

NEW GUINEA ANTIQUITIES REGULATIONS. ⁽¹⁾

PURCHASE FOR THE ADMINISTRATION.

1. The safe custody and preservation of all New Guinea Antiquities, which may become the property of the Administration by purchase or otherwise, shall be undertaken by an officer to be appointed⁽²⁾ by the Administrator in these Regulations referred to as the Administrator's representative.

2. He shall represent the Administrator for the purposes of Section 4 of the above Ordinance and shall be the proper person to whom any New Guinea Antiquity shall be offered for sale before export, except in cases under Regulation 4 hereunder.

3. If in his opinion it is advisable that any New Guinea Antiquity should become the property of the Administration he shall report to this effect to the Administrator and name a reasonable price for the same and in the event of purchase shall act for the Administrator. If the price cannot be agreed upon, he shall refer the matter to the Board as specified in Regulation 5.

4. In ports other than Rabaul the District Officer shall be the proper person to whom any New Guinea Antiquity shall be first offered for sale. If, in his opinion, the antiquity should become the property of the Administration, he shall give a receipt therefor and obtain a price from the possessor, together with his postal address. He shall then forward the antiquity to the Administrator's representative on approval, who shall deal with it as set out in Regulation 3 and shall forward it to the postal address so given if no purchase is made.

(1) Particulars of these Regulations are as follows:—

Ordinance under which made.	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect.
<i>New Guinea Antiquities Ordinance 1922-1936</i>	27.9.1922	30.9.1922	"Forthwith" ^(a) (<i>N.G. Gaz.</i> of 30.9.1922)

(a) The *New Guinea Antiquities Regulations* stated in their introductory part that they were "to come into operation forthwith." At the relevant dates in 1922, Section 9 of the *New Guinea Antiquities Ordinance 1922-1936* (under which these Regulations were made) provided that "All regulations shall be published in the *New Guinea Gazette*, and shall take effect from the date of such publication, or from a later date specified therein." At the relevant dates in 1922 there was no other Ordinance or regulation of general application providing for the publication of regulations, the date on which they were to take effect, or the meaning of "forthwith."

(2) By notice dated 27.9.1922 and published in *N.G. Gaz.* of 30.9.1922 the Administrator appointed until further notice, the Acting Director of Agriculture for the time being to be the Administrator's representative under the *New Guinea Antiquities Ordinance 1922*. No further notice has been published in *N.G. Gaz.*

NATIVES—

5. The Board required by Section 8 of the said Ordinance shall consist of:—

The Commissioner for Native Affairs,⁽³⁾
The Chief Collector of Customs, and
The Treasurer.

EXPORT OF ANTIQUITIES.

6. No New Guinea Antiquity shall be exported except through a recognised port of entry, and the notice required by Section 5 (2) shall be given to the Chief Collector of Customs of Rabaul or the Collector of Customs of any other port of entry, 24 hours before shipment, and be in the form provided in the First Schedule. Penalty for incorrect entry or omission of correct entry in such notice, £10.

7. The Customs Officer shall thereupon forward such notice to the District Officer in ports other than Rabaul and in the case of Rabaul to the Administrator's representative.

8. If required by a District Officer or by the Administrator's representative the possessor of any New Guinea Antiquity which he intends to export shall unpack the same before such District Officer or Administrator's representative in order that they shall view the same.

9. The express permission of the Administrator required by Section 5 (1) shall be in the form at the foot of the First Schedule and shall be signed by the District Officer in ports other than Rabaul and in the case of Rabaul by the Administrator's representative, and forwarded direct to the Chief Collector of Customs, or Collector of Customs in ports other than Rabaul, for the use of the possessor.

10. If any European Officer of Police, or Customs Officer, has reason to believe that any person is about to remove any New Guinea Antiquity from the Territory contrary to the provisions of the Ordinance, any such officer may seize and take possession of such New Guinea Antiquity and may hold the same until the decision of the District Officer be obtained in ports other than in Rabaul, and in the case of Rabaul of the Administrator's representative.

11. If the right to seize or detain any such New Guinea Antiquity be disputed by the person from whom the same shall have been taken, or by the owner or claimant, such person, owner or claimant shall at once serve written notice upon the officer making such seizure that it is desired to have the dispute settled by the Administrator's representative, if the seizure be made in Rabaul, or the District Officer if the seizure be at any port other than Rabaul.

(3) See Section 3 of the *Re-organization of Native Affairs Department Ordinance 1932.*

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12. The Administrator's representative or District Officer as the case may be shall thereupon make such arrangements for hearing such dispute and notifying the parties concerned as to him seems fit, and his decision shall be final.

FIRST SCHEDULE.

DECLARATION OF NEW GUINEA ANTIQUITIES AND PERMIT FOR EXPORT.

I, _____, of (address in full) _____, declare possession of the following articles:—

Comprising New Guinea relics, curios, articles of ethnological and anthropological interest or value; articles manufactured by the natives with New Guinea made tools and according to New Guinea methods, and such other articles or things of historical or scientific value or interest and relating to New Guinea;

this day of 192 ..

NUMBER	ARTICLE	PLACE OF ORIGIN	VALUE		
			£	s.	d.

The penalty for incorrect entry or omission of entry in the above is Ten pounds (£10).

NOTE.—The value need not be given unless specially asked for.

I DECLARE the above to be, to the best of my knowledge and belief, a complete description of all the Antiquities, etc., in my possession and which I hereby request permission to ship for export or otherwise remove from the Territory per s.s. “ ”

Date: _____ Signature _____

PERMIT.

Permission is hereby granted for the export of the above-named Antiquities, etc., from the Territory of New Guinea.

(Sgd.)

Administrator's Representative or District Officer.

This Form must be filled in in duplicate and lodged with the Chief Collector of Customs not less than 24 hours previous to departure. The above antiquities, etc., may only be removed from the wharf on production of this Permit.