

SAGO—

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| AMENDMENT OF SAGO (MANGROVE) REGULATIONS, 1923 | 1599 |
| PROCLAMATION MADE UNDER SECTIONS 1 AND 7 OF THE SAGO ORDINANCE, 1908-1936 | 1603 |

AMENDMENT OF SAGO (MANGROVE) REGULATIONS, 1923.⁽¹⁾

Regulations.

No. 1 of 1951.

1. Regulation 4 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is omitted and the following Regulation is inserted in its stead:—

“4. Applications under the Ordinance to cut and remove mangrove or mangrove bark from any Crown land shall be made to the Secretary for Lands, Surveys and Mines in writing and shall—

- (a) contain a description of the boundaries and be accompanied by a plan of the area applied for in sufficient detail to enable the area to be identified;
- (b) state the size of the area;
- (c) state the total area (if any) already held by the applicant under Mangrove Licences.”

(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>Sago Ordinance, 1908-1936</i> | 11.1.1951 | 25.1.1951 | 11.1.1951 (Papua and N.G. Govt. Gaz. of 25.1.1951) |

²⁾ Printed in *The Laws of the Territory of Papua 1888-1945 (Annotated)*, Vol. IV., on pp. 4038-4041.

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2. Regulation 5 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is amended by deleting therefrom all that part of the regulation from and including the letter “(b)” down to and including the word “harbour” where it last occurs.

3. Regulation 6 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is amended by inserting immediately before the word “Schedule” therein the word “first”.

4. Regulation 7 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is amended by adding after the word “years” therein the following words: “and may be subject to such conditions as the Administrator in his discretion shall think fit.”

5. Regulation 9 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is omitted and the following Regulation is inserted in its stead:—

“9. The area of land included in any Mangrove Licence shall be such as the Administrator thinks fit to grant in each particular case.”

6. Regulation 10 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is omitted and the following Regulation is inserted in its stead:—

“10. Subject to Regulation 10A of these regulations the rent to be paid from time to time for a licence shall be fixed from time to time by the Administrator in Council and shall be in addition to any royalty which may now or hereafter be imposed upon the produce of the area included in the licence.”

7. After Regulation 10 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ the following Regulation is added:—

“10A. In any case in which the Administrator in Council thinks fit tenders may be called for a Mangrove Licence.”

8. Regulation 11 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is omitted and the following Regulation is inserted in its stead:—

“11 (a) A deposit of Ten pounds shall be paid with each application for a Mangrove Licence.

(b) The deposit lodged by an applicant or a successful tenderer for a licence shall, on issue of the licence, be applied towards the payment of such rent or royalty as thereafter becomes due under the licence.

(c) On refusal of an application for a licence, the deposit shall be refunded.”

9. Regulation 12 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is repealed.

10. Regulation 14 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is amended by deleting therefrom all that part of the regulation from and including the letter “(a)” down to and including the word “Reserve”.

11. After Regulation 16 of the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ the following Regulation is added:—

“17. (a) No person may cut or collect for wages or profit mangrove timber or mangrove bark on Crown land without holding a current Cutter's Licence.

(2) Printed in *The Laws of the Territory of Papua 1888-1945 (Annotated)*, Vol. IV., on pp. 4038-4041.

Amendment of Sago (Mangrove) Regulations, 1923—cont.

(b) A Cutter's Licence may be issued to any person by a District Commissioner or an Officer authorized by the Secretary for Lands, Surveys and Mines.

(c) A person holding a Cutter's Licence must produce it for inspection on demand by any Officer specified in the immediately preceding sub-regulation.

(d) The fee for a Cutter's Licence shall be Five shillings.

(e) A Cutter's Licence shall expire on the 30th day of June next following its issue.

(f) A Cutter's Licence may stipulate the area to which it refers.

(g) A Cutter's Licence may be restricted to a certain class or classes of mangrove trees.

(h) A Cutter's Licence may stipulate the minimum girth of each species of mangrove tree which may be cut.

(i) A Cutter's Licence may stipulate the maximum quantity of mangroves which may be cut in the area for which the Cutter's Licence is granted.

(j) A Cutter's licence may stipulate to whom the produce cut thereunder may be disposed.

(k) A Cutter's Licence may stipulate such further conditions as the Officer who issues it deems necessary for the good management of an area granted under a Mangrove Licence.

(l) Any holder of a Cutter's Licence who contravenes any of its conditions or stipulations shall be deemed to have contravened these Regulations.

(m) An Officer authorized to issue a Cutter's Licence may cancel the same on contravention by the holder thereof of any of its conditions or stipulations.

(n) A Cutter's Licence shall be in the form of the Second Schedule to these Regulations."

12. The Schedule to the *Sago (Mangrove) Regulations, 1923*,⁽²⁾ is omitted and the following Schedules are inserted in its stead:—

"FIRST SCHEDULE.

MANGROVE LICENCE.

Under the *Sago Ordinance, 1908-1936.*

of is licensed under the *Sago Ordinance, 1908-1936*,
to cut, remove and bark mangroves upon the Mangrove Reserve
(or upon that part of the Mangrove Reserve which is comprised
in the description at the foot of this licence) for a term of years from
the date hereof and subject to the following conditions:—

1. This licence authorizes the holder to cut, remove and bark mangroves upon the licence area in accordance with the Ordinance and the Regulations and this licence is in all respects subject to the Ordinance and Regulations and shall be read in conjunction therewith.
2. No produce other than that specified in clause 1 of this licence shall be cut or taken away by the licence holder.
3. This licence shall be liable to forfeiture by the Administrator in Council at any time in accordance with the provisions of regulation 8 (c) of the Regulations if in the opinion of the Administrator in Council the work being carried out thereunder causes obstruction to or otherwise impairs the navigability of any harbour, river, creek or part of the coast-line.

(2) See footnote (2) printed on p. 1600.

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FIRST SCHEDULE—*continued.*

4. The rent for this licence is _____ per annum and is payable half-yearly in advance, but may be varied from time to time by the Administrator in Council.
5. Operations under this licence shall be commenced within _____ months from the date of the commencement of the licence period and thereafter not less than _____ shall be taken and removed during the licence period.
6. Trees cut under this licence shall be felled with as much care as possible and in a proper customary and workmanlike manner.
7. This licence shall be subject to the following additional conditions:—

DESCRIPTION.

All that part of the _____ Mangrove Reserve commencing
 Dated at _____ this _____ day of _____ 195
 _____ Administrator.

SECOND SCHEDULE.

CUTTER'S LICENCE.

Sago Ordinance, 1908-1936.

This licence authorizes _____ of _____ to cut and collect the bark and/or timber of the following Mangrove species from trees above the minimum girth specified hereunder:—

| Botanical Name. | Local Name. | Maximum Quantity. | Minimum Girth. |
|-----------------|-------------|-------------------|----------------|
| | | | |

Such cutting must be confined to the area defined in the Schedule hereto and is subject to the provisions of the *Sago Ordinance, 1908-1936*, and the *Sago (Mangrove) Regulations, 1923*, as amended to date, and to the terms and conditions expressed herein.

The product must be disposed of as follows:—

TERMS, ETC.

Date of Issue _____ 19 _____
 Fee 5s.

Authorized Officer.

THE SCHEDULE.

All that piece of land containing approximately _____ acres known as _____ situated _____ and more specifically described as _____ (see plan attached).

THE PLAN.