

**VOLCANIC AND SEISMIC DISTURBANCES  
ORDINANCE 1951.<sup>(1)</sup>**

**No. 2 of 1951.**

**An Ordinance to make Provision with Respect to  
Emergencies arising out of Volcanic or Seismic  
Disturbances.**

**B**E it ordained by the Governor-General, in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949-1950*, as follows:—

Short title  
and citation.

1. This Ordinance may be cited as the *Volcanic and Seismic Disturbances Ordinance 1951.*<sup>(1)</sup>

Definitions.

2. In this Ordinance—

“land” includes buildings and other fixtures on land;

“volcanic area” means an area for the time being proclaimed as a volcanic area under this Ordinance.

Volcanic area:

3.—(1.) Where the Administrator is of opinion that a part of the Territory is or is likely to be the subject of a volcanic or seismic disturbance, he may, by Proclamation<sup>(2)</sup> in the *Gazette*, declare that part of the Territory to be a volcanic area.

(2.) A person shall not remain in or enter a volcanic area without the permission in writing of the Administrator or of an officer authorized by the Administrator to grant such permission.

Penalty: Imprisonment for two years with or without hard labour.

State of  
emergency.

4.—(1.) Where the Administrator considers it necessary so to do by reason of an emergency in a volcanic area arising out of a volcanic or seismic disturbance, he may, by Proclamation<sup>(3)</sup> in the *Gazette*, declare, in relation to that volcanic area, a state of emergency for a period not exceeding one calendar month.

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

Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Cwllh. Gaz.</i>	Date on which took effect.
2.2.1951	8.2.1951	8.2.1951 ( <i>Cwllh. Gaz.</i> of 8.2.1951)

(2) A Proclamation dated 8.2.1951 and published in *Papua and N.G. Govt. Gaz.* of 8.2.1951 declaring a part of the Territory to be a volcanic area is printed in this Volume on p. 1227.

(3) Pursuant to Section 4, the Administrator by Proclamation dated 8.2.1951 and published in *Papua and N.G. Govt. Gaz.* of 8.2.1951 declared a state of emergency in the Mount Lamington Volcanic Area for one month from 8.2.1951. Successive Proclamations extended this state of emergency each month, the last of such Proclamations before 1.1.1952 being Proclamation dated 5.12.1951 published in *Papua and N.G. Govt. Gaz.* of 20.12.1951 which extended the state of emergency for a month from 8.12.1951.

(2.) The Administrator may, by Proclamation<sup>(3)</sup> in the *Gazette*, from time to time extend the period during which a Proclamation under the last preceding sub-section shall remain in force, but so that no such extension shall be made by any one Proclamation for a period of more than one calendar month.

(3.) Where, during the period during which a Proclamation under this section is in force, the Administrator is satisfied that the emergency has ceased, he shall revoke the Proclamation.

5.—(1.) Whilst a Proclamation under sub-section (1.) of section four of this Ordinance is in force, the Administrator, or an officer authorized by the Administrator, may, for the purpose of the alleviation of suffering in, or the administration of, a volcanic area—

Compulsory use  
or acquisition.

- (a) enter upon or take possession of any land in a volcanic area and use or do any work on any such land;
- (b) take possession of and use, or by order, compulsorily acquire, any vehicle, animal, boat, vessel, aircraft, machinery or goods in any part of the Territory; or
- (c) require the owner or occupier of land in any part of the Territory to provide accommodation for any person.

6. A person who suffers loss or damage by reason of the exercise, in relation to land or goods owned or occupied by him, of the powers conferred by the last preceding section shall be entitled to payment or compensation in accordance with the regulations.

Compensation.

7.—(1.) Subject to this section, no legal proceeding civil or criminal, shall lie against the Administration or any officer or person in respect of any act done before the date of commencement of this Ordinance *bona fide* for the purpose of dealing with the emergency resulting from the volcanic eruption of Mount Lamington in the month of January, One thousand nine hundred and fifty-one.

Indemnity in  
connexion with  
Mount  
Lamington  
eruption.

(2.) The regulations may provide for the recovery from the Administration of compensation in respect of any act referred to in the last preceding sub-section.

8. The Administrator may make Regulations,<sup>(4)</sup> not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance and in particular for prescribing penalties not exceeding a fine of One hundred pounds for breaches of the Regulations.

Regulations.

(3) See footnote (3) printed in this Volume on p. 1220.

(4) See the *Volcanic and Seismic Disturbances Regulations, 1951* printed in this Volume on p. 1222.