

VICTORIA.



ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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No. CCLIX.

An Act to amend the Laws affecting the Chinese immigrating to or resident in Victoria.

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the 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 called and may be cited as the "*Chinese Immigrants Statute 1865.*" Title of Act.

2. From and after the passing of this Act the Act mentioned in the Schedule hereto shall be and the same is hereby repealed but nothing herein shall affect any act regulation appointment or order lawfully done or made or any penalty incurred before the passing of this Act. Repeal of Act.  
Schedule

3. In the interpretation and for the purposes of the provisions of this Act the following words shall unless inconsistent with or repugnant to the context have the respective meanings hereby assigned to them that is to say— Interpretation.

The word "master" shall be held to apply to any person in command of any vessel.

The word "ship" shall mean any sea going vessel of any kind or description.

And the word "immigrant" shall mean any male adult native of China or its dependencies or of any islands in the Chinese seas not born of British parents or any person born of Chinese parents.

4. The

Governor in Council  
to appoint officers.

4. The Governor in Council may appoint such and so many persons to carry out the provisions of this Act with such designations as to the Governor in Council shall seem necessary or desirable.

Governor may make  
rules and regula-  
tions.

5. The Governor in Council may make such rules and regulations as may be deemed necessary for defining the duties and conduct of the officers to be appointed under the authority of this Act the registration of immigrants on their arrival at the district or place to which they may proceed the removal from such district of all or any of such immigrants if it shall be found necessary or desirable to do so the circumstances under which any such registration or removal shall be required the period for which such registry or removal is to last and the mode time and place of any such registration or removal also for the protection of immigrants and the adjustment of disputes between them and generally for the management and good government of immigrants and any such rules and regulations may alter vary or annul and substitute others as occasion may require and any immigrant or other person who shall be wilfully guilty of any breach or infringement of any such rule or regulation shall forfeit and pay a penalty not exceeding five pounds.

Passengers list to  
state whether im-  
migrants as de-  
fined by this Act  
are aboard or not.

6. The master of every ship upon arrival at any port in Victoria having passengers on board shall distinctly specify and state in the list of passengers required by any Act now or hereafter in force relating to passengers arriving in Victoria to be exhibited or delivered to the collector or other chief officer of customs at the port of arrival whether any and which of such passengers are immigrants within the meaning of this Act and in default of his delivering such list without so specifying as aforesaid such master shall be liable to a penalty not exceeding two hundred pounds.

Penalty for obstruct-  
ing officers.

7. If any person shall hinder molest obstruct or assault any person appointed under this Act or any person acting under his authority or under any power or authority given by this Act every such person shall on conviction forfeit and pay a penalty not exceeding ten pounds.

Immigrants impri-  
soned may be set  
to labor on local  
works approved of  
by the Governor.

8. The Governor in Council whenever any immigrants are sentenced to imprisonment or imprisonment and hard labor may direct that such immigrants so sentenced shall be worked and employed at such places and on such public work or local work for the public benefit or convenience and may make such rules and regulations and may alter or annul the same for the safe custody control and general management of such immigrants so sentenced as aforesaid as the Governor in Council shall deem desirable.

Penalties recovered  
in a summary man-  
ner.

9. All offences under this Act shall be heard and determined and all penalties recovered in a summary manner before any two or more justices and at the hearing of any case the justices adjudicating shall decide upon their own view and judgment whether any person charged before them is or is not an immigrant within the meaning of this Act.

10. No

10. No immigrant within the meaning of this Act notwithstanding that he holds a miner's right or business license or other document under any Act now or hereafter in force relative to the gold fields shall be entitled to vote at the election of members for any mining board.

Immigrant not to  
vote at elections  
for mining boards.

### SCHEDULE.

Date of Act.	Title of Act.	Extent of Repeal.	Section 2.
27 Vict. No. 200	" <i>The Chinese Immigration Statute 1864</i> "	The whole.	

MELBOURNE:

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