

ORDINANCES REVISION ORDINANCE 1952.⁽¹⁾

No. 12 of 1953.

An Ordinance to amend Certain Ordinances and other Laws in Force in the Territory.

BE it ordained by the Legislative Council for the Territory of Papua and New Guinea, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949-1950*, as follows:—

1. This Ordinance may be cited as the *Ordinances Revision Ordinance 1952*. Short title.
2. The Ordinances and Regulations of the Territory of Papua specified in the first column of the First Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule. Amendment of Ordinances, &c., of the Territory of Papua.
3. The Ordinances and Regulations of the Territory of New Guinea specified in the first column of the Second Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule. Amendment of Ordinances, &c., of the Territory of New Guinea.
4. The Ordinances of the Territory specified in the first column of the Third Schedule to this Ordinance are amended as specified in the second column of that Schedule. Amendment of Ordinances of the Territory.
5. The Ordinances of the Territory of Papua-New Guinea and the Ordinances of the Territory of Papua and New Guinea, which are specified in the Fourth Schedule to this Ordinance, are repealed. Repeal.
6. Each Ordinance specified in the first column of the Fifth Schedule to this Ordinance, as amended by this Ordinance, may be cited in the manner specified in the second column of that Schedule opposite the reference to that first-mentioned Ordinance in the first column. Citation of Ordinances amended by this Ordinance.
7. The *Laws Repeal and Adopting Ordinance 1921-1951* of the Territory of New Guinea, as amended before the commencement of this Ordinance, may be cited as the *Laws Repeal and Adopting Ordinance 1921-1952*. Citation of "Laws Repeal and Adopting Ordinance 1921-1951" (T.N.G.)

(1) Particulars of this Ordinance are as follows:—

Date of assent by Administrator.	Date on which notified in Papua and N.G. <i>Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
14.2.1953	27.8.1953	14.2.1953 (Papua and N. G. <i>Govt. Gaz.</i> of 19.2.1953).

APPENDIX—

THE SCHEDULES.

Section 2.

FIRST SCHEDULE.

ORDINANCES AND REGULATIONS OF THE TERRITORY OF PAPUA.

PART I.—ORDINANCES.

First Column. Ordinance.	Second Column. Extent of Amendment.
<i>Inclosed Lands Protection Ordinance, 1912</i>	Sections 7 and 8— Repeal
<i>Justices Ordinance, 1912–1950, as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	Section 50— Repeal and insert the following section in its stead :— “ 50. When complaint is made before a justice— (1) that a person is suspected of having committed an indictable offence ; or (2) that a person charged with having committed an indictable offence on the high seas or in any creek harbour haven or other place in which the Admiralty of England have or claim to have jurisdiction or on land outside the Territory of which offence cognizance may be taken by the courts of the Territory is suspected of being within the limits of the jurisdiction of the justice, the justice may issue his warrant to apprehend such person and to cause him to be brought before justices to answer the complaint and to be further dealt with according to law.”.
<i>Native Regulation Ordinance, 1908–1951</i>	Section 6— Omit “of Governor-General” insert “of the Governor-General”.
<i>Police Offences Ordinance 1912–1951 as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	Section 73— Repeal
<i>Small Debts Ordinance, 1912–1947, as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	Section 49— Omit from Sub-section (1) “in court of petty sessions” insert “in a court of petty sessions”.
<i>Trustees and Executors Ordinance, 1911–1950</i>	Section 11— Omit from Sub-section (1) “trustees” (third occurring) insert “trustee”. Section 36— Add at end of sub-paragraph (b) of paragraph (ii) of Sub-section (1) “or”.

Ordinances Revision Ordinance 1952—cont.

FIRST SCHEDULE—continued.

PART II.—REGULATIONS.

First Column. Regulations.	Second Column. Extent of Amendment.
<i>Mining Regulations, 1935</i> (in force under the <i>Mining Ordinance, 1937-1950</i>)	The Schedule— Omit "For every copy .. 0 0 0". insert "For every copy .. 0 0 6".
<i>Native Regulations, 1939</i> (made under the <i>Native Regulation Ordinance 1908-1951</i>)	Regulation 86— Omit from Sub-regulation (2.) "used by her" insert "used on her".

Section 3.

SECOND SCHEDULE.

ORDINANCES AND REGULATIONS OF THE TERRITORY OF NEW GUINEA.

PART I.—ORDINANCES.

First Column. Ordinance.	Second Column. Extent of Amendment.
<i>Explosives Ordinance 1928-1949</i> ..	The Schedule— Add at the end of Form C— " (2) If any Native dies or suffers injury as the result of any contravention of paragraph (a) or (b) of the last preceding sub-section, the person to whom the permit under Section 14 has been issued shall be liable to pay compensation in respect of the death or injury of any such Native in accordance with the provisions of the last preceding section."
<i>Police Offences Ordinance 1925-1951</i> ..	Section 44A— Repeal.

PART II.—REGULATIONS.

First Column. Regulations.	Second Column. Extent of Amendment.
Immigration Regulations (made under the <i>Immigration Ordinance 1932-1940</i>)	The Schedule— (a) Add at the end of sub-paragraph (iii) of paragraph (a) of Regulation 6 set out in Form B— " Provided that the guarantee shall be in a form approved by the Administrator and in respect only of the holder of the permit."; (b) Add at the end of sub-paragraph (iii) of paragraph (a) of Regulation 6 set out in Form C— " Provided that the guarantee shall be in a form approved by the Administrator and in respect only of the holder of the permit."; and

APPENDIX—

SECOND SCHEDULE—*continued.*

First Column. Regulations.	Second Column. Extent of Amendment.
<p>Immigration Regulations—<i>continued.</i></p>	<p>(c) Omit from Form D the text of Sub-sections (1), (2) and (3) of Section 8 of the Ordinance set out therein and insert :—</p> <p>“ 8. (1) The Administrator, or an officer thereto authorized in writing by the Administrator (in this section referred to as ‘an authorized officer’), may issue a certificate of exemption in the prescribed form authorizing any person who, unless he possesses such a certificate, is liable to be prohibited under this Ordinance from entering or remaining in this Territory without being subject to any of the provisions of this Ordinance restricting entry into or stay in the Territory.</p> <p>(2) The certificate shall be expressed to be in force for a specified period only, but the period may be extended from time to time by the Administrator or by an authorized officer.</p> <p>(3) Any such certificate may at any time be cancelled by the Administrator by writing under his hand.</p> <p>(4) Upon the expiration or cancellation of any such certificate, the person named therein may, if found within the Territory, be declared by the Administrator to be a prohibited immigrant and may thereupon be required by notice in writing given by an authorized officer, in accordance with the directions of the Administrator, to leave the Territory within a period to be specified in the notice.</p> <p>(5) If the persons fails to leave the Territory within the period specified in the notice, he may be deported from the Territory pursuant to an order of the Administrator.”</p>

Ordinances Revision Ordinance 1952—cont.

Section 4.

THIRD SCHEDULE.

ORDINANCES OF THE TERRITORY.

First Column. Ordinance.	Second Column. Extent of Amendment.
<i>Administrative Districts Ordinance (No. 2) 1951</i>	Section 1— Omit Sub-section (3). Section 4— Omit from Sub-section (1) " <i>Justices Ordinance, 1912-1940</i> " (twice occurring), substitute " <i>Justices Ordinance, 1912-1950</i> ".
<i>Workers' Compensation Ordinance 1951</i>	Section 8— Omit from Sub-section (2) "hospital treatment" insert "medical treatment".

Section 5.

FOURTH SCHEDULE.

Short Title.	No. and Year.
ORDINANCE OF THE TERRITORY OF PAPUA-NEW GUINEA.	
<i>Australian Lutheran Mission Property Ordinance 1947</i>	No. 12 of 1947
ORDINANCES OF THE TERRITORY OF PAPUA AND NEW GUINEA.	
<i>Commerce (Trade Descriptions) Ordinance 1950</i>	No. 21 of 1950.
<i>Arbitration (Public Service) Ordinance 1951</i>	No. 7 of 1951.
<i>Native Land Registration Ordinance 1951</i>	No. 13 of 1951.
<i>Arms, Liquor and Opium Prohibition (Papua) Ordinance 1951</i>	No. 30 of 1951
<i>Cotton Ordinance 1951</i>	No. 35 of 1951.

Section 6.

FIFTH SCHEDULE.

CITATION OF ORDINANCES.

First Column.	Second Column.
ORDINANCES OF THE TERRITORY OF PAPUA.	
<i>Inclosed Lands Protection Ordinance, 1912</i>	<i>Inclosed Lands Protection Ordinance 1912-1952</i>
<i>Justices Ordinance, 1912-1950, as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	<i>Justices Ordinance 1912-1952</i>
<i>Native Regulation Ordinance 1908-1951</i>	<i>Native Regulation Ordinance 1908-1952.</i>
<i>Police Offences Ordinance 1912-1951, as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	<i>Police Offences Ordinance 1912-1952</i>
<i>Small Debts Ordinance, 1912-1947, as amended by the Ordinances Revision (Administrative Districts and Towns) Ordinance 1952</i>	<i>Small Debts Ordinance 1912-1952</i>
<i>Trustees and Executors Ordinance, 1912-1950</i>	<i>Trustees and Executors Ordinance 1912-1952.</i>

APPENDIX—

FIFTH SCHEDULE—*continued.*

First Column.	Second Column.
ORDINANCES OF THE TERRITORY OF NEW GUINEA.	
<i>Explosives Ordinance</i> 1928–1949 ..	<i>Explosives Ordinance</i> 1928–1952.
<i>Police Offences Ordinance</i> 1925–1951 ..	<i>Police Offences Ordinance</i> 1925–1952.
ORDINANCES OF THE TERRITORY.	
<i>Administrative Districts Ordinance</i> (No. 2) 1951	<i>Administrative Districts (Application) Ordinance</i> 1951–1952.
<i>Workers' Compensation Ordinance</i> 1951	<i>Workers' Compensation Ordinance</i> 1951–1952.