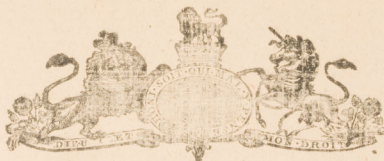


[67]

THE CHINESE CONTRACT LABOUR CONTROL ORDINANCE, 1921.

*Western Samoa.*

*No. 11, 1921.*



## An Ordinance

made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Constitution Order, 1920.

Whereas for some time past continual attempts have been made to interfere with the course of justice in cases in which Chinese contract labourers are concerned, by means of threats and intimidation. And whereas on a recent date in consonance with such threats a cruel and barbarous attempt was made by Chinese contract labourers upon the life of a Chinese interpreter, an Official of the Administration. And whereas further criminal acts of a like nature are to be apprehended unless provision is made for the control of Chinese as is hereafter contained. Now, therefore, this Ordinance is made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of The Samoa Constitution Order, 1920.

1. This Ordinance may be cited as "The Chinese Contract Labour Control Ordinance, 1921."

2. For the purpose of this Ordinance the term "Chinese Society" means and includes any society, club or association consisting wholly or mainly of Chinese contract labourers.

Without in any way limiting the meaning of the words "Chinese Society," if any five or more Chinese contract labourers shall hereafter contribute to any common fund for any purpose peculiarly affecting Chinese, such labourers and all other Chinese who shall hereafter contribute to or invite contribution to such fund shall be deemed to be members of a Chinese Society.

3. Except as hereinafter provided, every Chinese Society in Samoa is hereby declared to be an unlawful society.

4. (1) The Commissioner of Police may approve in writing, of the formation or continuance of any club, society or association of Chinese, subject to such conditions and restrictions as he may think fit, which conditions and restrictions shall be stated in writing by the Commissioner of Police, and may from time to time be modified or varied by him.

Any such approval may at any time be withdrawn.

(2) No club, society or association, the formation or continuation of which has been so approved, shall be deemed to be an unlawful society so long as such approval is not withdrawn and all such conditions and restrictions are faithfully observed.

5. Any person who shall become or remain a member of an unlawful society shall be guilty of an offence.

6. Any person who shall be found in possession of any book, paper, document, writing, printing, character or thing relating to any unlawful society shall be deemed to be a member of such society unless he proves the contrary.

7. Save as hereinafter provided, any meeting or assembly of more than five Chinese contract labourers, except such meeting or assembly as may be necessary and proper in the course of their employment, is hereby declared to be an unlawful assembly.

8. (1) The Commissioner of Police may permit meetings of Chinese contract labourers subject to such conditions as to numbers, place of meeting, supervision and other matters as he may think proper.

(2) No meeting so approved shall be deemed to be an unlawful assembly so long as such conditions are faithfully observed.

9. Any person who shall convene or be present at an unlawful assembly shall be guilty of an offence.

10. (1) The owner or occupier of any building or premises in or at which any unlawful assembly takes place shall be deemed to be a convener thereof unless he proves that such assembly was held without his knowledge or consent.

(2) Every person found upon any building or premises while an unlawful assembly is in progress therein or thereat, shall be deemed to be present at such assembly unless he proves that such assembly was being held without his knowledge.

11. Any person becoming aware of any intention to hold an unlawful assembly who does not forthwith inform an officer of police thereof shall be guilty of an offence and liable to a fine not exceeding £20.

12. The use of any secret language, signs, words or motions at any meeting of any Chinese society or at any assembly of more than five Chinese contract labourers, whether such society has been approved or such assembly has been permitted by the Commissioner of Police or not, is hereby declared to be unlawful and every person who shall be present at any such meeting or assembly whilst or after any secret language, signs, words or motions are used shall be guilty of an offence and liable to a fine not exceeding £20.

13. Any Chinese contract labourer who shall at any time carry or have upon his person any knife, club or other weapon of offence or thing capable of being used as a weapon of offence shall be guilty of an offence. Provided that knives and other tools required by any such labourer in his lawful occupation may be used by him at his place of employment and under the authority of his employer, but not elsewhere or otherwise.

14. Any Officer of Police or person authorised by an Officer of Police, may at any time—

- (a) Detain and search any Chinese contract labourer suspected of having on his person any weapon or thing in breach of clause 13 hereof;
- (b) arrest without warrant any person suspected of having committed a breach of this Ordinance.
- (c) enter by force if needs be, and search any building or premises wherein any unlawful assembly is suspected to be taking place or to have recently taken place, or which are suspected to be the meeting place of any unlawful society.

15. Any person who commits an offence under this Ordinance for which no other penalty is by the Ordinance provided shall be liable on conviction to a fine not exceeding £50 or to imprisonment for a term not exceeding six months.

16. If there shall be any conflict between the English version of this Ordinance and any translation thereof into the Chinese language, the English version shall prevail.

Assented to this 2nd day of  
July, 1921.

[L.S.] R. W. TATE,  
Administrator.