

PACIFIC ISLAND LABOURERS.

No. 16 of 1901.

An Act to provide for the Regulation, Restriction,
and Prohibition of the Introduction of Labourers
from the Pacific Islands and for other purposes.

[Assented to 17th December, 1901.]

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.

1. This Act may be cited as the *Pacific Island Labourers Act* 1901.

Definitions.

2. In this Act, unless the contrary intention appears—

“ Agreement ” means any agreement for service made with a Pacific Island Labourer within or under the Pacific Island Labourers Acts 1880–1892 of the State of Queensland.

“ Licence ” means a licence under those Acts to introduce labourers from the Pacific Islands.

“ Minister ” means the Minister for External Affairs.

“ Pacific Island Labourer ” includes all natives not of European extraction of any island except the islands of New Zealand situated in the Pacific Ocean beyond the Commonwealth as constituted at the commencement of this Act, but does not include—

(a) persons registered under section eleven of the Queensland Act forty-seven Victoria number twelve on the ground of continuous residence in Queensland for a period of not less than five years before the first day of September One thousand eight hundred and eighty-four ; or

(b) persons employed as part of the crew of a ship ; or

(c) persons possessed of certificates of exemption under the *Immigration Restriction Act* 1901.

3. No Pacific Island labourer shall enter Australia on or after the thirty-first day of March, One thousand nine hundred and four.

4. No Pacific Island labourer shall enter Australia before the thirty-first day of March, One thousand nine hundred and four, except under a licence.

No Pacific Island labourer to enter after 31st March, 1904.

Nor before that date, except under a licence

5. No licence shall be granted except as provided in this Act.

Licences not to be granted except as provided.
Licences during 1901 and 1902.

6. Nothing in this Act shall prevent the granting of licences as follows:—

- (a) During the year One thousand nine hundred and two, to the number of not more than three-fourths of the number of the Pacific Island labourers who have returned to their native islands during the year One thousand nine hundred and one.
- (b) During the year One thousand nine hundred and three, to the number of not more than one-half of the number of the Pacific Island labourers who have returned to their native islands during the year One thousand nine hundred and two.

7. No agreement shall be made or remain in force after the thirty-first day of December, One thousand nine hundred and six.

No agreements after 31st December, 1906.

8.—(1.) 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.

Power to deport labourers.

(2.) The Minister may order a Pacific Island labourer found in Australia after the thirty-first day of December, One thousand nine hundred and six, to be deported from Australia, and thereupon he shall be deported accordingly.

9. Any person who—

- (a) contrary to this Act introduces a Pacific Island labourer or allows a Pacific Island labourer to enter Australia; or
- (b) employs a Pacific Island labourer except under an agreement

Penalty.

shall be liable on summary conviction before a police stipendiary or special magistrate sitting as a court of summary jurisdiction to a penalty not exceeding One hundred pounds.

10. In any proceeding under this Act, a person alleged to be a Pacific Island labourer shall be deemed to be a Pacific Island labourer until the contrary is shown.

Onus of proof that person is not Pacific Island labourer

11.—(1.) The Governor-General may make regulations for carrying out this Act.

Regulations.

(2.) All such regulations shall be notified in the *Gazette* and shall thereupon have the force of law.

(3.) All such regulations shall be laid before both Houses of the Parliament within thirty days after the making thereof if the Parliament be then sitting, and if not then within thirty days after the next meeting of the Parliament.