

13. Section ten of the principal Act is amended by— S. 10
amended.

(a) adding after the word, "line" being the last word in subsection (3) the word, "; or" and the following paragraph:—

(e) where the Minister is of opinion that it is necessary or desirable for the purposes of the education, employment, or welfare, of a native that he be issued with a permit to travel south of the boundary line and issues the permit under subsection (7) of this section;

(b) substituting for the words, "any member of the police force" in lines five and six of subsection (6) the words, "a member of the Police Force of the State"; and

(c) adding after subsection (6) the following subsections:—

(7) (a) The Minister may issue to a native a permit for the purposes mentioned in paragraph (e) of subsection (3) of this section.

(b) In issuing the permit to the native the Minister may impose as conditions of the permit such conditions as he thinks fit including a condition that the native shall submit himself to medical examination by such medical practitioner or medical practitioners as the Minister from time to time nominates at such place or places and at such times as the Minister from time to time specifies.

(c) If the native does not comply with a condition so imposed he commits an offence.

Penalty: One hundred pounds or six months' imprisonment.

(d) The Minister may cancel the native's permit at any time for any reason without giving the reason, and may direct the native to return at the native's expense within a time specified by the Minister to a place north of the boundary line and on cancellation of his permit the native is deemed, for the purposes of subsection (6) of this section, to be south of the boundary line in contravention of the provisions of subsection (3) of this section.

(8) (a) Where under this section the Minister directs or requires a native to return, or directs or requires the holder of a permit issued under this section to cause a native to be removed, to a place north of the boundary line, by a specified day, the native or holder of the permit, as the case may be, so directed or required commits an offence if he does not comply with the direction or requisition.

Penalty: One hundred pounds or six months' imprisonment.

(b) Where in a complaint made in respect of an offence mentioned in paragraph (a) of this subsection there is an averment that the Minister has directed or required the defendant, being a native, to return, or, being a permit holder, to cause a native to be removed, to a place north of the boundary line, by a specified day, and that the direction or requisition has not been complied with, Courts and persons acting judicially shall presume the averment proved in the absence of proof to the contrary.

S. 13
repealed.

14. Section thirteen of the principal Act is repealed.

S. 14
repealed.

15. Section fourteen of the principal Act is repealed.

16. Section fifteen of the principal Act is amended by substituting for the words, "shall not be lawful" in line one the words, "is an offence against this Act". S. 15
amended.

17. Section sixteen of the principal Act is amended by— S. 16
amended.

- (a) adding before the word, "Any" in line one the figure, "1" in brackets thus—(1);
- (b) adding before the word, "Any" in line thirteen the figure, "2" in brackets thus—(2); and
- (c) adding after the word, "both" being the last word in the section the following sub-sections:—

(3) A complaint under the Justices Act, 1902, in respect of an offence mentioned in this section is not valid unless authorised by a Protector. Cf. No. 11 of
1902 as
amended.
Ss. 4 and 42
as to
complaints.

(4) Where in a complaint made in respect of an offence mentioned in this section there is an averment that the complaint is made with the authorisation of a Protector, Courts and persons acting judicially shall presume the averment proved in absence of proof to the contrary.

18. Section seventeen of the principal Act is repealed. S. 17
repealed.

19. Section eighteen of the principal Act is repealed. S. 18
repealed.

20. Section nineteen of the principal Act is repealed. S. 19
repealed.

21. Section twenty of the principal Act is repealed. S. 20
repealed.

S. 21
amended.

22. Section twenty-one of the principal Act is amended by—

- (a) substituting for the words, “No permit shall be granted allowing” in line one the words, “It is an offence to employ, engage or permit”;
- (b) substituting for the words, “to be employed” in line three the words, “to serve”; and
- (c) adding after the word, “boat” in line four the words, “without the written consent of the Commissioner”.

S. 22
repealed.

23. Section twenty-two of the principal Act is repealed.

S. 23
repealed.

24. Section twenty-three of the principal Act is repealed.

S. 24
repealed.

25. Section twenty-four of the principal Act is repealed.

S. 25
repealed.

26. Section twenty-five of the principal Act is repealed.

S. 26
repealed.

27. Section twenty-six of the principal Act is repealed.

S. 27
repealed.

28. Section twenty-seven of the principal Act is repealed.

S. 28
repealed.

29. Section twenty-eight of the principal Act is repealed.

S. 29
amended.

30. Section twenty-nine of the principal Act is amended by—

- (a) adding after the word, “employed” in line one the words, “as an employee or engaged as an independent contractor”; and

- (b) substituting for the words, "a protector or police officer" in line two the words, "the Commissioner".

31. Section thirty of the principal Act is amended S. 30 amended.
by—

- (a) substituting for the words and for the subsection designations, "(1)" and "(2)" in lines one to eight both inclusive the words, "A person who employs as an employee or engages as an independent contractor a native, shall allow the Commissioner or a person authorised to do so by the Commissioner, to"; and
- (b) substituting for the words, "any native employed" in line nine and for the words, "such native" in lines ten and eleven the words, "the native".

32. Section thirty-one of the principal Act is S. 31 repealed.
repealed.

33. Section thirty-two of the principal Act is S. 32 repealed.
repealed.

34. Section thirty-three of the principal Act is S. 33 repealed and re-enacted.
repealed and re-enacted as follows:—

33. (1) Where a person engages a native, whether as an employee or an independent contractor, under such circumstances that the native is required to carry out services at a place more than fifty miles from that where the native was engaged, the person, at his own expense, shall provide, when the native has completed the services, for the return of the native to the place where he was engaged.

(2) A contravention of subsection (1) of this section is an offence.

(3) A court of summary jurisdiction, whether it imposes or does not impose a penalty upon an offender,

(a) may order him to provide for the return of the native to the place where he was engaged, by such route and manner as the court thinks fit and orders; and

(b) may, if the court thinks fit, order the offender to pay to the clerk of the court, such sum as it considers proper for, and to be applied in, payment of the cost of the return of the native to that place.

(4) A complaint under the Justices Act, 1902, in respect of an offence mentioned in this section is not valid unless authorised by a Protector.

(5) Where in a complaint made in respect of an offence mentioned in this section there is an averment that the complaint is made with the authorisation of a Protector, Courts and persons acting judicially shall presume the averment proved in absence of proof to the contrary.

S. 34
amended.

35. Section thirty-four of the principal Act is amended by—

(a) substituting for the words, "of his employment, the employer," in lines one and two the words, "for which he has been engaged, whether as an employee or as an independent contractor, to carry out services for a person, that person,";

(b) substituting for the word, "employed" in line three the words, "in connection with the carrying out of the services,"; and

(c) substituting for the words, "the employer" in line seven the words, "that person".

36. Section thirty-five of the principal Act is amended by— S. 35
amended.

- (a) adding before the word, "The" in line one the figure, "1" in brackets thus—(1);
- (b) substituting for the paragraph designations, (1) to (5) both inclusive, the paragraph designations, (a), (b), (c), (d) and (e) respectively;
- (c) substituting for the words, "Provided that the" in line twenty-four the figure, "2" in brackets thus—(2) and the word, "The";
- (d) adding before the word, "Any" in line twenty-nine the figure, "3" in brackets thus—(3);
- (e) adding before the word, "The" in line thirty-three the figure, "4" in brackets thus—(4); and
- (f) adding before the word, "The" in line thirty-nine the figure, "5" in brackets thus—(5).

37. Section thirty-six of the principal Act is amended by— S. 36
amended.

- (a) deleting the words, "other than a native exempted from the provisions of this Act" in lines five and six of subsection (2);
- (b) transposing the word, "generally" in line twenty-two of subsection (2) so as to precede the word, "for" in that line; and
- (c) adding the following subsections:—

(3) (a) In this subsection—