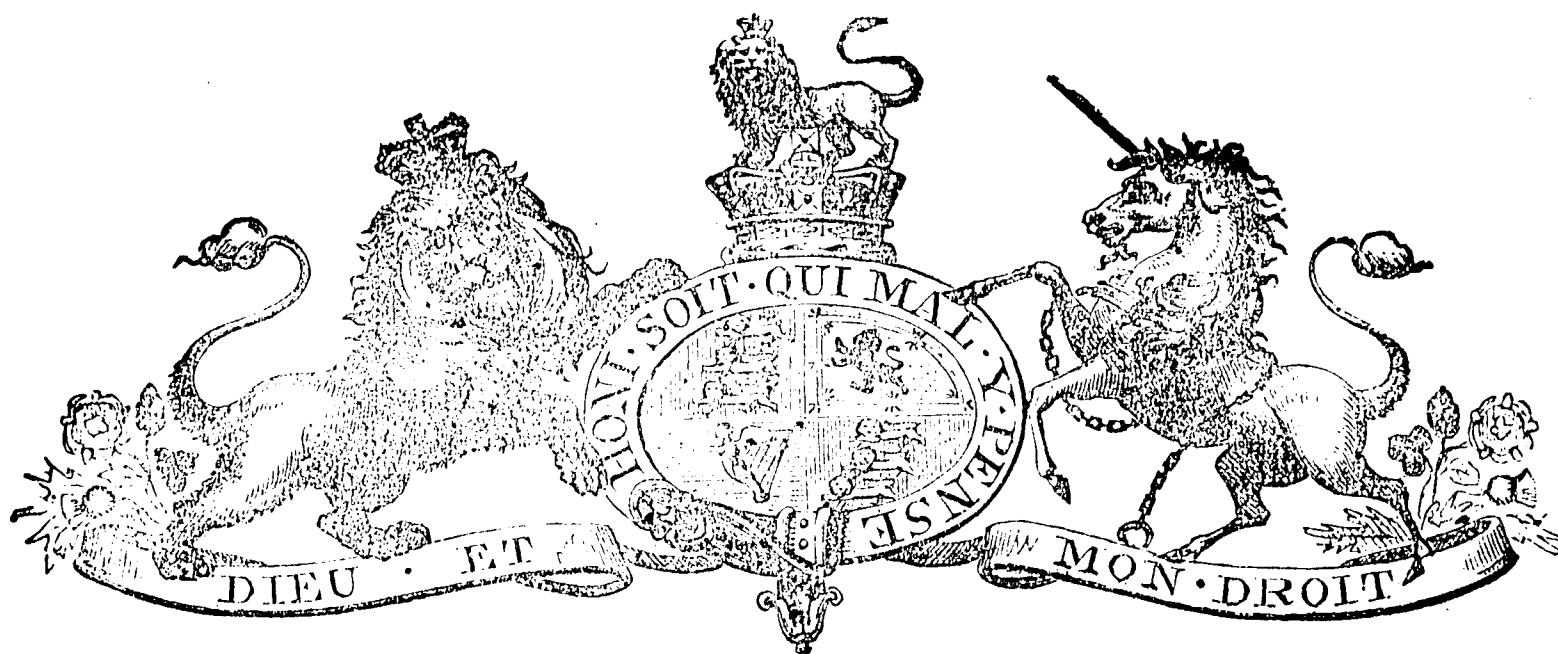


VICTORIA.



ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ.

No. DCCCCXII.

An Act to amend an Act intituled "*An Act to provide for the Protection and Management of the Aboriginal Natives of Victoria.*"

[16th December 1886.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may for all purposes be cited as "*The Aborigines Protection Act 1886,*" and shall be read and construed with the Act No. CCCXLIX. hereinafter referred to as the "*Principal Act*" and shall come into operation on the first day of January One thousand eight hundred and eighty-seven.

Short title and construction.

2. Section eight of the Principal Act is hereby repealed.

Repeal of sec. 8 Act No. 349.

3. The term "*half-caste*" whenever it occurs in this Act shall include as well half-castes as all other persons whatever of mixed aboriginal blood.

Meaning of half-caste.

But when used elsewhere than in this and the next succeeding section the term shall unless the context requires a different meaning be read and construed as excluding such half-castes as under the provisions of this Act are to be deemed to be aboriginals.

4. The

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Who to be deemed
aboriginals.

4. The following persons shall be deemed to be aboriginals within the meaning of the Principal Act :—

- (1.) Every aboriginal native of Victoria.
- (2.) Every half-caste who habitually associating and living with an aboriginal within the meaning of this section has prior to the date of the coming into operation of this Act completed the thirty-fourth year of his or her age.
- (3.) Every female half-caste who has prior to the date aforesaid been married to an aboriginal within the meaning of this section and is at the date aforesaid living with such aboriginal.
- (4.) Every infant unable to earn his or her own living the child of an aboriginal within the meaning of this section living with such aboriginal.
- (5.) Any half-caste other than is hereinbefore specified who for the time being holds a licence in writing from the Board under regulations to be made in that behalf to reside upon any place prescribed as a place where any aboriginal or any tribe of aboriginals may reside.

Board empowered
to carry Act into
execution with
respect to half-
castes.

5. The Board in addition to the powers conferred upon it by the Principal Act with respect to aboriginals shall have full power and authority to act in the execution of this Act and the regulations hereunder in those particulars made applicable by this Act or such regulations to half-castes ; and for that purpose any money granted for the benefit of aboriginals shall be equally available for the purpose of carrying this Act and the provisions hereof relating to half-castes into effect.

Provision to allow
half-castes hereto-
fore maintained at
public expense
certain benefits for
a limited period.

6. Every half-caste who prior to the date of the coming into operation of this Act has been maintained or partly maintained from moneys granted by Parliament for the benefit of aboriginals shall subject to any regulations to be made in that behalf, on satisfying the Board of his or her necessitous circumstances, be entitled to claim to such extent and for such time as the Board may from time to time direct not exceeding the periods hereinafter limited for the receipt of the same respectively all or any of the benefits following (that is to say) :—

- (1.) To be supplied with rations or their equivalent in money as the Board may determine. Provided that this benefit and the right to claim the same shall cease and be determined after three years from the date of the coming into operation of this Act.
- (2.) To be supplied with clothing. Provided that this benefit and the right to claim the same shall cease and be determined after five years from the date of the coming into operation of this Act.

(3.) To

- (3.) To be supplied with blankets. Provided that this benefit and the right to claim the same shall cease and be determined after seven years from the date of the coming into operation of this Act.

7. The Board may if it thinks fit from time to time license any half-caste to reside and be maintained upon any place or any of the places now or hereafter to be prescribed by the Governor as the place or places where any aboriginal or any tribe of aboriginals shall reside, and such licence may at any time withdraw, and when withdrawn may renew; and so long as any such licence remains in force the provisions of this Act relating to half-castes shall cease to apply to the half-caste holding the same.

Half-castes licensed in certain cases to reside with aboriginals.

8. The Governor may from time to time make regulations and orders in respect of half-castes for any of the purposes hereinafter mentioned, and at any time may rescind or alter such regulations (that is to say) :—

Regulations.

For prescribing the conditions on which the Board may license any half-castes to reside and be maintained upon the place or places aforesaid where any aboriginal or tribe of aboriginals now or hereafter reside, and for limiting the period of such residence, and for regulating the removal or dismissal of any of such persons from any such place or places.

For the supply to half-castes entitled to the same of rations clothing blankets or other necessaries or any medical or other relief or assistance.

For prescribing the conditions on which half-castes may obtain and receive assistance to enable them under and by virtue of the provisions of any law now or hereafter to be in force relating to the alienation or occupation of Crown lands to select acquire hold enjoy and be possessed of any such Crown lands for any estate or interest therein and the nature and amount of such assistance.

For prescribing the conditions on which half-caste infants may be licensed or apprenticed to any person or persons.

For the transfer of any half-caste child being an orphan to the care of the Department for neglected children or any institutions within the said colony for orphan children subject to the provisions of any law now or hereafter to be in force for the transfer of orphan children to the said Department or such institutions as aforesaid.

To enable the Board to exercise care and oversight in the management or condition of half-castes during a period of seven years from the date of the coming into operation of this Act.

For

For the furnishing of periodical reports on the condition and progress of half-castes during the said period.

And every such regulation or order shall be published in the *Government Gazette*, and any publication purporting to be a copy of the *Government Gazette* and containing any such regulation or order signed by the Minister shall be received in all courts as evidence thereof.

Breach of
regulations.

Recovery of
penalties.

9. If any person violate the provisions of any regulation made under or in pursuance of this Act, every such person shall on conviction forfeit and pay any sum not exceeding Twenty pounds, and such penalty may be enforced before any justice.

MELBOURNE:

By Authority: JOHN FERRES, Government Printer.