

## No. XXIII.

### An Act to regulate the export of Arms and Warlike Stores. [20th May, 1878.]

EXPORT OF  
WARLIKE STORES.  
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WHEREAS it is expedient that power should be given to the Governor in Council in time of war or in cases of emergency to regulate or prevent the exportation of gunpowder arms and other warlike stores. Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. It shall be lawful for the Governor with the advice of the Executive Council whenever he may deem it expedient for the interests of the public to issue a proclamation to be published in the *Gazette* directing the terms and conditions under which gunpowder arms and other warlike stores may be exported from any of the ports of the Colony or prohibiting the exportation of the same to any country or place named in such proclamation.

2. The Governor may by such proclamation direct—

(1.) That no vessel having gunpowder arms or other warlike stores on board in greater quantity than may in the opinion of the Collector or chief officer of Customs at the port of clearance be required for the ordinary use and service of such vessel or of any passenger proceeding thereby shall be cleared at any port in this Colony without a license under the hand of the Governor or of the Colonial Treasurer.

(2.) And that before any gunpowder arms or other warlike stores shall be shipped under any such license the shipper thereof shall declare in writing the name of the port or place at which it is intended that the same shall be landed and shall give a bond in the sum of five hundred pounds (or treble the value of the gunpowder arms or other warlike stores so shipped if such value shall exceed that amount) with two persons being householders resident at the said port of clearance as sureties to

That gunpowder &c. shall not be exported without a license.

That a bond shall be given for the landing of such gunpowder &c. at declared port.

## (Consolidated Fund) Appropriation.

to be approved by the Collector or chief officer of Customs at such port conditioned that such gunpowder arms or other warlike stores shall be duly landed at the port or place for which they have been so declared to be shipped. And that the landing of the same shall be proved by the shipper thereto producing to the said Collector or other chief officer of Customs at the port of shipment a certificate duly signed by the Collector or other chief officer of Customs Consul or other public officer properly authorized in that behalf at the port or place where such gunpowder arms or other warlike stores shall have been landed or otherwise furnish sufficient proof thereof within a reasonable time in the opinion of the said Collector or other chief officer of Customs at the said port of shipment. And on failure of such proof the sum secured by the said bond shall be forfeited and may be recovered at the suit of Her Majesty's Attorney General for and on behalf of Her Majesty.

16 and 17 Vic. c. 107  
s. 150.

(3.) Or that the exportation of gunpowder arms or other warlike stores to any country colony or place named in such proclamation shall be prohibited.

Gunpowder &c.  
carried contrary to  
proclamation  
forfeited.

3. Any gunpowder arms or other warlike stores shipped or carried contrary to the terms of any such proclamation may be seized by any officer of Customs or military or naval officer on full pay or by any police officer and shall be forfeited to Her Majesty.