

# STATUTORY RULES.

**1906. No. 71.**

## PROVISIONAL REGULATIONS UNDER THE PACIFIC ISLAND LABOURERS ACT 1901.

I, THE GOVERNOR-GENERAL in and over the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby certify that, on account of urgency, the following Regulations under the *Pacific Island Labourers Act 1901* should come into immediate operation, and make the Regulations to come into operation forthwith as Provisional Regulations.

Dated this thirtieth day of August, One thousand nine hundred and six.

NORTHCOTE,  
Governor-General.

By His Excellency's Command,  
ALFRED DEAKIN.

### PROCEEDINGS FOR OBTAINING ORDER FOR DEPORTATION.

1. On a complaint in accordance with Form "A" in the Schedule made by an Officer authorized under section 8 of the *Pacific Island Labourers Act 1901* before a Justice of the Peace, the Justice of the Peace may issue a summons in accordance with the Form "B" in the Schedule to the person alleged in the complaint to be a Pacific Island Labourer.

2. If the person to whom the summons is directed fails to appear in answer to the summons, a Justice of the Peace may, on proof of the service of the summons, issue a warrant for his apprehension.

3. The laws of the State relating to summary proceedings before Justices shall so far as applicable apply to any proceedings under section 8 of the *Pacific Island Labourers Act 1901*, and to any proceedings under these Regulations.

4. In these Regulations, Justice of the Peace means a Justice of the Peace for the Commonwealth or part of the Commonwealth, or for a State or part of a State.

### THE SCHEDULE.

#### FORM "A."

Commonwealth of Australia.

The *Pacific Island Labourers Act 1901*.

Complaint under Section 8 (1).

WHEREAS, by the *Pacific Island Labourers Act 1901*, it is enacted that an Officer authorized in that behalf may bring before a court of summary jurisdiction a Pacific Island Labourer found in Australia before the thirty-first day of December, One thousand nine hundred and six, whom he reasonably supposes not to be employed under an agreement; and the Court, if satisfied that he is not and has not during the preceding month been so employed, shall order him to be deported from Australia, and he shall be deported accordingly:

NOW THEREFORE [here insert name of officer], an Officer authorized in that behalf under the said Act, on the                      day of                      , 1906, informs the undersigned, one of His Majesty's Justices of the Peace for the State of [here insert name of State], that [here insert name or description of Pacific Island Labourer] is a Pacific Island Labourer found in Australia before the thirty-first day of December, One thousand nine hundred and six, whom the said [here insert name of officer] reasonably supposes not to be employed under an agreement within the meaning of the said Act:

AND the said [here insert name of officer] prays that the said [here insert name or description of Pacific Island Labourer] may be summoned to appear before a court of summary jurisdiction to answer the said complaint, and to be further dealt with according to law.

(Signature of Officer.)

Made before me the day and year first above-mentioned, at                      ,  
in the State of

Justice of the Peace.

FORM "B."

Commonwealth of Australia.

The *Pacific Island Labourers Act* 1901.

Summons under Section 8 (1).

To                      , of                      , in the  
State of

WHEREAS, by the *Pacific Island Labourers Act* 1901, it is enacted that an Officer authorized in that behalf may bring before a court of summary jurisdiction a Pacific Island Labourer found in Australia before the thirty-first day of December, One thousand nine hundred and six, whom he reasonably supposes not to be employed under an agreement; and the court, if satisfied that he is not and has not during the preceding month been so employed, shall order him to be deported from Australia, and he shall be deported accordingly:

AND WHEREAS a complaint was on the                      day of                      , 1906, made before the undersigned, one of His Majesty's Justices of the Peace for the State of [here insert name of State] by [here insert name of officer], that you are a Pacific Island Labourer found in Australia before the thirty-first day of December, One thousand nine hundred and six, whom the said [here insert name of officer] reasonably supposes not to be employed under an agreement within the meaning of the said Act:

THESE ARE THEREFORE to command you, in His Majesty's name, to appear at [here insert name of court], at [here insert place], in the said State, on the                      day of                      , 1906, at                      o'clock in the forenoon before such Justices as may then be there, to answer the said complaint, and to be further dealt with according to law.

Given under my hand, at                      , in the said State, this  
day of                      , 1906.                      Justice of the Peace.