

REGULATIONS AS TO CONDUCT AND FINES 1953

J. N. [Name]

The [Title] [Authority] [Date]

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[L.N. 86/1953]

In exercise of the powers conferred upon him by section 99 (2) (g) of the Merchant Shipping Ordinance, 1952, the High Commissioner in Council hereby approves the following regulations as regulations proper to be adopted in an agreement with the crew:

REGULATIONS AS TO CONDUCT AND FINES

These Regulations are distinct from, and in addition to, those contained in the Ordinance, and are sanctioned, but not universally required by law. All or any of them may be adopted by agreement between a Master and his crew, and thereupon the offences specified in such of them as are so adopted will be legally punishable by the appropriate fines or punishments.

These Regulations are numbered, and the numbers of such of them as are adopted must be inserted in the space left for that purpose in the Agreement, and the following copy of these Regulations must be made to correspond with the Agreement by striking out such of them as are not adopted. If the agreement is made before the Port Officer, his signature or initials must be placed opposite such of the Regulations as are adopted.

For the purpose of legally enforcing the penalties, the same steps must be adopted as in the case of other offences punishable under the Ordinance, that is to say, a statement of the offence must, immediately after its commission, be entered in the Official Logbook by the direction of the Master, and must, at the same time, be attested to be true by the signatures of the Master and the Mate, or one of the crew; and a copy of such entry must be furnished or read over to the offender before the ship reaches any port or departs from the port at which she is; and an entry that the same has been so furnished or read over, and of the reply, if any, of the offender, must be made and signed in the same manner as the entry of the offence. These entries must, upon discharge of the offender, be shown to the Officer before whom the offender is discharged; and if he is satisfied that the offence is proved, and that the entries have been properly made, the fine must be deducted from the offender's wages and paid over to such Officer.

If, in consequence of the subsequent good conduct of the seaman, the Master thinks fit to remit or reduce any fine entered against him in the Official Log, and signifies the same to the aforesaid Officer, the fine shall be remitted or reduced accordingly. If wages are contracted for by the voyage or by share, the amount of the fine is to be ascertained in the manner in which the amount of forfeiture is ascertained in similar cases under section 190 of the Merchant Shipping Ordinance, 1952.

Number	Offence	Amount of fine	Superintendent's a signature or initials
1.	Not being on board at the time fixed by the agreement	Two days' pay	
2.	Not returning on board at the expiration of leave	One day's pay	
3.	Insolence or contemptuous language or behaviour towards the Master or Officers	Two days' pay	
4.	Striking or assaulting any person on board or belonging to the ship (if not otherwise prosecuted)	Two days' pay	
5.	Quarrelling or provoking to quarrel	One day's pay	
6.	Swearing or using improper language	Half a day's pay	
7.	Bringing or having on board spirituous liquors	Three days' pay	
8.	Carrying knife other than a clasp knife	One day's pay	
9.	Drunkenness — first offence ... " — second offence ...	One day's pay	
		Two days' pay	
10.	Neglect of duty or disobedience to lawful commands of the Master or Officers, if not otherwise dealt with according to law	Two days' pay	
11.	Sleeping or negligence while on the lookout	Seven days' pay	
12.	Not extinguishing lights at the times ordered	One day's pay	
13.	Smoking in unauthorized places	Two days' pay	
14.	(For the Cook) — Not having any meal of the crew ready at the appointed time	One day's pay	
15.	Secreting contraband goods on board with intent to smuggle	One month's pay	
16.	Destroying or defacing the copy of the agreement which is made accessible to the crew	Two days' pay	
17.	Absence without leave (if not otherwise dealt with according to law) for each day on which such absence occurs	Two days' pay	
18.	If any officer is guilty of any act or default punishable by a fine, he shall be, liable to double the fine which would be exacted for a like act or default from a seaman, and such fine shall be paid and applied in the same manner as other fines.		

Dated this 24th day of February, 1953.

RAJA AYOUB,
Clerk of Councils.