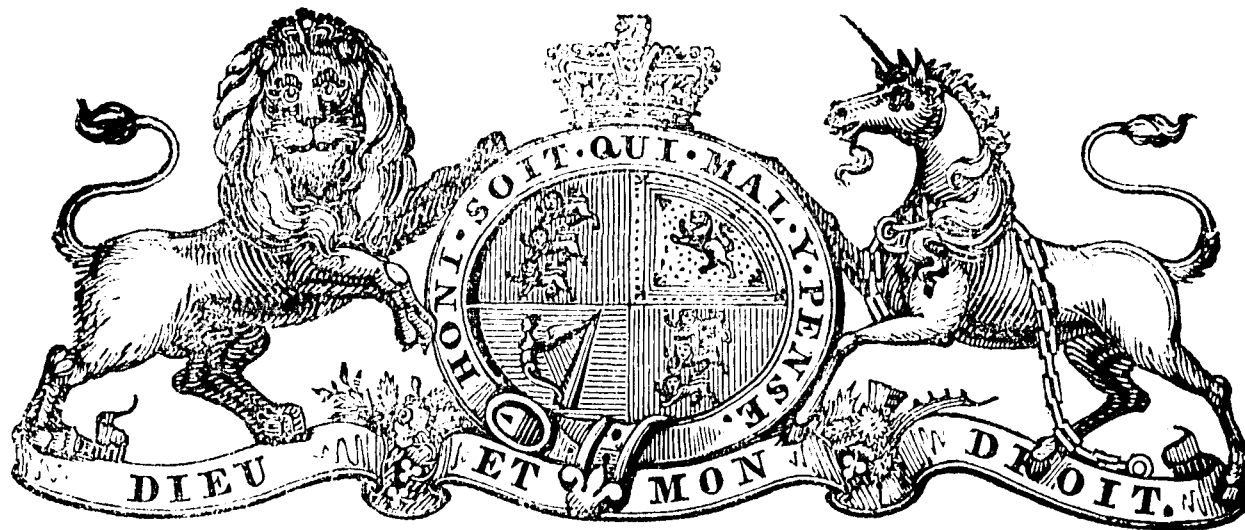


VICTORIA.



ANNO VICESIMO SEPTIMO
VICTORIÆ REGINÆ.

No. CLXIX.

An Act to further amend the Laws relating to the
Customs. [30th June, 1863.]

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)—

I. The sixth tenth sixty-fifth sixty-sixth sixty-eighth seventy-first ninetieth ninety-first and ninety-second sections of "*The Customs Act 1857*" are hereby repealed.

Certain sections of
The Customs Act
1857 repealed.

II. The thirty-eighth section of the Act 25 Vict. No. 160 shall be taken to apply to the department of the Customs.

Holidays to be ob-
served by the
Customs depart-
ment.

III. The Governor in Council may from time to time appoint the ports which shall be warehousing ports for the purposes of this Act and the other Acts with which this Act is incorporated and the commissioner may by order from time to time approve and appoint warehouses or places of security in such ports for bonding purposes subject to the payment of the fee mentioned in schedule A to this Act annexed except in case of exemption as hereinafter mentioned and may direct in what different parts or divisions of such warehouses and in what manner any goods and what sort of goods may and may only be warehoused kept and secured without payment of duty upon the first entry thereof or for exportation only in cases where the same may be prohibited to be imported for home use and may approve of any premises as bonded sugar houses for the refining of sugar for home consumption or exportation and may direct in what cases and with what sureties and to what amount security by bond shall be required in respect of any warehouse so approved or appointed as or in respect of any goods deposited therein or for the security of the duties due thereon or in respect of any bonded sugar house so approved as aforesaid or in respect of any sugar removed thereto or the due refinement and return thereof to the warehouse or the exportation thereof within such period as the commissioner shall direct or for security of the duties due on such sugar and the commissioner may also fix the amount of rent which shall be payable in respect of any goods deposited or secured in any of the Queen's warehouses and all such sums shall be paid received and appropriated as duties of customs.

Appointment of
warehousing ports
and bonded ware-
houses and sugar
houses.

In lieu of 21 Vict.
No. 13 s. 10.

IV. After the thirtieth day of June One thousand eight hundred and sixty-three every warehouse heretofore appointed for bonding purposes shall cease to be used as such unless and until again appointed under this Act.

On 1st day of July,
1863, former ap-
pointments of
bonded warehouses
to expire.

V. The

Customs Laws Amendment.

Fee payable by owner or occupier of bonded warehouse and how.

V. The annual fee mentioned in schedule A shall except in case of exemption as hereinafter mentioned be paid by the owner or occupier of every warehouse appointed after the passing of this Act for the warehousing or securing of goods liable to duty and by equal quarterly payments in advance and in default of payment of such fee by any warehouse proprietor or occupier the goods bonded in such warehouse may be removed by order of the commissioner to any other warehouse appointed for bonding purposes under this Act the expense of such removal shall be chargeable to such defaulting warehouse proprietor or occupier and may be recovered in a summary manner before any two justices of the peace.

Governor in Council may remit fee at any port except Melbourne and Geelong.

VI. It shall be lawful for the Governor in Council by an order for that purpose at any time to exempt from the payment of the fee aforesaid the owner or occupier of any warehouse to be appointed after the passing of this Act for the warehousing or securing of goods liable to duty at any port excepting those of Melbourne and Geelong and except in case of such exemption no warehouse shall hereafter be appointed for bonding purposes until the first quarterly payment of the fee aforesaid shall have been paid and except in case of such exemption no warehouse appointed after the passing of this Act for bonding purposes shall continue to be used as such after default made in any quarterly payment of the fee aforesaid until reappointment under this Act.

No appointment of bonded warehouse to be made until after first quarterly payment of fee and appointment to be inoperative while any payment in arrear.

Annual fee to be hereafter charged for licenses under "The Customs Act 1857" s. 17 such fee to be payable in advance and license to cease after default.

VII. An annual fee shall be payable in advance by every person licensed or to be licensed under the seventeenth section and for every license issued or to be issued under the one hundred and thirty-seventh and one hundred and thirty-eighth sections of *The Customs Act 1857* after the rates specified in schedule B and after the passing of this Act no license shall be granted under any of the said sections until the first of such annual payments shall have been made and no license shall continue in force after default made in any such payment.

Alteration of the table of prohibitions inwards in section 34 of "The Customs Act 1857."

VIII. So much of the thirty-fourth section of *The Customs Act 1857* as directs that extracts essences or other concentrations of coffee chicory tea or tobacco or any admixture of the same shall be absolutely prohibited from being imported shall be repealed and in the table of prohibitions inwards contained in the second section the following goods shall be comprised viz. extracts essences or other concentrations of coffee chicory tea malt hops or tobacco except essences or preparations of tobacco to be employed for sheepwashing purposes only upon which last mentioned essences or preparations duty shall be paid as on sheepwash tobacco according to a standard to be fixed by the Governor in Council.

Governor in Council may adjust remuneration to Customs officers for extra attendance under section 39 of "The Customs Act 1857."

IX. It shall be lawful for the Governor in Council by order from time to time to fix or alter a scale of remuneration to be payable to customs officers of various grades for their attendance by appointment of the commissioner under section thirty-nine of *The Customs Act 1857* before the hour of eight a.m. or after the hour of four p.m. from the first day of October until the first day of April and before the hour of nine a.m. or after the hour of four p.m. from the first day of April until the first day of October.

Within what time goods to be entered and landed.
In lieu of 21 Vict. No. 13 s. 35. See 25 Vict. No. 144 s. 7.

X. If before the expiration of seven clear working days from the date of entry of any vessel in which goods are imported such vessel being a sailing vessel or three clear working days such vessel being a steamer entry of any such goods or payment of the registration fees thereon shall not be made or if any such goods having been entered and payment of the registration fees thereon having been made such goods shall not be landed before the expiration of the said seven clear working days

Customs Laws Amendment.

days or three clear working days as the case may be or within such further period in either case as the commissioner may direct unless otherwise specified in the bill of lading the officers of the customs may convey such goods to the Queen's warehouse and whenever the cargo of any such vessel shall with the exception only of a small quantity of goods be discharged before the expiration of the said seven days or three days as the case may be or within such further period as aforesaid in either case the officers of the customs may forthwith convey such remaining goods to the Queen's warehouse and the said officers may at any time before the expiration of the said seven days or three days as the case may be convey to the Queen's warehouse any small packages or parcels of the goods imported there to remain for entry during the remainder of the said seven days or three days unless duly entered in the meantime and if any registration fees or duties which may be payable in respect of any goods so conveyed to the Queen's warehouse or any charges of removal or warehouse rent in respect thereof shall remain unpaid for six months or such longer time as the commissioner may direct after the expiration of the said seven days or three days or further period aforesaid as the case may be such goods may be sold and the proceeds of such sale applied first to the payment of such duties and registration fees and next of such rent and charges and next of freight and the overplus if any shall be paid to the proprietor of the goods on his application for the same. Provided always that if any goods so conveyed to the Queen's warehouse shall be of a perishable nature the commissioner may forthwith after the expiration of the said seven days or three days or such further period as aforesaid as the case may be direct sale thereof and apply the proceeds in like manner.

In default of payment of duties and charges on goods conveyed to Queen's warehouse within limited time goods may be sold.

XI. Whenever any imported goods shall remain on board the importing vessel after the expiration of seven clear working days from the date of the entry of the vessel being a sailing vessel or three clear working days such vessel being a steamer or of such further period in either case as the commissioner may direct such vessel shall be detained by the proper officer of customs until all expenses not exceeding ten shillings per diem of watching or guarding the goods beyond the said seven days or three days as the case may be or such further period as aforesaid in either case and of removing the goods or any of them to the Queen's warehouse in case the officers shall so remove the same be paid.

When imported goods remain on board after limited time ship may be detained until expenses of watching goods are paid.

In lieu of 21 Vict. No. 13 s. 66.

XII. At such time and place and under such regulations conditions and restrictions as the commissioner shall from time to time require and direct it shall be lawful for the importer or proprietor of any tobacco to soak the same on the landing thereof from the importing ship or on the delivery thereof from the warehouse in turpentine oil of tar or other fluid in the presence of some officer of customs so that the same shall and may to the satisfaction of the commissioner or of such officer be effectually rendered unfit and useless for human consumption and for every other purpose except that of sheep dressing and such tobacco shall be admitted on payment of the duty chargeable on sheepwash tobacco.

Tobacco for sheepwash.
In lieu of 21 Vict. No. 13 s. 68.

XIII. Upon the entry and landing of any goods to be warehoused or within such period as the commissioner shall direct with respect to the same or any of them the landing waiter or other officer of customs shall take a particular account of such goods at the quay or wharf or other authorised place of examination at which they shall be so landed or in the warehouse if they be goods of which the account is permitted to be taken in the warehouse and shall enter in a book prepared for that purpose containing the name of the import ship and of the person in whose

Landing waiter to take account of goods landed to be warehoused.

Customs Laws Amendment.

In lieu of 21 Vict. No.
13 s. 71.

Removal of goods
from place of ex-
amination to ware-
house.

Delivery of sugar for
refining.

In lieu of 21 Vict. No.
13 s. 90.

Refiner to give bond
special or general.

In lieu of 21 Vict. No.
13 s. 91.

Entry for exportation
or home use.

In lieu of 21 Vict. No.
13 s. 92.

Quantity of goods
delivered from
warehouse not to be
less than original
parcel or than
would be charge-
able with five
pounds duty.

whose name they are entered the marks numbers and contents of each such package the description of the goods and the warehouse or place in the warehouse in which the same shall be deposited and when the same shall have been so deposited with the authority of such officer he shall certify that the entry and warehousing of such goods is complete and such goods shall from that time be considered goods warehoused and if any such goods shall be delivered withheld or removed from the proper place of examination before the same shall have been duly examined and certified by such officer such goods shall be deemed to be goods not duly entered or warehoused and shall be forfeited and if any goods so landed shall not be removed by the proprietor thereof within six hours after being duly examined by the proper officer of customs the owner occupier or manager of such authorised place of examination may remove such goods to the warehouse for which they are entered and the owner or occupier of the warehouse into which the goods are received shall pay the cartage and all other charges due in respect of the goods to the person or persons entitled to such charges and shall have a lien on the goods for the amount of all charges so paid by him and interest thereon respectively from the time of payment of such charges respectively at the rate of eight per cent. per annum.

XIV. The officers of customs of any port where any premises shall be approved as a bonded sugar house may deliver any quantity of sugar on the application of the owner or occupier of such bonded sugar house and on entry of such sugar with the proper officer of customs for the purpose of being there refined under the locks of the Crown for exportation or home consumption and all sugars so delivered shall be lodged and secured in such premises under such conditions regulations and restrictions as the commissioner shall from time to time direct.

XV. Upon the entry of any sugar to be refined in any premises approved under this Act the owner or occupier shall give bond to the satisfaction of the officers of the customs in a sum equal to double the amount of the duty payable upon a like quantity of sugar with a condition that the whole of such sugar shall be subjected to the process of refinement upon the said premises and that within four months from the date of such bond the whole of the refined sugar treacle and molasses produced by such process shall be either exported from the premises or delivered into an approved bonded warehouse under the locks of the Crown for the purpose of being eventually so removed or exported or admitted to home consumption or with the sanction of the commissioner the owner or occupier of any such premises may give a general bond for the security of the duties payable upon all sugar which may be removed to such premises for the purpose of refinement and upon all sugar treacle or molasses which may be produced by such refinement.

XVI. No warehoused goods shall be taken or delivered from the warehouse except upon due entry and under the care of the proper officers for exportation or upon due entry and payment of the full duties payable thereon for home use except goods delivered into the charge of the searchers to be shipped as stores in such quantities as the collector shall allow subject to the directions of the commissioner and under such regulations as he may see fit and no goods shall be delivered or cleared from the warehouse for home consumption exportation or conveyance coastwise in less quantity than the entire parcel or parcels of such goods originally warehoused if the duty on such parcel or parcels shall not amount to five pounds and if the duty on such parcel or parcels would amount to or exceed five pounds then in less quantity than would be chargeable with duty amounting to five pounds or upwards.

XVII. The

Customs Laws Amendment.

XVII. The word transhipment in the one hundred and thirty-second clause of *The Customs Act* 1857 shall include conveyance by inland carriage from one port to another.

Meaning of word "transhipment" in 132nd section of *The Customs Act* 1857.

XVIII. Every person who shall knowingly be guilty of any evasion or fraud of or in respect to any rule order or regulation made in pursuance of this or any other statute relating to the customs or shall knowingly or wilfully act contrary to any such rule order or regulation shall in cases where no other penalty is provided be liable to a penalty not exceeding one hundred pounds.

Penalty on wilful evasion of or disobedience to rules made in pursuance of the *Customs Acts*.

XIX. The commissioner may by order from time to time appoint any place or places for the examination of any goods on the landing thereof and require from the owner or occupier of any place so appointed such security by bond or otherwise as he may think fit for the payment of the duties which may be or become payable on any goods from time to time there deposited and a notification of the appointment of any such place shall be given in the *Government Gazette*.

Commissioner may appoint places for the examination of goods on landing and require security from the owner or occupier.

XX. The owner or occupier of every bonded warehouse shall previously to the issue of any certificate in respect to goods stored in such warehouse cause the rate of rent payable for the goods specified therein and also the customs quantities of such goods as furnished by the proper officer of customs to be marked on the certificate thereof and any person other than the proper officer of customs who shall erase or alter any such customs quantities so marked shall for every such offence be liable to a penalty not exceeding one hundred pounds.

Owners and occupiers of bonded warehouses before issuing certificates of goods in bond shall mark the Customs quantities on the certificates.
Penalty for altering the Customs quantities.

XXI. The words "spirits cordials liqueurs or strong waters sweetened or mixed with any article" used in the schedule to the Act 18 Victoria No. IX shall henceforth be taken to include all alcohol diluted or undiluted with water or other menstruum and containing in solution any essence essential oil ether or other flavouring or other substance whether of natural or artificial origin Provided always that no action or suit shall be brought or instituted or other proceeding taken against any collector or other officer of customs to recover or otherwise in respect of any duties received by such collector or officer on any goods falling within the class of articles hereby directed to be included within the words above recited from the schedule to the said Act.

Meaning of the words "spirits" and "wine" in the Act 18 Vict. No. 9.

XXII. This Act shall be construed and incorporated with *The Customs Act* 1857 and the Act 25 Vic. No. CXLIV.

This Act to be incorporated with *The Customs Act* 1857 and the Act 25 Vict., No. 144.

SCHEDULES.

SCHEDULE A. (See Section III.)

For every warehouse requiring the separate services of a locker, the annual fee of £250.

For two or more warehouses conjointly requiring the services of one locker only, whether such warehouses are owned or occupied by one or more persons, an annual fee of not less than £250, to be paid in such proportions in respect of each such warehouse as may be directed by the Commissioner, and no less a sum than £100 shall be paid in respect of any such warehouse.

SCHEDULE B. (See Section VII.)

For every dray or vehicle to be licensed to carry goods under bond, the fee of £1.

For every vessel or boat used as a lighter, the fee of £1.

For every other vessel or boat, the fee of 5s.

MELBOURNE:

By Authority: JOHN FERRES, Government Printer, Melbourne.