



Merchant Shipping Act 1894

1894 CHAPTER 60

PART III

PASSENGER AND EMIGRANT SHIPS.

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EMIGRANT SHIPS.

Passage Brokers.

341 Passage broker.

- (1) Any person who sells or lets or agrees to sell or let, or is in anywise concerned in the sale or letting of steerage passages in any ship proceeding from the British Islands to any place out of Europe not within the Mediterranean Sea shall for the purposes of this Part of this Act be a passage broker.
- (2) The acts and defaults of any person acting under the authority, or as an agent, of a passage broker, shall, for the purposes of this Act, be deemed to be also the acts and defaults of the passage broker.

342 Passage brokers to enter into bond and obtain licence.

- (1) A person shall not act directly or indirectly as a passage broker, unless he—
 - (a) has entered, with two good and sufficient sureties approved by the emigration officer nearest to his place of business, into a joint and several bond to the Crown, in the sum of one thousand pounds; and
 - (b) holds a licence for the time being in force to act as passage broker.
- (2) The bond shall be renewed on each occasion of obtaining a licence, and shall not be liable to stamp duty; it shall be executed in duplicate, and one part shall be deposited at the office of the Board of Trade, and the other part with the said emigration officer.

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- (3) The emigration officer may, in lieu of two securities, accept the bond of any guarantee society approved by the Treasury.
- (4) There shall be exempted from this section—
 - (a) the Board of Trade, and any person contracting with them or acting under their authority ; and
 - (b) any passage broker's agent duly appointed under this Act.
- (5) If any person fails to comply with any requirement of this section, he shall for each offence be liable to a fine not exceeding fifty pounds.

343 Granting of licences to passage brokers.

- (1) Application for a licence to act as passage broker shall be made to the licensing authority for the place in which the applicant has his place of business.
- (2) The licensing authority, upon the applicant proving to their satisfaction that he
 - (a) has entered into and deposited one part of such bond as is required by this Act; and
 - (b) has given to the Board of Trade at least fourteen days clear notice of his intention to apply for a licence,
 may grant the licence, and shall forthwith send to the Board of Trade notice of such grant.
- (3) The licensing authority shall be—
 - (a) in the administrative county of London the justices of the peace at petty sessions;
 - (b) elsewhere in England, the council of a county borough or county district;
 - (c) in Scotland, the sheriff; and
 - (d) in Ireland, the justices in petty sessions.

344 Forfeiture of licence.

- (1) A passage broker's licence shall, unless forfeited, remain in force until the thirty-first day of December in the year in which it is granted, and for thirty-one days afterwards.
- (2) Any court, when convicting a passage broker of an offence under this Part of this Act or of any breach or non-performance of the requirements thereof, may order that his licence be forfeited, and the same shall be forfeited accordingly.
- (3) The court shall forthwith send to the Board of Trade a notice of any such order.

345 Passage brokers agents.

- (1) A passage broker shall not employ as an agent in his business of passage broker any person who does not hold from him an appointment, signed by the passage broker, and countersigned by the emigration officer at the port nearest to the place of business of the passage broker.
- (2) Every such agent shall, upon request, produce his appointment to any emigration officer, or to any person treating for a steerage passage under this Part of this Act.

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- (3) If any person acts in contravention of this section he shall for each offence be liable to a fine not exceeding fifty pounds.

346 List of agents and runners to be exhibited by brokers, and sent to emigration officers.

- (1) A passage broker shall keep exhibited in some conspicuous place in his office or place of business a correct list, in legible characters, containing the names and addresses in full of every person for the time being authorised to act as his agent or as an emigrant runner for him, and shall on or before the fifth day, or, if that day be a Sunday, on or before the fourth day in every month, transmit a true copy of that list, signed by him, to the emigration officer nearest to his place of business, and shall report to that emigration officer every discharge or fresh engagement of an agent or of an emigrant runner within twenty-four hours of the same taking place.
- (2) If a passage broker fails to comply with any requirement of this section he shall for each offence be liable to a fine not exceeding five pounds.