

T A S M A N I A.

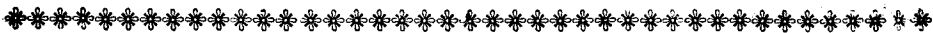


1874.

ANNO TRICESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 16.



AN ACT to amend "The Immigration Act, 1867." [18 September, 1874.] A.D. 1874.

WHEREAS it has become desirable and necessary to amend "The Immigration Act, 1867," in certain particulars: PREAMBLE. 31 Vict. No. 26.

Be it therefore enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 All the provisions contained in the Seventh Section of "The Immigration Act, 1867," shall be applicable to any person arriving in Tasmania from any country or place other than Europe or India, as well as from Europe or India, for the purpose of settling in Tasmania. Application of Section 7 of 31 Vict. No. 26 extended.

Nothing herein contained shall be held to entitle any person who has for the period of One year or upwards resided in any Australian Colony or New Zealand to receive a certificate as in the said Act is mentioned.

2 It shall be lawful for the Board of Immigration, if the Board sees fit, to require any person applying for a Land Order or Certificate to prove to the satisfaction of the Board, or some person appointed by the Board, that such person was not within the period of One year before application made a free or assisted immigrant to any Australian Colony or New Zealand. Applicant for Land Order or Certificate to prove that he was not a free or assisted immigrant to another Colony.

3 No person who pays the purchase-money of any Waste Lands of the Crown by means of any Land Order or Certificate mentioned in the said Act shall be entitled to claim a Grant from the Crown of the Land so paid for unless he has resided for Five years in Tasmania; and every No person entitled to Grant until after Five years' residence.

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such term of Five years shall be reckoned from the date of the Land Order or Certificate ; and proof of such residence shall lie upon the person claiming a Grant for such Land.

Every such person shall be deemed to have resided for Five years in *Tasmania*

If, being unmarried, he has resided continuously in *Tasmania* for Five years, or has not been absent from *Tasmania* for any period or periods exceeding Three months in any One year during the said period of Five years :

If, being married, he and his wife and children have resided continuously in *Tasmania* for the said period :

If his wife and children, or his wife only, or his children only, or one or more of them have resided continuously in *Tasmania* during his absence, for the said period.

In case any such person dies before he has resided for Five years in *Tasmania* as hereinbefore provided, his heir-at-law or devisee, as the case may be, shall, at the expiration of Five years from the date of the Land Order or Certificate issued to such person as aforesaid, be entitled to a Grant of the said Land if, in the opinion of the Commissioner of Crown Lands, permanent improvements have been made upon the said Land to the value of not less than One Pound for each and every acre of the said Land.

In case any such person ceases to reside in *Tasmania* before the expiration of the said period, save as hereinbefore provided, the Land so purchased or selected shall revert to the Crown and become Waste Land.

This provision shall be applicable to the case of any person who has purchased or selected Land under the said Act before the commencement of this Act.

Repeal of Section
8 of 31 Vict.
No. 26.

4 Section Eight of the said Act is hereby repealed ; and any right or liability which has arisen or accrued thereunder before the commencement of this Act shall be deemed to have arisen or accrued, and shall be dealt with, under the last preceding Section of this Act.

Regulations.

5 It shall be lawful for the Board of Immigration, with the approval of the Governor in Council, from time to time to make, alter, amend, and rescind such Regulations as the Board sees fit, for the purpose of carrying into effect the objects and intentions of the said Act and this Act ; and all such Regulations shall be published in the *Gazette*, and laid before both Houses of Parliament, as soon as may be after the making thereof ; and such Regulations, when published in the *Gazette*, shall have the force of law unless and until Parliament disallows the same ; and all acts, matters, and things done under the said Regulations before they are disallowed shall be good and valid notwithstanding any such disallowance.

Acts to be read
together.

6 This Act and the said Act shall, save as altered or amended by this Act, be read and construed as one Act.

Short title.

7 This Act may be cited as "The Immigration Act, 1874."