



ANNO PRIMO

EDWARDI VII REGIS.

A.D. 1901.

No. 763.

An Act to regulate the Export of and Traffic in Pearls and Mother-of-Pearl Shell in the Northern Territory of the State of South Australia.

[Assented to, December 21st, 1901.]

BE it Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows :

1. This Act may be cited as “The Northern Territory Pearl Sale and Export Regulation Act, 1901.” Short title.

2. The Licensing Bench for the District of Palmerston in the Northern Territory appointed, or deemed to have been appointed, under “The Licensed Victuallers Act, 1880,” may, at any quarterly or annual meeting of the said Licensing Bench, grant to any person who is in the opinion of the said Licensing Bench of good character and reputation, and who shall have applied for the same by notice in writing to the clerk of the said Licensing Bench ten days before any such quarterly or annual meeting of the said Licensing Bench, a licence to deal in pearls and mother-of-pearl shells. A fee of Ten Pounds shall be paid for the licence, and such licence shall be in the form of the Schedule hereto, and shall be in force for the term of one year from the date of granting thereof, but shall be liable to be cancelled by a Special Magistrate or two Justices of the Peace upon the conviction of the licensee of any offence against the provisions of this Act. Licences to deal in pearls.

3. No such licence as aforesaid shall be granted to any Asiatic alien. No such licence to an Asiatic alien.

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Purchase of pearls
only from licensed
dealers.

4. After the first day of January, one thousand nine hundred and two, it shall not be lawful for any person to purchase pearls or mother-of-pearl shells at any place where pearl or pearl-shell fishing is carried on in the Northern Territory, or at Port Darwin or Palmerston, in the Northern Territory, except from a licensed dealer in pearls and mother of pearl shells, without having first obtained a licence to deal in pearls and mother-of-pearl shells under this Act.

Penalty.

5. Any person not being licensed as aforesaid to deal in pearls and mother-of-pearl shells, who, after the said first day of January, one thousand nine hundred and two, purchases pearls or mother-of-pearl shells at Port Darwin or Palmerston, or at any place where pearl or pearl-shell fishing is carried on in the Northern Territory, except from such a dealer licensed as aforesaid, shall be liable, on conviction, to a penalty not exceeding One Hundred Pounds, or to imprisonment for any period not more than six months.

Register of purchases
to be kept by licensee.

6. A person licensed to deal in pearls and mother-of-pearl shells shall keep a register of all purchases of pearls and mother-of-pearl shells made and effected by him, and shall enter therein the date of each of such purchases and the name of the person from whom he shall purchase the same, and shall, whenever required by the principal officer of Customs for the time being at Palmerston so to do, produce the said register to the said officer, or to such person or persons as he shall, in writing, from time to time appoint, and allow him or them to inspect the said register and to take extracts therefrom or copies thereof. And if any such licensed person shall make any default in complying with any of the requirements of this section, he shall be liable to a penalty not less than Two Pounds or more than Twenty Pounds for every such offence.

Penalty.

Pearls and pearl shell
to be shipped at
specified port.

7. All pearls and mother-of-pearl shells shall be shipped for exportation at or otherwise exported from Port Darwin, or some other port in the Northern Territory which may from time to time be appointed by the Governor in Council for that purpose, and before any pearls or mother-of-pearl shall be shipped or water-borne to be shipped for export, or otherwise exported from any place in the Northern Territory, the exporter or his agent shall, at least forty-eight hours before shipping or otherwise exporting the same, deliver to the principal or other proper officer of Customs at such place a written return specifying the number, weight, and value of such pearls, and the weight and value of such mother-of-pearl shells, and shall, if required, produce such pearls and mother-of-pearl shells to such officer at a reasonable time and place, to be fixed by such officer, for the purpose of enabling such officer to examine the same and to check the accuracy of such return. And if any exporter or agent shall make any default in complying with the requirements of this section, he shall be liable to a penalty of not less than Two Pounds or more than Twenty Pounds for every such offence.

8. All

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8. All proceedings for any offence against this Act may be had and taken before, and may be heard and determined in a summary way by, any Special Magistrate or two Justices of the Peace of the said State, under the provisions of Ordinance No. 6 of 1850, "To facilitate the performance of duties of Justices of the Peace out of Session with respect to summary convictions and orders," or of any Act in force or hereafter to be in force relating to the duties of Justices of the Peace with respect to summary convictions and orders; and all convictions and orders may be enforced as in such Ordinance, or in any other Act as aforesaid, is or shall be provided. Summary jurisdiction.

9. There shall be an appeal from any conviction or order by any Special Magistrate or Justices for any offence against this Act, or from any order dismissing any information or complaint, which appeal shall be to the Local Court of Palmerston in its full jurisdiction; and the proceedings on such an appeal shall be conducted in manner provided for appeals to Local Courts by the said Ordinance, No. 6 of 1850, for appeals to Local Courts, or any Act for the time being in force regulating such appeals. And the Local Court hearing such appeal may make such order as to the payment of the costs of the appeal as it shall think fit, although such costs may exceed Ten Pounds. Appeal.

10. This Act shall apply only to that portion of the State of South Australia commonly known as and called "The Northern Territory." Application of Act.

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

TENNYSON, Governor.

SCHEDULE.

"The Northern Territory Pearl Sale and Export Regulation Act, 1901."

I, A.B., Clerk of the Licensing Bench of Justices for the district of Palmerston in the Northern Territory of the State of South Australia, do hereby certify that on the _____ day of _____, 19____, by virtue of the authority of the above-named Act, a licence to deal in pearls and mother-of-pearl shells was granted by the said Licensing Bench, then assembled at their meeting, held at Palmerston aforesaid, to _____, of _____, and that this licence is to remain in force from the date hereof until the _____ day of _____, one thousand nine hundred and _____.

[illegible]