

ACT No. XVII OF 1883.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.
(Received the assent of the Governor General on the 4th October,
1883.)

An Act to amend the Native Passenger Ships Act, 1876.

VIII of 1876. **WHEREAS** it is expedient to amend the Native Passenger Ships Act, 1876, with a view to provide for the better regulation of the passenger-traffic between British India and ports in the Red Sea; It is hereby enacted as follows:—

1. (1) This Act may be called the Native Passenger Ships Act, 1883; and Short title.

(2) It shall come into force on such day as the Governor General in Council directs by notification in the *Gazette of India*. Commencement.

VIII of 1876. 2. After clause (e) of section eleven of the Native Passenger Ships Act, 1876, the following clause shall be added:—

“(ee) in the case of any ship sailing to any port in the Red Sea, that she is propelled principally by steam, and, if she is carrying more than one hundred passengers being Natives of Asia or Africa, that she has on board a medical officer licensed in accordance with rules made under this Act.”

Addition to section 11 of the Native Passenger Ships Act, 1876.

3. For section twenty-six of the same Act the following section shall be substituted:—

Substitution of new section for section 26 of same Act.

“26. In the case of every ship sailing from any port in British India to any port in the Red Sea, the officer whose duty it is to grant a port clearance for any such ship shall not grant the clearance unless and until

Bond where ship clears for port in Red Sea.

until the owner, agent or master of the ship and two sureties resident in British India have executed in favour of the Secretary of State for India in Council a joint and several bond, for the sum of Rs. 5,000, conditioned—

“(a) that the ship shall touch at Aden on the outward voyage and there obtain a clean bill of health, and shall do the same on the homeward voyage if the ship continues to carry more than sixty passengers; and

“(b) that the master and medical officer (if any) of the ship shall comply with on the outward voyage, and also on the homeward voyage if the ship continues to carry more than sixty passengers, the provisions of this Act and of such rules relating to ships sailing between ports in British India and ports in the Red Sea as the Governor General in Council may, from time to time, make under section forty-six.”

Amendment
of section 27
of same Act.

4. In section twenty-seven of the same Act, for the word “thirty” the word “sixty” shall be substituted.

Addition to
section 28 of
same Act.

5. To section twenty-eight of the same Act the following words shall be added:—“and the authority empowered to grant the same may refuse to grant a bill of health in the case of any ship on board of which the requirements of the rules made under section forty-six are not complied with.”

Addition of
new sections
after section
28 of same
Act.

6. After section twenty-eight of the same Act the following sections shall be added:—

Certain ships
to carry
medical
officer.

“28A. Every ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers being Natives of Asia or Africa shall have on board a medical officer licensed in accordance with rules made under this Act.

Certain ships
to be propell-
ed by steam.

“28B. Every ship sailing from or to any port in
British

British India to or from any port in the Red Sea shall be propelled principally by steam.

“28C. (1) The Local Government may, from time to time, direct that no passenger shall be received on board any ship or any ship of a specified class sailing from any port in British India to any port in the Red Sea unless and until he has been inspected, at such time and place as the Local Government may fix in this behalf, by a medical officer to be appointed by the Local Government in this behalf.

Power for Local Government to direct medical inspection of passengers.

“(2) If, in the opinion of the officer making an inspection under this section, a passenger is suffering from any dangerously infectious or contagious disease, the passenger shall not be permitted to embark.”

7. After section thirty-eight of the same Act the following sections shall be added:—

Addition of new sections after section 38 of same Act.

“38A. If the master of any such ship as is referred to in section twenty-seven, or any medical officer in charge of any such ship, wilfully breaks, or omits or neglects to obey, any rule with regard to those ships made under section forty-six, he shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on master or medical officer of certain ships disobeying rules.

“38B. If any ship sailing from or to any port in British India to or from any port in the Red Sea and carrying more than one hundred passengers has not on board a medical officer as required by section 28A, the master of the ship shall be punished with fine which may extend to five hundred rupees, or with imprisonment for a term which may extend to three months, or with both.

Penalty on master of certain ships sailing without medical officer.

“38C. If any ship sailing from or to any port in British India to or from any port in the Red Sea is not principally propelled by steam, the owner and master shall each be punished with fine which may extend to five hundred rupees, or with imprisonment which may extend to three months, or with both.

Penalty on owner and master of certain ships not propelled by steam.

“38D. If

Penalty on master receiving passenger in contravention of section 28C.

“38D. If the master of any ship, while a direction under section 28C is in force, knowingly receives on board his ship any person in contravention of that section or of the direction, he shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees for each person so received, or with both.”

Additions to section 46 of same Act.

8. After clause (b) of section forty-six of the same Act the following clause shall be added :—

“(bb) the licensing and appointment of medical officers in cases where they are required, under this Act, to be carried ;”

and after clause (e) of the same section the following clauses shall be added :—

“(ee) the functions of the master, medical officer (if any) and other officers of the ship during the voyage ;

“(eee) the access of intermediate or between decks passengers to the upper deck.”

New section added to same Act.

9. To the same Act the following section shall be added, namely :—

Power to exempt ship from provisions of Act.

“50. The Local Government may, from time to time, with the previous sanction of the Governor General in Council, for any special reason and subject to such conditions as it thinks fit, exempt any ship or class of ships from any provision of this Act.”