

IMMIGRATION RESTRICTION.

No. 10 of 1910.

An Act to amend the *Immigration Restriction Act* 1901-1908.

[Assented to 16th September, 1910.]

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

Short title and citation.

1.—(1.) This Act may be cited as the *Immigration Restriction Act* 1910.

(2.) The *Immigration Restriction Act* 1901-1908 is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Immigration Restriction Act* 1901-1910.

Amendment of section 5.

2. Section five of the Principal Act is amended—

(a) by omitting from sub-section (2.) the words “one year” and inserting in lieu thereof the words “two years”; and

(b) by omitting sub-section (3.) and inserting in lieu thereof the following sub-section:—

“(3.) In any prosecution under the last preceding sub-section, the averment of the prosecutor, contained in the information, that the defendant is an immigrant and has entered the Commonwealth within two years before failing to pass the dictation test, shall be deemed to be proved in the absence of proof to the contrary.”

Amendment of section 9A.

3. Section nine A of the Principal Act is amended by omitting from sub-section (2.) the words “for the purposes of this section.”

Amendment of section 9D.

4. Section nine D of the Principal Act is amended by inserting therein after the words “master of the vessel” the words “forthwith after the arrival of the vessel at the port.”

5. After section twelve of the Principal Act the following sections are inserted:—

Penalty for being concerned in bringing immigrants secretly to the Commonwealth.

“12A. Every person who is directly or indirectly concerned in:—

(a) the bringing or coming to the Commonwealth of any immigrant, under circumstances which lead to the inference that the immigrant intended to land in the Commonwealth secretly or without the knowledge of an officer; or

- (b) the concealing of any immigrant with intent to enable him to land in the Commonwealth secretly or without the knowledge of an officer; or
- (c) the concealment of any immigrant with intent to prevent his discovery by an officer,
- shall be guilty of an offence against this Act.

Penalty : One hundred pounds or six months' imprisonment or both.

"12B.—(1.) Any person arriving in the Commonwealth who—

- (a) has in his possession, without lawful excuse (proof whereof shall lie upon him), any false certificate of naturalization or false certificate of birth ; or
- (b) falsely represents to an officer that he is the person named in any certificate of naturalization or certificate of birth; or
- (c) produces to an officer any certificate of naturalization or certificate of birth with intent to deceive or mislead him,
- shall be guilty of an offence against this Act.

False
naturalization
papers.

Penalty : One hundred pounds or six months' imprisonment.

"(2.) In this section—

- 'Certificate of naturalization' includes any certificate or letters of naturalization or denization issued in the Commonwealth or in a State or in a Colony which has become a State, or any document purporting to be a certificate of naturalization or any document resembling or apparently intended to resemble a certificate of naturalization ; and
- 'Certificate of birth' includes any certified copy of any entry in or certified extract from any official register of births kept in the Commonwealth or in a State or in a Colony which has become a State, or any document purporting to be a certificate of birth or any document resembling or apparently intended to resemble a certificate of birth."

6. Section fourteen of the Principal Act is amended by omitting the words "Every member of the police force of any State, and".

Amendment of
section 14.

7. Section fourteen A of the Principal Act is amended by omitting the words "Every member of the police force of any State, and".

Amendment of
section 14A.

8. After section fourteen A of the Principal Act the following section is inserted :—

"14B.—(1.) Any officer may stop and search any vessel or vehicle in which he has reason to suspect any prohibited immigrant to be.

Power to search
for prohibited
immigrants.

"(2.) Any officer may, at any reasonable hour in the day time, enter any building premises or place in which he has reasonable cause to believe any prohibited immigrant to be, and search the building premises or place to ascertain whether any prohibited immigrant is therein."