

(3.) Nothing in this section shall affect—

- (a) any application for the registration of a design lodged at the Designs Office prior to the date fixed by proclamation under this section, or any certificate of the registration of a design granted on any application so lodged; or
- (b) any application for the registration of a design lodged or made in Papua prior to the said date, or any certificate of the registration of a design granted on any application so lodged or made.”

Amendment of  
s. 26 of Principals  
Act.

3. After sub-section (2.) of section twenty-six of the *Designs Act 1906* the following sub-sections are inserted:—

“(2a.) If within the prescribed time before the expiration of the said five years application for the extension of the period of registration is made to the Registrar in the prescribed manner, the Registrar shall, on payment of the prescribed fee, extend the period of registration for a second period of five years from the expiration of the original period of five years.”

“(2b.) If within the prescribed time before the expiration of such second period of five years application for the extension of the period of registration is made to the Registrar in the prescribed manner, the registrar may, subject to the regulations and on payment of the prescribed fee, extend the period of registration for a third period of five years from the expiration of the second period of five years.”

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## QUARANTINE.

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### No. 15 of 1912.

An Act to amend the *Quarantine Act 1908*.

[Assented to 6th November, 1912.]

**B**E it enacted by the King'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 *Quarantine Act 1912*.

(2.) In this Act the *Quarantine Act 1908* is referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Quarantine Act 1908-1912*.

2. Section four of the Principal Act is amended—

- (a) by inserting therein, before the word “exclusion”, the word “inspection,”;
- (b) by inserting therein, after the word “protection”, the words “sanitary regulation,”; and
- c) by inserting therein, after the word “goods”, the word “things”.

Extension of  
scope of  
Quarantine.

3. Section five of the Principal Act is amended—

- (a) by inserting therein, after the definition of the word “Disease,” the following definition:—  
“ ‘First port of entry’ in relation to a vessel means a first port of entry for that vessel”; and
- (b) by inserting therein after the definition of the word “Plants,” the following definition:—  
“ ‘Port of departure’ in relation to a vessel means the port at which the vessel commenced its current voyage”.

General  
definitions.

4. Section six of the Principal Act is repealed.

Repeal of s. 6 of  
Principal Act.

5. After section eight of the Principal Act the following section is inserted:—

“8A.—(1) There shall be a Director of Quarantine who shall, under the Minister, be charged with the execution of this Act and the regulations thereunder.

Director of  
Quarantine and  
Chief  
Quarantine  
Officers.

“(2.) There shall be such Chief Quarantine Officers for such divisions of quarantine as the Governor-General thinks fit, who shall have such powers and functions as are conferred upon them by this Act or the regulations.

“(3.) All quarantine officers (including Chief Quarantine Officers) shall perform their powers and functions under and subject to the directions of the Director of Quarantine.

“(4.) The Director of Quarantine and all Chief Quarantine Officers holding office at the commencement of this section shall hold office as if appointed after the commencement of the section.

“(5.) For the purposes of this section, any branch or subject of quarantine or territorial division or locality for which a Chief Quarantine Officer is appointed shall be a division of quarantine.”

6. Section thirteen of the Principal Act is amended—

- (a) by inserting in paragraph (b) of sub-section (1.) thereof, after the word “plants”, the words “or any particular kinds of imported animals or plants”;
- (b) by inserting in paragraph (d) of sub-section (1.) thereof, after the word “substance” the words “or article”, and after the word “any” in the fourth line the words “noxious insect, pest”; and

Amendment of  
s. 13 of Principal  
Act.

(c) by inserting therein, after sub-section (1.) thereof, the following sub-section:—

“(1A.) The power to declare first ports of entry shall extend to authorize the declaration of a port to be a first port of entry for all oversea vessels, or for oversea vessels from any particular place, or for any class of oversea vessels.”

7. After section thirteen of the Principal Act, the following section is inserted:—

“13A. The Minister may appoint any place to be a temporary quarantine station for such period as he thinks necessary, for the performance of quarantine by any vessel, persons, goods, animals, or plants, and the place so appointed shall be deemed to be a quarantine station accordingly.”

Emergency  
quarantine  
grounds.

8. Section fifteen of the Principal Act is amended by omitting therefrom the words “an efficient disinfecting apparatus or appliance”, and inserting in their stead the words “such prophylactic agents as are prescribed and efficient disinfecting apparatus or appliances and disinfectants”.

Amendment of  
s. 15 of Principal  
Act.

9. After section fifteen of the Principal Act the following section is inserted:—

“15A.—(1.) The master of any vessel, bound for any port or place in Australia, which comes from or calls or touches at any proclaimed place, shall, while his vessel is at that proclaimed place and during the voyage to Australia, take, in respect of the vessel her crew passengers and cargo, all precautionary measures to prevent the introduction into Australia of any quarantinable disease which are prescribed by the regulations to be taken in respect of the proclaimed place.

Master of vessel  
from a  
proclaimed  
place to take  
precautionary  
measures to  
prevent  
infection.

“(2.) The master of any vessel who, having failed to comply with the preceding sub-section, suffers his vessel to enter any port or place in Australia, shall be guilty of an offence.

Penalty: One hundred pounds.

“(3.) In any prosecution under this section, if the master of the vessel satisfies the Court that he was not aware of the precautionary measures required to be taken by him, and that he took all reasonable means to ascertain whether any such measures were necessary on his part, he shall not be liable to any penalty.

“(4.) Where a vessel has arrived from a proclaimed place and the prescribed precautionary measures have not been taken, any prescribed measures for the prevention of the introduction or spread of any quarantinable disease may be carried out by a quarantine officer with respect to the vessel her crew passengers and cargo at the expense of the owner of the vessel.”

Amendment of  
s. 17 of Principal  
Act.

10. Section seventeen of the Principal Act is amended by inserting therein, after the words “quarantinable disease”, the words “or disease which there is reason to believe or suspect to be a quarantinable disease”.

**11.** Section twenty-two of the Principal Act is amended—

(a) by omitting therefrom the words “the master of any vessel becomes aware that”;

(b) by omitting therefrom the words “his vessel, he” and inserting in their stead the words “any vessel, the master of the vessel”; and

(c) by adding thereto the following sub-section:—

“(2.) The master of a vessel in port shall forthwith give notice in writing to a quarantine officer of every case of any prescribed disease which was on his vessel when she arrived in the port or which has arisen on his vessel since she arrived in the port.

Penalty : Fifty pounds.”

Amendment of  
s. 22 of Principal  
Act.

**12.** After section twenty-six of the Principal Act the following section is inserted:—

“26A.—(1.) The master of a vessel subject to quarantine shall, forthwith on arrival at or near a port, bring the vessel to a place appointed by the Governor-General by proclamation to be a mooring ground for vessels subject to quarantine.

Penalty : One hundred pounds.

Vessel to be  
brought to  
proper mooring  
ground.

“(2.) On the request of the master, owner, or agent of a vessel subject to quarantine, and on payment of the prescribed fee, the vessel may, with the approval of a prescribed quarantine officer, be taken for inspection to some other place instead of to the mooring ground for vessels subject to quarantine.”

**13.** After section twenty-seven of the Principal Act the following section is inserted:—

“27A. The master of any oversea vessel bound for any port in Australia shall bring from its oversea port of departure and from every oversea port of call on the voyage, and, on being required so to do, shall deliver to the quarantine officer a bill of health giving such information as may be prescribed in respect of the port and of the sanitary circumstances and condition of the vessel and of her crew and passengers while at the port.”

Master to bring  
health report of  
oversea ports.

**14.** Section twenty-eight of the Principal Act is amended by adding thereto the following sub-sections:—

“(3.) A quarantine officer may, if he thinks fit, require the medical officer and the master or either of them to verify any answer to any question asked in pursuance of this section by a declaration in writing signed by him solemnly declaring to the truth of the answer.

“(4.) Any declaration under this section may be taken before a quarantine officer, and any person who makes any false statement in any such declaration shall be guilty of an indictable offence.

Penalty: Imprisonment for two years.”

Amendment of  
s. 28 of Principal  
Act.

**15.** Section thirty-three of the Principal Act is amended by adding thereto the following sub-section:—

“(3.) The certificate of pratique may be expressed to have relation to all or any specified measures of quarantine.”

Amendment of  
s. 33 of Principal  
Act.

16. After section thirty-five of the Principal Act the following section is inserted :—

Vessel having cases of communicable disease on board.

“35A.—(1.) When a vessel subject to quarantine, or any other vessel, has on board any case of communicable (infectious) disease, and a quarantine officer certifies that measures of quarantine are necessary to prevent the disease from spreading, all such measures for the disinfection of the vessel as are prescribed or as a quarantine officer directs shall be taken, and any persons suffering from or suspected to be suffering from the disease may be removed to a quarantine station to perform quarantine.

“(2.) Persons suffering from, or suspected to be suffering from, the disease shall be deemed to be subject to quarantine, notwithstanding that the disease has not been proclaimed to be a quarantinable disease.”

Amendment of s. 36 of Principal Act.

17. Section thirty-six of the Principal Act is amended by adding thereto the following sub-section :—

“(2.) Where a vessel ordered into quarantine has to be cleansed, fumigated, disinfected, or treated in any manner, a quarantine officer may direct the vessel to be taken to any prescribed place for the purpose of being so cleansed, fumigated, disinfected, or treated, and the master of the vessel shall cause the vessel to be taken to the place accordingly.

Penalty : Five hundred pounds.”

Amendment of s. 50 of Principal Act.

18. Section fifty of the Principal Act is amended by inserting therein, after the word “where”, the word “the”.

19. Sub-section (3.) of section fifty-three of the Principal Act is repealed, and the following sub-sections inserted in its stead :—

Quarantine surveillance of animals.

“(3.) If any imported animal is not suffering from any disease, the quarantine officer may, subject to the regulations, permit the animal to leave the ship, or, if it has been ordered into quarantine the quarantine station under quarantine surveillance.

“(4.) An animal under quarantine surveillance shall continue thereunder for such period as is prescribed, and shall be treated and dealt with as prescribed, and the owner or person in charge of the animal shall during such period comply with the regulations relating to quarantine surveillance of animals, and a quarantine officer may, at any time during such period, order the animal into quarantine.

“(5.) In all other cases, a quarantine officer shall order the imported animals into quarantine.”

20. After section fifty-five of the Principal Act the following section is inserted :—

Power to order goods into quarantine.

“55A. A quarantine officer may examine and order into quarantine any imported goods being or likely to be, in his opinion, infected with a disease affecting animals or plants, or which contain or appear to contain any insect or pest or disease agent.”

21. Section fifty-six of the Principal Act is amended by inserting therein, after the word "plants", the words "and goods".

Amendment of s. 56 of Principal Act.

22. Section fifty-eight of the Principal Act is amended by inserting therein after the word "disease" the words "or have been exposed to infection from any plant affected, or article contaminated, with any disease, any diseased plant, or contaminated article".

Amendment of section 58.

23. Section fifty-nine of the Principal Act is repealed and the following sections are inserted in its stead:—

"59.—(1.) The master, owner, and agent, of any vessel ordered into quarantine, or of any vessel from which any person is removed to perform quarantine, shall severally be responsible for—

Liability of owner or agent for expenses of quarantine.

- (a) the removal of the passengers and crew to the quarantine station ;
- (b) the care and maintenance of the passengers and crew while detained at the quarantine station ;
- (c) the conveyance of the passengers from the quarantine station to their ports of destination ; and
- (d) the medical surveillance of persons released under quarantine surveillance,

and shall supply, to the satisfaction of the Minister, all such service, attendance, meals, and other things as are required for those purposes, including domestic and laundry service, medicines, medical comforts, nursing, and attendance for the sick.

"(2.) The master, owner, or agent, of the vessel may arrange with the Minister for the carrying out of any responsibility under this section and for the payment of the expenses thereof, but in any case the Minister may take action if he thinks it necessary to do so, and any expense incurred shall be paid by the master, owner, or agent, of the vessel to the Commonwealth.

"(3.) A passenger shall not be liable to compensate the master, owner, or agent for any cost incurred by the master, owner, or agent under this section, and any contract or stipulation purporting to impose any such liability upon him shall to that extent be null and void.

"59A. The master, owner, or agent, of any vessel ordered into quarantine, or ordered to be cleansed, fumigated, disinfected, or treated, shall pay all costs incurred in the cleansing, fumigation, disinfection, or treatment, of the vessel, or of any goods or things taken from the vessel.

Liability for cost of disinfecting goods.

"59B. Before permitting any persons, goods, personal effects, or things to leave or be removed from a vessel ordered into quarantine, the quarantine officer may require the master, owner, or agent, of the vessel to give security to the satisfaction of the quarantine officer that all responsibilities under this Part of the master, owner, and agent, of the vessel in respect of those persons, goods, personal effects, or things shall be faithfully carried out."

Security for carrying out responsibilities.

Amendment of  
s. 64 of Principal  
Act

24. Section sixty-four of the Principal Act is amended—

(a) by inserting in sub-section (1.) thereof, after the words “in quarantine”, the words “or under quarantine surveillance”; and

(b) by inserting therein, after the word “plants”, wherever that word occurs, the words “or goods”.

Amendment of  
s. 72 of Principal  
Act.

25. Section seventy-two of the Principal Act is amended by inserting in sub-section (3.) thereof, after the word “infection”, the words “before or”.

26. After section seventy-eight of the Principal Act the following section is inserted:—

Cleansing and  
disinfection of  
insanitary  
vessels.

“78A. A quarantine officer may, subject to the regulations, order any vessel in any port in Australia, which vessel is in his opinion in an insanitary condition favorable to the spread of communicable disease, to be taken to any prescribed place and to be cleansed, fumigated, disinfected, or treated to his satisfaction, and the master of the vessel shall cause her to be taken to that place and to be cleansed, fumigated, disinfected, or treated accordingly.

Penalty: One hundred pounds.”

27. After section eighty-six of the Principal Act the following sections are inserted:—

Venue in  
summary  
prosecution.

“86A. Proceedings in a court of summary jurisdiction may be instituted either in the State or part of the Commonwealth where the offence was committed, or in the State or part of the Commonwealth in which the defendant is found.

Adjournment of  
proceedings in  
certain cases.

“86B. Where proceedings have been instituted against any person for an offence against this Act, other than an indictable offence, the Court may, if in its opinion it is desirable or convenient so to do, adjourn the hearing for such time as it thinks fit, upon the defendant entering into a bond, with two sureties approved by the Court, in a sum equal to the maximum penalty for the offence, conditioned for his appearance before the Court at the time and place to which the hearing is adjourned.

Power to  
administer  
oaths or take  
declarations.

“86c. All quarantine officers who are authorized in that behalf by the regulations or by the Minister are hereby authorized to administer oaths or affirmations and to take declarations in all cases in which any answers to questions asked in pursuance of this Act are by this Act or the regulations required to be verified by oath, affirmation, or declaration.”

Amendment of  
s. 87 of Principal  
Act.

28. Section eighty-seven of the Principal Act is amended—

(a) by inserting after the word “plants” in paragraph (d) the word “mails”;

(b) by omitting therefrom the word “and” at the end of paragraph (g); and

(c) by adding thereto the following paragraphs :—

- “(i) for prescribing the precautions to be taken by masters of vessels, in respect of the vessels and their crews passengers and cargoes, at proclaimed places, and on the voyage from proclaimed places, to prevent the introduction into Australia of quarantinable diseases ;
- “(j) for the establishment and maintenance on vessels of conditions unfavorable to, and to the migration of, rats and mice ;
- “(k) for regulating the discharge from vessels of any water, ballast, or refuse ;
- “(l) for regulating the sanitary condition of vessels in ports ;
- “(m) for providing for the examination by quarantine officers of animals or plants for export ;
- “(n) for providing for the granting of certificates by quarantine officers in relation to any vessels, animals, plants, or goods examined or treated by them or under their supervision ; and
- “(o) for prescribing the fees payable in respect of examinations, services, or certificates by quarantine officers and the persons by whom the fees are payable.”

## INVALID AND OLD-AGE PENSIONS APPROPRIATION.

No. 16 of 1912.

An Act to grant and apply out of the Consolidated Revenue Fund a sum for Invalid and Old-age Pensions.

[Assented to 6th November, 1912.]

**B**E it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, for the purposes of appropriating the grant originated in the House of Representatives, as follows :—

Preamble.

1. This Act may be cited as the *Invalid and Old-age Pensions Appropriation Act 1912.*

Short title.

2. There shall be payable out of the Consolidated Revenue Fund, which is hereby appropriated accordingly, for the purposes of the Trust Account established under the *Audit Act 1901-1909*, and known as the Invalid and Old-age Pensions Fund, the sum of Three million pounds for invalid and old-age pensions.

Appropriation of £3,000,000 for invalid and old-age pensions.