

ARTICLE XXXVIII.

Submission of Registers of Engagements on Arrival.

(1) Within twenty-four hours of their arrival, all masters of recruiting vessels shall be obliged to present their register of engagements for signature by the competent person.

(2) If irregularities are detected in the operations of the recruiter or in the keeping of the register of engagements, an official report shall be immediately drawn up by the person to whom the register has been submitted. This report shall be sent without delay to the competent authority.

The same course shall be followed if the register is not produced within the prescribed period.

ARTICLE XXXIX.

Notification of Engagements.

(1) Every engagement of a native labourer shall be notified by his employer within three days from the date of landing.

The notification shall be made to the Resident Commissioner, to whose jurisdiction the employer is subject, or to the person appointed for the purpose.

(2) The notification shall be registered, and the contract shall be signed by the Resident Commissioner, or by the person appointed for the purpose.

(3) The two Resident Commissioners shall communicate to each other every month a list of the notifications of engagements received by them, or by the persons appointed for the purpose.

ARTICLE XL.

Re-engagement.

(1) At the termination of the period of his engagement the labourer shall not enter into a fresh engagement—if he has not been previously sent home—without an authority in writing from the Resident Commissioner entitled to receive the notification of engagement, or from the person appointed for the purpose.

(2) The authority shall only be given after the native has been examined in the presence of the employer, two non-native witnesses, and two witnesses, selected as far as possible from the same tribe as the labourer, and if the latter, of his own free will, declares that he wishes to re-engage.

(3) No re-engagement shall exceed the term of one year. It shall be renewable on the same conditions.

ARTICLE XLI.

Records of Engagements.

(1) Every employer shall keep posted up to date a separate record for each labourer in his service.

(2) There shall be entered in this record the name and sex of the labourer, the identification marks, the name of the tribe, the place and date of recruiting, the name of the recruiter, the name of the vessel, and the duration and conditions of his engagement, as stipulated in the contract.

The days of absence from work on account of illness shall be entered by the employer in the record, and also any other days of absence.

ARTICLE XLII.

Additional Periods of Work.

(1) Time lost through absence without good cause shall be added to the term of the engagement.

(2) A labourer may further be retained after his term of engagement expires as a punishment for breaches of discipline to which he has been duly sentenced. In such case, the additional period of labour shall not exceed two months for each year of engagement.

ARTICLE XLIII.

Transfer of Engagements.

(1) No transfer of a contract of engagement shall be permitted unless freely accepted by the labourer and authorized by the Resident Commissioner entitled to receive the notification of engagement, or by the person appointed for the purpose.

(2) If the transfer is between British subjects or French citizens, the authority shall be jointly given by the two Resident Commissioners.

ARTICLE XLIV.

Duties of Employers.

(1) Employers must treat their labourers with kindness. They shall refrain from all violence towards them.

(2) They must supply them with sufficient food, according to the custom of the country, including rice, at least once a day, as part of their meals.

The Resident Commissioners shall fix jointly the amount of rice to be supplied to the labourers.

(3) Employers must further provide their labourers with adequate shelter, the necessary clothing, and medical care in case of illness.

ARTICLE XLV.

Working Hours.

(1) Labourers shall not be obliged to work except between sunrise and sunset.

(2) They shall have daily, at the time of their mid-day meal, at least one clear hour of rest,