

No. XLIX.

An Act to provide that the Revenue and other Laws and Regulations made in and for the Colony of New South Wales shall after the erection of the District of Port Phillip into the separate Colony of Victoria continue in force within the last mentioned Colony until altered by the Legislature thereof. [2nd May, 1851.]

TEMPORARY
CONTINUANCE IN
VICTORIA OF N.S. W.
LAWS.
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WHEREAS by an Act of the Imperial Parliament passed in the Session of the thirteenth and fourteenth years of the reign of Her present Majesty Queen Victoria intituled “*An Act for the better Government of Her Majesty’s Australian Colonies*” it is amongst other things enacted that after such provisions for establishing Electoral Districts as therein mentioned shall have been made by the Governor and Legislative Council of New South Wales and upon the issuing of the Writs for the first Election in pursuance thereof the Territories comprised within the District of Port Phillip shall be separated from the Colony of New South Wales and that thereupon the powers of the Governor of New South Wales over and in respect of the Colony of Victoria shall cease And whereas it is expected that such Writs will shortly be issued whereupon the Territories comprised within the said District of Port Phillip will cease to form part of the Colony of New South Wales And whereas certain Acts of the Governor and Council of the Colony of New South Wales have provided for the levying of certain “duties upon spirits wines and other goods and “merchandise imported into the said Colony of New South Wales and its Dependencies” And whereas also a certain other Act of the said

Temporary Continuance in Victoria of N. S. W. Laws.

Laws now in force for the collection of Customs in the Colony of New South Wales including Port Phillip to remain in force in the Colony of Victoria until altered by Legislature of the last mentioned Colony.

All Laws and Government and other Public Regulations now in force in the District of Port Phillip to remain in force in the Colony of Victoria after separation until altered as aforesaid.

Duties to be paid on all imported goods in each Colony after separation.

said Governor and Council has provided for the "General Regulation of the Customs in New South Wales" And whereas also divers other Acts of the said Governor and Council and various Government and other Public Regulations made in pursuance of some of such Acts have made other provisions and regulations purporting to apply to the said "Colony of New South Wales only" And whereas doubts may arise whether after such separation as aforesaid the said several duties upon spirits wines and other goods and merchandise will be legally leviable within the said Colony of Victoria and also whether the said several other Acts and the said Government and other Public Regulations will apply to and be in force within the said Colony of Victoria after such separation as aforesaid And whereas it is necessary to remove such doubts and to provide that all Laws and all Rules and Regulations founded thereon which now apply to the said District of Port Phillip as a part of the said Colony of New South Wales shall until altered by the Legislature of Victoria continue to be in full force and effect within the Territories comprised within the said District after their separation as aforesaid in the same manner as if such separation had not taken place Be it therefore enacted That all and every the duties and duty now chargeable and payable within the Colony of New South Wales upon all spirits wines and other goods and merchandise imported into the same shall be charged and paid within the District of Port Phillip after its erection into the separate Colony of Victoria upon all spirits wines and other goods and merchandise imported into the last mentioned Colony in the same manner in every particular as if such separation had not taken place and that all and every the Laws and Regulations now in force for the collection and regulation of the Customs in New South Wales shall in like manner after such separation continue to be in force and shall be applied to the said Colony of Victoria as if such separation had not taken place until such Duties Laws and Regulations shall severally and respectively have been altered by the Governor and Legislative Council of Victoria.

2. And be it enacted That all and every other the Laws and Government or other Public Regulations which have at any time been passed or made for the Colony of New South Wales or for the District of Port Phillip and now in force within the said District shall after such separation as aforesaid and until other provision shall have been made in respect of the same matters respectively by the Governor and Legislative Council of Victoria or other competent authority severally and respectively continue to be in force within and shall be applied to the Territories comprised within the Colony of Victoria and to all persons matters and things therein in the same manner to all intents and purposes as if such separation had not taken place.

3. And be it declared and enacted That after the separation of the Colony of New South Wales and Victoria all goods merchandise and articles now subject to duty on importation into the Colony of New South Wales shall be liable to and shall pay duty in each of the said Colonies respectively irrespective of the place at which they were first landed Provided that if such goods merchandise or articles have paid the import duty in the one Colony the usual drawback shall be allowed on its exportation to the other.