



WESTERN AUSTRALIA.

ANNO QUADRAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. XXI.

AN ACT to further amend "The Customs Ordinance, 1860."

[Assented to, 24th July, 1878.]

WHEREAS it is expedient to further amend "The Customs Ordinance, 1860;" Be it enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble.

1 THIS Act may be cited as "The Customs Ordinance, 1860, Amendment Act, 1878," and this Act and the said Ordinance shall be taken and read together as one Act.

Short Title.

Incorporated with 24th Vic., No. 5.

2 NO ship, barge, flat, boat, or other vessel, whether licensed under any other Act or not, shall in any port of the Colony be used as a lighter for the conveyance of any goods or stores, other than coal, to or from any ship or vessel arriving coastwise or from any port or place beyond the limits of the Colony, without being duly

Any ship, &c., employed as a lighter without being licensed to be forfeited.

42° VICTORIÆ, No. 21.

Customs Ordinance, 1860—Amendment.

licensed by the Collector or other Principal Officer of Customs at such port. Any ship, barge, flat, boat, or other vessel that shall be used as aforesaid, without being licensed as aforesaid, shall, together with the tackle, furniture, and apparel thereof, be forfeited.

Collector or other Principal Officer of Customs to grant licenses.

3 THE Collector or other Principal Officer of Customs at any port shall have power from time to time, on application made by the master or owner of any ship, barge, flat, boat, or other vessel, to grant a license under this Act to such ship, barge, flat, boat, or vessel. Provided, always, that it shall be lawful for such Collector or Officer as aforesaid to refuse a license in any case, if the said ship, barge, flat, boat, or vessel appears to him unsafe or unsound in any material particular; if the same is not decked and provided with hatches capable of being securely fastened; or if the master or owner of the same has, within three years of such application, been convicted of any offence under the "Customs Ordinance, 1860."

Collector, &c., may suspend license.

4 IT shall be lawful for the Collector or other Principal Officer of Customs as aforesaid, after granting any license under this Act, to suspend the same from time to time for any period not exceeding one month, if the ship, barge, flat, boat, or vessel thereby licensed becomes unsafe or unsound in any material particular, or ceases to be decked and provided with hatches capable of being securely fastened, or if the master or owner thereof is convicted of any offence under the "Customs Ordinance, 1860." Such suspension shall take effect from and after twelve hours after the Collector or Officer as aforesaid shall have given notice to the master or owner of the ship, barge, flat, boat, or vessel, or have affixed a notice to the mast of the same that the license is suspended. Any ship, barge, flat, boat, or vessel whose license is suspended as aforesaid, shall during the period of any such suspension be deemed to be unlicensed to all intents and purposes.

Onus of proof of license.

5 THE onus of proof of such license shall at all times be on the master or owner of such ship, barge, flat, boat, or vessel.

Collector, &c., to post up list of licenses.

6 THE Collector or other Officer as aforesaid shall post up, and keep posted up in some convenient part of the Custom House, a list of all licenses granted by him under this Act.

Duration of license.

7 ANY license granted under this Act shall, unless otherwise expressed, remain in force until the 31st day of December after the same is granted.

42° VICTORIÆ, No. 21.

Customs Ordinance, 1860—Amendment.

8 THE master or owner of any ship, barge, flat, boat, or vessel laden with cargo from any ship or vessel in the port of Fremantle who shall commence to unload such cargo or shall proceed to Perth without having delivered to the Landing Waiter at Fremantle his permit or boat-note, and receiving from such Landing Waiter permission to unload or proceed as aforesaid, shall on conviction thereof be liable to a penalty not exceeding Fifty pounds.

Master of vessel laden with cargo proceeding to Perth or unloading without permission of Landing Waiter to be fined.

9 THIS Act shall come into operation on the first day of January next.

Act to come into operation 1st January, 1879.

In the name and on behalf of the Queen I hereby assent to this Act.

H. St. GEORGE ORD, Governor.

42° VICTORIÆ, No. 21.

Customs Ordinance, 1860—Amendment.

SCHEDULE.

Form of License.

I hereby certify that the cutter "Mary" is licensed under the "Customs Ordinance, 1860, Amendment Act, 1878," to be used as a lighter for the conveyance of goods and cargo to and from any ship or vessel in the port of

No.	Name and address of owner.	Name and address of master.	Tonnage.

A.B.,

Collector (or Principal Officer) of Customs.

Custom House,

the day of