

## NATIVES—

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## NATIVE REGULATION (PAPUA) ORDINANCE 1951.<sup>(1)</sup>

No. 45 of 1951.

### An Ordinance to amend the Native Regulation Ordinance 1908-1930 of the Territory of Papua.

**B**E 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:—

Short title.

**1.—(1.)** This Ordinance may be cited as the *Native Regulation (Papua) Ordinance 1951.*<sup>(1)</sup>

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

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

*Native Regulation (Papua) Ordinance 1951—cont.*

(2.) The *Native Regulation Ordinance, 1908-1930*<sup>(2)</sup> of the Territory of Papua 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 Regulation Ordinance 1908-1951*.

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

3. After section three of the Principal Ordinance the following section is inserted:— Punishment of juvenile offenders.

“3A.—(1.) Where a person whose age does not exceed sixteen years is found guilty of an offence against the regulations made under this Ordinance, he shall not be punished with imprisonment.

“ (2.) A Court for Native Matters which convicts a person referred to in the last preceding sub-section may order that he be once privately whipped as a punishment for his offence.

“ (3.) The number of strokes which the Court may order under this section shall—

(a) in the case of a person referred to in sub-section (1.) of this section whose age does not exceed sixteen years, not exceed eight; and

(b) in the case of a person referred to in sub-section (1.) of this section whose age does not exceed fourteen years, not exceed five.

“ (4.) 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.

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

“ (6.) 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. 1562.

(2) Printed in *The Laws of the Territory of Papua 1888-1945 (Annotated)*, Vol. IV., on pp. 3289-3291.