

ACT NO. XVIII OF 1890.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 16th October,
1890.)

An Act to amend the Indian Emigration Act,
1883.

WHEREAS it is expedient to amend the Indian Emigration Act, 1883, in manner hereinafter appearing; It is hereby enacted as follows:—

1. In section 31 of the said Act, after the word “mistake” the word “and” shall be inserted.

Correction of section 31, Act XXI, 1883.

2. (1) In section 35, sub-section (1), of the said Act, the words “in duplicate” shall be substituted for the words “in triplicate” in both places where the latter words occur.

Amendment of, and addition to, section 35, Act XXI, 1883.

(2) To the same section the following sub-section shall be added, namely:—

“(4) Any number of intending emigrants appearing with the same recruiter before the Registering Officer or Protector at the same time, and desiring to emigrate on the same terms to the same country, may, with the permission of the Registering Officer or Protector (as the case may be), execute one instrument of agreement under this section, instead of each of such intending emigrants executing a separate instrument.”

3. For section 37 of the said Act the following shall be substituted, namely:—

Substitution of new section for section 37, Act XXI, 1883. Record of registrations and agreements.

“37. When the agreement has been executed and attested—

(a) one of the copies thereof shall be delivered
to

to the emigrant, and the other shall be retained by the Protector or sent by the Registering Officer to him, and

- (b) a certified copy of the particulars registered under section 31 concerning the emigrant or emigrants by whom the agreement was executed, and concerning his or their dependents (if any), shall be delivered to the recruiter for transmission to the Emigration Agent."

Amendment of section 49, Act XXI, 1883.

4. There shall be substituted in sub-section (1) of section 49 of the said Act, for the word "agreement" the words and figures "particulars registered under section 31," and in sub-section (2) of the same section for the word "agreement" the words "said copy".

Addition of proviso to section 56 (1), Act XXI, 1883.

5. To sub-section (1) of section 56 of the said Act the following proviso shall be added, namely:—

"Provided that, if the vessel is a steam-ship having a certificate of survey granted by the Board of Trade or any British Colonial Government or under the Indian Steam-ships Act, 1884, and in force and applicable to her intended voyage, the survey under this sub-section with a view to ascertain her seaworthiness shall not extend to her hull or machinery unless the Protector of Emigrants has reason to believe that, since the grant of the certificate, her hull or machinery has sustained injury or damage or has otherwise become inefficient."

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Repeal of section 70, Act XXI, 1883.

6. Section 70 of the said Act is hereby repealed.

Substitution of new section for section 102, Act XXI, 1883.

7. For section 102 of the said Act as amended by Act XXI of 1884 the following shall be substituted, namely:—

Provision supplementary to section 6 (1) of this Act.

"102. (1) On and from such a date as the Governor General in Council may, by notification in the Gazette of India, fix in this behalf with respect to any protected Native State adjoining the Straits Settlements,

Settlements, or with respect to any British colony or possession for labour in which Natives of India are recruited exclusively through the agency of the Government of the Straits Settlements, a Native of India who departs by sea out of British India under an agreement to labour for hire in any such State, colony or possession shall not, so long as the notification continues to apply to the State, colony or possession, be deemed to emigrate within the meaning of this Act.

(2) The Governor General in Council may, by notification in the Gazette of India, declare that from a date to be specified a notification under sub-section (1) shall no longer apply to a Native State or British colony or possession therein mentioned."

8. Every notification made under section 102 of the said Act as amended by Act XXI of 1884 shall be deemed to have been made under sub-section (1) of section 102 of the said Act as amended by the last foregoing section of this Act.

Saving of notifications under section 102, Act XXI, 1883, as amended by Act XXI, 1884.

9. In section 105 of the said Act, for the word and figures "section 102" the words, figures and letter "section 103, clause (a), and section 104" shall be substituted.

Amendment of section 105, Act XXI, 1883.