

PAPUA.



No. 4 of 1934.

AN ORDINANCE

To Amend the "*White Women's Protection Ordinance, 1926.*"

J. H. P. MURRAY.

[L.S.]

13th July, 1934.

BE it ordained by the Legislative Council for the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1924*, as follows:—

1. (1) This Ordinance may be cited as the *White Women's Protection Ordinance, 1934.* Short title and citation.

(2) The *White Women's Protection Ordinance, 1926*, is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance as amended by this Ordinance may be cited as the *White Women's Protection Ordinance, 1926-1934.*

2. Section Seven of the Principal Ordinance is repealed and the following section substituted:— Repeal and substitution, s. 7.

White Women's Protection Ordinance, 1934.

Conviction
of offence
other than
that charged.

“7. (1) Upon an indictment charging a person with the crime of rape upon a European woman or girl he may be convicted of any of the following offences established by the evidence that is to say—

- (a) attempting to commit the crime of rape upon the European woman or girl; or
- (b) unlawfully and indecently assaulting the European woman or girl; or
- (c) having or attempting to have unlawful carnal knowledge of a European girl under the age of fourteen years; or
- (d) unlawfully and indecently dealing with a European girl under the age of fourteen years.

(2) Upon an indictment charging a person with the crime of attempting to commit the crime of rape upon a European woman or girl he may be convicted of any of the following offences established by the evidence that is to say—

- (a) unlawfully and indecently assaulting the European woman or girl; or
- (b) attempting to have unlawful carnal knowledge of a European girl under the age of fourteen years; or
- (c) unlawfully and indecently dealing with a European girl under the age of fourteen years.”

Amendment of
s. 8.

3. Section Eight of the Principal Ordinance is amended by adding at the end thereof the following proviso:—

Proviso.

“Provided that where an offence is punishable under the *Criminal Code* and also under this Ordinance the accused person shall be charged with the offence punishable under this Ordinance and not with that punishable under the *Criminal Code*.”

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