

AMENDMENT OF THE FORESTRY REGULATIONS.⁽¹⁾

Regulations.

No. 5 of 1950.

1. The *Forestry Regulations*⁽²⁾ of the Territory of New Guinea are amended by deleting the Second Schedule thereto and inserting in its stead the following new Schedule.

"THE SECOND SCHEDULE.

Species of Timber or other Forest Produce.	Unit.	Rate of Royalty.
I. SAWMILLING LOGS.	100 super. feet	
(a) Softwoods (Conifers)—		
<i>Araucaria cunninghamii</i> , <i>A. Klinkii</i> and other conifers—		
Logs	” ” ”	2s.
Tops	” ” ”	1s.
<i>N.B.</i> —“Top” is that portion of the bole of <i>Araucaria</i> species above a point one foot below the first complete whorl of knots. A complete whorl consists of three or more branches knots or navels greater than half inch in diameter visible on the surface and arising at the same point in the bole.		
(b) Cabinet Woods—		
<i>Cedrela toona</i> and other species of cedar	” ” ”	3s. 6d.
<i>Pterocarpus indicus</i> (N.G. Rosewood) ..	” ” ”	2s.
<i>Dracontomelum mangiferum</i> (N.G. Walnut)	” ” ”	3s. 6d.
<i>Intsia (Afzelia) bijuga</i> (Kwila) ..	” ” ”	2s.
<i>Calophyllum inophyllum</i> (<i>Kaloflum</i>) ..	” ” ”	2s.
(c) <i>Octomeles sumatrana</i> (Erima) ..	” ” ”	10d.
<i>Eucalyptus deglupta</i> (Kamarere) ..	” ” ”	10d.
<i>Pometia pinnata</i> (Taub) ..	” ” ”	10d.
Other hardwoods	” ” ”	10d.

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

Ordinance under which made.	Date on which made by Administrator in Council.	Date on which published in Papua and N.G. Govt. Gaz.	Date on which took effect and came into operation.
<i>Forestry Ordinance</i> 1936-1937 ..	15.8.1950	18.8.1950	“forthwith”(a)

(a) These Regulations stated in their introductory part that they were “to come into operation forthwith”. At the relevant dates in 1950 the *Forestry Ordinance* 1936-1937 (under which these Regulations were made) made no provision as to the date of commencement of regulations made thereunder but Section 37 (1) of the *Ordinances Interpretation Ordinance* 1949 of the Territory of Papua and New Guinea provided that “Regulations . . . made . . . under an Ordinance, unless the contrary intention appears in the Ordinance—

(a) shall be published in the *Gazette*; and

(b) shall . . . take effect from the date of publication, or where another date is specified in the regulations, from the date specified.”

At the relevant dates in 1950, there was no Ordinance or regulation of general application providing for the meaning of “forthwith”.

(2) Printed in *The Laws of the Territory of New Guinea 1931-1945 (Annotated)*, Vol. II., on pp. 2179-2194.

PART C : FORESTRY—

THE SECOND SCHEDULE—*continued.*

Species of Timber or other Forest Produce.	Unit.	Rate of Royalty.
2. ROUND TIMBERS, ETC.		
(a) Piles, girders, headstock, walings and bracings	lineal foot	2d.
(b) Mine and Pole timber having a mean diameter not exceeding 6 ins.	" "	1d.
Exceeding 6 ins. but not exceeding 9 ins.	" "	1d.
Exceeding 9 ins. not exceeding 12 ins.	" "	1d.
(c) Fence posts and fence stays	each	2d.
(d) Firewood (1 cord of 128 cubic feet)	cord	1s.
(e) Mine slabs (1 cord of 128 cubic feet)	"	1s.
3. MINOR PRODUCTS.		
(a) Barks, Mangrove	per ton	5s.
(b) Rattans	per cwt.	3d."