ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. LII.

An Act to empower the Governors of the several *Australian* Colonies to regulate the Number of Passengers to be carried in Vessels plying between Ports in those Colonies.

[1st *August* 1861.]

WHEREAS by the Thirteenth and Fourteenth Sections of the Passengers Act, 1855, certain Rules are prescribed for determining the Number of Passengers to be carried in Passenger Ships, and the Decks on which Passengers may be carried: And whereas it is expedient to empower the Governor of any of Her Majesty's Colonies in *Australasia* to substitute, if he shall think fit, other Rules on these Points for Vessels carrying Passengers from any such Possession to any other of Her Majesty's Possessions in *Australasia*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows: 18 & 19 Vict. c. 119.

1. It shall be lawful for the Governor of each of Her Majesty's Colonies already or hereafter to be established in *Australasia*, by any Proclamation to be by him from Time to Time issued for the Purpose (which Proclamation shall take effect from the issuing thereof, if no Day shall be named therein for the Purpose), to prescribe such Rules as Power to Governors of the Australasian Colonies to proclaim Rules as to the Number

of Passengers to be carried, &c. in Ships plying between the Australasian Ports.

as he shall think proper for determining the Number of Passengers to be carried in any Passenger Ship which shall proceed from any such Colony to any other of Her Majesty's Possessions for the Time being in *Australasia*, and for determining on what Deck or Decks, and subject to what Reservations or Conditions, Passengers may be carried, and also to prescribe such Penalties for the Infraction or Nonobservance of such Rules as to such Governor may seem proper.

While Proclamation in force, Rules of the Imperial Passengers Act on the same Subject not to apply to such Intercolonial Voyages.

2. From the Time when any such Proclamation shall take effect, and so long as the same shall continue in force, the Rules and Enactments contained in the said Passengers Act, 1855, relating to the Number of Passengers to be carried in any "Passenger Ship," and the Deck or Decks whereon they are to be carried, shall cease to apply to any Vessel to which such Proclamation shall be applicable, save only as to the Recovery and Application of any Penalty for any Offence committed against the said Act before such Proclamation shall take effect.

Requirements of Proclamations to be enforced in all British Possessions as if they were Part of the Imperial Passengers Act.

3. The Provisions and Requirements of every such Proclamation shall be enforced in the same Manner, and in all Her Majesty's Dominions, as if they were incorporated in the said Passengers Act, or in any Act of a like Nature which may hereafter be passed by the Legislature of the United Kingdom, and a Copy of any such Proclamation, purporting to be under the Hand of the Governor of the Colony wherein the same may have been issued, and under the Public Seal of such Colony, shall in any Part of Her Majesty's Dominions wherein the same shall be produced be received as good and sufficient Evidence of the due issuing and of the Contents of such Proclamation, unless it shall be proved that such Copy is not genuine.

Interpretation of Terms.

4. The Expression "Governor," "Passenger Ship," "Passenger," shall in this Act have respectively the same Signification as in the said Passengers Act, 1855; and the Term "*Australasia*" shall signify and include *New Zealand* and *Tasmania* as well as *Australia* Proper; and Words of One Number shall import both Numbers, unless inconsistent with the Context.

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