

CHAPTER 31.

IMPRESSMENT.

[No. 11 of 1928.]

[28th April, 1928.]

- Short title. **1.** This Ordinance may be cited as the Impressment Ordinance.
- Interpreta- **2.** In this Ordinance, unless the context otherwise
tion. requires:—
- Chapter 30. “local forces” means the police force established under
and by virtue of the Constabulary Ordinance, or
any Ordinance replacing it, and the militia force
established under and by virtue of the Militia
Chapter 29. Ordinance, or any Ordinance replacing it;
- “officers” means any inspector or sub-inspector of
police and any officer of the militia force;
- “warrant” means any warrant of requisition issued by
an officer thereto authorised by the Governor;
- “non-commissioned officer” means any non-commis-
sioned officer of the constabulary or the militia
force.
- Governor **3.** The Governor may by order, distinctly stating that a
may case of emergency exists, authorise any officer to issue war-
authorise rants of requisition for the supply of means of transport,
requisitions. stores, and implements for the local forces or any
part of them, and the order may limit the authority of an
officer as to the quantities to be supplied or the area within
which requisitions may be obtained.
- Issue of **4.**—(1) An officer so authorised may issue a warrant or
warrants; warrants under his hand in the form in the schedule hereto,
schedule. reciting the order, addressed to any non-commissioned
officer requiring him to take possession, for the purposes
mentioned in the warrant, of the horses, mules, or donkeys,
whether kept for saddle or draught, oxen, carriages, carts,
motor vehicles of any description, vessels (whether boats,
barges, or other) and any other means of transport, with all
necessary accessories, articles of food and drink, petrol,
ammunition, and any other kind of stores, tools, arms and
any other kind of implements, stated in the warrant.

(2) Every warrant shall specify the number or quantity and general description of the means of transport, stores, or implements required.

5.—(1) On receipt of a warrant addressed to him the non-commissioned officer named therein shall forthwith execute it with the assistance of any members of the local forces under his charge and available for the purpose or assigned to him for the purpose, and all persons having means of transport, stores, or implements, suitable for the purposes mentioned in the warrant (of which suitability the non-commissioned officer shall be sole judge), when ordered by the non-commissioned officer and on production by him of the warrant, shall furnish them in a state fit for use for the purpose :

Execution of
warrant :

Provided that if anyone refuses or neglects to obey the order, the non-commissioned officer may seize the means of transport, stores, or implements.

Proviso.

(2) A warrant shall not be executed in a district other than that in which the officer issuing it has command of local forces, unless a sufficiency of the articles required cannot be obtained within his district and the written sanction of the officer in command in the second district is first obtained.

(3) The non-commissioned officer executing a warrant shall give a written receipt to everyone furnishing any means of transport, stores, or implements, for all articles furnished and shall, as soon as convenient thereafter, deliver or transmit to the officer issuing the warrant a statement showing the persons by whom articles have been furnished and the respective number or quantity of the articles.

6.—(1) So soon as circumstances permit, an officer who has issued a warrant or warrants shall deliver or transmit to the Colonial Treasurer a statement of all means of transport, stores, and implements furnished or seized in pursuance of the warrant or warrants, showing the persons by whom the means of transport, stores, and implements were furnished and whether any (and, if so, what) portion of those articles have been returned to them. The statement shall also specify whether any (and if so, what) damage has been done to articles so returned.

Payment
for articles
requisitioned.

(2) (a) The Colonial Treasurer shall cause due payment to be made for all means of transport, stores, and

implements furnished or seized in pursuance of this Ordinance, and the payment shall include reasonable compensation for any damage done.

(b) Any difference respecting the amount of payment shall be determined by the magistrate having jurisdiction in the place in which the means of transport, stores, or implements were furnished or seized.

(c) The magistrate shall have the same powers and authority and the procedure shall be the same as if the matter were a proceeding to recover a debt in a magistrate's court, but without limit as to the pecuniary amount.

Offences in
relation to
impressment.

7.—(1) Any member of the local forces who—

- (i) wilfully demands, takes, or forces any means of transport, stores, or implements otherwise than in pursuance of a warrant; or
- (ii) neglects or refuses to execute or assist in executing any warrant when lawfully liable to do so; or
- (iii) receives, demands, or agrees for, any money or reward whatsoever to excuse or relieve any one from being required to furnish or from furnishing any means of transport, stores, or implements; or
- (iv) orders any means of transport, stores, or implements to be furnished for any person or purpose or on any occasion for or on which they may not be requisitioned under this Ordinance,

shall, on summary conviction, be liable to a fine of not less than five dollars nor more than one hundred dollars.

(2) Anyone ordered by a member of the local forces in pursuance of a warrant then produced and shewn to him to furnish any means of transport, stores, or implements in his possession who—

- (i) refuses or neglects to furnish them; or
- (ii) gives, offers, or agrees to give, to any member of the local forces any money or reward whatsoever to be excused from being required to furnish, or from furnishing, or in lieu of furnishing, any means of transport, stores, or implements; or
- (iii) does any act or thing by which the execution of any warrant or order for providing or furnishing means of transport, stores, or implements is hindered or delayed,

shall, on summary conviction, be liable to a fine of not less than ten dollars nor more than fifty dollars.

(3) Anyone who—

- (i) forges or counterfeits any warrant, or knowingly produces with intent that it should be acted on any warrant so forged or counterfeited; or
- (ii) personates or represents himself to be a member of the local forces authorised to demand any means of transport, stores, or implements; or
- (iii) produces a warrant which he is not authorised to produce or a document falsely purporting to be a warrant,

shall, on summary conviction, be liable to imprisonment for a period not exceeding three months or to a fine of not less than five dollars nor more than twenty-five dollars.

8. A warrant purporting to be issued in pursuance of this Ordinance and to be signed by an officer therein stated to be authorised in accordance herewith shall be evidence until the contrary is proved of its being duly issued and signed, and if delivered to a non-commissioned officer, shall be sufficient authority to him to demand the means of transport, stores, and implements therein stated to be required, and when produced by the non-commissioned officer shall be conclusive evidence to all persons of his authority to demand the means of transport; stores and implements.

Evidence and authority of warrant.

SCHEDULE.

Impressment Ordinance.

WARRANT OF REQUISITION.

To *(state rank and name of a non-commissioned officer)* of *(state corps in local forces)*.

WHEREAS by Order dated the day of 19 the Governor has, under and by virtue of the power conferred on him by section three of the Impressment Ordinance, authorised me to issue warrant of requisition for the supply of means of transport, stores and implements for the use of the local forces during the emergency in the said Order stated;

AND WHEREAS it is expedient that the articles hereinafter mentioned should be supplied for the use of the said forces;

THIS IS TO COMMAND you to demand, obtain, and take possession of the following articles for the use of *(state for what part or portion of the local forces the articles are required)*, that is to say: *(here specify number or quantity and general description of articles required)*;

And for your so doing, this shall be sufficient warrant and authority.

Issued by me in pursuance of section four of the Impressment Ordinance, this day of , 19 .

(Signed)

(rank)
Requisitioning Officer.