

Servants Registry.

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“Magistrate” means a stipendiary or police magistrate.

“Servant” means any person engaged or seeking engagement for hire in any menial capacity, whether domestic, agricultural, or otherwise howsoever.

“Servants registry office,” or “registry office,” or “office,” means any house or office at which is carried on the business of procuring servants for employers or employment for servants, but does not include any association or institution not carried on for the profit thereof.

Licensing and registration.

3. It shall not be lawful for any person in any district directly or indirectly to keep or conduct a registry office, or in any way to hold himself out to be a keeper or conductor thereof, or to charge or recover fees for or in connection with the hiring of servants unless he is the holder of a license in the Form C in the Schedule hereto.

Every person keeping a registry office to be licensed.

4. (1) The inspector shall issue such license to any person who—

Application for license.

(a) makes a written application therefor in the Form A in the Schedule hereto; and

(b) forwards with such application a license fee of ten shillings and a certificate of character signed by a magistrate in the Form B in the Schedule hereto:

Provided that before a person applies to a magistrate for such a certificate, such person shall give at least three days' written notice to the inspector, stating the date and place when and where such applicant intends to apply for such certificate, and the inspector shall be entitled to be heard and bring evidence in opposition to the granting of such certificate.

(2) Such applications may be made and such licenses may be issued at any time after the passing of this Act.

5. Such license, unless sooner cancelled, shall continue in force in the district for which it was issued, but not elsewhere, for one year, but may be renewed from year to year on payment of an annual fee of five shillings.

Duration of license.

6. The inspector shall keep a register of all license-holders in his district, and of all endorsements on and cancellations of licenses.

Inspector to keep register.

7. A copy of any entry in such register, purporting to be signed by the inspector keeping the same, shall be prima facie evidence of the truth of the matters stated in such copy.

Evidence of entry in register.

Duties of license-holders.

8. Every license-holder shall keep the following records of his business—

Books and records to be kept by license-holder.

- (a) a book containing the names of every person who pays or is charged a fee for or in connection with the hiring of servants, together with the date of such payment or charging and the amount of the fee;
- (b) a book in the Form D in the Schedule hereto, and containing the particulars therein specified;
- (c) the originals of all letters received for a period of one year from receipt thereof by the license-holder relating to the hiring of servants.

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9. Such books and records shall be accurately kept from day to day, and shall, at all reasonable times, be open to inspection by the inspector. To be open to inspection.

10. Any employer or servant may, at all reasonable times, inspect and take copies of any entry relating to himself in such books. Copies of entries may be taken.

11. Every license-holder shall, at all times, keep posted up in some conspicuous place, in or on his or her office, so as to be easily read by the public, the words "licensed registry-office keeper." Name to be posted up.

12. It shall not be lawful for a license-holder to transfer his license to any person, directly or indirectly, or permit any person to carry on business under colour of such license. License not transferable.

13. It shall not be lawful for any person not being a license-holder to directly or indirectly hold himself out to be a license-holder, or to keep or conduct a registry office, or to receive or charge any fee for or in connection with the hiring of servants. Unlicensed persons not to keep registry office.

14. The Governor, by order published in the Gazette, may, from time to time prescribe a scale of fees chargeable by and payable to license-holders in respect to the hiring of servants. Governor may prescribe scale of fees.

15. Every license-holder shall at all times keep posted up in some conspicuous place in his office, so as to be seen by all persons, a printed copy of the scale of fees for the time being in force under this Act. License-holder to post list of fees in his office.

16. It shall not be lawful for any license-holder to directly or indirectly demand or receive from any person, for or in respect of the hiring of any servant, any greater or other fees than those specified in such scale, and any sum so in any way received by any license-holder in breach of this section may be recovered back, with full costs of suit, by the person who paid it. Fees allowed to be received.

No license-holder shall, directly or indirectly, take or accept any goods or chattels in payment or as security for the payment of such fees, nor shall any license-holder receive or accept any reward or other consideration in addition to the said fees.

17. (1) It shall not be lawful for any license-holder to directly or indirectly keep servants as lodgers, or have any share or interest in the keeping of a lodging-house for servants. License-holders may not have interest in lodging-house.

(2) For the purpose of this section, a license-holder shall be deemed to have such interest as aforesaid if any lodger or lodging-house is kept by any member of the license-holder's household.

18. Every contract or agreement made between any license-holder or member of his household, and any other person relating to the keeping of servants as lodgers, or of a lodging-house for such purposes, shall be illegal and void for all purposes. Illegal contracts or agreements.

Supplemental.

19. If any person, being a license-holder, fails or neglects to comply with any of the provisions of this Act, or, being a license-holder or not, commits a breach of any of the provisions of this Act, he is liable to a penalty not exceeding *five* pounds. Penalty for breach of Act.

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20. In all proceedings under section thirteen the onus shall be on the accused to prove, by the production of his license, that he is a license-holder. Onus on accused to prove he is licensed.

21. In all proceedings under this Act against a license-holder he shall not be admitted to defend unless he produces and delivers to the court his license. Accused to produce his license.

22. Every conviction against a license-holder shall be endorsed on his license by the convicting magistrate or justice, and, upon a third conviction within three years from the first conviction, the license shall be deemed cancelled, and the clerk of the court shall deliver it up to the inspector. Conviction to be endorsed on license.

23. No person whose license has been cancelled shall be entitled to hold a license in any district until the expiration of one year from the date of such cancellation. Suspension from holding license.

24. No license-holder shall be entitled to maintain an action for the recovery of fees unless at the trial he produces his license. Recovery of license-holders fees.

25. On satisfactory proof of loss or destruction of a license, and on the payment of one shilling, the inspector may, at the request of the licensee, issue a duplicate (bearing all endorsements) and such duplicate shall avail for all purposes as if it were the original license. If license lost duplicate may be issued.

26. Penalties for breaches of this Act may be recovered in a summary way before a court of petty sessions. Recovery of penalties.

SCHEDULE.

(A.)

Form of application for license.

To the Inspector of Factories for the district,—

I, A.B., residing at _____, do hereby apply for a license under the Servants Registry Act, 1901, as the keeper of a servants' registry office at the premises situate at _____, in this district. I enclose herewith the certificate of a magistrate, and also the prescribed fee of ten shillings.

Dated this _____ day of _____, 19 _____.

A.B.

(B.)

Certificate of magistrate.

I, the undersigned, being a stipendiary (or police) magistrate, residing or exercising jurisdiction within the district of _____, do hereby certify that I believe [*here state the name of applicant*] to be a fit and proper person to keep and have the conducting of a servants' registry office under the Servants Registry Act, 1901.

Dated at _____, this _____ day of _____, 19 _____.

C.D.,
Stipendiary Magistrate.

(C.)

Form of license.

I, the undersigned, inspector of shops and factories for the district of _____, do hereby certify that A.B., of _____, is hereby licensed to keep and have the conduct of a servants' registry office in the district, subject to the provisions of the Servants Registry

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Registry Act, 1901. This license, unless sooner cancelled, continues in force in this district (but not elsewhere) for twelve months from the date hereof, and is not transferable in any manner whatsoever.

Dated this day of , 19 .

E.F.,
Inspector of Factories.

(D.)

Book of engagements.

Name of employer.	Address and occupation.	Name of servant.	Nature of engagement.	Rate of wages.	Terms of engagement.

SERVANTS REGISTRY BILL.

ANALYSIS.

Title.

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14. Governor may prescribe scale of fees.
15. License-holder to post list of fees in his office.
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17. License-holder may not have interest in lodging-house. Interest defined.
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21. Accused to produce his license.
22. Conviction to be endorsed on license.
23. Suspension from holding license.
24. Recovery of license-holder's fees.
25. If license lost, duplicate may be issued.
26. Recovery of penalties.

Schedule.