

CHAPTER 236

BOATMEN

Ordinances AN ORDINANCE FOR THE REGULATION AND CONTROL OF BOATMEN EMPLOYED
 Nos. 6 of 1880, IN LICENSED BOATS.
 6 of 1896.

[10th November, 1880.]

Short title. **1.** This Ordinance may be cited as the Boatmen's Ordinance.

Construction and application of Ordinance. **2.** (1) This Ordinance shall be construed as one with the Masters Attendant Ordinance,* hereinafter referred to as " the principal Ordinance ".

(2) This Ordinance shall extend to the port of Colombo only, but the Minister may by Order extend it to any other port or ports to which the provisions of the principal Ordinance extend.

Interpretation. **3.** The term " licensed boat " shall mean any licensed boat when employed in carrying passengers for hire, and any bumboat and any boat used by traders or hawkers or for the conveyance of goods for sale.

Boatmen to be licensed. **4.** From and after the 1st day of January, 1881, every person to be employed as a boatman in, or to serve as one of the crew, or in any capacity on board of, any licensed boat, shall be duly licensed for that purpose as hereinafter provided.

Master Attendant to keep register of licensed boatmen; particulars to be entered therein and shall issue licence to boatmen. **5.** It shall be the duty of the Master Attendant to register in a book to be kept for that purpose, and to be called " the Register of Licensed Boatmen", in numerical order, the name, description, and such other particulars as may be necessary for identification, of every person applying to be licensed to be employed as a

boatman, and he shall thereupon issue to such person a licence to be employed as aforesaid, which licence shall bear the registered number of the applicant, and shall be in the form in the Schedule, and shall be in force for such time as shall be mentioned therein, and the date of such licence, together with the period for which it shall be granted, shall be registered in "the Register of Licensed Boatmen ":

Provided, however, that the Master Attendant may, for good cause, refuse to issue a licence to any person applying therefor, and may from time to time renew any licence which may have expired, and such refusal or renewal shall be duly registered in the register. May refuse to Issue licence.

6. The Master Attendant shall cause to be delivered to each licensed boatman a badge of uniform pattern, bearing thereon the number of his licence, the cost of which shall be paid by the person to whom the same is delivered, and it shall be the duty of every licensed boatman, when acting as such, to wear such badge conspicuously exposed upon his person; and in case the owner of such badge shall at any time satisfy the Master Attendant that such badge has been lost or destroyed it shall be lawful for the Master Attendant to cause another badge to be delivered to such boatman upon his paying the cost thereof. Licensed boatmen to have badges and to wear them.

Provision for lost badges.

* All references to Master Attendant in this Ordinance shall be deemed to be a reference to the Ports Authority in the application of its provisions to any " specified port " within the meaning of section 2 of the Sri Lanka Ports Authority Act — See section 86 (3) thereof.

f Sri Lanka Ports Authority Act shall apply in, to, and in relation to the Ports of Colombo, Galle, and Trincomalee — See section 2 thereof.

Boatmen to be under control of Master Attendant.

7. All boatmen licensed under this Ordinance shall be subject and liable to the orders, directions, and control of the Master Attendant, who is hereby invested with full power and authority to carry into execution the provisions of this Ordinance.

(g) any unlicensed person who shall use or exhibit, with intent to deceive, a boatman's badge, or any false badge intended to represent, or representing, a licensed boatman's badge;

Master Attendant, with approval of the Minister, may make rules for the government of licensed boatmen. Every boatman and tindal to be furnished with a copy of such rules.

8. Rules for the government of licensed boatmen under this Ordinance shall from time to time be prepared by the Master Attendant, which rules, when approved by the Minister and published in the Gazette shall have the effect of law and the Master Attendant shall cause every licensed boatman and the tindal of every licensed boat to be furnished with a copy of such rules in the Sinhala, Tamil and English languages.

(h) any licensed boatman who shall use or exhibit any badge other than his own,

and the offender shall be liable to a penalty not exceeding twenty rupees, or to imprisonment, with or without hard labour, for any period not exceeding one month. Penalties.

Offences.

9. The following shall be offences under this Ordinance;—

10. If any licensed boatman shall be convicted of any offence against this Ordinance, the Master Attendant may, in addition to any penalty which may have been imposed upon the offender, suspend or cancel the licence of such boatman, and any boatman whose licence shall have been suspended as aforesaid shall, for the purpose of this Ordinance, during the period of such suspension, be deemed an unlicensed person. Master Attendant may suspend or cancel boatman's licence.

(a) any person who shall employ, or permit to be employed, or to act or to serve as a boatman, or as one of the crew, or in any capacity on board of a licensed boat, any unlicensed person;

11. When the licence of any boatman shall have expired and shall not have been renewed, or when it has been cancelled or suspended under the provisions of section 10, the Master Attendant shall cause an entry thereof to be made in the register, and the boatman whose licence shall have expired and shall not have been renewed, or whose licence shall have been cancelled or suspended, shall forthwith deliver up to the Master Attendant his licence and badge, and it shall be the duty of the Master Attendant to return to the person whose licence shall have expired and shall not have been renewed, or whose licence shall have been cancelled, the original cost of such badge, and to return to the person whose licence has been suspended his licence and badge, when his period of suspension has expired; and any licensed person who shall neglect or refuse to deliver up his licence and badge as required by this section shall be liable to a penalty not exceeding twenty rupees, or to imprisonment, with or without hard labour, for any period not exceeding one month. When boatman's licence has been cancelled or suspended, entry thereof to be made in register, and licence and badge to be delivered up. Cost of badge to be returned when licence expires.

(b) any unlicensed person who shall be employed, or who shall act or serve as a boatman, or as one of the crew, or in any capacity on board of a licensed boat;

(c) any licensed boatman who shall violate any rule to be made under the authority of this or the principal Ordinance;

(d) any licensed boatman who shall act as such without wearing his proper badge exposed in a conspicuous manner;

(e) any licensed boatman who shall disobey any lawful order given by the Master Attendant;

Penalty on neglecting to deliver up licence and badge.

(f) any licensed boatman who, while employed as such, shall use violent or abusive language to any passenger or who shall threaten or molest any passenger, or who shall by any means extort any money from any passenger;

12. Any Magistrate's Court shall have jurisdiction over any offence against this Ordinance. Any Magistrate's court to have jurisdiction over offences.

[Section 5.]

SCHEDULE

Licence No.....

By the Master Attendant of the port of.....

This is to license as a boatman, under the Boatmen's Ordinance for the port of..... for the period of .'. . . . ' . . . ; from the date hereof.

Dated

A.B.,
Master Attendant.