[Public Health Enactments,1914-25].

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[*Appendix to the "Johore Government Gazette," Dec. 30th 1919.*]

State of Johore.

ENACTMENT No. 29 OF 1919.

An Enactment to make provision for Burials, Burial Grounds, and the Exhumation of Corpses.

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AHMAD,
Regent.

[26*th November*, 1919.]

Whereas it is desirable to make provision for the regulation and control of burial grounds burials and exhumations:

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:

Short title, and commencement.

1. This Enactment may be cited as "The Burials Enactment, 1919," and shall come into force upon the publication thereof in the *Gazette*.

No place to be used for the interment or burning of any corpse except under a licence from the Collector.

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 a Collector of Land Revenue for the District in which the place is situated. Any such Collector 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.

Special permits in particular cases.

(ii) The State Secretary may for special reasons in any particular case by writing under his hand authorize 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.

Form of licence and to whom licences may be issued.

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 Collector issuing the licence 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.

Town Boards may provide burial grounds.

4. Subject to the issue of a licence under section 3 any Town Board may 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 make rules for the management of such burial and burning grounds not inconsistent with any rules made by His Highness the Sultan in Executive Council under this Enactment.

Public burial grounds.

5. Every burial or burning ground provided by a Town Board and every burial or burning ground in respect of which the Collector 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 Collector 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 Collector under the last preceding section or the licence for which has been revoked shall be guilty of an offence and for each such offence shall be liable on conviction before a Magistrate 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 unlawfully 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.

(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.

Penalty for disobedience of Magistrate's order.

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.

Exception.

10. (i) Except as hereinbefore provided no person shall exhume any corpse or the remains of any corpse other than

(*a*) by order of a Magistrate for the purpose of a judicial enquiry;

(*b*) under a licence granted by the State Secretary under his hand authorizing such exhumation.

Exhumation unlawful except by order of Magistrate or under a licence.

11. 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 guilty of an offence and for each such offence shall be liable on conviction before a Magistrate to a fine not exceeding two hundred and fifty dollars.

Penalty for unlawful exhumation.

12. No prosecution shall be instituted under section 8 or section 11 of this Enactment without the previous sanction in writing of the Public Prosecutor.

No prosecution without previous sanction of Public Prosecutor.

13. (i) His Highness the Sultan in Executive Council may 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;

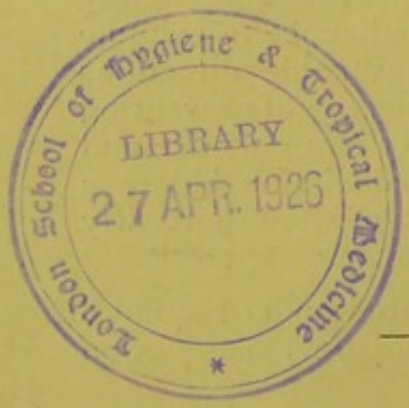
(*e*) to prescribe the form of licences and the form and mode of publication or service of orders made under this Enactment;

(*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.



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No. 261.—In pursuance of the powers conferred by section 13 of The Burials Enactment, 1919, His Highness the Sultan in Council hereby makes the following Rules:—

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 cnarge 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 Collector of Land Revenue for the district in which the burial ground is situated.

"Enactment" means Enactment XXIX of 1919.

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 Collector of Land Revenue shall be kept in the Land Office of the district.

4. Every application for a licence shall be made to a Collector of Land Revenue 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. 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.

6. 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 fort awith issue to the occupier of the house in which such death occhurs or to the principal person concerned in the burial of any corpse a permit to bury in the form in Schedule "B" hereto.

7. 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 6 hereof.

8. No manager or caretaker shall permit the burial of any person until the permit referred to in rule 6 hereof shall have bene produced to him.

9. 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.

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

11. 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.

12. To 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.

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

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

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

16. 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 may carry out the work and shall recover the cost thereof from the manager.

17. 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.

18. 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.

19. 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 Collector of Land Revenue 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, 1919," and of the rules made by His Highness the Sultan in Council under section 13 thereof.

.....

.....19....

Collector of Land Revenue.

DESCRIPTION OF THE 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 informer.	Date of registration.	No. of grave.

[S. S. No. 1973/21.]

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Published in the "Johore Government Gazette," July 1st, 1920, No. 13, Vol. X, Notification 192.

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State of Johore.

ENACTMENT NO. 11 OF 1920.

An Enactment to provide privileges for Registered Medical Practitioners and to impose disabilities on persons not so registered.

IBRAHIM,
Sultan.

[29*th June*, 1920.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:

Short title and commencement.

1. This Enactment may be cited as "The Medical Registration Enactment, 1920," and shall come into force upon the 1st day of January, 1922.

Interpretation.

2. In this Enactment "Ordinance" means "The Medical Registration Ordinance, 1907," of the Straits Settlements and "Registered Medical Practitioner" means a Medical Practitioner registered under the said Ordinance.

Publication of register.

3. (i) There shall be published in the *Gazette* as soon as conveniently may be after the first day of January in each year a list containing the names and qualifications of all registered Medical Practitioners.

(ii) The publication in such list shall be *prima facie* evidence that the persons named therein are registered under the Ordinance and the absence of the name of any person from such list shall be *prima facie* evidence that such person is not so registered.

Privileges.

4. Every registered Medical Practitioner shall be entitled to practise medicine surgery and midwifery in the State and to demand sue for and recover in any Court in the State with full costs of suit reasonable charges for professional aid advice and visits and the value of any medicine or other medical or surgical appliances rendered or supplied by him to his patients.

Disabilities.

5. No person shall be entitled to recover in any Court in the State any charge for medical or surgical services rendered or for medicines prescribed and supplied within the State or the Colony or the Federated Malay States unless he be a registered Medical Practitioner.

Medical certificates.

6. No certificate or other document required by law to be signed by a duly qualified Medical Practitioner within the State given after the commencement of this Enactment shall be valid unless signed by a registered Medical Practitioner.

Definition.

7. From and after the coming into force of this Enactment the words "legally qualified Medical Practitioner" or "duly qualified Medical Practitioner" or any words importing a person recognised by law as a Medical Practitioner or Member of the medical profession when used in any Enactment or rule thereunder with reference to such persons within the State shall be construed to mean a registered Medical Practitioner.

Penalty for unlawful use of title implying qualification or practising without being registered.

8. Any person who after the coming into force of this Enactment wilfully and falsely makes or uses in the State any name title or addition implying a qualification to practise medicine or surgery or not being a registered Medical Practitioner practises medicine or surgery or receives any payment as practising medicine or surgery shall be liable on summary conviction before the Court of a Magistrate of the First Class to a penalty not exceeding five hundred dollars a day during the continuance of such offence.

Native practitioners.

9. Nothing contained in this Enactment shall be construed to prohibit or prevent the practise of native systems of therapeutics according to Indian Chinese or other Asiatic method or the recovery of fees therefor.

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Published in the Government Gazette of 1st September, 1915, Notification No. 91.

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State of Johore.

ENACTMENT No. 10 OF 1915.

An Enactment to regulate the possession and sale of Poisons.

IBRAHIM,
Sultan.

[18*th August*, 1915.]

It is hereby enacted by His Highness the Sultan in Council as follows:— Preamble.

1. This Enactment may be cited as "The Poisons Enactment, 1915," and shall come into force on the 1st day of October, 1915. Short title and commencement.

2. (i) The several substances named or described in the next subsection and such other substances as may from time to time be declared by His Highness the Sultan by notification in the *Gazette*, to be fit and proper to be classed as poisons and to be subject as regards possession and sale to the provisions of this Enactment shall be deemed to be poisons for the purposes of this and any other Enactment for the time being in force. Meaning of Poisons.

(ii) The following substances are poisons:— Poisons.

(1) All preparations of antimony except antimony sulphide;

(2) All preparation of mercury except cinnabar;

(3) All vegetable alkaloids and preparations thereof except—

(*a*) Those of the quinine and chinchonine group;

(*b*) Caffein;

(*c*) Theobromine;

(4) All preparations of and all natural or manufactured products which contain any of the following, viz.:—

Aconitine	Helleborin
Antiarine	Hyoscyamine
Atropine	Physostigmine or Eserine
Brucine	Strophanthin
Conine	Strychnine
Curarine	Veratrine
Digitalein	

(5) Arsenic and all preparations thereof;

(6) Cannabis Indica and all preparations thereof;

(7) Cantharides and all preparations thereof;

(8) Carbolic acid;

(9) Chloroform and chloral;

(10) Cocaine and all preparations containing more than 1% of Coca alkaloids;

(11) Croton oil;

(12) Ergot of rye and all preparations thereof;

(13) Hydrocyanic acid and all cyanides;

(14) Lead acetate;

(15) Opium and all preparations containing more than 1% of morphine; except chandu prepared by the Straits Settlements Government for sale.

(16) Oxalic acid and all other oxalates;

(17) Phosphorus;

(18) Savin;

(19) Henbane or Stramonium;

(20) All analogues of any of the above-named substances.

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3. On and after the commencement of this Enactment no person shall except as hereinafter provided without a licence for that purpose issued under this Enactment nor otherwise than in accordance with the terms of such licence sell or keep for sale or expose or offer for sale any poison.

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4. The Principal Medical Officer and any Medical Officer appointed by him with the approval of His Highness the Sultan to be a licensing officer under this Enactment in and for the State or in and for any specified district or districts in the State may issue to such persons as he may think fit licences to sell and to keep, offer and expose for sale within the State or district specified in the licence poisons or any particular poison or poisons and may at any time, if it shall appear to him expedient, revoke and cancel any such licence issued by him or by his predecessor in office, but every such revocation or cancellation shall be subject to appeal to His Highness the Sultan, who may, if he thinks fit direct a fresh licence to be issued in its place to the licensee with or without further payment either to the same effect as the licence which has been cancelled or revoked or subject to such further conditions or limitations as His Highness the Sultan may think proper.

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5. Such licences may be either—

(*a*) wholesale licences to sell and keep, expose and offer for sale the poisons specified in such licence;

(*b*) retail licences to sell and keep, expose and offer for sale the poisons specified in such licence; or

(*c*) wholesale and retail licences to deal generally in poisons.

Licences may be issued subject to special conditions.

6. Every licence issued under this Enactment shall be subject to such special conditions and limitations as the Principal Medical Officer or the licensing officer, with the approval of the Principal Medical Officer, may think fit to attach thereto, subject, however, in all cases to appeal to His Highness the Sultan, but all such special conditions and limitations not set out in this Enactment shall be entered in writing on the licence and initialled by the officer by whom the licence is granted.

General conditions of licences.

7. (i) There shall be implied in every licence issued under this Enactment the condition that the licensee is bound to comply—

(*a*) with all the terms and conditions set out in the licence;

(*b*) with all the provisions of this Enactment;

(*c*) with all the provisions of any rules that may from time to time be made under this Enactment.

(ii) Every licence issued under this Enactment shall be personal to the licensee or licensees named therein and shall not in any case be transferable to another person, and no licence shall authorise the sale of any poison by any person other than the person or persons named therein otherwise than in the presence and under the immediate direction and control of the licensee or one of the licensees.

(iii) Every licence shall, unless previously revoked or cancelled under section 4, continue in force until the 31st December in the year in respect of which it is issued and to no later date.

Fees.

8. There shall be payable in respect of every licence issued under this Enactment such fee as shall from time to time be prescribed by rule under this Enactment but such fee shall not exceed five dollars for each person named as a licensee in the licence.

Registers of licences.

9. (i) Every licensing officer shall keep a register of licences issued by him in which every licence shall be numbered consecutively, as of the year in respect of which it is issued, commencing with the number (1). Such register shall show the particulars of every licence including the particulars of any special conditions or limitations imposed under section 6 of this Enactment, and there shall be noted therein in the event of the revocation or cancellation of any licence the date of such revocation or cancellation.

(ii) Every licensing officer shall as soon as conveniently may be after any entry is made in such register forward to the Principal Medical Officer a true copy of the entry.

(iii) Any office copy or extract from a register kept under this section certified by a licensing officer under his hand to be a true copy or extract shall be evidence of the facts recorded therein.

Publication of list of persons licensed.

10. (i) The Principal Medical Officer shall in or about the month of February in each year and more often if he shall think necessary cause to be printed and published in the *Gazette* correct lists of all persons licensed under this Enactment with the nature of the licence or licences granted to each such person and the district or districts in and for which each licence has been granted.

(ii) In such lists the names of licensees shall be arranged in alphabetical order according to the surname or *seh* in the case of persons using a surname or *seh* and in the case of others according to the personal name, which must in the latter case be followed by the name of the father of the licensee. The lists must also show the place or places of business of the licensee and his residence if different.

(iii) Every list so published over the name of the Principal Medical Officer shall be evidence that the persons therein named are licensed under this Enactment as therein stated and the absence of any name from such list shall entitle any Court or person to presume until the contrary has been proved that such person is not licensed under this Enactment.

Form of licences.

11. Licences under this Enactment may be in any of the forms contained in the schedule hereto with such variations as circumstances may require or in any such form as may from time to time be prescribed by rules under this Enactment.

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o Power to search, take samples and inspect books.

12. (i) It shall be lawful for the Principal Medical Officer and any licensing officer and any Medical Officer authorised in writing by the Principal Medical Officer or by a licensing officer and for any officer of Police not below the rank of Inspector to enter at all reasonable times upon any premises in the occupation of a licensee in which poisons are kept or stored and by himself or some other person accompanying him and acting under his instructions and in his presence to search such premises and to take samples of any substance found therein reasonably believed to be or to contain a poison and it shall be lawful further for any such officer in the like manner to inspect and take extracts from any book or record relating or reasonably believed to relate to any dealing in or with poisons wherever and by whomsoever kept and whether kept under the provisions of this Enactment or of any rules made under this Enactment or otherwise and for the purpose of such inspection or taking of extracts to enter at all reasonable times upon any place whatsoever.

Search warrants.

(ii) Any Magistrate may by warrant addressed to any police officer not below the rank of corporal or to any chandu officer or officer of customs empower such officer to enter upon and search by day or night any premises within the jurisdiction of such Magistrate in any case in which it shall appear to such Magistrate upon the oath of any person that there is reasonable cause to believe that in such premises is concealed or deposited any article in respect of which an offence has been committed against this Enactment and to take

possession of any such article and to arrest any person being in such premises in whose possession such article may be found or by whom the said officer may have good and sufficient reason to suspect that such article has been concealed or deposited therein, and any officer to whom such warrant may be directed may in case of obstruction or resistance break open any outer or inner door of such premises and any chests, trunks or packages, and by force, if necessary, enter upon any part of such premises and remove any obstruction to such entry, search or seizure and detain any person found in such premises until the search has been completed.

Storage of poisons.

13. (i) No person whether licensed under this Enactment or not shall knowingly keep or have in his possession or under his control any poison otherwise than—

(*a*) in an unbroken case or package as received from the manufacturer; or

(*b*) in a bottle, vessel or other receptacle distinctly labelled with the name of the substance contained therein and also some distinctive mark indicating that it contains poison.

(ii) No person shall knowingly sell or keep any poison or substance containing poison for sale or for dispensing purposes except either—

(*a*) as provided in subsection (i) (*a*); or

(*b*) in a bottle or other vessel tied over, capped, locked or otherwise safely secured in a manner different from that in which bottles or vessels containing non-poisonous substances are secured in the same warehouse, shop or dispensary; or

(*c*) in a bottle or other vessel rendered distinguishable by touch from the bottles or vessels in which non-poisonous substances are kept in the same warehouse, shop or dispensary; or

(*d*) in a bottle, vessel, box or package kept in a room or cupboard under lock and key set apart for the keeping or storage of dangerous articles.

(iii) No person shall sell or dispense or deliver to any other person any poison or any liniment, embrocation, lotion or liquid disinfectant containing poison except such poison or article containing poison is enclosed in a bottle or other vessel rendered distinguishable by touch from ordinary medicine bottles or vessels, and labelled "Poison" and in the case of any liniment, embrocation, lotion or liquid disinfectant containing poison there is also affixed to each such bottle or vessel in addition to the name of the substance or article contained therein and the instructions for its use a label indicating that the contents are not to be taken internally.

Rules.

14. His Highness the Sultan in Council may from time to time make rules not inconsistent with the provisions of this Enactment for the purpose of regulating the importation, manufacture, possession and sale of poisons in the State and generally for giving effect to the purposes of this Enactment and in particular—

(*a*) for regulating the form and manner of issue of licences under this Enactment, the fees to be charged therefore and special conditions to be attached to any particular class of licences;

(*b*) for prescribing the books to be kept by holders of licences under this Enactment, the entries to be made therein and the time and manner of making such entries;

(*c*) for prohibiting the storage or sale of poisons in any shop or place in which articles of food are prepared, kept, cooked, sold or exposed or offered for sale;

(*d*) for prescribing the marks to be placed or made on vessels, bottles, cases and on the covering of cases in which any poison is kept, stored, sold or in any way dealt with;

(*e*) for fixing the quantity of any poison the sale of which shall be deemed a wholesale transaction.

Powers of exemption.

15. His Highness the Sultan may from time to time by order published in the *Gazette* exempt from the operation of this Enactment or of any specified provision of this Enactment or of the rules or of any portion of the rules made under this Enactment—

(*a*) Any specified persons or class of persons;

(*b*) Any mixture or preparation (not being a preparation which is itself a poison under the provisions of this Enactment) which contains one or more poisons but in so small a proportion as not to be dangerous to human life;

(*c*) Any patent medicine or other proprietary article;

(*d*) Any liquid commonly used as a beverage;

(*e*) Any chemical commonly used for any process in connection with a trade manufacture or industry;

but every such exemption shall be subject to such limitations and conditions as His Highness the Sultan may think fit to impose either generally or in any particular case.

Penalties.

16. (i) Any person who acts in contravention of any of the provisions of this Enactment or of any rule made thereunder except in so far as his act comes within one of the exemptions made under the last preceding section shall be liable on conviction to a fine not exceeding five hundred dollars and to imprisonment in default for a term not exceeding six months and if such person is a person licensed under this Enactment to sell poisons or if the act or omission charged is of such a nature as in the opinion of the Court before whom he is tried to amount to culpable negligence likely to endanger or which did in fact endanger human life then to a fine not exceeding two thousand five hundred dollars and to imprisonment in default for a term not exceeding twelve months or to imprisonment for a term not exceeding twelve months or to both.

(ii) In every case in which a conviction is had under this Enactment all poisons and all substances containing poison in respect of which the offence was committed and the receptacles in which the same were contained shall be forfeited and shall be disposed of as the Principal Medical Officer or the licensing officer for the district shall direct.

(iii) Every penalty and forfeiture imposed under this Enactment shall be in addition to and not in substitution for any other penalty to which the accused may be liable under any other law and no conviction under this Enactment shall be pleaded in any civil proceedings in mitigation of damages claimed against the person convicted.

(iv) The abetment of any offence punishable under this Enactment shall be punishable with the same penalty as the offence.

Jurisdiction.

17. All convictions, penalties and forfeitures under this Enactment may be had and recovered before any Magistrate of the First Class.

Prosecutions.

18. (i) The Principal Medical Officer, any licensing officer and any person authorised in writing by one of the said officers may appear and be heard in the prosecution of any offence punishable under this Enactment in any Court but no prosecution shall be instituted under this Enactment without the sanction in writing of the Principal Medical Officer, the State Secretary or the licensing officer of the district in which the offence is alleged to have been committed.

(ii) In all prosecutions under this Enactment the onus of proof that any poison found in the possession of the accused is not kept for sale shall be upon the accused.

THE SCHEDULE.

FORM A.

Wholesale Licence.

"*The Poisons Enactment, 1915.*"

Licence is hereby granted to.....of.....carrying on business at..... and residing at.....to sell wholesale the undermentioned poisons.....

This licence is issued subject to the provisions of "The Poisons Enactment 1915," and of all rules made thereunder and to the following conditions *viz.*,.....

This licence takes effect from the.....day of.....19..... and expires on the 31st December of that year.

Dated at.....this.....day of.....19.....

.....

Licensing Officer.

FORM B.

RETAIL LICENCE FOR PARTICULAR POISONS.

"The Poisons Enactment, 1915."

Licence is hereby granted to.... .....of.....carrying on business at..... and residing at.....to sell by retail the undermentioned poisons.....

This licence is issued subject to the provisions of "The Poisons Enactment 1915," and of all rules made thereunder and to the following conditions, *viz.*,.....

This licence takes effect from the.....day of.....19..... and expires on the 31st December of that year.

Dated at..... this.....day of.....19.....

.....

Licensing Officer.

FORM C.

GENERAL LICENCE FOR SALE OF POISONS.

"The Poisons Enactment, 1915."

Licence is hereby granted to.....of.....carrying on business at..... and residing at.....to sell poisons wholesale and by retail subject to the provisions of "The Poisons Enactment, 1915," and of any rules thereunder and to the following special conditions, *viz.*,.....

This licence takes effect from the.....day of.....19..... and expires on the 31st December of that year.

Dated at.....this.....day of.....19.....

.....

Licensing Officer.

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ENACTMENT No. 17 OF 1919.

An Enactment to regulate the importation, sale and use of certain Deleterious Drugs.

AHMAD,
Regent.

[17th *November*, 1919.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:

Short title and commencement.

1. This Enactment may be cited as "The Deleterious Drugs Enactment, 1919," and shall come into force on the 1st day of January, 1920.

Interpretation.

2. In this Enactment the following words and expressions shall have the meaning hereinafter in this section assigned to them respectively:

"Deleterious drugs" means and includes

(*a*) Morphine; including morphia and all salts of morphine and any alkaloid or salt of an alkaloid of opium and any solution thereof;

(*b*) Cocaine; including all salts of cocaine and any solution thereof;

(*c*) Eucaine; including all salts of eucaine and any solution thereof;

(*d*) Any analogue of cocaine or eucaine;

(*e*) Any drug which His Highness the Sultan in Executive Council shall have declared by notification in the *Gazette* to be a deleterious drug suitable to be dealt with under the provisions of this Enactment and any salts or solution of any such drug;

but does not include

(*f*) any patent or proprietary article containing one or more of the above in quantity not exceeding in the aggregate one per cent. of the total ingredients of such article;

(g) any patent or proprietary article which may from time to time be exempted from the operation of this Enactment by His Highness the Sultan in Executive Council by notification in the *Gazette*.

"Medical practitioner" means a medical practitioner whose name is on the register of medical practitioners kept by the Medical Council of the Straits Settlements and Federated Malay States.

"Chemist and druggist" means a chemist and druggist holding a certificate of competent skill and knowledge granted by the Council of the Straits Settlements and Federated Malay States Government Medical School or by such legally constituted Pharmaceutical authorities of any country as may to His Highness the Sultan in Executive Council seem fitting: provided always that no certificate shall be deemed sufficient which has been granted to the holder without examination or which he has obtained without first having received a systematic training as chemist and druggist.

"Dentist" means any person who shall for a period of six months have been engaged in *bonâ fide* practice of dentistry in the State or in the Colony or in the Federated Malay States and whom the State Secretary for cause shown permits to be licensed under this Enactment.

Dentist shall also mean such person as on the recommendation of the Principal Medical Officer the State Secretary shall grant a permit under this Enactment for a period of six months in order to qualify for the issue of a licence.

"Veterinary surgeon" means any person who holds a diploma of membership of the Royal College of Veterinary Surgeons of England and includes a person holding any diploma of a British British-Colonial British Indian or Japanese School of Veterinary Science which the State Secretary may accept as a sufficient diploma for the purposes of this Enactment.

"Licensed" means licensed under this Enactment.

"Syringe" means any instrument or part of an instrument suitable for hypodermic injection and includes a hypodermic needle.

"Official dose" means such quantity of any deleterious drug as may from time to time be declared by the State Secretary to be an official dose of that drug.

"Import" with its grammatical variations and cognate expressions means to bring or cause to be brought into the State either by land or sea from any place outside the State.

"Export" with its grammatical variations and cognate expressions means to take or cause to be taken out of the State.

3. Except as hereinafter in this Enactment provided:

No deleterious drug to be imported or exported without permission.

(i) No person shall except with the permission in writing of the Principal Medical Officer import any deleterious drug or syringe and no person except with the like permission shall export any deleterious drug or syringe.

Possession of deleterious drugs prohibited subject to certain exception.

(ii) No person other than a licensed person or the servant of a licensed person acting with the knowledge and under the direction and control of such licensed person may have in his possession

(*a*) any deleterious drug in quantity exceeding twelve official doses;

(*b*) any mixture adapted for swallowing or injecting which contains more than twelve official doses of any deleterious drug or which contains one or more deleterious drugs in quantity exceeding in the aggregate twelve official doses.

Prohibition as to permitting house to be kept for administering deleterious drugs.

(iii) No person shall keep or use any house or other place or knowingly permit any house or other place in his possession occupation or control to be kept or used for the purpose of administering any deleterious drug otherwise than under the direction and in the presence of a licensed medical practitioner a licensed veterinary surgeon or a licensed dentist.

Prohibitions as to prescribing, dispensing or furnishing a deleterious drug.

(iv) No person other than a licensed medical practitioner a licensed Medical Officer or Assistant Surgeon or a licensed dentist shall prescribe or administer to any other person any deleterious drug and no person other than a licensed medical practitioner a licensed Medical Officer or Assistant Surgeon a licensed dentist a licensed chemist and druggist or a licensed veterinary surgeon shall dispense or furnish to any person other than a licensed person any deleterious drug.

Syringes.

(v) No person other than a licensed person may have in his possession any syringe other than a syringe furnished to him by a licensed medical practitioner a licensed Medical Officer or Assistant Surgeon a licensed veterinary surgeon or upon a prescription from a licensed medical practitioner a licensed Medical Officer or Assistant Surgeon or a licensed veterinary surgeon by a licensed chemist and druggist.

Issue of licences.

4. (i) The Principal Medical Officer may issue to any such person as he thinks fit being either a medical practitioner, a chemist and druggist a dentist, a veterinary surgeon or a Medical Officer or Assistant Surgeon employed by the State a licence of any of the following kinds:

(*a*) to a medical practitioner veterinary surgeon chemist and druggist or Medical Officer or

Assistant Surgeon employed by the State a licence to possess use and sell deleterious drugs and syringes;

(*b*) to a dentist a licence to possess and use deleterious drugs and syringes in the course of his profession as a dentist.

(ii) No charge shall be made for the issue of any such licence.

(iii) There shall be implied in every licence issued under this Enactment the condition that the licensee is bound to comply

(*a*) with all the terms and conditions set out in the licence;

(*b*) with all the provisions of this Enactment;

(*c*) with all the provisions of any rules that may from time to time be made under this Enactment;

Penalties.

5. (i) Any person offending against any of the provisions of clauses (i), (ii) or (iii) of section 3 shall be guilty of an offence and for each such offence shall be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months and for each subsequent such offence under the same clause to a fine not exceeding two thousand dollars or to imprisonment not exceeding twelve months or to both.

(ii) Any person offending against any of the provisions of clauses (iv) and (v) of section 3 shall be guilty of an offence and for each such offence shall be liable on conviction to a fine not exceeding one hundred dollars or to imprisonment for a term not exceeding three months and for each subsequent such offence under the same clause to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both.

Rules.

6. (i) It shall be lawful for His Highness the Sultan in Executive Council from time to time to make and when made to vary and rescind rules

(*a*) prescribing the books to be kept by licensed chemists and druggists relating to the sale and purchase by them of deleterious drugs and syringes and the entries to be made therein and the time and manner of making such entries;

(*b*) prescribing the periodical returns to be furnished by licensed chemists and druggists of the sale and purchase of deleterious drugs and syringes by them and by all licensed persons of the stock of deleterious drugs and syringes in their possession;

(c) prescribing forms of licences and permits to be used under this Enactment.

Penalties for breach of rules.

(ii) Any person who fails to comply with the requirements of any such rule shall be guilty of an offence and for each such offence shall be liable on conviction to a fine not exceeding fifty dollars and for each subsequent such offence against the same rule committed within one year of the conviction for the previous offence to a fine not exceeding five hundred dollars.

Powers of search, etc.

7. (i) The Principal Medical Officer and any licensing officer and any Medical Officer or Police Officer not below the rank of Inspector authorised in writing by the Principal Medical Officer or a licensing officer shall have the same powers to search take samples and inspect books and every Magistrate shall have the same powers as to the issue of search warrants as are conferred by section 12 of "The Poisons Enactment, 1915," as if every deleterious drug were a poison under that Enactment.

(ii) Any Superintendent of Customs principal officer of customs or other officer of customs authorised by either of them in writing in that behalf and any of the officers specified in the last preceding sub-section may at any time enter upon and search any premises other than the premises occupied by a licensed person for the purpose of searching for any deleterious drug or syringes imported or kept contrary to the provisions of this Enactment and may arrest any person found in possession of any deleterious drug or syringe reasonably believed to have been so imported or possessed and may if he shall have good reason to believe that any person other than a licensed person has any deleterious drug or syringe (so imported or possessed) secreted about his person require such person to accompany him to the nearest police station or other suitable place and may cause such person to be searched at such place: provided that no female shall be searched except by a female.

(iii) Any substance or package containing or believed to contain any deleterious drug imported or possessed contrary to the provisions of this Enactment may be taken possession of by any of the officers referred to in the last preceding sub-section and any such officer may arrest without warrant any person reasonably suspected of having committed an offence against this Enactment or refusing to accompany him to a police station to be searched but shall be bound to take such person without unnecessary delay to a police station and charge him.

Forfeiture.

8. In every case in which a conviction is had under this Enactment all deleterious drugs and substances containing deleterious drugs and all syringes in respect of which such

Jurisdiction.

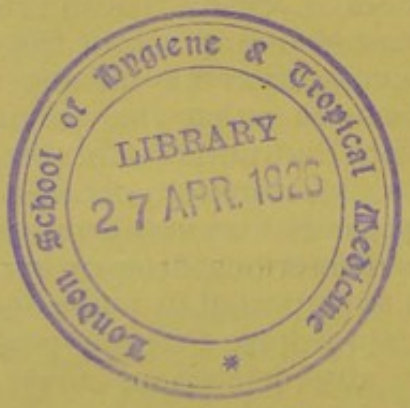
offence was committed shall be forfeited and shall be disposed of as the Principal Medical Officer or a licensing officer shall direct.

Prosecutions.

9. All convictions penalties and forfeitures under this Enactment may be had and recovered before any Magistrate of the First Class.

10. (i) The Principal Medical Officer and any licensing officer and any person authorised in writing by one of the said officers may appear and be heard in the prosecution of any offence punishable under this Enactment.

(ii) In all prosecutions under this Enactment the onus of proving that any deleterious drug or syringe found in the possession of the accused was not in his possession contrary to the provisions of this Enactment shall be on the accused.



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ENACTMENT No. 8 OF 1923.

An Enactment to amend the Deleterious Drugs Enactment, 1919.

IBRAHIM,

Sultan. [19*th June*, 1923.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:—

Short title, commencement and construction.

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

(ii) This Enactment shall be read and construed as one with "The Deleterious Drugs Enactment, 1919," hereinafter called "the principal Enactment," and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

Repeal section 2 (*f*).

2. Sub-section (*f*) of section 2 of the principal Enactment is hereby repealed.

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ENACTMENT NO. 4 OF 1924.

An Enactment to amend The Deleterious Drugs Enactment, 1919.

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IBRAHIM,

Sultan. [22*nd January*, 1924.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:—

Short title, commencement and construction.

1. (i) This Enactment may be cited as "The Deleterious Drugs Amendment Enactment, 1924," and shall come into force on the publication thereof in the *Gazette*.

(ii) This Enactment shall be read and construed as one with The Deleterious Drugs Enactment, 1919, hereinafter called "the principal Enactment" and any copies of the principal Enactment printed after the commencement of this Enactment may be printed with the amendments made by this Enactment.

"Corresponding law" definition of.

2. The second section of the principal Enactment is amended by inserting after the definition of the word "Export" at the end thereof the following definition:—

""Corresponding Law" means any law stated in a certificate purporting to be issued by or on behalf of the Government of any Country outside the State to be a law providing for the control and regulation in that Country of the manufacture, sale, use, export and import of drugs in accordance with the provisions of the International Opium Convention signed at the Hague on the 23rd day of January, 1912, and any statement in any such certificate as to the effect of the law mentioned in the certificate or any statement in any such certificate that any facts constitute an offence against that law shall be conclusive."

Amendment of section 5.

3. The fifth section of the principal Enactment is amended by adding the following sub-sections:—

"(iii) Any person

Failure to comply with terms of licence.

(*a*) who acts in contravention of or fails to comply with the condition of any licence issued or authority granted under or in pursuance of this Enactment; or

Making false statement.

(*b*) who for the purpose of obtaining whether for himself or for any other person the issue, grant or renewal of any such licence or authority as aforesaid makes any declaration or statement which is false in any particular or knowingly utters, produces or makes use of any such declaration or statement or any document containing the same; or

Offence against corresponding law.

(*c*) who in the State aids, abets, counsels or procures the commission in any place outside the State of any offence punishable under the provisions of any corresponding law in force in that place or does any act preparatory to or in furtherance of any act which if committed in the State would constitute an offence against this Enactment shall be guilty of an offence against this Enactment.

Penalty.

(iv) Every person guilty of an offence against this Enactment for which no punishment is prescribed shall in respect of each offence be liable on conviction before a Magistrate of the First Class to a fine not exceeding five thousand dollars or to imprisonment of either description for a period not exceeding two years or to both such fine and imprisonment.

Magistrate's jurisdiction.

(v) Any punishment authorized by this Enactment may be imposed by a Magistrate of the First Class notwithstanding that the same be in excess of the punishment which such Court is ordinarily empowered to impose."

Amendment of section 6.

4. Sub-section (ii) of the sixth section of the principal Enactment is repealed and the following new sub-sections to be numbered (ii), (iii) and (iv) are inserted as follows:—

"(ii) All such rules shall be laid before the Council of State at the first Meeting after such publication and shall cease to have any force or effect if disallowed by a resolution of the said Council.

(iii) Any rule may be altered by resolution of the Council of State and shall come into force as altered from the date of the passing of such resolution and shall thereupon have the force of law.

(iv) Any person who fails to comply with the requirement of any such rule shall be guilty of an offence against this Enactment."

Amendment of section 7.

5. The seventh section of the principal Enactment is amended as follows:—

(i) by inserting the words "or documents" after the word "books" in the fifth line of the first sub-section thereof.

(ii) by adding thereto the following sub-section to be numbered sub-section (iv):—

Additional powers of search.

"(iv) If a Magistrate is satisfied by information on affirmation that there is reasonable ground for suspecting that any drugs to which this Enactment applies are, in contravention of the provisions of this Enactment or any regulations made thereunder, in the possession or under the control of any person in any premises, or that any document directly or indirectly relating to or connected with any transaction or dealing which was, or any intended transaction or dealing which would if carried out be, an offence against this Enactment, or in the case of a transaction or dealing carried out or intended to be carried out in any place outside the State, an offence against the provisions of any corresponding law in force in that place, is in the possession or under the control of any person in any premises, he may grant a search warrant authorizing any Police Officer named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises named in the warrant, and to search the premises and any persons found therein, and, if there is reasonable ground for suspecting that an offence against this Enactment has been committed in relation to any such drugs which may be found in the premises or in the possession of any such person, or that any document which may be so found is such a document as aforesaid, to seize and detain those drugs or that document, as the case may be."

Publication of list of persons licensed.

6. The following new section to be numbered section 11 is inserted after section 10 of the principal Enactment:—

"11. A list of persons licensed under this Enactment shall be published from time to time, and in any case not less than once a year, in the *Gazette*."

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ENACTMENT No. 13 OF 1915.

An Enactment to regulate proceedings in Lunacy and to provide for the reception and detention of Lunatics in Asylums.

IBRAHIM,
Sultan.

[4*th December*, 1915.]

It is hereby enacted by His Highness the Sultan in Council as follows:—

Short title and commencemen

1. This Enactment may be cited as "The Lunacy Enactment, 1915," and shall come into force on the publication thereof in the *Gazette*.

Interpretation.

2. In Part I, unless there be something repugnant in the subject or context—

"The Court" means the Supreme Court; and

"Lunatic" means any person found by due course of law to be of unsound mind and incapable of managing himself and his affairs.

In Part II, unless there be something repugnant in the subject or context—

"Lunatic" means every person of unsound mind and every person being an idiot.

PART I.

Provisions Regulating Proceedings in Lunacy.

Court may order enquiry.

3. (i) It shall be lawful for the Court, on such application as is hereinafter mentioned, to make an order directing an enquiry whether any person subject to the jurisdiction of the Court who is alleged to be lunatic is or is not of unsound mind and incapable of managing himself and his affairs.

(ii) Such order may also contain directions for enquiries concerning the nature of the property belonging to the alleged lunatic, the persons who are his relatives or next of kin, the time during which he has been of unsound mind, or such other questions as to the Court shall seem proper.

Application by whom made.

4. Application for such enquiry may be made by any person related by blood or marriage to the alleged lunatic, or by any public officer nominated by His Highness the Sultan for the purpose of making the application.

Provisions as to notice of enquiry.

5. (i) Reasonable notice of the time and place appointed for the enquiry shall be given to the alleged lunatic.

(ii) If it shall appear that the alleged lunatic is in such a state that personal service on him would be ineffectual, the Court may direct such substituted service of the notice as it shall think proper.

(iii) The Court may also, if it think fit, direct a copy of such notice to be served upon any person related by blood or marriage to the alleged lunatic.

Power to examine alleged lunatic.

6. At any time after the application for the enquiry the Court may require the alleged lunatic to attend at such convenient time and place, within ten miles of the place of residence of the said alleged lunatic, as the Court may appoint, for the purpose of being personally examined by the Court or by any person from whom the Court may desire to have a report of the mental capacity and condition of the said alleged lunatic, and the Court may also make an order authorizing any person or persons named therein to have access to the said alleged lunatic for the purpose of a personal examination.

Questions to be decided by Court.

7. On the day fixed for the enquiry, after receiving such reports and hearing such evidence and arguments as it may think fit, the Court shall decide whether the person who is alleged to be lunatic is or is not of unsound mind and incapable of managing himself and his affairs, and shall also decide any other questions as to which an enquiry has been directed.

Order as to costs.

8. The Court may make such order as may appear just respecting the cost of the enquiry and may include therein such remuneration to physicians and surgeons as the Court shall deem reasonable: provided that no order for the payment of costs shall be made against His Highness the Sultan or against any public officer nominated by him under the provisions of section 4.

Appointment of committees.

9. If the Court shall decide that the person who is alleged to be lunatic is of unsound mind and incapable of managing himself and his affairs, the Court may, if it shall think fit, appoint a committee or committees of the person and estate of the lunatic; and may make such order, if any, as to the remuneration of the committee or committees out of the lunatic's estate, and as to the giving of security by the committee or committees, as to the Court may seem fit.

Powers of management of lunatic's estate.

10. It shall be lawful for the Court, on the appointment of a committee or committees of the person and estate of a lunatic to direct by the order of appointment or by any subsequent order that the person to whom the charge of the estate is committed shall have such powers for the management thereof as to the Court shall seem necessary and proper, reference being had to the nature of the property, whether movable or immovable, of which the estate may consist. But such powers shall not extend to the sale or charge of the estate or any part thereof or to the letting of any immovable property, unless for a term not exceeding three years.

Power of Registrar to receive proposal.

11. The Registrar of the Court shall be at liberty without an order of reference to receive any proposal and conduct any enquiry respecting the management of the estate of a lunatic if such proposal relate to any matter which the committee of the estate has not been empowered by an order under the last preceding section to dispose of. The Registrar may likewise without reference receive and enquire into any proposal relating to the sale or charge of the estate or of any part thereof or to the letting of any immovable property for a term exceeding three years.

Registrar to report to Court.

12. The Registrar shall report to the Court on the proposal and the Court shall, subject to the provisions of this Enactment, make such order upon the report and respecting the costs as shall in the circumstances seem just.

What relatives may attend proceedings.

13. The Court shall once in the matter of each lunacy, and may afterwards from time to time, determine whether any one or more and, if any, how many and which, of the relatives or next of kin shall attend before the Registrar at the cost of the estate in any proceeding connected with the management thereof; and if any such relative or next of kin is an infant, may from time to time appoint a fit person to be his guardian for the purposes of the lunacy.

Orders may be made on petition.

14. The Court may, on application made to it by petition concerning any matter whatsoever connected with the lunacy, make such order subject to the provisions of this Enactment respecting the application and the costs thereof and of the consequent proceedings as shall in the circumstances seem just.

Dealings with lunatic's property for certain purposes.

15. The Court may, if it appears to be just or for the lunatic's benefit, order that any property, movable or immovable, of the lunatic, and whether in possession, reversion, remainder, contingency or expectancy, be sold, charged or otherwise disposed of as may seem most expedient for the purpose of raising money to be applied for any of the following purposes:—

(*a*) The payment of the lunatic's debts, including any debt incurred for his maintenance or otherwise for his benefit;

(*b*) The discharge of any encumbrance on his estate;

(*c*) The payment of or provision for the expenses of his future maintenance and the maintenance of his family, including the expenses of his removal to any other country, when he shall be so removed, and all expenses incidental thereto;

(*d*) The payment of the costs of any enquiry under this Enactment and of any costs incurred by order or under the authority of the Court;

Committee to execute instruments.

16. The committee of the lunatic's estate shall in the name and on behalf of the lunatic execute all such conveyances and instruments of transfer or charge relative to any sale, charge or other disposition of his estate as the Court shall order. In like manner, such committee

shall, under the order of the Court, exercise all powers whatsoever vested in a lunatic, whether the same are vested in him for his own benefit or in the character of trustee or guardian.

Performance of contract.

17. Where a person having contracted to sell or otherwise dispose of his estate or any part thereof afterwards becomes lunatic, the Court may, if the contract is such as the Court thinks ought to be performed, direct the committee of the estate to execute such conveyances and to do such acts in fulfilment of the contract as it shall think proper.

Partner found lunatic.

18. If a member of a partnership firm be found lunatic the Court may, on the application of the other partners or of any person who appears to the Court to be entitled to require the same, dissolve the partnership; and thereupon, or upon a dissolution by decree of Court or otherwise by due course of law, the committee of the estate may, in the name and on behalf of the lunatic, join with the other partners in disposing of the partnership property upon such terms, and shall do all such acts for carrying into effect the dissolution of the partnership, as the Court shall think proper.

Disposal of business premises.

19. Where a lunatic has been engaged in business the Court may, if it appear to be for the lunatic's benefit that the business premises should be disposed of, order the committee of the estate to sell and dispose of the same, and the moneys arising from such sale shall be applied in such manner as the Court shall direct.

Committee may dispose of lease.

20. Where a lunatic is entitled to a lease or under-lease and it appears to be for the benefit of his estate that it should be disposed of, the committee of the estate may, by order of the Court, surrender, assign or otherwise dispose of the same to such person for such valuable or nominal consideration and upon such terms as the Court shall think fit.

Transfer of stock of lunatic.

21. Where any stock or Government or municipal securities or any share in a company (transferable within the State or the dividends of which are payable there) is standing in the name of, or is vested in, a lunatic beneficially entitled thereto, or in a committee of the estate of a lunatic, or in a trustee for him, and the committee dies intestate or himself becomes lunatic or is out of jurisdiction of the Court, or it is uncertain whether the committee be living or dead, or he neglects or refuses to transfer the stock, securities or shares, or to receive and pay the dividends to a new committee or as he directs within fourteen days after being required by him to do so, then the Court may order some fit person to make such transfer or to transfer the same and to receive and pay over the dividends in such manner as the Court may direct and such transfer or payment shall be valid and effectual for all purposes.

Transfer of stock of lunatic residing out of the State.

22. Where any such stock or Government or municipal securities or share in a company is standing in the name or vested in any person residing out of the State, the Court, upon being satisfied that such person has been declared of unsound mind and that his personal estate has been vested in a committee, curator or manager

according to the laws of the place where he is residing, may order some fit person to make such transfer of the stock, securities or shares, or of any part thereof, to such committee, curator or manager or otherwise, and also to receive and pay over the dividends and proceeds as the Court may think fit; and any act done in pursuance of such order shall be valid and effectual for all purposes.

Power to order maintenance without appointing committee.

23. If it appears to the Court, having regard to the situation and condition in life of the lunatic and his family and the other circumstances of the case, to be expedient that his property should be made available for his or their maintenance in a direct and inexpensive manner, it may, instead of appointing a committee of the estate, order that the property, if money, or if of any other description the produce thereof when realised, be paid to such person as the Court may think fit, to be applied for the purpose aforesaid, and all payments so made shall be a good discharge to the person making the same.

Temporary provision for maintenance of lunatic.

24. If it appears to the Court that the unsoundness of mind of a lunatic is in its nature temporary and that it is expedient to make temporary provision for his maintenance or for the maintenance of his family, the Court may, in like manner as under the last preceding section direct his property or a sufficient part of it to be applied for the purpose aforesaid.

Annulling proceedings in lunacy.

25. When any person has been found of unsound mind and it shall be shown to the Court, either on the application of such person or of any other person acting on his behalf or on the information of any other person, that there is reason to believe that such unsoundness of mind has ceased, the Court may make an order for enquiry whether such person is or is not still of unsound mind and incapable of managing himself and his affairs. The enquiry shall be conducted in the same manner and subject to the same rules as are hereinbefore prescribed for an enquiry into the unsoundness of mind of an alleged lunatic; and if it be found that the unsoundness of mind has ceased the Court shall order all proceedings in the matter of the lunacy to cease or to be set aside on such terms and conditions as in the circumstances of the case shall appear proper.

PART II.

PROVISIONS FOR THE RECEPTION AND DETENTION OF LUNATICS IN ASYLUMS.

Establishment of lunatic asylums.

26. His Highness the Sultan may establish asylums for the reception and detention of lunatics at such places as may be deemed proper. He may also, if he think fit, grant licences to any private persons for the establishment of such asylums and may withdraw such licences.

Management of lunatic asylums.

27. (i) The management of every lunatic asylum and the care and the custody of its inmates shall be regulated according to such rules as shall from time to time be made under this Enactment.

(ii) His Highness the Sultan shall appoint for every asylum not less than three visitors, one of whom at least shall be a medical officer.

Monthly inspection by visitors.

28. Two or more of the visitors, one of whom shall be a medical officer, shall once at least in every month together inspect every part of the asylum or asylums of which they are visitors and see and examine as far as circumstances will permit every lunatic therein, and the order and certificate for the admission of every lunatic admitted since the last visitation, of the visitors, and shall enter in a book to be kept for that purpose any remarks which they may deem proper in regard to the management and condition of the asylum and the lunatics therein.

Apprehension of wandering lunatics.

29. It shall be the duty of every police officer not below the rank of inspector to apprehend and send before a Magistrate all persons found wandering at large who are deemed to be lunatics and all persons believed to be dangerous by reason of lunacy. Whenever any such person as aforesaid is brought before a Magistrate, the Magistrate with the assistance of a medical officer shall examine such person, and if the medical officer shall sign a certificate in the form A in the Schedule and the Magistrate shall be satisfied on personal examination or other proof that such person is a lunatic and a proper person to be detained under care and treatment he shall make an order for such lunatic to be received into any public asylum established in the State and shall send the lunatic in suitable custody to the asylum mentioned in such order. Provided that if any friend or relative of any lunatic who is believed to be dangerous shall undertake in writing to the satisfaction of the Magistrate that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or others, the Magistrate instead of sending him to an asylum may make him over to the care of such friend or relative. Provided also, that if any such friend or relative shall desire that the lunatic may be sent to a licensed asylum instead of a public asylum, and shall engage in writing to the satisfaction of the Magistrate to pay the expenses which may be incurred for the lodging, maintenance, medicine, clothing and care of the lunatic in such licensed asylum, the Magistrate may send the lunatic to the licensed asylum mentioned in the engagement.

Procedure in case of cruel treatment or neglect of lunatic.

30. (i) If it shall appear to a Magistrate on the report of a police officer or the information of any other person that any person within the limits of such Magistrate's jurisdiction deemed to be a lunatic is not under proper care and control, or is cruelly treated or neglected by any relative or other person having the charge of him, the Magistrate may send for the supposed lunatic and summon such relative or other person as has or ought to have the charge of him; and if such relative or other person be legally bound to maintain the supposed lunatic, the Magistrate may make an order that such lunatic be properly cared for and treated, and if such relative or other person shall wilfully neglect to comply with the said order, may sentence him to imprisonment of either description for any period not exceeding one

month. If there be no person legally bound to maintain the supposed lunatic, or if the Magistrate think fit so to do, he may proceed as prescribed in the last preceding section, and upon being satisfied in manner aforesaid that the person deemed to be a lunatic is a lunatic and a proper person to be detained under care and treatment may make an order for his reception into such asylum as aforesaid.

(ii) It shall be the duty of every police officer not below the rank of inspector to report to the Magistrate every such case of neglect or cruel treatment as aforesaid which may come to his knowledge.

(iii) Any Government medical officer, or any police officer not below the rank of inspector, may, at such times as His Highness the Sultan shall fix, visit any lunatic in the care of any friend or relative of such lunatic, for the purpose of ascertaining the condition of such lunatic, and any such friend or relative shall be legally bound to produce the said lunatic for the inspection of the visitor, and in the event of his refusing to do so shall be liable to fine which may amount to one hundred dollars.

Order for reception into asylum.

31. Except as otherwise hereinbefore provided no person shall be received into a lunatic asylum without an order under the hand of some person in the form B in the Schedule together with such statement of particulars as is contained in the said form B; nor, unless such person has been found lunatic under an enquiry under Part I of this Enactment, without the medical certificate containing the particulars in form A in the Schedule of two persons, each of whom shall be a physician or surgeon and one of whom shall be a surgeon in the employment of the Government. When such order is presented, the visitors or managers of the asylum before admitting the lunatic into the asylum may require the friends of the said lunatic to engage to pay the expenses which may be incurred for the lodging, clothing, medicine and care of the lunatic, unless it shall appear to the said visitors that they have not sufficient means of doing so.

Order for discharge.

32. It shall be lawful for three of the visitors of any asylum, of whom one shall be a medical officer, by writing under their hands to order the discharge of any person detained in such asylum. When such order is given, if the person is detained under the order of any public officer, notice of the order of discharge shall be immediately communicated to such officer.

Order of discharge on undertaking of relative.

33. When any relative or friend of a lunatic in any asylum under the provisions of section 29 or section 30 is desirous that such lunatic shall be delivered over to his care and custody, he shall make application to the Magistrate, under whose order the lunatic is detained, and the Magistrate, if he think fit, after communication with the visitors, or with one of them being a medical officer, and upon the undertaking in writing of such relative or friend to the satisfaction of the said Magistrate or officer that such lunatic shall be properly taken care of and shall be prevented from doing injury to himself or others, shall make an order for the discharge of such lunatic and such lunatic shall thereupon be discharged.

Provision for removal of lunatics from one asylum to another.

34. (i) His Highness the Sultan may order the removal of any lunatic from any public asylum in the State to any other public asylum in the State, and such order shall be sufficient authority for the removal of such lunatic and also for his reception into the asylum to which he is ordered to be removed.

Or to a public asylum out of the State.

(ii) His Highness the Sultan may also order the transfer of any lunatic from any public asylum in the State to any public asylum in the Straits Settlements or in the Federated Malay States.

Procedure.

(iii) Prior to the transfer of any lunatic under the provisions of the last preceding subsection, a representation shall be made, in the form D in the Schedule, to the Colonial Secretary of the Straits Settlements or to the Chief Secretary of the Federated Malay States, as the case may be; and upon such transfer the lunatic shall be accompanied both by a medical certificate in the form A in the Schedule, signed by a duly qualified Medical Practitioner employed in the public service of the State, and by a statement in the form C in the Schedule.

Amendment of orders.

35. If after the reception of any lunatic into any asylum it appear that the order or the medical certificates upon which he was received is or are defective or incorrect, the same may at any time afterwards be amended by the person or persons signing the same with the sanction of two or more of the visitors of the said asylum, one of whom shall be a medical officer.

Order and certificate to justify detention and recapture.

36. Every person received into a lunatic asylum under any such order as is required by this Enactment accompanied by the requisite medical certificate may be detained therein until he be removed or discharged as authorised by this Enactment, and in case of escape may by virtue of such order be retaken by the manager of such asylum or any officer or servant belonging thereto or any other person authorised in that behalf by the said manager or any police officer and conveyed to and received and detained in such asylum.

Government when to pay for lunatic's maintenance.

37. When any lunatic is sent to a licensed asylum by order of a Magistrate under section 29 or section 30 and when a lunatic is admitted into such asylum under section 31 and no engagement has been taken from the friends of the lunatic for the payment of expenses under section 31, the expense of the lodging, maintenance, clothing, medicine and care of such lunatic shall be paid by the Government to the manager of such asylum.

Order for repayment of cost of lunatic's maintenance.

38. The Magistrate by whom any lunatic has been sent to a lunatic asylum, if it appear to him that such lunatic has an estate applicable to his maintenance and more than sufficient to maintain his family, or that any person is legally bound to maintain, and has the means of maintaining, such lunatic, may apply to the Supreme Court, and the said Court shall enquire into the matter in a summary way, and, on being satisfied that such lunatic has an estate applicable to his maintenance or that any person is legally bound to maintain and has the means of maintaining such lunatic, shall make an order for the recovery of the charges of the lodging, maintenance, clothing, medicine and care of such lunatic out of such estate or from such person. Such order may be enforced in the same manner as any decree made by the

said Court in a suit in respect of the property or person therein mentioned. Any personal property which may be in the possession of a lunatic found wandering at large may be sold by order of a Magistrate, and the proceeds thereof (or such part of the same as may be necessary) applied towards the payment of the charge of the lodging and maintenance of the lunatic and of any other expenses incurred on his behalf.

Saving of liability of relatives.

39. The liability of any relative or person to maintain any lunatic shall not be taken away or affected by any provision contained in this Enactment.

PART III.

GENERAL PROVISIONS.

Saving of powers of Supreme Court.

40. Nothing contained in Part II shall be taken to interfere with the powers of the Supreme Court over any person found to be lunatic under Part I.

Appeal.

41. Any person aggrieved by any decision or order of the Supreme Court made under the provisions of this Enactment may appeal to the Court of Appeal: provided that no such appeal shall be entertained after the expiration of thirty days from the date of the decision or order appealed against.

Rules.

42. (i) His Highness the Sultan in Council may from time to time make rules for the better carrying out of the provisions of this Enactment and such rules upon publication in the *Gazette* shall have the force of law.

(ii) Any person committing a breach of any such rules shall on conviction be liable to fine not exceeding one hundred dollars.

Protection of persons acting under this Enactment.

43. (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.

THE SCHEDULE.

FORM A.

MEDICAL CERTIFICATE.

I, the undersigned, being a duly qualified Medical Practitioner employed in the public service of the State of Johore and being in actual practice as (Physician or Surgeon, as the case may be), hereby certify that I, on the.....,.....day of .....at....., separately from any other Medical Practitioner, personally examined.....of.....(insert residence and profession or occupation, if any) and that the said.....is a (lunatic or an idiot or a person of unsound mind) and a proper person to be taken charge of and detained under care and treatment, and I found this opinion upon the following grounds, viz.:—

1. Facts indicating insanity observed by myself (here state the facts).

2. Other facts (if any) indicating insanity communicated to me by others (here state the information and from whom).

(Signed).....

Dated this.....day of..... ..., 19.....

FORM B.

ORDER FOR THE RECEPTION OF A PRIVATE PATIENT.

I, the undersigned, hereby request you to receive A. B., a lunatic (or an idiot or a person of unsound mind), as a patient into your asylum. Subjoined is a statement (form C) respecting the said A. B.

(Signed).....

Occupation, if any.....

Place of abode.....

Degree of relationship, if any, or other circumstances of connection with the patient.....

Dated the.....day of.....One thousand nine hundred and.....

To.....Superintendent of the Asylum at (describing the asylum).

FORM C.

STATEMENT.

(If any particulars in this statement be not known, that fact to be so stated):

Name of patient and patient's country or nationality, in full.....

Sex and age.....

Married, single or widowed.....

Condition of life and previous occupation (if any).....

Religion, as far as known.....

Previous place of abode.....

Whether first attack.....

Age (if known) on first attack.....

When and where previously under care and treatment.....

Duration of existing attack.....

Supposed cause.....

Whether subject to epilepsy.....

Whether suicidal.....

Whether dangerous to others.....

Whether found on an enquiry held by a competent Court to be of unsound mind and the date of such finding.....

(Signed).....

Dated this.....day of....., 19.....

Occupation (if any).....

Place of abode.....

Degree of relationship (if any) or other circumstances of connection with the patient.

FORM D.

REPRESENTATION.

I am of opinion that it is expedient that.....(a lunatic, etc.) be removed to the.....there to be detained for the purpose of medical treatment and supervision.

(Signed).....

General Adviser.

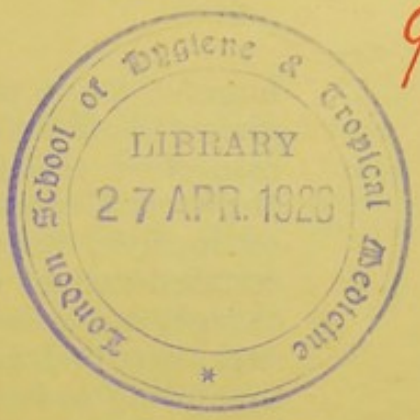
Dated this.....day of....., 19.....

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State of Johore.

ENACTMENT No. 1 OF 1914.

An Enactment to provide for the Registration of Births and Deaths.

IBRAHIM,

Sultan. [*28th February, 1914.*]

It is hereby enacted by His Highness the Sultan in Council as follows:—

Short title and commencement.

1. This Enactment may be cited as "The Registration of Births and Deaths Enactment, 1914," and shall come into force upon the publication thereof in the *Gazette*.

Appointment of Officers.

2. It shall be lawful for His Highness the Sultan to appoint a Registrar-General of Births and Deaths, hereinafter called "The Registrar-General," and such Registrars of Births and Deaths, hereinafter called "Registrars," as may be necessary for carrying into effect the provisions of this Enactment.

Duty of Registrars.

3. (i) Every Registrar shall inform himself of every birth and death occurring in his district and shall enter particulars thereof in registers to be kept by him which shall be in the form contained in Schedule A or Schedule B hereto, as the case may be.

(ii) At the expiration of every calendar month every Registrar shall forward to the Registrar-General a correct copy of all the entries of births and deaths made in the district registers during the preceding month, which copy shall be certified by the Registrar forwarding it to be correct in every particular.

Duties of Registrar-General.

4. On the receipt of a certified copy of entries of births and deaths made in the district registers the Registrar General shall enter the same in general register books to be kept in his Office, and he shall provide for the safe custody of every such certified copy.

Inspection of and extracts from register books.

5. The general register books and also the district registers shall on payment of the fees set forth in Schedule C, be open to inspection by any person, on any day not being a Friday or holiday, between the

hours of ten in the forenoon and four in the afternoon; and every Registrar shall make and keep for reference alphabetical indexes of the respective registers of births and deaths in his district; and the Registrar-General and every Registrar shall, on payment of the fees set forth in Schedule C, furnish to any person requiring the same a certified extract of any entry in any register book in their respective charge, and every copy or extract of any entry in any district register, certified under the hand of the Registrar of the district for the time being to be a true copy or extract, shall, subject to the limitation hereinafter provided, be *prima facie* evidence in all Courts and before all tribunals in the State of the dates and facts contained or set forth in such copy or extract, and every copy or extract of any entry or registration in the general register of births and deaths, certified under the hand and seal of the Registrar-General for the time being to be a true extract, shall be *prima facie* evidence before all such Courts and tribunals of the dates and facts therein set forth, subject to the limitation hereinafter provided, and the Registrar-General shall make and keep for reference an alphabetical index of the several registers in his Office.

Fees.

Extract to be evidence.

Duties as to vaccination.

6. The Registrar-General and the Registrars shall perform such duties connected with the registration of persons vaccinated and the issue of notices to persons to be vaccinated as may be required by any Enactment for the time being in force for regulating vaccination.

Parents, etc., to register births and deaths.

7. It shall be the duty of the father of every child born in marriage, or in the case of his illness, inability, or absence from the State, of the mother of such child, and of the mother of every child born out of marriage, and of the occupier of every house or tenement in which any birth or death may happen, and of the person who shall be the principal agent in the burial of any person, within fourteen days after such birth and within twenty-four hours after such death shall have taken place to furnish to the police officer in charge of the nearest police station or to the Registrar of the district within which the event shall have happened, the particulars of the same in the form contained in the Schedules A and B as the case may be, and to certify to the correctness of such information by signing his name in the proper columns of the form. Provided that in the event of the mother being unable through illness or other cause to sign such certificate, it shall be lawful for her to authorise any male relative to sign it on her behalf; and provided, further, that the gaoler of every prison and the medical officer or other person in immediate charge of every hospital, lunatic asylum or public or charitable institution and the master of every school shall be deemed the occupier thereof.

Who are occupiers.

Penalty for not furnishing particulars.

8. Any person whose duty it shall be under this Enactment to furnish any particulars of any birth or death, and who shall without reasonable cause omit to do so within the time required by this Enactment, shall, on conviction thereof before a magistrate, be liable to a fine not exceeding twenty-five dollars; provided that it shall be lawful for the Registrar upon payment by such person of the fee prescribed

in Schedule C to register the particulars at any time within forty-two days, of the time of its occurrence; and provided, further, that, notwithstanding the neglect of any such person as aforesaid to give information respecting any birth within forty-two days, or any death within three days, it shall be the duty of the 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 district, but not to enter the birth or death on such information until after the expiration of the time last mentioned in each case; and provided, further, that no copy or extract of such entry so as last aforesaid permitted to be made shall be receivable in evidence as prescribed in section 5 unless the truth of the facts therein entered shall have been found by a magistrate in a proceeding instituted before him under this section.

Longer period for registry.

9. Every person who shall wilfully make or permit to be made for the purposes of registration any false statement, or shall wilfully or knowingly furnish or permit to be furnished any false information touching any of the particulars hereby required to be made known, and every person who shall make or permit to be made any false entry in any register book knowing the same to be false, or who shall falsely certify to be true any copy or extract of any entry in any register, the same copy or extract not being a true copy or extract in every particular, and every person who shall falsely certify to be a true copy or extract of an entry in any such book any paper or writing not in fact being a true copy or extract of an actual entry, or who shall alter, add to, erase, deface, or destroy, or permit to be altered, added to, erased, or defaced, or destroyed, any entry in any register book or in any certified copy or extract of any entry in any register, shall, on conviction before a Magistrate of the First Class, 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.

Offences.

10. It shall be the duty of every police officer in charge of a police station and of every penghulu to obtain information of every birth and death within his district, and also respecting the father or mother of every child born in their district, and of the occupier of every house or tenement in their district in which any birth or death may happen, and also of the person who may be the principal agent in the burial of any person dying in their districts, and to give notice thereof to the Registrar of the district.

Duty of police officers and penghulus.

11. No prosecution for any offence punishable under this Enactment shall be instituted except upon the written sanction of the Registrar-General first obtained.

Sanction to prosecute.

12. Words referring to burial of bodies shall be held to include burning of bodies.

Interpretation.

SCHEDULE A.

Register of Births.

In....., *District of*.....

No.	Name if any.	Sex.	Father's			Mother's name, maiden name and nation.	When born.	Where born.	Name and description of informant and his signature.	Date of Registration.
			Name.	Occupation.	Nation.					

.....

Registrar.

SCHEDULE B.

REGISTER OF DEATHS.

In ..... *District of* .....

No.	Name.	Sex. F.	Sex. M.	Age. D.	Age. M.	Age. Y.	Residence at death.	Nationality.	Occupation.	Period of continuous Residence in State.	Last place of Residence before Arrival in State.	Date of death.	Cause of death.	Duration of Illness.	Date of Registration.	Name of Informant.	Address of Informant.	Remarks. (Name and Qualification of Medical Man certifying.)

SCHEDULE C.

FEES AUTHORISED TO BE CHARGED UNDER THIS ENACTMENT.

(Under section 5)

For every inspection of Registrar's or Deputy Registrar's books	...		...	$1.00
„ „ certified extract of an entry in „ „	...		...	0.50
(Under section 8)				
„ „ Registry made after the time allowed	...	...	...	0.50

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ENACTMENT NO. 20 OF 1919.

An Enactment to amend "The Registration of Births and Deaths Enactment, 1914."

AHMAD,

Regent. [18*th November*, 1919.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:—

Short title, commencement and construction.

1. (i) This Enactment may be cited as "The Registration of Births and Deaths Enactment, 1914, Amendment Enactment, 1919," and shall come into force on the 1st day of January, 1920.

(ii) This Enactment shall be read and construed as one with The Registration of Births and Deaths Enactment, 1914, 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.

Amendment of Schedule C.

2. Schedule C of the principal Enactment is amended by deleting the second item and substituting therefore the following:

"For every certified extract from a district register issued or applied for within seven days of registration	Free
The same if not so issued or applied for ...	0.50."

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ENACTMENT No. 19 of 1921.

An Enactment to repeal and re-enact "The Town Boards Enactment, 1911," being the Law with regard to Town Boards.

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IBRAHIM,

Sultan.

21st December, 1921.

It is hereby enacted by the Council of State with the approval of His Highness the Sultan in Council as follows:—

Short title commencement and repeal.

1. (i) This Enactment may be cited as the Town Boards Enactment, 1921, and shall come into force upon the publication thereof in the Gazette.

(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 provisions 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.

Interpretation.

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

"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.

"Town Board Area" means an area subject to the control of a Town 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 fivefoot ways and verandahs at the sides of the streets.

"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.

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

"Health Officer" means the officer for the time being performing the duties of Health Officer to the Town 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 human habitaframe, hoarding, slip, dock, wharf, pier, jetty, landingtion or otherwise, and also any wall, gate, post, pillar, stage or bridge.

"Town Limits" means the limit 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.

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 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, 1914.

"Common lodging-house" includes—

(a) any house which, or part of which, is occupied as lodgings at a rate of payment not exceeding two dollars per night for each person whether the same be payable nightly or otherwise, or in which the same class of accomodation 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 ten or more jinrikisha-pullers are lodged as tenants or sub-tenants.

"Vehicle" includes all coaches, carriages, carts, gharries, shandridans, wagons, omnibuses and hand carts used or intended to be used within the State for the conveyance of persons, goods or merchandise, but does not include motor cycles, motor cars or jinrickshas.

"Street-Stall" shall include any tables, show-boards, cloths or other contrivances set up or spread out in any public place on which any goods, wares or merchandise are displayed for sale.

Appointment of Town Boards.

3. (i) His Highness The Sultan may from time to time, by notification in the Gazette declare any area within the State to be a Town Board area for the purposes of this Enactment.

(ii) His Highness The Sultan may from time to time, by notification in the Gazette, appoint Town 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 Town Board to be the President or Deputy President thereof. Every such appointment shall cease and determine at the expiration of the year in respect of which the same is made.

(iii) His Highness The Sultan may also, 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 Town 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 Town Boards.

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

(a) The regulation and control of buildings and building operations including such alterations of existing buildings as may, in the opinion

of the Town Board, be necessary or expedient for reasons of health and, in the case of buildings erected in accordance with plans approved by the Town Board, the payment with the approval of the State Secretary of the cost of any such alteration in whole or in part from public funds; provided that nothing in section 47 shall apply to any such payment; and also including the construction or reservation of arcades and back lanes.

(b) (1) The laying out, maintenance and control 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; including in all the above cases the acquisition under clause (2) hereof of any land necessary for any of the above purposes.

(2) Where for the purposes of this paragraph any land is to be acquired and the amount of the compensation to be paid in respect thereof has not been settled by agreement His Highness the Sultan in Council may declare that the land is needed for a public purpose and thereupon such land may be acquired in the manner provided for in Part VIII of the Land Enactment, 1910.

(c) The control and supervision by registration, licensing or otherwise of

(1) Drains, latrines, cesspools and dust-bins;

(2) Wells and water-tanks;

(3) The public water supply and the fixing of special rates to be paid in respect of premises supplied with a private service.

(4) The public supply of artificial light, and the fixing of special rates to be paid in respect of premises supplied with a private service.

(5) Stables and cattle-sheds and places for keeping sheep, goats, swine, ducks and poultry.

(d) The licensing registration and control of vehicles including the fixing of public tariffs

(e) The establishment and regulation of markets and slaughter houses and the fixing of the fees to be charged for the use of same, including, if the Town 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; the licensing or otherwise controlling persons selling any article of food in markets and slaughter houses.

(f) 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;

(g) The licensing of persons to hawk foodstuffs;

(h) The seizure and disposal of unwholesome fish, flesh or other provisions including tinned or preserved provisions and the provision of penalties for the sale or exposure for sale of any such unwholesome food.

(i) The regulation and control by registration, licensing or otherwise of laundries and street stalls.

(j) The regulation, inspection and licensing of common-lodging houses, eating houses, jinrikisha stables, theatres, native inns and other places of public resort and places where jinrikisha pullers reside, with the view of enforcing the observance of ordinary sanitary regulations in respect of lighting, ventilation, whitewashing, drainage and overcrowding therein;

(k) The establishment and regulation of public bathing places, including power to charge fees for the use of or to lease the same;

(l) The removal and disposal of refuse and night-soil including, if the Town 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 Town Board at such prices as the Town Board may fix and also making it compulsory on any owner or occupier to erect and maintain dust-bins if so directed; and including the power to charge fees for the removal of night-soil.

(m) The prevention and abatement of nuisances and unhealthy places including ponds, tanks, swamps, pools and other places favourable to the breeding of mosquitoes, and the regulation and licensing of dangerous, unhealthy or offensive trades or occupations.

(n) The regulation by registration, licensing or otherwise of places, whether covered or open, kept or used for repairing, painting, housing or storing motor-vehicles (except garages or places used in connection with private dwelling houses for housing motor-vehicles kept for private use only.)

(o) The regulation of the transport and storage of inflammable oils and liquids, and the fixing of fees to be charged for storing the same in public depots.

(p) The prevention and removal of obstructions in the streets and in verandahs or footways;

(q) The repair or removal of ruinous or dangerous houses, huts or out-buildings, and the removal of occupants therefrom;

(r) 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;

(s) The control and regulation, by licensing or otherwise, and in the discretion of the Town Board, the prohibition of the use, erection and display of placards, posters, sign-boards, sky-signs and other devices;

(t) The regulation and control of traffic in the streets, whether of vehicles, animals, foot-passengers or otherwise.

(u) The prevention of overcrowding and bad ventilation in dwelling houses and their maintenances in a clean, sanitary and healthy condition.

(v) The control and supervision of vacant or untenanted property which may become a source of danger or annoyance to the public.

(w) The regulation and licensing of theatrical, musical and other exhibitions and entertainments in public places or places open to the public.

(x) All other matters, whether similar or not to those abovementioned, connected with the conservancy and the improvement of the area subject to its control.

Power to pass by-laws.

5. For the various purposes described in section 4 for the conduct of the business of any Town Board His Highness the Sultan in Council 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 powers of arrest and penalties for breach thereof not exceeding the penalties prescribed by section 7, and such by-laws may provide for the payment of reasonable fees for such registration, licences, inspection of plans or other matters as may be required for the purposes of this Enactments.

Confirmation & publication of by-laws.

6. No by-law passed under this Enactment and no resolution rescinding or varying any such by-law shall have effect unless and until it has been 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 (e), he shall be liable upon conviction to a fine not exceeding one hundred dollars, or in the case of 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 Town Board area whereby damage or loss is occasioned to any dwelling house or other building, the President 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 President 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 President shall within seven days from the conclusion of such enquiry transmit to the State Secretary the depositions taken by him together with his findings as to the cause of the fire.

Minutes to be submitted to State Secretary.

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

Public servants.

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

Powers of Town Board where default made.

11. (i) When any by-law passed under this Enactment or 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 Town 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 Town 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 Town Board may at its option recover the same from the owner or occupier by action in a court of law.

Power to levy rates.

12. (i) Annual rates for the general purposes of this Enactment including also the purposes of public lighting, public water supply and protection from fire may be imposed upon all lands houses and buildings within any Town Board area. The annual rate imposed upon lands shall be called the land-rate and the annual rate imposed upon houses and buildings shall be called the house-rate.

(ii) The land-rates and house-rates to be imposed under sub-section (i) shall from time to time be fixed by His Highness the Sultan in Executive Council by notification in the Gazette but so that no land-rate shall exceed one and one half per centum of the capital value of the land and no house-rate shall exceed fifteen per centum of the annual value of the house or building on which the rate is imposed.

(iii) His Highness the Sultan in Executive Council may by notification in the Gazette:—

(a) Subdivide any Town Board area and impose different land-rates for any or all of such sub-divisions;

(b) Impose land-rates varying according to the capital value of the land;

but so that no land-rate shall be less than one half per centum of the capital value of the land on which it is imposed.

(iv) In no case shall any property be liable to both the house-rate and the land-rate. But the Town Board shall collect whichever is the higher of the two rates.

(v) The house-rate and the land-rate abovementioned shall be payable by half yearly instalments in advance without demand by the owners of such lands houses or buildings in the months of January and July in each year.

Exemption of certain property.

13. 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 His Highness The Sultan or the Government shall be exempted from payment of the rate.

Board may exempt certain property.

14. The Board may exempt from payment of any rate any house, building or land the annual value whereof is less than ten, or the capital value less than one hundred and fifty 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.

No remission of rate when a house is not occupied.

15. In cases of property assessed as described in Section 17 there shall be no remission of the rate on account of any period during which the house or building may have remained unoccupied.

Provided that in particular cases and under particular circumstances the Board may, with the approval of the State Secretary, grant remission of a proportion of the rate in respect of premises non-occupied for a period of not less than two calendar months where due notice in writing of such non-occupation has been given to the Board by the owner of such premises or by his agent.

Assessment upon annual value of property.

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

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

17. 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 the 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 the premises so estimated shall not include the value of any machinery contained therein.

Capital value of lands not wholly built upon how to be ascertained.

18. In cases of lands which are vacant or unoccupied or only partially built upon the Board may in its discretion assess the capital value thereof as being the selling value of such property at the time when the assessment is made. 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.

Record of valuation.

19. For the purposes of such assessment the Board shall from year to year cause a valuation to be made of all lands, houses and buildings. Such valuation shall be entered in a book to be kept at the office of the Board.

Designation of owner if name unknown.

20. 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.

Returns may be required for purposes of valuation.

21. (i) In order to enable the Board to assess the annual value of any houses, lands, tenements or building liable to assessment the President 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.

Penalties for not furnishing returns 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 a false or incorrect information, shall be liable to a fine not exceeding one hundred dollars.

Public notice of valuation.

22. 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 every person appearing to be the owner or occupier of any property included in the assessment or the agent of such owner or occupier may be permitted to inspect the same during office hours and to make extracts therefrom without payment of any fee.

Notice of consideration of complaints.

23. The Board shall give public notice of a day, not being less than thirty days 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 to the President 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

24. 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 case 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.

25. (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 President in writing before the time fixed in the notice, and shall be allowed an opportunity of being heard in support of the same in person or by authorised agent.

New assessment not compulsory each year.

26. 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 22, and that the provisions of such section and of the three following sections shall be applicable to such valuation and assessment.

Appeals against Board's assessment.

27. Any person who, having made a complaint or an objection in the manner prescribed either by section 23 or section 25 (ii), as the case may be, 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 Judge: provided that with the presentation of the petition of appeal there shall be paid into Court the amount of the rate appealed against.

Time allowed for appeal.

28. Every such appeal shall be commenced within thirty days of the date of the certificate of the Board under section 24, or in case of any subsequent amendment under the provisions of section 25 within thirty days of the receipt by the person aggrieved of notice of such amendment.

Finality of appeal.

29. The decision of the Court of a Judge upon any appeal under section 27 shall be final and conclusive.

Rates to be a first charge on property.

30. Subject only to such quit rent as may be payable to the State, 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.

Place of payment.

31. All payments shall be made at the Office of the Board or at such other place as the Board may appoint and a counterfoil receipt shall be issued signed by the Secretary or other officer of the Board duly authorised thereto.

Procedure if payment be not made.

32. 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 President 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 the 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 President 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.

Inventory of property attached.

33. (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.

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

Sales under warrant: application of proceeds.

34. 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.

Property may be attached wherever found.

35. 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 & sale of immovable property.

36. (i) If the amount due cannot be recovered in the manner aforesaid, it shall be lawful for the Court of a Judge on the application of the President 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 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.

(iii) 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.

37. 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 there 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.

38. To the purchaser at a sale under section 36 there shall be issued on payment of his purchase money to the Board an order in writing from the Court of a Judge entitling him to have the title of 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.

39. 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.

Recovery from owner of assessment paid by occupier.

40. If the sum due from the owner of any house building or land 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.

Occupier when not liable.

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

Alternative procedure.

42. 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.

Service of notices and other documents.

43. 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 buiding be not resident within the Town 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.

Irregular proceedings.

44. 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.

Notice to be given of the transfer of rateable property.

45. (i) Whenever any rateable property within a Town 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.

(ii) Whenever the owner of any rateable property within a Town 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.

Board may require production of deeds.

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

Liability for rates of transferor who has not given notice.

(iv) Every person who sells or transfers any rateable property within a Town 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 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 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.

Notice to be given of demolitions and removals of buildings.

(vii) When any house or building or portion of a house or 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 the rates in respect of such house or building or portion of a house or 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.

46. (I) The Board shall for all purposes of this Enactment have power by itself or its officers, servants, workmen or contractors to enter at all reasonable hours in the day time into and upon any building or land, as well as 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.

(II) His Highness the Sultan in Council may declare that any class of premises for the control and supervision of which by-laws may be made under section 5 are liable to night inspection, and thereupon the President, the Health Officer or any Town Board Officer generally authorised by the President in that behalf in writing may at any time of the day or night without notice enter into and inspect any premises of the class specified in the declaration.

Assessment of compensation, etc.

47. (i) Except as is herein otherwise provided, in all cases where compensation, damages, costs or expenses are by this Enactment or by 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 total amount claimed exceeds one thousand dollars then by the Court of a Judge.

(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.

Revocation and cancellation of licences.

48. Every licence issued under any By-law shall be subject to such conditions as the Town 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 President or Health Officer of such Board without compensation and without notice if in his opinion 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.

Disposal of revenue.

49. All moneys received by a Town Board by virtue of this or any other Enactment shall be paid into the District Treasury for the credit of the public revenue, and proper statements of all receipts and disbursements on

account of any Town Board shall be kept and periodically rendered in such form and at such times as His Highness The Sultan in Council may direct.

Application of Enactment to areas not being Town Board areas.

50. (i) His Highness the Sultan in Council may 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 which is not comprised in whole or in part within any Town 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.

(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, His Highness the Sultan in Council 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 Town Board or any of its officers.

Penalty for Damage and Obstruction.

51. (i) His Highness the Sultan in Council shall have power to pass By-laws prescribing penalties not exceeding the sum of one hundred dollars for any of the following acts or defaults:—

(a) Destroying, pulling down, defacing, covering, concealing or otherwise injuring any notice, plate, signboard, fire-alarm or other article erected or posted up by the authority of the Town Board.

(b) Destroying, injuring, moving or otherwise interfering with any property of the Town Board.

(c) Hindering, obstructing, preventing or otherwise interfering with any officer of the Town Board in the performance of any duties or in the exercise of any power lawfully imposed or conferred upon him by this Enactment or by any By-laws made thereunder.

(ii) The Court when inflicting any such penalty may at the same time assess and award to the Town Board pecuniary damages for any such injury to its property and such damages shall be recoverable by the methods prescribed for the recovery of fines.

THE FIRST SCHEDULE.

Enactments Repealed.

No. and year.	Short title.
XII of 1911	The Town Boards Enactments, 1911.
XXX of 1919	The Town Boards Enactments, 1911. Amendment Enactment, 1919.

THE SECOND SCHEDULE.

FORM A.

Notice of Demand.

"The Town Board Enactment, 1921," section 32.

Take notice that whereas the sum of $..... which became due on the.....day of.....19.... from (you) as owner (or occupier) of.....(here describe the property or thing upon which the rate is imposed) for the months of.....19....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 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 Town Boards Enactment, 1921."

President, Town Board.

Date.....

FORM B.

Warrant of Attachment and Sale of Movable property

"The Town Boards Enactment, 1921" section 32.

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 Town Board of.....for the rates mentioned in the margin for the months of.....19...., 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.....19.....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 .....19.....

Magistrate.

(Seal.)

FORM C.

Form of Inventory and Notice.

"The Town Boards Enactment, 1921" section 33.

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

(State particulars of goods attached)

Take notice that I have this day attached the property due for the rates (or fees) (or rates and fees) mentioned in the margin for the months of.....19...and that unless you pay into the office of the Town Board the amount specified in the above Inventory for the sum of $..... 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 Town Boards Enactment, 1921," section 36.

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 Town Board of.....for the rates mentioned in the margin for the months of.....19..... 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 34 of "Town Boards Enactment, 1921."

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 Town 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 direction of the said Town Board.

You are further commanded to return this warrant on or before the.....day of.....19..... with an endorsement stating the date and the manner of its execution or why it has not been executed.

Given under my hand and seal this.....day of .....19....

(Seal)

.....

Description of land.

GENERAL CONSERVANCY.

The Regulation and Control of Buildings and Building Operations.

Control of Board over buildings.

1. Except in the case of a building erected or maintained by His Highness the Sultan or by the Government, no person shall erect or commence to erect any building upon any land within a Town 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.

Notice to be given; plans.

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 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 elevations 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 alterations of buildings, or in respect of all or any of the matters following—namely,

(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 requisitions 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 President of the Board or 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.

Any such action taken on behalf of the Board is irrespective of any penalty that may be imposed for breach of By-Law 2 (i).

Power of Board if requirements neglected.

4. In the event of failure to comply with any requisition of the Board made under the proceeding 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 or tracing cloth, 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 President 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 consisting of a ground storey only	$ 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	$00.75
(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 sixth 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

Plans of site.

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.

Building form.

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.

Scale of plans.

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.

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 building.

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 Town 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 His Highness the Sultan in Council, 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 required under this by-law shall thenceforward be deemed a part of the public street and shall vest as such in the Government.

Board to pay full compensation to owner.

14. The Board shall make full compensation to the owner of any house or building or land for any damage he may sustain under by-law 13, and if any dispute arises touching the amount of such compensation, the same shall be ascertained in manner provided in section 47 this Enactment.

End and party walls where timbered and mud walls are allowed.

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 wall shall be of brick or stone.

Party walls, details as to.

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.

Thickness of walls.

17. The thickness of all external and party walls shall be as follows:—

(a)	In buildings one storey in height the thickness of wall shall be, where the wall does not exceed ten feet high		9	ins. thick
(b)	In buildings one storey in height where the wall is from ten to fifteen feet high		13½	ins. thick
	In buildings two storeys in height ..	1st storey	13½	ins. thick
		2nd storey	9	ins. thick
	In buildings three storeys in height			
		1st storey	18	ins. thick
		2nd storey	13½	ins. thick
		3rd storey	9	ins. thick
	In buildings four storeys in height			
		1st storey	22	ins. thick
		2nd storey	18	ins. thick
		3rd storey	13½	ins. thick
		4th storey	9	ins. thick

(c) If any storey exceeds in height sixteen times the thickness prescribed for its walls, the thickness of each external wall and each party wall shall be increased to one-sixteenth part of the height of the storey and the walls of each storey below shall be proportionately increased.

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 minium 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 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 to 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.

Improperly filled ground.

24. It shall not be lawful to erect 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 inocuous

Brick pillars Dimensions of.

25. 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 brick-work above be supported on it.

Brick or iron pillar foundations.

26. 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 23 as to foundations shall apply to these also.

Posts, beams, etc.

27. 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.

Boards sanction necessary prior to occupation.

28. 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 authorised by the Board and shall have been certified by such officer in writing to be fit for occupation.

Precautions whilst building.

29. 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.

Sanction of Board necessary for stacking materials etc.

30. (i) No material 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.

(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 in width of roadway per month or part of a month	50 cts.
For every additional foot in width of roadway	50 cts.

Ground floor level.

31. (i) Every person who shall erect a building shall construct the ground floor of such building at such level as will allow the construction of a drain sufficient for the effectual drainage of such building.

(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 37.

House drains.

32. (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 be 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 may direct, so that it shall not fall upon persons passing along the street.

Height of arcades

33. (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 arcades shall be built in cement mortar.

Removal of fallen material.

34. 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 President of the Board and the expense of such removal recovered from the owner.

Inflammable walls and roof.

35 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 of roofs.

36. (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 may be removed by the owner thereof.

(iii) A fee not exceeding five dollars shall be payable for a licence under this by-law.

Open Space, Ventilation, Depth and Height of Buildings, Back Lanes.

Open spaces.

37. (i) No building intended for use as a domestic building shall be erected unless provisions 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 4; 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 hereinfore prescribed, as the Board may, with the concurrence of the Health Officer 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.

(ii) No house, hut, shed or roofed enclosure not intended for use as a domestic building shall be erected unless provision shall have 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.

Depth.

(iii) The proportion borne by the depth to the frontage in the case of any domestic building not being a detached or semi-detached building shall not exceed the proportion of 2¼, depth, to 1, frontage; provided that the depth shall not 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.

Back lanes.

(iv) The Board shall not approve the plans of any building intended for use as a domestic building, other than a building 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.

Height.

(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.

Partitions and cubicles.

(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.

38. (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, latticework, 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 provided 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 be not 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 planed 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 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 intended to be constructed the ceiling of the top storey must follow the line of the rafters and purlins and so constructed as not to obstruct the direct passage of light from the sky-lights to the cubicles.

(xiii) For the purpose of this by-law direct admission of light means 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.

The Laying out, Maintenance and Control of Reserves for Recreation and Other Purposes.

Public recreation grounds and open spaces.

39. (i) All open spaces under the control of the Board and maintained by it for the health and recreation of the public, hereinafter termed " recreation ground," shall at all times, subject to any special rights granted by the Board, be open to the public.

(ii) The Board shall at any time, have power to prohibit the use of any footpath or track on any Recreation Ground.

Advertisements forbidden.

40. 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, advertisment or any document whatsoever upon any tree, fence, post or building on any recreation ground.

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.

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 direction of the Board.

Public meeting.

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 of 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.

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 Town Board area, or the fencing or other protection provided.

The Laying-out, Cleaning, Watering, Lighting and Control of Streets, Canals and Bridges.

New Streets.

51. (i) No building shall be constructed in any new street until plans for such new street have been approved by the Town Board.

(ii) Every person who intends to make or lay out any new street shall give notice in writing thereof to the Town 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 Town Board.

Rounding off of street corners.

52. (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 47 of this Enactment.

Cleansing streets

53. The Board shall cause the public streets, including the footways thereof, to be properly swept and cleansed so far as is reasonably practicable, and the dust, dirt, ashes, rubbish and filth of every sort found thereon to be collected and removed.

Watering streets

54. The Board shall, so far as they may deem requisite for the public convenience and provided that there are public funds at disposal for the purpose, cause the streets to be watered.

Board to put up lamp-posts and lamps.

55. (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 within the Town 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.

(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 for 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.

Carrying of long timber etc.

56. (i) 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.

(ii) Every vehicle, in use or waiting in any public place, within a Town 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 under By-Law 96, 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.

57. 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.

58. 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 Town Board area, shall cause the same to be kept in a good state of repair and to be properly limewashed 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.

59. 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.

60. No person shall carry a corpse through any street unless it be decently covered and concealed from public view.

Street performances.

61. No theatrical or musical or other exhibition or entertainment open to the public shall be carried on in any street or public place, or any public enclosure, or upon any private open space within the Town 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.

62. No person shall bathe at any public hydrant or standpipe nor wash clothes or other articles thereat nor waste the water therefrom.

Naming Streets and Numbering Houses.

Names of streets.

63. (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.

(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.

Designation of hydrants.

64. (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.

(ii) Whoever destroys, pulls down, defaces, covers or conceals any such plate, or pulls down, injures or conceals any such alarm, shall be liable to a fine not exceeding ten dollars for each offence.

Numbers on houses.

65. (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.

(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 47 of this Enactment.

The Control and Supervision of Drains.

Control of Board over drains and culverts.

66. 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.

Power of Board to make drains.

67. 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.

Drains not to be obstructed, etc.

68. No person shall within or without the Town 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 Town Board area without the consent of the Board in writing.

69. Except as provided by by-laws 32 and 70 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.

Sanction of Board necessary to make drains.

70. The floors of all kitchen 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 32 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.

Kitchen floors and house drains.

71. 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 32.

Compulsory construction of drains.

72. 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.

Upkeep of private drains.

The Control and Supervision of Latrines, Cesspools, Wells and Water-Tanks.

73. 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.

Compulsory construction of latrines.

74. 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, white-wash or otherwise disinfect it at any time.

Removal, disinfection etc., of latrines.

75. 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

Power of Board in default.

or remove any latrine already existing, the Board may erect, alter, repair or remove such latrine at the expense of the owner or occupier.

Night-soil buckets.

76. Every latrine constructed within the Town 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.

Cesspools.

77. No cesspool shall be constructed within the Town Board area and the Board may close any existing cesspool.

Wells.

78. No person shall construct any well within the Town 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.

The Control and Supervision of the Public Water supply.

A private Service may be given.

79. (i) The Board may, on application by the owner or occupier of any house or building within the Town Board area, allow a private service of water to such house or building.

Rates.

(ii) Such service shall be controlled by meter at such rates as the Board may, with the approval of the State Secretary, direct.

Cost of Meter.

(iii) The meter will be supplied by the Government and the cost of the meter and of the labour involved in its fixation shall be paid by the owner or occupier upon whose application the service is installed.

Maintenance of meter.

(iv) The Government will ordinarily maintain the meter free of charge, but the cost of repairing any defect not attributable to fair wear and tear shall be refunded to Government by the owner or occupier.

Payment of rates and consequence of non-payment.

(v) All rates in respect of a private service of water, and all costs due from the owner or occupier of premises in respect of the installation thereof and repairing of such defects as are referred to in subsection (iv) hereof, shall be payable upon delivery by the Board for a bill therefor.

If payment be not made within ten days after the delivery of such bill, it shall be lawful for the Board to stop the supply of water to the premises in respect of which such rate or costs are payable.

Meters may be fitted to existing private service.

(vi) The Board may at any time, without previous notice, fit with a meter any existing private service of water, and thereafter the provisions of subsections (ii), (iii), (iv) and (v) hereof shall apply to such service.

Rates for private service where no meter.

(vii) The rates for a private service of water to which no meter is fitted shall be paid monthly in advance and shall be calculated upon the folowing scales:—

For Common Lodging Houses	7.50 p.m.
For premises supplied by service pipe	
of 1 in. diameter	4.00 „
of ¾ in. do.	3.60 „
of ½ in. do.	1.80 „

For ever additional ¾ in. diameter cock above two there shall be a charge of 46 cents per cock.

For every additional ½ in. diameter cock above two there shall be a charge of 30 cents per cock.

Moneys due; how recoverable.

(viii) All moneys which shall accrue due from any person in respect of the supply of water under the provisions of this section to any premises owned or occupied by him or for work done or materials provided in connection therewith shall be recoverable from such person in like manner and by the like procedure as if such moneys were taxes leviable under this Enactment.

The Control and Supervision of the Supply of Artificial Light.

A private service may be given.

80. (i) The Board may, on application by the owner or occupier of any house or building within the Town Board area, allow a private service of electricity or other aritificial light to such house or building, upon such terms and conditions and for such period as the Board may think fit.

(ii) A supply of electricity or artificial light for domestic purposes shall not include a supply of electricity or artificial light for any trade, manufacture or business or for illuminations.

Rates.

(iii) Private services shall be controlled by meter at such rate as may from time to time be fixed by the Board.

(iv) In the event of no meter being fixed to any private service a fixed rate shall be charged at the discretion of the Board.

Rent of meter.

The meter will be supplied by Government and the owner or occupier upon whose application the sevice is installed shall pay rent therefore at such rates as the Board, with the approval of the State Secretary, shall from time to time direct.

Maintenance of meter.

(v) The Government will ordinarily maintain the meter free of charge, but the cost of repairing any defect not attributed to fair wear and tear shall be refunded to Government by the owner or occupier.

Payments of rate and consequence of non-payment.

(vi) All rates in respect of a private service of electricity or other artificial light, and all costs due from the owner or occupier of premises in respect of the installation thereof or of the repairing of such defects as are referred to sub-section (v) hereof, shall be payable upon delivery by the Board of a Bill therefor. If payment be not made within ten days of the delivery of the bill, it shall be lawful for the Board to stop the supply of light to the premises in respect of which such rate or costs are payable.

Penalty for wrongful renewal of supply.

(vii) If at any time after the supply of electricity or artificial light to any premises has been cut off by the Board it be found that the supply has been renewed without the order of the Board and that the electricity or artificial light is being used by any person or persons the occupier of such premises shall be deemed (until the contrary is proved) to have authorized such use and shall be liable to a fine not exceeding ten dollars for each day the electricity or artificial light has been so used.

Power of Inspection etc.

(viii) Any officer appointed by the Board may at all reasonable times enter any premises to which electricity or artificial light is or has been supplied by the Board in order to examine the pipes, lines, meters, fittings, works and apparatus for the supply of electricity and light belonging to the Government and for the purpose of ascertaining the quantity of electricity or light consumed or supplied or when the Board is authorized to take away and cut off the supply of electricity or light from any premises for the purpose of removing any pipes, electric lines, fittings, works or apparatus belonging to the Government.

All damage cause by such entry, inspection or removal shall be repaired by the Government.

Penalty for waste, injury, etc.

(ix) Every person who shall lay or cause to be laid any pipe or line to communicate with any pipe or line belonging to the Government without the consent of the Board or shall fraudulently injure any meter or shall waste or improperly use, or shall supply any other person with any part of the electricity or artificial light supplied to him by the Board shall be liable to a fine of fifty dolars and also the sum of ten dollars for every day such pipe or line shall so remain or such offence be so committed or continued or such supply be furnished.

Moneys due; how recoverable.

(x) All moneys which shall accrue from any person in respect of the supply of electricity or artificial light under the provisions of this section to any premises owned or occupied by him or for work done or materials provided in connection therewith shall be recoverable from such person in like manner and by the like procedure as if such moneys were taxes leviable under this Enactment.

The Control and Supervision of the sale and storage of Fresh Provisions.

Meat, etc. only to be kept in certain places.

81. (i) No fresh meat, fresh fish, fresh poultry, fresh vegetables or fruit, ice, fresh milk, or dairy produce, intended for sale for human food shall be kept in any place or places within a Town Board area except such as may be licensed by the Board, or provided for that purpose in any slaughter house or public market. A fee of $1.00 per annum shall be payable for such license and every licence shall expire on the 31st day of December next following the date of issue thereof.

Fly-proof covers.

(ii) Every licensee of any premises used for the sale or storage of any of the articles mentioned in sub-section (i) of this by-law shall, if so required by the Board, furnish an approved fly-proof cover for use on his stall or showboard and shall keep the same constantly in use when carrying on trade thereat.

Inflating meat.

82. 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 expose 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.

83. No person shall sell, offer or expose for sale or cause to be sold, offered, or exposed for sale within the Town 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 125 provided that in the case of deer and other animals "ferae naturae" this by-law shall not apply.

The Control and Supervision of Stables and Cattle-sheds and Places for Keeping Sheep, Goats, Swine and Poultry and Ducks.

Licences necessary for stables, cattle sheds, pig-styes etc.

84. (i) No person shall use any place within the Town 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. A fee of one dollar shall be charged for every such licence and every licence shall expire on 31st day of December next following the issue thereof.

Ducks and Swine.

(ii) No place shall be used for keeping ducks for other than private consumption or for keeping swine for any purpose either habitually or temporarily unless it is distant not less than 150 yards from any public street or from any dwelling occupied by a person other than the occupier of the place used for keeping ducks or swine.

Pig-styes.

(iii) No place in which swine are either habitually or temporarily kept shall be used for human habitation and no stye shall be directly connected with any place used for human habitation.

Stable etc., to be kept clean.

85. 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.

Dimensions of stables and cattle sheds.

86. 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.

Flooring and drainage of stables and cattle sheds.

87. 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.

Collection and removal of manure etc., from stables, cattle sheds, etc.

88. 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 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.

The Registration, Licensing and Control of Vehicles.

Vehicles to be licensed and registered.

89. (i) Every vehicle kept within the State, if not exempted under clause (ii) hereof, shall be licensed and registered.

Exemptions.

(ii) The following vehicles will be exempted:—

(a) Vehicles belonging to Government Departments

(b) Vehicles kept exclusively for sale by bona fide dealers therein;

(c) Children's carriages the wheels of which do not exceed 24 inches in diameter;

(d) Vehicles used exclusively upon alienated land;

(e) Vehicles duly registered in the Colony or in any other State in the Malay Peninsula during the period covered by such registration.

Vehicles to be inspected.

90. (i) No vehicle shall be licensed until the President, or some other officer of a Town Board authorized in that behalf, shall have inspected the same together with all harness and fittings intended to be used therewith and satisfied himself that it fulfils all reasonable requirements.

(ii) The President may at any time order the owner of any licensed vehicle to produce the same for inspection and such owner shall be bound to obey such order.

(iii) If at any time any licensed vehicle shall appear to the President to be unfit to remain licensed he may cancel or suspend the licence thereof.

Licensed vehicle to carry number plates.

91. (i) Every licensed vehicle shall, throughout the period covered by the licence, have affixed to it in a conspicuous place such number plates and other marks of identification as the licensing officer shall direct; provided that such jinrikishas and horse-drawn vehicles as are not intended to be used for hire or any trade purpose shall be exempted from the the operation of this clause.

Plates.

(ii) All number plates must be returned to the licensing officer within fifteen days of the date of expiry of the licence in respect of which they have been issued. Failure to return the plates within such period will render the licencee liable to pay an annual licence fee for the vehicle for which the plates had been issued.

(iii) Compensation, at cost price, will be paid in respect of all damaged or lost number plates.

(iv) Number plates shall not be removed from the position to which they have been affixed by the Licensing Officer, nor shall they be defaced or covered up.

(v) Number plates shall not be transferred from one vehicle to any other except under the provisions of By-law 93 (i).

Taxes and Fees.

92. (i) The following taxes and fees shall be payable in advance at the time of licensing and registering in respect of the vehicle specified, namely:—

Taxes Payable On Licensing.

Jinrikishas not for hire	$1.00
Bullock Carts	6.00
Hand Carts	2.00

Vehicles drawn by animals other than bullocks:—

With two wheels	$4.00
With four wheels	6.00

Fees Payable on Registration.

For every vehicle when licensed or re-licensed	$0.50
For number plates when newly issued	1.50

Period of licence.

(ii) All vehicles shall be licensed for the unexpired portion of the current year ending on December 31st.

(iii) Hackney carriages will be licensed as belonging to the first or second class.

Transfer of licence.

93. (i) The President, or his authorized representative, may at his discretion permit the sale or transfer of an an owner's licence or registration on payment of a fee of twenty-five cents.

Only by permission.

(ii) No such transfer shall take place without the permission of the President or his authorized representative and all such transfers shall be made at a Town Board Office.

Change of stable to be notified.

(iii) Any change of stable involved as the result of sections (i) or (ii) of this clause, or for any other reason, must immediately be notified to the President, Town Board.

Rates of hire.

94. The Board shall have power with the approval of the State Secretary, to fix rates of hire in respect of vehicles for hire.

Passengers to be accepted.

95. Every driver of a hackney carriage and every jinriksha puller who without reasonable excuse, the proof of which shall lie on him, refuses to accept a passenger on demand shall be liable on conviction before a Magistrate to a fine not exceeding twenty-five dollars.

Lights.

96. Every vehicle or bicycle whilst in use in any public place between sunset and sunrise shall carry such light or lights as shall be reasonably sufficient in all respects to ensure the public safety, and if any such vehicle shall not carry such light or lights both the person in control thereof and the registered owner of the same shall be liable on conviction before a Magistrate to a fine not exceeding one hundred dollars.

Speed.

97. (i) No person, being in charge of a vehicle or bicycle within any Town Board area, shall permit the same to travel at a greater speed than is reasonable or proper having regard to other traffic, or so as to endanger any of the public or any public or private property.

(ii) No person shall ride a bicycle on any public throughfare within a Town Board area unless the same be fitted with an efficient brake in good working order.

Bullock Carts.

98. Bullock carts for hire shall have a cubic capacity of not less than 36½ cubic feet i.e., 4 ft. 6 in. x 3 ft. 3 in. wide x 2 ft. 6 in. deep; no cart, shall at any one time be loaded with a load exceeding 15 pikuls in weight; all carts shall be fitted with brakes to the satisfaction of the Licensing Officer.

The Establishment and Regulation of Markets.

Public markets, Time when open.

99. The public markets shall be open from 4 a.m. to 7 p.m.

Articles for Sale.

100. Except by permission of the Town Board no articles except provisions shall be brought into or sold in any market and these only in such quantities as can be conveniently placed on the stall or stalls in the occupation of the owner of such goods without projecting beyond the line of the stalls.

Trade, etc., forbidden.

101. No trade or handicraft or dealing in opium or spirits shall be carried on in any market.

Obstruction.

102. No person shall cause an obstruction in any market or in any roadways or approaches thereof.

Dogs.

103. No person shall keep any dog in a market, or knowingly permit any dog to follow him into the market.

Sale of unwholesome food prohibited.

104. No person shall expose for sale in any market any unwholesome article of food.

Regulation of place of sale.

105. The Board may confine the sale of certain articles or things to certain parts or certain stalls of a market.

Sale of fresh provisions prohibited within 50 yards of market.

106. No person shall hawk, sell or expose for sale any fresh meat, fresh fish, poultry, fresh vegetables or fruit within 50 yards of a public market, except with the special permission of the Board.

Obstruction of pathways and drains.

107. 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.

Fires.

108. 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.

Register of stall-holders.

109. The market keeper shall register the name of each stall-holder in a book to be kept for the purpose.

Licences.

110. No person shall be a stall-holder or sell or expose for sale goods of any description in any market except under licence issued by the Town Board. Such fees shall be charged for such licence as the Board may from time to time direct.

Every stall holder shall keep exhibited, in a conspicuous part of his stall, a ticket or sign-board (which shall be supplied to him by the Board) showing in full in Malay, English and Chinese the number of the stall, the name of the stall-holder and the amount of the licence fee.

Occupation of market during night.

111. Except with the permission of the Board no person shall remain in a market between 9 p.m. and 4 a.m.

Unlawful use of stalls.

112. No person shall sit, stand or lie on any stall.

Cleansing of stalls.

113. 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 stall and shall cleanse their stalls thoroughly.

Daily cleansing of fish and meat stalls.

114. (i) 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.

(ii) Every occupant of a stall for the sale of meat or fish shall, if so required by the Board, furnish an approved fly-proof cover for the use of his stall, and shall keep the same constantly in use when carrying on trade at his stall.

Disposal of refuse.

115. No person shall deposit any refuse in any 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.

Sunshades or alterations.

116. No person shall erect any sunshade or make any alteration or additions to any stall without the consent of the Board.

Water Services.

117. 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.

Hawking.

118. No person shall hawk goods about the precincts of a market.

Begging.

119. 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.

120. No person shall commit a nuisance or spit within the precincts of a market.

Powers of inspection.

121. 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.

122. 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.

123. 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.

The Establishment and Regulation of Slaughter-Houses.

Slaughter-houses licence necessary.

124. 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.

125. 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.

126. 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.

127. 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 124 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.

128. 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.

129. 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 carcases from the slaughter-house.

Removal of refuse.

130. 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.

Control of Board over water-service.

131. The arrangement of water-taps and service 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.

Sales.

132. Whole carcases only will be sold in any slaughter-house.

Furniture.

133. No furniture except stands for hanging carcases 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.

Pens for animals intended for slaughter only.

134. No animals except those brought for slaughter shall be kept in the pens in any slaughter-house at any time.

Hours.

135. Animals for slaughter shall be brought to the slaughter-house and carcases shall be removed at such hours only as may be fixed by the Board.

Inspection before slaughtering.

136. 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 of carcases.

137. (i) All carcases or portions of carcases intended for human food may be examined by an officer appointed by the Board in that behalf.

(ii) No person shall remove or mutilate any portion of a carcase or substitute for any portion of any carcase a portion of another so as to make it appear that such carcase was not affected by disease.

(iii) Any carcase or portion of a carcase, 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 carcase 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.

Control of slaughter-houses.

138. 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.

Diseased persons not to enter slaughter-houses.

139. 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.

140. Members and officers of the Board shall at all times have free access to any slaughter-house.

Scale of charges.

141. (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.
do.	do.	bullock ..	40	„
do.	do.	sheep or goat ..	10	„
do.	do.	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.

142. 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.

143. No person shall remove meat from a slaughter-house unless it be properly covered and placed in a clean receptacle.

Exclusive rights.

144. No exclusive right shall be granted under section 4 (f) of "The Town Boards Enactment, 1921," except with the previously obtained approval of H.H. The Sultan in Council, 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.

The Regulation of Bakeries.

Bakeries licences.

145. 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; A fee of $6 shall be payable for such licence; and every licence shall expire on 31st day of December next following the date of issue thereof.

Floor to be cleansed daily.

146. Every keeper of a bakery shall cause the floor thereof to be thoroughly washed and cleansed at least once in every day.

Whitewashing.

147. Every keeper of a bakery shall cause the whole of the inside wall thereof to be properly scraped and white-washed 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.

Tables, etc., to be cleansed daily.

148. 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.

Water supply.

149. Every keeper of a bakery shall have the Government water service, if any such be available in the place where the bakery is situated, laid on to his premises for the purpose of baking and for cleansing the premises.

Ventilation.

150. Every keeper of a bakery shall cause every means of ventilation in connection therewith to be kept in good order and efficient action.

Certain receptacles not allowed in bakery.

151. 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.

No person to sit etc., on table or shelf or sleep in bakery.

152. 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.

Diseased persons not to enter bakeries.

153. 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.

Spitting, etc., prohibited.

154. No person shall commit a nuisance or spit within the precincts of any bakery.

No animal or bird to be kept.

155. No keeper of a bakery shall keep or allow to be kept therein any animal or bird.

Inspection of premises.

156. 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.

The Regulation of Dairies.

Registration of dairyman.

157. No person shall carry on the trade of a dairyman, cow-keeper or purveyor of milk within a Town Board Area without first having registered himself at the office of theTown Board and furnished the particulars required for registration according to the Form in the Schedule hereto.

SCHEDULE.

Date.	Name.	Place of abode.	Place where cows kept.	Place where milk kept for sale.

Sanitation and inspection of Cow-sheds, dairies, etc.

158. (i) All Cow-sheds, dairies and places where milk is kept for sale shall have a plentiful supply of pure water, shall be freely ventilated, shall at all times be open to inspection by duly authorized officers of the Town Board and the premises and utensils used therein shall be kept clean.

Prohibition of diseased persons.

(ii) No person carrying on the trade of a dairyman or purveyor 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.

(iii) Every proprietor, occupier or manager of a cow-shed, dairy or place where milk is kept for sale shall, when any person residing in his house or being in his employment is infected with or reasonably suspected of any infectious or contagious disease, give immediate notice thereof to the Health Officer.

(iv) No milk or utensils used for the collecting or storing or carriage of milk shall be kept in any living room attached to any dairy.

Spitting etc., prohibited.

(v) No person shall commit a nuisance or spit within the precincts of a dairy.

Sale possession and analysis of milk.

159. (i) No person shall within a Town Board Area sell or offer for sale or have in his possession, custody or control for sale or delivery milk except at a registered cow-shed, dairy or place where milk is kept for sale unless he shall first have obtained a licence from the Town Board in the Form prescribed by them and shall wear on his person a badge issued by them.

(ii) Such licence shall be issued annually by the Town Board in the month of January in each year and the badge shall be worn and the licence carried on the person when selling or delivering milk. A fee of two dollars shall be paid each year for each licence including the badge.

(iii) No person shall sell or offer for sale to the prejudice of a purchaser 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, except with the express authority of the Board. A sale of such milk for the purpose of analysis only shall be deemed to be a sale to the prejudice of the purchaser.

(iv) No person shall sell or offer for sale any milk under a false name or description.

(Example: A sells buffalo's milk as cow's milk.
A commits a breach of the By-laws.)

(v) No proprietor, occupier, or manager of a cow-shed, dairy or place where milk is kept for sale shall have in his possession by himself or his servant milk to which any water or other matter or ingredient has been added.

(vi) Any person offering milk for sale, any proprietor occupier or manager of a cow-shed dairy or place where milk is kept for sale and any person entrusted for the time being with the custody or control of any milk shall permit any duly authorized officer of the Town Board at any time to take such quantity of such milk without tendering payment therefor.

Disease among cattle.

160. 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 among other animals associated with the cattle of such person, he shall notify the same forthwith to the President 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.

The Regulation of Laundries.

Laundries, Private laundries.

161. Nothing contained in by-laws 162 to 166 shall affect any laundry maintained solely for the private convenience and at the private expense of any individual.

Licences.

162. (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. A fee of $6 shall be payable for such licence; and every licence shall expire on the 31st day of December next following the date of issue thereof.

(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.

Work-rooms not to be used as dwellings, etc.

163. No portion of any laundry work-room shall be occupied as a dwelling or used for the purpose of cooking food.

Diseased persons not to work in laundry.

164. (i) No person suffering from any skin disease or infectious disorder shall enter, live, work or be employed on any premises used for the purpose of a laundry.

(ii) The occurrence of any infectious or contagious disease on any premises used as a 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.

Cleanliness.

165. (i) Premises used as a laundry and all utensils therein shall be kept in a clean and sanitary condition.

(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 workroom.

(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.

Lessees of laundries belonging to the Board.

166. (i) Lessees of laundries erected and maintained by the Board shall comply with the provisions of the three last preceding by-laws.

(ii) Such lessees shall regulate their charges for laundry work in accordance with a scale of charges to be approved by the Board.

The Regulation of Stalls, Tables and Showboards for the Sale of Food, Drink or Goods in Public Streets, and Public Places, and for the Regulation of Itinerant Hawkers.

Licences.

167. (i) No person shall without the licence of the Board set up any stall, table or showboard or act as an intinerant hawker in any public street or public place within the Town Board Area.

(ii) Licences shall be granted, to other than itinerant hawkers, for specified sites. No licensee shall occupy any site other than that specified in his licence.

(iii) The licence shall specify the period for which the licence is granted, the number of the licence and, for other than itinerant hawkers, the name of the street, the description of the site and the hours during which the site may be occupied.

(iv) Licensees shall be supplied by the Board with a licence board or plate which shall be displayed in a conspicuous manner on the licensee's stall, table or showboard, or in the case of Itinerant Hawkers with a badge which he shall wear on his left arm when pursuing his calling. A charge of $1.00 will be made for each license board, plate or badge when issued and for replacing such when lost or destroyed.

(v) No licensee shall sublet his site or transfer his licence, licence plate or badge.

(vi) All licences, licence boards, licence plates or badges shall be surrendered at the office of the Town Board on the expiration of the period for which the licence was granted or on the cancellation of the licence.

(vii) Every licence shall be liable to cancellation by the President in any case in which he shall be of opinion that there has been a breach of any of these By-Laws or of any of the conditions contained in the licence.

(viii) The Board may refuse to grant any licence under these By-Laws without assigning any reason therefor.

(ix) Licences granted under these by-laws may be for a period of not less than one month and not more than three months but such licences shall expire on 31st March, 30th June, 30th September or 31st December respectively next following the date of issue thereof.

(x) Licences for itinerant hawkers shall be annual and shall expire on 31st December next following the date of issue thereof.

(xi) The fee for each licence for other than itinerant hawkers shall be in accordance with the length of the stall, table or showboard in respect of which the licence is granted and shall be at the rate of 20 cents per foot per month for the first 15 feet and 50 cents per foot per month for any length over 15 feet but no stall, table or showboard shall extend continuously for a greater length than 15 feet. The fee for each licence for itinerant hawkers shall be $4.00.

(xii) No licence shall be issued for a stall, table or showboard for the sale of food or drink in front of any licensed eating house except to the licensee of such eating house.

(xiii) Every licensee shall carry his licence with him when pursuing his calling and shall produce it for inspection when requested to do so by any officer duly authorised by the Town Board.

(xiv) Every street stall shall be removed when not in use.

Cooking Utensils, etc.

168. (i) Every licensee must obey the directions of the Town Board or of their duly authorised officers in respect of the placing of stoves, tubs, stools, benches and other apparatus appurtenant to his calling as a hawker.

(ii) Every licensee of a street-stall shall, if so required by the Board, furnish an approved fly-proof cover for the use of his stall, and shall keep the same constantly in use when carrying on trade at his stall.

Position of Stalls.

169. No stall, table, showboard or apparatus shall be erected or placed over any street drain or within a distance of 25 feet from the corner of any street or project into the street for a greater distance than 7 feet from the street drain.

Disposal of Refuse

170. (i) No refuse of any kind shall be thrown on to the street or into the drain. Every person licensed under these by-laws, exposing for sale any articles of food or drink shall provide himself with one or more approved receptacles into which all solid refuse resulting from his trade shall be deposited. Such refuse shall be subsequently deposited in a public dustbin.

(ii) Waste liquids shall not be thrown on to the street but shall be poured into the street drain.

Orderliness, Scavenging.

171. 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.

172. No itinerant hawker shall occupy any part of a public street or public place within the Town Board Area for a longer time than is sufficient for the completion of the sale of any article of food or drink or of goods which he is exposing for sale, otherwise he shall cease to be considered an itinerant hawker and his licence as an itinerant hawker may be cancelled.

Seizure and Disposal of Unwholesome Fish, Flesh and other Provisions.

Inspection of places used for sale or storage of food.

173. (i) Any member of a Town Board, or any person authorized by the President of a Town Board in writing in that behalf, may enter into and inspect any place within the Town 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 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.

The Regulation, Inspection and Licensing of Common Lodging Houses, Eating Houses, Jinrikisha Stables, Theatres, Native Inns and Other Places of Public Resort.

174. No house shall be used as a common lodging house except under and in accordance with a licence in that behalf from the Board.

(ii) A fee of ten dollars per annum shall be payable for every such licence; all such licences shall expire on the 31st day of December next following the date of issue thereof.

175. (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 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.

176. 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.

Registers to be kept.

177. 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.

Inns, eating-houses and Coffee shops.

178. 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 and the Board may impose such conditions as they deem fit.

Accommodation of servants.

179. 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.

Fly-proof covers.

180. 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.

181. The fee for a licence for a public eating house shall not be less than $6 nor more than $25 per annum according as the President shall in each case determine. The fee for a licence for a coffee shop shall be $6 per annum.

Cleanliness.

All such licences shall expire on the 31st day of December next following the date of issue thereof.

182. (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 176.

(ii) He shall also cause every room in such house to be thoroughly cleansed daily before 11 a.m. and shall cause every living room, bathing-room and privy to be thoroughly scraped 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.

(iii) He shall make use of disinfectants in cleansing his premises and shall also provide sufficient spittoons to the satisfaction of the Board.

Inspection.

183. Any member of the Board, any Health Officer, and any Town 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.

The Establishment and Regulation of Public Bathing Places.

Public bath-houses.

184. (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:—

(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.

The Removal and Disposal of Refuse and Night-Soil.

Throwing rubbish into drains, etc.

185. 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.

Depositing rubbish.

186. 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.

Dust-bins.

187. The owner or occupier of every house shall, if required by the Board, provide himself with a sufficient number of sound dust-bins or boxes as required of wood or other suitable material of a capacity of not more than four cubic feet.

Exposing dust-bin.

188. 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 8.30 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.

Compulsory emptying of dust-bins.

189. 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 8.30 a.m. into receptacles provided by the Board.

Specified hours.

190. No person shall place any dust-bin or box in the aforesaid positions or empty the contents thereof except within the aforementioned hours.

Night-soil not to be discharged into public drain or river.

191. 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.

Nuisance by child.

192. 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.

193. 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.

Board may order removal.

194. (i) If at any time the Board shall notify the occapier of any premises situated within a Town Board area that the removal of night-soil from such premises will be undertaken by the Board, then it shall be unlawful for such occupier to permit removal of night-soil from such premises by any person other than a person appointed in that behalf by the Town Board and every occupier who shall act in contravention of this by-law shall be liable on conviction to a fine not exceeding twenty-five dollars.

Fees.

(ii) The Board shall have power, with the approval of the State Secretary, to fix a scale of fees which shall be paid by the occupiers of premises from which night-soil is removed by persons appointed in that behalf by the Board.

Free access for removal of night-soil.

195. 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.

196. 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 194.

Temporary latrines, etc., for workmen.

197. 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.

Carrying of night-soil through streets.

198. 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.

Rights of Board in respect of refuse.

199. 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.

The Prevention and Abatement of Nuisances.

200. 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

Filling in or draining of ponds and swamps.

land as may, in the opinion of the Health Officer, be necessary to prevent the same being injurious to health, and in default of 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.

201. (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 Town 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 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 condition shall be liable to a fine not exceeding five dollars for every day after the first during which the offence is continued.

Sanitary Control in Dwelling Houses.

Filthy Houses.

202. (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, 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.

203. 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.

204. (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 fifty 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 ten years of age shall be deemed an adult and two children not exceeding ten years of age shall be counted as one adult.

Letting infected houses.

205. (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.

(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.

Keeping animals.

206. 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.

Carcases to be buried within four hours of death.

207. 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 carcase at such place as may be appointed for the purpose by the Board.

Procedure on complaint of nuisance from untenanted property.

208. 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 otherwise abate the nuisance.

Power of Board if nuisance not abated.

209. 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.

Regulations of Dangerous, Unhealthy, or Offensive Trades or Occupations.

Places for dangerous and offensive trades must be licensed.

210. No place within a Town Board area shall be used for any of the trade purposes set out below unless it shall have been licensed by the Board in that behalf and the fees specified shall have been paid:—

(a)	Skinning or disembowelling animals ..	$10.00
(b)	Boiling offal, blood or oil	10.00
(c)	Tallow-melting or soap making ..	10.00
(d)	Making or storing bricks, pottery or lime	6.00
(e)	Dyeing or tanning	10.00
(f)	Washing Sago or making Sago flour ..	12.00
(g)	Curing fish or manufacturing fish manure	6.00
(h)	Drying or sorting fish	6.00
(i)	Storing matches or fireworks in quantities of one case or upwards	6.00
(j)	Manufacturing Kechap	6.00
(k)	Carrying on the trade of blacksmith ..	6.00
(l)	Depositing or storing coal, wood, atap, hay, straw, or other dangerous inflammable materials	6.00
(m)	Manufacturing Aerated Waters ..	12.00
(n)	Manufacturing Ice	12.00
(o)	Storing "ikan busok" (pig food) ..	12.00
(p)	Any other manufacture or business in which excessive noise is caused ..	6.00

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 which shall not exceed twelve dollars for each year, may be charged therefor.

Construction of places used for such trades.

211. 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.

212. 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.

213. Every person carrying on such trade shall cause the lower five feet of the internal space of the walls of the premises used by him for the purpose 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.

214. 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.

215. 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.

216. 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.

217. 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.

218. 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 manner and in such a situation as to prevent the emission of noxious or offensive effluvia therefrom.

Name of trade to be put over entrance.

219. 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 Malay, English, Chinese and Tamil 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.

Storage of Matches.

220. Except in the case of matches less in quantity than one case of one hundred and twenty packets or one thousand two hundred boxes, no person shall store matches in any licensed places except in metal-lined cases.

Storage and repair of Motor Cars.

221. (i) No place within a Town Board area, whether covered or open shall be kept or used for housing storing or repairing motor cars (other than motor bicycles) intended for hire, or for conveying persons for hire unless licensed by the Town Board.

(ii) The Board may at its discretion grant licences for the aforesaid purpose and may impose such terms therein as may appear expedient. Every such licence shall be renewable quarterly, and a fee which shall not exceed three dollars for each quarter may be charged therefor. Every licence shall expire on 31st March, 30th June, 30th September and 31st December respectively next after the date issue thereof.

The Storage of Inflammable Oils etc.

Private store limited to sixteen gallons.

222. (i) No person shall, without a licence issued by the Board in that behalf, keep in or about any place within a Town Board area, other than a public depot established for the purpose, any larger quantity of inflammable oil or other inflammable material than four tins each containing four gallons or not more than sixteen gallons altogether. A fee of $6 shall be payable for such licence and every licence shall expire on the 31st day of December next following the date of issue thereof.

(ii) If any person is guilty of a contravention of this by-law he shall be liable, upon conviction, to a fine of not less than twenty-five dollars nor more than fifty dollars in respect of every four gallons, or portion thereof, of inflammable oil or liquid in excess of sixteen gallons which may be found upon his premises.

(iii) All licences for storage of Petroleum in quantity exceeding sixteen gallons 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 material as appliances for extinguishing fire as shall be approved by the Town Board 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 Town Board calls on the holder of a licence, by 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.

(iv) 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 His Highness the Sultan in Council.

(v) The following fees shall be paid for storage in public depots:—

Benzine per tin	.. .. ..	5 cents.
Kerosine per tin	.. .. ..	2 „

The Government will not be responsible for any loss or damage to any goods which may be stored in a Government Oil Store.

The Prevention and Removal of Obstruction in the Streets and in Verandahs or Footways.

Vehicle obstructing street.

223. 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.

Obstructions.

224. 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.

225. (i) Whoever within a Town 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, 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 a fine not exceeding fifty dollars and thereafter to a fine not exceeding ten dollars for every day during which such offence is continued.

(ii) A Magistrate may, on the application of a Town 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.

The Repair or Removal of Ruinous or Dangerous Houses, Huts or Out-Buildings, and the Removal of Occupants therefrom.

Dangerous buildings to be vacated.

226. Dangerous or ruinous buildings shall be vacated immediately on receipt of an order to that effect from the Board.

Removal of dangerous buildings.

227. 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 boarding 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.

Placards, Posters, Sky-Signs, Etc.

228. The Board may by notice in writing prohibit the use of any placard, poster, sign-board, sky-sign, or other similar device and the occupier or if there be no occupier

the owner of any premises on which or upon any tree, fence, or post thereon, has been erected or displayed any placard, poster, sign-board, sky-sign, or other similar device shall remove the same within such time as may be specified by the Board by notice in writing.

The Examination of Dead Bodies.

229. The Health Officer, or any officer duly authorized by him in writing, may at any time enter any premises for the purpose of examining and may examine any dead body when he has reason to believe that the cause of death has not been certified by a duly qualified medical practitioner, and he may, if he thinks fit, order the removal of such dead body to any place if such removal is in his opinion necessary for the purpose of the further examination of such dead body.

Licences and Sign-Boards.

Expiry of Licences.

230. (i) Every annual licence shall expire on the thirty-first day of December of the year in which it is issued.

Sign-Boards to be exhibited.

(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.

(iii) A fee of one dollar shall be payable for such sign-board.

(iv) All licences, license boards, license plates or badges shall be surrendered at the Office of the Town Board on the expiration of the period for which the licence was granted or on the cancellation of the licence.

The Conduct of the Business of Town Boards.

Meetings.

231. The meetings of the Board shall be either ordinary or special.

Ordinary Meetings.

232. Ordinary meetings for the transaction of business shall be held at such times as may be prescribed by the Board with the approval of His Highness the Sultan.

Special Meetings.

233. The President 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.

Quorum.

234. Not less than three members shall form the quorum necessary for the transaction of business at either an ordinary or a special meeting.

Agenda.

235. 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.

Minutes.

236. The minutes of each ordinary and special meeting shall be submitted at the next following ordinary meeting for confirmation.

President.

237. At every meeting the President of the Board shall preside if present, and in his absence the members present shall elect one of their number to be President of the meeting.

Voting.

238. 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 President shall have a second casting vote.

Members interested.

239. 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.

240. Minutes of the proceedings at every meeting shall be recorded in a book kept for the purpose and shall be signed by the President when confirmed at the next meeting.

Sub-Committees.

241. 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.

Powers of President in emergency.

242. In cases of emergency the President 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.

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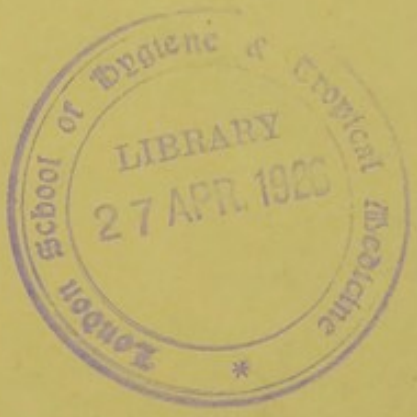
THE TOWN BOARDS ENACTMENT, 1921.

AMENDMENT OF BY-LAW 127.

No. 210.—With reference to Government *Gazette* Notification No. 6 published in Government *Gazette* of the 4th of January, 1922, and by virtue of the powers vested in him by section 5 of The Town Boards Enactment, 1921, His Highness the Sultan in Council is pleased to amend by-law 127 referred to in the said Notification as follows:—

After the word "elsewhere" at the end thereof add the words "For a licence to slaughter animals elsewhere than at a slaughter-house the Board may charge a fee not exceeding ten times the ordinary fee for slaughtering the same animal in a slaughter-house."

[S. S. No. 278/23.]



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THE TOWN BOARDS ENACTMENT, 1921.

AMENDMENT OF BY-LAW 210.

No. 240.—With reference to Government *Gazette* Notification No. 6 published in Government *Gazette* of the 4th of January, 1922, and by virtue of the powers vested in him by section 5 of The Town Boards Enactment, 1921, His Highness the Sultan in Council is pleased to amend by-law 210 referred to in the said Notification as follows:—

After item (p) insert

"(q) Storing or manufacturing of rubber ... ... $12.00"

[S. S. No. 977/23.]

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THE TOWN BOARDS ENACTMENT, 1921.

ADDITIONAL BY-LAW.

No. 594.—Under the provisions of section 5 of The Town Boards Enactment, 1921, His Highness the Sultan in Council has made the following additional By-law:—

Landing and temporary storage of goods.

57 **A.** (i) No person shall store or stock any goods, wares, merchandise or things upon any public quay, wharf, recreation ground, river-side or road-side without the permission of the Board in writing.

(ii) Places set apart for the temporary storage of goods, wares, merchandise or things shall be marked for the purpose by the Board and no such goods, wares, merchandise or things shall be stored outside the area allotted for the purpose of storage.

(iii) No permits for the temporary storage of goods, wares, merchandise or things shall be granted for a longer period than three months.

(iv) Any damage done to the places for which permits are granted shall be made good at the expense of the permit-holder.

(v) Every permit-holder shall keep his place of storage in a clean and sanitary condition and shall on the expiration of his permit deliver up such place in the same state as it was when the permit was granted.

(vi) Such fees shall be charged for permits to store goods, wares, merchandise or things under this By-law as may from time to time be fixed by the Town Board for each site.

[S. S. No. 2667/24.]

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In exercise of the powers vested in him by section 5 of "The Town Boards Enactment, 1921", His Highness the Sultan in Council has been pleased to pass the following bye-law, and to declare that the same shall apply throughout the whole of the area, or areas, subject to the control of the several Town Boards in Johore.

The said bye-law may be cited as "Bye-law 202 (A)," and shall come into force on publication thereof in the *Gazette*.

Closing and demolition, etc., of insanitary dwellings.

Bye-law 202 (A). (i) When the Health Officer has certified, in writing, that, in his opinion, any building or part of a building or anything attached to a building used or occupied as a dwelling is unfit for human habitation and cannot be rendered fit therefor without the removal, alteration or demolition, in whole or in part, of any partition, compartment, loft, gallery, pent-roof, out-house or other structure or erection, or without the execution of such alterations or structural operations as he may specify, the Town Board may, by notice in writing, require the owner thereof to carry into effect all or any of the following things, *viz.*:—

(*a*) the removal, alteration or demolition of the whole or a part of the partitions or other erections or obstructions complained of;

(*b*) the execution of such operations or structural alterations as may be necessary to render the premises fit for human habitation, and to guard against danger of disease.

Length of notice.

The notice shall appoint not less than twenty-four hours in advance for the commencement of the operation enjoined, and shall specify a number of days for the work.

(ii) No person shall, without the express sanction in writing of the Town Board, replace any partition, erection or obstruction removed under the provisions of sub-section (i) of this bye-law.

Town Board may require tenants to cease to inhabit buildings.

(iii) The Town Board may also, by notice to be posted in a conspicuous position upon the building, require the owner or occupier, as the case may be,

(*a*) to cease to inhabit the building, and

(*b*) to remove all goods, furniture and effects from the building

within forty-eight hours from the posting of the notice, and it shall thereupon be the duty of the owner and of every occupying tenant to comply with the requirements of the notice.

Power to remove goods, etc.

(iv) At the expiration of forty-eight hours from the posting of the notice mentioned in sub-section (iii) hereof, the Town Board shall be at liberty to remove all goods, furniture and effects from the building.

(v) The notice mentioned in sub-section (iii) shall be in English, Malay, Tamil and Chinese.

[S. S. No. 1750/25.]

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[*Appendix to the "Johore Government Gazette,"*
10th September, 1924.]

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State of Johore

ENACTMENT No. **10** OF **1924.**

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

IBRAHIM,

Sultan. [*22nd July, 1924.*]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:—

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PART I.

PRELIMINARY.

CHAPTER I.

SHORT TITLE AND REPEAL.

Short title and commencement.

1. This Enactment may be cited as "The Labour Code, 1924," and shall come into force upon such date as shall be appointed by His Highness the Sultan in Council by notification in the *Gazette*.

Repeal.

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

Saving of appointments, rules, etc.

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 Netherlands Indian Labourers' Protection Enactment, 1909.

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 Enactment, 1909, shall apply to any native of Netherlands India who has entered into a contract of service under the provisions of that Enactment or to the employers with whom such contract of service has been entered into.

CHAPTER II.

INTERPRETATION.

Interpretation

5. For the purposes of this Enactment unless there is something repugnant in the subject or context:

"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.

"Health Officer" means the Principal Medical Officer of the State, 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.

"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.

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

"Port Officer" includes the Harbour Master or Assistant Harbour Master.

"Protector" means the Protector of Chinese and includes such other officers as His Highness the Sultan in Council may declare, by notification in the *Gazette*, to be vested with the powers conferred upon the Protector by this Enactment.

"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 His Highness the Sultan in Council to appoint by name or by office 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 His Highness the Sultan in Council 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 His Highness the Sultan in Council to appoint such other officers with such powers and such place of residence either in or out of the State 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 His Highness the Sultan in Council within 14 days of the date of such decision or order being communicated to him.

Existing Enactments not affected.

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.

Extent of retrospective action of Enactment.

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.

PART II.

PROVISIONS RELATING TO IMMIGRATION.

CHAPTER III.

ARRIVAL, EXAMINATION AND DETENTION OF IMMIGRANTS.

9. It shall be lawful for His Highness the Sultan in Council

Examination depôts.

(*a*) to establish at any port in the State depôts for the examination of immigrants (hereinafter called examination depôts);

Detention depôts.

(*b*) to establish at any place in the State depôts for the detention of indebted immigrants (hereinafter called detention depôts).

Ports and places at which immigrants may land or enter the State.

10. (i) No immigrant shall land in or enter the State except at such ports and places as His Highness the Sultan in Council may, by notification in the *Gazette*, prescribe, or at such ports or places until authorised by the Controller or an officer of his department.

Penalty and presumption.

(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 lands 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.

Arrival of ships to be signalled.

11. (i) 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 and shall keep the same flying until the arrival on board of the Controller or an officer of his department or, in the case of a Chinese immigrant ship, of the Protector or an officer of his department.

(ii) A master omitting to comply with the provisions of this section shall be liable to a fine not exceeding two hundred and fifty dollars.

Controller to receive notice of arrival and go on board.

12. On the arrival of the ship the Port Officer shall give immediate notice to the Controller, or in the case of a China immigrant ship as defined in section 15 to the Protector, who shall forthwith proceed on board.

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

13. (i) Subject to the provisions of "The Trade and Customs Enactment, 1924," 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 a China immigrant ship as defined in section 15 the 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.

(iv) For the purposes of this section any person on a sampan, lighter or any other boat of any description, who hangs on to or attaches his boat to or approaches within one cable's length of any such ship except for the purposes of enabling such persons as are specified in sub-section (i) or exempted in sub-section (ii) hereof to board such ship for the purpose of discharging their lawful duties shall be deemed to communicate with such ship.

Chapter IV.

Special provisions relating to Chinese immigrants.

Limitation of application.

14. The provisions of this Chapter shall only apply to immigrants from China.

Interpretation.

15. In this Chapter unless there is something repugnant in the subject or context:

"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 a ship carrying Chinese immigrants.

"Chinese immigrant or immigrant" means a native of China (not being a first or second class passenger nor a person on the articles of a ship) travelling by sea from any port in China to his port of destination in the State or any such native of China who has within one year arrived at any place in the State from China *via* a port in the Colony, Federated Malay States or Siam at which he has within the two months preceding such arrival landed from a vessel arriving at such port from China.

"Creditor" means the person to whom an immigrant is found as hereinafter provided to be indebted for advances or passage money and includes a creditor's agent in the State.

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

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

"Qualified medical practitioner" means (notwithstanding anything contained in the Medical Registration Enactment, 1920) the holder of any of the diplomas, degrees or licences from time to time specified by His Highness the Sultan in Council as constituting the qualification of a qualified medical practitioner under this Enactment.

Departure of immigrant ship to be notified.

16. On the departure of an immigrant ship from China on a direct voyage to any port or ports in the State, or from Singapore or Penang on a voyage to any port or ports in the State, the agent or consignee of such ship at any such port shall forthwith inform the Protector 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

Proviso.

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.

Duty of master of China immigrant ship on arrival.

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

Penalty.

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.

Boarding of ship by officer Master to give information.

19. (i) On the arrival of a China immigrant ship at a port in the State she shall as soon as possible be boarded

(*a*) By a Health Officer to whom the master of such ship shall furnish a correct numerical list of the passengers and a Bill of Health from the port of departure of the Chinese immigrants, and to whom the surgeon of such ship shall give true information as to the health of the passengers and as to any death that may have occurred on board and shall also produce a medical log duly posted up-to-date; and

(*b*) 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, 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, 1919."

Penalty.

(ii) The master or surgeon 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.

(iii) On the arrival in the State of any railway train which may reasonably be suspected of carrying Chinese

immigrants an officer of the Chinese Protectorate may board and examine such train in order to ascertain if there are any Chinese immigrants in the train.

(iv) If sufficient time is not allowed or due arrangements are not made for such examination the manager of the railway shall be liable on conviction before a Magistrate to a fine not exceeding two hundred and fifty dollars.

Removal to examination depôt.

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 the office of the Protector or to an examination depôt, and any immigrant removed to such office or depôt shall on arrival thereat be examined by an officer of the Chinese Protectorate as to the payment of 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 other such matters as may seem necessary for the purposes of this Enactment or "The Women and Girls Protection Enactment, 1919."

Powers of search.

21. If the Protector has reason to believe that any immigrant who has arrived in the State 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 depôt 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 depôt 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 depôt.

Immigrant brought to State by fraud.

23. When it appears upon such examination as aforesaid that an immigrant has been brought to the State 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 State.

Immigrant indebted to be detained in depôt.

24. Every immigrant found to be indebted for passage money and advances may be detained in a detention depôt 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.

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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 depôt under the care of the Protector as provided by this Chapter; or

(*b*) to be incurable or permanently unfit for labour in the State, 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.

Immigrant refusing to go to a depôt or absconding.

26. (i) Any indebted immigrant who refuses or omits to go to a hospital or to a detention depôt having been ordered to do so under the provisions of section 25 and any indebted immigrant leaving or attempting to leave such depôt 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 depôt or to the Chinese Protectorate or to a police station and detained there until he can be brought before the Protector.

Arrest

Abetment

(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.

Penalty.

Maximum sums for passage money and advances.

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 State shall be indebted as for passage money and advances and such maximum sum shall be notified in the *Gazette*.

(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.

Immigrant detained unable to fulfil promise to repay passage money.

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 State 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 who has promised to enter into contract.

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 State to labour may, at the discretion of the Protector,

(*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 State 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 whose 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 State 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) At any time after the detention of any ship under sub-section (ii) it shall be lawful for His Highness the Sultan in Council to release such ship upon such security as he shall think sufficient or without security.

(iv) The master, owner and agent of a China immigrant ship in which

(*a*) The number of Chinese immigrants carried is in excess of the number stated in the certificate mentioned in subsection (b) of section 31;

(*b*) The accommodation and sanitary arrangements do not comply with the requirements prescribed by Rules made under this Enactment;

shall respectively be liable to a fine not exceeding one thousand dollars or to imprisonment of either description for a term not exceeding twelve months or to both.

CHAPTER V.

SPECIAL PROVISIONS RELATING TO INDIAN IMMIGRANTS.

Limitation of application.

33. The provisions of this Chapter shall apply to immigrants from India only.

Interpretation.

34. In this Chapter unless there is something repugnant in the subject or context

"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 of the Government of the Federated Malay States or of any Malay State which is under British Protection 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.

Exemption.

35. Nothing in this Chapter shall apply to

(*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.

Certificates issued in India or the Colony.

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 or in the Federated Malay States or in any Malay State which is under British Protection shall have all the immunities given in this Chapter to immigrants holding like certificates issued in the State.

In the State.

37. Any immigrant in the State 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.

Issue of certificate.

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.

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. His Highness the Sultan in Council may from time to time, with the consent of the Government of India transmitted through the Government of the Colony, 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 immigrant

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;

(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; fit to travel;

(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. or incurable.

(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) His Highness the Sultan in Council 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 the arrival of an immigrant in the State send him back to the place in India where he was recruited 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 Immigrant Fund and shall in cases falling under (b) and (c) be paid by the employer.

45. It shall be lawful for His Highness the Sultan in Council to appoint by name or by office an Emigration Commissioner to reside in India with such Assistant Emigration Commissioners as may be necessary, to supervise emigration to the State. Commissioner in India.

Detention at a depôt.

46. (i) Any immigrant who has received a free passage from India under a promise to labour in the State or in the Colony 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 may be detained in a depôt until he can be forwarded to his destination.

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

Reimbursement on failure to fufil promise to labour in foreign country.

47. (i) Any immigrant who has received a free passage from India under a promise to labour in the Colony 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, and who neglects or refuses to leave the State in pursuance of his promise shall be liable to pay the Controller the sum of twenty dollars or such lesser sum as His Highness the Sultan in Council 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, 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. (i) Any immigrant who has received a free passage from India under a promise to labour in the State, 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 His Highness the Sultan in Council 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, 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 immigrant.

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 State or the Colony or in a country or State to which Indian emigration is authorised as aforesaid, or in the Federated Malay States, 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 State 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 State.

50. No immigrant shall depart from the State 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 or the Federated Malay States or to some other place in the State.

To what countries or States Indian emigration lawful.

51. His Highness the Sultan in Council 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 departure from the State or abetment thereof.

52. Any immigrant unlawfully departing or attempting to depart from the State 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 State shall, until the contrary be proved, be deemed to have abetted such offence.

Evidence of promise to enter into contract.

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 State or 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 State or the Colony 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, as the case may be.

Registration of immigrants locally engaged.

54. (i) Every employer who within the State 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 State 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 statement shall be open to inspection at the office of the Controller by any person at all reasonable times.

(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.

Penalties

(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.

(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 State 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.

Terms 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.

Wages payable upon the termination of an agreement without 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.

Disputes regarding wages, Order of Court.

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.

CHAPTER VII.

GENERAL.

Contracts and certain agreements void.

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.

(ii) Nothing in the above shall affect the validity of any contract entered into before the commencement of this Enactment. Saving of certain contracts.

63. Notwithstanding anything contained in the Contract Enactment any male person not below the age of 16 years and any female person not below the age of 15 years shall be deemed to be competent to enter into an agreement under this Enactment and such agreement may be enforced by or against him or her as a contract. Capacity to Contract.

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 sub-section (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 State, in consideration of his engagement to labour within the State. 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.

(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.

(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 Overtime in case of factory work.

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.

Government inspections.

73. (i) The Controller 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.

Powers of an inspecting officer

(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.

(iii) The powers conferred by this section may be exercised by any officer who has been specially or generally authorized thereto in writing under the hand of the State Secretary or of the Controller.

(iv) 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.

Employer to maintain nursery for infants.

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.

(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 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.

Inspection Report Book.

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.

Penalty.

(ii) Every employer who neglects or refuses to comply with the requirements of sub-section (i) or destroys, alters or mutilates such book shall be liable, on conviction, to a fine not exceeding one hundred dollars.

Inspection of labourers to be made by the Controller.

79. The Controller accompanied by the Health Officer shall once within each of such periods as may be fixed for such purpose by His Highness the Sultan in Council 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.

Registers of mandors.

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.

Penalty.

(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.

Registers of labourers.

81. It shall be lawful for the Controller to require any employer to keep a register of labourers in a prescribed form.

Returns to be made by employer.

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.

(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.

Report in cases of death.

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.

Penalty for failure to keep register, forward returns or make report 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.

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 summons.

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 complain.

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.

Costs of proceedings.

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.

Default by employer.

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.

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 a 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.

SPECIAL PROVISIONS RELATING TO LABOUR.

Chapter VIII.

LABOUR WORKING BOARD, ADJUDICATION IN DISPUTES, AND SCHEDULE OF CHINESE LABOUR LAWS.

94. A 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 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.

96. Section 94 shall only apply to Chinese labourers who are not labourers on mines. Limitation of section 94.

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, 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; Employer about to abscond to evade payment of wages.

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 to the satisfaction of 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 sub-section (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 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

Penalty.

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.

(vi) Notwithstanding any provision in the Civil Procedure Code to the contrary it shall not be necessary to deposit any sum by way of subsistence before any person is arrested or detained in custody under the provisions of

this section; but the cost of such subsistence at the rates prescribed for the subsistence of judgment debtors shall be a debt due by such employer and shall be recoverable from him by civil process at the instance of the Controller.

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 in a criminal case or matter;

(*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) After such publication in the *Gazette* 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.

Interpretation.

102. In this Chapter unless there is something repugnant in the subject or context:

(i) "The Court" includes a Collector of Land Revenue or Assistant Collector of Land Revenue duly appointed under "The Land Enactment, 1910," in any case in which such Collector or Assistant Collector has power to order a sale of land.

(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.

"Wages."

(vi) "Wages" shall not include money due as a share of profits.

Protection of labourers' interests in execution proceedings.

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 such mine, agricultural estate or other place of employment. realization for wages due to all the labourers employed on

Procedure on sale under mortgage or charge.

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.

Mode of ascertaining amount due.

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.

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 State 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 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.

Agreements of co-operation.

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

Remuneration other than wages.

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.

Authority to employer to open shop.

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.

Toddy 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, 1915," but no labourer shall be compelled by any contract or agreement, written or verbal, to purchase toddy at such shop.

Offence.

(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.

Penalties.

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.

Exemption of employer on conviction of actual offender.

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 liable to be summarily convicted of such offence, and in such case the employer shall be exempt from any penalty.

Proceedings to be taken against 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.

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.

Interpretation.

122. In this Part unless there is something repugnant in the subject or context:

"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 porterage 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 porterage in connection with such treatment;

or in any other kind of labour which may be declared by His Highness the Sultan in Council 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 His Highness the Sultan in Council 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.

His Highness the Sultan in Council may define duties of Indian Immigration Committee and appoint members.

123. (i) It shall be lawful for His Highness the Sultan in Council 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 Commitee.

(ii) Subject to such definition, appointment, addition or removal as aforesaid the Indian Immigration Committee of the Colony as from time to time constituted shall be the Indian Immigration Committee.

(iii) 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.

(iv) 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.

Employer to keep books.

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 entires required by this section to be made therein in respect of the preceding month have not been made.

Employer to send return to Controller.

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.

Engagements under section 54.

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.

Employer to produce register for inspection.

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.

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 His Highness the Sultan in Council, 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 His Highness the Sultan in Council 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 His Highness the Sultan in Council 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.

Limit of rate.

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 His Highness the Sultan in Council, 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.

Assessment to be collected by Controller.

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.

Employer to pay assessment within twenty-one days.

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 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 or a copy of any such notice duly certified by him to be a true copy 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.

Amount of assessment, how calculated.

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.

(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 passage 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 Indian Immigration Fund Enactment, 1920," 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 State or the Colony or the Federated Malay States 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 Council of State.

Borrowing powers.

(iii) It shall be lawful for the Indian Immigration Committee to borrow from time to time at such rates of interest as His Highness the Sultan in Council shall approve such moneys as the Committee may deem necessary for the purpose of making the payments referred to in sub-section (ii).

Mode of management.

136. (i) Payments out of the Indian Immigration Fund shall be made by the Controller on the authority of the Indian Immigration Committee.

(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*.

Offences under this Part.

137. Any employer who is subject to the provisions of 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.

Special penalty for certain offences

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 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 His Highness the Sultan in Council 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 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 MINES, SANITATION AND HOSPITALS.

Chapter XIV.

Interpretation and provisions for the observance of mining usage.

Limitation of application.

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.

Interpretation.

143. For the purposes of this Part unless the context otherwise requires:

"Employer" includes a mining advancer, or any person who assists in financing a mine on terms which include a share in or percentage of the profits or the amount of ore won.

"Labourer" includes mining headmen, mining overseers, and mining clerks, and all men in charge of gangs of labourers whether the labourers composing such gangs are paid directly by the employer, or whether payment is made in the form of a lump sum to the man in charge of such gangs for the work done by any such gangs collectively and all persons composing such gang.

"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" means work for a day of as many hours, not exceeding nine, as is customary for any labourer to work in a mine.

Mining notices deemed to be binding as contracts in the case of mining labourers.

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 as between such employer and such labourers as may enter such employment whilst such notice shall continue to be so affixed.

Provided always that

Provisos.

(*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 money;

(*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 place of employment a correct working-board, containing the names of all labourers working in his employment, in that place of employment and shall enter thereon, according to mining usage, the work done by each labourer so employed.

Exhibition of labourers' accounts.

149. Every employer shall exhibit, in a conspicuous place on the place of employment at the end of every month, an account, kept according to mining usage, of moneys earned and received by each labourer in his employment in that place of employment during such month.

Penalty for default.

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.

Liability for payment of wages.

Provisos.

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.

Labourers not employed by tribute labourers.

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.

CHAPTER XV.

SANITATION AND HOSPITALS.

House accommodation.

153. (i) 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.

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 removal, alteration, or enlargement remains uncompleted.

Order prohibiting admission of labourers.

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 employed on such mine until the necessary improvement has been effected.

Water supply.

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.

Order to improve 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 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 order shall not be complied with.

Sick labourers 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-compliance.

(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.

Interpretation.

159. In this Part unless there is something repugnant in the subject or context:

"Dangerous infectious or contagious disease" means plague, cholera and small-pox and any other disease which His Highness the Sultan in Council 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 and includes any mine, quarry, brick-field, oil-station 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.

"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 dependent 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.

Power to apply to mines, etc

160. It shall be lawful for His Highness the Sultan in Council 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.

House accommodation for assistants.

161. (i) Every employer shall provide for all assistants or persons other than labourers employed by him on an estate sufficient and proper house accommodation.

Order in respect thereof.

(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 State Secretary, 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 State Secretary 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 State Secretary, 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.

Provisions to be made for labourers on an estate by the employer.

162. Every employer shall 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 leased or occupied by such employer or otherwise in his control

(*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.

Erection of lines.

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 His Highness the Sultan in Council 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 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).

(iii) Drains shall be carried to such distance as the Health Officer shall in each case order. Drains.

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 the resident manager shall cause such space to be kept clear of refuse and excreta and the lines to be cleaned out daily and all refuse in or near the lines collected and buried or burned, and shall detail a sufficient number of labourers daily to carry out these duties. Surrounding of lines to be kept clean.

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. (i) 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, enlargement or replacement. Insanitary lines.

(ii) The Health Officer may order the cleaning, whitewashing or disinfection of any lines which in his opinion are in a dirty, insanitary or infected state.

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, Prevention of malarial fever.

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.

CHAPTER XVIII.

WATER SUPPLY.

Water supply to be adequate.

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.

Penalty for not providing adequate supply.

(ii) Any employer failing to provide the quantity of suitable 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.

Protection of water supply.

170. The Health Officer may at any time if it appears to him necessary for the health of any labourers employed or resident 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 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 the employer or resident manager shall, if so directed by the Health Officer, by order in writing, have all or any of such wells bricked or protected in accordance with one or other of the plans approved by His Highness the Sultan in Council, 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 His Highness the Sultan in Council 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.

Use of disinfectants.

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.

CHAPTER XX.

HOSPITAL ACCOMMODATION, EQUIPMENT AND MEDICAL ATTENDANCE.

Employer to maintain estate hospital.

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 duly qualified medical practitioner 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.

Hospitals for two or more adjacent estates.

(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 the resident manager of every such estate 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.

Maintenance and treatment of labourer in estate hospital.

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.

(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 His Highness the Sultan in Council, 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 His Highness the Sultan in Council, 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) of this section.

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.

Estate hospitals to be visited by a qualified medical practitioner.

181. Unless His Highness the Sultan in Council otherwise directs every estate hospital shall be visited at least once in every month, and oftener if the Health Officer shall so require, by a duly qualified medical practitioner, 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.

Estates on which a hospital is not maintained.

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.

CHAPTER XXI.

INFECTIOUS AND CONTAGIOUS DISEASES.

Duty to report suspected case of infectious disease, etc.

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.

(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. Power of Health and Medical Officers to remove infectious cases and contacts.

Chapter XXII.

GENERAL.

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. Duty of kanganis, etc., to report cases 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 Penalty.

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.

Rations may be ordered to be supplied according to prescribed scales, and deductions in respect thereof may be made from wages.

186. (i) His Highness the Sultan in Council 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 His Highness the Sultan in Council 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.

Special order for cooked rations or hospital rations.

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.

Cooks.

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.

Supply of rations or rice and deduction from wages by agreement.

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

(*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.

Particulars of rations and deductions to be notified to labourers.

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 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.

Notice board.

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 charac-

ters 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.

Neglect by employer to comply with certain orders

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 other 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 resident manager to comply with 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.

Offences against sections 164, 165 171, 194, and rules.

198. Every employer or resident manager who shall

(*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 section 165 (i) or neglect or refuse to comply with any order made under section 165 (ii);

(*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 furnish within the prescribed time any return required to be forwarded by him under any provision of this Enactment or of any rule made thereunder;

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.

Inspection of place of employment before employment of labourers or additional labourers.

199. (i) Any person who desires to engage labourers on 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 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 on such place, as the case may be. If the Controller refuses he shall forthwith furnish a report in writing to the State Secretary. 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.

Permission required.

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 engagement 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 State Secretary to prohibit employment of labourers or class of labourers 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 State Secretary, 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 State Secretary shall cancel such order.

Order in cases where place of employment is unfit.

(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 State Secretary who may make an order to the same effect as an order under sub-section (i).

(iii) No order shall be made under this section by the State Secretary until the employer shall have had an opportunity of showing cause against the making of an order and of producing evidence.

Penalty for disobedience to an order.

203. Any person who acts contrary to the terms of any order made and published under the provisions of section 202 shall be liable, on conviction, to a fine not exceeding 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.

PART X.

SPECIAL OFFENCES.

Chapter XXIV.

OFFENCES AGAINST LABOURERS.

Separating families.

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 dependant shall be forthwith restored to the labourer by the Controller.

(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.

Penalty for molesting labourer.

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.

Wrongful detention of labourer.

Penalty.

206. Every employer who without reasonable excuse (the proof whereof shall lie with him) refuses to allow a labourer whose agreement or contract 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.

Debiting labourer with improper charges.

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.

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 of 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.

Prosecution may be withdrawn.

213. Any prosecution under this Enactment may be withdrawn 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.

Public place.

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.

Enactment no bar to civil suit.

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.

Onus of proof.

218. In all proceedings under this Enactment the onus of proving that he is not the employer or resident manager or the person whose duty it is under this Enactment 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.

Certified statement under section 54.

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.

Service of summons.

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

(*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.

(ii) 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 State or elsewhere;

(*c*) by delivering such copy to any director, secretary or other principal officer of the corporation.

(iii) 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.

(iv) 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.

(v) The serving-officer shall, in all cases in which the summons has been served under sub-section (iii), 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.

(vi) When a summons is returned under sub-section (iv), 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.

(vii) 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.

(viii) 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.

(ix) 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.

Action on warrant of the Colony or a Malay State for apprehension of absconding employer.

221. (i) Where a warrant has been issued in the Colony or in any of the Federated or Unfederated Malay States under the provisions of any law in force therein for the apprehension of an employer who has absconded or is absconding or is about to abscond from the Colony or that State 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 State, a Magistrate in the State, 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 State.

(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 affirmation that the prisoner is

the person named or otherwise described in the warrant, may order such prisoner to be returned to the Colony or to the State in which the warrant was issued, 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 or to the State in which the warrant was issued 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 State 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.

Recovery of penalty against employer.

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.

Imprisonment to be in discharge of compensation, etc.

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.

Enforcement of recognizance or bond

224. When it is alleged by any party to a contract that the condition of a recognizance or bond entered into or given for 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.

Application of fines and money recovered.

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.

Reports by Controller

226. The Controller shall make such reports to the State Secretary relative to the conduct of the duties of his office in such form and with such particulars as may from time to time be directed.

Chapter XXVIII.

Provisions as to rules.

Power to make rules.

227. (i) His Highness the Sultan in Council, 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 State for service in a country or State to which Indian emigration is authorised;

(*b*) to prescribe the ports in the State at which all or any class of immigrant ships may call and the place at such ports at which any such ships shall anchor and the accommodation and sanitary arrangements to be provided and maintained for immigrants during the vogage;

(*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 depot;

(*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 depot with regard to each immigrant indebted to him for passage money and advances;

(*f*) for the management and regulation of depots 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 depot;

(2) which may be lawfully demanded from a creditor for the use of a detention depot 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 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*) to provide for the due carrying into effect of any of the provisions of this Enactment.

(ii) All such rules shall be laid before the Council of State at the first Meeting after such publication and shall cease to have any force or effect if disallowed by a resolution of the said Council.

(iii) Any rule may be altered by resolution of the Council of State and shall come into force as altered from the date of the passing of such resolution and shall thereupon have the force of law.

(iv) 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
9 of 1911	The Estate Labourers (Protection of Health) Enactment, 1911.
7 of 1914	The Agricultural Labourers Enactment, 1914.
31 of 1919	The Labourers' Wages Enactment, 1919.
5 of 1920	The Indian Immigration Fund Enactment, 1920.
5 of 1922	The Agricultural Labourers Enactment, 1914, Amendment Enactment, 1922.
6 of 1922	The Estate Labourers (Protection of Health) Enactment, 1911, Amendment Enactment, 1922.
7 of 1922	The Labourers' Wages Enactment, 1919, Amendment Enactment, 1922.
15 of 1922	The Indian Immigration Fund Enactment, 1920, 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, 1924."

Signed .....

Dated..... *Controller of Labour.*

Nme.	Father's name.	Age. Sex.	Religion and caste (if any).	Place of abode in India.	Calling.	General description and distinctive marks.

Form B (Section 53).

For.....Emigrants shipped by s.s.....on.....

By.....For.....

Ticket No.	Name.	Father's Name.	Sex	Age.	Religion or caste.	Place of abode.	Dependants.	Height	Descriptive marks.	Wages and period of service.	Place of intended service.	Remarks.

I hereby certify that the emigrants herein mentioned and described have been examined and declared physically fit for work as agricultural labourers (*or* as manual labourers, *as the case may be*), and that having had the terms and conditions under which they promise to labour fully explained to them they have severally stated that they fully understand the same and are ready on arrival at their destination to labour accordingly.

Signed .....

Emigration Commissioner,

Madras.

Dated..... *Negapatam.*

THE THIRD SCHEDULE.

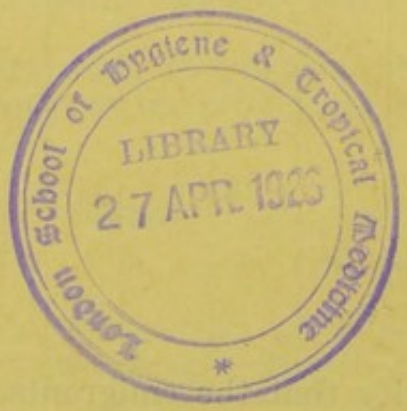
(Section 54).

No.	Name.		Engagement.		Name of last employer.	Place of last employment.	Remarks (if any).
	Of labourer.	Of employer.	Date of	Place of			

I certify that the above is a correct statement as required by section 54 of "The Labour Code, 1924," of the labourers engaged by me.

.....

Dated..... *Signature of Employer.*



Printed by FRASER & NEAVE, LTD., Printers, Singapore, appointed by the Government of the State of Johore the Government Printers for the purpose of printing this Enactment.

LIBRARY
27 APR. 1926
18

THE LABOUR CODE, 1924.

No. 69.—In pursuance of the powers vested in him by sections 6 and 227 of The Labour Code, 1924, His Highness the Sultan in Council 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, and all rules made thereunder except as to sections 136 (ii) and 139.

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 and all rules made thereunder 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, 1924."

"Health Officer" has the meaning assigned to that expression by the Enactment.

In Rules 4 to 29 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. 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, 1924, or with the immigrants who are being conveyed therein.

HOUSE ACCOMMODATION.

3. 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.

4. 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.

5. 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 7 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. A suitable dispensary shall be provided at each hospital to the satisfaction of the Health Officer.

12. 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.

13. Mosquito curtains of a type approved by the Health Officer shall be provided in the proportion of three for every two beds.

14. 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.

15. 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 diarrhœa and dysentery cases. The excreta of all such cases shall be disinfected before being disposed of.

16. 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.

17. 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.

18. 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.

19. 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.

20. The following instruments and appliances shall be provided and used as required in each hospital, namely:—

One pocket case of surgical instruments;
One Higginson's enema syringe;
Three catheters, sizes 1,3 and 9, or 2,4 and 8;
Three clinical thermometers;
One hypodermic syringe;
A sufficience of surgical dressings and splinting;
Two bed pans;
A microscope (complete with stains and accessories) of a type approved by the Health Officer;
Such other instruments and appliances as may be specially ordered by the Health Officer with the approval of the Controller.

SUBORDINATE STAFF.

21. 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.

22. The duly qualified 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.

23. The duly qualified 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.

24. The duly qualified 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.

25. An attendance register of the staff shall be kept in every hospital.

26. 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.

27. 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.

In every case of a death among the labour force a copy of the Death Report shall be sent to the Health Officer with the monthly returns.

28. 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.

29. 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 necesary to secure that the Rule is thereafter complied with.

LATRINE ACCOMMODATION, ETC.

30. On every estate there shall be sufficient sanitary accommodation provided to the satisfaction of the Health Officer for all persons residing or employed thereon.

31. 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.

32. 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.

33. 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;
½ tahil dhall;
4 tahils fresh beef (free from bone) twice a week;
4 tahils fresh pork (free from bone) twice a week;
4 tahils fresh fish (free from head and tail) twice a week;
4 tahils dried salt fish (free from head and tail) once a week;
6 tahils fresh green vegetables;
¼ tahil salt;
¼ „ coconut or kachang oil;
⅛ „ curry stuffs;
1/10 „ tea (Chinese);
Fruit—2 bananas or ¼ 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 tahils fresh fish (free from head and tail) twice a week;
4 tahils dried salt fish (free from head and tail) once a week;
6 tahils fresh green vegetables;
¼ tahil salt;
¼ „ coconut oil;
½ „ dhall;
1 coconut for eight patients;
⅔ tahil curry stuffs;
½ „ coffee;
Fruit—2 bananas or ¼ 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 tahils salt fish (free from head and tail) twice a week;
6 tahils green vegetables;
¼ tahil salt;
¼ ,, coconut oil;
½ ,, dhall;
⅔ ,, curry stuffs;
1/10 ,, tea (Chinese) or half tahil coffee;
1 coconut for eight patients;
Fruit—2 bananas or ¼ papaya.

DIET NO. 4.

HALF DIET.

6 tahils rice;
6 ,, soup meat;
2 eggs;
3 tahils fresh green vegetables;
2 ,, sago;
¼ tahil salt;
½ ,, sugar;
1/10 ,, tea (Chinese) or half tahil coffee;
Fruit—2 bananas or ¼ papaya.

DIET NO. 5.

KANJEE DIET.

9 tahils rice;
¼ tahil 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 Tahil sugar.
¼ ,, salt.
⅔ ,, curry stuffs.
1/10 ,, tea (Ceylon).
½ Pint fresh milk.

NOTES:—(i) Except where otherwise specially 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 $\frac{1}{10}$ tahil 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 stuffs 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 stuffs 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.	Liq. Arsenic Hydrochlor	1 lb.
Acid Sulphuric (Dilute)	1 lb.	Liq. Hydrarg Perchlor	2 lbs.
Acid Acetic	8 ozs.	Liq. Iodine Fort	8 ozs.
Acid Boric	1 lb.	Liq. Strychinae Hydrochlor	½ oz.
Acid Pirrie	1 lb.	Magnesium Sulphate	2 lbs.
Acid Salicylic	1 lb.	Oleum Chenopodium	1 lb.
Ammon. Carb.	2 lbs.	Oleum Ricini	2 qts.
Aqua Menth Pip	1 oz.	Oleum Eucalypti	8 ozs.
Bismuth Carbonate	1 lb.	Phenacetin	1 oz.
Calamina Praep	½ lb.	Pil Hydrarg	8 ozs.
Carbon-Tetra-Chloride	1 lb.	Pitnitrin	6 c. c.
Chloroform (pure)	1 lb.	Potass Bronide	1 lb.
Chincona Febrifuge	1 lb.	Potass Iodide	1 lb.
Copper Sulphate	2 ozs.	Potass Permang.	1 lb.
Emetin Hydrochlor	30 grains.	Pulv Ipecac Co	8 ozs.
Emplastrum Resinas	3 lbs.	Pulv Jalap Co	1 lb.
Extract of Opium	1 oz.	Quinine	1 lb.
Ferri et Quin. Cit.	1 lb.	Quinine Bihydrochlor	4 ozs.
Hydrarg Crete	1 oz.	Santonin	1 oz.
Hydrarg Subchlor	1 oz.	Sod. Bicarb.	1 lb.
Jeyes Fluid (or other Disinfectant)	10 galls.	Spirits Aether Nitrosi	1 lb.
Linament Terabinth	2 lbs.	Sulphur	1 lb.
Liq. Ammon. Acetatis	2 lbs.	Syrup Simplex	1 lb.

SCHEDULE C.

1. **Return of Sick for the** $\frac{\textbf{Year}}{\textbf{Month}}$ _____ 192 .

Estate or Estate Hospital at _____

Diseases.	Remained from previous month.	Admitted.	Total treated.	Discharged.	Transferred.	Absconded.	Died.	Remaining.	Remarks.
Dysentery ...									
Diarrhœa ...									
Ankylostomiasis									
Malaria ...									
Anæmia ...									
Beri-beri ...									
Phthisis ...									
Pneumonia ...									
Syphilis ...									
Gonorrhœa ...									
Ulcer ...									
Abscess ...									
Wound ...									
Ophthalmia ...									
Other diseases...									
Total ...									

2. 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.		
					In Hospital.			Outside Hospital.					
		Working Labourers.	Dependants.		Working labourers.	Dependants.		Working labourers.	Dependants.		Working labourers.	Dependants	
			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.

.....

RESIDENT MANAGER,

.....

Registered Medical Practitioner or Dresser-in-Charge.

Date.....192...

Notification No. 54 dated May 30th, 1912, is hereby rescinded.

No. 70.—In exercise of the powers vested in him by section 10 of The Labour Code, 1924, His Highness the Sultan in Council prescribes the following ports and places to be ports and places at which immigrants may land in or enter the State of Johore:—

PORTS	PLACES
Muar	Gemas
Batu Pahat	Johore Bahru
Cucob	Kesang
Benut	Chohong
Mersing	
Kota Tinggi	

No. 71.—In exercise of the powers conferred upon him by section 177 (ii) of The Labour Code, 1924, the Deputy Controller of Labour, with the approval of His Highness the Sultan in Council, 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.

No. 72.—In exercise of the powers vested in him by section 178 (i) of The Labour Code, 1924, the Deputy Controller of Labour, with the approval of His Highness the Sultan in Council, 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. 26 dated the 1st March, 1917, is hereby rescinded.

SCALE OF RATIONS PRESCRIBED.

No. 73.—In exercise of the powers vested in him by section 186 (a) of The Labour Code, 1924, His Highness the Sultan in Council 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 dhall	„ Two and a half tahils.
Salt	Three-eights of a tahil.
Curry-stuff	Three-fourths of a tahil.
Tamarind	„ „ „
Coconut oil	Three-eighths of a tahil.

Hot kanjee, coffee or tea to be supplied every morning before work is begun.

The fish, flesh or dhall 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 dhall 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 dhall.

The scale will be the same whether cooked or uncooked rations are required by the Controller of Labour.

[S. S. No. 2745/24.]

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THE LABOUR CODE, 1924.

ABSTRACT OF CHINESE LABOUR LAW.

19

No. 249.—The following is published in accordance with the provisions of section 99 (i) of The Labour Code, 1924.

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 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 Sections 185, 193 and 115.

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 97. 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.

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 66. 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.

21. Employers who do not send their sick labourers to hospital are liable to a heavy fine. Sections 157 (ii) and 179 (iii).

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 185.

23. Labourers must obey all local sanitary regulations and if ordered to go to hospital for treatment they must obey. Section 193.

24. No labourer may be separated against his will from his wife or children under the age of 15 years. Section 204 (i).

25. Any person who molests a labourer in his work may be fined or sent to prison. Section 205.

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. Section 99 (ii).

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*.]

[S. S. No. 1288/25.]

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No. 507.—THE LABOUR CODE, 1924.

In exercise of the powers vested in him by section 227 of "The Labour Code, 1924," His Highness the Sultan in Council hereby varies the Rules made by him under the said Enactment, and published as Notification No. 69 in the *Gazette* of February 11th, 1925, as follows, *viz.*:—

(i) By deleting the words "and annual" in line one of Rule 27, and the words "and the annual return not later than the 20th of January" in lines 5 and 6 thereof.

(ii) By rescinding Schedule C, and substituting therefor the following Schedule, *viz.*:—



SCHEDULE C.

I.—VITAL STATISTICS OF LINES.....ON.....ESTATE FOR THE MONTH OF.....

RACE.	POPULATION.						BIRTHS.		SICKNESS.			
	Labourers.		Dependants.			Total.	In Hospital.	In lines.	Hospital admissions.	Labourers.		
			Adults.		Children.					Treated in lines.	Total treated.	Total number of sick days.
	1	2	3	4	5	6	7	8	9	10	11	12
	M.	F.	M.	F.								
Indians -												
Chinese -												
Javanese -												
Malays -												
Others -												
GRAND TOTAL -												

SCHEDULE C.—*Continued.*

RACE.	SICKNESS.				DEATHS.							
	Dependants.				In Hospital.			Outside Hospital.				
	Hospital admissions.	Treated in lines.	Total treated.	Total number of sick days.	Labourers.	Dependants.	Total.	Labourers.	Dependants.	Total.	Grand total.	Infants under 1 year of age.
	13	14	15	16	17	18	19	20	21	22	23	24
Indians -												
Chinese -												
Javanese -												
Malays -												
Others -												
GRAND TOTAL -												

Notes. (*a*) A "sick day" means a day in which a labourer is absent from work owing to sickness.

(*b*) 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.	Remaining from previous month.	New cases during month.	Total treated.	Number 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.

[S. S. No. 2745/24.]

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State of Johore.

ENACTMENT No. 8 OF 1917.

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

IBRAHIM,
Sultan.

[*22nd October*, 1917.]

It is hereby enacted by His Highness the Sultan in Council as follows:—

Short title and commencement.

1. (i.) This Enactment may be cited as "The Quarantine and Prevention of Disease Enactment, 191 ," and shall come into force upon the publication thereof in the *Gazette*.

Repeal.

(ii.) Upon the coming into force of this Enactment the Enactment specified in the schedule shall be repealed to the extent mentioned in the third column of such schedule.

Interpretation.

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

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

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

"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 and includes leprosy and rabies, 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 His Highness the Sultan by notification in the *Gazette* to perform the duties imposed by this Enactment 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.

Power to make rules.

3. (i.) His Highness the Sultan may 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.

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

Objects of rules.

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, and for granting certificates of the condition of vessels or of the State or any part thereof in respect of disease;

(*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, examination 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 Town 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;

(*q*) For prescribing the conditions and regulations under and in accordance with which dogs may be kept and the circumstances under which they may be destroyed or otherwise disposed of, to provide for their registration and for the payment of fees in respect thereof, and in particular for prescribing the conditions and regulations under and in accordance with which dogs may be allowed to go abroad in public thoroughfares, and for destroying dogs kept or allowed to go abroad otherwise than under and in accordance with such conditions and regulations.

(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 His Highness the Sultan, 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.

Offence defined.

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.

Penalty

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.

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 hing in contravention of this Enactment or of any rule made hereunder, 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 His Highness the Sultan 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.

11. When there is doubt regarding the ownership of any dog, any person found in possession of such dog or the occupier of the premises frequented by it shall, for the purposes of this Enactment and the rules thereunder, be presumed to be the owner thereof until the contrary be proved.

Officers to be public servants.

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

Delegation of enforcement of rules to local authority.

13. (i.) His Highness the Sultan may delegate the enforcement and execution of any rule made under this Enactment to any Town Board within its area or to any other local authority, subject to such restrictions as he may from time to time think fit to impose.

(ii.) His Highness the Sultan may authorise any Town Board to pass by-laws for the carrying out of any of the purposes which may be provided for by rule under section 3 or section 4.

Such by-laws shall have effect in the same manner, and any breach thereof shall be punishable with the same penalty, as though they had been passed in accordance with the law in force for the time being relating to Town Boards.

Protection of persons acting under this Enactment.

14. (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.

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THE SCHEDULE.

Number.	Short Title.	Extent of Repeal.
I of 1912	The Animals' Diseases Enactment, 1912.	The whole

[*Published in the Johore Government Gazette of December 29th, 1917, Notification No. 179.*]

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State of Johore.

THE QUARANTINE AND PREVENTION OF DISEASE ENACTMENT, 1917.

In exercise of the powers conferred on him by section 3 of The Quarantine and Prevention of Disease Enactment, 1917, His Highness the Sultan has made the following Rules:

PART I.

Relating to Man.

Prevention of the Introduction of Disease.

Duty of Master of ship.

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.

Report by, and observation of, new arrivals.

2. Every person arriving in the State from the Colony who shall have given an undertaking in the Colony to report himself to any Sanitary authority in the State shall immediately upon his arrival in the State report himself accordingly, and shall comply with all requirements of such authority as to attending for observation.

Provision as to infected place without the State.

3. 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 His Highness the Sultan 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.

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

4. 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.

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

5. (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 State Secretary or of the Officer in Administrative Charge of the District, order the Master to take the 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.) Every Health Officer who shall require the Master of any vessel to take his vessel out of the waters of the State under the provisions of this rule shall forthwith communicate to the Health Officers at other ports of the State the name of such vessel and the specified period, if any, during which it is excluded from the waters of the State. If no period is specified by the original order, any Health Officer who shall rescind such order shall in manner aforesaid forthwith communicate to the Health Officers at other ports of the State the rescission thereof.

Power of Health Officer.

6. 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.

7. 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.

8. 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.

9. All vessels ordered to the quarantine anchorage shall display by day the usual quarantine or yellow flag at the fore-masthead, 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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.

Provision as to mails, etc.

15. 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 letters, etc.

16. 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.

Disinfection of articles.

17. 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.

Power of Health Officer as to vessel touching at port.

18. 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 persons on vessel.

19. 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.

Quarantine periods.

20. 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.

Duty of Master.

21. 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.

Report to be made by Health Officer.

22. 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 State Secretary.

Bills of health.

23. The Health Officer may issue bills of health and may in his discretion endorse any bill of health produced on behalf of a vessel. A fee of five dollars shall be payable in respect of the issue or of the endorsement of a bill of health.

Quarantine flag.

24. 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 9 in the case of vessels shall be displayed.

Isolation of quarantine station.

25. 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.

No person to leave station.

26. 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.

Liability of Agent and Master of vessel.

27. 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.

28. 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.

29. After any such declaration by His Highness the Sultan as is provided for in Rule 3 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.

Exclusion of persons coming from infected place.

PART II.

RELATING TO MAN.

Prevention of Disease on Land.

30. (i.) The guard of any train on which a case of plague, cholera, small pox or yellow fever is present or has occurred, shall on arrival at the first station in the State report the fact to the station master, who shall telegraph or telephone full particulars either to the Health Officer of the district in which the station is situated or to the officer authorised to conduct the medical examination of persons arriving in the State or district.

Duty of guard of train on which there is case of plague, etc.

(ii.) When the guard of any train is charged with a breach of the provisions of subsection (i), he shall be presumed to have known of the existence of the case of plague, cholera, small pox or yellow fever on the train, unless he shows to the satisfaction of the court before which he is charged that he had not such knowledge and could not with reasonable diligence have obtained such knowledge.

Presumption.

31. 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.

Occupant of house to give information.

32. 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.

Medical practitioners to give information.

33. 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

Proceedings to be taken upon receipt of report.

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.

34. (i.) Whenever it appears to His Highness the Sultan, after such enquiry as he shall deem necessary, that disease exists amongst persons within any area or place, it shall be lawful for His Highness the Sultan 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.) It shall be lawful for the Health Officer in his discretion, after making application to His Highness the Sultan, for the issue of such declaration and order, to make an interim declaration and order to the same effect, and all persons shall obey such interim order until it shall have been cancelled or confirmed by His Highness the Sultan.

(iii.) Every order made under this rule 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.

Occupation of buildings for hospital.

35. 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 State Secretary or of the Officer in Administrative Charge of the District, 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.

Prohibition of removal of diseased persons.

36. 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.

Impress of vehicles and beasts.

37. 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.

Diseased persons not to be carried in public conveyances.

38. (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.

(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.

Disinfection of room and quarantine of houses.

39. (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.

Quarantined houses not to be entered.

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

Destruction of infected buildings.

40. 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 His Highness the Sultan, 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 or disinfection of infected clothing and bedding.

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

42. 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.

43. 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.

44. 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.

45. 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.

Post mortem examination in cases where infectious disease is suspected.

46. (i.) In the case of a death, the cause whereof has not been certified by a Medical practitioner, if the Health Officer has reasonable grounds for suspecting that such death may have been due to any infectious disease, the Health Officer may order the removal of the body to a mortuary or some other convenient place, for the purposes of post mortem examination.

(ii.) Any person obstructing the removal of such body for such purpose shall be liable to a fine not exceeding one hundred dollars.

Insanitary buildings.

47. (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.

Abatement of overcrowding.

48. 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.

Cleansing, ventilation and disinfection of buildings.

49. In the case of any building ordered to be vacated under Rule 47 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.

Appeal to Magistrate.

50. (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.

(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.

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

51. (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.

(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.

Town Board areas.

52. The provisions of Rules 47, 48, 49 and 51 shall not have effect within any area which is subject to the control of a Town Board.

Rats.

53. (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.

54. (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 Officer in Administrative Charge of the District 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.

55. (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 Supreme Court, which may confirm, reverse, or vary such order.

Trades prohibited to lepers.

56. 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.

Lepers forbidden to use public conveyances, etc.

57. 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.

Purchases from lepers in asylum forbidden.

58. 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.

PART IV.

Relating to Animals other than Dogs.

Prevention of the Introduction of Disease.

Prohibition of importation.

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

Orders to be *Gazetted*.

(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.

60. It shall be lawful for His Highness the Sultan by notification in the *Gazette*, to prescribe ports or places by which alone cattle may be imported into the State, and in like manner to prescribe such conditions as he may deem necessary in regard to the movement and disposal of such cattle when within the State, and no person shall import cattle into the State in contravention of any such notification.

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

61. 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.

Power to apply Mallein test.

62. It shall be lawful for the Health Officer to examine any animal brought into the State, and when he 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.

63. 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.

64. (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 His Highness the Sultan.

(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.

Bedding.

65. 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.

Expenses.

66. 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.

PART V.

Relating to Animals other than Dogs.

Prevention of Disease on Land.

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

67. 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 of diseased animal.

68. 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, or some Officer deputed by him, and shall cause the stable or place wherein such animal is found to be thoroughly disinfected to the satisfaction of the Health Officer or such Officer as aforesaid, 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.

Disposal of carcase.

69. 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.

Inspection of stables.

70. 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.

Destruction of diseased animal.

71. 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.

Isolation.

72. 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 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.

73. 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.

74. 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.

75. 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 of any such proceeding from the owner of such building.

Report to State Secretary.

76. 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 State Secretary; whereupon it shall be lawful for the State Secretary at his discretion to award or withhold compensation in respect of the building so destroyed.

Stables to be cleansed.

77. All stables, cattle-sheds, pig-styes, and other places 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.

78. 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.

79. (i.) Whenever it appears to His Highness the Sultan, after such inquiry as he shall deem necessary, that disease exists amongst any animals, it shall be lawful for His Highness the Sultan 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.

80. Whenever an order has been issued by His Highness the Sultan under the last preceding rule owing to the existence of disease amongst pigs, it shall be lawful for the 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.

Relating to Dogs.

Conditions of importation.

81. (i.) No dog shall be brought into the State except under a written permit signed by His Highness the Sultan, or by an Officer authorised in that behalf by His Highness the Sultan, and subject to such special conditions as may be set

out in such permit; and no such permit shall take effect unless there be produced to the Health Officer—

(*a*) a certificate from a Veterinary Surgeon that for six months prior to the dog's shipment no case of rabies occurred in the country where the dog was kept; and

(*b*) a certificate, of a date not more than seven days prior to the production of the certificate to the Health Officer, from a Veterinary Surgeon that the dog is free from disease of an infectious or contagious nature.

Provided always that no permit or certificate shall be required in the case of a dog which has been embarked or entrained at any place without the State for the purpose of being conveyed over the Johore State Railway to some other place without the State so long as such dog, in due course of transit, remains in the custody and control of the Railway Administration.

(ii.) It shall be lawful for the Health Officer to seize any dog which has been brought into the State in contravention of subsection (i.) hereof and to detain the same in quarantine, at the expense and risk of its owner, in such place and for such period, not exceeding six months, as the Health Officer may deem fit. The owner of such dog may be required to deposit in the Treasury a sufficient sum of money to cover the expenses of quarantine.

(iii.) A dog in respect of which such deposit has not been made, or which is not claimed within ten days after the period of quarantine has expired, may be sold or destroyed, provided that due notice, by advertisement or otherwise, has been given to the owner.

Ports and places for importation.

82. It shall be lawful for His Highness the Sultan by notification in the *Gazette* to prescribe ports or places by which alone dogs may be imported into the State, and no person shall import any dog into the State in contravention of any such notification.

Destruction of diseased dog.

83. If any dog is found to be diseased, the Health Officer may cause it, if he deem it necessary, to be destroyed at once.

Penalties.

84. Every person who shall commit any breach of the provisions of rules 81 or 82 shall, on conviction, be liable to a fine not exceeding one hundred dollars.

Rabies within the State.

85. (i.) Whenever it appears to His Highness the Sultan, after such inquiry as he shall deem necessary, that rabies exists in any part of the State, it shall be lawful for His Highness the Sultan to issue an order that all dogs out of doors within the State or within such part thereof as shall be specified in

the order (hereinafter called "the specified area") shall be muzzled or tied up or led on a chain, and thereupon the following consequences shall ensue:—

(*a*) Every dog kept in or found within the specified area shall, when out of doors, wear a muzzle of a pattern to be approved by His Highness the Sultan or be tied up or be led on a chain;

(*b*) Every owner of a dog who suffers his dog to be out of doors within the specified area neither wearing such a muzzle as aforesaid nor being tied up nor being led on a chain, shall be liable to a fine not exceeding one hundred dollars;

(*c*) Every dog found out of doors within the specified area neither wearing such muzzle as aforesaid nor being tied up nor being led on a chain may be destroyed by any person whomsoever, and any officer generally authorised in that behalf by the Commissioner of Police may enter into and upon any premises not being a private dwelling-house for the purpose of enforcing and carrying into effect this rule.

(ii.) Every order made under this rule shall be published in the *Gazette*, but shall come into operation and may be enforced immediately after the making of the order.

86. (i.) Whenever an order has been made by His Highness the Sultan under rule 85 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 State Secretary, 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 State Secretary."

Rabies outside the State.

87. (i.) Whenever information is received that rabies exists amongst dogs at any place within or without the State it shall be lawful for His Highness the Sultan to issue an order prohibiting, either absolutely or conditionally, the importation or exportation of any dogs from or to such place.

(ii.) Every order made under this rule shall be published in the *Gazette*, but shall come into operation and may be enforced immediately upon the making of the order; and every person acting in contravention of such order shall be liable, on conviction before a Magistrate, to a fine not exceeding two hundred and fifty dollars, and all dogs dealt with in contravention of such order shall be liable to be forfeited or destroyed.

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State of Johore.

ENACTMENT No. 2 OF 1914.

An Enactment to make compulsory the practice of Vaccination.

IBRAHIM,
Sultan.

[*28th February, 1914.*]

It is hereby enacted by His Highness the Sultan in Council as follows:—

Short title and commencement.

1. This Enactment may be cited as "The Vaccination Enactment, 1914," and shall come into force upon the publication thereof in the *Gazette*.

Interpretation.

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

"Medical practitioner" means any person holding a medical qualification registrable in the Colony of the Straits Settlements, and includes any person to whom a licence to vaccinate may be granted by the Principal Medical Officer.

"Parent" means, in the case of an illegitimate child, the mother, and includes, in the case of a legitimate child, the father and the mother.

Appointment of Officers.

3. It shall be lawful for His Highness the Sultan to appoint an Officer to be styled the Superintendent of Vaccination, hereinafter called "the Superintendent," and to appoint such Deputy Superintendents of Vaccination, hereinafter called "Deputy Superintendents," and public vaccinators as may be necessary for carrying into effect the provisions of this Enactment.

Supply of virus.

4. It shall be the duty of the Superintendent and the Deputy Superintendents to take measures for the regular supply of vaccine virus for use throughout the State and to superintend the distribution of the same.

Parents to cause children to be vaccinated.

5. The parent of every child now in the State which may be of the age of seven years or under, not being already vaccinated, shall within three months of the coming into operation of this Enactment, and the parent of every child which may hereafter be brought to the State being of the age of seven years or under, not being already

vaccinated, shall within three months after its arrival in the State, and the parent of every child born in the State shall within three 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 three months after receiving the custody of such child, take it, or cause it to be taken, to the public vaccinator of the vaccination district in which it shall be then resident according to the provisions of this Enactment, and the public vaccinator to whom such child shall be so brought is hereby required, with all reasonable despatch, subject to the condition hereinafter mentioned, to vaccinate such child.

Inspection after vaccination.

6. Upon the same day in the following week when the operation shall have been performed by the public vaccinator, such parent or other person, as the case may be, shall again take the child or cause it to be taken to such place as may be directed by the public vaccinator, there to be inspected by the Deputy Superintendent or public vaccinator 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.

7. (i) If any Deputy Superintendent or public vaccinator shall be of opinion that any child is physically not in a fit state to be successfully vaccinated he shall forthwith deliver to the parent, or other person having the custody of such child, a certificate of postponement under his hand in the form contained in Schedule A hereto. Provided that no such certificate shall be granted for a longer period than two calendar months.

Procedure thereafter.

(ii) At or before the end of the period of postponement set out in such certificate the parent or such person as aforesaid, shall take or cause the child to be taken to a Deputy Superintendent or public vaccinator who shall declare the child fit for vaccination or shall grant a further certificate of postponement, as the circumstances may require.

Certificate of insusceptibility of vaccination.

8. If any Deputy Superintendent or public vaccinator 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 in the form contained in Schedule B hereto 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.

Certificat vaccinati to be sen Registrar

9. Every Deputy Superintendent or public vaccinator 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 in the form contained in Schedule C hereto 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 Registrar of Births and Deaths shall, within seven days after the registration with him of the birth of any child, give a notice in the form contained in Schedule D hereto 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. Provided that no neglect or omission to give such notice shall operate to relieve any person of any liability under this Enactment.

Book of notices t vaccinate

11. Every 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 State Secretary, 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.

Private vaccinati

12. It shall be lawful for any parent or other person to take any child to be vaccinated by a medical practitioner instead of a public vaccinator, and if any medical practitioner shall undertake such vaccination he shall be liable to perform all the duties in connection with such vaccination as are required by this Enactment to be performed by the Deputy Superintendent or public vaccinator, and shall further be vested with the powers and authority conferred by this Enactment on such Deputy Superintendent or public vaccinator in respect to such vaccination performed by him; and the parent or person taking any child to a medical practitioner for vaccination shall be subject to the rules provided by this Enactment and manner of such vaccination, subsequent inspection and certificates.

Penalty f not vacci nating.

13. 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 fine not exceeding ten dollars, and the Magistrate may make an order 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 fine not exceeding fifty dollars.

Inoculation.

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 such child or person, shall be guilty of an offence, and shall be liable, upon conviction before a Magistrate to a fine not exceeding five hundred dollars or to imprisonment of either description for a term which may amount to six months, or to both.

Sanction to prosecute.

15. No prosecution for any offence punishable under this Enactment shall be instituted except upon the written sanction of the Superintendent or of a Deputy Superintendent first obtained.

SCHEDULE A.

I, the undersigned, hereby certify that I am of opinion that the child of of in the district of , aged is not now in a fit and proper state to be successfully vaccinated, and I do hereby postpone the vaccination until the day of 191 .

Dated this day of 191 .

(Signed) A. B.,

Deputy Superintendent of Vaccination or Public Vaccinator.

SCHEDULE B.

I, the undersigned, hereby certify that I have times unsuccessfully vaccinated the child of of in the district of , 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 191 .

(Signed) A. B.,

Deputy Superintendent of Vaccination or Public Vaccinator.

SCHEDULE C.

I, the undersigned, hereby certify that
the child of aged of
in the district of , has been successfu
vaccinated by me.

Dated this day of 191 .

(Signed) A. B.,

Deputy Superintendent of Vaccination

or Public Vaccinator

SCHEDULE D.

I, the undersigned, hereby give you notice to have the child (insert na
if any), whose birth is now registered, vaccinated within three months from
date of its birth pursuant to the provisions and directions of the Vaccinat
Enactment, 1914, and that in default of your doing so you will be liable t
penalty of ten dollars.

Dated this day of 191 .

(Signed) C. D.,

Registrar of Births & Deaths.

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State of Johore.

ENACTMENT NO. 2 OF 1925.

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An Enactment to amend the law providing for the destruction of Mosquitos.

IBRAHIM,

Sultan. [10*th February*, 1925.]

It is hereby enacted by the Council of State with the approval of His Highness the Sultan as follows:—

Short title, commencement and repeal.

1. (i) This Enactment may be cited as "The Anti-Malaria Enactment, 1925," and shall apply to all property of every description including that belonging to or vested in or maintained by the State or by any Government Department or Railway.

(ii) This Enactment shall come into force upon the publication thereof in the *Gazette*.

(iii) Upon the coming into force of this Enactment the Enactment mentioned in the Schedule shall be repealed.

(iv) All notifications declarations and appointments made under the 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 be deemed to have been made under this Enactment.

Interpretation.

2. In this Enactment unless there is something repugnant in the subject or context:

"The Board" means the Anti-Malaria Board appointed under the provisions of section 3 of this Enactment;

"Health Officer" means Health Officer appointed under this Enactment;

"House" includes dwelling-house warehouse office shop school and any other building in which persons are employed;

"Mosquito" means the insect and includes its eggs *larvae* and *pupae*;

"Owner" includes the person for the time being receiving the rent of any premises whether on his own account or as agent or trustee or as receiver or who would receive the same if such land or house were let to a tenant and shall include the State;

"Occupier" means the person in occupation of any premises or having the charge management or control thereof either on his own account or as agent of another person but shall not include a lodger;

"Premises" include messuages building lands easements and hereditaments of any tenure whether open or closed whether built on or not whether public or private and whether maintained or not under statutory authority;

"Commissioners of Appeal" means

the Legal Adviser,

the Commissioner of Lands and Mines, and

one non-official resident in Johore appointed by His Highness the Sultan in Council.

Application.

3. (i) His Highness the Sultan in Council may from time to time declare any area within the State to be subject to this Enactment, and may also declare the whole State to be so subject.

Appointment of Board and Officers.

(ii) His Highness the Sultan in Council may from time to time by notification in the *Gazette* appoint fit and proper persons to be members of an Anti-Malaria Board to exercise control within the places declared under subsection (i) over all matters in respect of which power is given to them and may appoint any member to be Chairman thereof.

(iii) His Highness the Sultan in Council may also appoint Engineers, Health Officers, Secretaries, Inspectors and such other Officers as may be necessary for the purposes of this Enactment and the appointment of every such Engineer, Health Officer, Secretary and Inspector shall be notified in the *Gazette*.

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

Entry and inspection by Board or authorized person.

4. (i) The Board or any person authorized by it either generally or specially in that behalf in writing may between the hours of six in the morning and six in the evening with or without assistants enter and examine any premises in order to ascertain whether they or any

thing thereon are in a condition favourable to the propagation or harbouring of mosquitos; provided that no person shall unless with the consent of the occupier thereof enter any house under this section without twelve hours previous notice being given to the occupier (if any) thereof.

(ii) Subject to such notice as aforesaid the owner and the occupier of any premises shall permit the Board or any person so authorized by it as aforesaid with or without assistants to have access thereto and to any part thereof for the purpose of sub-section (i) and shall supply all such information as the Board may require and as may be reasonably necessary for that purpose.

(iii) Any entry or inspection under this section may be performed by one member of the Board or by any greater number of the members, and shall in such case be deemed to be performed by the Board.

General power of Board to order action.

5. (i) The Board if as a result of any such examination it appears to it that any premises or anything thereon are favourable to the propagation or harbouring of mosquitos may by order in writing addressed to the owner or occupier of such premises direct him within a specified time to take such specified measures with regard to the premises or for the treatment destruction or removal of anything thereon as may bring them into a condition not favourable to the propagation or harbouring of mosquitos.

(ii) In particular and without prejudice to the generality of the powers aforesaid the Board may in such order direct the owner or occupier to drain any land or fill up inequalities in the surface thereof so as to keep the land permanently free from standing water to the extent required by the order.

Power of Board to order covering of tanks, etc.

6. (i) The Board may by order in writing direct the occupier of any premises so to cover within a specified time and keep continuously covered any specified vessel or receptacle including any well tank or cistern on or appertaining to the premises that mosquitos shall be unable to enter such vessel or receptacle.

(ii) Where any premises are unoccupied such order may be addressed to the owner thereof as if he were the occupier.

Power of Board.

7. The Board or any person authorized by it either generally or specially in that behalf in writing may also with the consent of the occupier take such measures as are reasonably necessary—

(*a*) to destroy mosquitos wherever found;

(*b*) to collect and remove empty tins cans bottles or other receptacles in which mosquitos may breed;

(*c*) to cut down and remove any grass bamboo stumps fern or undergrowth in which mosquitos are likely to breed or be harboured;

(*d*) to bring any water or swamp into a condition not favourable to the propagation or harbouring of mosquitos;

(*e*) to fill with concrete or otherwise treat holes or hollows in trees which hold or are likely to hold water.

Opening of Ravine Areas.

8. No ravine area shall be opened up or denuded of its growth without the previous sanction in writing of the Board.

Enforcement of order.

9. (i) If the owner or occupier of any premises on whom an order under the provisions of section 5 or section 6 has been served fails to comply with the terms thereof the Board or any person authorized by it either generally or specially in that behalf in writing may enter upon or into the said premises with such assistants and things as may be necessary and may perform and do thereon or therein all acts and things required by the said order to be performed or done and the cost thereof shall be recoverable from the owner or occupier by the Board.

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

(iii) Nothing in this section contained shall affect any liability of any person to prosecution and punishment under section 10.

Penalty for default.

10. If any owner or occupier of any premises on whom an order under the provisions of section 5 or section 6 has been served neglects to comply with the terms thereof he shall be guilty of an offence and for each such offence shall be liable on conviction by the Court of a Magistrate to a fine not exceeding five hundred dollars or to imprisonment of either description for a term which may extend to six months; provided that no person shall be punishable under this section for neglect to comply with any order in respect whereof he has appealed as hereinafter provided unless such order has been confirmed on appeal.

Appeal.

11. (i) An owner or occupier of any premises who is of opinion that any order affecting them or anything proposed to be done thereon is unreasonable or unnecessary may within thirty days from the date of service of the order upon him appeal personally or in writing to the Commissioners of Appeal whereupon the execution of the order or the doing of the thing required to be done shall be stayed.

(ii) The Commissioners of Appeal may confirm vary or rescind the order or direct that the thing be proceeded with varied or abandoned as the case may be or make any order which the Board is competent to make under this Enactment and the decision of the Commissioners shall be final.

(iii) At the hearing of any appeal the owner occupier or the Board as the case may be shall be entitled to be represented by an Advocate and Solicitor.

Persons unable to meet necessary expenditure.

12. (i) If it appears to the Board after due inquiry that any person has not the means to meet the necessary expenses of doing anything required to be done by him under this Enactment such necessary expenses may be met from State funds.

(ii) Any person dissatisfied with a decision of the Board made under this section may within thirty days from the date of such decision appeal to the Commissioners of Appeal.

No compensation.

13. No person shall be entitled to compensation for any expense incurred or damage occasioned by any order given or act done in pursuance of the provisions of this Enactment or any rule made thereunder unless such damage has been occasioned maliciously or without reasonable cause.

Service of orders.

14. (i) When any order is required by this Enactment to be served on the owner or occupier of any premises such order addressed to the owner or occupier may be served in manner following:—

(*a*) if the owner or occupier is within the State the order may be delivered to him or left with some adult member of his family other than a servant residing with him;

(*b*) if the order cannot be served in the manner described in paragraph (*a*) or if the owner or occupier is not resident within the State it may be sent by registered post addressed to him at his residence in any part of the Colony or in the Federated Malay States;

(*c*) if the order cannot be served in the manner described in paragraph (*a*) or paragraph (*b*) or if there be no known owner or occupier of the premises the order may be posted on some conspicuous place thereon.

(ii) It shall not be necessary in any such order to name the owner or occupier if the premises to which the order relates are therein specified.

Penalty for obstructing Board.

15. Any person who obstructs the Board or any person authorized by it or any person engaged in carrying out the provisions of this Enactment in any act authorized by this Enactment shall be guilty of an offence and for each such offence shall be liable on conviction by the Court of a Magistrate to a fine not exceeding two hundred dollars or to imprisonment of either description for a term which may extend to three months.

Penalty for injuring works, etc., executed, etc., by Board.

16. Any person who without the consent of the Board interferes with injures destroys or renders useless any works executed or any materials or things placed in under or upon any premises by or under the orders of the Board shall be guilty of an offence and for each such offence shall be liable on conviction by the Court of a Magistrate to a fine not exceeding five hundred dollars and the Board may in addition recover from such person in the same manner as if it were a fine imposed by the Court of a Magistrate such costs and expenses as it may incur in re-executing the works or replacing the materials or things so interfered with injured destroyed or rendered useless.

Powers of Health Officer.

17. Any act or order authorized by this Enactment to be done or made by the Board may be done or made by a Health Officer acting under the general control and direction of the Board.

Provisoes.

Provided that—

(i) no order which involves the expenditure of State funds shall be made except by the Board;

(ii) the owner or occupier of any premises who is dissatisfied with any order made by a Health Officer may require the Health Officer to refer such order to the Board for confirmation, and the Health Officer shall be bound to so refer it. The order, if confirmed by the Board, shall be subject to appeal in the manner hereinbefore provided.

Orders to be signed by Chairman or Health Officer.

18. (i) Any order made or authority given by the Board under this Enactment may be signed by the Chairman acting in the name and with the authority of the Board.

Provided that any order made by a Health Officer acting under the powers conferred on him by section 17 shall be signed by the said Health Officer.

(ii) Any proceedings authorized by this Enactment to be taken by the Board may be instituted by a Health Officer or by any member of the Board acting in the name of and with the authority of the Board.

Members and servants of Board to be Public Servants.

19. Members of the Board doing any act or thing under the provisions of this Enactment and all servants of the Board shall be deemed to be public servants within the meaning of the Penal Code.

Rules.

20. (i) His Highness the Sultan in Council may make Rules for giving effect to the provisions of this Enactment.

(ii) In particular and without prejudice to the generality of the foregoing powers, His Highness the Sultan in Council may prescribe the powers to be exercised and the duties to be performed by the Board in addition to any powers imposed and duties conferred upon the Board by the Enactment.

(iii) Any Rules made by His Highness the Sultan in Council under this section shall be published in the *Gazette* and shall be laid before the Council of State and shall not come into force until approved by a resolution of that Council.

(iv) In approving any Rules the Council of State may make such alterations therein as it may think fit.

(v) Any Rule made by His Highness the Sultan in Council under this section shall have the same force and effect as if enacted in this Enactment.

(vi) Any person contravening the provisions of any Rule made and published under this section shall be guilty of an offence and for each such offence shall be liable on conviction by the Court of a Magistrate to a fine not exceeding five hundred dollars.

SCHEDULE.

ENACTMENT REPEALED.

No. and Year.	Short Title.
15 of 1920.	The Anti-Malaria Enactment, 1920.

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