



ANNO QUADRAGESIMO SEXTO ET QUADRAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1883.

No. 291.

An Act to amend "The Customs Act, 1864."

[Assented to, November 22nd, 1883.]

WHEREAS it is desirable to amend "The Customs Act, 1864," Preamble.
with regard to drawbacks and other matters—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

1. The hundred and eleventh section of "The Customs Act, 1864," Substitution of new sec. 111 for present sec. 111 of Customs Act of 1864.
shall be, and the same is, hereby repealed, and in lieu thereof the following shall be and may be cited as the one hundred and eleventh section of "The Customs Act, 1864," that is to say:—

111. The person entitled to any drawback on any goods duly exported, or his agent duly authorised in that behalf, shall make and subscribe a declaration on the debenture that the goods mentioned therein have been actually exported, and have not been re-landed in, or re-introduced into, any part of the said province, and that such person at the time of entry and shipping was and continued to be entitled to the drawback thereon, and the name of such person shall be stated in the debenture which shall then be delivered to such person or his agent. Declaration on debenture.

2. The hundred and twelfth section of "The Customs Act, 1864," Substitution of new sec. 112 for present sec. 112 of Customs Act of 1864.
shall be, and the same is, hereby repealed, and in lieu thereof the following shall be, and may be cited as, the one hundred and twelfth section of "The Customs Act, 1864," that is to say—

112. After

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Drawback to be paid on shipment outwards, subject to certain exceptions.

112. After the export of any goods for which any drawback is allowed, the drawback shall be payable, and the receipt of the person named in the debenture as the person entitled to the drawback, countersigned by the holder of such debenture, if the same shall have been transferred, shall be the discharge for such drawback when paid: Provided that no such debenture shall be paid after the expiration of two years from the date of the shipment of the goods, nor, in case of exportation for any Australasian colony by way of the river Murray, or over the boundary of the said province, until a certificate under the hand of the proper officer of Customs of the port or place at which the goods were landed or delivered that the goods had been so landed or delivered shall have been received, and shall have been verified by the person claiming such drawback, or until proof be given to the satisfaction of the Collector of the loss of such goods.

Substitution of new sec. 151 for present sec. 151 of Customs Act, 1864.

3. The one hundred and fifty-first (division the tenth) of "The Customs Act, 1864," shall be and the same is hereby repealed, and in lieu thereof the following shall be, and may be cited as, the one hundred and fifty-first section (division the tenth) of "The Customs Act, 1864," that is to say—

Regulations may be made relative to importation of goods across the boundary.

151. It shall be lawful for the Governor, with the advice of the Executive Council, to make regulations relative to the importation or exportation of goods across the boundary of the said province, and for the payment of drawbacks on goods exported over the boundary of the said province: Provided also, that such regulations shall be laid before Parliament, if sitting within one week of the making of such regulations, or if Parliament be not sitting, then within one week after the Parliament has commenced sitting.

Penalty on re-introducing by way of the river Murray goods whereon drawback has been allowed.

4. Any person who shall re-introduce into this province at any place on the banks of the river Murray, without payment of duty, any goods whereon drawback has been allowed on export from this province, shall be guilty of a misdemeanor, punishable by imprisonment, with or without hard labor, for a period not exceeding six months, or by a penalty not exceeding One Hundred Pounds, and the goods, and any goods packed therewith, shall be forfeited to Her Majesty.

Onus of proof.

5. On the hearing before Magistrates, or on the trial of any information under the preceding clause, the burden of proving that the goods mentioned in such information and introduced into this province at any place on the banks of the river Murray, were goods on which drawback had not been allowed as aforesaid, shall be on the defendant.

Time of landing goods.

6. The legal hours for unshipping and landing from any ship arriving from ports beyond the seas the goods referred to in the thirty-

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thirty-second section of "The Customs Act, 1864," shall be between eight in the morning and four in the afternoon on every day throughout the year not being a Sunday or a holiday, except on Saturdays, and on every Saturday throughout the year from eight in the morning till twelve o'clock noon.

7. This Act shall come into operation on a day to be fixed for that purpose by the Governor by Proclamation published in the *Government Gazette*. Commencement of Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WILLIAM C. F. ROBINSON, Governor.