

WESTERN AUSTRALIA

ANNO TRIGESIMO OCTAVO

VICTORIÆ REGINÆ

No. 16

An Act to control Recruiting in Western Australia for  
the service of Foreign States.

[Assented to 27th November, 1874.]

Preamble	<p>WHEREAS it is expedient that the Governor in Executive Council should exercise full control over recruiting in Western Australia for the service of Foreign States: Be it therefore 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:—</p>
Short title Commencement	<p>1. This Act may be cited as 'The Foreign Recruiting Act, 1874,' and shall come into operation on the passing thereof.</p>
Interpretation clause	<p>2. 'Foreign States' includes any person or persons exercising or assuming to exercise the powers of government in or over any country, colony, province or people beyond the limits of Western Australia.</p>
Power to prohibit or permit recruiting	<p>3. If any person is within the limits of Western Australia obtaining or attempting to obtain recruits for the service of any Foreign State, the Governor-in-Council may by order in writing signed by the Colonial Secretary, either prohibit such person from so doing or permit him to do so subject to any conditions which the Governor-in-Council thinks fit to impose: Provided that the word 'service' in this clause shall be read to extend to and include military service only.</p>
Power to impose conditions	<p>4. The Governor-in-Council may from time to time, by order notified in the 'Government Gazette,' either prohibit recruiting for the service of any Foreign State or impose upon such recruiting any conditions which he thinks fit; and may from time to time rescind or vary any such order.</p>

---

*Foreign Recruiting*

---

5. Whoever in violation of the prohibition of the Governor-in-Council or of any condition subject to which permission to recruit may have been accorded, Offences

(a) Induces or attempts to induce any person to accept, or agree to accept, or to proceed to any place with a view to obtaining any commission or employment in the service of any Foreign State; or

(b) Knowingly aids in the engagement of any person so induced by forwarding or conveying him, or by advancing money or in any other way whatever;

shall be liable to imprisonment, with or without hard labour, for any term not exceeding seven years, or to fine to such amount as the Court thinks fit, or to both.

6. Any offence against this Act shall be cognizable in the Supreme Court, or in any Court of General Sessions of the Peace for the District in which the offence may have been committed. Place of trial

FRED. A. WELD,  
GOVERNOR.

---