

ABORIGINES.

1° EDWD. VIII., No. XLIII.

No. 43 of 1936.

AN ACT to amend the Aborigines Act, 1905.

[Assented to 11th December, 1936.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Aborigines Act Amendment Act, 1936*, and shall be read as one with the Aborigines Act, 1905, as reprinted with amendments at page 391 of the Sessional Volume of Statutes for the year 1913. Short title.

The Aborigines Act, 1905, and its amendments is hereinafter referred to as "the principal Act."

2. Section two of the principal Act is amended—

(a) by deleting the words "and in receipt of any annual or other subsidy or grant from the Government" in lines four, five, and six of the definition of "Aboriginal institution" and inserting in lieu thereof the words—"declared by proclamation to be a native institution for the purposes of this Act"; and

Amendment
of s. 2 of the
principal Act.

- (b) by striking out the words “a magisterial district” in the definition of “District” and inserting the following in place of the words struck out:—“Any portion of the State declared by proclamation to be a district for the purpose of this Act.”
- (c) by inserting a new definition after the definition of “District”:—

“Inspector” means an inspector appointed under this Act.
- (d) by deleting the interpretation of “Half-caste.”
- (e) by inserting a further definition after the definition of “Minister” as follows:—

“Native” means—

 - (a) any person of the full blood descended from the original inhabitants of Australia;
 - (b) subject to the exceptions stated in this definition any person of less than full blood who is descended from the original inhabitants of Australia or from their full blood descendants, excepting however any person who is—
 - (i) a quadroon under twenty-one years of age who neither associates with or lives substantially after the manner of the class of persons mentioned in paragraph (a) in this definition unless such quadroon is ordered by a magistrate to be classed as a native under this Act;
 - (ii) a quadroon over twenty-one years of age, unless that person is by order of a magistrate ordered to be classed as a native under this Act, or requests that he be classed as a native under this Act; and
 - (iii) a person of less than quadroon blood who was born prior to the 31st day of December, 1936, unless such person expressly applies to be brought under this Act and the Minister consents.
- (f) by adding a further definition after the definition of “Protector” as follows:—

“Quadroon” means a person who is descended from the full blood original inhabitants of

Australia or their full blood descendants but who is only one-fourth of the original full blood.

3. (1) (a) Wherever in the principal Act after amendment by this Act (except in section sixteen and section sixty-five and the First and Second Schedules) any of the words or expressions mentioned in the first column of the list hereunder appear, there shall be substituted for each such word or expression the word or words respectively set opposite thereto in the second column of the list.

Adjustment of certain terms in the principal Act.

First Column.

Second Column.

Aboriginal (used as a noun or an adjective)	Native.
Aboriginal native	Native.
Aborigine	Native.
Aborigines Department ..	Department of Native Affairs.
Chief Protector of Aborigines	Commissioner of Native Affairs.
Chief Protector	Commissioner.

(b) Where any of the words specified in the first column are used in the plural, then the plural of the corresponding word in the second column shall be substituted, and where the indefinite "an" is used before the word "aboriginal" the indefinite adjective "a" shall be substituted.

(2.) Whenever the following terms or expressions, namely:—

- "half-caste" or "half-castes"
- "and half-caste" or "and half-castes"
- "or half-caste" or "or half-castes"

appear in the principal Act after amendment by this Act they shall be struck out.

4. Section three of the principal Act is hereby repealed.

Repeal of s. 3, principal Act.

5. A new section is inserted after section three of the principal Act.

Persons of quadroon or less than quadroon blood may in certain cases come under the Act.

3A. (1.) Any quadroon over twenty-one years of age may—

- (a) on application being made by the Commissioner in the prescribed manner to a magistrate be ordered to be classed as a native under this Act; or
- (b) on his application and with the consent of the Minister be classed as a native under this Act.

(2.) Any person who was born prior to the 31st day of December, 1936, and who is of less than quadroon blood may apply to the Minister to be classed as a native, and may be classed as a native if the Minister consents.

Amendment
of s. 7 of the
principal Act.

6. Section seven of the principal Act is hereby amended by adding a paragraph at the end thereof as follows:—

Travelling
inspectors.

The Governor may appoint such persons as he may think fit to be travelling inspectors, whose duty it shall be in regard to the territories assigned to them to inspect and report to the Commissioner on—

- (a) the condition of the natives generally; and
- (b) the management and conduct of native institutions periodically.

Amendment
of s. 8 of the
principal Act.
Compare S.A.
1048 (1911),
s. 10.

7. Section eight of the principal Act is amended—

- (a) by inserting before the word “until” in the second line the words “notwithstanding that the child has a parent or other relative living”; and
- (b) by substituting the word “twenty-one” for the word “sixteen” in the third line thereof; and
- (c) by striking out all words after the word “years” in the third line.

Amendment
of s. 9 of the
principal Act.

8. Section nine of the principal Act is amended—

- (a) by striking out the words “to be removed any aboriginal, or a male half-caste under the age of sixteen years, or a female half-caste” in lines two and three, and substituting the words “any native to be removed”; and
- (b) by adding a proviso at the end of the section as follows:—

Provided that this section shall not apply to any male person over twenty-one years of

age who is of half blood or less than half blood descent from the original full blood inhabitants of Australia or from their full blood descendants, where such person does not live after the manner of the original full blood inhabitants or their full blood descendants.

9. Section twelve of the principal Act is hereby amended—

Amendment
of s. 12 of the
principal Act

- (a) by inserting after the word “reserve” in line two the words “district, institution, or hospital”; and
- (b) by striking out the words “or district” wherever they occur in lines three, six and ten, and inserting the words “district, institution, or hospital” in their places.

10. Section fourteen of the principal Act is amended by adding after the word “direction” in the fourth line the words “or an inspector or a protector.”

Amendment
of s. 14 of the
principal Act.

11. Section fifteen of the principal Act is amended—

Amendment
of s. 15 of the
principal Act.

- (a) by substituting the words “within the boundaries or confines of” for the word “upon” in line two;
- (b) by inserting the words “or native institution” after the word “reserve” wherever it occurs in the section;
- (c) by the addition of a new paragraph after paragraph (b) as follows:—
 - (c) transports or assists a native in or after his removal or escape therefrom;
- (d) by adding a new paragraph at the end of the section as follows:—

Any person guilty of an offence under the provisions of this section shall be liable—

- (a) in the case of a first offence, to a penalty not exceeding fifty pounds or to imprisonment with hard labour for six months, or both;
- (b) in the case of a second offence, to a penalty not exceeding one hundred pounds or to imprison-

ment with hard labour for twelve months, or both;

- (c) in the case of a third or subsequent offence, to a penalty not exceeding two hundred pounds or to imprisonment with hard labour for two years, or both.

Compulsory
examination
of diseased
aboriginals,
etc.

12. A new section is added after section fifteen as follows:—

15A. (a) The Commissioner may authorise some suitable person or persons to examine any natives with a view to ascertaining if they are afflicted with disease.

(b) Any person or persons so authorised may use such means as may be necessary to compel any native to undergo examination accordingly and to submit to such treatment as may be necessary in the circumstances.

(c) Any native who refuses to submit himself to examination or treatment, or who obstructs any person acting under any such authority commits an offence against this Act.

Amendment
of s. 17 of the
principal Act.

13. Section seventeen of the principal Act is amended—

(a) by striking out the words “or a male half-caste under the age of fourteen years or a female half-caste,” in lines one and two;

(b) by adding a proviso at the end of the section as follows:—

Provided that this section shall not apply to any male person over twenty-one years of age who is of half blood or less than half blood descent from the original full blood inhabitants of Australia or from their full blood descendants, where such person does not live after the manner of the original full blood inhabitants or their full blood descendants.

(c) by adding a subsection as follows:—

(2.) In this section “to employ” means not only to employ as a servant, but also includes the act of engagement under a contract to perform work or services, notwithstanding that the relationship is not that of master and servant.

(d) by adding a further subsection as follows:—

(3) Every agreement or permit and agreement shall be in accordance with the prescribed form.

14. Section eighteen of the principal Act is amended—

Amendment
of s. 18 of the
principal Act.

(a) by adding after the word “protector,” wherever it occurs in the section, the words “or inspector”; and

(b) by inserting the following further proviso and paragraph at the end thereof:—

Provided further, that any person aggrieved by the refusal to grant, or by a cancellation of a permit, may appeal to a magistrate in the magisterial district in which the permit was formerly exercised. Such appeal shall be in accordance with regulations, which may define the time for appealing and the procedure to be followed.

For the purpose of this proviso an application for a permit shall be deemed to have been refused unless it is granted within three months after the time when application is made for the permit to the Commissioner.

15. Section nineteen of the principal Act is repealed and the following substituted:—

Amendment
of s. 19 of the
principal Act.

19. No permit shall be granted allowing any male native under the age of sixteen years or any female native to be employed on board of or in connection with any ship or boat.

16. Section twenty-one of the principal Act is repealed and the following substituted:—

Amendment
of s. 21 of the
principal Act.

21. Any person who without the authority in writing of a protector or inspector, or without the authority of a permit under this Act, permits or suffers any native to be upon or in any house, ship, boat, camp, or other place in his occupation shall be guilty of an offence under this Act:

Provided that this section shall not apply to any native who is a male person over twenty-one years of age who is of half blood or less than half blood descent

from the original full blood inhabitants of Australia or from their full blood descendants, where such person does not live after the manner of the original full blood inhabitants or their full blood descendants.

Amendment
of s. 22 of the
principal Act.

17. Section twenty-two of the principal Act is amended—

(a) by striking out the words “or with a male half-caste under the age of sixteen years or with a female half-caste” in lines one and two.

(b) by adding a subsection as follows:—

(3) Provided that this section shall not apply to any male person over twenty-one years of age who is of half blood or less than half blood descent from the original full blood inhabitants of Australia or from their full blood descendants, where such person does not live after the manner of the original full blood inhabitants or their full blood descendants.

Amendment
of s. 27 of the
principal Act.

18. Section twenty-seven of the principal Act is amended by striking out the words “every male half-caste under the age of sixteen years and every female half-caste” in lines one and two.

Amendment
of s. 28 of the
principal Act.

19. Section twenty-eight of the principal Act is amended—

(a) by inserting after the word “to” in line one of paragraph (1) the words “an inspector or”; by inserting after the words “police officer” in line one of paragraph (1) the words “or officer appointed by the Commissioner”;

(b) by inserting after the word “allow” in line one of paragraph (2) the words “an inspector or”; by inserting after the words “police officer” in line one of paragraph (2) the words “or officer appointed by the Commissioner.”

Amendment
of s. 33 of the
principal Act.

20. Section thirty-three of the principal Act is amended—

(a) by adding after paragraph (4) a new paragraph as follows:—

(5) require a statement in writing from any person who has had any contractual transaction

or financial dealing or dealings in property with a native of any such transaction or dealing during the period of one year preceding such requisition.

- (b) by adding the words "except in the case of minors" after the word "exercised" in the proviso to that section;
- (c) by adding a paragraph as follows after the proviso in that section:—

Any person who fails to supply a statement when required by the Commissioner so to do, or who wilfully gives or supplies any false information in any such statement commits an offence against this Act;

- (d) by adding the following paragraph at the end of the section:—

The Commissioner may expend or apply any money in his possession or standing to the credit of any native for his maintenance, education, advancement or benefit.

21. New sections are hereby added after section thirty-three of the principal Act as follows:—

Insertion of
new sections

33A. (1.) The Commissioner may obtain letters of administration or letters of administration with the will annexed of the estate of any deceased native.

Commissioner
may obtain
letters of ad-
ministration
with will
annexed.

(2.) Notwithstanding the provisions of any Act or law to the contrary regulating in the absence of a will any succession to and the administration of the estate of any deceased or missing native, all property and rights of property vested in any native other than a native exempted from the provisions of this Act who dies intestate shall vest in the Commissioner upon trust to pay the just debts of the deceased and to distribute the balance between the widow or husband of the deceased and/or the next of kin, if the same or some of them can be ascertained, according to the laws of the State, in accordance with and in the manner prescribed for the administration of the estates of persons dying intestate by the Administration Act, 1903, and if such widow, husband, and/or next of kin cannot be so ascertained, amongst those persons who may by regulation be prescribed as the persons

Compare
Queensland.
25 Geo. V.,
No. 38, s. 26
(5).

entitled to succeed to the property of the deceased: Provided that, where there is no person entitled to succeed to such property under the regulations, the proceeds of the estate of the deceased shall be paid to a special trust account and be utilised by the Commissioner for the benefit of natives generally: Provided further, that a certificate under the hand of the Commissioner shall be conclusive evidence as to the person or persons entitled under the regulations to succeed to the estate of any deceased or missing native or that there is no such person or persons so entitled.

Sickness and
accident
fund.

33B. (1.) (a) Every holder of a permit to employ a native shall pay to the Commissioner as a contribution to a medical fund to be kept at the Treasury in the name of the Commissioner contributions on a prescribed scale.

(b) Such fund shall, subject to the provisions of this section, be used to defray the medical and hospital expenses and the maintenance of natives who fall ill or become diseased or who suffer any injury or accident.

(2.) The holder of a permit shall as soon as possible notify in writing the nearest or most accessible protector when any native in his employ becomes sick or affected by any disease or suffers any injury.

(3.) Whenever any native is sick, affected by disease, or injured, and it is expedient in his interests that he should be removed to some place for medical attention or treatment, the holder of a permit under which he is employed shall as soon as is reasonably possible—

(a) provide free transport for the native and send him to the nearest and most accessible hospital; or

(b) at the option of a protector provide free transport for the native to the protector, and thence provide free transport for the native to the nearest and most accessible hospital.

(4.) The holder of a permit shall keep and use for the benefit of any native in his employ a reasonable supply of drugs, dressings, and instruments for rendering first aid.

(5.) The holder of a permit who complies with the provisions of this section shall not be under any liability for worker's compensation to an injured native in his employ or to the dependants of any such injured native under the provisions of the Workers' Compensation Act, 1912-1934.

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

Amendment
of s. 34 of the
principal Act.

(a) by striking out the words "a half-caste child whose age does not exceed fourteen years" in lines one and two and substituting the words "a male child whose age does not exceed sixteen years or a female child whose age does not exceed eighteen years, and who in either case is the offspring of a native and some person other than a native."

(b) by inserting after the word "pay" in the fifth line of subsection two the words "a reasonable sum for the confinement and hospital expenses of the mother and for the past maintenance of the child, not exceeding six months in the case of the child, and."

(c) by deleting the proviso to subsection (2) and inserting in lieu thereof a proviso as follows:—

Provided that no man shall be taken to be the father of any such child upon the evidence of the mother, unless her evidence is corroborated in some material particular.

23. Subsection two of section thirty-five of the principal Act is amended by striking out the words "or any male half-caste under the age of sixteen years or any female half-caste" in lines one and two of the subsection.

Amendment
of s. 35 of the
principal Act

24. Section thirty-six of the principal Act is amended by striking out the words "or female half-castes" in line five and inserting the words "or where any natives may be congregated or in the course of travelling in pursuance of any native custom" after the word "camped" in the same line.

Amendment
of s. 36 of the
principal Act.

Repeal and
re-enactment
of s. 42 of the
principal Act.

25. Section forty-two of the principal Act is repealed and the following substituted:—

42. (1.) No marriage of a native according to the laws of the State shall be celebrated unless and until the prescribed notice in writing has been given to the Commissioner.

(2.) On receipt of any notification under the provisions of this section, the Commissioner may object to the marriage by notice in writing, to be given in the prescribed time and manner, on all or any of the following grounds:—

- (a) that the marriage is inadvisable as being in contravention of tribal custom; or
- (b) that one of the parties is afflicted with any communicable or hereditary disease; or
- (c) that it is inadvisable that the marriage should take place owing to any gross disparity in the ages of the parties; or
- (d) that there are any other circumstances which render it advisable that the marriage should not take place.

Provided that any native who is aggrieved on account of any objection by the Commissioner under this section may appeal to a magistrate in the magisterial district in which he resides. Such appeal shall be in accordance with the regulations, which may prescribe the time for appealing and the procedure to be followed.

(3.) Any person who celebrates any marriage in respect of which the prescribed notice has not been given to the Commissioner, or which the Commissioner has objected to under the provisions of this section, or who falsely induces any native to believe that he is married, shall be guilty of an offence against this Act.

Amendment
of s. 43 of the
principal Act.

26. (1.) Section forty-three of the principal Act is amended by deleting subsection (1) and inserting in lieu thereof new subsections as follows:—

(1) Any person (except a native)—

- (a) who habitually lives with natives or with any native not his wife or her husband; or

- (b) who cohabits with or has sexual intercourse with any native who is not his wife or her husband

shall be guilty of an offence against this Act, and shall be liable to imprisonment for a period not more than two years, or to a penalty not more than one hundred pounds.

Every person who is not a native and who without the permission in writing of a protector lives or resides with, either temporarily or continually, or who travels accompanied by a native of the opposite sex shall be presumed, in the absence of proof to the contrary, to be cohabiting with her or him, and it shall be presumed in the absence of proof to the contrary that she is not his wife or that he is not her husband.

- (2) Any person who persuades or solicits any native to cohabit with or have sexual intercourse with any person who is not a native, or who persuades or solicits any person who is not a native to cohabit with or have sexual intercourse with any native contrary to the provisions of this section commits an offence against this Act and shall be liable—

- (a) in the case of a first offence, to imprisonment for a period of not less than three months and not more than twelve months, or to a penalty not less than twenty-five pounds nor more than fifty pounds;

- (b) for a second offence, to imprisonment for a period not less than six months and not more than two years, or to a penalty not less than fifty pounds nor more than one hundred pounds;

- (3) All offences under this section shall be tried and determined by a Resident Magistrate.

(2.) Subsection two of the section shall be renumbered as subsection three.

27. Section forty-four of the principal Act is repealed and the following new section inserted in its place:—

44. Any person who entices or persuades a native to leave any lawful service without the consent of a protector shall be guilty of an offence against this Act.

Repeal and re-enactment of s. 44 of the principal Act.

Insertion of
new section.
Prohibition
of natives on
premises
licensed for
sale of liquor.

28. A new section is inserted after section forty-five of the principal Act as follows:—

45A. (1.) Any person being the holder of any license under the Licensing Act, 1911-1922, for the sale of spirituous or fermented liquors who shall permit or suffer any native not exempted from the provisions of this Act to remain in or loiter about his licensed premises shall be guilty of an offence against this Act.

(2.) Any native not exempted from the provisions of this Act who enters, remains on, or loiters about premises in respect of which any such license is held shall be guilty of an offence against this Act.

Provided that this section shall not apply to any native employed on the licensed premises under a permit granted by the Commissioner.

Repeal and
re-enactment
of s. 58 of the
principal Act.

29. Section fifty-eight of the principal Act is hereby repealed and the following substituted therefor:—

58. Every person convicted of an offence against this Act shall, except as herein otherwise provided, be liable—

- (a) in the case of a first offence, to imprisonment with or without hard labour for not exceeding six months or to a fine not exceeding fifty pounds;
- (b) in the case of a second offence, to imprisonment with or without hard labour for not exceeding twelve months or to a fine not exceeding one hundred pounds;
- (c) in the case of a third or subsequent offence, to imprisonment with or without hard labour for not exceeding two years or to a fine not exceeding two hundred pounds.

Amendment
of s. 59A of
the principal
Act.

30. (1.) Section fifty-nine A of the principal Act is amended by the addition at the commencement thereof of a new subsection as follows:—

(1.) No admission of guilt or confession before trial shall be sought or obtained from any native charged or suspected of any offence punishable by death or imprisonment in the first instance. If any such admission or confession is obtained it shall not be admissible or received in evidence.

Subsections (1), (2), (3) and (4) of the said section shall be renumbered (2), (3), (4) and (5) respectively.

31. New sections are added after section fifty-nine B of the principal Act as follows:—

Insertion of new sections.

59C. Every person who is charged with assaulting a native shall be summarily tried by a stipendiary, police, or resident magistrate.

59D. (1.) The Governor may by proclamation establish a court, to be called "a court of native affairs," in any district or districts, to be specified in such proclamation for the trial of any offence committed by a native against another native.

Establishment of native courts.

(2.) (a) Every such court shall be constituted by the Governor by commission in the prescribed form from time to time, as occasion requires.

(b) The court shall be constituted by a special magistrate, who shall be nominated by the Governor in the commission and who shall be chairman of the court, and the Commissioner or a protector nominated by the Commissioner.

(c) The court shall if practicable call to its assistance a headman of the tribe to which the accused person belongs.

(3.) Every such court shall have exclusive jurisdiction in connection with the trial of any native for any such offence and may, in considering any charge which is made against a native, take into account in mitigation of punishment any tribal custom which may be set up and proved as the reason for the commission of the offence.

(4.) Where it appears that any native has in pursuance of any tribal custom committed an offence against another native, then the court may, in the case of a charge which, under the Criminal Code, may involve punishment of death or imprisonment without the option of a fine for any period in excess of ten years, sentence the offender to any term of imprisonment not more than ten years with hard labour, or order that the offender be banished from his country and kept during the Governor's pleasure in prison or in some place reserved by the Governor for native

prisoners under sentence of banishment. The proceedings of any such court shall be final and without appeal: Provided the wife of an accused native shall not be a compellable witness.

(5.) The Governor may make regulations prescribing the procedure to be followed by such courts in the trial of offenders.

Natives'
Trust Fund.

59E. (1.) Any wages due to or property known to belong to a native—

- (a) who absconds from service; or
- (b) who is deceased,

and any estate or other moneys to which a native is entitled, either as beneficiary or otherwise, shall forthwith be paid or delivered by the employer, trustee, debtor, or other person liable to pay or deliver the same to the Commissioner, and failure to do so shall be an offence against the Act.

(2.) The Commissioner may recover any such wages or property by action in his name in any court of competent jurisdiction.

(3.) On receipt of such wages or property the Commissioner shall, in the case of money, place the same to the credit of a special trust account, and where the property does not consist of money the Commissioner shall as soon as reasonably may be convert the same into money and place the same to the credit of such account.

(4) Subject to the provisions of this Act, the moneys placed to the credit of the said account as herein provided may in the case of a native who has absconded, and in the event of no claim for the money being made by the native within a period of three years, be applied by the Commissioner for the benefit of natives generally, and in the case of a native who has died intestate, shall be applied in accordance with regulations made under the provisions of section thirty-three A.

59F. Any person who defrauds any native by any artifice, trick, or misrepresentation shall be guilty of an offence against this Act.

59G. Whenever the Minister on the recommendation of the Commissioner is of the opinion that any tribal practice of the natives or any section of the natives in any district is injurious to the natives or any section of the natives, he may give all such instructions as in his opinion are calculated to minimise or stamp out the practice.

Any person who disobeys any instruction of the Minister under this section shall be guilty of an offence against this Act.

59H. (1.) Any person who without a permit in writing from a protector supplies any native with or permits any native to have possession of any poison or noxious substance shall be guilty of an offence against this Act.

(2.) A permit granted under this section may authorise any person to supply poison to a native or natives specified in the permit for a period not longer than six months from the date of the permit, or such shorter period as the protector thinks advisable, but a permit may be renewed by a protector in respect of any native or natives, provided that the period of renewal is never greater than six months.

32. Section sixty of the principal Act is amended—

Amendment
of s. 60 of the
principal Act.

- (a) by adding after the word "payable" in paragraph (h) the words "to natives";
- (b) by adding a further paragraph after paragraph (h) as follows:—

(hh) Providing for contributions by natives whether in a native institution or elsewhere to a fund for the general welfare and relief of natives; and for the establishment, management, and control of such fund, including eligibility for and the amount of benefits therefrom and for the payment by natives for medical treatment and other relief, but so that no such regulation shall prevent any native inmate of such institution who is unable to pay for any such treatment or relief from obtaining same;

- (c) by adding after paragraph (k2) a new paragraph as follows:—

(k3) For the establishment of mission stations and the issue of permits to mission workers;

(d) by adding a paragraph after paragraph (l) as follows:—

(m) Prescribing the procedure to be followed in Courts of Native Affairs.

Repeal and re-enactment of s. 62 of the principal Act.

33. Section sixty-two of the principal Act is hereby repealed and the following substituted therefor:—

62. Such regulations may impose for any breach thereof—

(a) for a first offence, a fine not exceeding twenty pounds or imprisonment for any period not exceeding three months, or both;

(b) for a second offence, a fine not exceeding fifty pounds or imprisonment not exceeding six months, or both;

(c) for a third or subsequent offence, a fine not exceeding one hundred pounds or imprisonment for twelve months, or both.

Amendment of s. 63 of the principal Act.

34. Section sixty-three of the principal Act is amended by adding a proviso at the end thereof as follows:—

Provided that any native who is aggrieved on account of the refusal by the Minister to grant such certificate, or of the revocation by the Minister of his certificate under this section may appeal to a magistrate in the magisterial district in which he resides. The magistrate may make such order regarding the issue or revocation of the certificate as in his opinion the justice of the case requires, and such order shall be given effect by the Minister. Such appeal shall be in accordance with the regulations, which may prescribe the time for appealing and the procedure to be followed.

Principal Act with amendments to be reprinted.

35. (1.) The principal Act as amended by this Act shall be reprinted by the Government Printer under the supervision of the Clerk of the Parliaments.

(2.) In any such reprint—

- (a) the sections and subsections shall be renumbered in arithmetical order, the paragraphs shall be renumbered or relettered in alphabetical order and the cross references adjusted, and suitable marginal notes shall be made in the margin of each section;
- (b) the words “in respect of State children by the State Children Act, 1907,” in section fifty-five A of the principal Act shall be altered to read “in respect of wards under the provisions of the Child Welfare Act, 1907-1927,” and the words “three hundred and eighty or four hundred and forty-nine of the Criminal Code” in section fifty-nine B shall be altered to read “three hundred and eighty-two or four hundred and fifty-two of the Criminal Code.”

(3.) The short title of any such reprint shall be the Native Administration Act, 1905-1936.