

NATIVES—

**NATIVE ADMINISTRATION (NEW GUINEA)
ORDINANCE 1951.⁽¹⁾**

No. 44 of 1951.

**An Ordinance to amend the Native Administration
Ordinance 1921-1938 of the Territory of New Guinea.**

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.—(1.) This Ordinance may be cited as the *Native Administration (New Guinea) Ordinance 1951.*⁽¹⁾

Short title
and citation.

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

Date on which made by Cwith. Administrator in Council.	Date on which notified on <i>Cwith. Gaz.</i>	Date on which took effect.
13.11.1951	18.11.1951	22.11.1951 (<i>Papua and N.G. Govt. Gaz.</i> of 22.11.1951)

(2.) The *Native Administration Ordinance 1921-1938*⁽²⁾ of the Territory of New Guinea is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Native Administration Ordinance 1921-1951*.

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

3. Section 4A of the Principal Ordinance is repealed and the following section inserted in its stead:— Punishment of
juvenile
offenders.

“4A.—(1.) Notwithstanding the provisions of any law to the contrary, a Court for Native Affairs may order that a male person convicted of an offence against the regulations made under this Ordinance, whose age does not in the opinion of the Court exceed the age of sixteen years, shall be once privately whipped in lieu of any other punishment which may be lawfully awarded for that offence.

“ (2.) The number of strokes which a Court for Native Affairs may order under this section shall—

- (a) in the case of a person referred to in the last preceding sub-section whose age does not in the opinion of the Court exceed sixteen years, not exceed eight; and
- (b) in the case of a person referred to in the last preceding sub-section whose age does not in the opinion of the Court exceed fourteen years, not exceed five.

“ (3.) A person sentenced under this section to a whipping may be detained in a prison or some other convenient place for such time as may be necessary for carrying the sentence into effect.

“ (4.) A sentence of whipping under this section shall be inflicted with a cane or leather strap.

“ (5.) Where a whipping is ordered under this section the members of the Court who ordered it shall be present when the whipping is inflicted.”

(1) See footnote (1) printed in this Volume on p. 1892.

(2) Printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. IV., on pp. 3758-3756.