

Rates and Duties Continuance.

No. IX.

An Act for confirming certain Rates and Duties heretofore levied and collected in the Colony and for continuing the like Rates and Duties until further provision shall be made. [21st April, 1830.]

RATES AND DUTIES
CONTINUANCE.

WHEREAS an Act was made in the fifty-ninth year of the reign of His late Majesty King George the Third intituled "*An Act to stay proceedings against any Governor or other person concerned in imposing and levying Duties in New South Wales to continue until the first day of January one thousand eight hundred and twenty-one certain Duties and to empower the Governor to levy a Duty on Spirits made in the said Colony*" And whereas a certain other Act was made in the third year of the reign of His present Majesty intituled "*An Act to continue until the first day of January one thousand eight hundred and twenty-four an Act passed in the fifty-ninth year of His late Majesty relating to imposing and levying Duties in New South Wales to authorize the imposing and levying of other Duties on Goods imported into the said Colony and to suspend for ten years the payment of Duty on the importation of certain Goods the produce of New South Wales*" And by the last recited Act it was amongst other things provided that every Governor who had theretofore received or should thereafter receive any sums of money arising from any Rates and Duties which had been or which might be raised and levied within the said Colony or any of its Dependencies should account to His Majesty for the same and for the due application thereof through the Lords Commissioners of the Treasury in such manner at such times and under such rules and regulations as to the examination and audit of such accounts as the said Lords Commissioners or any three of them should direct in that behalf And whereas the said several recited Acts were prolonged for a limited time by certain other Acts in such behalf made and made perpetual by an Act made in the ninth year of the reign of His present Majesty intituled "*An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land and for the more effectual Government thereof and for other purposes relating thereto*" in which said last mentioned Act was contained a proviso nevertheless that all and every the powers and authorities vested by the said first recited Acts or either of them in the Governor of New South Wales or the person administering the Government thereof should thenceforward be vested in and exercised by the Governor of New South Wales acting with the advice and consent of the Legislative Council of the said Colony and that the produce of the several Duties imposed and made payable under and by virtue of the said first recited Acts or either of them or under and by virtue of that Act should be applied in such manner and to such purposes as the said Governor and Council might from time to time by any such Law or Ordinance appoint and the application thereof should be accounted for to His Majesty in such manner as the Lord High Treasurer or the Commissioners of His Majesty's Treasury should appoint And whereas by virtue and in exercise of the powers and authorities vested in the Governor of New South Wales by the said first recited Acts a certain Proclamation was made and published by His Excellency Ralph Darling Governor of New South Wales bearing date the sixteenth day of October in the year of our Lord one thousand eight hundred and twenty-eight and it was thereby ordered and directed

Preamble.

59 Geo. III. c. 114.

3 Geo. IV. c. 96

allowing certain powers of taxation to the Governor.

Made perpetual by

9 Geo. IV. c. 83.

The Governor's Proclamation of 16th Oct. 1828 imposing the following Rates and Duties.

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directed that from and after the date of such Proclamation the following Rates and Duties should be imposed and levied that is to say—

“ 1. On spirits made or distilled from grain the produce of the said Colony of New South Wales or its Dependencies a duty of two shillings and sixpence sterling for each and every gallon wine measure of such spirits not exceeding the strength of hydrometer proof and in the same proportion for spirits of greater strength to be determined and calculated in the usual manner.

“ 2. On spirits the produce and manufacture of the United Kingdom or of His Majesty’s Plantations in the West Indies imported directly from the United Kingdom into the said Colony or its Dependencies a duty of six shillings and sixpence sterling for each and every gallon wine measure of such spirits not exceeding the strength of hydrometer proof and in the same proportion for spirits of greater strength.

“ 3. On all other spirits whether made within or imported into the said Colony or its Dependencies a duty of eight shillings and sixpence sterling for each and every gallon wine measure of such spirits not exceeding the strength of hydrometer proof and in the same proportion for spirits of greater strength.

“ 4. On all unmanufactured tobacco imported into the said Colony or its Dependencies a duty of one shilling and sixpence sterling for each and every pound weight avoirdupois of such tobacco and on all manufactured tobacco and snuff so imported a duty of two shillings sterling for each and every pound weight avoirdupois of such tobacco and snuff.

“ 5. And on all other goods wares and merchandize not being the growth produce or manufacture of the United Kingdom imported into the said Colony or its Dependencies either from the United Kingdom or elsewhere the same rate or duty as is now levied in the said Colony that is to say five pounds sterling on every hundred pounds in value of the same and so in proportion for every greater or less value such value to be ascertained in the manner prescribed in the before-mentioned Act of Parliament passed in the third year of His Majesty’s reign.”

Confirming the Rates and Duties heretofore levied and continuing the like Rates until further provision.

And whereas the several and respective Rates and Duties authorized as aforesaid have been levied and collected by the orders and directions of the Governor until the present time and the same have been applied to the local purposes of the said Colony subject to such rules and regulations as to the examination and audit of the accounts thereof as in and by the said Act passed in the ninth year of His present Majesty is provided And it is expedient that the same should be confirmed and the like Rates and Duties should be continued until further provision shall be made in such behalf Be it therefore enacted by the Governor with the advice of the Legislative Council That all and every the Rates and Duties which have been levied and collected since the said recited Act made in the ninth year of the reign of His present Majesty came into operation and before the passing of this Law or Ordinance under the orders and directions of the Governors of this Colony shall be and the same are hereby confirmed and declared to be of the same force and validity as if the same had been levied and collected under and by virtue of any Law or Ordinance And also that such and the like Rates and Duties as in and by the said recited Proclamation and the said Act passed in the fifty-ninth year of the reign of His late Majesty are respectively authorized and imposed shall from and after the passing of this present Law or Ordinance and until further provision shall be made in such behalf continue in force and shall be levied collected and applied in like manner as the same have been heretofore respectively levied collected and applied.