

CUSTOMS (NO. 2).

No. 111 of 1960.

An Act to amend the *Customs Act* 1901-1959, as amended by the *Customs Act* 1960.

[Assented to 19th December, 1960.]

BE it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

Short title
and citation.

1.—(1.) This Act may be cited as the *Customs Act (No. 2)* 1960.

(2.) The *Customs Act* 1901-1959,* as amended by the *Customs Act* 1960,† is in this Act referred to as the Principal Act.

(3.) Section one of the *Customs Act* 1960 is amended by omitting sub-section (3.).

(4.) The Principal Act, as amended by this Act, may be cited as the *Customs Act* 1901-1960.

Commence-
ment.

2.—(1.) Subject to this section, this Act shall come into operation on the day on which it receives the Royal Assent.

(2.) Section three of this Act shall come into operation on a date to be fixed by Proclamation.

(3.) The amendment made by section seven of this Act shall be deemed to have come into operation on the eighteenth day of June, One thousand nine hundred and fifty-eight.

Entry
within seven
days.

3. Section seventy-two of the Principal Act is amended by omitting the words “after the report of the ship or aircraft” and inserting in their stead the words “after the arrival of the ship or aircraft at the port or airport”.

4. After section ninety-two of the Principal Act the following section is inserted:—

Licensee to
keep records.

“ 92A.—(1.) The licensee of a warehouse shall—

(a) keep such records, and furnish to the Comptroller such returns, in relation to goods deposited in the warehouse as the Comptroller directs;

* Act No. 6, 1901, as amended by No. 21, 1906; Nos. 9 and 36, 1910; No. 19, 1914; No. 10, 1916; No. 41, 1920; No. 19, 1922; No. 12, 1923; No. 22, 1925; No. 6, 1930; Nos. 7 and 45, 1934; No. 7, 1935; No. 85, 1936; No. 54, 1947; No. 45, 1949; Nos. 56 and 80, 1950; No. 56, 1951; No. 108, 1952; No. 47, 1953; No. 66, 1954; No. 37, 1957; and No. 54, 1959.

† Act No. 42, 1960.

(b) retain any records so kept for such period as the Comptroller directs; and

(c) on demand by an officer, produce the records to the officer.

Penalty: Fifty pounds.

“(2.) An officer may inspect and take copies of, or extracts from, any records kept in pursuance of the last preceding sub-section.”.

5. Section ninety-five of the Principal Act is repealed and the following section inserted in its stead:—

“95. Where goods warehoused in a warehouse are not removed from the warehouse or re-warehoused within three years, or such longer period as the Collector allows, from the date on which the goods were deposited in the warehouse, the Collector shall sell the goods.”.

Period of warehousing.

6. Section one hundred and twenty-one of the Principal Act is repealed.

Manifest to be attached to clearance.

7. Section one hundred and fifty-one B of the Principal Act is amended by omitting from sub-section (1.) the words “Where the Governor-General, in pursuance of any power conferred by any other Act, by proclamation declares that the Intermediate Tariff shall apply to such goods specified in the proclamation as are the produce or manufacture of the country specified in the proclamation” and inserting in their stead the words “Where the Minister, in pursuance of any power conferred by any other Act, by order published in the *Gazette*, declares that the Intermediate Tariff shall apply to such goods specified in the order as are the produce or manufacture of the country specified in the order”.

Conditions relating to application of Intermediate Tariff.

8. After section one hundred and ninety-seven of the Principal Act the following section is inserted:—

“197A.—(1.) The powers conferred by this section are conferred, and shall only be exercised, for the purpose of enabling officers of Customs to ascertain whether a carriage is carrying petrol or any other petroleum oil in respect of which any duty of Customs or duty of Excise is payable.

Power to stop and search carriages carrying petrol, &c.

“(2.) An officer of Customs may request the driver of any carriage that he has reasonable cause to suspect is carrying petrol or any other petroleum oil to stop the carriage.

“(3.) The driver of a carriage that is, or is so constructed as to be capable of, carrying petrol or any other petroleum oil shall, when requested by an officer of Customs, stop the carriage.

“(4.) An officer of Customs may search any carriage that he has reasonable cause to suspect is carrying petrol or any other petroleum oil and inspect any documents in the possession of the driver relating to the goods being carried in the carriage.

“(5.) The driver of a carriage that is, or is so constructed as to be capable of, carrying petrol or any other petroleum oil shall, when requested by an officer of Customs, permit the officer to search the carriage and inspect any documents in the possession of the driver relating to the goods being carried in the carriage.

Penalty: Twenty pounds.”.