

IMMIGRATION RESTRICTION.

No. 25 of 1908.

An Act to amend the Immigration Restriction Acts
1901-1905.

[Assented to 14th December, 1908.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Immigration Restriction Act* 1908. Short title.

2.—(1.) The *Immigration Restriction Act* 1901, as amended by the *Immigration Restriction Amendment Act* 1905 and by the *Contract Immigrants Act* 1905, is in this Act referred to as the Principal Act. Citation.

(2.) The Principal Act, as amended by this Act, may be cited as the *Immigration Restriction Act* 1901-1908.

3. After section nine of the Principal Act the following sections are inserted :—

“ 9A.—(1.) If any vessel, having on board any stowaway who is a prohibited immigrant, comes into any port in Australia, the master, owners, agents, and charterers of the vessel shall be jointly and severally liable on summary conviction to a penalty of One hundred pounds for each such stowaway. Penalty for bringing stowaways into the Commonwealth.

(2.) Every stowaway brought into any port on board a vessel shall be deemed to be a prohibited immigrant for the purposes of this section unless it is proved that he has passed the dictation test or that an officer has given him permission to land without restriction.

“ 9B.—(1.) Any officer may at any time search any vessel in any port or in any territorial waters of the Commonwealth to ascertain whether there are any stowaways on board the vessel, and for that purpose may board the vessel, and enter into any part of the vessel. Power to search vessel for stowaways.

(2.) At the request of an officer, the master of a vessel shall facilitate the boarding of the vessel, and shall by all means in his power facilitate the searching of the vessel by the officer, and if he fails or neglects to do so he shall be liable on summary conviction to a penalty of One hundred pounds.

“ 9c.—(1.) Any officer may, by notice in writing to the master of the vessel, detain any vessel at any port or place for a reasonable time for the purpose of enabling him to search the vessel to ascertain whether there are any stowaways on board the vessel. Power to detain vessel for searching.

(2.) If the master of any vessel detained in pursuance of this section moves his vessel without the consent of the officer, while she is under detention, he shall be liable on summary conviction to a penalty of One hundred pounds.

Definition of a
stowaway.

“ 9D. Any person on board a vessel at the time of her arrival from any place outside Australia at any port in Australia who is not—

(a) a *bonâ fide* passenger on the vessel, or

(b) a member of the crew of the vessel whose name is on the articles,

shall be deemed to be a stowaway, unless the master of the vessel gives notice to an officer that the person is on board the vessel, and does not permit him to land until the officer has had an opportunity of satisfying himself that the person is not a prohibited immigrant.”
