



Western Australia.

ANNO SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. V.

A BILL INTITULED

AN ACT to further amend the Constitution Act of 1889, and for the better Protection of the Aboriginal Race of Western Australia.

[Reserved, 11th December, 1897.]

WHEREAS the welfare of the Aboriginal Race will be better promoted if entrusted to a sub-department of the State under the control of a responsible Minister of the Crown, with a provision for the appropriation of a sum of Five thousand pounds per annum for the use of such sub-department, to be supplemented by annual votes as occasion may require: Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. THIS Act may be cited as the Aborigines Act, 1897.

2. Short title.

The Aborigines Act, 1897.

2. THE Acts and parts of Acts mentioned in the Schedule hereto are repealed.

Repeal.

3. IN this Act, unless the context otherwise requires—
 “Governor” means the officer administering the Government, acting with the advice of the Executive Council.
 “Minister” means the Minister of the Crown appointed by the Governor to administer this Act.
 “Writing” includes print, and part writing and part print.

Interpretation.

4. THE Aborigines Protection Board is abolished, and the powers and duties of the existing Protectors of Aborigines shall cease at the passing of this Act, and the Governor may from time to time appoint, and from time to time remove, Protectors of Aborigines.

Protectors of Aborigines to go out of office. Governor may make new appointments.

All sums standing to the credit of the Aborigines Protection Board, and all sums due from the Colonial Treasurer to such Board, shall revert to the Treasury.

Moneys of Board to pass to Treasury.

5. THERE shall be a sub-department, to be called the Aborigines Department, and to be charged with the duty of promoting the welfare of the Aboriginal natives, providing them with food and clothing when they would otherwise be destitute; providing for the education of Aboriginal children (including half-castes), and in generally assisting in the preservation and well-being of the Aborigines.

Establishment of the Aborigines Department.

References in any statute to the Aborigines Protection Board (by this Act abolished) shall, if the context permits, be read as references to the Aborigines Department, and to the Minister having the control thereof.

6. THE Colonial Treasurer shall, in every year, place at the disposal of the Aborigines Department, out of the Consolidated Revenue Fund, the sum of Five thousand pounds to be applied to the purposes of the said Department.

Sum to be placed at the disposal of the Aborigines Department.
 See Constitution Act, 1889, s. 70.

If in any year the whole of the said annual sum is not expended, the unexpended balance thereof shall be retained by the said Department and expended in the performance of the duties thereof in any subsequent year.

Unexpended balances to be retained for subsequent years.
 See *ibid.*

7. IT shall be the duty of the Aborigines Department—

Duty of Department.

(1.) To apportion, distribute, and apply, as may seem most fit, the moneys by this Act placed at their disposal;

(2.)

50 Vict., 25, s. 6.

The Aborigines Act, 1897.

- (2.) To distribute blankets, clothes, and other relief to the Aborigines, at the discretion of the Department ;
- (3.) To provide for the custody, maintenance, and education of the children of Aborigines ;
- (4.) To provide as far as practicable for the supply of medical attendance, medicines, rations, and shelter to sick, aged, and infirm Aborigines ;
- (5.) To manage and regulate the use of all reserves set apart for the benefit of the Aborigines ;
- (6.) To exercise a general supervision and care over all matters affecting the interests and welfare of the Aborigines, and to protect them against injustice, imposition, and fraud.

8. A SEPARATE account of the moneys placed at the disposal of the Aborigines Department shall be opened and kept at the Colonial Treasury, and a balance sheet containing details of the whole of the expenditure of such moneys during the preceding financial year shall be annually prepared in the office of the Aborigines Department.

Account of moneys received and expended by the Department to be kept at Treasury.

Ib., s. 13.

9. THE accounts in connection with such moneys shall be duly audited in the usual manner by the Auditor General, and all payments therefrom shall be made in accordance with the Audit Act, 1891.

Audit of accounts.

Ib., s. 14.

10. THE Minister shall, in every year, present to both Houses of Parliament a report on the condition and welfare of the Aborigines and of the transactions of the Aborigines Department, and of all moneys expended by the Department during the preceding financial year, and shall annex thereto the annual balance sheet by this Act required.

Minister to present annual report to Parliament.

Ib., s. 12.

11. THE Minister may cancel or may direct the cancellation of any contract of service between any Aboriginal native and any person who, in the opinion of the Minister, is unfit to be an employer of such native.

Cancellation of contracts of service.

52 Vict., 25, s. 5.

12. ALL powers and duties by the Aborigines Protection Act, 1886, the Aborigines Act, 1889, or otherwise conferred or imposed on the Governor with regard to Aborigines, shall be exercised and performed by the Governor in Council.

Powers, &c., conferred by certain Acts on Governor to be exercised by Governor in Council.

13.

The Aborigines Act, 1897.

Act to be proclaimed.

13. THIS Act shall be proclaimed in Western Australia by the Governor within three months after he shall have received official information by cablegram or otherwise of the Royal assent thereto, and shall commence and take effect from the date of such proclamation.

I hereby reserve this Bill for the signification of Her Majesty's pleasure thereon.

GERARD SMITH, Governor.

SCHEDULE.

The Aborigines Protection Act, 1886, Part I.

The Aborigines Act, 1889.

The Constitution Act, 1889, Section 70.

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