

PAPUA.



No. 13 of 1931.

**AN ORDINANCE**

To Amend the "Land Ordinance, 1911-1927."

[RESERVED 16TH JULY, 1931 ;  
ASSENTED TO 21ST OCTOBER, 1931.]<sup>(a)</sup>

**B**E it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. (1) This Ordinance may be cited as the *Land Ordinance, 1931.* Short title and citation.

(2) The *Land Ordinance, 1911-1927*, is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance as amended by this Ordinance may be cited as the *Land Ordinance, 1911-1931.*

2. Section One of the Principal Ordinance is amended by repealing the words "with the advice of the Executive" occurring in the definition of "Lieutenant-Governor" and inserting the word "in" in lieu thereof. Amendment of s. 1.

3. Section 14A of the Principal Ordinance is amended by repealing the words "with the consent of the Lieutenant-Governor" therein and by adding thereto after the word Amendment of s. 14A.

(a) Assent notified in *Gazette* No. 14 of 2nd December, 1931.

“direction” the words “and such surrender has been duly produced for registration under the provisions of the *Real Property Ordinance, 1913-1917.*”

Amendment of  
s. 15 (1).

**4.** Subsection One of Section Fifteen of the Principal Ordinance is amended by inserting therein immediately before the word “case” the word “other”.

Repeal of  
s. 15 (2).

**5.** Subsection Two of Section Fifteen of the Principal Ordinance is repealed.

Repeal and  
substitution of  
s. 15 (3).

**6.** Subsection Three of Section Fifteen of the Principal Ordinance is repealed and the following subsection inserted in lieu thereof:—

“(3) A Statutory Declaration made by the person intending to assign or otherwise deal with leases under this Ordinance shall be deemed prima facie proof of the fulfilment of the improvement conditions.”

Amendment of  
s. 15A.

**7.** Section 15A of the Principal Ordinance is amended by inserting the following words at the commencement thereof:—

“No lessee of land under this Ordinance or the Ordinances hereby repealed shall transfer assign or otherwise deal with part only of the land comprised in his lease without the consent of the Lieutenant-Governor and unless the lessee complies with the conditions of this section.”

**8.** Subsection (d) of Section 15A is amended by repealing the words “Registrar of Titles” therein and substituting the words “Commissioner for Lands” in lieu thereof.

Amendment of  
s. 16.

**9.** Section Sixteen of the Principal Ordinance is amended by inserting therein after the word “shall” fourth occurring the words “in addition”.

**10.** Section Sixteen is further amended by repealing the words “Land Board signified in writing under the hand of the Chairman” occurring in the last paragraph and inserting the following words in lieu thereof “nearest Resident Magistrate (not including Assistant Resident Magistrate) signified in writing”.

**11.** Section Twenty of the Principal Ordinance is repealed and the following section inserted in lieu thereof:—

Repeal and  
substitution of  
s. 20.

“20. Survey fees shall also be paid in respect of applications for One hundred acres or any less area by or on behalf of any person who is already the holder or promisee of freehold or leasehold land under this Ordinance or any Ordinance hereby repealed exceeding in the aggregate an area of Fifty acres.

The transfer or assignment of a lease or granted application for a lease of One hundred acres or any less area to any person who is already the holder or promisee of freehold or leasehold land under this Ordinance or any Ordinance hereby repealed exceeding in the aggregate Fifty acres shall be conditional on payment by the transferee of survey fees in respect of the lease or granted application sought to be transferred or assigned.

Nothing in this section shall apply to applications for a Mission Lease.

The survey fees shall unless otherwise provided by Regulation be deposited with the application for lease and shall be returned if the application is not granted.”

**12.** Section Twenty-three of the Principal Ordinance is amended by deleting that part beginning “The deposit shall not be returned” to the end of the section and concluding with the words “are not so completed” and inserting in lieu thereof the following:—

Amendment of  
s. 23.

“The deposit shall be returned if the improvement conditions to which the land comprised in the lease may be subject and which are thereby required to be completed within five years or any less period are so completed.”

**13.** Section Twenty-four of the Principal Ordinance is amended by repealing the words “that every transfer of a Crown Lease shall be made by a separate instrument and not by endorsement and”.

Amendment of  
s. 24.

**14.** Section Twenty-seven of the Principal Ordinance is repealed.

Repeal of  
s. 27.

Repeal of  
s. 33B.

**15.** Section 33B of the Principal Ordinance is repealed.

**16.** The Principal Ordinance is amended by adding after Section Forty thereof the following new section:—

Special private  
cemetery  
leases.

“40A. A Special Lease may be granted of any land the property of the Crown for use as a private cemetery. The area term and conditions of any such lease shall be as the Lieutenant-Governor may determine.”

Passed in Council this sixteenth day of July, in the year of Our Lord One thousand nine hundred and thirty-one.

*Assented to by His Excellency the Governor-General, with the advice of the Executive Council of the Commonwealth of Australia, on the twenty-first day of October, One thousand nine hundred and thirty-one.*

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