

## CHAPTER 126.

## DISTRESSED SEAMEN REPATRIATION.

[No. XXXI of 1924.]

[1st March, 1925.]

1. This Ordinance may be cited as the Distressed Seamen Repatriation Ordinance. Short title.

2. In this Ordinance, unless the context otherwise requires,— Interpretation.

“ foreign port ” means any port or place outside the limits of the colony;

“ proper return port ” means either the port at which a seaman was shipped or a port in the country to which he belongs;

“ seaman ” includes any native or subject of this colony or of any British West Indian colony (except the master), employed or engaged in any capacity on board a ship;

“ ship ” means every description of vessel used in navigation not propelled by oars, and includes a foreign ship, but does not include a ship registered and owned in the colony.

3. From and after the coming into operation of this Ordinance all expenses incurred by and on behalf of this Government for the relief, maintenance, medical attendance, or repatriation, of any seaman belonging to a ship, registered and owned in this colony, in which the seaman has left this colony, and who has been shipwrecked, discharged, or left behind in a foreign port and is in distress within the meaning of section forty of the Merchant Shipping Act, 1906, or any regulation made under it, shall be a charge against that ship and shall be a debt to the Government from the owner of it for the time being; or, where the ship has been transferred to someone not a British subject either from the owners for the time being or from those who were the owners at the time of the transfer. Expenses of repatriation or relief of seamen to be a charge against the ship.

Engagement  
of seamen.

4. The master, owner, agent, or consignee, of a ship proceeding from any port of this colony to a foreign port shall not engage any seaman to serve on board the ship unless the security prescribed by this Ordinance is given for the relief, maintenance, medical attendance, and repatriation of the seaman to a proper return port in the event of his being shipwrecked, discharged, or left behind in a foreign port and being in distress within the meaning of section forty of the Merchant Shipping Act, 1906, or any regulation made under it.

Bond to be  
given for  
expenses of  
repatriation  
of seamen.

5. The master, owner, agent, or consignee of every ship proceeding from any port of the colony to a foreign port on board of which any seaman is to be engaged to serve shall enter into a bond with good and sufficient sureties with the customs officer at the port where the seaman is to be engaged, in the sum not exceeding two hundred and fifty dollars in respect of each seaman, the circumstances of each case require, for the repayment of all expenses incurred for the relief, maintenance, medical attendance, and repatriation, of the seaman to a proper return port in the event of his being ship-wrecked, discharged, or left behind in a foreign port and being in distress within the meaning of section forty of the Merchant Shipping Act, 1906, or any regulation made under it.

Notice of  
engagement  
of British  
West Indian  
seamen.

Expenses of  
repatriation  
of British  
West Indian  
seamen.

6. Whenever a seaman, who is a native of any British West Indian colony is engaged to serve on board a ship, notice of the engagement and of the bond entered into under this Ordinance shall be given to the Government of that colony, and, in the event of that seaman being repatriated direct to the country to which he belongs, all expenses incurred by or on behalf of his Government in relation to the repatriation may be recovered under the bond for and on behalf of that Government.

Limitation  
of liability.

7. No liability shall attach under the bond entered into under this Ordinance in respect of any seaman shipwrecked, discharged, or left behind in the country to which he belongs.

Penalty.

8. The master, owner, agent, or consignee, of a ship shall be liable to a penalty not exceeding two hundred and fifty dollars for every seaman engaged in contravention of this Ordinance.

9. All sums of money payable under this Ordinance and all penalties imposed thereunder may be recovered summarily before a magistrate exercising jurisdiction in the district wherein the bond entered into under this Ordinance is given or an offence is committed.

Moneys  
recoverable  
summarily.

10. Nothing in this Ordinance contained shall be deemed to affect the provisions of the Merchant Shipping Acts with respect to the repatriation of distressed seamen.

Saving as to  
Merchant  
Shipping  
Acts.

11. All expenses incurred in carrying out the provisions of this Ordinance shall be paid out of the Treasury from the funds provided for that purpose by the Legislative Council.

Expenses.

12. The signature of the Colonial Secretary to any document containing a statement of the amount due under the provisions of this Ordinance shall, without proof of his signature or of any other matter or thing, be deemed in all courts to be *prima facie* evidence of the amount claimed being in every particular correct.

Certificate  
of Colonial  
Secretary.