King's Regulation

To Regulate the Recruiting and Employment of Native Labourers Within the British Solomon Islands Protectorate.

Made by His Britannic Majesty's Acting High Commissioner for the Western Pacific under and by the authority of His Majesty's Commission.

In the name of His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

Preliminary.

1. This Regulation may be cited for all purposes as the Solomons Short title. (Labour) Regulation, 1910.
2. The Solomons (Labour) Regulation, 1897, and the Solomons (Labour) Regulation, 1903, are hereby revoked.
3.—(1) In this Regulation—
   Interpretation—
   "Protectorate" means and includes the islands of the British Solomon Islands Protectorate and the waters of the said islands for three miles seaward from low-water mark of any part thereof;
   "Resident Commissioner" means the Resident Commissioner in the Protectorate and includes the High Commissioner for the Western Pacific;
   "magistrate" means any officer appointed to be a magistrate in the Protectorate and includes all Deputy Commissioners for the Western Pacific in the Protectorate;
   "inspector of labour" means an inspector of labourers under this Regulation and includes the Resident Commissioner, all
Deputy Commissioners for the Western Pacific, and any officer appointed by the High Commissioner or the Resident Commissioner to be an inspector of labourers;

"labourer" means a native employed on board a vessel, or on land, or as one of the crew of a vessel;

"return-passage home" means a passage to such part of the coast as, having regard to all circumstances and particularly to the safety of a native, shall be the most convenient place for the native's disembarkation in order to reach either the place where he was residing when engaged, or the place to which he may desire, with the permission of an inspector, to return;

"employer" means the proprietor of, or other person having the chief authority on, a plantation, or the master or owner of a vessel, on which, or by whom, a labourer shall be employed or engaged;

"plantation" means and includes any place where a labourer is employed;

"time-work" means any work the pay for which is computed by the time occupied therein irrespective of the amount of work performed;

"medical officer" means a medical officer approved by the Resident Commissioner;

"authorised holidays" means Sundays, Christmas Day, Good Friday, and New Year's Day;

"contract" means a contract of service.

(2) References in this Regulation to forms are made, except where otherwise specified, to the forms given in the schedule hereto.

PART I.

RECRUITING FOR EMPLOYMENT BEYOND THE LIMITS OF THE PROTECTORATE.

4.—(1) Subject to the provisions of this Regulation it shall be lawful to recruit natives for any place within the jurisdiction of the legislature of any British possession, if a license for the purpose has been duly granted by the Government of that British possession.

(2) Natives may be recruited for a place not within the legislature of a British possession if the right to do so has been acquired by the Government of that place by treaty with His Britannic Majesty's Government, and if a license to do so has been obtained from the High Commissioner, or from any person authorised by the High Commissioner to issue the license.

(3) The license shall state the name of the vessel in which the native labourers are to be carried, the name of the master, the number that may be recruited, and the conditions regarding accommodation, water, and medical appliances to be kept on board.

(4) The license must be accompanied by a form of contract, approved and certified by the High Commissioner, or by a person authorised by him for that purpose.

(5) Any failure to comply with the conditions of the license, or the making of any agreement not in accordance with the terms of the form of agreement above provided for shall be deemed to be a breach of this Regulation.

5. The master or person in charge of every vessel intending to recruit shall report himself at the seat of government at Tulagi, and recruiting shall not commence until a certificate has been received from an inspector of labour that that report has been made.
6. The Resident Commissioner may, if he think fit, appoint an agent to remain on board any recruiting vessel during the time the vessel is engaged in recruiting within the Protectorate, who shall, at the expense of the owner or master of the ship, be berthed and boarded on the ship and receive such remuneration as the Resident Commissioner may order.

7. The Resident Commissioner may order recruiting vessels to take their final departure from the Protectorate from an island or anchorage to be named by him.

8. The provisions of sections five, six, and seventy-seven of this Regulation shall apply to vessels visiting the Protectorate for the purpose of returning labourers whose terms of engagement have expired. Those vessels shall call first at the government station at Tulagi and report to the Resident Commissioner, and shall carry out the landing of the returning labourers in accordance with his instructions or those of the agent appointed by him under this Regulation.

9. The provisions of this Part of this Regulation shall cease to have effect after the thirty-first day of December, nineteen hundred and eleven, and no native shall in the interval between the coming into operation of this Regulation and the said thirty-first day of December, nineteen hundred and eleven, be recruited to serve for any term extending beyond that date.

PART II.
RECRUITING FOR EMPLOYMENT ON VESSELS TRADING WITHIN THE PROTECTORATE.

10.—(1) Subject to the provisions of this Regulation, it shall be lawful to recruit natives to serve as members of the crew on board vessels trading within the Protectorate.

(2) Every employer shall obtain from the Resident Commissioner, or other officer appointed by him to issue the same, a license to carry natives as crew, wherein shall be stated the number that may be carried.

(3) No native so carried shall be taken beyond the limits of the Protectorate except with the written permission of the Resident Commissioner.

(4) The name of every native so carried, the place where he was embarked and where he is to be discharged, the length of his engagement, the terms of his payment, and all personal marks leading to his identification, shall be recorded on the articles or in the log of the vessel.

11.—(1) The High Commissioner, or the Resident Commissioner (if holding a commission as a Deputy Commissioner), may issue a license in the case of a British vessel under the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign vessel according to form 1, to carry labourers in that vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the vessel within the Protectorate.

(2) Before the license is issued, a bond, in the case of a British vessel in the form given in Schedule (A.) to the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign vessel according to form 2, shall be entered into by the employer of the labourers aforesaid with one or more sureties.

(3) The provisions of subsections (2) and (3) of the last preceding section shall apply to natives employed on board a vessel under the provisions of this section.
PART III.

RECRUITING FOR EMPLOYMENT ON LAND WITHIN THE PROTECTORATE AND FOR RETURN OF NATIVE LABOURERS TO THEIR HOMES.

RECRUITING VESSELS.

12.—(1) The master of every vessel carrying natives for employment on land within the Protectorate shall obtain a license to do so, as next hereinafter set forth.

(2) The High Commissioner, or the Resident Commissioner (if holding a commission as a Deputy Commissioner for the Western Pacific), may issue a license, in the case of a British ship under the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign ship according to form 3, for the carriage of natives for employment on land or on returning to their homes within the Protectorate.

(3) Before the license is issued, a bond, in the case of a British vessel in the form given in Schedule (A.) to the Pacific Islanders Protection Acts, 1872 and 1875, and in the case of a foreign vessel according to form 4, shall be entered into by the master of the vessel with one or more sureties.

(4) The name of every native so carried, the place where he was embarked, the length of this engagement, the terms of his payment, the name of his employer, the place where he is to be employed, or (if he is returning home) where he has been employed, the nature of his employment, and all personal marks leading to his identification, shall be recorded in the log of the vessel.

RECRUITING AND ENGAGEMENT.

13. Contracts for the hiring and service of a labourer in respect of any plantation within a distance of twenty miles from his home for any period not exceeding one month shall not be subject to the provisions of this Regulation.

Provided nevertheless that, if the wages of any native labourer under a monthly contract shall be in arrears, he shall be deemed to have been employed under a contract of service for a period exceeding one month. For the purpose of this proviso the wages of any labourer shall be held to accrue from day to day.

14. No native under the age of fourteen years, and no female shall be engaged under the provisions of this Regulation.

Provided that a married man engaged under the provisions of this Regulation may be accompanied by his wife and family (if any) and, if the employer of the husband shall provide suitable house accommodation for the wife and family to the satisfaction of the Resident Commissioner or his deputy, a married woman so desiring may be employed in work from day to day but not in work under contract.

15.—(1) If any person desire to obtain for himself the services of any labourer for a period exceeding one month he shall apply personally or by letter to the Resident Commissioner, stating the number of labourers he requires, the name and situation of the plantation on which they are to serve, the time for which he requires them, the nature of the work to be performed, and the wages he offers, and the Resident Commissioner may thereupon grant him a permit or permits in form 5 to engage the number of labourers applied for, or any less number, and who may be free to enter into an engagement with him.

(2) The Resident Commissioner before issuing a permit shall when he deems it necessary, require security for the payment of the wages of the labourers about to be engaged.
(3) The Resident Commissioner may, for reasonable cause, either refuse to grant a permit or cancel any permit already granted.

(4) Any person to whom a permit has been duly granted shall, while it remains in force, be entitled to engage, either personally or by an overseer in his regular service, or through a licensed agent, or through any other person duly approved in writing by the Resident Commissioner, the services of any native for a period not exceeding two years. The total number engaged under the permit shall not exceed the number specified therein.

16.-(1) The Resident Commissioner may issue licenses, in form 6, to such persons as he may deem proper to act as agents for the hiring and engagement of labourers under the provisions of this Regulation.

(2) A license may be for any period not exceeding one year from the date thereof which the Resident Commissioner may determine, and may be by him suspended or cancelled for any evasion or breach of this Regulation by the holder thereof, or for any impropriety by the holder in connection with the business in respect of which the license has been issued.

17. (1) Every contract for the service of a native for a period exceeding one month shall be according to form 7 and shall be in duplicate. It shall be entered into in the presence of a magistrate who shall satisfy himself that the intending labourer understands its nature and terms, whereupon he shall ratify the contract.

(2) If, in the opinion of the magistrate, the terms of the contract are manifestly unfair to the intended labourer, he shall refuse to ratify the contract and shall forthwith report the reason of his refusal to the Resident Commissioner who may, if he thinks proper, direct that the contract be ratified by the magistrate.

(3) The duplicate contract shall be transmitted to the Resident Commissioner for registration and for filing in his office.

(4) Form 7 may be adapted to meet the engagement of labourers for any period not exceeding two years at a fixed rate of wage payable at the end of that period. Except in respect of the period of payment, these contracts shall be subject to the provisions of this Regulation.

18. Any native who may be pronounced by the magistrate as ineligible for employment shall, if he so desires, be returned to the place at which he was recruited at the expense of his intended employer.

19.—(1) Every employer, or regular overseer of an employer, or licensed agent shall, on taking natives before a magistrate for engagement, produce to the magistrate his permit to recruit labourers and also, in the case of a licensed agent, the employer's letter of agency included in form 5. It shall be the duty of the employer, his overseer, or his licensed agent to hand to the magistrate the proposed contract of service properly prepared.

(2) The magistrate shall make entry on the back of the permit or license of the number of labourers engaged under it, and when the full number expressed in the permit or license has been engaged it shall be returned by the owner to the Resident Commissioner.

20.—(1) The Resident Commissioner may, by order in writing, for any reason which to him may seem good, prohibit, either for a specified time or until further notice, the recruiting of natives for employment as labourers at any place or within any area which he may name.
(2) The prohibition shall be reported forthwith to the High Commissioner who may approve, vary, or rescind the same, and the High Commissioner, if he shall approve the prohibition, shall take such steps as may appear advisable to make the same public.

(3) No person who, except for the provisions of this section, would be lawfully recruiting natives shall be liable to punishment for be lawfully recruiting natives shall be liable to punishment for be lawfully recruiting natives shall be liable to punishment for recruiting at a place at which recruiting is prohibited if he, or the recruiting at a place at which recruiting is prohibited if he, or the recruiting at a place at which recruiting is prohibited if he, or the recruiting at a place at which recruiting is prohibited if he, or the


21.—(1) Every case of death of a labourer engaged under this Regulation shall be immediately reported by his employer to the magistrate of the district within which he had contracted to serve.

(2) The report shall, if possible, be accompanied by a medical certificate of the cause of death and the length of illness previous to death and the magistrate shall forward a certified copy of the report to the Resident Commissioner for purposes of registration.

22. Any person who shall, by fraud, falsehood, intimidation, coercion, or misrepresentation, induce any native to enter into any contract under this Regulation shall be liable, on conviction before any magistrate, to a fine not exceeding fifty pounds or to a term of imprisonment not exceeding six months with or without hard labour at the discretion of the court. The magistrate shall declare the contract to be void and may order the offender to return the native to his home if the native desires to return, or to pay into court such a sum of money as will cover any expenses incurred in his support and return-passage home.

23. Every person who shall engage, or attempt to engage, or be accessory to the engagement of, a native for service under this Regulation except in accordance with the provisions thereof shall be liable to a penalty not exceeding fifty pounds and in default of payment to a term of imprisonment not exceeding six months.

Work and wages.

24.—(1) Every labourer employed at time-work shall, except when prevented by bad weather, authorised holidays, or by other reasonable cause, work from six o'clock to eleven o'clock in the forenoon and from one o'clock to five o'clock in the afternoon of each of five consecutive days in every week commencing with the Monday, and from six a.m. to eleven a.m. on the Saturday of each week. The calculation of hours of work shall always exclude the time allowed for meals.

(2) No labourer shall, except in case of great emergency, be required to work during more than fifty hours of time-work in any one week, without his consent, and in no case without extra pay. Extra pay shall be of a rate not less than one penny per hour, and shall be paid within the week in which the extra work is performed.

(3) Any employer who shall, against the will of a labourer, require or enforce the performance of any work beyond that provided for in this section shall, on conviction thereof, be liable to a fine not exceeding five pounds and, in default of payment, to a term of imprisonment not exceeding one month and, if extra work has been required to be performed, may also be ordered to pay to the labourer performing it the amount which, in the opinion of the magistrate, may be due in respect thereof.
25. Every employer shall, at the end of each month, render to the Resident Commissioner, on a form to be prescribed by him, a return showing the number of hours of extra work, as defined in the preceding section, which has been performed by each of his labourers during the month and the amount of extra pay given in respect thereof.

26. Any labourer who shall, by reason of any neglect or improper use of any horse, cattle, or other live stock belonging to his employer, cause the animal to be maimed, or wounded, or ill-used, shall on conviction be liable to a fine not exceeding one pound or to a term of imprisonment with hard labour not exceeding two months.

27.—(1) Every employer shall supply to each labourer all tools necessary for the performance of any work assigned to him and shall, when necessary, renew the tools or cause them to be repaired without charge to the labourer.

(2) Any labourer who shall, through negligence, or careless or other improper conduct, cause damage to, or loss of, any tools or other property of his employer, shall be liable to a penalty not exceeding two pounds. The whole, or any part, of the fine paid under the provisions of this section may, at the discretion of the convicting magistrate, be paid to the employer as compensation.

28. Any labourer who shall, against the orders of a manager or overseer of a plantation, carry or use fire so as to endanger the property of his employer in any part of the plantation other than the lines or dwelling-house of the labourer, shall be liable upon conviction to a fine not exceeding five pounds or to imprisonment for any term not exceeding six months.

29.—(1) In the case of a fire on a plantation, or in the neighbourhood thereof, the owner, manager, overseer, or other person in authority on the plantation, may call out the whole of the labourers thereon, and may enter with them upon any land where the fire may be, or to which it is reasonably believed the fire may spread, and may do all things reasonably necessary for the purpose of preventing or extinguishing the fire.

(2) Any labourer so called out who shall, without reasonable cause, refuse or neglect to assist in extinguishing the fire shall on conviction be liable to a penalty not exceeding five pounds or to imprisonment for any term not exceeding six months.

30. When a labourer shall be convicted, or have an order made against him by a magistrate, or be imprisoned for any offence against the provisions of this Regulation the magistrate may, when the labourer is engaged at a fixed rate of wages payable at the end of the contract, make an order for deduction of wages at the rate of sixpence for every day during which his services are lost to his employer by reason of his offence, the proceedings against him in respect thereof, and his sentence.

31. If an employer shall assault or otherwise ill-use a labourer, or neglect to supply him with the articles of accommodation stipulated for in the contract, or shall supply an inferior quality of those articles, the employer shall be liable on conviction to a penalty not exceeding twenty pounds or to imprisonment for any term not exceeding six months.

32. Any labourer who shall assault, or address any threatening language to, his employer, or to any person in authority over him on the plantation on which he shall be, shall be liable to a penalty not
exceeding two pounds or to a term of imprisonment not exceeding two months.

33. The employer of any indentured or re-indentured adult labourer shall pay wages to the labourer at the rate of not less than six pounds per annum according to the nature of the agreement with the labourer when indentured or re-indentured.

34.—(1) The balance of wages due to labourers shall be paid to them by their employer, or his authorised agent, immediately upon the termination of the contract, in the presence of the magistrate of the district in which the labourers were employed. The magistrate shall indorse on the contract that the labourers have been duly paid in his presence and shall forward the contract so indorsed to the Resident Commissioner.

(2) In the absence of the magistrate aforesaid from his district payments may be made before any other magistrate, who shall indorse on the contract that the labourers have been duly paid in his presence. When so indorsed the contract shall be transmitted to the magistrate of the district in which the labourers were employed.

(3) The wages due on account of any labourer who may have died during the term of his engagement, and the wages due to any labourer who for any cause may not have returned to his district, shall be paid to the Resident Commissioner who shall dispose of the same for the benefit of the relatives of the deceased labourer, if they can be ascertained, or in such other manner as the case may be as to the Resident Commissioner may seem just.

(4) In the absence of the magistrate from any district it shall be lawful for the Resident Commissioner to appoint any other magistrate for the purposes of this section.

35. Wages due to a labourer may be sued for, either by the labourer, or by any person appointed by the Resident Commissioner for that purpose, before the magistrate of the district to which the labourer belongs or of the district in which the wages have been earned, or before the Resident Commissioner.

36.—(1) All moneys due by any employer in respect of a labourer under contract under this Regulation for wages, maintenance, or treatment in hospital, or otherwise howsoever, and all interest thereon which may accrue, shall be a preferential charge on the plantation of the employer to whom that employer has been under contract, and shall rank over and above all encumbrances, charges, and liens, other than a legal mortgage or encumbrance duly executed and registered prior to the day on which the preferential charge shall have first accrued.

(2) The preferential charge aforesaid shall subsist, notwithstanding any transfer or devolution of the plantation, until the moneys aforesaid have been actually paid, and the taking of any other security for those moneys or any part thereof shall not affect the preferential charge.

(3) When, at the time of signing a contract, the plantation on which a labourer is to be employed is held under lease by the employer, the preferential charge shall not attach to the freehold of the plantation unless the person or persons having the reversionary interest therein consent in writing to the employment of the labourer thereon, but the preferential charge shall attach to, and take effect over, all the lessee’s estate and interest in that plantation.

(4) All moneys constituting a preferential charge shall bear interest from the day upon which the same became due and payable.
at the rate of eight pounds per centum per annum, and the amount of
every judgment for, together with the costs of, recovery of the same
shall bear interest at the said rate from the day of the date of the
judgment.

Dwellings.

37.—(1) The employer of every labourer shall assign to him
a suitable dwelling upon the plantation at which he is under contract
to serve, and shall at all times keep the dwelling in sufficient repair,
and shall keep the yards and grounds for a sufficient space round
about the dwelling well drained and free from brushwood, weeds,
rubbish, and refuse of every description. A separate dwelling shall
be provided for each married couple.

(2) No dwelling which, in the opinion of the Resident Commis­
sioner, magistrate, medical officer, or inspector, is unfit for habitation
shall be assigned to any labourer.

(3) No greater number of labourers, or of labourers and other
persons together, shall be assigned to any dwelling or separate apart­
ment than at the rate of one adult to every six hundred cubic feet
of air space.

38. Every labourer who shall keep his dwelling in such a state as
to be a nuisance, or to be injurious to health, or who shall refuse or
neglect, within a reasonable time after being required by the employer
to do so, to remove any nuisance which may have accumulated, or
may have been placed, in the immediate neighbourhood of his dwel­
ling, or who shall commit any nuisance within sixty yards of any
fresh-water or non-tidal river or stream, or of any reservoir, dwelling,
or common thoroughfare on any plantation, shall be liable to a penalty
not exceeding ten shillings or a term of imprisonment not exceeding
one month.

39. It shall be the duty of every employer, by himself or by a
European in his employ, to inspect daily the houses of all labourers
under contract upon his plantation and ensure the preservation of
cleanliness and the due care of the sick.

40. Every employer shall provide and maintain, on a site con­
venient to the dwelling-houses of the labourers employed on any
plantation, one suitable latrine for every fifty or less
number of
labourers in his employ, and shall cause the same to be kept in proper
sanitary condition.

Rations.

41.—(1) Every employer shall issue daily in respect of every
labourer such rations as shall be specified in the contract of service of
the labourer, or as may in any particular case be specially approved
by the Resident Commissioner.

(2) Daily rations shall be issued in one issue in full, or in two
issues each of one half-ration for the day of issue, and shall be
properly cooked by the employer.

(3) Every employer who shall, without lawful excuse (the proof
of which shall be upon him), fail to comply with the provisions of
this section shall be liable to a penalty not exceeding ten pounds.

42.—(1) Every employer of five or more labourers shall keep a Ration-book.
ration-book according to form 8. True entries shall be made in the Form 8.
ration-book daily.

(2) The proprietor or manager of a plantation shall, at all reason­
able times upon request of the Resident Commissioner, or of any
person authorised by him, or of a magistrate, medical officer, or inspector, produce the ration-book for examination and inspection, and shall, at any time when requested to do so, forward to the Resident Commissioner a correct copy of any specified entry or entries therein.

43.—(1) Any labourer who shall sell or barter any ration or part of any ration furnished under this Regulation shall be liable to a penalty not exceeding ten shillings.

(2) Any person who shall take from any labourer any ration or part of a ration by way of purchase or barter shall be liable to a penalty not exceeding five pounds and, in default of payment, to a term of imprisonment not exceeding one month.

Hospitals.

44. When the number of labourers on any plantation shall exceed fifty there shall be a building duly certified as sufficient by the Resident Commissioner, or an officer nominated by him, and set apart for the reception of labourers who may require medical aid or treatment. The building so certified is, for the purposes of this Regulation, termed the plantation hospital.

45.—(1) Every labourer who shall require medical care or treatment shall be sent by his employer to the plantation hospital, or to some public or other hospital, for treatment as an in-patient or out-patient as the case may be.

(2) A labourer may be sent to a plantation hospital of a plantation other than that to which he is under contract if the consent of the owner or manager of the other plantation has been first given.

(2) If a labourer so sent, or ordered by his employer to go, to any plantation hospital shall neglect or refuse to go, or, without permission or due discharge therefrom, leave the hospital, he may be taken or returned to the hospital by the employer and may be dealt with in the same manner as if he had been disorderly in hospital.

46. The Resident Commissioner may from time to time appoint the medical officer of the district in which any plantation hospital shall be situated, or, if there be no medical officer therein, such other person as he shall see fit to appoint, to visit the hospital, and may fix the time at which the visits shall take place.

47. On every plantation where there shall be a plantation hospital the employer shall employ at least one competent person as hospital attendant to nurse and attend to the patients in the hospital. The hospital attendant shall reside at or adjacent to the hospital.

48. The person in charge of any plantation on which a plantation hospital is situated shall cause an admission and discharge register according to form 9, or in such other form as may from time to time be prescribed by regulation, to be kept in the hospital and shall enter, or cause to be entered, in the register the name and disease of every labourer admitted into the hospital with the date of his admission and discharge, and the date of the death of every labourer who shall die in the hospital. The register shall be open to inspection.

49. Any employer, required by this Regulation to maintain a plantation hospital, who shall neglect or refuse to keep the register aforesaid or make the proper entries therein, or to keep a competent hospital attendant, or to provide such supply of food, attendance and equipments as may be required by the provisions of any regulation
for the time being in force with regard to the medical care of labourers, or shall hinder or obstruct the Resident Commissioner, medical officer, or inspector, when visiting any plantation hospital, shall be liable to a penalty not exceeding twenty pounds and, in default of payment, to a term of imprisonment not exceeding two months.

50. Any labourer or other person who shall incite or assist a labourer to abscond from hospital, or who shall remove, or assist to remove, a labourer from hospital without the consent of his employer, shall be liable to a penalty not exceeding ten pounds and, in default of payment, to a term of imprisonment not exceeding two months.

51. Any person, whether a patient or not, who shall be guilty of any disorderly conduct in any plantation hospital, or of inciting any patient, whether the patient be a labourer or otherwise, to be disorderly therein, shall be liable to a penalty not exceeding ten shillings and, in default of payment, to a term of imprisonment not exceeding one month. An information for an offence under this section shall be laid within one month after the accused (if a patient) has been discharged from hospital.

52. Any person who shall take, or attempt to take, or cause to be taken, any food or drink to, who shall otherwise communicate with, any labourer while in hospital without the permission of the employer, or hospital attendant, or of the medical officer, shall be liable to a penalty not exceeding five pounds and, in default of payment, to a term of imprisonment not exceeding three months.

Transfer and removal.

53.—(1) The services of a labourer under any contract entered into as hereinbefore provided may, with the consent of the labourer and of his employer, be transferred to any other employer desirous of obtaining the labourer's services.

(2) Every transfer shall be made either before the Resident Commissioner or before the magistrate of the district in which the labourer is serving under contract.

(3) The magistrate, when the transfer is made before him, shall cause a note thereof to be entered on the contract of the labourer and shall forward a note of the same to the Resident Commissioner within one month from the date of the entry.

(4) The transferee shall be subject to all such liability for the payment of wages for the return of the labourer to his district or otherwise as would have attached to the transferor under this Regulation if the transfer had not been made.

(5) Upon a transfer the parties may arrange for the payment by the transferee of such part of the wages and recruiting expenses or, by the transferor of such part of the estimated cost of the return of the labourer to his district, as may be fair, having regard to the period of service remaining at the date of transfer, and the arrangement and the terms thereof shall be stated to the magistrate at the time of the application for transfer.

(6) Save as aforesaid no bonus or other consideration shall be given for a transfer, and any person who shall fail to state the true nature of an arrangement, or who shall give or receive a bonus or other consideration, shall be liable to a penalty not exceeding fifty pounds.

54.—(1) The Resident Commissioner may from time to time permit any labourer to be removed from the plantation on which he

Removal of labourer to another plantation.
is under contract to any other plantation belonging to the same employer, which adjoins or is reasonably near the plantation from which he is removed.

(2) Any employer who shall remove, or permit to be removed, any labourer from the plantation upon which he is under contract to any other plantation without the consent of the Resident Commissioner first obtained, or who, when required, shall neglect to return to the plantation on which he is under contract any labourer removed therefrom, shall be liable to a penalty not exceeding five pounds for each labourer so removed.

55. The Resident Commissioner may, on such terms and subject to such conditions as he may allow, permit an employer as a matter of urgency to work his labourers from day to day on a plantation other than that in respect of which they are under contract.

Provided that, when that permission is given, the work of the labourers shall be supervised by the employer, or by his regular overseers only, and that the employer shall not, in consequence of the permission, be in any way relieved of any of the liabilities otherwise imposed upon him under this Regulation.

Cancellation of contract.

56. When it shall appear to the Resident Commissioner that a labourer, serving under contract as hereinbefore provided, has been ill-used by his employer, or in case of any breach of contract or neglect of duty on the part of an employer, the Resident Commissioner may cancel the contract of that labourer or of any other native labourer who may be serving under contract on the same plantation.

57.—(1) When it shall appear to a magistrate from facts elicited in a court of justice that, owing to the neglect or ill-treatment of any labourers under contract, or for any good cause, it is undesirable that they should remain under contract, it shall be lawful for the magistrate to suspend the contract of those labourers and to provide for their maintenance at the expense of the Protectorate pending the report of the circumstance to the Resident Commissioner.

(2) The Resident Commissioner, on receipt of the report, may either cancel the contract or renew it on such terms as to him may seem fit.

(3) Every labourer whose contract shall have been so cancelled shall, if he so desires, be returned to his home at the expense of the Protectorate and shall receive from Protectorate funds the wages due to him.

(4) Any expenses properly incurred in returning the labourer and for his maintenance from the date of the cancellation or suspension of his contract until the return, together with the amount of any wages which shall have been so paid to him, shall be recoverable from the employer in a summary manner at the suit of the Resident Commissioner or of any person duly authorised by him for that purpose.

58. Any labourer who, in the opinion of a medical officer, or the magistrate of the district, is physically unfit for service, may have his contract cancelled either before the Resident Commissioner or before the magistrate of the district where he is under contract of service.

59. It shall be lawful for the Resident Commissioner, if he shall see fit at any time, to cancel the contract of any labourer and to release any person or the property of any person from all liability in respect of that contract.
60. The cancellation of a contract may at any time be effected by mutual consent before the Resident Commissioner or before the magistrate of the district where the labourer is under contract.

61. The employer of any labourer whose contract shall be cancelled as herein provided shall pay to the labourer such amount of wages as shall be proportionate to the term of service and shall defray the cost of his conveyance to the place at which he was originally embarked.

62. The cancellation of a contract under this Regulation shall not be held to preclude other proceedings for breach of the contract while in force, or in respect of any ill-usage of the labourer while serving under the contract.

Return of labourer to his home.

63.—(1) Within twenty-one days after the expiration of the contract of any labourer his employer shall, if the labourer so desires, provide him with a return-passage to the place whence he first embarked for the purpose of fulfilling his engagement to labour, and with proper accommodation and maintenance on the way. In default of so doing, on conviction before any magistrate upon the prosecution of the labourer entitled to the passage, or of any public officer, the employer shall be liable to a penalty not exceeding twenty pounds and, in default of payment, to a term of imprisonment not exceeding one month.

(2) Any expenses which may have been reasonably incurred in consequence of the employer's default by or on behalf of the Protectorate in returning the labourer to his district and for his maintenance until his return may be recovered from the employer in a summary manner at the suit of the Resident Commissioner or of any person duly authorised by him for that purpose.

64. It shall be lawful for a labourer after the expiration of a contract instead of returning home to enter into a fresh contract with his employer for a further period of twelve months. The fresh contract shall be subject to the provisions of this Regulation.

65. Upon the expiration of any contract it shall be the duty of the employer to inform the labourers of the means provided for their return-passage and that it is their duty to avail themselves thereof.

Legal procedure.

66. All pay-lists, books, registers, and returns, required by this Regulation to be kept on any plantation, shall, when ordered by the court, be produced in any proceedings under this Regulation.

67. No fees shall be payable in respect of any information, summons, or other process issued, or any order made, on any proceedings under the provisions of this Regulation before any magistrate.

68.—(1) When any action for damages shall lie at the instance of a labourer against an employer to whom the labourer may have been under contract under this Regulation, the action being grounded on any alleged neglect or misconduct on the part of the employer, the Resident Commissioner shall have the right to institute and carry on the action and to obtain and cause to be executed judgment therein for and on behalf of the labourer.

(2) Every information or complaint which might be laid or made by a labourer under this Regulation may also be laid or made by the Resident Commissioner, or by any person duly authorised by him in writing so to do, in the name of the Resident Commissioner or in the name of that person.
(3) All suits or prosecutions for any offence, or for any penalty, forfeiture, or fine under this Regulation, or any regulation made under the provisions of this Regulation, may be instituted and carried on by the Resident Commissioner, or by any person duly authorised by him in writing so to do in the name of the Resident Commissioner.

(4) Any information laid, or complaint made, by the Resident Commissioner or by any person duly authorised by him in writing so to do under this Regulation, may be laid or made before any magistrate in the Protectorate.

69. In any proceedings under this Regulation by any labourer against his employer or any other person, it shall not be necessary for the labourer to lay or make any formal information or complaint for the labourer to lay or make any formal information or complaint in writing, but the magistrate before whom any oral statement or complaint shall be made by any labourer against his employer or any other person, may thereupon issue a summons stating the complaint against the employer or other person and requiring that employer or other person to appear and answer the complaint. The magistrate shall proceed upon the summons as if the labourer had in the first place made the complaint in writing and shall inform the labourer on what day and at what place the employer or other person has been summoned to appear to answer the complaint.

70. All charges or liens created by this Regulation may be enforced at the suit of the Resident Commissioner.

71. All fees and moneys which, under this Regulation, or under any agreement, are or shall become due and payable from or by any person to the Government of the Protectorate, or to any labourer, or to the Resident Commissioner on behalf of any labourer, may be sued for by the Resident Commissioner in his official name in the court.

72. It shall be competent, but not compulsory, for a defendant in any proceedings under this Regulation to give evidence on oath or affirmation. Every defendant so giving evidence shall be liable, in case of falsehood, to be convicted and punished for perjury.

73.—(1) In any case where the Resident Commissioner has obtained judgment against an employer for any debt due in respect of any labourer and the debt remains unsatisfied, he may call upon the owner of the plantation to which the labourer was under contract to show cause why the plantation should not be sold in satisfaction of the judgment, and the court may, if satisfied that there is a subsisting charge over the plantation in respect of the debt, order its sale accordingly.

(2) All unsatisfied orders at any time heretofore made in a summary manner by a magistrate for the payment of any moneys due on account of any labourer may, by order of the court, be enforced by the sale of any lands charged with those moneys, or by any of the modes in which a judgment of the court can be enforced.

74.—(1) Whenever, in any proceedings under this Regulation instituted by the Resident Commissioner or any person authorised by him in writing so to do, it shall be necessary to prove that a labourer was under contract to serve on any plantation, the original contract, or a copy thereof, certified by the Resident Commissioner to be correct, shall be prima facie evidence that the labourer mentioned in the contract was under contract as therein stated.

(2) In any proceedings for the recovery of any moneys due under this Regulation it shall be sufficient to show that the labourer was duly under contract.
Every complaint or information by a labourer against an employer for any wages due, or for breach of contract, shall be laid within six months after the wages became due and payable, or after the breach of contract took place.

Any information under this Regulation by the Resident Commissioner, or by any person authorised by him, for any offence against any of the provisions of this Regulation, except for any moneys due, shall be laid within twelve months from the date on which the offence was committed.

Any information by an employer against any labourer for an offence against any of the provisions of this Regulation shall be laid within three months after the day on which the offence was committed.

MISCELLANEOUS.

No labourer shall be chargeable with stores supplied to him during his term of service, nor for moneys advanced to him on his account, unless those moneys are any sum or sums which the employer has paid in discharge of any penalty inflicted upon the labourer by a court.

Provided that any labourer serving under any contract for a period not exceeding one month may be chargeable with stores supplied to him, or moneys advanced to him and on his account, but in no case shall the amount recovered exceed a sum equivalent to one half of the total amount of wages to be paid to the labourer under the contract, and in every case any sum so charged shall be acknowledged to be due by the labourer charged therewith before the magistrate of the district.

When any claim against a labourer for stores supplied or moneys advanced is disputed the magistrate shall forthwith hear and determine the claim between the parties, but in no case shall the sum adjudged to be paid by the labourer exceed one half of his wages as aforesaid.

A person charged with an offence against the provisions of this Regulation for which no penalty shall have been provided shall on conviction before a magistrate be liable to a penalty not exceeding twenty pounds and, in default of payment, to a term of imprisonment not exceeding three months.

An inspector of labour may at any time search and inspect any vessel engaged in recruiting natives, and may examine the ship's log, the stores, provisions, and water-supply on board, and the labourers recruited, and may, if he think fit, order any labourer recruited to be put on shore and the contract to be cancelled.

(1) The Resident Commissioner, or any person authorised by him in writing, or any magistrate, medical officer, or inspector, may at any time enter into or upon any plantation on which labourers may be employed and inspect the state and condition of the labourers, and may inquire into any complaint which the employer may make against a labourer or a labourer against his employer.

In every case of an entry upon any plantation for the purpose of inspection, the officer or person inspecting shall forthwith cause the employer and the labourers to be informed of his being on the plantation.

Any person who shall wilfully obstruct, or incite others to obstruct, the persons hereinbefore mentioned in making an entry, inspection, or inquiry, or who shall, by wilful misrepresentation, force, or fraud, prevent or endeavour to prevent an entry, inspection, or inquiry from being held, shall be liable to a fine not exceeding fifty pounds or to a term of imprisonment not exceeding six months.
80. Any employer who shall knowingly make any false or in-
correct entry in any pay-list, ration-book, register, or return herein-
mentioned, who shall produce any false pay-list, ration-
book, register, or return, shall be liable to a penalty not exceeding 

False entries or Penalty. 
returns. fifty pounds and, in default of payment, to a term of imprisonment 
Hard labour. not exceeding six months.  

81. Every labourer who shall be imprisoned by virtue of any 

82.—(1) The Resident Commissioner may make rules respecting 

Penalty. 

Rules. the lodging, rations, water, bedding, clothing, medicine, and medical 
care to be provided for labourers, the hospital equipment on plan-
cations, the forms, registers, and books required by this Regulation 
to be kept, and any other matter for carrying this Regulation into 
effect and may fix any penalty not exceeding ten pounds for the 
breach of any rule. 

(2) The Resident Commissioner may from time to time alter, 

amend, rescind, or add to the rules but the alterations shall not 
affect any existing agreement. 

(3) All rules aforesaid shall come into force on a date to be fixed 

by the Resident Commissioner and shall be subject to disallowance 

by the High Commissioner.

SCHEDULE.

FORM 1.—(Section 11.)

License for the employment of natives at sea on board foreign vessels within the
British Solomon Islands Protectorate.

To all whom it may concern: Know ye that A.B., master of the , the vessel
more particularly described below, having shown to my satisfaction that he is engaged
in the fishery (or industry or occupation, as the case may be) of

British also, with that vessel, and having given the bond to His Majesty required by the Solomon
(Labour) Regulation, 1910, I (His Majesty's High Commissioner for the Western Pacific
or His Majesty's Resident Commissioner for the British Solomon Islands Protectorate, as
the case may be) do hereby, in exercise of the authority for that purpose conferred on
me by the said Regulation, license the said vessel to employ in the said fishery [or
the case may be] not more than

native labourers from the
dated

to the

the vessel, to answer the subjoined description, and appear to be strictly engaged in the
pursuit of the above-mentioned object, it is the direction of His Majesty's Government
that she shall not be obstructed in the prosecution of her present voyage, nor in the
shipping, employment, or landing of her native hands.

This license shall not be transferable, and shall be available only for the period

aforesaid.

Description of the vessel above referred to.

Nationality: Tons (registered tonnage): Rig (i.e. ship, barque, brig, &c.):
How painted: Name painted on stern: Whether any poop:
Whether any quarter galleries: Whether a top-gallant forecastle:
Name of chief officer: Number of officers and crew including surgeon, if any:
Bound from to 

Dated at 

this day of

[High Commissioner or Resident
Commissioner, as the case may be] 19 19
FORM 2.—(Section 11.)

Bond to be entered into by masters of foreign vessels for the employment of natives at sea within the British Solomon Islands Protectorate under the Solomons (Labour) Regulation, 1910.

Know all men by these presents, that we, A.B. of _, and C.D. of _, are held and firmly bound unto His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Emperor of India, in the sum of five hundred pounds of good and lawful money of Great Britain, to be paid to his said Majesty, his heirs and successors, to which payment to be well and truly made we bind ourselves and every of us jointly and severally for and in the whole, our heirs, executors, and administrators, and every of them firmly by these presents.

Sealed with our seals. Dated this day of 19 .

The condition of this obligation is this—that if in respect of the vessel whereof the above-bounden A.B. is master, all and every the requirements of the Solomons (Labour) Regulation, 1910, and of the license now about to be issued thereunder to the said master shall be well and truly performed, and if the above-bounden A.B. shall satisfy the Resident Commissioner for the British Solomon Islands Protectorate that no kidnapping was allowed or connived at by any person on board or connected with the said vessel during the currency of the said license to carry native labourers in the said vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the said vessel within the said Protectorate, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above-bounden

A.B. and C.D. in the presence of

E.F. of

FORM 3.—(Section 12).

License for the carriage by sea on board a foreign vessel of native labourers for employment on land within the British Solomon Islands Protectorate under the Solomons (Labour) Regulation, 1910.

A.B., master of the , the vessel more particularly described below, having duly given to His Majesty the bond required by the Solomons (Labour) Regulation, 1910, and of the license now about to be issued thereunder to the said master shall be well and truly performed, and if the above-bounden A.B. shall satisfy the Resident Commissioner for the British Solomon Islands Protectorate that no kidnapping was allowed or connived at by any person on board or connected with the said vessel during the currency of the said license to carry native labourers in the said vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the said vessel within the said Protectorate, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above-bounden  

A.B. and C.D. in the presence of  

E.F. of

Description of the vessel above referred to.

Nationality:
Tons (registered tonnage):
Rig (i.e., ship, barque, brig, &c.):
How painted:
Name painted on stern:
Whether any poop:
Whether any quarter-galleries:
Whether a top-gallant forecastle:
Name of chief officer:
Number of officers and crew including surgeon, if any:
Bound from to  

Dated at this day of , 19 [High Commissioner or Resident Commissioner, as the case may be.]
FORM 4.—(Section 12.)

Bond to be entered into by masters of foreign vessels carrying native labourers within the British Solomon Islands Protectorate under the Solomons (Labour) Regulation, 1910.

Know all men by these presents that we, A.B. of and C.D. of , are held and firmly bound unto His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Emperor of India, in the sum of five hundred pounds of good and lawful money of Great Britain, to be paid to his said Majesty the King his heirs and successors, to which payment well and truly to be made we bind ourselves and every one of us jointly and severally, for and in the whole our heirs, executors, administrators, and every of them firmly by these presents.

Sealed with our seals. Dated this day of 19 .

The condition of this obligation is such—that if in respect of the vessel whereof the above-bounden A.B. is master, all and every the requirements of the Solomons (Labour) Regulation, 1910, and of the license now about to be issued thereunder to the said master shall be well and truly performed the said A.B. shall satisfy the Resident Commissioner for the British Solomon Islands Protectorate that no kidnapping was allowed or connived at by any person on board or connected with the said vessel during the currency of the said license to carry native labourers within the said Protectorate, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above-bounden A.B. and C.D. in the presence of E.F. (L.S.)

FORM 5.—(Sections 15 and 19.)

Permit to engage labourers.

M of is hereby permitted to engage any number of labourers not exceeding in the aggregate to be employed at plantation at to work for months at the rate of not less than per annum.

This permit to be in force for three months from the date hereof unless the above number of labourers shall be engaged under it at any time within such period and subject to cancellation or suspension according to law.

Necessary security has been given for the payment of the wages of the labourers to be recruited under Regulation.

Dated this day of 19 .

Resident Commissioner.

Magistrate to indorse on permit the number of labourers recruited under it. Permit to be returned by owner to Resident Commissioner when full complement or number desired have been recruited.

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of labourers recruited</th>
<th>Island and village</th>
<th>Signature of stipendiary magistrate</th>
</tr>
</thead>
</table>

Letter of agency to engage labourers.

I of do hereby authorise licensed agent to engage for me on my behalf in accordance with the provisions of the Solomons (Labour) Regulation, 1910 natives as labourers on plantation.

Dated this day of 19 .

(Witness,—)

(Signature of Employer.)
License to act as agent for the hiring and engagement of labourers.

M. is hereby licensed to engage any number of labourers not exceeding in the aggregate for service with such plantation owners as may appoint him to be their agent for this purpose.

This license to be in force for twelve months from the date hereof unless the above number of labourers shall be engaged under it at any time within that period and subject to cancellation or suspension according to law.

Dated this day of 19

Resident Commissioner.

Magistrate to indorse on license the number of labourers recruited under it. Licensed agent when full complement is obtained to return the license to Resident Commissioner prior to issue of new license.

<table>
<thead>
<tr>
<th>Date</th>
<th>Number of men recruited</th>
<th>Island and village</th>
<th>Employer</th>
<th>Signature of magistrate</th>
</tr>
</thead>
</table>

Memorandum of contract of service.

MEMORANDUM OF CONTRACT OF SERVICE made this day of 19 between of the first part and native of the second part.

The conditions are that the said party of the second part engages to serve the said party of the first part as and otherwise to make himself generally useful for the term of and also to obey all lawful and reasonable commands of the said or of his overseer or authorised agents during that period in consideration of which services the said party of the first part doth hereby agree to pay the said party of the second part wages in the coin of the realm at the rate of a month when employed on time-work and to pay to the said monthly one-fourth of the earnings of the said and the remainder of those earnings at the expiration of the term of service (or, of £ at the expiration of the term of service) to provide him with proper accommodation and with rations according to the scale herein contained and when sick with proper medical care and further to provide conveyance with proper accommodation and maintenance on the way to the place at which the said party of the second part is to be employed and to provide him on the expiration of the within contract of service with a return-passage with proper accommodation and maintenance on the way to the place whence he was first embarked.

Daily rations, together with a weekly supply of tobacco, soap and salt, according to scale to be approved by the High Commissioner or his deputy.

Bedding and clothing to be supplied on arrival at plantation according as may be prescribed by the High Commissioner or his deputy; to be renewed at such intervals as the Resident Commissioner may direct.

<table>
<thead>
<tr>
<th>No.</th>
<th>Name—and surname</th>
<th>Age</th>
<th>Village</th>
<th>District</th>
<th>Island</th>
<th>Signature</th>
</tr>
</thead>
</table>

There should be another sheet attached ruled in this form which should be strictly adhered to.
FORM 8.—(Section 42.)

Ration-book of plantation.

<table>
<thead>
<tr>
<th>Date of issue of ration-book</th>
<th>Number of labourers on plantation</th>
<th>Nature and quantity of food supplied (hospital excepted)</th>
<th>Issue of rice</th>
<th>Issue of bread</th>
<th>Issue of flour</th>
<th>Issue of tea</th>
<th>Issue of other provisions</th>
<th>Remarks</th>
</tr>
</thead>
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</tbody>
</table>

FORM 9.—(Section 48.)

Plantation hospital.

Admission and discharge register of the hospital at plantation,—Year

<table>
<thead>
<tr>
<th>Hospital No.</th>
<th>Name of patient</th>
<th>Island</th>
<th>Disease</th>
<th>Date of admission</th>
<th>Date of discharge</th>
<th>Date of death</th>
<th>Remarks</th>
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</tbody>
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Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this eighth day of November one thousand nine hundred and ten.

By Command,

C. H. HART-DAVIS,
Secretary to His Britannic Majesty's High Commissioner for the Western Pacific.

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