof.
6. Sub-section (i) of section 78 of the principal Enactment is amended by adding at the end thereof the words "and shall initial all entries made therein by inspecting officers, and be responsible that such book is not destroyed, mutilated or lost".
7. Section 98 of the principal Enactment is amended
 (a) by inserting immediately after sub-section (i) a new sub-section as follows:
 "(i) (A) In any case where not less than twenty Chinese labourers make a complaint against an employer under this section if there are employed on the same place of employment any non-Chinese labourers who wish to join the said Chinese labourers in their complaint it shall be lawful for them to do so and the Controller may hear and determine their complaint in all respects as if they were Chinese."
- (b) by inserting immediately after sub-section (ii) a new sub-section as follows:
 "(ii) (A) 1. Whenever the Controller shall have made an order under sub-section (i) against any employer for the payment of wages to any labourer and after enquiry finds that there exists between such employer and some other person a contract within the meaning of the Contract Enactment 1899 in the course of the execution of which contract the labourer performed the work in respect of which the order has been made the Controller may summon such other person and may make an order prohibiting him from paying to the employer and requiring him to pay to the labourers any money (not exceeding the amount found due to such labourers) admitted by him to be owing to the employer in respect of such contract.
2. Any person so summoned shall be legally bound to attend at the time and place mentioned in the summons and to answer truthfully all questions which the Controller may put to him.

3. The payment of any money in pursuance of an order under the preceding paragraph shall be a discharge and payment up to the amount so paid of money due to the employer under the contract.

4. Any order made under paragraph 1 of this sub-section may be enforced in the manner provided by sub-section (ii) (e)"

(c) by adding at the end of sub-section (iii) the following words:

"and 'labourer' further includes a sub-contractor for labour."

8. Section 102 of the principal Enactment is amended

Amendment of section 102.

(a) by deleting sub-section (iii) and substituting the following:

"(iii) 'Labourer' includes all persons who are included within the scope of that expression for the purposes of Part VII and also includes a clerk and a domestic servant."

(b) by adding a new sub-section as follows:

"(vii) 'Employer' includes a person against whom an order has been made under section 98 (ii) (A)."

9. Section 103 of the principal Enactment is repealed and the following is substituted therefor:

Substituted section 103.

"103. Whenever an attachment has been issued against the property of an employer in execution of a decree against him and any mine, agricultural estate or other place of employment or any produce thereof or any moveable property thereon or any money due to such employer on account of work performed by labourers employed by him or derived from the sale of the proceeds of such work has been seized or sold or otherwise realised in pursuance of such execution the proceeds of such sale or other realisation shall not be paid to any execution creditor unless and until the Court ordering the sale or other realisation shall have ascertained and provided for the amount due at the date of the sale or other realisation for wages due to all labourers employed by such employer on such mine, agricultural estate or other place of employment or in the performance of such work."

Protection of labourers' interest in execution proceeding.

10. Sub-section (ii) of section 118 of the principal Enactment is amended by deleting the words "be held to apply to" in line 1 and substituting therefor the words "prevent the employer from establishing".

Amendment of section 118 (ii).

11. Immediately after section 120 of the principal Enactment there is inserted a new section as follows:

New section 120A.

"120A. Notwithstanding anything in this Enactment contained it shall be lawful for the employer with the consent of the labourer to deduct from the wages of the labourer and to pay to the President of any registered Co-operative Society any sums due by such labourer to such society on account of subscriptions, entrance fees, instalments of loans, interest and other dues."

Deduction of money due to Co-operative Society.

Amendment of
section 129.

12. Section 129 of the principal Enactment is amended by deleting paragraph (a) and substituting therefor the following new paragraph:

(a) A rate to be paid by every employer in respect of every Indian labourer employed or working on the place of employment during the quarter; or different rates for male and female labourers the assessment at such different rates to be calculated separately for male and female labourers; or a reduced rate to be paid where the percentage of male to female labourers employed upon any place of employment does not exceed a percentage to be prescribed by the Indian Immigration Committee with the approval of the Chief Secretary.

New sub-
section 137 (ii).

13. Section 137 of the principal Enactment is amended by inserting immediately after the figure "137" the figure "(i)", and by adding a new sub-section as follows:

"(ii) A certificate under the hand of the Controller stating that the returns required by sub-section (i) have not been sent in or are incorrect or incomplete shall be prima facie evidence of the truth of the facts stated in such certificate."

Amendment of
section 167.

14. Section 167 of the principal Enactment is amended by inserting immediately after the words "alter" "alterations" and "alteration" in lines 8, 11, and 16 thereof the words "repair" "or repairs" and "repair" respectively.

Amendment of
section 189.

15. Section 189 of the principal Enactment is amended by inserting the words "or curry-stuffs" immediately after the word "rice" wherever occurring therein.

Amendment of
section 197.

16. Section 197 of the principal Enactment is amended by inserting immediately after the figure "175" in line 2 thereof the figures "176 (ii), 176 (iii)".

Amendment of
section 198.

17. Paragraph (e) of section 198 of the principal Enactment is amended by deleting the figure "231" in line 1 thereof and substituting the figure "228".

Amendment of
section 212.

18. Section 212 of the principal Enactment is amended by deleting the figure "(i)" at the end thereof.

Passed this 15th day of December, 1925.

W. E. PEPYS,
Clerk of Council.

1926.

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24-2-1926.

Price 5 cents.



FEDERATED MALAY STATES.

ENACTMENT No. 19 OF 1923.

An Enactment to provide for the improvement and development of towns and other areas.

L. N. GUILLEMARD, [20th September, 1923.]
President of the Federal Council.

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

CHAPTER I.

PRELIMINARY.

1. (i) This Enactment may be cited as "The Town Planning Enactment, 1923," and shall come into force upon the publication thereof in the *Gazette*. Short title, commencement and repeal.

(ii) Upon the coming into force of this Enactment "The Town Improvement Enactment, 1917," shall be repealed. Provided that except as may be herein specially enacted to the contrary nothing shall affect the past operation of that Enactment or of any order made thereunder or the validity or invalidity of anything done or suffered or of any right, title or interest created under that Enactment before the commencement hereof and provided also that any improvement scheme gazetted under that Enactment shall be deemed to be in force until varied under this Enactment.

2. In this Enactment unless the context otherwise requires— Interpretation.

"Advocate" means Advocate and Solicitor of the Supreme Court.

"Arbitrator" means the person appointed under Chapter IV of this Enactment.

"Building" includes any house, factory, workshop, warehouse, godown, hut, shed, or other roofed enclosure whether used for the purpose of human habitation or otherwise, and also any wall, fence, platform, staging, gate, post, pillar, paling, frame, hoarding, slip, dock, wharf, pier, jetty, landing-stage or bridge or any structure connected with the foregoing.

"Building line" means any line between which and the alignment of any road or reserve a building, other than any erection in the nature of a boundary wall, fence and the like, shall not be erected, altered, or added to except in manner provided by this Enactment.

"President" and "Deputy President" mean the persons respectively for the time being carrying out the duties of President or Deputy President of a Committee.

"Chief Secretary" means the Chief Secretary to Government, Federated Malay States.

"Committee" means a Town Planning Committee appointed under this Enactment.

"Construction" or "Reconstruction" as applied to any road includes provision for grading, levelling, draining, paving, kerbing, metalling, surfacing, channelling, planting, lighting and otherwise making or completing such road.

"Court" means the Court of a Judicial Commissioner.

"Erect" as applied to any building includes re-erection or external structural alteration thereof.

"Government Town Planner" means the Government Town Planner appointed under this Enactment.

"House" includes—

- (a) any temporary or permanent detached or semi-detached dwelling-house, bungalow, and the like;
- (b) any "terrace dwelling-house" being one or more houses built or intended to be built continuously in a row or terrace and used or intended to be used solely for residential purposes;
- (c) any "shop-house" being a detached or semi-detached dwelling or a terrace house used, or intended to be used wholly or in part, for any commercial, or industrial purpose;
- (d) any other building whether temporary or permanent used or intended to be used for human habitation.

"Land" means all land within a Town Planning area whether alienated or not, and includes all State land and all lands reserved for public purposes or residential reserves.

"Lay-out" as applied to land includes—

- (a) the planning or development or the replanning and redistribution of any land under the provisions of this Enactment;
- (b) the survey, demarcation, partition, division, subdivision or resubdivision of any land into parts for use for any specified private or for any public purpose;
- (c) the plotting out of land for lots or other use whether such land is intended to be used for building or any public purpose;
- (d) the opening, closing, construction, diversion or improvement of any road.

"Lot" includes allotment, plan, portion or parcel.

"Main Road" means any road within or without a Town Planning area, which in the opinion of the Committee is necessary for securing adequate means of inter-communication between different localities, or the improvement or development thereof.

"Notify" "Notification" and similar expressions refer to notification by publication in the *Gazette*.

"Plan" includes lay-out and any map, diagram, drawing, section or detail.

"Public authority" means any department or officer of Government or any person who under any Enactment carries out any powers or duties for the benefit of the State or public.

"Public Road" includes any road surrendered as a public road by any person subject to the provisions of any General Town Plan or other plan approved under the provisions of this Enactment.

"Reserve" includes any land reserved for public recreation, health, sanitation, amenity or other public purpose.

"Responsible authority" means the Committee or the authority or authorities responsible for carrying out or enforcing the observance of any General Town Plan or other plan and particulars, including the execution of any works thereunder which are to be constructed by the Committee or any person or public authority.

"Road" includes—

- (a) any main road, street, square, right of way, lane, highway or thoroughfare including a bridge or causeway ;
- (b) any secondary road, being a road for general or local traffic ;
- (c) any residential road being a road primarily for access to houses, or for residential purposes generally ;
- (d) any pathway being a road used exclusively for foot passengers and such classes of vehicles as the responsible authority may determine ;
- (e) any public or private road or road reserve.

Provided that any definition in "The Sanitary Boards Enactment, 1916," "The Land Enactment, 1911," "The Valuation of Land Enactment, 1922," or "The Registration of Titles Enactment, 1911," shall be incorporated and read as part of this section except in so far as such definition is inconsistent with the provisions of this Enactment.

CHAPTER II.

TOWN PLANNING COMMITTEE.

3. (i) The Resident may from time to time with the approval of the Chief Secretary by notification declare any area within the State to be a Town Planning area for the purposes of this Enactment. Declaration of
Town Planning
areas.

(ii) The boundaries of any Town Planning area may be declared to be coincident with any town limits or with the limits of any Sanitary Board area or may be separately defined.

4. (i) The Resident may from time to time by notification appoint a Town Planning Committee to give effect to the purposes of this Enactment within the area mentioned in such appointment. Appointment of
Town Planning
Committees.

(ii) Every Town Planning Committee shall consist of a President, a Deputy President, and four members, of whom two shall be nominated by the Sanitary Board of the area affected and two by the Resident.

Provided that—

- (a) in any Town Planning area which includes the whole or part of a Sanitary Board area the Chairman of such Sanitary Board shall be ex-officio President of the Town Planning Committee ;
- (b) the Government Town Planner shall be ex-officio a member of all Town Planning Committees.

(iii) Every such appointment shall cease and determine at the expiration of the year in respect of which the same is made.

Variation or
revocation of
declaration.

5. Any declaration or appointment made under the provisions of the two immediately preceding sections may in like manner be added to, varied or revoked.

Temporary
association of
other persons
with
the Committee.

6. (i) A Committee may co-opt, in such manner and for such period as may be prescribed, any person or persons whose assistance or advice it may desire in carrying out any of the provisions of this Enactment.

(ii) Any person so co-opted may take part in the discussions of the Committee, but shall not vote or otherwise exercise the right of a member.

Additional
members for
special
purposes.

7. (i) In the consideration of a General Town Plan or other plan affecting any lands under the control of any Railway, Harbour or public authority not represented on the Committee, the Resident may, by notification, appoint any officer or representative as an additional member to the Committee for the purpose of the consideration of any proposals under the said General Town Plan or other plan affecting such Railway, Harbour or public authority.

(ii) Every person so appointed shall for such purpose be an additional member and have the same powers and duties as other members and hold office for such term as the Resident may decide.

(iii) Any appointment made under this section may at any time in like manner be revoked.

Members and
others not to
take part in
proceedings in
which they are
personally
interested.

8. If any member or any person associated with a Committee under section 6 has, directly or indirectly, any interest in any land situated in an area comprised in any General Town Plan or other plan prepared under this Enactment, or in any area in which it is proposed to acquire land for any of the purposes of this Enactment,

(a) he shall, before taking part in any proceeding at a meeting of the Committee relating to such area, inform the person presiding at such meeting of the nature and extent of such interest;

(b) he shall not vote at or take any other part in any proceedings at a meeting of the Committee relating directly or indirectly to the land in which he has an interest.

Public servants.

9. All members and servants of a Committee shall be deemed to be public servants within the meaning of the Penal Code.

Duties of
Committee.

10. The duties of a Committee shall include—

- (a) the modification and adoption of any General Town Plan, as hereinafter provided;
- (b) the adoption and approval of plans and particulars under Chapter V subject to the provisions of the said Chapter;
- (c) carrying out and enforcing the observance of any General Town Plan, or other plans and particulars approved under this Enactment: Provided that no other responsible authority has been appointed, under the provisions of the said General Town Plan or other plans and particulars, for such purpose;

(d) advising the Resident in respect of—

- (i) the use, reservation, alienation or other dealing with all State or reserved land comprised within the Town Planning area;
- (ii) the reservation or acquisition of all land for the purposes of this Enactment;
- (iii) town improvements or other proposed works or alterations to land and buildings within the Town Planning area.

11. (i) A Committee may also

- (a) inquire into and report to the Resident upon any question relating to town planning or housing, or other matter referred to such Committee;
- (b) call and examine witnesses;
- (c) exercise such other powers and duties as are conferred or imposed by this Enactment.

Powers of
Committee.

(ii) All evidence given before a Committee on any such inquiry may be on oath or affirmation, and the President or Deputy President of the Committee may administer all oaths and affirmations which may be necessary for the purpose.

12. The Chief Secretary may appoint an officer qualified in Town Planning, to be called the Government Town Planner, who shall perform such duties as may be prescribed, and such other officers as may be necessary for the purposes of this Enactment.

Government
Town Planner.

CHAPTER III.

PREPARATION AND APPROVAL OF GENERAL TOWN PLAN.

13. The Government Town Planner, acting with the consent of the Committee, shall prepare a General Town Plan (referred to in this Chapter as the draft Plan) of the area or part thereof in respect of which the Committee is empowered to carry out the provisions of this Enactment.

Preparation of
General Town
Plan.

14. The general objects of the draft Plan shall be the better ordering and the improvement and development of the area subject to the Committee's control, and in particular

Scope of
draft Plan.

- (a) the improvement or extension of communication and facilities for traffic;
- (b) the improvement or extension of any existing lay-out of land or the provision of a lay-out for undeveloped districts;
- (c) the regulation of building and development;
- (d) the improvement and extension of housing accommodation; and generally
- (e) the securing of public safety, sanitary conditions, health, convenience or amenity.

15. (i) The draft Plan may also provide for—

- (a) zones or districts to be set apart for use for residential, commercial, industrial, agricultural or other specified purposes;

Objects of
draft Plan.

- (b) roads or building lines, including the opening, closing, widening, diversion or other alteration of roads or any reserves in connection therewith;
- (c) the acquisition, sale, exchange, surrender or leasing of any lands for the purposes of this Enactment;
- (d) opening, closing, altering, widening, raising, lowering, improving, cleansing, or beautifying lakes, ponds, rivers, streams, drains, or other tidal or non-tidal water-courses, or reserves on or adjoining the same;
- (e) the excavation or the reclamation and improvement of any land, including foreshores, above or below high water mark or any reserves on or adjoining the same;
- (f) setting apart land for—
 - (1) public, municipal or private buildings, water supply, lighting, drainage, disposal of sewage, or of surface waters;
 - (2) railways, tramways, or for use by motor or other vehicles or by any railway, tramway, harbour or other public authority or persons;
 - (3) different kinds of agriculture or horticulture, or for dairies, dhoby grounds, coolie lines, market gardens, squatters, cattle, or other specified uses, or
 - (4) any public purpose not specified above;
- (g) any matters contained in the schedule.

Regulations.

(ii) The draft Plan may have attached thereto or endorsed thereon regulations for securing or executing any provisions thereunder, or regulating the use, conservation, development or improvement of land therein comprised. Such regulations may prescribe or otherwise provide for—

- (a) the boundaries of any zone or district, and the prohibition or regulation therein of any building, including buildings with inadequate sanitary or hygienic arrangements, or the erection, maintenance or use of any buildings, skysigns, or other structures used or proposed to be used for advertising purposes which are injurious to the amenity of such zone or district,
- (b) the commencement, continuance, or extension of specified trades, callings, industries, manufactures, or occupations within such zone or district;
- (c) the responsible authority—
 - (1) for carrying out or enforcing the observance of the draft Plan or any specified part or provisions thereof;
 - (2) for enforcing the execution of any works which under the draft Plan are to be executed by any public authority, owner or other person;
- (d) subject to the approval of the Resident with the consent of the Chief Secretary the suspension or modification, so far as is necessary for the proper carrying out or enforcing the observance of any approved Plan or part thereof, of any by-law passed under "The Sanitary Boards Enactment, 1916," or any other rule under any Enactment;

- (e) any requirements in respect to any matter contained in the schedule ;
- (f) other matters explanatory of the draft Plan, or necessary for the carrying out or enforcing the observance of such Plan when approved under this Enactment ;
- (g) any penalty and the enforcement thereof.
- (iii) Such regulations shall be deemed to be included in and become part of the draft Plan.
- (iv) The draft Plan may consist of one or more plans drawn to such scale and reproduced in such manner as the Government Town Planner finds convenient for the purpose of showing any provision therein.
- (v) Before such draft Plan is prepared the Committee shall by resolution fix the day upon which such preparation shall commence.
- (vi) A copy of such resolution shall be notified by the Committee forthwith.

16. (i) The draft Plan when prepared shall be submitted to the Committee and, when adopted by the Committee, shall be signed by the President.

Draft Plan to be adopted by Committee.

(ii) The Committee shall—

- (a) cause such adoption to be notified ;
- (b) exhibit such draft Plan, as adopted, for public inspection during reasonable hours at the office of the Committee, or some other suitable place for a period of three months.

Notification of adoption and exhibition of draft Plan.

(iii) Notice of such exhibition shall be published during the said period of three months in every ordinary issue of the *Gazette* and in not less than one issue in every week of a local newspaper. Notice shall also be served in the manner prescribed by section 60 upon every owner affected.

(iv) Any person may obtain a copy of the plan upon payment of the prescribed fee.

17. (i) Any person or public authority interested may during the said period of three months send to the President a written objection to anything appearing in the draft Plan. Such objection shall set out precisely—

Consideration of objections.

- (a) the nature of and reasons for the objection, and
- (b) if the objection would be removed by an alteration of the draft Plan, any alteration proposed.

(ii) Any such objection received during the said period shall be considered at a meeting of the Committee of which the objector shall have notice, and the objector may attend and be heard in person or by advocate or by duly authorized agent or officer.

(iii) The Committee may thereupon frame amendments of the draft Plan to meet such objection.

18. The Committee shall submit the said draft Plan with or without amendments to the Resident. They shall submit therewith:

Draft Plan for approval of the Resident.

- (a) a schedule of the objections (if any) made under the provisions of section 17 and not withdrawn ;
- (b) a schedule of the amendments (if any) framed by the Committee to meet such objections.

Approval of
draft plan.

19. (i) The Resident may with the consent of the Chief Secretary approve the draft plan with or without the amendments framed by the Committee under the immediately preceding section notwithstanding the omission to comply with any requirements of this Chapter which, in the opinion of the Resident, does not involve material loss or damage.

Amendment or
rejection of
draft plan.

(ii) The Resident may refuse to approve the draft plan or may require that the same be further amended, provided that in every such case the Resident shall refer the matter back to the Committee with a statement in writing of his reasons for the action that he proposes to take and shall before finally taking such action consider any representations made by the Committee.

Notification of
approval or
rejection.

20. (i) The approval or refusal to approve a draft plan shall be notified.

(ii) The draft plan as approved is referred to in this Chapter as the approved plan.

Approved plan
to be open
for inspection.

(iii) The approved plan shall be open to inspection at the office of the Committee or some other suitable place.

Correction of
errors.

(iv) The Resident may by notification correct any omission from or error in the draft plan.

(v) Any person may obtain a copy of the plan upon payment of the prescribed fee.

Deposit of
copies of
approved plan.

21. (i) Copies of the approved plan certified by the President or Deputy President and countersigned by the Government Town Planner shall be deposited forthwith with the Collector and the Registrar and with the Chairman of Sanitary Board affected thereby.

(ii) The Collector or the Registrar, as the case may be, shall forthwith make an endorsement on the documents of title to the land included in the approved plan and on the issue copies thereof to the effect that the land comprised in the said documents of title is subject to the conditions of the approved plan.

(iii) The Collector or Registrar may by notice in the prescribed form require any owner or other person in possession of the issue copy of a document of title to deliver the same to him for endorsement, and such owner or other person shall be legally bound to deliver the same within one month of the service of such notice.

Effect of
approved plan.

22. An approved plan, when notified under section 20, shall have the same effect as if contained in this Enactment.

Amendment or
revocation of
approved plan.

23. (i) On the application of a public authority or any other person the Resident with the consent of the Chief Secretary may from time to time

(1) after consultation with the Committee amend by notification in the *Gazette* an approved plan in whole or in part after such enquiry as he deems necessary, by

(a) the alteration or omission of any provision or matter therein appearing;

(b) the addition of any provision or matter thereto; or

(2) revoke, in whole or in part, an approved plan by the approval of any subsequent draft plan prepared and submitted by the Committee in accordance with this Chapter.

(ii) Before any approved plan is amended or revoked in accordance with the preceding sub-section a schedule of the proposed amendments or the subsequent draft plan, as the case may be, shall be exhibited in the manner prescribed in section 16, and objections thereto may be made and shall be considered as prescribed in section 17.

24. In approving the draft plan the Resident may prescribe a period or different periods not exceeding twenty-five years within which the approved plan or any part thereof may be carried out.

Period for execution of approved plan.

25. If the Committee or any responsible authority or owner is unable to carry out and execute the projects contained or described in an approved plan within any period prescribed by the Resident, the Resident may, after consulting the Committee, extend the period so prescribed.

Extension of period.

26. If, in the carrying out or enforcing the observance of an approved Plan any question or dispute arises whether any building or work or the use of any land or building contravenes any provision of such Plan, or whether any provision of an approved Plan is not complied with in the erection or carrying out of any such building or work or the use of such land or building that question shall be referred to the Resident whose decision shall be final.

Reference to Resident in certain cases.

27. (i) Subject to this Enactment, any person, whose land or other property is wholly or partly within the area of an approved Plan and is injuriously affected by the approved Plan shall, if he makes a claim before the Arbitrator within three months after the date of the notification of the approval of such Plan under sub-section (i) of section 20 be entitled to obtain reasonable compensation from the Government of the State or other responsible authority as the Arbitrator may, in each case, determine.

Compensation under approved Plan.

(ii) A person shall not be entitled to obtain compensation under this section on account of any contract made, or any work or other thing done with respect to land or buildings included in a draft Plan after the date of the notification of the resolution referred to in section 15.

Exclusion of compensation.

Provided that this sub-section shall not apply to any work done for the purpose of executing a written contract made, or finishing a building begun, before the date aforesaid, and that it shall apply only in so far as such building or work has proceeded at the time of the notification of the resolution aforesaid.

(iii) Any question as to the amount or manner of making compensation or the payment (whether by instalments over any specified period or otherwise) of the sum which is to be paid as compensation shall be determined in case of dispute by the Arbitrator in the manner provided in Chapter IV.

28. Land or other property shall not be deemed to be injuriously affected by reason of any provisions contained in an approved Plan which sets apart land or buildings or zones or districts for specified uses, or determines building lines or lays down under section 15 other restrictions or requirements concerning land or buildings or fixes any period within which such Plan is to be carried out.

When land not injuriously affected.

CHAPTER IV.

DETERMINATION OF COMPENSATION.

Chief Secretary
may appoint
Arbitrator.

29. The Chief Secretary may appoint a Judicial Commissioner (with the consent of the Chief Judicial Commissioner) or other competent person (hereinafter called "the Arbitrator") to hear and determine all disputes as to the amount and manner of making or the payment of any compensation payable under Chapter III of this Enactment.

Valuation.

30. In determining any claim for compensation—

- (1) The value of any land in respect of which compensation is claimed or which is given in payment of compensation shall be deemed to be the improved or unimproved value of the land, whichever is the higher, at the date of the notification of the preparation of the General Town Plan under section 15 according to the existing valuation made under "The Land Valuation Enactment, 1922."
- (2) The Arbitrator shall take into consideration the provisions of the law in force with regard to land acquisition and the relative injury or benefit occasioned to any remaining portion of the owner's land by the preparation, approval and carrying out of an approved General Town Plan.

Powers of
Arbitrator.

31. (i) The Arbitrator shall have all the powers of a Court and may enforce the attendance of witnesses and administer oaths and affirmations and compel the production of documents.

Procedure.

(ii) Any matter before the Arbitrator shall be conducted as far as possible in accordance with the procedure of a Court.

(iii) The Committee may appear by an officer appointed in writing on its behalf and any other party to a proceeding may appear in person, or the Committee or party aforesaid may appear by advocate.

Commencement
of proceedings.

32. Proceedings before the Arbitrator shall be commenced by a notice of claim and shall be supported by a statement setting out precisely in accordance with such particulars as may be prescribed, the grounds on which such claim is made. Such notice and statement shall be delivered at the office of the Arbitrator in duplicate and a copy thereof shall be served by the claimant on the President or Deputy President of the Committee. On receipt of any such notice the Arbitrator shall appoint a day and hour for the hearing of the matter and shall serve notice of such appointment on all parties thereto.

Hearing by
Arbitrator.

33. (i) At the time named in such notice the Arbitrator shall proceed to hear and determine the matter and may adjourn the proceedings from time to time as he may think fit.

(ii) In the event of any party not attending at the appointed time the Arbitrator may determine the matter in the absence of such party.

(iii) The Arbitrator may award such lump sum as costs to any party as he deems necessary in all the circumstances.

Award of
Arbitrator to be
final.

34. The award of the Arbitrator as to the amount and manner of making compensation or the payment thereof shall be final and binding on all parties.

CHAPTER V.

CONTROL OF APPLICATIONS FOR DEVELOPMENT AND BUILDING AND DETERMINATION OF BUILDING LINES.

35. (i) From the commencement of this Enactment

- (a) no person or public authority shall within any Town Planning area erect any building or carry out any work, or remove, pull down, or alter any building, or lay out any land or use any land or building, except in conformity with the provisions of this Chapter or the provisions (if any) of an approved General Town Plan;
- (b) if in the opinion of the Committee any person or public authority contravenes the provisions contained in sub-section (a), the Committee may give notice directing such person or public authority within such time to be therein prescribed to stop any work, remove, pull down, or alter any building, or restore any land laid out or land or building used as aforesaid to its former condition;
- (c) if any person or public authority shall fail to comply with such notice, the Committee (with the consent of the Resident) may enter upon the land in question and execute any works required or permitted by such notice at the expense of the person or public authority against whom the notice was given;
- (d) the expenditure thereby incurred by the Committee shall be recoverable as a debt, and the certificate of the President or the Deputy President stating the amount of any expenditure so incurred shall be conclusive evidence of the amount of such expenditure.

Powers of Committee in case of land or buildings used or erected in contravention of this Enactment.

(ii) No person shall be entitled to compensation in respect of any damage, loss or injury resulting from any action taken by the Committee under the provisions of this section, except in the case of the proviso contained in section 27, sub-section (ii).

Exclusion of compensation.

36. From the commencement of this Enactment no surrender for the purpose of subdivision of the land comprised therein of any grant, lease of State land, certificate of title or extract from the mukim register shall be accepted, the provisions of any other Enactment notwithstanding, unless such surrender be accompanied by a certificate given under the provisions of section 37 or be in conformity with the provisions (if any) of an approved General Town Plan as finally approved.

No surrender to be accepted without the Committee's certificate of approval.

37. (i) From the commencement of this Enactment any person or public authority desiring to—(a) lay-out any land; (b) erect any building or; (c) use any land within the Town Planning area; shall in every case, except where the provisions (if any) of an approved General Town Plan otherwise provide, submit to the Committee a plan in duplicate of—(a) the land as proposed to be laid out; (b) the building proposed to be erected; or (c) the use proposed for any land; together with an application made in the prescribed form and accompanied by such particulars as are hereinafter provided for.

Application for approval of lay-out.

(ii) Within reasonable time not exceeding three months of the receipt of any such plan and application, the Committee shall, subject to such modifications or conditions as it deems necessary, after taking into consideration the matters specified in the schedule or any prescribed requirements in respect thereto, approve or disapprove the proposed plan and particulars, and inform the applicant accordingly.

Approval or disapproval by the Committee.

Right of appeal
to the Resident.

(iii) In case of any disapproval or any modification or condition made by the Committee the applicant shall, unless the parties agree upon some other method of determination, have the right of appeal within one month of the date of information of the Committee's decision to the Resident who may direct the Committee to approve the proposed plan and particulars or any alternative plan and particulars, subject to such modifications or conditions (if any) as he considers necessary.

(iv) Where the land the subject of any application is comprised within the area of a draft General Town Plan, the preparation of which has been notified under section 15, sub-section (vi), the Committee may require the applicant to await the approval of such General Town Plan, or may at any time with the sanction of the Resident approve such plan and particulars, subject to such terms and conditions as the Committee after consideration of all the circumstances may consider advisable.

(v) Any approval given under this section shall be in the form of a certificate under the hand of the President or Deputy President endorsed on the proposed plan and particulars, a copy of which shall be supplied to the applicant on his application therefor.

Particulars to
be shown on
plan.

(vi) Every plan and particulars approved under this Chapter—
shall, to the extent required by the Committee, show
distinctly delineated thereon—

- (1) all lots or reserves into which the land is to be sub-divided, marked with distinct numbers or symbols, and the measurements of each lot or reserve;
- (2) all roads reserved, laid out or constructed on such land or abutting thereon and their intersections;
- (3) the positions, terminations, intersections and widths of all new roads proposed to be reserved, laid out or constructed on such land;
- (4) the position or sites of any existing or proposed buildings on such land;
- (5) the building lines laid down and determined by such plan;
- (6) the method of drainage or disposal of surface water proposed for such land and for every such new road, and for any reserve necessary for such purpose; and
- (7) such other particulars as may be prescribed.

Application for
permission to
erect a
building under
"The Sanitary
Boards Enact-
ment, 1916,"
deemed to be an
application
under this
Chapter.

38. (i) Before approving any plan for the erection of any building under the provisions of "The Sanitary Boards Enactment, 1916," or any enacted modification thereof, the Sanitary Board shall refer the said plan to the Committee.

(ii) The Committee shall within one month from the date of the receipt of such plan inform the Sanitary Board whether, in its opinion, after taking into consideration the matters specified in the schedule the erection of the proposed building interferes with the proper lay-out or use of the area in which the land is situated, and where the Committee so decides no further action in respect to such plan shall be taken by the Sanitary Board.

(iii) The person making the application to the Sanitary Board in respect to the said plan shall be deemed to have submitted a plan and application under section 37 and shall have the right of appeal to the Resident against the decision of the Committee in manner provided by that section.

(iv) Before approving any building plan under this section, the Committee may require the applicant to submit such further plan and particulars as may be necessary to comply with the provisions of section 37.

39. (i) Before approving any plan and particulars under this Chapter, the Committee may—

(a) include such plan or any variation thereof in a lay-out prepared for the purpose of ensuring that the planning and development or the replanning and redistribution of the lands comprised in such lay-out shall conform to the provisions of any draft General Town Plan pending the approval thereof under section 19, and

(b) require that proper provision shall be made by the applicant or any other owners or persons whose lands are included in such lay-out for altering the boundaries of such lands or parts thereof, and for effecting such transfers and adjustment of rights or interests or such exchanges or replanning and redistribution of lands as may be necessary or convenient for the purpose of executing the proposed lay-out.

(ii) The area to be dealt with under such lay-out shall be determined by the Committee which shall serve a notice upon the owner of any land included in such area notifying such owner that the proposed lay-out (accompanied by particulars of the provision to be made and the terms and conditions to be attached to the said lay-out) is on exhibition at the office of the Committee or some other suitable place.

(iii) Within one month after the service of such notice any owner may send to the President a written objection thereto in accordance with the provisions of section 17 having reference to a draft General Town Plan and such objection shall thereafter be dealt with by the Committee in accordance with the provisions of the said section.

(iv) The Committee may, subject to the amendments referred to in section 17, thereupon certify its approval of the proposed lay-out in the manner provided by section 37, sub-section (v).

(v) Where at the time of giving such certificate any objection has not been withdrawn or settled by agreement between the Committee and the person making such objection, the approved lay-out, together with the particulars referred to in sub-section (ii) shall be referred on the application of the Committee or any owner whose land or part is included in such lay-out to the Resident, in accordance with the provisions of sub-section (iii) of section 37.

40. (i) After the expiration of two years from the date of any approval given under this Chapter or such longer period as may be fixed therein, the Committee may by resolution cancel the said approval if the requirements specified in such approval have not been complied with.

(ii) Such resolution shall be notified.

Before approving any plan provision for adjustment of boundaries and exchanges may be required.

Objections.

Lapsing of approval.

(iii) The Committee may grant an extension or renewal of such approval beyond the period aforesaid.

(iv) Sub-sections (i) and (iii) of this section shall apply to any extension or renewal under this section as if such extension or renewal were an original approval.

Approved plan
to be deposited
with the
Collector and
the Registrar.

41. (i) When the Committee has given a certificate of approval of any plan and particulars under this Chapter, copies of such plan and particulars each certified as to the correctness thereof by the President or Deputy President and by the Government Town Planner and by the owner and any chargee interested in the land affected shall be deposited with the Collector and the Registrar, and the Collector or the Registrar, as the case may be, shall forthwith make an endorsement on the documents of title affected by the deposited plan and particulars and on the issue copies thereof to the effect that the land comprised in the said documents of title is subject to the conditions of the deposited plan and particulars.

The Collector or Registrar may by notice in the prescribed form require any owner or other person in possession of the issue copy of a document of title to deliver the same to him for endorsement, and such owner or other person shall be legally bound to deliver the same within one month of the service of such notice.

Dealing
contrary to
deposited plan
not to be
registered.

(ii) Notwithstanding anything contained in any other Enactment the Collector or the Registrar, as the case may be, shall not register any dealing which contravenes the provisions of any plan and particulars deposited with him in accordance with sub-section (i).

(iii) If any question arises whether any such dealing does or does not contravene the provisions of the deposited plan and particulars the Collector or the Registrar shall submit the matter to the Resident whose decision shall be final.

Correction of
errors.

(iv) The Collector or the Registrar shall have the power to permit the correction of any errors which may have been proved to the satisfaction of the President or Deputy President and the Government Town Planner to have been made in any plan and particulars deposited under this section.

(v) In making such corrections the original plan as deposited aforesaid shall not be altered, but the corrections shall be made by means of a new plan certified to by the President or Deputy President and the Government Town Planner.

(vi) Such new plan shall be deposited and attached to the original plan and shall show the required corrections.

Land for roads
and other
purposes to be
surrendered.

(vii) When any plan and particulars certified as approved have been so deposited, any proposed road, reserve or other open space shown thereon shall thereby be deemed to be land surrendered without compensation or payment to the owner or any other person unless such compensation or payment is provided for in such plan and particulars.

Cancellation of
existing and
issue of new
titles to be
effected in
accordance with
deposited plan.

42. (i) If any land comprised in any plan and particulars deposited as aforesaid requires to be replanned and redistributed, the Collector or the Registrar as the case may be shall cause to be prepared such new grants, leases, or other documents of title as may be necessary in order that the owners affected by the plan and particulars may hold the sites assigned to them respectively under the deposited plan and particulars for the same interest for which they held their original sites immediately prior to the date of publication of the notification under sub-section (ii) hereof.

(ii) When the said new documents of title are ready for registration the Collector or the Registrar shall by notice in the prescribed form order the persons who are in possession of the documents of title affected by the said deposited plan and particulars to deliver to him such documents of title in order that the same may be cancelled; and such persons shall be legally bound to deliver such documents of title within one month of the service of any notice under this sub-section. The Collector or the Registrar shall at the same time by order under his hand and seal declare that the said new documents of title are ready for registration. Such order shall be notified.

(iii) As from the date of publication of the notification referred to in the last preceding sub-section the land comprised in the existing documents of title in lieu whereof such new documents of title are to be issued shall be deemed to be State land, and all right title and interest in respect thereof which were theretofore vested in any person shall be extinguished without the payment of any compensation therefor, subject to the provisions of the deposited plan and particulars, and the Collector or the Registrar shall forthwith proceed to cancel the said existing documents of title and to make such entries in the books of his office as may be necessary to give effect to the provisions of this sub-section.

(iv) As soon as may be after the cancellation of the existing documents of title under the provisions of the last preceding sub-section the Collector or the Registrar shall proceed to register the new documents of title which have been prepared in accordance with the provisions of sub-section (i) of this section. Such new documents of title shall be subject to the same conditions of rent and revision of rent and tenure as the documents of title which they replace and which have been cancelled as aforesaid subject only to such variations as are in accordance with the deposited plan and particulars.

43. (i) Every new document of title issued to any person in pursuance of the said plan and particulars and of the last preceding section shall, except in so far as the plan and particulars may provide to the contrary, be subject to the same charges or other encumbrances, trusts and restrictions, if any, whereto the document of title in lieu whereof such new document of title has been issued to such person was subject immediately prior to the date of the notification under sub-section (ii) of the last preceding section, and so that chargees and other encumbrancers or persons (other than the owners) who were immediately prior to the date of such notification interested in land which is redistributed under the said plan and particulars shall, except as aforesaid, have, as nearly as may be, the same remedies and rights against and in the land held by any person under a new document of title issued in pursuance of the said plan and particulars and of the last preceding section as they severally held against and in the land held by such person under the document of title in lieu of which such new document of title has been issued.

Encumbrances.

(ii) The Collector or the Registrar as the case may be, for the district in which the area comprised in the deposited plan and particulars is situated shall perform all such acts and make such entries in the books of his office as may be necessary to give effect to the provisions of this section.

Duties of the
Collector or the
Registrar.

Power to remit fees.

(iii) The Resident may, in the case of any act of registration or record required to be performed under the provisions of this or of the last preceding section, remit at his discretion any fee prescribed to be paid therefor.

Penalty.

44. Any person who shall dishonestly and fraudulently use any document of title to land after the right, title and interest purporting to be evidenced by such document has been extinguished by the operation of section 42 shall be deemed to have committed or to have attempted to commit the offence defined in section 415 of the Penal Code.

Widths of roads and lanes.

45. (i) Notwithstanding the provisions of any Enactment and subject to the provisions of an approved General Town Plan the Committee may with the consent of the Resident require that—

- (a) the width of every main road shall not be less than sixty-six or more than one hundred and fifty feet;
- (b) the width of every secondary road shall not be less than fifty or more than sixty-six feet;
- (c) the width of every residential road shall not be less than twenty nor more than fifty feet;
- (d) the width of every pathway shall not be less than ten or more than twenty feet;
- (e) the width of every lane shall not be less than fourteen or more than twenty feet.

Provided that, pending the notification of the said General Town Plan if the Committee require any main road to be of a greater width than one hundred feet, then, in the absence of any agreement between the Committee and the owner of the land abutting on such road, the additional land shall be acquired in accordance with the provisions of the law in force for the acquisition of land.

Variation of widths of roads.

(ii) The Committee may, subject to the consent of the Resident, permit any new secondary or residential road to be of a width less than that required under this section where the owner surrenders land required for widening any road or other public purpose.

Treatment of corners.

(iii) At any junction or intersection of any road made by a lay-out of any land under this Enactment, the owner of such land shall make any necessary provision for the planning or treatment of the corners formed by such junction or intersection to the satisfaction of the Committee in such manner as will in its opinion facilitate public convenience and the safety of traffic.

Building lines.

46. (i) Pending the preparation and approval of a draft General Town Plan the Committee, may, with the consent of Resident, lay down and determine building lines for the purpose of regulating the distance between any buildings to be erected or reconstructed or buildings likely to be erected or reconstructed on opposite sides of any road or reserve.

(ii) Any building lines proposed to be laid down and determined in respect to any existing road within a Sanitary Board area shall be shown distinctly on a plan and particulars signed by the President who shall forward the same to the Sanitary Board.

(iii) Within one month from the date of the receipt thereof the Sanitary Board shall return to the Committee the said plan and particulars together with such recommendations, if any, as it considers necessary. Where the plan and particulars are not returned within the period aforesaid by the Sanitary Board their approval thereof may be deemed to have been given.

(iv) The Committee may upon consideration of the said recommendations, if any, adopt the plan and particulars with or without modifications, and shall thereupon submit the same to the Resident. The Committee shall at the same time refer any dispute between the Sanitary Board and the Committee to the Resident for determination.

(v) The Resident may before notifying his approval of the said plan and particulars, which approval may be subject to such modifications or conditions, if any, as he considers necessary, require the adopted plan to be exhibited for public inspection during reasonable hours at the office of the Committee or some other suitable place, and require a notice to be served upon every owner interested informing him that his land or part thereof is traversed by such building lines.

(vi) Within one month from the receipt of such notice any owner may send to the Resident a written notice of objection to such building line. All such objections shall be determined by the Resident whose decision shall be final.

Objections to
building lines.

(vii) From and after the date of the Resident's approval of the plan and particulars all land contained between the alignment of the road and the building line shall be deemed to be land which cannot be built upon, and thereafter any existing building or work or portion of a building or work on or in such land shall not be reconstructed replaced or repaired, and no improvement excavation, obstruction or new building or work other than a boundary wall, fence and the like, as may be determined by the Committee shall be made, placed or erected on or in such land; provided that the Committee may in their discretion approve the execution of minor alterations or repairs in order to permit of the reasonable preservation of any existing building or work but not so as to contravene the intention of this section.

(viii) All land contained within the alignment of the road and the building line laid down and determined under this section shall not form part of any public road and such road shall not be widened or reconstructed until the land has been acquired or surrendered.

(ix) Pursuant to such widening the Committee or other responsible authority shall, subject to any appeal determined by the Resident, reconstruct in fair and reasonable manner any building or part thereof or any wall, fence or other erection or work necessitated by such widening in accordance with the said determination.

Widening of
roads—
reconstruction
of buildings.

(x) The owner of any land proposed to be acquired under this section shall have the right of appeal to the Resident against any work or reconstruction proposed in connection therewith and such appeal shall be determined by the Resident in the manner hereinbefore provided.

Appeal.

(xi) Any person who erects any building or obstruction on the land contained between the alignment of the road and the building line, or by any act or proceeding contravenes the provisions of this section shall be guilty of an offence against this Enactment.

CHAPTER VI.

PENALTIES.

Jurisdiction.

47. All prosecutions under this Enactment may be had before the Court of a Magistrate of the First Class, and such Court shall have power to impose any penalty provided by this Enactment.

Contravention of Enactment.

48. Any person who—

(a) lays out land, erects any building or uses any land or building in contravention of the provisions of this Enactment,

(b) makes any deviation from an approved General Town Plan or other approved plan and particulars deposited under this Enactment with the Collector or Registrar or any other plan and particulars approved thereunder,

(c) makes any false declaration in connection with any plan and particulars referred to in Chapter V,

shall be punishable with a fine which may extend to two thousand dollars.

Failure to comply with notices.

49. Any person who fails to comply with a notice served under section 35 or 42 shall be punishable with a fine which may extend to one hundred dollars, and in case of continuing failure with a fine which may extend to fifty dollars for each day after the first day during which such failure continues.

Obstructing servants of the Committee or other responsible authority.

50. Any person who obstructs or molests any person in the performance by such person of anything which he is empowered or required to perform by virtue of any of the provisions of this Enactment shall be punishable with a fine which may extend to one hundred dollars or with imprisonment for a term which may extend to one month.

CHAPTER VII.

MISCELLANEOUS.

Committee may open, close, alter, or dispose of any road or reserve.

51. For the purpose of carrying out any General Town Plan or other plan and particulars approved under this Enactment the Committee or other responsible authority may with the consent of the Resident in accordance with the provisions of such General Town Plan or other plan and particulars open, close, alter or dispose of any road, and shall wherever practicable provide such other means of communication as may be reasonably necessary. No compensation shall be payable in respect of any land or property alleged to be injuriously affected by such closure or alteration if such other means of communication have been provided.

Public purpose.

52. For the purposes of this Enactment the Resident may by notification declare any reservation, or acquisition of land for any purpose stated in such notification to be a reservation, or acquisition for a public purpose and such declaration shall be conclusive evidence that the land is reserved or acquired for a public purpose.

53. The President may with the approval of the Resident (a) institute, defend, or withdraw from any legal proceedings brought under the provisions of this Enactment; (b) compound any offence against this Enactment; (c) compromise any claim made under any provision of this Enactment; (d) obtain such legal advice and assistance as he may require in reference to any matter arising out of the exercise by the Committee of the powers vested in them under this Enactment.

Powers of President in relation to legal proceedings.

54. No matter or thing done by the Committee or other responsible authority and no matter or thing done by any member or by any officer of the Committee or responsible authority or other person acting under the direction of the Committee or responsible authority shall, if the matter or thing was done, *bona fide* for the purpose of carrying out the provisions of this Enactment subject them or any of them personally to any action, liability, claim or damage whatsoever.

Relief of Committee's servants against personal liability.

55. Whenever under the provisions of this Enactment the power or right to do any act or the validity of any act depends upon the approval or consent of (a) the Committee or the President; (b) any officer or servant of the Committee, a written document signed in case (a) by the President, and in case (b) by such officer or servant purporting to express such approval or consent shall be sufficient evidence of such approval or consent.

Evidence.

56. No act done or proceeding taken under this Enactment shall be invalidated on the ground merely of (a) the existence of any vacancy in or any defect in the constitution of the Committee; (b) the omission to serve any notice required by the provisions of this Enactment, provided that no substantial injustice has resulted from such omission; (c) any omission, defect or irregularity not substantially affecting the merits of the case.

Validation.

57. Every meeting of the Committee, a record of the proceedings of which has been kept in accordance with the rules, shall be taken to have been duly convened and to be free from all defect of irregularity.

Presumption of regularity.

58. (i) Every person appointed under sections 4 and 7 or co-opted under section 6 of this Enactment and every person employed under this Enactment shall maintain and aid in maintaining the secrecy of all matters which come to his knowledge in the performance of his functions or duties, and shall not communicate, divulge or aid in divulging any such matter to any other person except for the purpose of carrying into effect the provisions of this Enactment.

Penalty.

(ii) Any person offending against this section shall be liable on conviction to a fine not exceeding five hundred dollars, or to imprisonment not exceeding six months or to both such imprisonment and fine.

59. Where under this Enactment any act may be done, or any application, objection or claim made, or any agreement entered into, by any owner or other person, such act may be done, or application, objection or claim made, or agreement entered into, on behalf of such owner or other person, by his duly constituted attorney, provided that such attorney is duly authorized thereunto by the terms of his Power of Attorney.

Attorneys.

Notices.

60. (i) Every notice served or given under this Enactment shall be signed by the President or Deputy President.

(ii) Any such notice may be served—

- (a) by leaving the same at the last named place of abode of the person to be served ; or
- (b) by giving or tendering the same to some adult (male) member or servant of his family ; or
- (c) by forwarding the same by post in a registered letter addressed to such person at his last named place of abode or last named place of business ; or
- (d) by posting the same on the land affected by such notice.

(iii) A notice served by post shall be deemed to be served at the time when the letter containing the same would be delivered in the ordinary course of the post.

Service on owner or occupier.

61. Any notice required or authorized by this Enactment to be served on the owner or occupier of any premises shall be deemed to be properly addressed, if addressed to such person by the description of the owner or the occupier of such premises without further name or description.

Power of entry.

62. The Government Town Planner or the President or Deputy President or any officer or servant of the Government Town Planner or the Committee thereunto generally authorized by the Government Town Planner or the President or Deputy President may by himself or his servants, workmen or contractors enter at all reasonable hours in the daytime into or upon any land for the purpose of making any survey or inspection, taking levels, digging or boring into the sub-soil or executing any work authorized by this Enactment, provided that no dwelling-house or premises in occupation shall be so entered save with the consent of the occupier thereof, unless twenty-four hours' previous notice in writing shall have been given to such occupier.

Provisions as to actions.

63. (i) No action shall be brought against any person for anything done or *bona fide* intended to be done in the exercise or supposed exercise of the powers given by this Enactment or by any rules made thereunder :

- (a) without giving to such person one month's previous notice in writing of the intended suit, and of the cause thereof ;
- (b) after the expiration of three months from the date of the cause of action ;
- (c) after tender of sufficient amends.

(ii) In every action so brought it shall be expressly alleged that the defendant acted either maliciously or negligently and without reasonable or probable cause, and if, at the hearing of the suit, the plaintiff shall fail to prove such allegation judgment shall be given for the defendant.

(iii) Though judgment shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Court shall certify its approbation of the suit.

64. (i) The Chief Secretary may make rules for carrying out the purposes of this Enactment and in particular—

- (a) for the holding of meetings of the Committee and for the procedure to be followed there at;
- (b) for the co-option of any person or persons by the Committee under section 6;
- (c) for the guidance of persons employed by the Committee under this Enactment;
- (d) for the charging and collection of fees for any work or other duty performed by the Town Planner or the Committee under this Enactment;
- (e) for the procedure to be observed by any person or public authority applying for approval of any plan under section 37;
- (f) for the details to be shown on such plan, or the details to be furnished in any particulars or any application under section 37;
- (g) for determining any requirements in respect of any of the matters contained in the schedule;
- (h) for the payment of fees and expenses of the Arbitrator;
- (i) for any matter which under this Enactment is required or permitted to be prescribed, or which is necessary or convenient to be prescribed for giving effect to this Enactment.

(ii) All such rules shall be published in the *Gazette* and shall thereupon have the force of law.

(iii) All such rules shall be laid before the Federal Council at the first meeting after such publication, and may be amended or disallowed by resolution of the Federal Council.

(iv) Any rule so amended shall come into force as amended from the date of such resolution, and any rule disallowed shall cease to have force or effect from the date of such resolution.

THE SCHEDULE.

Matters to be taken into consideration under section 15, section 37, sub-section (ii), and section 38, sub-section (ii):

(1) Roads including—

- (a) the conservation, alignment, re-alignment, construction, reconstruction, grading, regrading, surrender, and vesting of roads;
- (b) the opening, closing, widening, diversion, or alteration of roads and any exchange or other dealing therein;
- (c) the positions, directions, terminations, extensions, lengths, junctions, intersections, widths and levels of roads;
- (d) the character or use of roads including the placing of pipes, wires, conduits, rails or other objects thereon;

- (e) drainage, inclusive of sewerage and sewage disposal, and of surface drainage, and any proposed provision for the disposal of any sewage or surface waters from or passing through the district in which such roads are situated;
 - (f) reservation of land for main roads which it is desired to keep free of buildings or obstructions.
- (2) Building lines including—
- (a) provision for laying down, determining, or ascertaining such building lines;
 - (b) any requirements necessary for the conservation, use or acquisition of any land or part thereof contained between the alignments of the road and such building lines;
 - (c) the demolition or clearance of any buildings or obstructions on or in the land contained between the alignment of the road and the building line.
- (3) Any lay-out or use of land including—
- (a) proposed reclamations, fillings, excavations, drainage, or other requirements for securing the conservation, improvement, or development of such land for building or other purposes;
 - (b) the size, shape, and area of any lot;
 - (c) the situation, planning, drainage and levels of each separate lot in relation to sanitation, public health or amenity;
 - (d) the means of access to such lot;
 - (e) the proportion of such land proposed to be surrendered for a reserve or other public purpose;
 - (f) any crossings over railways or railway stations and approaches thereto.
- (4) The erection of any buildings including—
- (a) the class, position, number, use, height and levels of such buildings;
 - (b) the area of the building lot or parcel and the proportion thereof that shall not be built upon;
 - (c) the architectural features or the grouping of such buildings;
 - (d) the distances to be maintained between such buildings;
 - (e) the demolition, removal or external reconstruction or alteration of buildings.

KUALA LUMPUR:

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Federated Malay States.

1923.



FEDERATED MALAY STATES.

"THE TOWN PLANNING ENACTMENT, 1923."

"TOWN PLANNING RULES, 1924."

IN exercise of the powers conferred upon him by section 64 of "The Town Planning Enactment, 1923," the Chief Secretary to Government hereby makes the following rules:

1. These rules may be cited as "The Town Planning Rules, 1924."

DEFINITIONS.

2. "Enactment" means "The Town Planning Enactment, 1923."

"Administrator" means any officer appointed under section 12 of the Enactment as the Town Planning Administrator for the State or district mentioned in the appointment.

"Area" means any Town Planning area within the State declared under section 3 sub-section (1) of the Enactment.

"Road" includes part of a road.

"Unit" means a portion of land, contained in and determined by a lay-out under section 39 of the Enactment, for the purpose of calculating the respective proportions of such land to be surrendered for a road, a reserve, or other public purposes and the portions to be allocated for building or other purposes in connection with the replanning and redistribution of the said land.

3. The Government Town Planner may, unless otherwise required by the Chief Secretary or the Resident—

(a) report upon and advise as required in regard to any matters or disputes arising out of any provisions of the Enactment or out of the carrying out and enforcing the observance of any approved General Town Plan, or other approved plan and particulars thereunder;

(b) prepare for submission to the Committee such detailed schemes, plans or particulars in respect of the area as may be necessary for giving effect to any provision of the Enactment;

(c) afford, in his discretion to any owner or authorised person such information or assistance as may be available for the purpose of enabling such owner or person to comply with the provision of these rules;

(d) issue from time to time memoranda, reports or bulletins containing information or advice relating to town planning and housing generally.

4. The Government Town Planner may perform such other duties under the Enactment as are acquired from time to time by the Chief Secretary or the Resident.

5. Any officer appointed under section 12 of the Enactment to act for or on behalf of the Government Town Planner in any capacity may, in the absence of the Government Town Planner, carry out the duties referred to in the foregoing section.

(Ministry of
Health model
clauses, 1923,
section 4.)

Duties of
Government
Town Planner.
South Australia
Town Planning
Act 1919.

Duties of Town
Planning
Administrator.

6. Any officer appointed under section 12 of the Enactment by the Chief Secretary as Administrator may, within the State or district for which he is appointed perform the following duties—

- (a) give assistance in the preparation of the draft particulars or agreements required in connection with any plan or particulars under Chapter V of the Enactment;
- (b) carry out when required by the Committee, or by rules 16 to 19, negotiations with owners or other persons interested in land included in the said plans or particulars in order to secure their consent thereto;
- (c) submit to the Resident where necessary any plans or particulars approved by the Committee, countersigned by the Government Town Planner and agreed to by owners or other persons interested in land comprised therein in respect of which the consent of Government is necessary;
- (d) make arrangements with Land Offices for the necessary surveys, cancellation and issue of titles and deposit of approved plans and particulars as aforesaid;
- (e) co-operate with the Government Town Planner in respect of any rules, regulations and organisation generally for giving effect to the Enactment and in the execution of any General Town Plans and other approved plans and particulars thereunder;
- (f) be Deputy President of Town Planning Committee and, according as the President may direct, issue such notices which may be required under the Enactment;
- (g) perform such other duties under the Enactment or these rules as may be required, from time to time, by the Chief Secretary or the Resident.

7. (i) The Committee shall meet, and shall from time to time make such arrangements with respect to place, day, hour, notice, management and adjournment of their meetings as they may think fit subject to the provisions, of this rule.

(ii) The President may, whenever he thinks fit, and shall, on a written request of not less than two other members, call a special meeting;

(iii) The President shall attend every meeting of the Committee unless absent on leave or prevented by sickness or other reasonable cause;

(iv) No business shall be transacted at any meeting unless at least half of the existing number of members are present from the beginning to the end of the meeting;

(v) The person to preside at a meeting shall be (i) the President, or in his absence (ii) the Deputy President, or in the absence of both President and Deputy President, a member chosen by the members present;

(vi) All questions shall be decided by a majority of votes of the members present, the person presiding having a second or casting vote in all cases of equality of votes;

(vii) A record of proceedings of every meeting shall be kept in a minute book which shall be signed at the next ensuing meeting by the person presiding at such meeting, and shall be open to inspection at all reasonable times by any member;

(viii) There shall also be kept a record book in which shall be kept a record of any General Town Plan and all other plans and particulars received, the date of receipt, the decision of the Committee and the date of the return of the same to the Government Town Planner or Town Planning Administrator. The decisions entered therein shall be confirmed by the President;

(ix) The records referred to in sub-clauses (vii) and (viii) shall be open to inspection at all reasonable times by any member.

8. A person shall only be deemed to have been co-opted under section 6 of the Enactment when, on being informed of his appointment by a letter from the President he has signified his assent, or, in the case of a Government officer below the rank of State head of department, the head of his department has given his consent. He shall only be empowered to act for such period as may be determined by the President.

[Under section 64 (i) (h).]

9. The plan referred to in section 37 sub-section (1) of the Enactment submitted for the purpose of obtaining the Committee's approval to—(a) a lay-out of land (b) the erection of a building, or (c) the use of any land within the area shall be prepared in the form of a proposal plan in duplicate (accompanied by the particulars in the prescribed form) and shall be forwarded to the Committee or the Government Town Planner for submission to the Committee in manner hereinafter provided.

[Rules under section 64 (i) (f).]

10. Such proposal plan shall be in the form of a tracing, drawn upon tracing cloth or linen, and not on tracing paper, in ink to a scale of not less than one chain to one inch in any area or part thereof where standard one-chain survey maps are available, or to such other scale as the Government Town Planner requires for the purpose of showing any proposed provision therein. Such plan shall also show the leading dimensions figured thereon; also the scale and north point.

11. Every proposal plan submitted by any person shall be signed by the registered owner or owners of the land affected and shall, according to the nature of the application, have distinctly delineated thereon such of the following particulars respectively applicable thereto as may be required—

(A) LAY-OUT OF LAND—

- (i) the boundaries and measurements of the land comprised in the title thereto which is proposed to be laid out;
- (ii) a reference to Form "A" in the Schedule accompanying the proposal plan;
- (iii) any river, stream, pond, lake, or drain on or in the land comprised in the title referred to;

[Section 45
(iii).]

The Schedule,
(1) (a) and
(3) (e).

- (iv) if any proposed road is intended to extend over other land not comprised in the title referred to, and connect with any existing road, the boundaries of such land and existing road together with the name of any registered owner and the nature and number of title or titles affected;
- (v) the provision proposed for the planning or treatment of any junctions or inter-sections of roads (existing or proposed) affected by the proposed lay-out;
- (vi) the land or lands proposed to be surrendered in connection with any road (existing or proposed), or for a reserve or other public purpose;
- (vii) such other particulars as may be required for the purpose of enabling the Committee to take into consideration under section 37 sub-section (ii) of the Enactment the matters contained in the Schedule attached thereto.

(B) ERECTION OF A BUILDING—

- (i) the boundaries and measurements of the land comprised in the title thereto on which the building is proposed to be erected together with the means of access thereto;
- (ii) a reference to Form "B" in the Schedule accompanying the proposal plan;
- (iii) any river, stream, pond, lake or drain on or in the land comprised in the title referred to;
- (iv) existing buildings (temporary and permanent) on the land referred to in paragraph (i), the buildings proposed to be demolished (if any), and the site of the proposed building dimensioned and tinted on the proposal plan together with the distance in feet and inches between the existing and proposed buildings;
- (v) the distances in feet and inches between the outer wall of the proposed building nearest the existing road and the alignment thereof;
- (vi) if it is intended to set apart or enclose any portion of the land as a compound or enclosure to the proposed building the measurements of such compound or enclosure;
- (vii) the provision proposed for the planning and treatment of any junctions or inter-sections of roads (existing or proposed) affected by the proposed building or compound or enclosure;
- (viii) the land or lands proposed to be surrendered in connection with any road (existing or proposed) or for any reserve or other public purpose;
- (ix) such other particulars as may be required for the purpose of enabling the Committee to take into consideration under section 37 sub-section (ii) of the Enactment the matters contained in the Schedule attached thereto;
- (x) *External alteration or addition to existing building.*—
The particulars required under paragraphs (i) to (ix) as above with any necessary modifications.

(C) USE OF LAND—

- (i) the boundaries and measurements of the land comprised in the title thereto;
- (ii) a reference to Form No. III in the Schedule accompanying the proposal plan;
- (iii) the existing buildings (temporary and permanent) thereon, the nature of the cultivation (if any) and the present use or uses of the land or part thereof;
- (iv) any river, stream, pond, lake or drain on or in the land comprised in the title referred to;
- (v) the proposed use of the land including the different parts to be reclaimed, filled, excavated, drained or other works, shown in distinctive colours, together with the existing and proposed levels of such land;
- (vi) the provision (if any) proposed for the planning and treatment of any junctions or inter-sections of roads affected by the intended use of the land;
- (vii) Such other particulars as may be required for the purpose of enabling the Committee to take into consideration under section 37 sub-section (ii) of the Enactment the matters contained in the Schedule attached thereto.

12. The Government Town Planner may in his discretion afford to any owner or authorised person such information or assistance as may be available for the purpose of enabling such owner or person to comply with the provision of rule 11 or the forms referred to therein.

13. Before approving such plan and particulars, the Committee may give written directions to the applicant prescribing its requirements in respect of all or any of the matters contained in the Schedule of the Enactment, and the said applicant to whom such directions are given may certify his consent therewith by signing a copy of the said plan and particulars amended in accordance with such directions for the purpose of the deposit with the Collector and Registrar in accordance with section 41 of the Enactment.

14. Whenever a plan and particulars propose the opening or construction of any road, the Committee shall by written notice request the owner of any land within that part of the area, the development of which will, in their opinion, be affected by the opening or construction of the road, to furnish them with a plan and particulars showing generally the laying-out of the land, and before giving their approval, the Committee shall take into consideration any plan and particulars which are furnished to them by any such owner within a reasonable time to be specified in the notice, being not less than one month from the date of the notice.

Ministry of
Health model
clauses.

15. The Government Town Planner shall as soon as possible submit any proposal plan and particulars forwarded to him, together with his recommendations, to the Committee for action in accordance with the provisions of Chapter V of the Enactment.

16. The decision of the Committee shall be noted by the President (or other person presiding at the meeting thereof) on the plan and particulars, and also on the schedule of applications submitted therewith, and such plan and documents shall be returned to the Government Town Planner and to the Administrator. The Administrator shall inform the applicant of such decision, and of any modification or condition made by the Committee.

17. In the event of approval of any plan and particulars submitted to the Committee under section 37 sub-section (i) of the Enactment being refused or deferred, the Administrator may confer with the applicant with respect to any objection made by the Committee to such plan and particulars and if, as a result of such conference, the plan and particulars are amended in a form likely to be acceptable to the Committee, the Administrator, after consultation with the Government Town Planner, shall re-submit the plans and particulars, with such amendments as may have been agreed to by the applicant, to the Committee which may thereupon certify its approval thereof in conformity with the provisions of the Enactment.

[Under section 64 (i) (i).]

18. (i) A lay-out prepared under section 39 sub-section (i) of the Enactment shall be laid before the Committee by the Government Town Planner for its provisional approval.

(ii) After the Committee has given its provisional approval the Administrator shall, subject to any direction given him under sub-clause (v) hereof, proceed to negotiate with the owners and others interested in the land subject to the lay-out.

(iii) He may alter the plan and particulars in consultation with the Government Town Planner in such manner as may be found necessary in the course of negotiations, subject to ratification by the Committee.

(iv) The Committee may thereupon certify its approval under section 39 sub-section (iv) of the Enactment in respect of those parts of the lay-out to which the owners, and other persons interested therein, have given their written consent.

(v) The Committee may, in giving its provisional approval, divide the lay-out into units and direct the Administrator to negotiate in respect of units containing land which may or may not form the subject of an application under section 37 of the Enactment.

(vi) A notice shall only issue under section 39 sub-section (ii) of the Enactment to persons whose consent the Administrator has failed to obtain.

19. (i) Any appeal to the Resident under section 37 sub-section (iii) section 38 sub-section (iii) or section 46 (vi) of the Enactment may be made in Form "F" in the Schedule, or any objection under section 39 sub-section (iii) of the Enactment may be made in Form "G" in the Schedule and, in either case, shall be forwarded to the Administrator who shall, after notifying the President and Government Town Planner, forthwith submit such appeal or objection to the Resident.

(ii) The decision of the Resident in respect to the said appeal or objection shall be conveyed to the President, the Government Town Planner and the Administrator who shall inform the persons interested accordingly.

20. The decision of the Resident in respect to any question under section 41 sub-section (iii) of the Enactment shall be conveyed by the Collector or the Registrar as the case may be to the President, the Government Town Planner and the Administrator.

21. Fees for applications under section 37 sub-section (i) of the Enactment shall be paid by affixing revenue stamps, cancelled at the Treasury, according to the following scale: [Under section 64 (i) (d).]

Application to lay out any land.....\$5 for the first acre or part of an acre, \$1 for each subsequent acre or part of an acre up to a maximum of \$25.

Application to erect any building.....Nil.

Application to use any land.....\$1.

Copies of plans.....cost price, to be paid at the Land Office according to a certificate given by the Government Town Planner.

NOTE.—Of the above-mentioned fees \$1 will be deemed to include the \$1 due on the declaration in any form contained in the Schedule.

22. Fees for copies of approved plans and particulars supplied by the Government Town Planner to any owner or other authorised person and in so far as they relate to the interest of such owner or authorised person shall be charged on the following scale:

One acre or part thereof.....\$1.

Exceeding one acre at the rate of.....\$1 per acre up to a maximum of \$25.

23. (i) The Committee may, before authorising the preparation of the draft plan mentioned in section 13 of the Enactment, consider any preliminary scheme plans and particulars (hereinafter referred to as the preliminary scheme) submitted by the Government Town Planner showing tentative proposals for securing in any part of the area the objects of such draft plan.

(ii) The preliminary adoption by the Committee of such preliminary scheme (or of any amendment thereof from time to time as hereinafter provided) shall, unless otherwise expressly stated by the Committee, mean that any proposed zone or use district, or any road or building line or other provision specified in such preliminary scheme and clearly distinguished therein by separate tints or symbols, are adopted and may be incorporated in the draft plan aforesaid when the Committee by resolution under section 15, sub-section (v) of the Enactment, has authorised the commencement of such preparation.

(iii) Nothing in this rule shall prevent the Committee, in its discretion at any time before formally adopting the draft plan in accordance with section 16 sub-section (i) of the Enactment from amending any proposal incorporated therein from the preliminary scheme which has not been carried out or is not in course of execution when the draft plan is submitted to the Committee in conformity with the said section.

(iv) At any time subsequent to such provisional adoption, the Committee may where any application made by any person or public authority under section 37 sub-section (i) of the Enactment affects land contained within the preliminary scheme divide the area or part of such scheme into one or more units, and require the Government Town Planner to prepare detailed plans and particulars of such units in accordance with the provisions of the preliminary scheme or any amendment thereof for the purpose of dealing with the said application in manner provided by rule 18.

THE SCHEDULE.

FORMS.

Form A.

Confidential.

Lay-out of land.

The Town Planning Enactment No. 19 of 1923.

[Sections 37 (i) and 41.]

APPLICATION FOR APPROVAL OF LAY-OUT OF LAND.

Town planning area of.....

Date,.....19...

(1) Full name of registered owner or owners.....
Nationality.....

(2) Postal address.....

(3) Is the land held in trust by registered owner for other owners.....

(4) Full name of unregistered owner or owners (if any) for whom the land is held in trust

[If not any write "nil".]

(A) Name.....Postal address.....Nationality.....

(B) Name.....Postal address.....Nationality.....

(5) Particulars of land (street or road).....Section.....
Lot portion, etc.....Measurements or area.....

(6) Nature of title.....No.....Conditions on title.....

(7) Full name of any chargees or caveatees (if any)

[If not any write "nil".]

(A) Name.....Postal address.....Nationality.....

(B) Name.....Postal address.....Nationality.....

- (8) Existing buildings (permanent).....No.....Class.....
 Existing buildings (temporary).....No.....Class.....
 (9) Proposal plans attached.....
 (10) Particulars of proposed lay-out—
 (A) Total area or measurements of land proposed to be
 laid out.....
 (B) No. of lots proposed.....
 (C) Proposed use of land of (commercial, industrial,
 residential, etc.).....
 (D) When are proposed roads or lanes to be
 constructed.....
 (E) Proposed works (reclamation, filling, excavation, or
 drainage).....
 (F) Method of disposal of surface waters.....
 (G) Area of lands to be surrendered for roads and
 lanes.....or for a reserve or other public
 purpose.....
 (H) Does the lay-out comprise the whole or part of the
 land in title or titles as above.....
 (11) Fee deposited with Collector of Land Revenue \$.....

Signature of registered }
 owners as above }

Stamps.

Date,.....19...

DECLARATION.

I (we).....,being the registered owner (s) named herein do
 solemnly and sincerely declare that it is my (our) desire to
 lay out and use the land described in this form in accordance
 with the plan and particulars herewith and I (we) make this
 solemn declaration conscientiously believing the same to be
 true and by virtue of the provisions of the "Statutory
 Declarations Enactment, 1899".

Subscribed and declared by)
 the above-named..... (1)
 at.....in the State (2)
 of.....this day of..... (3)
 19.... (4)
 Before me..... / (5)

[Registered owner (s)]

Magistrate.

CONSENT OF UNREGISTERED OWNERS (IF ANY).

I (we).....the undersigned, being the unregistered owner (s) of the above land comprised in the plan and particulars above referred to hereby consent to the application made in this form and the proposal plan attached hereto.

Signatures witnessed by—

(1)	}	(1)
(2)		(2)
(3)		(3)
(4)		(4)

(Unregistered owners)

Date,.....19...

Date,.....19...

APPLICATION.

To the President and Members,
Town Planning Committee of.....

I (we).....the above-named declarant (s) hereby request you, within three months of the receipt by you of the plan and particulars herewith, to approve or disapprove such plan and particulars and inform me (us) accordingly at the above postal address in accordance with section 37 (ii) of the "Town Planning Enactment, 1923".

(Signature).....

.....
Registered owners.

FOR OFFICIAL USE ONLY.

No.....	Scheme No.....
References.....	Records book p.....
Application received.....	Plan No.....
No.....	Acknowledgment sent.....
Proposal plan No.....	Despatch No.....
Recommendation of Government Town Planner.....	Site inspected by.....
	Report No.....

Date,.....19...

.....
Government Town Planner,
F.M.S.

Forwarded Town Planning Committee.....Meeting.....
Schedule No.....Decision of Committee.....

Date,.....19...

.....
President, Town Planning Committee.

Returned with Schedule No.....to Administrator (Date),
.....19....Decision sent applicant.....Despatch No.....
Forwarded to Government Town Planner for notingTown
Planning Administrator (Date),.....19....Entered scheme file
.....Noted on plan.....Records book p.....Returned to
Administrator.....Date,19....Returned to Government
Town Planner.....

Appeal to Resident.

Appellant (name).....Address.....Nationality.....
 Reference.....No.....Forwarded Secretary to Resident.....
 Government Town Planner.....President, Town Planning
 Committee.....Decision of Resident.....Reference.....

.....
 Date,.....19...
 Appellant informed.....Despatch No.....

Deposit of Plans and Particulars.

Forwarded to Government Town Planner for action as
 under.....Entered scheme file.....Noted on plan No.....
 Records book p.....Date,.....19... Final plan No.....
 Particulars No.....

Returned to Town Planning Administrator for action as
 under.....

.....Date,.....19...
 Final plan and particulars forwarded for deposit to—
 Collector.....(letter.....19...). Despatch No.....
 Registrar.....(letter.....19...). Despatch No.....
 Filed.....19....

FORM B.

Confidential. Erection of building.

The Town Planning Enactment No. 19 of 1923.

[Sections 37 (i) and 38.]

APPLICATION FOR APPROVAL OF ERECTION OF BUILDING.

Town planning area of..... Date,.....19...

- (1) Full name of applicant.....Nationality.....
- (2) Postal address.....
- (3) Full name of registered owner or owners.....
 Nationality.....
- (4) Postal address.....
- (5) Is the land held in trust by registered owner (s).....
- (6) Full name of unregistered owner or owner (s) if any.....
 (A) Name.....Postal address.....Nationality.....
 (B) Name.....Postal address.....Nationality.....
- (7) Particulars of land (street or road).....Section.....
 • Lot, portion, etc.....Measurements or area.....
- (8) Nature of title.....No.....Conditions on title.....
- (9) Existing buildings (permanent).....No.....Class.....
 Existing buildings (temporary).....No.....Class.....
- (10) Number of persons residing therein.....
- (11) Buildings to be demolished (permanent).....(temporary)
Class.....
- (12) Proposed building (permanent).....No.....Class.....
 Proposed building (temporary).....No.....Class.....

[If not any
 write "nil".]

- (13) Proposal plans attached.....
- (14) Is it intended to set apart any portion of the land as a compound or enclosure to the proposed building?
- (15) Is a survey of the proposed lot required.....

NOTE.—If it is intended to erect further building on the land or that more than one proposed lot is to be laid out and surveyed for building purposes an application under Form No. I must accompany this application.

- (16) *Details of proposed building—*
 (A) Height (if more than two storeys).....
 (B) Distance between front of building and alignment of street.....
 (C) Materials (brick, wood, concrete, etc.).....
 (D) Proposed use.....
- (17) *External alteration or addition to existing building—*
 (A) Height.....
 (B) Distance between front of building and alignment.....
 (C) Materials (as above)
- (18) *Means of access—*(front).....(side).....(rear).....
 (road?) (lane or road?) (lane?)
- (19) Method of proposed surface drainage.....
- (20) Method of proposed sewage disposal.....
- (21) Area of lands proposed to be surrendered for roads or lanes.....or for a reserve or other public purpose.....

Signature.....

(A) owner; or (B) authorised agent.

Strike out (A) or (B).

Postal address.....

DECLARATION.

I (we)....., being the registered owner (s) named herein do solemnly and sincerely declare that it is my (our) desire to lay out and use the land described in this form in accordance with the plan and particulars herewith and I (we) make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the "Statutory Declarations Enactment, 1899".

Subscribed and declared by
 the above-named..... (1)
 at.....in the State (2)
 of.....this day of..... (3)
 19.... (4)
 Before me..... (5)

.....
Magistrate.

[Registered owner (s)]

CONSENT OF UNREGISTERED OWNERS (IF ANY).

I (we).....the undersigned, being the unregistered owner (s) of the above land comprised in the plan and particulars above referred to hereby consent to the application made in this form and the proposal plan attached hereto.

Signatures witnessed by—

(1)	}	(1)
(2)		(2)
(3)		(3)
(4)		(4)

(Unregistered owners)

Date,.....19...

Date,.....19...

APPLICATION.

To the President and Members,
Town Planning Committee of.....

I (we).....the above-named declarant (s) hereby request you, within three months of the receipt by you of the plan and particulars herewith, to approve or disapprove such plan and particulars and inform me (us) accordingly at the above postal address in accordance with section 37 (ii) of the "Town Planning Enactment, 1923".

(Signature).....

.....
Registered owners.

FOR OFFICIAL USE ONLY.

No.....

Scheme No.....

References:

Plan No.....

G.T.P. Records book p.....

S.B.....Records book p.....

Application received.....Acknowledgment sent.....
Despatch No.....Proposal plan attached No.....Site
inspected.....Report No.....Recommendation of Govern-
ment Town Planner.....

Date,.....19...

.....
*Government Town Planner,
F.M.S.*

Forwarded to Town Planning Committee.....Meeting.....
Schedule No.....Decision of Committee.....

Date,.....19...

.....
President, Town Planning Committee.

Returned with Schedule No.....to Administrator.....
President, Town Planning Committee.....Decision sent
applicant.....Despatch No.....Date.....19... Forwarded to
Government Town Planner for noting.....Town Planning
Administrator (Date),.....19...Entered scheme file.....Noted
on plan No.....Records book.....

.....
Returned to Administrator.....

.....
Date,.....19....

Appeal to Resident.

Appellant (name).....Address.....Nationality.....
 Reference.....No.....Forwarded Secretary to Resident.....
 Government Town Planner.....President, Town Planning
 Committee.....Decision of Resident.....

.....
 Date,.....19...

Appellant informed.....Despatch No.....

Returned to Government Town Planner for action as
 under.....

Date,.....19...

Final plan No.....Particulars No.....

Forwarded to Administrator for further action as under.....
Government Town Planner.....19...
 Returned to Government Town Planner.....

.....
 Filed.....19.....Administrator.....19...

FORM C.

Use of land.

The Town Planning Enactment No. 19 of 1923.

[Section 37 (i).]

APPLICATION FOR APPROVAL OF USE OF LAND.

Town planning area of.....Date,.....19...

(1) Full name of registered owner or owners.....
 Nationality.....

(2) Postal address.....

(3) Is the land held in trust by registered owner for other
 owners.....

(4) Full name of unregistered owner or owners (if any) for
 whom the land is held in trust

[If not any
 write "nil".]

(A) Name.....Postal address.....Nationality.....

(B) Name.....Postal address.....Nationality.....

(5) Particulars of land (street or road).....
 Section.....Lot portion, etc.....Measurements or
 area.....

(6) Nature of title.....No.....Conditions on title.....

(7) Full name of any chargee or caveatees (if any)

[If not any
 write "nil".]

(A) Name.....Postal address.....Nationality.....

(B) Name.....Postal address.....Nationality.....

(8) Existing buildings (permanent).....No.....Class.....

Existing buildings (temporary).....No.....Class.....

(9) Proposal plans attached.....

(10) Present use of land.....

(11) *Proposed use of land—*

- (a) reclamation (whole or part)
- (b) filling.....depth of.....
- (c) materials from.....nature of.....
- (d) excavation.....depth of.....
- (e) disposal of spoil.....
- (f) method of disposal of surface drainage.....
- (g) Purpose for which proposed works are intended.....

Signature of registered }
owners }

Stamps.

Date,.....19...

DECLARATION.

I (we).....,being the registered owner (s) named herein do solemnly and sincerely declare that it is my (our) desire to use the land described in this form in accordance with the plan and particulars herewith and I (we) make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the "Statutory Declarations Enactment, 1899".

Subscribed and declared by
the above-named..... } (1)
at.....in the State } (2)
of.....this day of..... } (3)
19.... } (4)
Before me..... } (5)

.....

[Registered owner (s)]

Magistrate.

CONSENT OF UNREGISTERED OWNERS (IF ANY).

I (we).....the undersigned, being the unregistered owner (s) of the above land comprised in the plan and particulars above referred to hereby consent to the application made in this form and the proposal plan attached hereto.

Signatures witnessed by—

(1) } (1)
(2) } (2)
(3) } (3)
(4) } (4)

(Unregistered owners)

Date,.....19...

Date,.....19...

APPLICATION.

To the President and Members,
Town Planning Committee of.....

I (we).....the above-named declarant (s) hereby request you, within three months of the receipt by you of the plan and particulars herewith, to approve or disapprove such plan and particulars and inform me (us) accordingly at the above postal address in accordance with section 37 (ii) of the "Town Planning Enactment, 1923".

(Signature).....

.....
Registered owners.

FOR OFFICIAL USE ONLY.

No..... Scheme No.....
References.....Records book p.....Plan No.....
Application received.....Acknowledgment sent.....Despatch
No.....Proposal plan attached No.....Site inspected
.....Report No.....Recommendation of Government Town
Planner.....

Date,.....19...

.....
*Government Town Planner,
F.M.S.*

Forwarded to Town Planning Committee.....Meeting.....
Schedule No.....Decision of Committee.....

Date,.....19...

.....
President, Town Planning Committee.

Returned with Schedule No.....to Administrator.....
President, Town Planning Committee, decision sent appli-
cant.....Despatch No.....Date,.....19...Forwarded to
Government Town Planner for noting.....Town Planning
Association. Date,.....19...Entered scheme file.....Noted
on plan No.....Records book.....Returned to Adminis-
trator.....Date,.....19...

Appeal to Resident.

Appellant (name).....Address.....Nationality.....
Reference.....No.....Forwarded Secretary to Resident.....
Government Town Planner.....President, Town Planning
Committee.....Decision of Resident.....

Date,.....19...

Appellant informed.....Despatch No.....

Returned to Government Town Planner for action as
under.....

Date,.....19...

Final plan No.....Particulars No.....

Forwarded to Administrator for further action as under.....
.....Government Town Planner.....19...

Returned to Government Town Planner.....

Filed.....19...

.....
.....Administrator.....19...

FORM D.

*Town planning area of.....*NOTICE TO DELIVER DOCUMENT OF TITLE UNDER TOWN
PLANNING ENACTMENT No. 19 OF 1923.

[Sections 21 (iii) and 41 (i)].

Date,.....19...

To

Owner, chargee,
caveater,
attorney or
solicitor.

Whereas the lands enumerated in the Schedule, situated at.....are affected by a plan and particulars which have been approved by the Town Planning Committee of the Area of..... you are required to deliver the issue copies of the documents of title to the said lands to me within one month from the service on you of this notice in order that they may be endorsed.

(Sd.).....

*Registrar of Titles.....**Collector of Land Revenue.....*

Method of service.

SCHEDULE.

Town or mukim.	Nature of title.	No.	Section.	Lot.

FORM E.

*Town planning area of.....*NOTICE TO DELIVER DOCUMENT OF TITLE UNDER TOWN
PLANNING ENACTMENT No. 19 OF 1923.

[Section 42 (ii).]

Date,.....19...

To

Owner, chargee,
caveater,
attorney or
solicitor.

Whereas the lands enumerated in the Schedule, situated at.....are affected by a deposited plan and particulars and whereas the new documents of title for the sites assigned under the approved plan and particulars are ready for registration you are required to deliver to me for cancellation within one month from the service of this notice to issue copies of the titles enumerated in the Schedule.

*Registrar of Titles,**Collector of Land Revenue.*

Method of service.

SCHEDULE.

Town or mukim.	Nature of title.	Number of title.	Section.	Lot No.

FORM F.

Town planning area of.....

PETITION OF APPEAL TO THE RESIDENT UNDER TOWN
PLANNING ENACTMENT No. 19 OF 1923.

[Sections 37 (iii), 38 (iii), 46 (ix).]

Date,.....19...

To

The Town Planning Administrator,

For forwarding to Secretary to Resident (State of).....

The petition of A.B.....sheweth as follows:

The heads not
applicable in
para. I should be
deleted by the
petitioner.

1. In the matter of the (a) lay-out of his land [section 37 (iii)], (b) the re-erection of a building [section 38 (iii)] or (c) the reconstruction of a building upon his land [section 46 (ix)] situated at.....Town Planning Committee of the Area of.....has made the following decision.....
2. Your petitioner is dissatisfied with the said decision on the following grounds.....
3. Your petitioner would be satisfied if the decision were altered as follows.....
4. Your petitioner prays that the decision may be reversed or amended as above or as justice may require.

Signature.....

FORM G.

Town planning area of.....

OBJECTION UNDER TOWN PLANNING ENACTMENT

No. 19 OF 1923.

[Sections 17, 39 (iii) or 46 (vi).]

Date,.....19...

To

The Town Planning Administrator,

For forwarding to—

(a) Under
section 46 (vi).
(b) Under
section 17 or
section 39 (iii).

(a) Secretary to Resident (State of.....)

(b) President, Town Planning Committee (area of.....)

Sir,

With reference to the notice served on me on.....No....., [Strike out (a) (b) or (c) as required.] regarding (a) the draft Plan (section 17), (b) the lay-out of my land (section 39) or (c) the building line traversing my land (section 46), I have the honour to inform you that I object to the proposals contained therein in so far as they affect the lands enumerated in the Schedule for the following reasons..... [See section 15 (i) of Enactment.]

My objection would be removed if the draft Plan or the proposals were altered in the following manner.....

I have the honour to be,

Sir,

Your obedient servant,

.....

SCHEDULE.

Town or mukim.	Nature of title.	Number of title.	Section No.	Lot No.

KUALA LUMPUR:

Printed by the Superintendent, Government Printing Department,
Federated Malay States.

1924.

With reference to the matter raised on the 11th inst. (1926) regarding (a) the first item (Section 17) for the purpose of my land (Section 18) or (b) the building the construction of which I have the honour to inform you that I object to the proposals contained therein in so far as they affect the lands comprised in the following schedule:

My objection would be removed if the first item of the proposals were altered in the following manner:

I have the honour to be,



2

FEDERATED MALAY STATES.

STATE OF PAHANG.

ENACTMENT No. 9 OF 1905.

An Enactment to extend and make compulsory the
practice of Vaccination.

CECIL WRAY,
British Resident.

[6th June, 1905.]

It is hereby enacted by His Highness the Sultan in Council as
follows:

1. This Enactment may be cited as "The Vaccination Enactment, Short title,
1905."

2. It shall be lawful for the Resident to appoint the State Surgeon Appointment of
to be Superintendent of Vaccination for the State and the District officers,
Surgeons to be Deputy Superintendents of Vaccination for districts
with such other Deputy Superintendents and such public vaccinators
and subordinate officers as may be required for performing the duties
prescribed by this Enactment, and with such salaries or payments by
fees as may seem to be required, and to make rules for the proper
conduct of the duties of the several officers so appointed.

3. It shall be the duty of the Superintendent and Deputy Superin- Supply of
tendents of Vaccination to take measures, subject to the orders of the vaccine virus,
Resident, for the regular supply of vaccine virus to the several district
and subordinate officers and to superintend the distribution of the
same.

4. The parent of every child in the State which may be of the age Parents, etc., to
of seven years or under, not being already vaccinated, shall within six cause children
months of the coming into operation of this Enactment, and the parent to be vacci-
of every child which may hereafter be brought to the State being nated.
the age of seven years or under, not being already vaccinated, shall
within six months after its arrival in the State, and the parent of every
child born in the State shall within six months after its birth, or where,
in any of the above cases, by reason of the death, illness, absence or
inability of the parent, or other cause, any other person shall have the
custody of such child, such person shall, within six months after
receiving the custody of such child, take it, or cause it to be taken, to
a public vaccinator and the public vaccinator to whom such child shall
be so brought is hereby required with all reasonable despatch, subject
to the conditions hereinafter mentioned, to vaccinate such child.

5. Upon the same day in the following week when the operation Inspection
shall have been performed by the public vaccinator, such parent or after vaccina-
other person, as the case may be, shall again take the child or cause it tion.
to be taken to such place as may be directed by the public vaccinator,

there to be inspected by a Deputy Superintendent of Vaccination or such other person as may be appointed by the Deputy Superintendent for the purpose, to ascertain the result of the operation, and the public vaccinator may, if he see fit, take from such child lymph for the performance of other vaccinations; and in the event of the vaccination being unsuccessful such parent or other person shall, if the public vaccinator so direct, cause the child to be forthwith again vaccinated and inspected, as on the previous occasion.

Certificate of
unfitness for
vaccination.

6. If any Deputy Superintendent of Vaccination or public vaccinator shall be of opinion that any child is not in a fit and proper state to be successfully vaccinated he shall forthwith deliver to the parent, or other person having the custody of such child, a certificate under his hand, according to the form of schedule B, that the child is then in a state unfit for successful vaccination, which certificate shall remain in force until the next visit of a public vaccinator to the mukim in which such child resides and shall be renewable for successive periods of not more than twelve months and shall *ipso facto* expire on the next visit of a Deputy Superintendent or public vaccinator to the mukim in which such child resides, but may be again renewed from time to time until a Deputy Superintendent of Vaccination or public vaccinator shall deem the child to be in a fit state for successful vaccination, when the child shall with all reasonable despatch be vaccinated, and the certificate of successful vaccination duly given if warranted by the result.

Renewed
examination.

7. At or before the end of each successive period the parent, or such person as aforesaid, shall take or cause the child to be taken to the Deputy Superintendent of Vaccination or other person appointed for the purpose as aforesaid, who shall then examine the child, and give the certificate according to the said form B so long as he deems requisite under the circumstances of the case.

Certificate of
insusceptibility
of vaccination.

8. If any such Deputy Superintendent of Vaccination or other person as aforesaid shall find that a child who has been three times unsuccessfully vaccinated is insusceptible of successful vaccination, or that a child brought to him for vaccination has already had the small-pox, he shall deliver to the parent or other person as aforesaid a certificate under his hand according to the form of schedule C, and shall also transmit a copy of the same to the Registrar of Births and Deaths in the district within which the birth was registered, but if such district be not known to him, or if the birth of the child shall not have been registered, to the Registrar within whose district the operation shall have been performed, and the child shall thenceforth not be required to be vaccinated.

Certificate of
vaccination
to be sent to
Registrar.

9. Every Deputy Superintendent or other person as aforesaid who shall have inspected the vaccination of any child and shall have ascertained that the same has been successful shall, within twenty-one days after the performance of the operation, transmit by post or otherwise, to the Registrar of the district as aforesaid a certificate according to the form of schedule D, certifying that the said child has been successfully vaccinated, and upon request shall deliver a duplicate thereof to the parent or other person as aforesaid.

Registrar to
give notice to
vaccinate.

10. The Deputy Registrar of Births and Deaths shall, within seven days after the registration with him of the birth of any child,

give a notice in form of schedule A to the parent, or in the event of the death, illness, absence, or inability of the parent, to the person having the custody of such child, requiring such child to be duly vaccinated according to the provisions of this Enactment.

11. Every Deputy Registrar of Births and Deaths shall keep a book in which he shall enter, in such form and manner as may be directed by the Resident, minutes of the notices of vaccination given by him as herein required and also register the certificates transmitted to him as herein provided, and shall at all reasonable times allow searches to be made therein, and upon demand give a copy under his hand of any entry in the same on payment of a fee of twenty-five cents.

Book of notices
to vaccinate.

12. Every parent or person having the custody of a child who shall neglect to take such child, or to cause it to be taken, to be vaccinated, or after vaccination to be inspected according to the provisions of this Enactment, and shall not render a reasonable excuse for his neglect shall be liable upon conviction before a Magistrate to a penalty not exceeding five dollars, and the Magistrate may make an order under his hand and seal directing such child to be vaccinated within a certain time; and if at the expiration of such time the child shall not have been so vaccinated, or shall not be shown to be then unfit to be vaccinated, the person upon whom such order shall have been made shall be proceeded against summarily and, unless he can show some reasonable ground for his omission to carry the order into effect, shall be liable, on conviction before a Magistrate, to a penalty not exceeding twenty-five dollars.

Penalty for not
vaccinating.

Order to
vaccinate.

Further
penalty.

13. Every public vaccinator, parent or person, as the case shall require, who shall neglect or omit to perform any duty imposed in the several sections of this Enactment shall be liable, upon conviction before a Magistrate, where not otherwise specially provided for, to a penalty not exceeding ten dollars; and every person who shall wilfully sign a false certificate or duplicate under this Enactment shall be punishable in the manner provided by section 197 of the Penal Code.

Offences.

14. Any person who shall produce or attempt to produce in any child or person by inoculation with variolous matter, or by wilful exposure to variolous matter, or to any matter, article or thing impregnated with variolous matter, or wilfully by any other means whatsoever produce or attempt to produce the disease of small-pox in any child or person, shall be guilty of an offence and shall be liable, upon conviction before a Magistrate, to a penalty not exceeding one hundred dollars, or to be imprisoned for any term not exceeding six months, or to both.

Misdemeanours.
Inoculation.

Penalty.

15. In any prosecution for neglect to procure the vaccination of a child, it shall not be necessary in support thereof to prove that the defendant had received notice from the Registrar or any other officer of the requirements of the law in this respect, but if the defendant produce any such certificate as hereinbefore described, or the Register of Vaccination kept by the Registrar as hereinbefore provided, in which the certificate of successful vaccination of such child shall be duly entered, the same shall be sufficient defence for him except in regard to the certificate marked B, when the time specified therein for the postponement of the vaccination shall have expired before the time when the information shall have been laid.

Rule of
evidence.

VACCINATION.

5

SCHEDULE C.

I, the undersigned, hereby certify that I have _____ times
unsuccessfully vaccinated _____ the child of _____ of
_____ in the district of _____ in the State of Pahang,
aged _____ (or that the child has already had small-pox, as the case
may be), and I am of opinion that such child is insusceptible of
successful vaccination.

Dated this _____ day of _____ 190 .

(Signed) A. B.

*Deputy Superintendent of Vaccination of the
District.*

MEMO.—This is to be kept by the parent or other person to whom it is
given.

SCHEDULE D.

I, the undersigned, hereby certify that _____ the child of
aged _____ of _____ in the district of _____ in
the State of Pahang, has been successfully vaccinated.

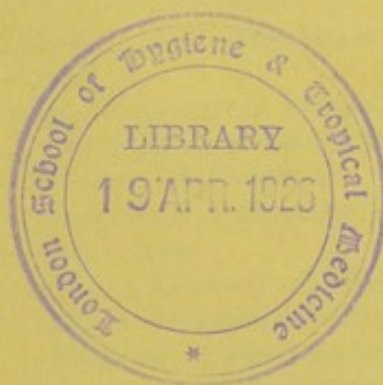
Dated this _____ day of _____ 190

(Signed) A. B.

Public Vaccinator of the _____ District.

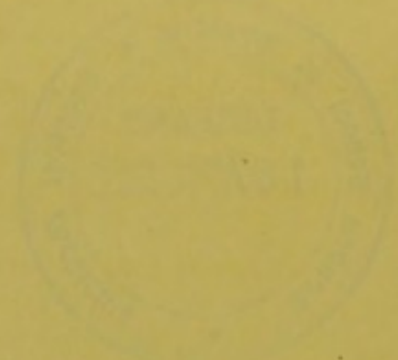


SELANGOR
BY-LAWS.



REYNOLDS

BY-LAWS



BY-LAWS.		
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BY-LAWS.

GENERAL CONSERVANCY.

PART I.

THE REGULATION AND CONTROL OF BUILDINGS AND BUILDING OPERATIONS.

1. Except in the case of a building erected or maintained by the Government, no person shall erect or commence to erect any building upon any land within a Sanitary Board area except in accordance with the directions and subject to the written approval and control of the Board; and no person shall re-erect, add to or alter any building already being upon such land except in accordance with such directions and subject to such approval and control.

Control of Board over buildings.

2. (i) Every person intending to erect, re-erect, add to or alter any building other than a Government building shall give notice in writing of his intention to the Board, stating in such notice the use to which it is intended that the building shall be put, and shall, unless the Board with the authority of the Resident shall dispense with drawings, deposit at the office of the Board drawings in duplicate showing a plan of each floor longitudinal and cross sections and an elevation of the front and of any side that may abut on a street. These drawings shall show the levels at which the foundations and lower floors are proposed to be laid with reference to the street and public drains, the levels and direction of all house and private drains, the dimensions of all walls, pillars, beams and wood-work, and the nature of the materials to be used, and every person shall obey all written directions given by the Board, either prohibiting the erection, re-erection or alteration of buildings, or in respect of all or any of the matters following—namely,

Notice to be given: plans.

- (a) Space to be left about the building to secure free circulation of air and to facilitate scavenging;
- (b) Ventilation, lighting and drainage;
- (c) Security against fire, and in the case of places of public resort or entertainment, including places for religious worship, the means of egress in case of fire or accident;
- (d) Level and width of foundation level of lowest floor and stability of structure;
- (e) The line of frontage with neighbouring buildings if the building abuts on or is within fifty feet of a public street;
- (f) The front elevation and, where the side elevation abuts on or is within fifty feet of a public street, the side elevation;

- (g) The nature and quality of the materials to be used;
- (h) The position and supply of sufficient latrine accommodation and facilities for cleaning;
- (i) The construction and level of an arcade or pavement for the use of foot passengers along that part of the building which abuts on a street;
- (j) The prevention of dampness in houses intended for human habitation;
- (k) The setting back or setting forward of buildings to the regular line of the street as defined in by-law 13.

(ii) Every person who, having given notice under clause (i) of this by-law or under this clause, shall not have commenced the works within one year from the date of the approval of the works by the Board, or having commenced the works has suspended the same for a period exceeding six months, shall before he commences or resumes the work give to the Board notice in writing of his intention, and when required by the Board shall deposit new drawings in duplicate showing the particulars specified in clause (i) of this by-law. The requisition for new drawings shall cancel any approval of former drawings.

Penalty in
default of
notice.

3. If any person commences building operations without giving notice, or without depositing drawings if so required as aforesaid, or without previously obtaining the written approval of the Board, the Chairman of the Board or other officer of the Board thereto deputed by him may summarily stop the work and the Board may require the building to be altered or demolished as it may deem necessary.

Power of Board
if requirements
neglected.

4. In the event of failure to comply with any requisition of the Board made under the preceding by-law for the alteration or demolition of any building within fourteen days of the receipt of a notice from the Board in that behalf, the Board may cause any erection made or work executed without its authority to be taken down.

Plans of
buildings.

5. (i) All plans of new buildings or of alterations to old buildings required by the Board to be furnished must be deposited in duplicate at the Board office at least seven days before the day fixed for an ordinary meeting of the Board, and all such plans must be drawn in ink either on drawing paper, tracing cloth or tracing paper, or in such other manner as may be approved by the Board. The plans must bear the name and full address of the architect or draftsman and must also be signed by the person for whom they have been prepared. When such plans have been approved and passed by the Board one copy signed by the Chairman will be returned to the person submitting the same, and shall be kept by the builder on the site of the building to which it relates during the construction or alteration of such building, and shall be produced whenever so required by an inspecting officer during working hours.

(ii) The following fees are payable by persons who submit plans under the provisions of clause (i) of this by-law and include all charges for passing of plans and for inspection :

- | | | |
|--|-------|-------|
| (a) For every brick building not exceeding 1,000 square feet in area and consisting of a ground storey only | \$ c. | 7 50 |
| (b) For every brick building not exceeding 1,000 square feet in area and two storeys in height | | 15 00 |
| (c) For every additional storey | | 3 00 |
| (d) For every additional 100 square feet or fraction of 100 square feet of area ... | | 0 75 |
| (e) For every pillar and plank building—a fee at one-half of the above rates. | | |
| (f) For every open atap shed not intended for human habitation—a fee at one-quarter of the rates for brick buildings. | | |
| (g) For a series or row of buildings of the same plan and material when passed and built at the same time—a deduction on every building after the first of 10 per cent. where the buildings do not exceed 5 in number and a further deduction of 5 per cent. on the 6th and every additional building. | | |
| (h) For alterations to existing buildings—fees at one-half of the rates for new buildings. | | |
| (i) For alterations on passed plans | | 2 00 |
| (j) For every bridge, wharf, wall or other special building and every atap dwelling-house, for every 100 square feet | | 1 00 |

6. There shall be deposited together with the building plans a block or site plan showing to scale the allotments and the actual site on which the building or alterations are intended to be placed or made, the title and plan-numbers thereof, and the nearest open streets, showing the widths of the same if the building is within twenty feet thereof; and where the site of any such building shall abut on the line of any intended but unopened street the plans shall show the lines of such unopened streets and its connection with the nearest open street.

Plans of site,

7. There shall be deposited together with each building plan a building form correctly filled up in all possible details. These forms may be obtained on application at the office of the Board.

Building form,

8. All plans except the block or site plan shall be drawn in ink and coloured and to a scale of not less than one-eighth of an inch to a foot and the block or site plan shall be drawn to a scale of not less than one inch to one hundred feet.

Scale of plans.

Board may
furnish plans.

9. Should a plan not be approved by the Board, a plan may be furnished by the Board to the person desirous of building on payment of a fee of ten dollars.

Inspection of
foundation and
walls.

10. As soon as the trenches for the foundations are ready, the builder shall notify in writing the officer of the Board supervising the work, and the foundations may not be proceeded with until the said officer has certified on the plan to the effect that the trenches are satisfactory. A similar notice and certificate shall be necessary when the foundations are completed, and again when the damp-proof course is finished.

Power to stop
work on
dangerous
buildings.

11. It shall be competent for any officer deputed by the Board to inspect any building in course of construction and to see that the details of the approved plan have been strictly adhered to, and if he shall consider that the principles on which the work is being carried on or the materials used will render such building unsafe for human habitation or dangerous to the public, he may order the cessation of work upon the building and the Board may order its demolition at the expense of the owner.

Adherence to
general plan
of town.

12. All buildings within a Sanitary Board area shall be constructed in accordance with the general plan of the town in respect of design and materials and on the regular line of the street prescribed by the Board, and no departure therefrom shall be allowed without the special sanction of the Board. No building shall be erected if in the opinion of the Board its general elevation and appearance are unsuitable to the locality in which it is proposed to erect it.

"Regular line
of street"
may be
prescribed.

13. (i) The Board may, with the sanction of the Resident, prescribe a line on each side of a public street within which no building abutting on the said street shall after such line has been prescribed be constructed.

(ii) A line so prescribed shall be called the "regular line of the street."

Board in certain
cases may take
possession of
land within
regular line.

(iii) When any building or any part thereof within the regular line of the street falls down or is burned down or is taken down, whether under the provisions of by-law 3 or otherwise, the Board may at once on behalf of the Government take possession of the portion of land within the regular line of the street theretofore occupied by the said building, and if necessary clear the same.

(iv) If any land whether open or enclosed lies within the regular line of the public street and is not occupied by a house, or if a platform, verandah, step or some other structure external to a house abutting on a public street, or a portion of a platform, verandah, step or other such structure is within the regular line of such street, the Board may, after giving to the owner of the land or building not less than fourteen clear days' written notice of its intention so to do, on behalf of the Government take possession of the said land with its enclosing wall, hedge or fence, if any, or of the said platform, verandah, step or other structure as aforesaid, or of the portion of the said platform, verandah, step or other such structure as aforesaid, and if necessary clear the same.

(v) Land acquired under this by-law shall thenceforward be deemed a part of the public street and shall vest as such in the Government.

14. The Board shall make full compensation to the owner of any house or building or land for any damage he may sustain under the last by-law, and if any dispute arises touching the amount of such compensation, the same shall be ascertained in manner provided in section 48 of "The Sanitary Boards Enactment, 1916."

Board to pay full compensation to owner.

15. In localities where timber or mud walls are allowed the Board may require that the end walls of any block abutting on a cross street and every alternate party walls shall be of brick or stone.

End and party walls where timber and mud walls are allowed.

16. All brick or stone party walls shall be carried up intact to a height of not less than one foot six inches above the tiles or other roof covering, measured at right angles to the slope, and shall be provided with granite or cast concrete templates for supporting main timbers and rafters; the front and back eaves of adjoining houses shall be separated by corbelling out the party wall, proper copings shall be constructed on the party walls to prevent water running down the sides or soaking into them.

Party walls, details as to.

17. The thickness of all external and party walls of all dwelling-houses, shops, offices and other buildings constructed of brick and used or adapted to be used for human habitation in whole or in part shall be as follows:

Thickness of brick walls.

- | | | | | | |
|--|-----|-----|-----|-----|----------|
| (a) For a building one storey in height where the wall does not exceed ten feet in height | ... | ... | ... | ... | 9 inches |
| (b) For a building one storey in height where the wall is from ten to fifteen feet in height | ... | ... | ... | ... | 13½ " |
| (c) For a building two storeys in height: | | | | | |
| 1st storey | ... | ... | ... | ... | 13½ " |
| 2nd " | ... | ... | ... | ... | 9 " |
| (d) For a building three storeys in height: | | | | | |
| 1st storey | ... | ... | ... | ... | 18 " |
| 2nd " | ... | ... | ... | ... | 13½ " |
| 3rd " | ... | ... | ... | ... | 9 " |
| (e) For a building above three storeys in height the thickness of the walls in the three upper storeys shall be as for a three storey building and the thickness of the walls of each of the lower storeys shall be four and a half inches thicker than that of the storey immediately above it. | | | | | |
| (f) No storey shall exceed fifteen feet in height without the permission of the Board, who may in such case prescribe to what extent the walls shall be increased in thickness or otherwise strengthened. | | | | | |
| (g) All bricks used for building purposes shall measure not less than 8½" × 4½" × 2½". | | | | | |

Walls of
godowns or
exceptional
buildings.

18. The thickness of the walls of godowns and other exceptional buildings shall be subject to the approval and direction of the Board in each particular case.

Strengthening
of walls by
cross walls
or pilasters.

19. Every external or party brick wall shall if so required by the Board be strengthened to its full height by substantial cross walls or pilasters exceeding it in thickness by not less than nine inches and of a minimum width of one foot six inches at intervals not exceeding twenty feet.

Thickness as
to rubble work.

20. The three last preceding by-laws shall apply to stone walls with the proviso that all the dimensions referring to width or thickness shall for rubble work be one-third more than those therein given.

Damp-courses.

21. Every person who shall erect a new building shall cause every wall of such building to have a proper damp-course, of such durable material impervious to moisture as shall be approved by the Board, at a height of not more than nine inches or less than three inches above the surface of the ground, or of the ground floor if the latter be laid directly on the surface of the ground.

Mud walls to be
strengthened.

22. Where mud walls are allowed they shall be strengthened by brick pillars or hard-wood posts at intervals not exceeding ten feet, and no part of the roof or any upper storey shall depend on them for support.

Foundations.

23. All foundations shall be laid at a depth exceeding that of the drains adjoining the site by not less than six inches where these are of brick or concrete, and by not less than one foot six inches where they are in earth, only the minimum depth in any case being two feet six inches below ground level. They shall rest on solid ground in all cases, or on a sufficient width and thickness of good concrete, with addition of such other good and suitable material as the site may in the opinion of the Board require. Footings shall be built with regular offsets not exceeding four inches for brickwork or six inches for stone, and their projection on each side shall be at least equal to half the thickness of the wall at its base, their minimum depth being two-thirds of that thickness.

23A. It shall not be lawful to erect a new building on any ground which has been filled up with any matter impregnated with foecal, animal or vegetable matter, or upon which any such matter has been deposited, unless and until such matter shall have been properly removed by excavation or otherwise, or shall have been rendered or have become innocuous.

Brick pillars,
dimensions of.

24. Brick pillars shall not exceed sixteen feet in height above ground level unless connected by brick, stone or mud walls in the lower storey, or twelve feet above such connecting walls in any case. The total height measured from the top downwards shall not at any point exceed six times the square of the least width or thickness. Where timbers are supported on any such pillars the area of the brick-work shall not be reduced in cross section by more than one third; a clear space shall be left on both sides

at the end and on the top of the timbers and any opening or recess exceeding five inches in width shall be covered with a stone slab. In no case shall any timber be built in or any weight from the brickwork above supported on it.

25. All pillars in any verandah supporting an upper storey shall be of brickwork not less than two feet square or of iron and the provisions of by-law 20 as to foundations shall apply to these also.

Brick or iron pillar foundations.

26. All posts, beams, sills, wall-plates, joists, purlins, rafters and roof principals shall be of hard wood or iron; and proper hard-wood or iron bracing shall be fixed between the posts supporting any roof or upper storey so that they shall not depend on the planking for lateral support.

Posts, beams, etc.

27. No person who shall erect or re-erect any building shall allow the same or any portion thereof to be occupied, and no person who shall add to or alter any building shall allow such addition or the part so altered to be occupied, until such building shall have been examined by an officer duly authorized by the Board and shall have been certified by such officer in writing to be fit for occupation.

Board sanction necessary prior to occupation.

28. Proper precautions shall be taken for the protection of the public whilst building operations are being carried on by the placing of a strong hoarding round the building when necessary, with lamps at those corners which abut on a street lighted and kept burning from sunset to sunrise. All building material shall be kept within such hoarding.

Precautions whilst building.

29. (i) No materials shall be stacked, nor any post, scaffolding or other temporary erection put up, nor any hole or excavation made on any premises abutting on any street without the written permission of the Board; and every person to whom such permission is granted shall at his own expense cause such materials, scaffolding, hole or excavation to be sufficiently fenced and enclosed until the materials are removed or the hole is filled up or otherwise made secure, and shall cause the same to be sufficiently lighted as provided above.

Sanction of Board necessary for stacking materials, etc.

(ii) The following fee is payable for permission to deposit building materials on any public roadway:

For every sixteen feet of frontage by one foot	c.
in width of roadway per month or part of a	
month	50
For every additional foot in width of roadway	50

30. (i) Every person who shall erect a building shall construct the ground floor of such building at such level as will allow of the construction of a drain sufficient for the effectual drainage of such building.

Ground floor level.

(ii) In all cases in which the Board shall so direct the ground floors of buildings shall be paved and rendered in cement or other impervious material.

(iii) Whenever so required, the owner of any domestic dwelling in connection with which there is any yard or open space shall pave such yard or open space with a hard, durable and impervious pavement of good cement concrete or other suitable material, so sloped to a properly-constructed channel as effectually to carry off rain or waste water therefrom. For the purpose of this by-law the expressions "domestic dwelling" and "open space" shall have the meanings given to them in by-law 36.

House drains.

31. (i) Every house within twenty feet of a street shall be provided with an independent drain with a fall of at least 1 in 120 connected directly with a public masonry drain, or if there is no such drain with a roadside drain or ditch; and the drain shall be constructed throughout its entire length of brick or other material approved by the Board; and if the drain be constructed of brick or concrete it shall have a segmental invert and shall be properly rendered in cement and finished to a smooth surface.

(ii) The owner of every house or building abutting on any street shall within twenty-one days after notice from the Board to that effect put up and keep in good condition proper troughs, gutters and pipes for receiving and carrying the water from the roof and other parts of such house or building and discharging the same in such manner as the Board direct, so that it shall not fall upon persons passing along the street.

Height of
arcades.

32. (i) Where the upper portion of an arcade is covered in not less than seven feet clear headway shall be left above the level of the pavement of such arcade.

(ii) The foundations, pillars and arches of all such arcades shall be built in cement mortar.

Removal of
fallen material.

33. If any house, wall, verandah or other erection or any part thereof fall upon any street, the owner shall forthwith remove the fallen materials; and if the same be not forthwith removed they may be removed by order of the Chairman of the Board and the expense of such removal recovered from the owner.

Inflammable
walls and roof.

34. The owner or occupier of any house or building the walls or roof of which are made of atap or any other inflammable material shall on receiving written notice from the Board in that behalf refrain from renewing or repairing the same with any such inflammable material.

Special
permission for
atap buildings
or roofs.

35. (i) No building shall be constructed of or roofed with atap or corrugated iron or material similar to either of them, without the special permission in writing of the Board.

(ii) Such permission may take the form of a licence, to be issued under this by-law, and any such licence may be subjected to a condition, to be expressed therein, limiting the time during which the building whereto the licence relates may remain erected. At the expiration of the time so limited, or of such further time (if any) as the Board may allow, such building shall be removed by the owner thereof.

(iii) A fee not exceeding five dollars shall be payable for a licence under this by-law.

PART II.

OPEN SPACES, VENTILATION, DEPTH AND HEIGHT OF BUILDINGS, BACK LANES.

36. (i) No building intended for use as a domestic building shall be erected unless provision shall have been made for maintaining free from any erection or obstruction, other than such bath-houses and latrines as in the opinion of the Board are necessary for the use of the occupiers of the building, a space or spaces adjoining such building and appurtenant thereto having an area bearing to the area occupied by the building a proportion of not less than 1 to 3; provided that in any case where the maintenance of a space or spaces as prescribed by this clause would, in the opinion of the Board, cause undue hardship the space or spaces to be maintained as aforesaid may be of such area less than that hereinbefore prescribed, as the Board may, with the concurrence of the Health Officer, and the approval of the Resident, permit. The Board shall in no case require a space or spaces to be maintained as aforesaid in excess of one-half of the area occupied by the building whereto the same is or are appurtenant. Open spaces.

(ii) No house, hut, shed or roofed enclosure not intended for use as a domestic building shall be erected unless provision shall have been made for maintaining, free from any erection or obstruction, such space or spaces adjoining the house, hut, shed or roofed enclosure as shall secure direct admission of light and sufficient and thorough ventilation and shall be approved by the Board; and no such building as aforesaid shall be used as a domestic building unless and until it shall, in the opinion of the Board, comply with the provisions of this by-law relating to domestic buildings.

(iii) The proportion borne by the depth to the frontage in the the case of any domestic building not being a detached or semi-detached building shall not, except with the express permission of the Resident, exceed the proportion of $2\frac{1}{4}$, depth, to 1, frontage; provided that the depth shall not, except with the express permission of the Resident, exceed 45 feet; provided further that, subject to the provisions of clause (i) of this by-law, such extensions of or additions to such building may be permitted as shall not exclude light or air therefrom. Depth.

(iv) The Board shall not approve the plans of any building intended for use as a domestic building, other than a building standing detached in a compound, unless provision shall have been made for access to the back premises of such building by means of a lane not less than 20 feet wide; provided that the Board may, with the concurrence of the Health Officer, permit such lane to be of any width not less than 14 feet. Back lanes.

(v) No building which abuts on a street shall exceed in height the width of the street on which it abuts; provided that where a building abuts on two or more streets the height thereof may equal the width of the widest of such streets. In this clause "height" means the height from the level of the street to the top of the parapet or where there is no parapet the top of the external wall. Height.

(vi) In this by-law the expression "domestic building" means any building constructed, used or adapted to be used wholly or partly for human habitation, but does not include any building where caretakers only not exceeding two in number pass the night.

Partitions and
cubicles.

37. (i) No owner or occupier of any building shall partition off, or allow to be partitioned off, by means of any structure, either permanent or temporary, any portion of any room in such building without the approval of the Board expressed in writing.

(ii) Any portion of a room partitioned off for the purpose of being used as a sleeping place, hereinafter referred to as a cubicle, shall have a floor area of at least eighty square feet and length or width of at least seven feet.

(iii) No cubicle shall be erected in a room less than twelve feet in height.

(iv) There shall be a space between the top of every portion of the partition walls and the ceiling or underside of joists of not less than four feet, which space may be closed only by wire netting, lattice-work, carved wood-work, or bars arranged in such a way as to leave two-thirds open, and so far as practicable evenly distributed, but no partition shall be more than eight feet high.

(v) No portion of the structure of any cubicle except the necessary corner posts shall be nearer than two inches to the floor of such cubicle, and no structure shall be erected, or if already existing shall be allowed to remain, within any cubicle which is of a greater height than the maximum height allowed by these by-laws for any portion of the structure of such cubicle, or which provides a cover or roof to the cubicle.

(vi) No cubicle or room shall be constructed or retained in any domestic building unless there is direct admission of light from the external air to such cubicle or room by means of either windows or sky-lights as the Board may direct. The area of such windows or sky-lights shall not be less than one-tenth of the total area of the floor space of the cubicles or rooms intended to be lighted thereby.

(vii) All wooden partitions shall be made of planks planned to a smooth surface on both sides and the Board may require such partitions to be painted.

(viii) No corridors shall be constructed less than four feet wide.

(ix) All corridors shall be efficiently lighted by openings into the external air.

(x) The Board may in the case of existing cubicles or partitions require the owner and occupier or the owner or the occupier by notice in writing to make such alterations as shall conform to these by-laws.

(xi) Every building in which cubicles have been or are to be constructed shall be provided with a jack-roof of such dimensions and materials as may be approved by the Board.

(xii) In all buildings in which cubicles have been or are intended to be constructed the ceiling of the top storey must follow the line of the rafters and purlins and be so constructed as not to obstruct the direct passage of light from the sky-lights to the cubicles.

(xiii) For the purposes of this by-law direct admission of light shall mean the admission of light to the floor of a room or cubicle direct from the sky at an angle of not more than 60° with the horizontal.

PART III.

THE STORAGE OF PETROLEUM.

37A. All licences for storage of petroleum in quantity exceeding one hundred and sixty, but not exceeding four hundred gallons, and contained in tins or drums shall be subject to the following conditions :

- (a) No licence will be granted for storing in any wooden building;
- (b) The petroleum shall be stored in an iron, brick or stone compartment;
- (c) No goods of a combustible nature shall be stored in such compartment or within ten feet therefrom;
- (d) Petroleum shall not be drawn off from any of the tins or drums between sunset and sunrise except by the light of incandescent electric lamps;
- (e) No smoking, light or fire in any form shall be permitted at any time within, or within ten feet of, such compartment;
- (f) Such materials as appliances for extinguishing fire as shall be approved by the Licensing Authority shall be kept ready for use in every licensed place;
- (g) All licensed premises shall have fixed, in a conspicuous place, a sign-board of approved pattern bearing the words "Licensed Petroleum Store" and the number of the store;
- (h) If the Licensing Authority calls on the holder of a licence, by a notice in writing, to execute any repairs to the licensed place, which may, in the opinion of such authority, be necessary for the safety of the place, the holder of the licence shall execute the repairs within such period, not being less than one week from the date of the receipt of the notice, as may be fixed by the notice.

37B. No licence shall be granted for the storage of petroleum exceeding four hundred gallons and contained in tins or drums or other metal receptacles unless such petroleum is to be stored in a building the situation and construction of which shall have been approved by the Resident.

37c. Every building for the storage otherwise than in bulk of petroleum other than dangerous petroleum shall be subject to the following conditions :

- (a) A plan drawn to a scale of not less than forty feet to the inch of every building intended for the storage of such petroleum in such quantity shall be furnished by the applicant for a licence to the Licensing Authority, on which plan shall be shown the position and description of every building within sixty feet of the building for which a licence is applied for;
- (b) There shall be affixed to every such building a lightning conductor leading into a pit or well or into a river or the sea;
- (c) All the doors of every such building if of woods shall be of the thickness of not less than one inch and a half and all the windows shall be fitted with external shutters. The sills of all external doors and windows on the ground floor of every such building shall be at a height of not less than three feet from the ground and all the floors shall be of stone, concrete or brick;
- (d) The quantity of petroleum stored in any compartment of a building built after the passing of these rules shall not exceed ten thousand cases, or eighty thousand gallons, and the height of such building from the floor level to the under-side of the roof tie-beams shall not exceed twelve feet nor be less than ten feet. The walls of every such building which is of brick shall be solidly built of bricks throughout well bonded together with freshly made mortar, and shall be of a thickness of not less than fourteen inches;
- (e) Where there is more than one compartment in any licensed building, the walls between each compartment of the building shall be solidly built of bricks throughout well bonded together with freshly made mortar, and shall be of a thickness of not less than fourteen inches, and shall be carried at least two feet above the roof of the building. There shall be no communication between one compartment of the building and any other compartment thereof;
- (f) An embankment of not less than three feet in height shall be raised round every place licensed for the storage of such petroleum in such quantity and at a distance of at least ten feet from such licensed place. The roads or paths on such embankment shall be made of brick stone, concrete, or cement;
- (g) A detached building of brick or other safe material shall be provided for the soldering up of leaking tins outside the embankment referred to in the last

preceding paragraph. No leaking tins shall be soldered up except in the soldering building so provided, and no more than fifty cases of petroleum shall be kept therein at one time;

(h) All drains leading from the licensed place shall lead into catch-pits which shall be provided with iron plugs or doors capable of being closed in case of fire.

37D. Subject to the provisions of by-law 37E petroleum other than dangerous petroleum shall not be stored in bulk except in such places and under such conditions as the Board, with the concurrence of the Resident, may approve.

37E. (i) When petroleum is stored in bulk in steel or iron oil storage tanks such oil storage tanks shall not be fitted with lightning conductors nor shall any fittings with sharp or pointed terminals be affixed to the roof or the exterior.

(ii) Steel or iron storage tanks shall be so constructed that the steel or iron bottoms are in continuous metallic contact with the walls.

(iii) Where such tanks are constructed with concrete bottoms an iron or steel network is to be laid on the floor and is to be in metallic contact with the walls.

(iv) All pipes entering oil storage tanks shall be metalically joined to walls or floor at point of entry.

(v) Vent pipes shall not project in a vertical direction, they shall be bent downwards and fitted with wire gauze screens for the prevention of transmission of flame from vapour that may become ignited to the interior of the tank: while the tanks are in use no openings shall remain unclosed other than vent pipes protected as herein prescribed.

37F. In these by-laws the expression "dangerous petroleum" means petroleum which is dangerous within the meaning of "The Petroleum Enactment, 1914," and "petroleum in bulk" means petroleum in any vessel or receptacle having a capacity of 300 gallons or upwards.

PART IV.

THE LAYING-OUT AND MAINTENANCE OF RESERVES FOR RECREATION AND OTHER PURPOSES.

38. All open spaces under the control of the Board and maintained by it for the health and recreation of the public, hereinafter termed "recreation grounds," shall at all times subject to any special rights granted by the Board be open to the public.

Public recreation grounds and open spaces.

39. No person shall post, stick, stamp, stencil, paint or otherwise affix, or cause to be posted, stuck, stamped, stencilled, painted or otherwise affixed, any placard, handbill, notice, advertisement or any document whatsoever upon any tree, fence, post or building on any recreation ground.

Advertisements forbidden.

40. No person shall discharge any firearms, or send up any fire balloon, or throw or set fire to any fireworks, or kindle any fire on any part of any recreation ground without the written permission of the Board previously obtained.

Firearms, fireworks, etc.

- Sale of goods. 41. No person shall sell or expose for sale any goods, wares, merchandise or things on any part of any recreation ground without the written permission of the Board previously obtained.
- Pasturing of animals. 42. No person having control of any horses, cattle, sheep, goats or donkeys shall cause or allow any such animal to be upon any recreation ground without the permission of the Board.
- Carpet beating. 43. No person shall in any part of any recreation ground shake, sweep, brush, beat or cleanse any carpet or other fabric containing dust or dirt.
- Drying clothes, etc. 44. No person shall in any part of any recreation ground hang, spread or deposit any linen or other fabric for the purpose of drying, bleaching, sail-making or for any other purpose.
- Depositing rubbish. 45. No person shall leave, discharge, throw or take upon any recreation ground any rubbish, dirt or refuse of any kind whatsoever without the written permission of the Board previously obtained, and in the event of such permission being given shall in all cases act under the directions of the Board.
- Public meetings. 46. No person shall deliver any public address in any part of any recreation ground without the permission of the Board.
- Games. 47. No person or club shall use any part of any recreation ground for the purpose of any game which by reason of the manner of playing, or for the prevention of damage, danger or discomfort to any persons on the recreation ground, may necessitate at any time during the continuance of the game the exclusive use by the player or players of any space on the recreation ground until the approval of the Board has been obtained and a permit issued.
- Revocation of permit for games. 48. Every permit issued under by-law 47 shall be revocable at the discretion of the Board on the expiration of one month's notice to the holder thereof of the intention of the Board to revoke the same, and on such revocation the person or club whose permit is revoked shall cease to play on the recreation ground. Every such permit shall expire on the thirty-first day of December of the year in which it is issued.
- Obstructions. 49. No person or club shall erect or fix any structure or place any obstruction on any recreation ground for any purpose whatsoever without the permission of the Board previously obtained.

PART V.

THE PLANTING AND PRESERVATION OF TREES AND SHRUBS.

- Damage to trees, etc. 50. No person shall damage or deface or except with the authority of the Board cut, remove or in any way interfere with any tree or plant in any street, public reserve or garden within a Sanitary Board area, or the fencing or other protection provided.

PART VI.

THE LAYING-OUT, CLEANING, WATERING, LIGHTING AND CONTROL OF STREETS, CANALS AND BRIDGES.

- New streets. 51. (1) No building shall be constructed in any new street until plans for such new street have been approved by the Sanitary Board.

(2) Every person who intends to make or lay out any new street shall give notice in writing thereof to the Sanitary Board accompanied by a plan in duplicate, showing the intended level and construction of such street and the level of the houses to be built abutting upon it and the proposed manner of draining it, and by a statement whether such street is intended for a carriage road, a jinrikisha road or for foot traffic only, in order that the same may be approved or disapproved by the Sanitary Board.

(3) The Sanitary Board may give written directions to the person submitting a plan for a new street with regard to any of the following matters :

- (a) compliance with the provisions of "The Sanitary Boards Enactment, 1916," and any by-laws in force thereunder within the Sanitary Board area ;
- (b) the line of the new street, so as to ensure that it forms a continuous street with any existing street specified by the Sanitary Board ;
- (c) the level of the new street ;
- (d) the provision at intervals of not less than 100 yards along the length of the new street of intersecting roads or back lanes, as the Sanitary Board may require ;
- (e) the width of the new street, which shall be at least 40 feet inclusive of the space occupied by the drains ;
- (f) the width of any intersecting road or back lane required by the Sanitary Board under (d), which shall be of such width not exceeding 66 feet and not less than 14 feet as the Sanitary Board may require ;
- (g) the mode of drainage of the new street and of any intersecting roads or back lanes ;
- (h) the rounding of the corners of the new street.

The person to whom any such written directions are given shall amend the plan accordingly.

(4) Every person whose plan for a new street shall have been approved by the Sanitary Board and every successor in title of such person so far as the street lies in the land acquired by him shall within six months from the date of the approval of the plan by the Sanitary Board either lay out the new street or demarcate its boundaries by such boundary stones or other marks as may be considered sufficient by the Sanitary Board to denote the length, width and alignment of the street. No person shall remove, deface or injure any stone or mark not to denote the length, width or alignment of such new street.

(5) No person shall

- (i) make or lay out any new street otherwise than in accordance with a plan approved by the Sanitary Board under this by-law ; nor
- (ii) erect any building abutting on a new street which has not been laid out in accordance with a plan so approved ; or

(iii) erect any building or plant any hedge in such manner that any part thereof shall without the consent in writing of the Sanitary Board be in any direction less than 20 feet from the centre of the roadway of any street (not being a public street).

(6) Where any new street is stated to be intended for foot traffic only, the Sanitary Board may impose such conditions for ensuring that the same shall not be used as a carriage or jinrikisha road as it may think fit and where it is stated to be intended for jinrikisha road only the Board may impose such conditions for ensuring that the same shall not be used as a carriage road as it may think fit, and no person shall keep open or use such street in breach of such conditions.

(7) For the purposes of this by-law the continuation, widening or other alteration of an existing street or the adaptation to carriage traffic of a road made as a jinrikisha road or for foot traffic only shall be deemed to amount to the making of a new street.

(8) If the person giving a notice under paragraph (2) of this by-law is dissatisfied with any disapproval or direction signified or given by the Sanitary Board, he may within seven days from the receipt of such disapproval or direction appeal to the Resident whose determination shall be final.

(9) If the Sanitary Board do not within two months from the delivery of a notice and plan under this by-law approve such plan or give written direction with regard thereto, the person who has given the notice may apply to the Resident and the powers vested in the Sanitary Board under this by-law shall then vest in the Resident.

(10) For the purposes of this and the following by-law all channels, drains and ditches at the side of any street shall be deemed to be part of such street.

Power of Board
to amend plan.

52. (i) The Sanitary Board may in respect of any land which is in process of development or appears to the Sanitary Board likely to be used for building purposes prepare a scheme showing the streets, back lanes and open spaces which the Sanitary Board deems necessary to secure proper sanitary conditions, amenity and convenience in connection with the laying out and the use of such land and of any neighbouring lands.

(ii) Upon the completion of the preparation of such scheme the Sanitary Board shall

(a) publish during three consecutive weeks in the *Gazette* and in one or more of the local newspapers an advertisement stating the fact of such scheme having been prepared specifying the area for which it has been prepared and naming a place where a copy of the scheme may be seen;

(b) serve a notice on every owner or reputed owner of any property affected by the scheme stating that such a scheme has been prepared and requiring him to signify his assent or dissent thereto within three months from the date of service.

(iii) After compliance with the provisions of paragraph (ii) of this by-law and the signification of assent or dissent in reply to the notices served thereunder or the expiration of the period within which such assent or dissent are required to be notified, as the case may be, the Sanitary Board shall forward to the Resident a copy of the scheme together with the names of the owners or reputed owners, if any, who have dissented from the scheme and with particulars as to all interference with lands, not being State land, which would be caused by the execution of the scheme and shall apply to the Resident to authorize the acquisition by private treaty or under the provisions of Part VII of "The Land Enactment, 1911," of such portions of the said lands as are required for streets, back lanes or open spaces and subject thereto to make an order authorizing the scheme to be carried into execution.

(iv) If on consideration of the application and on proof of due compliance with all the matters prescribed by paragraphs (ii) and (iii) of this by-law the Resident thinks fit to proceed with the scheme, he may after giving to any person who has dissented from it and to the Sanitary Board an opportunity of being heard in the case of the Sanitary Board by an advocate or other person appointed by it in that behalf and in the case of the person dissenting either in person or by advocate authorize conditionally or otherwise, the acquisition of such portions of land, if any, as are required for streets, back lanes and open spaces and subject to such acquisition, make an order declaring the limits of the area comprised in the scheme and authorizing the scheme to be carried into execution.

(v) Such order may be made either absolutely or with such conditions and modifications of the scheme as the Resident may think fit.

(vi) The Resident at any time after a scheme has been authorized under paragraph (iv) of this by-law to be carried into execution may modify such scheme or any part thereof on the application of either the owner of any land affected thereby or the Sanitary Board after giving to every owner or reputed owner of any property affected by the scheme and to the Sanitary Board an opportunity to be heard as to the owners in person or by advocate and as to the Sanitary Board by an advocate or other person appointed by it in that behalf.

(vii) Any plan forming part of a scheme authorized under this by-law to be carried into execution shall for the purposes of by-law 51 have the same effect as a plan approved by the Sanitary Board under that by-law. Provided that the duty imposed by paragraph (4) of by-law 51 shall not attach to any person unless and until he shall deposit under by-law 2 drawings relating to the erection of a building on some part of the land comprised in the plan.

(viii) In this by-law "advocate" means an advocate and solicitor of the Supreme Court, and "State land" has the meaning assigned to that expression in "The Land Enactment, 1911."

Rounding off of
street corners.

53. (i) Every person who shall construct a new street shall cause the corners of such streets at the junctions with other streets or roads to be rounded off to a radius of not less than fifteen feet in every case in which the corners are the property of the person making the street, and no person shall build or re-build any building at the corner of any existing street without rounding off the corner as above provided if called upon by the Board so to do.

(ii) In the case of existing streets the Board may require a street corner to be rounded off in the manner described in clause (i) of this by-law on payment of full compensation to the owner of any house, building, or land for damage thereby occasioned; such compensation to be determined, in case of dispute, in the manner provided in section 48 of "The Sanitary Boards Enactment, 1916."

54. (i) If any street (not being a public street) or any part thereof be not levelled, paved, metalled, flagged, channelled and sewered to the satisfaction of the Board, the Board may by notice in writing to the respective owners of the premises fronting, adjoining or abutting on any such parts thereof as may need to be levelled, paved, metalled, flagged, channelled or sewered, require them to level, pave, metal, flag, channel or sewer the same within a time to be specified in such notice; and if such work shall not be commenced within fourteen days from the date of such requisition, or being commenced within that period shall be thereafter suspended, or shall not be carried on with reasonable expedition, the Board may if it think fit cause the same to be executed, and the expenses incurred in such execution shall be paid by the owners in default according to the frontage of their respective premises in such proportions as shall be settled by the Board, or in case of dispute as shall be summarily ascertained and determined by a Magistrate, on the application either of the Board or of any aggrieved party made within fourteen days after the aforesaid apportionment of the Board.

(ii) If a street has been levelled, paved, metalled, channelled and sewered under the provisions of this section, then if the greater part in value of the owners of the premises fronting, adjoining or abutting on such street require that such street be declared a public street, the Board shall declare the same to be a public street, and thereupon the said street shall become a public street and shall vest in the State and for ever afterwards be repaired at the public cost: and such declaration shall be entered among the proceedings of the Board.

(iii) If any street (not being a public street) be levelled, paved, metalled, flagged, channelled and sewered to the satisfaction of the Board, it may if it think fit declare that at the expiration of one month from the date of such declaration the said street shall become a public street. A copy of such declaration shall be forthwith posted up in some part of the said street, and at the expiration of the said period, unless the owners or the greater part in value of the owners of the premises fronting, adjoining or

abutting on such street have by notification to the Board in writing under their hands objected thereto, the said street shall become a public street and shall vest in the States and for ever afterwards be repaired at the public cost : and such declaration shall be entered among the proceedings of the Board.

55. No person shall lay out or make or build upon any street in contravention of by-law 51 or 52, and the Board may if it think fit cause any street so laid out or made to be altered and any building so built to be altered or removed.

Penalty for disregarding approved plan.

55A. Nothing contained in by-law Nos. 1 to 37, inclusive, or Nos. 51 to 55, inclusive, shall apply to any building or street erected or made by or on behalf of the Government.

Exemption of buildings, etc., erected by Government.

56. The Board shall cause the public streets including the footways thereof to be properly swept and cleaned so far as is reasonably practicable, and the dust, dirt, ashes, rubbish and filth of every sort found thereon to be collected and removed.

Cleansing streets.

57. The Board shall, so far as they may deem requisite for the public convenience and provided that there are public funds at their disposal for the purpose, cause the streets to be watered.

Watering streets.

58. (i) The Board may cause such lamp-irons, lamp-posts or other lighting apparatus to be put up or fixed upon or against the walls or palisades of any houses, buildings or enclosures (doing as little damage as may be practicable thereto), or to be put up or erected in such other manner within all or any of the streets and places within the Sanitary Board area as shall be deemed proper, and may also cause such number of lamps of such sizes and sorts to be provided and affixed and put on such lamp-irons, and lamp-posts as are necessary for lighting all or any of such streets and places, and cause the same to be lighted during such hours as are necessary.

Board to put up lamp-posts and lamps.

(ii) If any person wilfully breaks or damages or defaces any lamp, lamp-iron or lamp-post or other lighting apparatus, or wilfully extinguishes the light of any lamp belonging to the Board, it shall be lawful for any person who sees the offence committed to apprehend, and also for any other person to assist in apprehending, the offender, and by the authority of this by-law, and without any warrant to deliver him to any constable, who is with all reasonable despatch to convey him before a Magistrate, and if the party accused is convicted of any such offence he shall, in addition to being liable to a fine not exceeding fifty dollars, be adjudged by such Magistrate to make full satisfaction for the damage which he has done.

Persons injuring lamps, etc., to be punished.

59. No person shall convey any timber or other material in any cart or lorry along any street without properly securing the same from trailing upon or otherwise damaging the street or becoming dangerous to traffic; and when the load exceeds in length sixteen feet it shall not be conveyed along any street otherwise than in a lorry.

Carrying of long timber, etc.

59A. Every vehicle, in use or waiting in any public place, within the Sanitary Board area, between half an hour after sunset and half an hour before sunrise, carrying a load which projects more than three feet from the rear of the vehicle, shall carry, in addition to the lights prescribed by section 35 of "The Vehicles Enactment, 1912," a light attached to the end of such projecting load on the right or off side thereof so as to be clearly visible as a red light within a reasonable distance to the rear.

Lines, etc.,
across streets.

60. No person shall place any line, cord or pole across or along any street, or hang or place any clothes on any line, cord or pole so placed, except with the permission of the Board in writing or by the order of the Government.

Walls, etc.,
to be kept in
repair.

61. The owner or occupier of any land on which there may be from time to time any wall, gate-posts or gate abutting on any street within the Sanitary Board area, shall cause the same to be kept in a good state of repair and to be properly lime-washed or painted at least once a year, and in the event of any failure by such owner or occupier to keep the same in good repair or to lime-wash or paint the same as aforesaid in the manner and within the time prescribed in a notice in writing from the Board, the Board may cause the same to be put in a good state of repair or to be lime-washed or painted, and may recover the cost thereof from the owner or occupier.

Carts carrying,
road metal, etc.,
to be properly
closed.

62. All carts carrying road metal, bricks or other loose materials shall be properly closed at the front, back and sides in order that such materials may not fall on any street.

Corpses.

63. No person shall carry a corpse through any street unless it be decently covered and concealed from public view.

Streets under
repair.

64. No person shall take down, alter, remove or otherwise interfere with any fencing, bar, chain or lights placed or fixed across or in any street for purposes of public safety while such street is under repair or while works are being carried on upon it by the Board.

Street perform-
ances.

65. Except in so far as may be authorized by licence under section 3 of "The Minor Offences Enactment, 1920," no theatrical or musical or other exhibition or entertainment open to the public shall be carried on in any street or public place, or within any public enclosure, or upon any private open space within the Sanitary Board area, except under licence from the Board; every such licence shall extend over such period as the Board may approve and a sum not exceeding one dollar per diem shall be charged therefor.

Bathing, etc.,
at hydrants.

66. No person shall bathe at any public hydrant or standpipe nor wash clothes or other articles thereat nor waste the water therefrom.

PART VII.

NAMING STREETS AND NUMBERING HOUSES.

67. (i) The Board shall from time to time cause to be affixed to or painted on a conspicuous part of each house, building, wall or place at or near each end corner or entrance of every street the name by which such street is to be known. Names of streets.

(ii) Whoever destroys, pulls down, defaces, covers or conceals any such name, or affixes or paints any name different from that affixed or painted by order of the Board, shall be liable to a penalty not exceeding ten dollars for each offence.

68. (i) The Board may from time to time cause to be affixed on a conspicuous part of any house or building a plate indicating the position of the nearest fire-hydrant, and may place fire alarms, electric or otherwise, at convenient places in the streets. Designation of fire-hydrants.

(ii) Whoever destroys, pulls down, defaces, covers or conceals any such plate, or pulls down, injures or conceals any such fire alarm, shall be liable to a fine not exceeding ten dollars for each offence.

69. (i) The Board may from time to time fix a number in a conspicuous place on the outer side of any house or building or at the entrance of the enclosure thereof fronting the street. Numbers on houses.

(ii) Whoever destroys, pulls down, defaces, covers or conceals any such number shall be liable to a penalty not exceeding ten dollars for each offence.

(iii) It shall be the duty of the owner and occupier of such house or building to protect such number, and the expense of replacing or refixing any such number which has been destroyed, pulled down or defaced, covered or concealed, shall be paid by the occupier, or if the house or building be unoccupied by the owner, and shall be recoverable as provided in section 33 and following sections of "The Sanitary Boards Enactment, 1916."

PART VIII.

THE CONTROL AND SUPERVISION OF DRAINS.

70. All drains and culverts alongside or under any street, whether such drains and culverts have been constructed by the Board or not, and public drains constructed through private properties, shall be under the control of the Board. Control of Board over drains and culverts.

71. The Board may make main and other public drains under or alongside streets or through private properties, and may provide suitable outlet drains and may construct proper apparatus for flushing them, and may otherwise make such provision as the Board may consider necessary for the effectual drainage of the town. Power of Board to make drains.

72. No person shall within or without the Sanitary Board area build or maintain any dam or other construction so as to obstruct the flow of water into or out of any drain, sewer or culvert under the control of the Board, nor by any means alter the level of any water so as to reduce its flow as aforesaid, nor construct any steps, bridge or platform over any public drain within the Sanitary Board area without the consent of the Board in writing. Drains not to be obstructed, etc.

72A. No person shall, within the Sanitary Board area, plant trees or otherwise cultivate land in such manner as in the opinion of the Board is likely to obstruct the flow of water into, or out of, or in any drain, sewer or culvert under the control of the Board, and the Board may, by notice in writing, require the removal of any tree or vegetation which is likely to cause such obstruction.

Sanction of
Board necessary
to make drains.

73. Except as provided by by-laws 31 and 74 no person shall without the written consent of the Board make or cause to be made any drain into any public sewer or drain or into any canal or stream under the control of the Board, and the Board may cause any such drain constructed without such written consent aforesaid to be demolished, altered, re-made or otherwise dealt with as it may think fit at the expense of the person making such drain.

Kitchen floors
and house
drains.

74. The floors of all kitchens and bath-rooms and all surfaces immediately adjacent to any well or tap shall be paved and rendered in cement or other impervious material, and every house shall have suitable communicating drains as required by by-law 30 to lead away and discharge into a public drain all waste water; the owner of any house as to which the provisions of this by-law are not complied with shall be deemed to have committed a breach of the same.

Compulsory
construction of
drains.

75. Every owner or occupier of a house constructed prior to the coming into force of these by laws shall within one month from the receipt of a notice from the Board requiring him to do so construct such drain or drains as may be necessary to comply with the requirements of by-law 31.

Upkeep of
private drains.

76. Every owner or occupier shall maintain in good order and repair and shall cleanse all private drains and cement or other paved floors on his premises and land.

PART IX.

THE CONTROL AND SUPERVISION OF LATRINES, CESSPOOLS, WELLS AND WATER-TANKS.

Compulsory
construction of
latrines.

77. Every owner or occupier of a house shall, within one month from the receipt of a notice from the Board requiring him to do so, cause to be erected on his premises a latrine in accordance with the plan and instructions of the Board and so placed as to be easily reached from a back lane where one exists. Provided that no such latrine shall be placed within twelve feet of any well.

Removal,
disinfection,
etc., of latrines.

78. The Board may by notice require the owner or person having control of any latrine to alter, repair or remove it if considered to be defective, or to cleanse, whitewash or otherwise disinfect it at any time.

Power of Board
in default.

79. In the event of any owner or occupier failing to erect on his premises within one month from the date of service of the notice requiring him to do so a latrine in accordance with the requirements thereof, or to alter, repair or remove any latrine already existing, the Board may erect, alter, repair or remove such latrine at the expense of the owner or occupier.

80. Every latrine constructed within the Sanitary Board area shall be furnished with buckets, so many in number and of such design and material as the Board may approve, and these shall be placed close under the seat of the latrine, and shall stand on a cement floor in such manner that they may be easily removed and cleansed.

Night-soil buckets.

81. No cesspool shall be constructed within the Sanitary Board area and the Board may close any existing cesspool.

Cesspools.

82. No person shall construct any well within the Sanitary Board area without the consent of the Board, and the Board may order any well to be repaired, cleansed or closed temporarily or permanently. The owner or person having control of any well shall if so required by the Board cause the mouth thereof to be rendered in cement concrete or other impervious material and to be surrounded by a wall.

Wells.

PART X.

THE CONTROL AND SUPERVISION OF STABLES AND CATTLE SHEDS AND PLACES FOR KEEPING SHEEP, GOATS, SWINE AND POULTRY.

83. No person shall use any place within the Sanitary Board area as a stable for horses kept for hire, or as a cattle shed, sheep or goat pen, pig-sty or poultry house used for trade purposes, unless he holds a licence in that behalf from the Board, which may grant or withhold such licences at its discretion; every such licence shall be renewable annually and shall state the locality and the number of horses, cattle, sheep, goats, pigs or poultry, as the case may be, that may be kept under it. No fee shall be charged for any such licence.

Licences necessary for stables, cattle sheds, pig-sties, etc.

84. The owner or tenant of any stable, cattle shed, sheep or goat pen, pig-sty or poultry house shall keep such premises in repair, and shall cause them to be kept at all times thoroughly clean and to be scraped and whitewashed whenever required by the Board.

Stables, etc., to be kept clean.

85. Every stable used for horses or cattle shall, if provided with a flat roof, be not less than twelve feet in height, or if provided with a pent roof shall be not less than eight feet in height, at the wall plate; and the space allotted therein to each cow, bullock or buffalo shall not be less than five and a half feet wide, and the space allotted to each horse shall not be less than seven feet wide.

Dimensions of stables and cattle sheds.

86. The floor of every stable, cattle shed, sheep or goat pen, pig-sty or poultry house shall be raised at least eight inches above the surrounding ground level, shall be paved with cement concrete or other impervious material having a slope of not less than 1 in 60, and shall directly communicate by an independent drain to be constructed as the Board may direct with a covered cemented catch-pit, the contents of which shall be removed daily at the expense of the owners or tenants of the premises. In case of default the Board may cause such catch-pit to be cleaned at the cost of the owner or tenant.

Flooring and drainage of stables and cattle sheds.

87. The owner or tenant of any stable, cattle shed, sheep or goat pen, pig-sty or poultry house shall cause all manure and stable bedding therefrom to be collected in one place so that no

Collection and removal of manure, etc., from stables, cattle shed, etc.

nuisance shall be caused thereby, and shall cause the same to be removed from such premises at intervals of not more than seven days; and if at any time the owner or tenant of any such premises shall neglect or fail to have such manure or bedding removed therefrom as aforesaid the same may be removed by the Board at the cost of the owner or tenant.

PART XI.

THE CONTROL AND SUPERVISION OF THE SALE OF FRESH PROVISIONS AND THE LICENSING OF PERSONS TO HAWK FOOD-STUFFS.

Meat only to be kept in certain places.

88. (i) No fresh meat or fresh fish intended for sale for human food shall be kept in any place or places within the Sanitary Board area except such as may be licensed by the Board, or provided for that purpose in any slaughter-house or public market: Provided that any person aggrieved by any decision of the Board under this by-law may appeal to the Resident whose decision shall be final.

(ii) Licences under this by-law may be issued free of charge.

Inflating meat.

89. No person shall inject water or other liquid into any meat intended for sale nor inflate it with air; and no person shall sell or offer or expose for sale or cause to be so offered or exposed any meat inflated with air or into which any water or other liquid has been injected.

Only meat slaughtered in licensed slaughter-houses shall be sold.

90. No person shall sell, offer or expose for sale or cause to be sold, offered, or exposed for sale within the Sanitary Board area any part of any animal which has been slaughtered within the State elsewhere than in a public or a licensed slaughter-house within such area, or in such place as may have been specially permitted under by-law 118: provided that in the case of deer and other animals *feræ naturæ* this by-law shall not apply.

Hawking of food-stuffs.

91. (i) No person other than the holder of a licence from the Board in that behalf shall hawk about any street or expose for sale in any street any fresh meat or fruit or any food-stuffs whatsoever. Every holder of such licence shall when plying his trade wear on his left arm a badge such as the Board may direct to be worn.

(ii) The licence and badge shall be issued annually for any period ending on the 31st December of the year of issue; the fee for each licence and badge shall be fifty cents; and the licence and badge shall not be transferable. Licences and badges for the sale of locally grown fruit may be issued free.

(iii) The Board may by order prohibit the hawking or sale of fresh meat or fruit or food-stuffs or any variety of food-stuffs in any street or streets or in any portion of a street.

PART XII.

THE ESTABLISHMENT AND REGULATION OF MARKETS.

Public markets.
Time when open.
Articles for sale.

92. Public markets shall be open from 4 a.m. to 7 p.m.

93. No article other than poultry, fish and food of a perishable nature shall be sold in any market.

Trade, etc., forbidden.

94. No trade or handicraft or dealing in opium or spirits shall be carried on in any market.

95. No person shall cause an obstruction in any market or in any roadways or approaches thereof. Obstructions.
96. No person shall expose for sale in any market any unwholesome article of food. Sale of unwholesome food prohibited.
- 96A. Every holder of a market stall shall, if so required by the Board, furnish an approved flyproof cover for use on his stall, and shall keep the same constantly in use when carrying on trade at his stall.
97. The Board may confine the sale of certain articles or things to certain parts or certain stalls of a market. Regulation of place of sale.
98. No person shall hawk, sell or expose for sale any fresh meat, fresh fish, poultry, fresh vegetables or fruit within fifty yards of a public market, except with the special permission of the Board. Sales of fresh provisions prohibited within 50 yards of market.
99. No person shall exhibit any articles for sale on the pathways or over any drain within a market, and no board, box, basket or other articles shall be left in, upon or across any such drain or pathway. Obstruction of pathways and drains.
100. No person shall make or use any fire for cooking or any other purpose within a market except in places provided or sanctioned for such purpose by the Board. Fires.
101. The market-keeper shall register the name of each stall-holder in a book to be kept for the purpose. Register of stall-holders.
102. Except with the permission of the Board no person shall remain in a market between 9 p.m. and 4 a.m. Occupation of market during night.
103. No person shall sit, stand or lie on any stall. Unlawful use of stalls.
104. The occupant of each stall or cooking place shall keep the same clean and in good order, and on one day in every week to be fixed by the Board stall-holders shall remove all their goods from their stalls and shall cleanse their stalls thoroughly. Cleansing of stalls.
105. Every dealer in fresh fish and meat shall thoroughly wash and cleanse his stall block, stall board and all fittings and utensils belonging thereto at least once every day. Daily cleansing of fish and meat stalls.
106. No person shall deposit any refuse in a market elsewhere than in dust-bins provided for that purpose, and no stall-holder shall keep any empty case or basket within a market for more than twenty-four hours. Disposal of refuse.
107. No person shall erect any sunshade or make any alteration or additions to any stall without the consent of the Board. Sunshades or alterations.
108. The arrangement of water-taps and services in every market shall be under the control of the Board, and the licensee or lessee of any market shall be responsible that no excessive waste of water takes place. Water services.
109. No person shall hawk goods about the precincts of a market. Hawking.

Begging. 110. No person shall in a market beg or apply for alms or expose or exhibit any sores, wounds, bodily ailments or deformity. Officers of the Board are required to expel such persons from markets, nor shall any person so afflicted or any leper engage or assist in any business therein.

Nuisance. 111. No person shall commit a nuisance within the precincts of a market.

Powers of inspection. 112. No person shall prevent any member of the Board or any officer appointed by the Board from entering or inspecting any part of any market premises at any time.

Expulsion of offenders. 113. The Board may expel from any market any person who has been convicted of contravening any by-law relating to public markets, and may prevent any such person from further carrying on any business in such market or occupying any stall therein.

Responsibility of lessee. 114. In the event of a market being leased the lessee shall take all reasonable measures to secure the observance of all by-laws relating to the regulation of markets. He shall employ a sufficient number of persons to wash and keep the market clean to the satisfaction of the Board, and shall be responsible for all damage to or loss of any property of the Board in the market.

PART XIII.

THE ESTABLISHMENT AND REGULATION OF SLAUGHTER-HOUSES.

Slaughter-houses licence necessary. 115. Except in the case of any public slaughter-house under the direct control of the Board, or leased by it to any person, it shall not be lawful to use any place as a slaughter-house unless a licence in writing in that behalf shall have been first issued by the Board. Every such licence shall be renewable annually and a fee may be charged therefor not exceeding ten dollars for each year.

Private slaughter-houses. 116. The Board may issue licences for private slaughter-houses if there be no public slaughter-house in the neighbourhood but not otherwise.

Cancellation of licence. 117. The Board may cancel without compensation any licence for a slaughter-house if the building for which it has been issued or the appurtenances thereof are not kept in good order and clean to the satisfaction of the Board.

Slaughtering elsewhere than in licensed slaughter-houses. 118. No person shall slaughter or cause to be slaughtered any cattle, sheep, goat or pig intended for human food elsewhere than in such a public slaughter-house as is referred to in by-law 115 or in a licensed slaughter-house, unless the Board for some special reason permits such animals to be slaughtered elsewhere.

Lessee of public slaughter-house responsible for buildings, etc. 119. The lessee of a public slaughter-house shall be responsible for all damage done to the buildings and fittings and for any property of the Board that may be removed from the premises.

Premises and appliances to be kept clean. 120. The licensee shall cause the yard, buildings and pens to be kept in a clean and wholesome state, and shall keep or cause to be kept clean and in good repair all vehicles or other appliances used for the conveyance of carcasses from the slaughter-house.

121. The licensee or lessee shall cause all filth or refuse to be deposited in such places and disposed of in such manner as the Board shall from time to time direct.

Removal of refuse.

122. The arrangement of water-taps and services in every slaughter-house shall be under the control of the Board, and the licensee or lessee of any slaughter-house shall be responsible that no excessive waste of water takes place.

Control of Board over water-services.

123. Whole carcasses only shall be sold in any slaughter-house.

Sales.

124. No furniture except stands for hanging carcasses and blocks on which to cut meat shall be brought into any slaughter-house, and no person shall sleep in any slaughter-house except in a room set apart for that purpose.

Furniture.

125. No animals except those brought for slaughter shall be kept in the pens in any slaughter-house at any time.

Pens for animals intended for slaughter only.

126. Animals for slaughter shall be brought to the slaughter-house and carcasses shall be removed at such hours only as may be fixed by the Board.

Hours.

127. No animal intended for human food shall be admitted into any slaughter-house until it shall have been inspected by the officer thereto appointed by the Board and passed as fit for slaughter, and such officer may, if he think fit, order that any animal be set aside for observation in such manner and for such period as he may direct or that it be removed or destroyed.

Inspection before slaughtering.

128. (i) All carcasses or portions of carcasses intended for human food may be examined by an officer appointed by the Board in that behalf.

Inspection of carcasses.

(ii) No person shall remove or mutilate any portion of a carcass or substitute for any portion of a carcass a portion of another so as to make it appear that such carcass was not affected by disease.

(iii) Any carcass or portion of a carcass, if found unfit for human food, or from which portions have been removed, or portions of which have been mutilated, or in which a portion of another carcass has been substituted shall be destroyed on the order of the officer appointed by the Board for examining the same, and no compensation shall be payable to the owner in respect thereof.

(iv) The owner shall, if required by the Health Officer or his authorized representative, or by an officer appointed by the Board under this by-law, produce for the purpose of identification the horns or any part of any animal slaughtered.

129. Every person admitted to any slaughter-house which is under the charge of an officer of the Board shall obey the reasonable directions of such officer, and in the event of his failing or delaying to obey such directions may be immediately removed by such officer from the premises.

Control of slaughter-houses.

Diseased
persons not to
enter slaughter-
house.

130. No person affected with leprosy, sores or any contagious or infectious disease shall enter any slaughter-house premises, or shall take part in the slaughtering of any animal for human food, or in the handling of the flesh of such animal.

Premises open
to Board.

131. Members and officers of the Board shall at all times have free access to any slaughter-house.

Scale of charges.

132. (i) The following charges shall be payable in respect of the slaughter of animals in any public or licensed slaughter-house—viz.,

For the slaughter of a buffalo	...	...	50 cents
„ „ bullock	...	...	40 „
„ „ sheep or goat	...	...	10 „
„ „ pig	...	...	50 „

or such lower fee as may from time to time be fixed by the Board.

(ii) The charge for the slaughter of a pig shall include the use of boiling water for scalding and the charges shall in all cases include the use of pens for animals awaiting slaughter.

(iii) A list of the charges in force, in the English, Chinese, Tamil and Malay languages, shall be posted in every slaughter-house.

Exclusion of
diseased
animals.

133. No licensee or lessee of any slaughter-house shall permit any diseased cattle, sheep, goat or pig to be admitted for slaughter.

Removal of
meat.

134. No person shall remove meat from a slaughter-house unless it be properly covered and placed in a clean receptacle.

Exclusive
rights.

135. No exclusive right shall be granted under section 4 (d) of "The Sanitary Boards Enactment, 1916," except with the previously obtained approval of the Resident, nor except in the case of the Board creating any such exclusive right in its own favour without public advertisement inviting tenders. The fact of any such exclusive right having been created shall be made publicly known before any prosecution for the infringement thereof shall be undertaken by the Board.

PART XIV.

THE REGULATION OF BAKERIES.

Bakeries
licences.

136. No building or part of a building shall be used as a bakery or for the preparation or cooking of any form of pastry, confectionery or vermicelli for sale unless licensed by the Board; such licence may be issued free of charge.

Floor to be
cleansed daily.

137. Every keeper of a bakery shall cause the floor thereof to be thoroughly washed and cleansed at least once in every day.

Whitewashing.

138. Every keeper of a bakery shall cause the whole of the inside wall thereof to be properly scraped and whitewashed at least once a quarter, and also at all other times when he may be required to do so by notice in writing from the Board, and shall cause the ceiling to be painted once a year.

139. Every keeper of a bakery shall cause every baking table and every implement used in baking and every table, shelf or other article used for placing bread, cakes, biscuits or other articles of food in or upon to be thoroughly washed and cleansed once at least in every day. Tables, etc., to be cleansed daily.

140. No keeper of a bakery shall use any but wholesome water for baking or for cleansing the premises. Water supply.

141. Every keeper of a bakery shall cause every means of ventilation in connection therewith to be kept in good order and efficient action. Ventilation.

142. No keeper of a bakery shall cause or allow to be brought into, placed in or carried through such bakery any night-stool or other receptacle for urine or excreta. Certain receptacles not allowed in bakery.

143. No keeper of a bakery shall sit, stand or lie down upon any table or shelf in such bakery, nor shall he allow any other person to sit, stand or lie down upon any such table or shelf, nor shall he sleep or allow any other person to sleep within such bakery. No person to sit, etc., on table or shelf or sleep in bakery.

144. No person suffering from any skin disease or infectious disorder, or who has recently been in contact with a person so suffering, shall enter any bakery or take part in or assist in any way in the conduct of the trade carried on there. Diseased persons not to enter bakeries.

144A. No person shall commit a nuisance or spit within the precincts of any bakery. Spitting, etc., prohibited.

145. No keeper of a bakery shall keep or allow to be kept therein any animal or bird. No animal or bird to be kept.

146. Every keeper of a bakery shall afford to every member or officer of the Board free access to every part thereof for purposes of inspection at all hours during the day time and also at times during the night when work is going on in the bakery. Inspection of premises.

PART XV.

THE REGULATION OF DAIRIES.

147. (i) No person shall carry on within the Sanitary Board area the trade of a dairyman or purveyor of milk or seller of milk unless he hold a licence in that behalf from the Board; such licences may be issued free of charge and every such licence shall expire on the thirty-first day of December of the year in which it is issued. Any such licence shall be liable at any time to cancellation by the Board if it be shown that the holder thereof or his servants or agents have failed to observe or comply with all or any of the by-laws passed by the Board for the regulation of cattle sheds and dairies and for the control of the conduct and operations of the persons engaged therein. Dairies, dairymen's licences.

(ii) No person shall be licensed until he shall have furnished full information to the satisfaction of the Board as to his place of residence, the place where his cows are kept, the place where his milk is kept for sale, the quantity and purity of his water-supply and the general suitability of his arrangements for carrying on such trade.

148. Every vessel used for the reception of milk shall be of such material as the Health Officer may approve and shall be kept clean to his satisfaction. Material and cleansing of milk vessels.

Prohibition of
diseased
persons.

149 (i) No person carrying on the trade of a dairyman or purveyor of milk or seller of milk shall allow any person suffering from an infectious or contagious disorder, or having recently been in contact with a person so suffering, to enter his premises, or to milk a buffalo or cow or to handle any vessel used for the reception of milk for sale, or in any way to take part or assist in the conduct of such trade.

(ii) Every proprietor, occupier or manager of any cowshed, dairy or place for the sale of milk shall, when any person residing in his house or being upon his premises is suffering from any infectious or contagious disease, give immediate notice thereof in writing to the Health Officer.

Disease among
cattle.

150. If at any time disease of any description exists among the cattle belonging to or under the charge of a dairyman or purveyor of milk, or seller of milk or among other animals associated with the cattle of such person, he shall notify the same forthwith to the Chairman of the Board or to the Health Officer, and thereafter the milk of such cattle shall not be sold or disposed of for human food except with the permission in writing of the Health Officer.

Injurious and
adulterated
milk.

151. (i) No person shall sell milk obtained from buffaloes or cows fed upon any substance which is in the opinion of the Health Officer likely to render the milk injurious to health, or milk which has been adulterated with water or with any other substance whatsoever, or from which any of its normal constituents have been abstracted.

(ii) Every person offering milk for sale and every proprietor, occupier or manager of a cowshed, dairy or place for the sale of milk and every person entrusted for the time being with the charge of milk, shall permit any officer duly authorized in writing in that behalf by the Health Officer at any time to take such quantity of milk as may be required for the purpose of analysis on tendering payment therefor.

PART XVI.

THE REGULATION OF LAUNDRIES.

Laundries.
Private
laundries.

152. Nothing contained in by-laws 153 to 157 shall affect any laundry maintained solely for the private convenience and at the private expense of any individual.

Licences.

153. (i) Except in the case of any laundry under the direct control of the Board or leased by it to any person, no place shall be used as a laundry except under a licence from the Board. Every such licence shall be renewable annually and may be issued free of charge.

(ii) The licence authorizing the use of any place as a laundry shall at all times be conspicuously exhibited in such place.

(iii) No such licence shall be issued until the place which it is proposed to use as a laundry has been inspected by some person authorized in that behalf by the Board and has been certified by him as a fit place for the cleansing of wearing apparel.

(iv) Members and officers of the Board shall at all times have free access to any laundry.

154. No portion of any laundry work-room shall be occupied as a dwelling or used for the purpose of cooking food.

Work-rooms
not to be used
as dwellings,
etc.

155. (i) No person suffering from any skin disease or infectious disorder shall enter, live, work or be employed on any premises used for the purposes of a laundry.

Diseased
persons not to
work in
laundry, etc.

(ii) The occurrence of any infectious or contagious disease on any premises used as laundry shall immediately be reported to the Board by the licensee.

(iii) No washerman shall knowingly receive any article whatsoever from or belonging to or used by any person living in any house where there is an infectious or contagious disorder.

156. (i) Premises used as a laundry and all utensils therein shall be kept in a clean and sanitary condition.

Cleanliness.

(ii) No dogs, poultry or domestic animals shall be kept on the premises of any laundry.

(iii) The drying grounds of every laundry shall be securely fenced so as to prevent domestic animals from straying thereon.

(iv) No person shall keep or chew betelnut or sirih in any laundry work-room.

(v) No person shall sit, recline or sleep amongst the clothes in any laundry or on any bench, table or cloth used for laundry work.

(vi) No muddy or polluted water shall be used for laundry work.

(vii) All starch and soap used for laundry purposes shall be of good quality approved by the Board.

(viii) Separate rooms shall be used for

- (1) the reception of dirty clothes;
- (2) the storing of clean clothes.

(ix) No person shall commit a nuisance or spit within the precincts of any laundry.

157. (i) Lessees of laundries erected and maintained by the Board shall comply with the provisions of the three last preceding by-laws.

Lessees of
laundries
belonging to
the Board.

(ii) Such lessees shall regulate their charges for laundry work in accordance with a scale of charges to be approved by the Board.

PART XVII.

THE REGULATION OF STREET-STALLS.

158. (i) It shall be lawful for the Board to license so many street-stalls and in such places as the Resident may from time to time approve, and no stall for the display or sale of merchandise or other articles shall be set up in any public street without a licence from the Board, for which a fee may be charged not less than three and not exceeding ten dollars per month; provided that no stall shall be so placed as to cause an obstruction.

Licences for
street-stalls.

(ii) Every such licence shall be numbered and shall specify the locality in which the stall may be erected or trade carried on thereunder, and shall be kept by the licensee at his stall or place of trade and be produced on demand for the inspection of any officer of the Board or police officer in uniform.

(iii) The licensee shall keep conspicuously exhibited at his stall or place of trade a number corresponding to the number of his licence.

(iv) Every licensee of a street-stall shall, if so required by the Board, furnish an approved flyproof cover for use on his stall, and shall keep the same constantly in use when carrying on trade at his stall.

Construction of stalls.

159. No street-stall shall

(a) exceed in size 6 feet x 3 feet; or

(b) have any covering except such as is approved by the Board.

Position of stalls.

160. (i) No street-stall shall be erected within eighteen feet of the corner of any street nor in any place except such as is approved by the Board.

(ii) Such stalls shall be placed as close as possible to the edge of the road and shall not project more than eight feet from the edge of the street drain.

(iii) Every such stall shall be removed when not in use.

Use of stalls.

161. (i) No street-stall shall be used during any hours other than such as are approved by the Board.

(ii) One small cooking utensil may be used at every such stall.

Orderliness; scavenging.

162. Keepers of street-stalls shall carry on their trade in a quiet and orderly manner and shall afford to the scavenging coolies every facility for performing their duties.

PART XVIII.

SEIZURE AND DISPOSAL OF UNWHOLESOME FISH, FLESH AND OTHER PROVISIONS.

Inspection of places used for sale or storage of food.

163. (i) Any member of a Sanitary Board, or any person authorized by the Chairman of a Sanitary Board in writing in that behalf, may enter into and inspect any place within the Sanitary Board area which is used for the sale either wholesale or by retail of articles of human food or drink, or used for the storage of such articles intended for sale, and may examine any such articles which are therein, and if he consider that any such articles are unfit for human food or drink may seize the same and bring them before a Magistrate; if the Magistrate finds that such articles are unfit for human food or drink, he shall order the same to be destroyed or so disposed of as to prevent their being exposed for sale or used for food or drink, and may impose a fine not exceeding one hundred dollars on the owner thereof or the person in whose possession the same were found; provided that in the case of flesh, fish or milk seized as aforesaid the Health Officer may order the same to be destroyed, and any Magistrate may make an order or impose a fine under this section without such flesh, fish or milk being brought before him if it is satisfactorily proved to him that the same was at the time of seizure unfit for human food.

(ii) A certificate under the hand of the Health Officer may be accepted by the Magistrate as sufficient evidence that such flesh, fish or milk was unfit for human food at the time of seizure.

PART XIX.

THE REGULATION, INSPECTION AND LICENSING OF COMMON LODGING-HOUSES, EATING-HOUSES, JINRIKISHA STABLES, THEATRES, NATIVE INNS AND OTHER PLACES OF PUBLIC RESORT.

164. *Cancelled.*

165. (i) Subject to the provisions of by-law 175 no house shall be used as a common lodging-house except under and in accordance with a licence in that behalf from the Board.

Common lodging-houses.

(ii) A fee of ten dollars per annum shall be payable for every such licence.

166. (i) At the time of issuing any licence for a common lodging-house the Board shall assign to every room in such house a printed ticket showing the number of persons who may be accommodated in such room.

(ii) The number shall be calculated with reference to the cubical capacity of the rooms, and so that in the case of sleeping rooms not less than three hundred and fifty cubic feet of air space shall be allowed for each person; provided that in measuring such air space no space at the height of more than ten feet shall be taken into consideration.

(iii) The licensee shall keep every such ticket conspicuously displayed on the wall of the room to which it was assigned by the Board, and no persons in excess of the number shown on the ticket assigned to any room shall be accommodated therein.

167. No licence shall be granted for the use as a common lodging-house of any house which does not satisfy the following requirements:

- (a) There shall be proper accommodation for bath-room purposes;
- (b) There shall be not less than one privy for every ten inmates;
- (c) There shall be no privy under any dwelling-room or near any window of a dwelling-room;
- (d) The construction, lighting, ventilation and cleanliness of every room and of every privy shall be such as the Board approves.

168. The licensee of a common lodging-house shall keep a true register showing the number and sex of persons admitted to the lodging-houses each day of twenty-four hours and paying for accommodation therein. In the case of houses for the reception of sick or dying persons, or for the lying-in of women, the register shall give the name, sex and previous residence of the persons admitted and the date of admission and departure, or death, in the event of their dying.

Registers to be kept.

169. No building shall be used as a native inn, eating-house, or coffee shop, until it has been licensed by the Board for that purpose. Such licences may be issued free and the Board may impose such conditions as they deem fit.

Inns, eating-houses and coffee shops.

169A. Every licensee of an inn, eating-house or coffee-house shall, if so required by the Board, furnish an approved fly-proof cover for all articles of food intended for sale, and shall keep the same constantly in use in his inn, eating-house or coffee-house.

Accommodation
of servants.

170. The licensee of any native inn, eating-house, or coffee shop shall provide suitable accommodation for his servants and shall not allow the public eating-rooms to be used as sleeping places.

Theatres and
places of public
entertainment.

171. No building may be used as a theatre or a place of public entertainment until it shall have been licensed by the Board. The owner shall take out the licence half-yearly, and the Board may impose such conditions as they deem fit. All such licences shall expire on the 30th June and 31st December, and the fee therefor shall be five dollars.

172. (i) No licence shall be granted for a theatre or place of public entertainment until the Board shall be satisfied that there is a sufficient number of exits (the doors of all of which shall open outwards) and that the safety of the public is sufficiently provided for.

Safety of public.

(ii) The person in charge of every theatre or other place of public entertainment shall during all performances cause all places of exit to be kept in such a condition that they can be easily opened from the inside and shall not permit any obstruction of the same.

Cleanliness.

173. (i) The licensee of a common lodging-house, native inn, eating-house, coffee shop, and theatre or place of public entertainment shall continuously comply with the requirements specified in by-law 167. He shall also cause every room in such house to be thoroughly cleansed daily before 11 a.m., and shall cause every living room, bath-room, and privy to be thoroughly scraped and whitewashed or painted in the months of March and October of every year, and also at any other time when the Board may by notice in writing so require.

(ii) He shall make use of disinfectants in cleansing his premises and shall also provide sufficient spittoons to the satisfaction of the Board.

Inspection.

174. Any member of the Board, any Health Officer, and any Sanitary Board Inspector authorized by the Board in writing in that behalf, and all police officers not below the rank of Inspector shall at all times have free access to any common lodging-house, native inn, eating-house, coffee shop, theatre or place of public entertainment for the purpose of inspection.

Chinese passen-
ger lodging-
houses.

175. Nothing in the three last preceding by-laws shall affect any Chinese passenger lodging-house licensed under section 27 of the "Secretary for Chinese Affairs Enactment, 1899."

PART XX.

THE ESTABLISHMENT AND REGULATION OF PUBLIC BATHING-PLACES.

176.(i) The lessee of every public bath-house shall keep the same cleansed and lighted to the satisfaction of the inspecting officer appointed by the Board and shall cause the following rules to be strictly observed therein :

Public bath-houses.

- (a) No person shall enter the water in the bath;
- (b) No person suffering from skin disease or from infectious disease of any kind shall use the bath;
- (c) No person shall pollute the water by the washing of clothes or otherwise;
- (d) No fire shall be lit or food cooked within the bath-house nor shall any person sleep therein.

(ii) The lessee of every public bath-house shall cause a copy of the foregoing rules distinctly written in English, Malay, Chinese and Tamil to be continuously exhibited in a conspicuous place in each bathing compartment.

PART XXI.

THE REMOVAL AND DISPOSAL OF REFUSE AND NIGHT-SOIL AND THE SANITATION OF LANDS AND PREMISES AND THE ABATEMENT OF NUISANCES.

177. No person shall throw or deposit, or permit his servants or members of his household under his control to throw or deposit, any earth or materials of any description, or refuse, rubbish or any offensive matter of any kind, into or upon any street, sewer or drain.

Throwing rubbish into drains, etc.

178. No refuse or rubbish shall be deposited on any street except such as arises from ordinary domestic use, which may be deposited in the manner hereinafter provided and not otherwise.

Depositing rubbish.

179. The owner or occupier of every house shall, if required by the Board, provide and maintain in good order in respect of each house, a sufficient number of sound, covered dust-bins each of a capacity of not more than three cubic feet and of a pattern and material approved by the Board.

Dust-bins.

180. The Board may direct the owner or occupier of any house or premises to place such dust-bins or boxes daily on the edge of the arcade or verandah or five-foot way of his house, or in the case of a house situated within a compound or garden at the entrance to such compound or garden, between the hours of 5.30 a.m. and 7.30 a.m., or between the hours of 1 p.m. and 3 p.m., in order that they may be emptied and the contents thereof removed by scavenging carts; and every owner and occupier shall comply with any such direction of the Board.

Exposing dust-bins.

181. The Board may in lieu of the procedure provided by the last preceding by-law require the owner or occupier of any house or premises to empty such dust-bins or boxes at least once daily before 7.30 a.m. into receptacles provided by the Board.

Compulsory emptying of dust-bins.

182. No person shall place any dust-bin or box in the aforesaid positions or empty the contents thereof except within the afore-mentioned hours.

Specified hours.

183. No person shall discharge, or cause or permit to be discharged, into or along any drain, sewer, river or stream any night-soil or excrementitious matter.

Night-soil not to be discharged into public drain or river.

184. Every person having the care or custody of any child under twelve years of age shall prevent such child from committing any nuisance in or by the side of any street or drain or in any public place.

Recovery of
cost of night-soil
buckets.

185. The Board may provide buckets for the reception and removal of night-soil on or from any premises at the expense of the owners or occupiers thereof, and the cost of the same and of all subsequent renewals and repairs thereof may be recovered from such owners or occupiers by the Board.

Fees for
removal of
night-soil.

186. All night-soil buckets shall be removed and cleaned daily by persons authorized in that behalf by the Board, and a fee not exceeding three dollars per bucket per mensem payable quarterly in advance without demand in the months of January, April, July and October of each year may be charged to each owner or occupier for such service.

Free access for
removal of
night-soil.

187. Every occupier of any house, land or premises shall give free access to the persons authorized by the Board to remove night-soil from his latrine during such hours as may be fixed by the Board.

Temporary
latrines, etc.,
for workmen.

188. Any person erecting temporary sheds for workmen shall provide such latrines and buckets as may be required by the Board and shall pay such fees for removal of night-soil as may be fixed under by-law 185.

Carrying of
night-soil
through streets.

189. The Board may from time to time fix the hours within which only it shall be lawful to remove any night-soil or decaying fish or decaying rice or other such offensive matter, and when the Board has fixed such hours and given public notice thereof, whoever removes or causes to be removed along any street any such offensive matter at any time except within the hours so fixed, and also whoever at any time, whether such hours have been fixed by the Board or not, uses for any such purpose any cart, carriage or other receptacle or vessel not having a covering proper for preventing the escape of the contents thereof or of the stench therefrom, or who slops or spills any such offensive matter in the removal thereof, or who does not carefully sweep and clean every place in which any such offensive matter has been slopped or spilt, or who places or sets down in any public place any vessel containing such offensive matter, or who drives or takes or causes to be driven or taken any cart, carriage, receptacle or vessel used for any such purpose as aforesaid through or by any street or route other than such as shall from time to time be appointed for that purpose by the Board by public notice, shall be liable for a first offence to a fine not exceeding ten dollars and for a second or subsequent offence to a fine not exceeding twenty-five dollars.

Rights of Board
in respect of
refuse.

190. The Board shall have the exclusive right to collect and remove, or to delegate to others the right to collect and remove, all refuse, dust, ashes or any form of filth from public dust-bins, and all night-soil from latrines, and all matter so collected shall be the property of the Board which may sell or otherwise dispose of it.

191. A site or sites may be provided by the Board on which night-soil, refuse and filth of any description shall be deposited and disposed of as the Board may direct.

Disposal of refuse and night-soil.

192. (i) It shall be the duty of every occupier of any land or premises, and in the case of unoccupied lands or premises of the owner thereof, to keep the same in such order as not to be a nuisance to any persons living in the neighbourhood or a source of danger to the public health, and in particular—

Duty of occupier to keep land and premises in a sanitary condition.

- (a) to prevent the accumulation anywhere therein of dead vegetable matter, manure, refuse or of any other noxious or unsightly matter, and to remove any such matter or accumulation thereof if so ordered in writing by the Board within such time as may be specified in the order;
- (b) to keep down, as far as possible, the growth of weeds and other useless vegetation and undergrowths therein, and to cut or dig up and burn or otherwise clear away and dispose of the same if so ordered in writing by the Board within such time as may be specified in the order;
- (c) to keep the said land or premises, as far as possible, clear of empty tins, coconut shells or other disused or unused receptacles capable of retaining water, and to prevent any accumulation of such receptacles except in such position that they are not liable to become filled with water, and to obey any reasonable instructions issued to him in writing from time to time by the Board for the disposal or treatment of such receptacles, or any accumulation thereof, in such manner as may in the opinion of the Board be necessary for destroying the larvæ of mosquitoes or for preventing such receptacles from becoming breeding places of mosquitoes;
- (d) to prevent the formation anywhere therein of pools of waste or stagnant water likely to become a source of danger to the public health, and to obey any reasonable instructions issued to him in writing by the Board for draining off or otherwise removing such waste or stagnant water;
- (e) to keep clean any cistern, water-butt or other receptacle used for the storage of water and, if ordered in writing so to do by the Board, to keep the same covered or protected in such manner as may be specified in such order;
- (f) to maintain in good repair any fence or hedge bordering upon a public thoroughfare and, at any time when so ordered by the Board in writing, to repair such fence or hedge or remove any tree overhanging such public thoroughfare, or trim, prune or cut any such tree or hedge to such extent and in such manner and within such time as may be specified in the order.

(ii) Any person acting in contravention of any of the provisions of this by-law shall be liable to a fine not exceeding twenty-five dollars.

Penalty for neglect.

Filling in or
draining of
ponds and
swamps.

192A. Whenever it appears to the Board that any pond or tank or any low marshy ground being within or upon any alienated land is injurious to health or offensive to the neighbourhood, the Board may by notice in writing require the owner of the land within a time to be specified in such notice to fill up such pond or tank, or to drain such marshy land, or to take such action with such pond, tank or marshy land as may, in the opinion of the Health Officer, be necessary to prevent the same being injurious to health, and in default to compliance with such notice the owner shall be liable to a fine not exceeding one hundred dollars, and to a further fine not exceeding five dollars a day for every day beyond the time specified in the notice during which such default may continue, and the Board may proceed to carry out such work at the expense of the owner.

Prohibition of
cultivation or
use of manure
or irrigation
injurious to
health.

193. (i) The Board, if it appears to them that the method of cultivation of any description of crop or the use of any kind of manure or the irrigation of land in any specified manner in any place within a Sanitary Board area being within one hundred yards of a street or building is a nuisance, may, by notice in writing, prohibit the use of the manure or the irrigation so appearing to be a nuisance or to regulate it by imposing such conditions thereon as may prevent the injury.

(ii) Any person making use of manure or irrigation in disregard of any such prohibition or conditions shall be liable to a fine not exceeding five dollars for every day after the first during which the offence is continued.

194. (i) Whenever it appears to the Board that any house or part thereof is in a filthy or unwholesome condition, the occupier or in the case of unoccupied premises the owner of such house shall colourwash, paint, cleanse, purify or otherwise remedy the same as may be required by the Board by notice in writing.

(ii) No occupier of any house or premises shall keep, or allow to be kept in any part of such house or premises, for more than twenty-four hours, or otherwise than in some proper receptacle, any dirt, dung, bones, ashes, night-soil, filth or any noxious or offensive matter so as to be a nuisance, or shall suffer such receptacle to be in a filthy or noxious state, or shall fail to employ proper means to remove the filth therefrom and to cleanse and purify the same.

Overcrowding,
etc.

195. The owner and occupier, or either of them, of any house which, in the opinion of the Board, by reason of overcrowding, insufficient ventilation or insufficient admission of daylight, is prejudicial to the health of the occupants thereof or to the neighbourhood, shall on notice in writing from the Board take such action as may be prescribed in such notice.

196. (i) Any person permitting a house to be so overcrowded as to be dangerous or prejudicial to the health of the inhabitants, shall be liable to a fine not exceeding twenty dollars for each day during which such overcrowding continues after receipt of notice from the Board to discontinue such overcrowding.

(ii) For the purpose of these by-laws a house shall be deemed to be so overcrowded as to be dangerous or prejudicial to the health of the inhabitants if it, or any room therein, is found to be inhabited in excess of the proportion of one adult to every three hundred and sixty cubic feet of clear internal space, measured as to height between the floor and the wall plate (provided that no space at the height of more than ten feet from the floor be taken into consideration), and in such calculation every person over ten years of age shall be deemed an adult and two children not exceeding ten years of age shall be counted as one adult.

197. (i) No person shall knowingly let any house or other building, or part of a house or building, in which any person has been suffering from a dangerous infectious disease without having such house or other building or part thereof and all articles therein disinfected to the satisfaction of the Health Officer, and obtaining a certificate from him to that effect.

Letting infected houses.

(ii) For the purpose of this by-law a hotel or lodging-house-keeper shall be deemed to let part of his house to any person admitted as a guest into his hotel or lodging-house.

198. No owner or occupier shall keep on his premises any animal which is a public nuisance, or in the opinion of the Health Officer injurious to health.

Keeping animals.

199. Every person within whose premises any horse, pony, cattle, goat, sheep or pig may die shall within four hours after its death, or if death occurs at night within four hours after daylight, remove and bury the carcass at such place as may be appointed for the purpose by the Board.

Carcasses to be buried within four hours of death.

200. If any building or land remains untenanted and thereby becomes a resort of idle and disorderly persons or otherwise becomes a public nuisance and complaint thereof is made by any two or more of the neighbours, or by any officer of the Board or of the Police, the Board may cause notice in writing to be served on the owner, or the person claiming to be the owner, requiring him to secure or enclose the same or to abate the nuisance.

Procedure on complaint of nuisance from untenanted property.

201. If such notice be not complied with within seven days the Board may secure or enclose the said premises or abate the nuisance complained of, and all expenses thereby incurred shall be paid by the owner.

Power of Board if nuisance not abated.

PART XXII.

REGULATION OF DANGEROUS, UNHEALTHY, OR OFFENSIVE TRADES OR OCCUPATIONS.

202. No place within the Sanitary Board area shall, unless licensed by the Board, be used for any of the following trade purposes—namely, for

Places for dangerous and offensive trades must be licensed.

- (a) Skinning or disembowelling animals;
- (b) Boiling offal, blood or oil;
- (c) Tallow-melting or soap-making;
- (d) Making bricks, pottery or lime;
- (e) Dyeing or tanning;
- (f) Washing sago or making sago flour;
- (g) Curing fish or manufacturing fish manure;

- (h) Drying or sorting fish;
- (i) Storing matches in quantities of two cases or upwards;
- (j) Keeping pigs;
- (k) Carrying on the trade of a blacksmith;
- (l) Depositing or storing coal, wood, atap, hay, straw or other dangerously inflammable materials;
- (m) Any other manufacture or business from which either offensive or unwholesome smells arise;
- (n) Any purpose calculated to be dangerous to life;
- (o) Any other manufacture or business in which excessive noise is caused.

The Board may at its discretion grant licences for the aforesaid purposes and may impose such terms therein as shall appear expedient. Every such licence shall be renewable annually, and a fee to be approved by the Resident, which shall not exceed ten dollars for each year, may be charged therefor.

Construction of places used for such trades.

203. All places used for the purposes of any dangerous trade shall be constructed with brick walls and roofed with iron or tiles, and no combustible materials except such as are necessarily used shall be kept in any such place.

Floor of building used for such trades.

204. The floor of every building or place used for any dangerous or offensive trade shall be paved with cement concrete or other impervious material, sloping into a drain leading to a catch-pit of cement concrete or other impervious material.

Walls to be of cement.

205. Every person carrying on any such trade shall cause the lower five feet of the internal surface of the walls of the premises used by him for the purposes of such trade to be rendered in cement and kept at all times in good order and repair, so as to prevent the absorption therein of any liquid refuse or filth, and shall also cause the entire internal surface of every wall to be thoroughly cleansed and after being so cleansed to be lime-washed whenever required by the Board.

Fire-places.

206. All fire-places used for any such trade shall be of such form and dimensions and in such position as shall be approved by the Board.

Premises to be kept clean.

207. Every person carrying on any such trade shall cause the premises where such trade is carried on to be thoroughly cleansed and all filth removed daily, and shall cause the drains provided in or in connection with such premises to be kept at all times clean and in good order.

Refuse to be removed daily.

208. All refuse from the process of carrying on any such trade, and all fat, offal and other offensive matter, shall be removed from the premises daily and deposited in such place as may be approved by the Board.

Offensive articles not to be hung near dwellings.

209. No articles in the process of being used for any trade of an offensive nature shall be spread or hung up to dry in any place within fifteen yards of any dwelling-house.

Materials used in such trades to be properly stored.

210. Every person carrying on any such trade shall cause all materials which have been received upon the premises where such trade is carried on and which are not immediately required for use to be stored in such a manner and in such a situation as to prevent the emission of noxious or offensive effluvia therefrom.

211. Every person carrying on any of the above-mentioned trades shall cause the name of his trade, together with the number under which the premises shall have been registered by the Board, to be painted in legible characters in English over or at the side of the door or entrance of his premises, and shall at all reasonable times allow to all members and officers of the Board free access to every part of the premises where his business is carried on for the purpose of inspecting such premises.

Name of trade to be put over entrance.

212. (i) The following fees shall be charged for licences to store matches :

Storage of matches.

more than 2 and not more than 5 cases ... \$ 1 per quarter
 ,, ,, 5 cases 10 ,, annum

(ii) Licences may be issued for any period from one month up to 12 months, but all licences shall expire on the 31st December in each year unless previously cancelled or revoked.

(iii) Where the same building is licensed for the storage of both matches and fireworks the matches shall be stored in a separate part of the building from that in which the fireworks are stored, the two parts being separated by a brick wall.

(iv) Not more than two cases of matches shall be stored in the same building in which are stored any highly inflammable goods unless the matches are separated from the highly inflammable goods by a brick wall.

(v) No part of any building licensed for the storage of more than 50 cases of matches shall be occupied as a dwelling-house nor shall any naked light be permitted therein.

(vi) No lamp shall be hung or fixed in any premises licensed for the storage of matches in such a position that if it should fall it would fall within 10 feet of any matches.

(vii) No licence shall be transferred without the previous consent in writing of the Board.

(viii) No building with an atap roof or with other than brick walls shall ordinarily be licensed for the storage of matches.

212A. (i) No place within a Sanitary Board area, whether covered or open (except garages or places used in connection with private dwelling-houses for housing motor cars kept for private use only) shall be kept or used for repairing, housing or storing motor cars, unless licensed by the Sanitary Board.

(ii) The Board may at its discretion grant licences for the aforesaid purpose and a fee to be approved by the Resident, which shall not exceed twelve dollars per annum, may be charged therefor.

PART XXIII.

THE PREVENTION AND REMOVAL OF OBSTRUCTIONS IN THE STREETS AND IN VERANDAS OR FOOTWAYS.

213. No owner or driver of any licensed vehicle shall permit it to stand, except at a place provided for the purpose by the Board, in any street or public place longer than may be necessary to take up or set down a fare or to load or unload, or so as to cause obstruction.

Vehicle obstructing street.

213A. In any case in which it may appear to the Sanitary Board that a street or portion of a street is suitable for the division of fast from slow moving traffic, the Sanitary Board may, with the approval of the Resident, by notification in the *Gazette* declare such street or portion of a street suitable for such division.

On and after the publication of such notification in the *Gazette* and until the same be rescinded—

- (i) no vehicle drawn by man or beast shall, except to cross such street, travel along such street otherwise than on that part thereof which is indicated, by notices publicly placarded or by police officers on duty in such street or otherwise, as the part appointed for slow moving traffic;
- (ii) no motor car shall, except to cross or to draw up by the side of such street, travel along such street otherwise than on that part thereof which is indicated, by notices publicly placarded or by police officers on duty in such street or otherwise as the part appointed for motor car traffic.

Obstructions,
etc.

214. No person shall place or leave on any street any article likely to cause obstruction, or place any blind, awning or other projection over any street without the consent of the Board in writing.

Obstruction of
streets and
arcades.

215. (i) Whoever within any Sanitary Board area builds, erects, sets up or maintains any wall, fence, rail, post or any accumulation of any substance or other obstruction in any street, or in any open arcade or verandah abutting on any street, or covers over or obstructs any open drain, sewer or aqueduct along the side of any street, and whoever deposits or causes to be deposited any box, bale or package of merchandise or other article in or upon any street, or in or upon any open arcade abutting on any street, so as to prevent, hinder or delay the work of scavenging, or to create obstruction or inconvenience to the passage of the public for a longer time than may be reasonably necessary for loading or unloading such merchandise or article, shall be liable on conviction to fine not exceeding fifty dollars and thereafter to fine not exceeding ten dollars for every day during which such offence is continued.

(ii) A Magistrate may, on the application of a Sanitary Board made through any member or officer of the Board, make an order against the person erecting, depositing or maintaining any such obstruction, requiring him to remove the same.

215A. The Board may give notice in writing to the owner or occupier of any land, house, building or structure to remove any placard, poster, signboard, skysign or other device which may have been placed thereon in such manner as to project over or be visible from a public street and such owner or occupier shall within such period after the service of such notice upon him as may be specified therein remove such placard, poster, signboard, skysign, or other device.

PART XXIV.

THE REPAIR OR REMOVAL OF RUINOUS OR DANGEROUS HOUSES,
HUTS OR OUT-BUILDINGS, AND THE REMOVAL OF OCCUPANTS
THEREFROM.

216. Dangerous or ruinous buildings shall be vacated immediately on receipt of an order to that effect from the Board. Dangerous buildings to be vacated.

217. If the Board considers that any building or anything affixed thereon is in a ruinous state or likely to fall, or in any way dangerous to the inhabitants or occupiers of such building or to the neighbouring houses or buildings or to the inhabitants or occupiers thereof or to passengers, it shall immediately, if it appears to be necessary, cause a proper hoarding or fence to be put up for the protection of passengers at the expense of the owner of such building, and shall cause notice in writing to be served on the owner or occupier forthwith to take down, secure or repair such building or thing affixed thereon as the case shall require. Removal of dangerous buildings.

PART XXV.

LICENCES AND SIGN-BOARDS.

218. (i) Every annual licence shall expire on the thirty-first day of December of the year in which it is issued. Expiry of licences.

(ii) The occupier of any premises in respect of which a licence has been issued to carry on any of the trades for which a licence is required by these by-laws to be issued, shall keep fixed in a conspicuous position outside such premises a sign-board, to be obtained from the Board, showing the purpose for which such premises are licensed and the number of the licence. Sign-boards to be exhibited.

(iii) A fee of one dollar shall be payable for such sign-board.

PART XXVI.

THE CONDUCT OF THE BUSINESS OF SANITARY BOARDS.

219. A meeting of the Board shall be either ordinary or special. Meetings.

220. Ordinary meetings for the transaction of business shall be held at such times as may be prescribed by the Board with the approval of the Resident. Ordinary meetings.

221. The Chairman may, whenever he thinks fit, and shall on a requisition made in writing by not less than three members of the Board, convene a special meeting at any other time by giving three clear days' notice in writing to each member. Special meetings.

222. Not less than three members shall form the quorum necessary for the transaction of business at either an ordinary or a special meeting. Quorum.

223. At an ordinary meeting the business to be transacted shall be stated in the agenda, which shall be forwarded to members of the Board at least two clear days before the date of the meeting, and on the conclusion of the business stated in the agenda it shall be open to members to bring up any other matters for consideration by the Board. The business at special meetings shall be confined to the matters for the consideration of which such special meeting is called. Agenda.

224. The minutes of each ordinary and special meeting shall be submitted at the next following ordinary meeting for confirmation. Minutes.

- Chairman. 225. At every meeting the Chairman of the Board shall preside if present, and in his absence the members present shall elect one of their number to be Chairman of the meeting.
- Voting. 226. All matters coming before any meeting shall be decided in accordance with the votes of the majority of the members present, and in case of an equality of votes the Chairman shall have a second or casting vote.
- Members interested. 227. No member of the Board shall at any meeting vote or take part in the discussion of any matter in which he has directly or indirectly by himself or by his partner any pecuniary interest, but a member shall not be deemed to have a pecuniary interest in any matter in which he is interested merely by reason of being a shareholder in a public company which is concerned in such matter.
- Minute book. 228. Minutes of the proceedings at every meeting shall be recorded in a book kept for the purpose and shall be signed by the Chairman when confirmed at the next meeting.
- Sub-committees. 229. The Board may appoint members to form sub-committees for any purpose which in the opinion of the Board can be better attained by this means, and the proceedings of every such sub-committee shall be recorded in writing and be submitted to the Board at its next ordinary meeting.
- Annual statement and report. 230. The Board shall as soon after the first day of January in every year as may be practicable prepare and submit to the Resident a detailed statement showing the nature and amount of the receipts and disbursements on account of the Board for the past year and also a report of its proceedings during that year.
- Powers of Chairman in emergency. 231. In cases of emergency the Chairman may direct the execution of any work or the doing of any act which the Board alone is by these by-laws empowered to execute or do, and the immediate execution of which is in his opinion advisable for the service or safety of the public: provided that whenever he acts under this section he shall report his proceedings to the Board at its next meeting.

BY-LAWS FOR PUBLIC SLAUGHTER-HOUSES, KUALA LUMPUR AND KLANG.

GENERAL.

1. Every public slaughter-house shall be under the management of an officer of the Sanitary Board, who shall be called a Superintendent, and the term "the Superintendent," when hereinafter used, shall mean the Superintendent or Deputy Superintendent of any public slaughter-house.

2. Animals brought for slaughter must be presented at the gate assigned to their class and at no other, and must be brought at such hours as may, from time to time, be fixed and announced by placard posted in some conspicuous place upon each slaughter-house.

3. Animals brought at other than the appointed hours may be refused admittance or, if admitted, may be detained for inspection till the following day.

4. No animal shall be admitted unless it bears or has attached to it some distinguishing mark by which it can be identified.

5. Animals on being admitted shall be confined in the pen assigned to them and no other, and shall not be removed therefrom except by the order of the Superintendent.

6. Animals suspected by the Superintendent of being diseased may be detained for observation, removed to a separate pen and dealt with as the Superintendent may direct. Any owner dissatisfied with the decision may appeal to the Health Officer, whose decision shall be final.

7. The owner of any animal detained in a pen shall be bound on the order of the Superintendent to provide such animal with food, water and bedding, whatever the cause of detention may be.

8. No animal that has been admitted for slaughter shall be removed from the slaughter-house alive.

9. No animal shall be taken from the pen and introduced into the killing-room, until and unless it has been marked by the Superintendent, with a mark to show that it has been passed as fit for slaughter.

10. As far as possible, animals shall be killed in the order of their admission, provided such order can be adhered to without causing stoppage or delay.

11. No animal shall be removed from the pen and taken into the killing-room, unless the owner, or at least one person to represent him, be present to claim the carcass.

12. The carcasses of all animals dying of disease shall be destroyed or otherwise dealt with as the Board may deem advisable.

13. No person shall inject water into any carcass.

14. Carcasses or portions of carcasses condemned by the Superintendent as unfit for human food shall be destroyed or otherwise dealt with as the Board may deem advisable. Any owner dissatisfied with the decision of the Superintendent may appeal to the Health Officer, whose decision shall be final.

15. No person shall remove or mutilate any portion of a carcass or substitute for any portion of a carcass a portion of another, so as to make it appear that such carcass was not affected with disease. A carcass of which any portion is missing at the time of inspection shall be dealt with as if the whole had been diseased and unfit for human food.

16. No carcass or any part thereof shall be removed from the slaughter-house, unless and until the Superintendent or other officer or servant authorized by him shall have marked it with the Sanitary Board stamp.

17. All dead meat shall be removed from the slaughter-house by the gate appointed for its kind and by no other. No dead meat shall be carried from one department of the slaughter-house to another.

18. Every person admitted to the slaughter-house shall be bound to obey the directions of the Superintendent, and in the event of his failing or delaying to obey any such direction, the Superintendent may immediately have him removed from the premises.

19. No person shall mutilate any carcase or make any disturbance or fight or quarrel, or use insulting, abusive or obscene language in the slaughter-house. Any person transgressing this by-law shall be removed from the slaughter-house.

20. No person affected with leprosy, sores, or any other skin disease shall be admitted to the slaughter house premises.

SPECIAL.

SWINE.

21. Every pig on being admitted to the slaughter-house shall be weighed and marked or numbered by the Sanitary Board servants, and its weight, together with the name and address of the owner, shall be entered in the gate book.

22. After killing, scalding, cleaning and dressing by Sanitary Board servants, the whole carcase shall be delivered to the owner or his representative in the cooling-room, and shall there be inspected by the Superintendent or an Assistant Superintendent and, if found free from disease, shall be stamped with the Sanitary Board mark, and thereafter may be removed at any time during working hours.

23. Every owner or his representative shall provide himself with a dish or tub for the blood, and shall catch and secure all blood as it flows from the animal. Blood not so removed shall become the property of the Board.

CATTLE, SHEEP AND GOATS.

24. The fees for killing cattle, sheep and goats shall be levied per head as per prescribed scale without regard to size or weight of the animals.

25. After killing, skinning and dressing by Sanitary Board servants, the whole carcase shall be delivered to the owner or his representative in the cooling-room, and shall there be inspected by the Superintendent or an Assistant Superintendent and, if found free from disease, shall be stamped with the Sanitary Board mark, and thereafter may be removed at any time during working hours.

26. The skins, horns, hoofs and all offal claimed by the owner shall be removed by him promptly after the carcase has been stamped for delivery.

27. All notices or placards issued under, or in pursuance of these by-laws, shall be translated into Malay, Tamil and Chinese, and shall be published in the English, Malay, Tamil and Chinese languages.

SCALE OF FEES.

28. Scale of maximum fees for animals slaughtered at Sanitary Board slaughter-houses and for the use of pens or other buildings attached thereto:

Swine	...	...	...	...	50 cents each
Goats	...	...	...	...	25 "
Sheep	...	...	...	...	25 "
Bullocks	...	...	...	...	70 "
Buffaloes	...	...	...	...	80 "

The above fees include the use of the slaughter-house and all its appliances, hot and cold water, etc., and use of the pens up to 6 a.m. on the morning after admission.

Provided that the fees for slaughtering animals brought from Port Swettenham to Klang shall be half the ordinary fees if the carcasses are returned to Port Swettenham for sale. [This proviso applies to Klang only.]

An extra charge will be made for every period of 24 hours or portion thereof after 6 a.m. on the morning after admission, during which any animal may be kept or detained in the pens. In the case of pigs, sheep and goats this charge shall be 5 cents per animal, in the case of other animals 10 cents.

All animals left in the pens are at the risk and under the care of their owners, and must be fed, watered, and if necessary, bedded by them and at their own cost.

SPECIAL LICENCE TO SLAUGHTER ANIMALS.

29. The fee for slaughtering by special licence shall be a fee not exceeding ten times the ordinary fee for slaughtering the same animal in the slaughter-house.

FEES UNDER SANITARY BOARD BY-LAW 202.

(a) Skinning or disembowelling animals ...	\$10
(b) Boiling offal, blood or oil ...	10
(c) Tallow-melting or soap-making ...	10
(d) Making bricks, pottery or lime ...	10
(e) Dyeing or tanning ...	10
(f) Washing sago or making sago flour ...	10
(g) Curing fish or manufacturing fish manure ...	10
(h) Drying or sorting fish ...	10
(i) Storing matches in quantities of two cases or upwards—	
more than 2 and not more than 5 cases ...	1 per quarter
more than 5 cases ...	10 „ annum
(j) Keeping pigs ...	Free
(k) Carrying on the trade of a blacksmith	2
(l) Depositing or storing coal, wood, atap, hay, straw or other dangerously inflammable materials ...	5
(m) Any other manufacture or business from which either offensive or unwholesome smells arise ...	10
(n) Any purpose calculated to be dangerous to life ...	10



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FEDERATED MALAY STATES.

STATE OF SELANGOR.

"THE SANITARY BOARDS ENACTMENT, 1916."

AMENDMENT OF BY-LAW 88 (i).

THE following amendment to the by-laws under "The Sanitary Boards Enactment, 1916," has been passed by the Sanitary Boards of the State of Selangor on the following dates respectively :

Kuala Lumpur	...	...	...	2nd July, 1924
Klang	...	...	...	16th August, 1924
Telok Datoh	...	...	...	14th August, 1924
Sepang	...	...	...	2nd September, 1924
Ulu Langat	...	...	...	9th August, 1924
Kuala Selangor	...	...	...	30th January, 1925
Sabak Bernam	...	...	...	1st September, 1924
Ulu Selangor	...	...	...	29th July, 1924

and has been confirmed by the Resident of Selangor with the approval of the Chief Secretary to Government :

By-law No. 88 (i) is amended by the addition of the words "or fresh fish" after the word "meat" in line 1.

Dated at Kuala Lumpur, this 2nd day of February, 1925.

[Sel. 2783/24.] H. S. SIRCOM,
Secretary to Resident, Selangor.

1925.

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FEDERATED MALAY STATES.

STATE OF SELANGOR.

“THE SANITARY BOARDS ENACTMENT, 1916.”

BY-LAW 202 (p).

THE following addition to the by-laws under “The Sanitary Boards Enactment, 1916,” published as Notification No. 348 in the *Selangor Government Gazette* of 23rd May, 1907, has been passed by the under-mentioned Sanitary Boards, viz.:

Kuala Lumpur	Kuala Selangor
Klang	Telok Datoh
Ulu Selangor	Sabak Bernam
Ulu Langat	Sepang

and has been confirmed by the Resident of Selangor with the approval of the Chief Secretary to Government:

“202 (p). Storage and treatment of raw rubber.” [Sel. 2118/25.]

1925.

KUALA LUMPUR:

Printed by the Government Printer, Selangor,
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To be purchased from the Government Printing Department, Kuala Lumpur, Federated Malay States; the Crown Agents for the Colonies, 4, Millbank, London, S.W. 1; and the Malay States Information Agency, 88, Cannon Street, London, E.C. 4.

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Printed at the Government Press, Singapore.
No. 11, Malacca Street, Singapore.

FEDERATED MALAY STATES

STATE OF SELANGOR

THE SALTARY ROADS EXACTMENT, 1911.

BY LAW NO. 1.

The following Bill was passed by the Legislative Council of the State of Selangor on the 14th day of May 1911, and is hereby published as the Law of the State.

Enacted by the
Legislative Council of the
State of Selangor.

Enacted by the
Legislative Council of the
State of Selangor.

and has been approved by the Governor of Selangor with the approval of the Chief Secretary to Government.



Printed by the Government Press, Singapore.
No. 11, Malacca Street, Singapore.

In the printed form the following Bill was passed by the Legislative Council of the State of Selangor on the 14th day of May 1911, and is hereby published as the Law of the State.

Enacted by the
Legislative Council of the
State of Selangor.

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Legislative Council of the
State of Selangor.

and has been approved by the Governor of Selangor with the approval of the Chief Secretary to Government.

FEDERATED MALAY STATES.

STATE OF SELANGOR.

"THE SANITARY BOARDS ENACTMENT, 1916."

BY-LAW 178A.

THE following addition to the by-laws under "The Sanitary Boards Enactment, 1916," has been passed by the under-mentioned Sanitary Boards on the following dates respectively, viz.:

Kuala Lumpur	...	...	2nd September, 1925
Ulu Selangor	...	...	16th September, 1925
Ulu Langat...	...	...	25th September, 1925
Kuala Selangor	...	...	2nd October, 1925
Telok Datoh	...	...	30th October, 1925
Sabak Bernam	...	...	23rd September, 1925
Sepang	...	...	29th September, 1925

and has been confirmed by the Resident of Selangor with the approval of the Chief Secretary to Government.

178A. No person shall fasten or support or otherwise interfere with the cover or door of any refuse receptacle so as to allow the contents of such receptacle to remain exposed and no person shall unlawfully remove the contents from any such receptacle. [Sel. 3664/25.]

1926.

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25-1-1926.

Price 5 cents.





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