

# Immigration Restriction Act, 1901

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## Excerpts of the Immigration Restriction Act, 1901

An Act to place certain restrictions on Immigration and to provide for the removal from the Commonwealth of prohibited Immigrants.

[Assented to 23rd December, 1901]

Be it enacted by the King's Most Excellent Majesty the Senate and the House of Representatives of the Commonwealth of Australia as follows:—

1. This Act may be cited as the Immigration Restriction Act 1901

3. The immigration into the Commonwealth of the persons described in any of the following paragraphs of this section (hereinafter called "prohibited immigrants") is prohibited, namely:—

- (a) Any person who when asked to do so by an officer fails to write out at dictation and sign in the presence of the officer a passage of fifty words in length in an European language directed by the officer;
- (b) any person likely in the opinion of the Minister or of an officer to become a charge upon the public or upon any public or charitable institution;
- (c) any idiot or insane person;
- (d) any person suffering from an infectious

or contagious disease of a loathsome or dangerous character;

- (e) any person who has within three years been convicted of an offence, not being a mere political offence, and has been sentenced to imprisonment for one year or longer therefore, and has not received a pardon;
- (f) any prostitute or person living on the prostitution of others;
- (g) any persons under a contract or agreement to perform manual labour within the Commonwealth: Provided that this paragraph shall not apply to workmen exempted by the Minister for special skill required in Australia or to persons under contract or agreement to serve as part of the crew of a vessel engaged in the coasting trade in Australian waters if the rates of wages specified therein are not lower than the rates ruling in the Commonwealth.

But the following are excepted:—

- (h) Any person possessed of a certificate of exemption in force for the time being in the form in the Schedule, signed by the Minister or by any officer appointed under this Act whether within or without the Commonwealth;
- (i) members of the King's regular land or sea forces;
- (j) the master and crew of any public vessel of any Government;
- (k) the master and crew of any other vessel landing during the stay of the vessel in any port in the Commonwealth:

Provided that the master shall upon being so required by any officer, and before being permitted to clear out from or leave the port, muster the crew in the presence of an officer; and if it is found that any person, who according to the vessel's articles was one of the crew when she arrived at the port, and who would in the opinion of the officer be a prohibited immigrant but for the exception contained in this paragraph, is not present, then such person shall not be excepted by this paragraph, and until the contrary is proved shall be deemed to be a prohibited immigrant and to have entered the Commonwealth contrary to this Act;

- (I) Any person duly accredited to the Government of the Commonwealth by the Imperial or any other Government or sent by any Government on any special mission;
- (m) a wife...