



ANNO QUADRAGESIMO SECUNDO ET QUADRAGESIMO
TERTIO

VICTORIÆ REGINÆ.

A.D. 1879.

No. 150.

An Act to amend "The Customs Act, 1864."

[Assented to, 25th October, 1879.]

WHEREAS it is expedient to amend "The Customs Act, 1864," Preamble.
by appointing a Deputy Collector of Customs, by determining what shall be Customs Holidays, by repealing certain of the present provisions of the said Act regulating the coasting trade, and by making other provisions in lieu thereof—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. This Act may be cited for all purposes as "The Customs Act Amendment Act, 1879." Short title.

2. The said "The Customs Act, 1864" (save so far as the same is affected, altered, or amended hereby), shall be deemed to be incorporated with this Act, and shall be construed herewith as forming one Act. Incorporation.

3. Sections 9, 122, 123, 124, 125, 126, 127, and 128, of the said "The Customs Act, 1864," are hereby repealed, excepting always in so far as the said sections may repeal any former Acts or Ordinances, or any part thereof, and excepting so far as relates to anything lawfully done before the commencement of this Act, and excepting so far as may be necessary to enable any punishment to be inflicted or penalty enforced for anything contrary to the provisions of the said Act or the Acts or Ordinances thereby repealed, or any of them. Repeal of certain sections of "The Customs Act, 1864."

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In the absence of the Collector of Customs, a deputy may be appointed.

4. The Governor may appoint any proper person, to be called the Deputy Collector of Customs, to execute the duties, and to exercise all the powers, authorities, licences, and discretions of the said Collector of Customs, during the absence on leave of the said Collector.

Customs holidays.

5. The following days shall be kept as public holidays by the Customs, that is to say—New Year's Day, Good Friday, Easter Monday, the Anniversary of the Foundation of the said Province, Christmas Day, such days as shall be appointed for the celebration of Prince Alfred's Birthday, the Prince of Wales' Birthday, the Anniversary of the Birthday and Accession of Her Majesty or Her successors, in every year, and any other days which shall be specially proclaimed by the Governor, by Proclamation, to be published in the *Government Gazette*, as a Customs holiday, and every Saturday after the hour of one o'clock in the afternoon.

Masters of coasting ships to keep cargo-book.

6. The master of every coasting ship shall keep a cargo-book, stating—

- I. The name of the ship, the owner, the master, and the port to which she belongs:
- II The port of loading, and that to which she is bound on each voyage:
- III. A general statement of the nature of the cargo:
- IV. The particulars of any bonded goods on board:
- v. The respective times of departure from every port of loading, and of arrival at every port of discharge:

And such master shall, on demand, produce such book, for the inspection of any proper officer of the Customs, who shall be at liberty to make any note or remark therein: And if any goods shall be found on board any such coasting ship, particulars whereof have not been entered in such book as aforesaid, or shall be landed or attempted to be landed therefrom, subject to the payment of duty and on which duty has not been paid, such goods shall be forfeited: And if such master shall fail to keep such cargo-book in manner aforesaid or to produce the same when demanded he shall forfeit a sum not exceeding Twenty Pounds.

Cargo-book duly signed to be transire for coasting ship.

7. Before any coasting ship, except as hereinafter provided, shall depart from the port of loading, the master shall produce the cargo-book to the proper officer of Customs, who shall sign the same; and thereupon such cargo-book shall be the clearance of the ship for the voyage, and the transire for the goods specified therein; and if the master shall fail to deliver such cargo-book he shall forfeit a sum not exceeding Twenty Pounds.

Cargo-book to be produced at port of discharge.

8. Within twenty-four hours after the arrival of any coasting ship, except as hereinafter provided, at the port of discharge, and before any

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any goods be unladen, the cargo-book shall be delivered to the proper officer of Customs, who shall note thereon the date of delivery; and if any goods shall be unladen contrary to the provisions hereof, the master shall forfeit such goods and a sum not exceeding Twenty Pounds.

9. The master or owner of any coasting ship shall, on giving bond in such sum and with such securities or security as the Collector may require, be entitled to receive a general transire which shall empower such coasting ship to make coasting voyages for three months without requiring a clearance each voyage: Provided that if any bonded goods are carried under such general transire, the master shall enter the particulars thereof in his cargo-book, and deliver such goods only to the proper officer of Customs at the port of discharge, or he shall forfeit such goods and a sum not exceeding Fifty Pounds.

General transire may be permitted.

10. On obtaining such general transire the master shall satisfy the Collector that all lights, harbor, or tonnage dues for which such ship may be liable have been duly paid; and if such transire shall expire while a coasting ship is at sea, the master shall either obtain a renewal of such transire from the Collector at the first port at which he shall arrive or obtain a clearance therefrom in the same manner as if no such transire had been held by him; and if the master shall, in the opinion of the Collector, have disobeyed any of the provisions or the rules or regulations contained in or made under the authority of this Act, or of the said "Customs Act, 1864," or any other Act now or hereafter in force concerning the Customs, the Collector shall have authority to cancel such general transire, and may refuse to grant to such master any renewal thereof.

On obtaining transire all dues to be satisfied.

On expiration at sea to be renewed.

If master breaks any regulations, &c.

Collector may cancel general transire.

11. Upon obtaining such transire as aforesaid all goods may be unshipped from any ship arriving coastwise, or be shipped or waterborne to be shipped to be carried coastwise, at any time or times, except on Sundays. If any such goods be unshipped or shipped, except as hereinafter provided, on a Sunday, the same shall be forfeited, and the master of such ship shall forfeit the sum of Fifty Pounds: Provided that it shall be lawful for any master of any coasting ship to unship any cattle, fresh meat, fish, fruit, vegetables, and other perishable articles, and the personal baggage of passengers, on Sundays.

Fines for unshipment and shipment of goods.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. F. DRUMMOND JERVOIS, Governor.