



Merchant Shipping Act 1894

1894 CHAPTER 60

PART II

MASTERS AND SEAMEN.

Agreements with Lascars.

125 Agreements with lascars.

- (1) The master or owner of any ship, or his agent, may enter into an agreement with a lascar, or any native of India, binding him to proceed either as a seaman or as a passenger—
 - (a) to any port in the United Kingdom, and there to enter into a further agreement to serve as a seaman in any ship which may happen to be there, and to be bound to any port in British India; or
 - (b) to any port in the Australian colonies, and there to enter into a further agreement to serve as a seaman in any ship which may happen to be there, and to be bound to the United Kingdom or to any other part of Her Majesty's dominions.
- (2) The original agreement shall be made in such form, and contain such provisions, and be executed in such manner, and contain such conditions for securing the return of the lascar or native to his own country and for other purposes, as the Governor-General of India in Council or the Governor in Council of any Indian Presidency in which the agreement is made may direct.
- (3) Where any lascar or native bound by the original agreement is, on arriving in the United Kingdom or one of the said colonies, as the case may be, required to enter into such further agreement as aforesaid, some officer appointed for the purpose in the United Kingdom by a Secretary of State in Council of India, or in any such colony by the governor of the colony, may, on the payment of such fee not exceeding ten shillings, as a Secretary of State in Council of India or the governor may direct, certify—
 - (a) that the further agreement is a proper agreement in all respects for the lascar or native to make, and is in accordance with the original agreement; and

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- (b) that the ship to which the further agreement relates is in all respects a proper ship for the lascar or native to serve in and also where the ship is in one of the said Australian colonies, that it is properly supplied with provisions; and
- (c) that there is not, in his opinion, any objection to the full performance of the original agreement;

and thereupon the lascar or native shall be deemed to be engaged under the further agreement and to be for all purposes one of the crew of the ship to which it relates, and the lascar or native shall, notwithstanding a refusal to enter into the further agreement, be liable to the same consequences, and be dealt with in all respects in the same manner, as if he had voluntarily entered into the same.

- (4) The master of every ship arriving at a port in the United Kingdom, which has or during any part of her voyage has had on board a lascar or any native of India either as one of her crew or otherwise, shall exhibit to the officer of customs, or to such person as the Board of Trade may authorise in that behalf, a statement, containing a list and description of all lascars or natives of India who are, or have been, so on board, and an account of what has become of any lascar or native of India who at any time during the voyage has been, but is not then, on board, and the ship shall not be cleared inwards until the statement is exhibited, and if the master fails to exhibit such statement he and the owner of the ship shall be liable jointly and severally to a fine not exceeding ten pounds for every lascar or native of India in respect of whom the failure takes place.
- (5) Nothing in this section shall affect any provisions which are unrepealed of the Act of the fourth year of the reign of King George the Fourth, chapter eighty, intituled, " An Act to consolidate and amend the several laws now in force with respect to trade within the limits of the charter of the East India Company and to make further provision with respect to such trade."