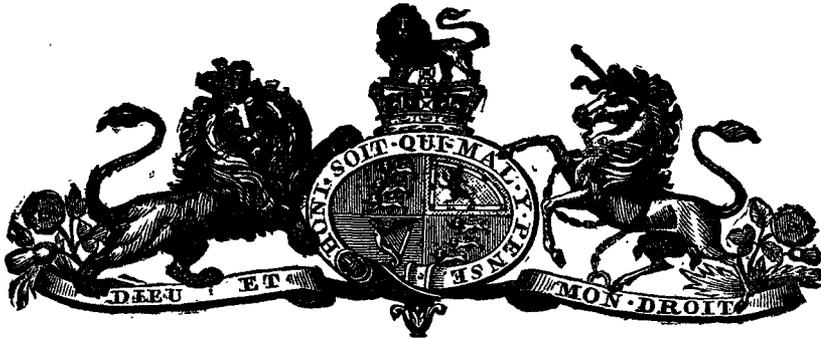


NEW ZEALAND.



TRICESIMO QUINTO

VICTORIÆ REGINÆ.

No. LXII.

ANALYSIS.

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| <p>Title.
Preamble.
1. Short Title.
2. Commencement of Act.
3. Section 163 of "The Customs Consolidation Act 1853" not to apply to coasting trade in New Zealand.
4. Foreign ships in the coasting trade to be subject to the same rules as British ships.</p> | <p>5. Foreign ships employed in the coasting trade not to be subject to higher rates than British ships.
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7. And may impose additional duties.
8. Order in Council to specify ships to which it applies.</p> |
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AN ACT to admit Foreign Ships to the Coasting Trade. Title.

[Reserved for the signification of Her Majesty's pleasure.]

WHEREAS by the one hundred and sixty-third section of the Act Preamble.
of the Imperial Parliament called "The Customs Consolidation Act 1853" it is enacted that no goods or passengers shall be carried from one part of any British Possession in Asia Africa or America to another part of the same Possession except in British ships :

And whereas doubts have arisen as to whether the restriction contained in the said enactment applies to the coasting trade of New Zealand :

And whereas by the fourth section of the Act of the Imperial Parliament called "The Merchant Shipping (Colonial) Act 1869" hereinafter referred to as "the said Act" it is enacted that after the commencement of this Act the Legislature of a British Possession by any Act or Ordinance from time to time may regulate the coasting trade of that British Possession subject in every case to the following conditions :—

- (1.) The Act or Ordinance shall contain a suspending clause providing that such Act or Ordinance shall not come into operation until Her Majesty's pleasure thereon has been publicly signified in the British Possession in which it has been passed :
- (2.) The Act or Ordinance shall treat all British ships (including the ships of any British Possession) in exactly the same

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manner as ships of the British Possession in which it is made :

- (3.) Where by treaty made before the passing of this Act Her Majesty has agreed to grant to any ships of any foreign State any rights or privileges in respect of the coasting trade of any British Possession such rights and privileges shall be enjoyed by such ships for so long as Her Majesty has already agreed or may hereafter agree to grant the same anything in the Act or Ordinance to the contrary notwithstanding :

And whereas by the fifth section of the said last named Act it is enacted that the following sections of "The Customs Consolidation Act 1853" are thereby repealed namely—

Section three hundred and twenty-eight as from the commencement of the Act now recited :

Section one hundred and sixty-three as from the date in the case of each British Possession at which either an Act or Ordinance with respect to the coasting trade made within two years after the commencement of the now recited Act in such British Possession comes into operation or if there is no such Act or Ordinance at which the said two years expire :

And whereas it is expedient to remove such doubts as aforesaid and to remove the restriction imposed by the enactment contained in the said one hundred and sixty-third section so far as it applies to the coasting trade of New Zealand :

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows :—

Short Title.

1. The Short Title of this Act shall be "The Coasting Trade Regulation Act 1871."

Commencement of Act.

2. This Act shall not come into operation until Her Majesty's pleasure shall have been taken thereon and it shall have been assented to by Her Majesty and such pleasure and assent signified in New Zealand by Proclamation made by the Governor and published in the *New Zealand Gazette* and thereupon shall come into operation.

Section 163 of "The Customs Consolidation Act 1853" not to apply to coasting trade in New Zealand.

3. On the coming into operation of this Act the enactment contained in the one hundred and sixty-third section of the said "Customs Consolidation Act 1853" shall not apply to the coasting trade of New Zealand or to the carriage of goods or passengers from any port of New Zealand to any other port of New Zealand.

Foreign ships in the coasting trade to be subject to the same rules as British ships.

4. Every foreign ship employed in carrying goods or passengers coastwise from one part of New Zealand to another shall be subject as to stores for the use of the crew and in all other respects to the same laws rules and regulations to which British ships when so employed are now subject.

Foreign ships employed in the coasting trade not to be subject to higher rates than British ships.

5. No foreign ship employed in the coasting trade as aforesaid nor any goods carried in any such ship shall during the time such ship is so employed be subject to any higher or other rate of dock pier harbour light pilotage or other dues tolls rates or other charges whatsoever or to any other rules as to the employment of pilots or any other rules or restrictions whatsoever than British ships employed in like manner or goods carried in such ships any law or regulation to the contrary notwithstanding.

Governor may restrict the privileges of foreign ships in certain cases.

6. Subject to the provisions of the said Act if it shall be made to appear to the Governor that British vessels are subject in any foreign country to any prohibitions or restrictions as to the voyages in which they may engage or as to the articles which they may import into or

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export from such country it shall be lawful for the Governor if he shall think fit by Order in Council to impose such prohibitions or restrictions upon the ships of such foreign country either as to the voyages in which they may engage or as to the articles which they may import into or export from any part of New Zealand as he may think fit so as to place the ships of such country on as nearly as possible the same footing in New Zealand ports as that on which British ships are placed in the ports of such country.

7. If it shall be made to appear to the Governor that British ships are either directly or indirectly subject in any foreign country to any duties or charges of any sort or kind whatsoever from which the national vessels of such country are exempt or that any duties are imposed upon articles imported or exported in British ships which are not equally imposed upon the like articles imported or exported in national vessels or that any preference whatsoever is shown either directly or indirectly to national vessels over British vessels or to articles imported or exported in national vessels over the like articles imported or exported in British vessels or that British trade and navigation is not placed by such country upon as advantageous a footing as the trade and navigation of the most favoured nation then and in any such case it shall be lawful for the Governor if he think fit by Order in Council to impose such duty or duties of tonnage upon the ships of such nation entering into or departing from the ports of New Zealand or such duty or duties on all goods or on any specified classes of goods imported or exported in the ships of such nation as may appear to him justly to countervail the disadvantages to which British trade or navigation is so subjected as aforesaid.

And may impose additional duties.

8. And in every such order the Governor may if he so think fit specify what ships are to be considered as ships of the country or countries to which such order applies and all ships answering the description contained in such order shall be considered to be ships of such country or countries for the purposes of such order.

Order in Council to specify ships to which it applies.

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