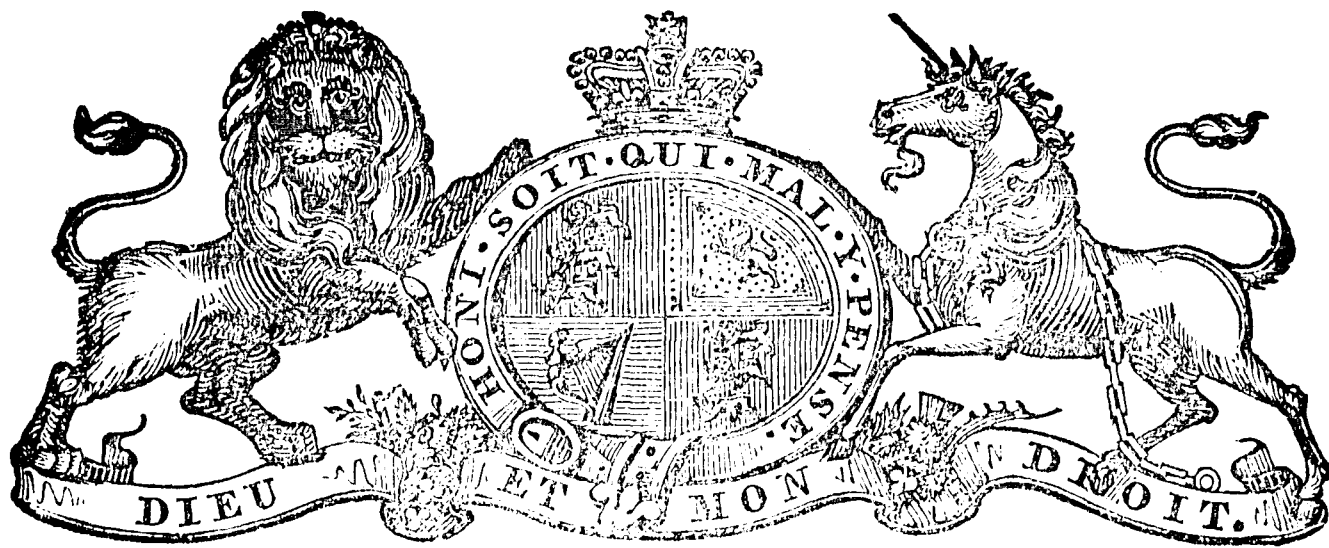


VICTORIA.



ANNO QUADRAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. DCXXIV.

An Act to amend "*The Duties of Customs Act 1877.*"

[21st November 1878.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act shall be read with and construed as part of *The Duties of Customs Act 1877* and shall be called and may be cited as "*The Duties of Customs Act Amendment Act 1878.*"

Construction and title of Act.

PART I.

2. From and after the twenty-sixth day of October One thousand eight hundred and seventy-eight the rate of duty chargeable on sheep whether rams ewes wethers or lambs on their importation into Victoria shall be deemed to have been and shall be Sixpence each in lieu of Ninepence each as provided in the Second Schedule to *The Duties of Customs Act 1877.*

Import duty on sheep reduced from ninepence each to sixpence each.

3. Undressed logs of any timber of any length of the size of nine inches square or larger shall not be chargeable with duty on their importation into Victoria by land or sea.

Certain undressed logs exempt from duty on importation.

4. Until the thirty-first day of August One thousand eight hundred and seventy-nine inclusive no duties of customs shall be chargeable or shall be deemed to have been chargeable from the first day of August One thousand eight hundred and seventy-eight on the exportation from Victoria of any timber known as redgum : Provided that on and after the

Suspension of export duty on redgum timber.

the first day of September One thousand eight hundred and seventy-nine duties shall be chargeable on such timber on exportation in accordance with the provisions of *The Duties of Customs Act 1877*.

Repeal of export duty on bark.

5. The duty of customs imposed by the Third Schedule to *The Duties of Customs Act 1877* on the exportation from Victoria of bark known as Wattle Acacia or Mimosa shall be and be deemed to have been from and after the first day of July 1878 repealed.

Oilmen's stores.

6. The words "oilmen's stores packed in bottles or jars," &c., occurring in the Second Schedule to *The Duties of Customs Act 1877* shall include oilmen's stores packed in any canisters or vessels not exceeding one quart in size.

What "gilt mouldings, &c.," shall mean.

7. In the Second Schedule to *The Duties of Customs Act 1877* "gilt mouldings and beadings for picture frames of wood or other materials" which are specified among the exceptions from duty as "woodenware" shall be deemed to mean and include gilt mouldings and beadings used in the manufacture of picture frames, but not ornamental composition mouldings in the white not gilt.

Meaning of "hosiery."

8. The word "hosiery" in *The Duties of Customs Act 1877* or any other Act relating to the Customs shall mean stockings socks and other machine or hand knit covering for the feet or legs and no other articles.

Repeal of proviso to section 2 and the last Schedule of Act No. 593.

9. The proviso in section two and the last Schedule of *The Duties of Customs Act 1877* shall be and the same are hereby repealed.

Second Schedule of Act No. 593 amended.

10. The words "of which the point of ignition is above 80° Fahr." shall be inserted in the Second Schedule to *The Duties of Customs Act 1877* after the words "Oils—Mineral, refined." Provided however that until the first day of March One thousand eight hundred and seventy-nine refined mineral oils of which the point of ignition is not above 80° Fahr. shall be prohibited from being imported unless such oils shall be or shall have been duly colored by the admixture of such material and in such proportion as the Governor in Council may prescribe.

PART II.

Certain mineral oils prohibited.

11. On and after the first day of March One thousand eight hundred and seventy-nine all refined mineral oils which may give off an inflammable vapor at a temperature of less than one hundred degrees of Fahrenheit's thermometer, after being subjected to the test mentioned in the Schedule to this Act by any officer or person duly authorized by the Collector of Customs (for which purpose such samples as may be required may be drawn from the packages containing such oil), shall be deemed to be goods absolutely prohibited to be imported into Victoria within the meaning of section thirty-four of *The Customs Act 1857* and to be included in the table of prohibitions inwards,
and

Schedule.

and shall on their importation into Victoria be forfeited and shall be destroyed or otherwise disposed of as the Commissioner of Customs may direct: Provided however that any such mineral oil may be imported or may be delivered by the Customs department upon payment of the duty chargeable thereon under *The Duties of Customs Act 1877* if it shall have been duly colored by the admixture of such material and in such proportion as the Governor in Council may prescribe, and that any package containing such oil shall have distinctly marked on the side or top thereof in black Roman letters of not less than two inches in length and half an inch in breadth the words "specially dangerous."

Proviso.

12. On and after the first day of March One thousand eight hundred and seventy-nine any person removing such words specially dangerous from any such package or selling any such oil without such words as aforesaid being on any package containing such oil shall forfeit a sum not exceeding One hundred pounds, and the refined mineral oils in respect of which such removal or selling occurred shall be forfeited.

13. On and after the first day of March One thousand eight hundred and seventy-nine any Customs officer or other person duly authorized by the Collector of Customs may enter any warehouse or other place where any refined mineral oils may be stored and draw samples for the purpose of applying the test provided by this Act; and any refined mineral oils found therein contrary to the provisions of this Act shall be dealt with as refined mineral oils may be dealt with on importation.

Mineral oils may be sampled.

PART III.

14. It shall be lawful for the Governor in Council from time to time to make or alter any arrangement with the Governor in Council of New South Wales or South Australia to admit of goods being sent to either of such colonies from Victoria by land over either of the boundaries between either of the said colonies and Victoria without payment of duties of customs on their importation into New South Wales or South Australia as the case may be, and in like manner to admit of goods being brought from New South Wales or South Australia as the case may be into Victoria by land over either of the said boundaries without payment of duties of customs on their importation into Victoria; and it shall also be lawful for the Governor in Council from time to time to make or alter any regulations for the purpose of carrying out the provisions of this part of this Act and any such arrangement: All such arrangements and regulations shall when published in the *Government Gazette* have the same effect in law as if a portion of this Act, and shall be laid on the table of the Legislative Council and the Legislative Assembly if then in session within fourteen days of their date, and if not in session then within fourteen days of the assembling thereof; and if any person shall be guilty of a contravention of any such regulation he shall in any and every such case forfeit a sum not exceeding One hundred pounds in addition to any other penalty to which he may by any law be liable.

Power to make arrangements and regulations for goods crossing the Border to and from adjacent colonies without payment of duties.

15. Where

Permits may be granted.

15. Where any person desires to take from Victoria into New South Wales or South Australia by land over the boundary between the said colonies any goods chargeable with duty on their importation into either of the said colonies it shall be lawful for any officer in that behalf appointed by the Governor in Council to grant to such person a permit under the provisions of this Act. From and after the date and throughout the period on and during which such permits will entitle the holders thereof to import the goods mentioned therein into New South Wales or South Australia respectively without payment of duty, permits of a like character granted by any duly appointed officer of New South Wales or South Australia respectively will entitle the holder thereof to bring into Victoria from New South Wales or South Australia as the case may be by land over the said boundary without payment of duty the goods specified on such permit.

Permits to be produced.

16. No goods will under the provisions of this part of this Act be admitted into Victoria from New South Wales or South Australia without payment of duty unless the permit for such goods be produced to any officer of customs or police in Victoria who shall at any time demand to see the same.

Record of permits to be made.

17. An exact record of all permits granted by any officer shall be kept by the officer granting them together with such particulars of the goods in respect of which permits may be granted as any regulations made under the provisions of this part of this Act shall prescribe.

Adjustment of accounts.

18. At such times and in such manner as shall be fixed by any arrangement made under the provisions of this part of this Act an account shall be made up of all goods imported into Victoria New South Wales and South Australia respectively under permits as aforesaid, and if it shall appear that the amount of duties of customs which would have been chargeable (except for the provisions of this part of this Act) on the goods imported into Victoria under permit from New South Wales or South Australia during the period for which such account is so made up is greater than that on the goods admitted into New South Wales or South Australia respectively under permits from Victoria, then the difference in amounts shall be deemed to be a debt due by the Government of New South Wales or South Australia as the case may be to Victoria, but if less then the difference shall be deemed to be a debt due by the Government of Victoria to New South Wales or South Australia as the case may be.

PART IV.

Arrangements may be made for importation and exportation of goods over border.

19. In lieu of making any arrangement with the Governor in Council of New South Wales or South Australia under Part III. of this Act and of providing for the granting of permits to carry out any such arrangement, it shall be lawful for the Governor in Council from time to time to make or determine regulations and arrangements with the Governors of such colonies respectively for the purposes and in the manner

manner provided in the Two hundred and thirty-sixth section of "*The Customs Act 1857.*" Provided however that the operation of any such regulation and arrangement made as to either such colony may extend to the entire land or river frontier of such colony to Victoria. Act No. 13.

SCHEDULE.

DIRECTIONS FOR APPLYING THE FLASHING TEST TO SAMPLES OF REFINED MINERAL OILS.

Section 11.

The vessel which is to hold the oil is to be of thin sheet iron; it shall be two inches deep and two inches wide at the opening, tapering slightly towards the bottom; it shall have a flat rim with a raised edge one quarter of an inch high round the top; it shall be supported by this rim in a tin vessel four inches and a half deep and four and a half inches in diameter; it shall also have a thin wire stretched across the opening, which wire shall be so fixed to the edge of the vessel that it shall be a quarter of an inch above the surface of the flat rim. The thermometer to be used shall have a round bulb about half an inch in diameter and is to be graduated upon the scale of Fahrenheit, every ten degrees occupying not less than half an inch upon the scale. The inner vessel shall be filled with the mineral oil to be tested, but care must be taken that the liquid does not cover the flat rim. The outer vessel shall be filled with cold or nearly cold water. A small flame shall be applied to the bottom of the outer vessel, and the thermometer shall be inserted into the oil so that the bulb shall be immersed about one and a half inch beneath the surface; a screen of pasteboard or wood shall be placed around the apparatus, and shall be of such dimensions as to surround it about two-thirds and to reach several inches above the level of the vessels. When heat has been applied to the water until the thermometer has risen to about ninety degrees Fahrenheit a very small flame shall be quickly passed across the surface of the oil on a level with the wire; if no pale-blue flicker or flash is produced the application of the flame is to be repeated for every rise of two or three degrees in the thermometer; when the flashing point has been noted the test shall be repeated with a fresh sample of the oil, using cold or nearly cold water as before, withdrawing the source of heat from the outer vessel when the temperature approaches that noted in the first experiment and applying the flame test at every rise of two degrees in the thermometer.

34 & 35 Vict. c. 105
sched. 1.

MELBOURNE:

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