

No. VI.

AN ORDINANCE to amend an Ordinance enacted by the Governor and Council of New Zealand (Session I., No. 3,) to repeal certain Acts of the Governor and Council of New South Wales to make provision for the collection of certain Duties on Goods imported into and for the general regulation of the Revenue of Customs in the Colony of New Zealand and its dependencies. [20th June, 1844.]

CUSTOMS AMEND-
MENT.

WHEREAS an Ordinance was enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, (Session I., No. 3,) intituled “*An Ordinance to repeal within the said Colony of New Zealand an Act of the Governor and Council of New South Wales, passed in the third year of Her present Majesty’s reign, intituled ‘An Act to repeal an Act relating to the Revenue of Customs in New South Wales and to provide for the general regulation thereof;’ and also a certain other Act of the said Governor and Council of New South Wales, passed in the fourth year of the reign of Her said present*”

Preamble.

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present Majesty Queen Victoria, intituled 'An Act for increasing the Duties on Spirits Wines and other Goods and Merchandise imported into the Colony of New South Wales and its dependencies, and which said Acts of the Governor and Council of New South Wales were adopted and are now in force within the said Colony of New Zealand and its dependencies, and to make provision for the collection of certain Duties on Goods imported into and for the general regulation of the Revenue of Customs in the Colony of New Zealand and its dependencies.'"

Duties imposed by Customs Ordinance, Session I., No. 3, repealed.

1. Whereas by the said recited Ordinance certain duties of Customs are made payable upon goods wares and merchandise imported into the Colony of New Zealand, as the same are respectively set forth in the Table of Duties of Customs to the said Ordinance annexed; but British goods and goods the produce of and imported direct from New South Wales or Van Diemen's Land, except as therein excepted, are exempted from the duties by the said Ordinance imposed: Be it enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, That so much of the said Ordinance as imposes the duties of Customs set forth in the Table of Duties of Customs to the said Ordinance annexed, and also so much of the said Ordinance as exempts British goods and goods the produce of and imported direct from New South Wales or Van Diemen's Land shall be repealed: And be it enacted, That in lieu of the said duties there shall be raised levied collected and paid unto Her Majesty, her heirs and successors, for the public uses of the Colony, upon goods wares and merchandise imported into the Colony of New Zealand and landed at any port or place therein, from wheresoever the same may be imported or of whatsoever country the same may be the produce or manufacture, the several duties of Customs as the same are respectively inserted described and set forth in figures in the Table to this Ordinance annexed, denominated "A Table of Duties of Customs."

New duties imposed.

To be levied as under recited Ordinance.

2. The duties of Customs hereby imposed shall be raised levied collected and paid in like manner as if the said duties had been imposed by the said recited Ordinance, Session I., No. 3.

Supplies imported for use of land or sea forces exempted from duty.

3. And be it further enacted, That notwithstanding anything herein or in the said recited Ordinance contained, all goods wares and merchandise imported into the Colony of New Zealand as supplies for the use of Her Majesty's land or sea forces and at the public charge shall be admitted to entry on importation without any duty being charged thereon.

Clause 58 of Customs Ordinance recited and repealed.

4. And whereas by the said recited Ordinance it is enacted "That in case any such vessel or boat liable to seizure or examination under any Ordinance or Law relating to the Customs or for the prevention of smuggling shall not bring to on being required so to do on being chased by any ship vessel or boat in Her Majesty's Navy having the proper pendant and ensign of Her Majesty's ships hoisted, or by any ship vessel or boat duly employed for the prevention of smuggling having a proper pendant and ensign hoisted, it shall be lawful for the captain master or other person having the charge or command of such ship vessel or boat in Her Majesty's Navy or employed as aforesaid (first causing a gun to be fired as a signal) to fire at or into any such ship vessel or boat, and such captain master or other person acting in his aid or assistance or by his direction shall be and he is hereby indemnified and discharged from any indictment penalty action or proceeding for so doing:" Be it enacted, That so much of the Ordinance as is last hereinbefore recited be repealed, and in lieu thereof be it enacted as follows:—

5. It

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5. It shall be lawful for the officers of Customs to go on board any ship in any port in the Colony of New Zealand and to examine, and search all parts of such ship for prohibited and uncustomed goods, and also to go on board any ship hovering within one league of any part of the coasts thereof, and in either case freely to stay on board such ship so long as she shall remain in such port or within such distance; and if any such ship be bound elsewhere and shall continue so hovering for the space of twenty-four hours after the master shall have been required to depart, it shall be lawful for the officer of the Customs to bring such ship into port, and to search and examine her cargo, and to examine the master upon oath touching the cargo and voyage, and if there be any goods on board prohibited to be imported into the said Colony, such ship and her cargo shall be forfeited; and if the master shall not truly answer the questions which shall be demanded of him on such examination, he shall forfeit the sum of one hundred pounds, to be recovered in a summary way.

Ships &c. engaged in smuggling to be forfeited.

6. And whereas by the said recited Ordinance it is enacted "That if any person or persons shall from and after the passing of this Ordinance wear carry or hoist in or on board any ship vessel or boat whatever belonging to any of Her Majesty's subjects, whether the same be merchant or otherwise, without particular warrant for so doing from Her Majesty or Her High Admiral of Great Britain, or the Commissioners for executing the office of High Admiral of Great Britain, Her Majesty's "Jack," commonly called the "Union Jack," or any pendant ensign or colours usually worn by Her Majesty's ships, or any flag jack pendant ensign or colours resembling those of Her Majesty or those used on board Her Majesty's ships, or any other ensign or colours than the ensign or colours by any Proclamation of Her Majesty now in force or hereafter to be issued prescribed to be worn, then and in every such case the master or other person having the charge or command thereof, or the owner or owners being on board the same, and every other person so offending, shall forfeit and pay the sum of fifty pounds; and it shall be lawful for any officer or officers of Her Majesty's Navy on full pay, or for any officer or officers of Customs, to enter on board any such ship vessel or boat, and to seize any such flag jack pendant ensign or colours, and the same shall thereupon be forfeited:" And whereas the objects of the foregoing enactment are already sufficiently provided for by an Act of Parliament made and passed in the Session of Parliament holden in the fourth and fifth years of the reign of His late Majesty King William the Fourth (chap. 13, sec. 11): Be it therefore enacted, That so much of the said Ordinance as is last hereinbefore recited be repealed.

Clause 59 of Customs Ordinance recited and repealed.

7. And whereas by the said recited Ordinance it is also enacted "That if any person shall maliciously shoot at any ship vessel or boat belonging to Her Majesty's Navy or in the service of the Revenue within one hundred leagues of any part of the coast of the said Colony, or shall maliciously shoot at maim or dangerously wound any officer of the Navy on full pay, or any officer of Customs, or any person acting in his aid or assistance or duly employed for the prevention of smuggling, in the due execution of his office, and every person aiding abetting or assisting therein, shall, being lawfully convicted, be adjudged guilty of a felony and suffer death as a felon:" Be it enacted, That so much of the said Ordinance as is last hereinbefore recited be repealed.

Clause 78 of Customs Ordinance recited and repealed.

8. This Ordinance shall come into operation at each place as soon as the same shall have been received by the Collector or Sub-Collector of Customs or person lawfully acting for either, and at all other places throughout the Colony on the first day of August next; and such

Commencement of Ordinance.

Imprisonment for Debt.

Collector, Sub-Collector, or person lawfully acting for either, shall give immediate public notice of his having received the said Ordinance.

 TABLE OF DUTIES OF CUSTOMS.

	£	s.	d.
Spirits or strong waters, for every gallon of such spirits or strong waters of any strength not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater or less strength than the strength of proof, and for any greater or less quantity than a gallon	0	5	0
Wines, for every hundred pounds value	20	0	0
Ale, beer, porter, and other malt liquors, for every hundred pounds value	15	0	0
Tobacco, unmanufactured, per lb.	0	0	9
Ditto, manufactured (except cigars and snuff), per lb.	0	1	0
Cigars and snuff, per lb.	0	2	0
On all guns or weapons of any description, or gunpowder, or any munition of war, for every hundred pounds value	30	0	0
On all other goods, wares, merchandise and property, except personal baggage, living animals, and specie, for every hundred pounds value	5	0	0
