ON
THE HYGIENIC MANAGEMENT
OF LABOUR
IN THE TROPICS

GERRARD
ON

The Hygienic Management of Labour in the Tropics.

AN ESSAY

(WITH WHICH IS INCORPORATED THE LABOUR CODE BY COURTESY OF THE F.M.S. GOVT.)

BY

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The Medical Management of Coolies on Estates.

SOME HINTS FROM THE MALAY STATES.

Mr. P. N. Gerrard, a medical officer in the Federated Malay States who has gone carefully into the subject of the medical treatment of estate coolies and the sanitation of coolie lines on estates, writes an interesting article on the subject, with special reference to conditions prevailing in the Malay Peninsula in the "Agricultural Bulletin of the Straits." He first gives some general advice to planters about their own health, which contains nothing original so we need not quote. Mr. Gerrard writes in an easily read style as some of the extracts we make show. At the beginning he postulates that "a dead or broken-down coolie is of no practical use on any estate."

FIRST AID FOR COMMON DISEASES.

The next few pages of Mr. Gerrard's article are good. He treats of the principal diseases coolies are subject to; he briefly describes the principal symptoms and suggests the soundest "amateur treatment" to be adopted as an immediate and first measure by the planter. The several diseases dealt with include: malarial fever, dysentery, diarrhea, anchylostomiasis, debility, ulcers, worms, elephantiasis and varicose veins, leprosy, sprue, small-pox, plague, cholera, dengue, measles and phthisis, &c.

MOSQUITO CURTAINS FOR COOLIES.

Dealing with malarial fever, Mr. Gerrard gives advice which—though it may be sound—is, we think, impracticable, and most planters will ridicule it. He says: "The necessity of sleeping in mosquito curtains must be 'rubbed into' coolies; the Chinese have adopted them and there is absolutely no reason why the Tamil should not be educated up to their use." Regarding anchylostomiasis, he takes a leaf out of a recent Ceylon circular re "compelling coolies to wear shoes and gaiters or putties when at work, or in smearing their legs with some sticky substance." Apart from these two cases, Mr. Gerrard's directions are of much use to planters; and the article is a timely one. Plans and estimates for semi-permanent and permanent lines and latrines, by Mr. W. A. Wilkinson, A.M.I.C.E., are appended.
LABOUR CODE, 1912.

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RULES.
FEDERATED MALAY STATES.

ENACTMENT No. 6 OF 1912.

An Enactment to make provision for matters relating to Labour.

ARTHUR YOUNG, President of the Federal Council. [21st September, 1912.]

IT is hereby enacted by the Rulers of the Federated Malay States in Council as follows:

PART I.

PRELIMINARY.

CHAPTER I.

SHORT TITLE AND REPEAL.

1. This Enactment may be cited as "The Labour Code, 1912," and shall come into force upon such date as shall be appointed by the Chief Secretary to Government by notification in the Gazette.

2. The Enactments mentioned in the first schedule are hereby repealed.

3. The provisions of Part VIII of this Enactment shall, as near as may be, apply to natives of Netherlands India and the places where they are employed, but with this exception none of the provisions of this Enactment which may be inconsistent with the provisions of the Netherlands Indian Labourers' Protection Enactments, 1909, shall apply to any native of Netherlands India who has entered into a contract of service under the provisions of those Enactments or to the employers with whom such contract of service has been entered into.

CHAPTER II.

INTERPRETATION.

4. For the purposes of this Enactment unless the context otherwise requires:

"Agreement" means a verbal engagement to labour entered into in accordance with the provisions of this Enactment.

"Contract" means a written engagement to labour entered into in accordance with the provisions of this Enactment.

"Contract labourer" means a person who is legally bound to labour by virtue of a contract.

"Court" means the Court of a Magistrate of the First Class.

"Domestic servant" includes coachmen, grooms, motor-car drivers, gardeners, water-carriers and other house, stable or garden servants employed in, or in connection with, the domestic services of any public or private dwelling-house or eating-house.
No. 6 of 1912.

"Employer." "Employer" includes every person and every body of persons, corporate or unincorporate, who or which enters into an agreement or contract with any labourer as hereinafter defined, and the duly authorised agent or manager of such person or body of persons.

"Immigrant ship." "Immigrant ship" means a ship carrying immigrants.

"Labourer." "Labourer" includes every Asiatic artificer, miner, servant in husbandry, and every other Asiatic employed for the purpose of personally performing any manual labour or of recruiting or supervising Asiatics for, or in the performance of, such labour, but does not include domestic servants.

"Lines." "Lines" means any building or collection of buildings used or intended to be used, either temporarily or permanently, for the housing of labourers employed on an estate.

"Master." "Master" means the person for the time being in charge of a ship.

"Medical Officer." "Medical Officer" means the Principal Medical Officer, Federated Malay States, and includes any officer to whom the Principal Medical Officer shall, by writing under his hand, have delegated the exercise or performance of all or any of the powers or duties conferred or imposed on a Medical Officer by this Enactment to the extent of the powers or duties so delegated.

"Place of employment." "Place of employment" means any place where work is carried on by or on behalf of an employer.

"Port Officer." "Port Officer" includes the Conservator of a Port or the Harbour Master.

"Protector." "Protector" means the Secretary for Chinese Affairs and includes such other officers as the Chief Secretary to Government may declare, by notification in the Gazette, to be vested with the powers conferred upon the Protector by this Enactment.

"Resident." "Resident" means the Resident of the State in which the place of employment is situated.

"Ship." "Ship" includes every kind of vessel used for the conveyance of passengers by water whether propelled by oars or otherwise.

5. (i) It shall be lawful for the Chief Secretary to Government to appoint an officer to be styled the "Controller of Labour," hereinafter referred to as "the Controller," and also to appoint one or more officers to be styled "Deputy Controller of Labour," or "Assistant Controller of Labour," who, subject to such limitations as the Chief Secretary to Government may by rule prescribe, may perform all duties imposed and exercise all powers conferred on the Controller by this Enactment, and every duty so performed shall be deemed to have been duly performed for the purposes of this Enactment.

(ii) It shall also be lawful for the Chief Secretary to Government to appoint such other officers as he may deem necessary for the purpose of giving effect to the provisions of this Enactment.

6. Nothing in this Enactment shall operate to relieve any employer of any duty or liability imposed upon him by the provisions of any other Enactment for the time being in force or to limit any powers given to any Government officer by any such Enactment.
7. All agreements and contracts valid and in force at the date of the coming into force of this Enactment shall continue to be in force after such date, and, subject to the express provisions in any such agreement or contract contained, the parties thereto shall be subject to and entitled to the benefit of the provisions of this Enactment.

PART II.
PROVISIONS RELATING TO IMMIGRATION.

CHAPTER III.

ARRIVAL, EXAMINATION AND DETENTION OF IMMIGRANTS.

8. It shall be lawful for the Chief Secretary to Government

(a) to establish at any port in the Federated Malay States depôts for the examination of immigrants (hereinafter called examination depôts);

(b) to establish at any place in the Federated Malay States depôts for the detention of indebted immigrants (hereinafter called detention depôts).

9. (i) No immigrant shall land in or enter the Federated Malay States except at such ports and places as the Chief Secretary to Government may, by notification in the Gazette, prescribe, or at such ports or places until authorised by the Controller of Labour or an officer of his department.

(ii) Any master causing or permitting any immigrant to land contrary to the provisions of sub-section (i) shall be liable to a fine not exceeding fifty dollars for each immigrant so landing. A master from whose ship an immigrant shall land contrary to the provisions of sub-section (i) shall, in the absence of proof to the contrary, be deemed to have caused or permitted him so to land.

10. Ships having any immigrants on board shall, on arrival within signalling distance of any port prescribed under the provisions of the last preceding section, hoist such signals as may be prescribed by rules under this Enactment:

11. On the arrival of the ship the Port Officer shall give immediate notice to the Controller of Labour, or in the case of an immigrant ship arriving at a port in the Federated Malay States on a voyage from China to the Protector, who shall forthwith proceed on board.

12. (i) Subject to the provisions of the Customs Regulations Enactments, 1907, it shall not be lawful for any person other than the Controller of Labour, Medical Officer, Port Officer, the Chief Police Officer, or any of their subordinate officers, or in the case of an immigrant ship arriving at a port in the Federated Malay States on a voyage from China the Protector, or the owner, agent or consignee of an immigrant ship to communicate with any such ship on its arrival in port, except for the purpose of landing passengers or disembarking immigrants under the provisions of this Part until after the immigrants on board thereof have been disembarked; and no immigrant shall disembark or land, or attempt to disembark or land, from any such ship except as provided by this Part or by rules made under this Enactment.

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7. All agreements and contracts valid and in force at the date of the coming into force of this Enactment shall continue to be in force after such date, and, subject to the express provisions in any such agreement or contract contained, the parties thereto shall be subject to and entitled to the benefit of the provisions of this Enactment.

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