

FORESTRY (PAPUA) ORDINANCE 1951.⁽¹⁾

No. 26 of 1951.

An Ordinance to amend the Forestry Ordinance 1936-1937 of the Territory of New Guinea in its Application to the Territory of Papua.

BE it ordained by the Administrator of the Government of 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:—

1. This Ordinance may be cited as the *Forestry (Papua) Ordinance 1951*.⁽¹⁾ Short title.

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

Date on which made by Cwth. Administrator in Council.	Date on which notified in <i>Cwth. Gaz.</i>	Date on which took effect.
31.8.1951	13.9.1951	18.9.1951 (Papua and N.G. <i>Govt. Gaz.</i> of 18.9.1951).

PART B: FORESTRY—

Commencement. 2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.⁽¹⁾

Form and effect of permit. 3. Section fifteen of the *Forestry Ordinance* 1936-1937 of the Territory of New Guinea,⁽²⁾ in its application to the Territory of Papua, is amended by omitting sub-section (3.) and inserting in its stead the following sub-section:—

“(3.) Subject to the next succeeding section, the term of a permit shall not exceed ten years, but may be renewed on such terms and conditions as the Administrator specifies.”

4. After section fifteen of the *Forestry Ordinance* 1936-1937 of the Territory of New Guinea,⁽²⁾ in its application to the Territory of Papua, the following section is inserted:—

Term of permit in special areas. “15A.—(1.) The Administrator may, by notice⁽³⁾ in the *Gazette*, declare an area of Administration land to be a special area for the purposes of this Ordinance.

(2.) Subject to this section, a permit in respect of land situated in a special area may be granted for a term not exceeding twenty-five years.

(3.) Where in pursuance of this section a permit is granted for a term exceeding ten years, the Administrator—

(a) shall, at the expiration of the first ten years of the term, and thereafter at the expiration of each subsequent five years, review the covenants, terms and conditions expressed in the permit; and

(b) may, upon any such review, direct that the covenants, terms and conditions expressed in the permit be amended by omitting or varying any covenant, term or condition, or by including any additional covenant, term or condition.

(4.) Where the Administrator directs the amendment of the covenants, terms and conditions expressed in a permit, the holder shall, subject to further review as provided in this section, thereafter hold the permit subject to the covenants, terms and conditions as so amended.”

(1) See footnote (1) printed in this Volume on p. 1481.

(2) Printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II., on pp. 2167-2178; as to amendments since its adoption in the Territory of Papua, see the Supplementary Table printed in this Volume on p. 1383.

(3) No notice has been published in Papua and N.G. *Govt. Gaz.* before 1.1.1952.