

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
27th July, 1894.*

Hon. Sir P. A. Buckley.

POISONS IMPORTATION AND CARRIAGE.

ANALYSIS.

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A BILL INTITULED

AN ACT to regulate the Importation and Carriage of Poisons. Title.

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

1. The Short Title of this Act is "The Poisons Importation and Carriage Act, 1894"; and it shall come into force on the first day of March, one thousand eight hundred and ninety-five. Short Title.

2. In this Act, unless inconsistent with the context,— Interpretation.

10 "Carrier" includes every person or body of persons carrying goods for hire by any means, and whether by land or water:

"Package" means any iron watertight drum in which poison is packed or contained:

15 "Poison" means any one or more of the poisons mentioned in the Schedule to this Act:

"Ship" includes sailing-vessels, steamers, and boats of every kind:

20 "Warehouse-owner" includes every person or body of persons owning, managing, or controlling any warehouse, store, wharf, quay, or other place or premises in or on which goods are deposited.

25 3. No person shall deliver any package containing any poison mentioned in the Schedule to this Act to any warehouse-owner or carrier, or send or carry or cause to be sent or carried any such package containing such poison, wholly or in part, to or from any port or place in New Zealand, unless the true name or description of such poison, with the addition of the word "Poison," Packages delivered to warehouse-owner or carrier to be marked "Poison."

is distinctly written, printed, or marked in easily-legible letters of not less than one inch in height on the outside of the package; nor, in the case of delivery to or deposit with any warehouse-owner or carrier of any such package, without also giving notice in writing to him of the name or description of such package, and that it contains 5
poison.

Packages of poison
to be securely
packed.

4. Every package containing any poison mentioned in the Schedule to this Act which shall be imported by any person into the colony, or shall be sent by any person by means of any carrier for delivery at any place within the colony, shall be strongly and securely 10
packed; and every person importing or sending any package containing any poison mentioned in the Schedule to this Act shall be required to see that the same is packed as required by this Act, that is to say,—

How poison to be
packed.

(1.) Any poisons mentioned in the Schedule to this Act shall be 15
packed in iron watertight drums, which shall be painted with red-lead paint.

Poisons to be kept
separate from food
during transit.

5. Every warehouse-owner, and every carrier, whether by land or by water, shall be bound to see that any package containing any poison mentioned in the Schedule to this Act is kept separate 20
and distinct from any goods of any kind suitable for food of man or animals deposited with or carried by him, and so as not in case of breakage or leakage to intermix with, contaminate, or injuriously affect such goods; and, if he has not at the time space for the storage or carriage of any such package without committing a breach of this 25
Act, he shall be entitled to refuse to accept delivery of or to carry the same, as the case may be.

Penalty.

6. If any person shall commit a breach of any of the foregoing sections, he shall be liable to a penalty not exceeding *one hundred* 30
pounds: Provided that if any such person shall show that he was merely an agent or servant in the importation, carriage, or delivery of any such package, and had no actual knowledge or had no reason to suspect that such package contained any poison mentioned in the Schedule to this Act, he shall not be liable to such penalty.

Agent not liable
if unaware of
contents.

Penalty for sending
or carrying package
under false
description.

7. If any person in New Zealand knowingly sends or attempts 35
to send by, or carries or attempts to carry in, any ship, British or foreign, or sends or delivers to any warehouse-owner or carrier, any package containing any poison mentioned in the Schedule to this Act under a false description, or falsely describes the sender or carrier thereof, he shall be liable to a penalty not exceeding *one hundred* 40
pounds.

How penalties
recoverable.

8. All penalties recoverable under this Act shall be recovered in a summary way, in the manner provided by "The Justices of the the Peace Act, 1882," before any two or more Justices of the Peace, 45
or any Stipendiary Magistrate.

Schedule.

SCHEDULE.

Arsenic.
Cyanide of potassium.