

(No. 82.)



1873.

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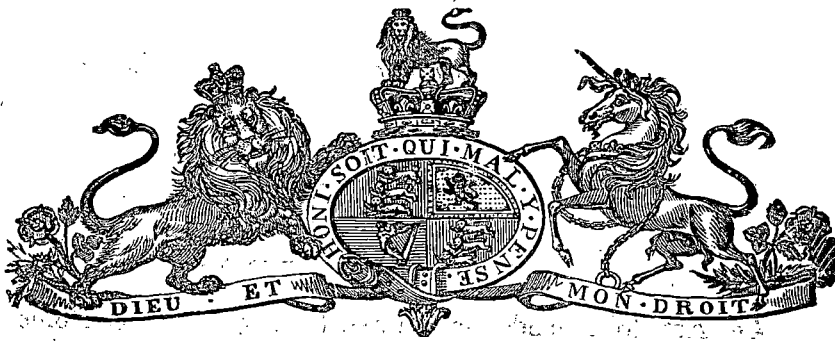
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**AUSTRALIAN COLONIES DUTIES ACT.**

**DESPATCH FROM THE RIGHT HON. SECRETARY OF STATE.**

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Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, July 30, 1873.



TASMANIA.  
Circular.

Downing-street, 13 June, 1873.

SIR,

I HAVE the honor to transmit to you six copies of an Act, intituled "The Australian Colonies Duties Act, 1873."

2. The Telegram sent on February 11th, by desire of the Representatives of the Colonies assembled in Conference in Sydney, expressed their earnest hope that Her Majesty's Government would introduce, at as early a date as possible, the necessary measure for giving effect to the wish of the Conference,—namely, that those restrictions should be removed which precluded two or more Colonies of the Australian Group from entering into arrangements for the admission of articles, the growth, produce, or manufacture of any part of Australia or New Zealand upon terms to which they might mutually agree.

3. Her Majesty's Government, upon the receipt of this Telegram, determined, after full consideration, to propose to Parliament a Bill giving effect to this strongly and repeatedly expressed wish of the Australasian Colonies; and Parliament having passed the Bill, there would be no advantage in continuing the discussion of the questions raised in the correspondence which has taken place on this subject, and in which the general views of Her Majesty's Government have been already fully explained.

4. It will be perceived that the Act gives full power to each of the Australian Colonies to make Laws imposing or remitting Duties, for the purpose of giving effect to an agreement, in respect of any article imported into it from any other Colony to which the Act applies. It has been thought expedient that, subject to the proviso against differential Duties, the powers given to the Colonial Legislatures should be extended to articles not the growth, produce, and manufacture of Australia or New Zealand, in order to remove all doubts as to such arrangements as have already been made as to Border Duties between Victoria and New South Wales, and also to enable a Customs Union to be established between any two or more of the Colonies to which the Act applies.

5. You will be at liberty, in consequence of the passing of the "Australian Colonies Duties Act, 1873," to assent to any Bill imposing such differential Duties as fall within its provisions, notwithstanding anything contained in the Royal Instructions which will hereafter be modified in accordance with the new Enactment.

6. With respect to the Bill passed by the Parliament of Tasmania in 1870, and reserved for the signification of Her Majesty's pleasure, entitled "The Intercolonial Free Trade Act, 1870," I am advised that Her Majesty's assent could not be given to this Bill because it was passed at a time when the prohibition against such legislation contained in the Australian Colonies Government Act was still in force, and the recent Imperial Act does not repeal the prohibition against passing such Bills *ab initio*, but only authorises the Colonial Legislatures to pass such Bills in future.

I have the honor to be,  
Sir,

Your most obedient humble Servant,

KIMBERLEY.

Governor DU CANE.

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## CHAPTER 22.

A.D. 1873.

An Act to amend the Law with respect to Customs Duties in the  
Australian Colonies. [26th May, 1873.]

**W**HEREAS it is expedient to amend the law with respect to Customs Duties in the Australian Colonies :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

**1** This Act may be cited as the "Australian Colonies Duties Act, 1873."

Interpretation Clause.

**2** In this Act the term "Australian Colonies" shall mean the Colonies of New South Wales, Victoria, South Australia, Queensland, Western Australia, and Tasmania :

The term "country" shall mean any country or place except Australian Colonies, and the Colony of New Zealand.

Power to Colonial Legislatures to regulate duties.

**3** The Legislature of any one of the Australian Colonies shall, for the purpose of carrying into effect any agreement between any two or more of the said Colonies, or between any one or more of the said Colonies and New Zealand, have full power from time to time to make laws with respect to the remission or imposition of duties upon the importation into such Colony of any article the produce or manufacture of or imported from any other of the said Colonies, or the produce or manufacture of or imported from New Zealand.

Provided always, that for the purpose aforesaid no new duty shall be imposed upon, and no existing duty shall be remitted as to, the importation into any of the Australian Colonies of any article, the produce or manufacture of any particular country, which shall not be equally imposed upon, or remitted as to, the importation into such Colony of the like article the produce or manufacture of any other Country : Provided further, that no duties shall be levied upon articles imported into any of the Australian Colonies for the supply of Her Majesty's land or sea forces, nor shall any duty be levied or remitted contrary to or at variance with any Treaty or Treaties for the time being subsisting between Her Majesty and any Foreign Power.