

ADMINISTRATOR'S POWERS ORDINANCE 1923-1938. ⁽¹⁾

An Ordinance to confer powers on the Administrator.

BE it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *New Guinea Act 1920*, as follows:—

1. This Ordinance may be cited as the *Administrator's Powers Ordinance 1923-1938.* ⁽¹⁾

Short title.
Amended by
No. 3 of
1934, s. 50.

(1) The *Administrator's Powers Ordinance 1923-1938* comprises the *Administrator's Powers Ordinance 1923*, as amended by the other Ordinances referred to in the following Table:—

TABLE.
PART I.—ORDINANCES MADE BY THE GOVERNOR-GENERAL IN COUNCIL.

Short title, number and year.	Date on which made by Governor-General in Council.	Date on which notified in <i>Commonwealth Gazette</i> .	Date on which took effect.
<i>Administrator's Powers Ordinance 1923</i> (No. 2 of 1923) ..	31.1.1923	8.2.1923	8.2.1923 (<i>Cwth. Gaz.</i> of 8.2.1923)
<i>Administrator's Powers Ordinance 1925</i> (No. 26 of 1925) ..	5.8.1925	6.8.1925	6.8.1925 (<i>Cwth. Gaz.</i> of 6.8.1925)
<i>Administrator's Powers Ordinance</i> (No. 2) 1925 (No. 46 of 1925) ..	25.11.1925	26.11.1925	26.11.1925 (<i>Cwth. Gaz.</i> of 26.11.1925)
<i>Administrator's Powers Ordinance 1928</i> (No. 34 of 1928) ..	11.12.1928	13.12.1928	13.12.1928 (<i>Cwth. Gaz.</i> of 13.12.1928)
<i>Administrator's Powers Ordinance 1929</i> (No. 7 of 1929) ..	4.7.1929	18.7.1929	18.7.1929 (<i>Cwth. Gaz.</i> of 18.7.1929)
<i>Administrator's Powers Ordinance</i> (No. 2) 1929 (No. 12 of 1929) ..	14.8.1929	22.8.1929	6.8.1925 (Sec. 2, <i>Administrator's Powers Ordinance</i> (No. 2) 1929)
<i>Administrator's Powers Ordinance 1932</i> (No. 15 of 1932) ..	4.8.1932	11.8.1932	11.8.1932 (<i>Cwth. Gaz.</i> of 11.8.1932)

PART II.—ORDINANCES OF THE LEGISLATIVE COUNCIL.

Short title, number and year.	Date of assent by Administrator.	Date notified in <i>N. G. Gaz.</i> as not disallowed by Governor-General in Council.	Date on which came into operation.
<i>Administrator's Powers Ordinance 1934</i> (No. 8 of 1934) ..	6.2.1934	30.6.1934	6.2.1934 (<i>Laws of T.N.G.</i> , Vol. XIII., p. 35)
<i>Administrator's Powers Ordinance 1935</i> (No. 3 of 1935) ..	14.1.1935	15.6.1935	14.1.1935 (<i>Laws of T.N.G.</i> , Vol. XIII., p. 134)
<i>Administrator's Powers Ordinance 1937</i> (No. 27 of 1937) ..	25.8.1937	31.12.1937	25.8.1937 (<i>Laws of T.N.G.</i> , Vol. XIV., p. 95)
<i>Administrator's Powers Ordinance 1938</i> (No. 23 of 1938) ..	24.8.1938	30.11.1938	24.8.1938 (<i>Laws of T.N.G.</i> , Vol. XIV., p. 145)

ADMINISTRATOR'S POWERS—

Power to make regulations.

Sub-section (1.) amended by No. 3 of 1935, s. 2, and by No. 23 of 1938, s. 2.

Paragraph (a) amended by No. 46 of 1925, s. 2.

Paragraph (e) amended by No. 15 of 1932, s. 2.

2.—(1.) The Administrator in Council may make regulations,⁽²⁾ not inconsistent with any Ordinance, for all or any of the following purposes:—

- (a) Providing for the care and control of town avenues, hedges, botanic reserves and public parks and gardens.
- (b) Regulating the manufacture and sale of bread and the price to be charged for bread.
- (c) Regulating the construction and use of buildings.
- (d) Providing for the use and control of cemeteries.
- (e) Providing for the censorship of films to be exhibited on the cinematograph and for the control and censorship of posters or advertisements relating to cinematograph exhibitions.
- (f) Providing for the taxation of dogs and the destruction of diseased or neglected dogs.
- (g) Regulating the sale storage and use of explosives.
- (h) Providing for the registration of motor vehicles and regulating their uses and the fares to be charged for the hiring of such vehicles.
- (i) Preventing the spread of animal and vegetable pests by—
 - (i) regulating or prohibiting the introduction into or removal from the Territory or any part of it of any animal, tree, plant, vegetable, or any part or product thereof, or any matter or thing affected by a pest;
 - (ii) providing for the seizure, detention, examination, and disinfection of animals, trees, plants, vegetables, or any part or product thereof suspected to be affected by any pest, and of vehicles, boxes, baskets, and packages suspected to contain the same or to harbour or to be infested by pests, and for the disposal of all such animals, trees, plants, vegetables, products, vehicles, boxes, baskets, and packages;
 - (iii) prescribing methods and appliances for the effectual destruction of pests and preventing the spread of diseases;
 - (iv) providing for the establishment, control, and management of dips;
 - (v) imposing fees or charges to be paid by persons using any dips, appliances, or methods provided by the Administration for the destruction of pests or for preventing the spread of disease in animals, trees, plants

(2) Particulars of regulations made pursuant to Section 2 of this Ordinance are printed on p. 43.

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and vegetables, and prescribing the conditions under which such appliances or methods may be used.

- (j) Regulating the possession and use of firearms.
- (k) Providing for the establishment of and for the control and use of pounds and prescribing fees therefor.
- (l) Regulating the slaughtering and sale of meat.
- (m) Providing for the prevention and extinguishment of fires, including the prohibiting of the lighting of fires within a specified distance of any building or plantation, and regulating the stacking, storing and keeping of combustible substances.
- (n) Prescribing places for markets and regulating the holding of markets.
- (o) Maintaining public decency, preventing disorderly conduct and the use of foul or abusive language in any road or public place.
- (p) Providing for and regulating the control management and use of roads.
- (q) Regulating the selling or offering or carrying about of goods by hawkers or itinerant vendors by retail.
- (r) Providing for the sanitation of towns stations and harbours.
- (s) Providing for the treatment of infectious and contagious diseases and prescribing means for preventing the spreading of such diseases.
- (t) Providing for the regulation and management of wharfs, ports, harbours and berthages. Paragraph (t) inserted by No. 46 of 1925, s. 2.
- (u) Providing for the control and government of vessels trading within the Territory. Paragraph (u) inserted by No. 46 of 1925, s. 2.
- (v) Providing for the prevention of overcrowding and obstruction in gangways, passages and aisles in any theatre, concert-room, picture-show, hall, meeting-house or other building or structure in which members of the public are usually or occasionally assembled. Paragraph (v) inserted by No. 46 of 1925, s. 2.
- (w) Regulating and controlling all posters, signs, or advertisements attached or affixed to or painted on any hoarding, building, fence, rock, cliff, pole or tree. Paragraph (w) inserted by No. 15 of 1932, s. 2.
- (x) Regulating the manner in and the conditions under which explosives, inflammable liquids, and chemicals of a dangerous or corrosive character may be carried within the Territory. Paragraph (x) inserted by No. 8 of 1934, s. 2.
- (y) Prohibiting or regulating the publication or distribution amongst natives of books, pamphlets, periodicals, newspapers, or other writing. Paragraph (y) inserted by No. 27 of 1937, s. 2.

ADMINISTRATOR'S POWERS—

Sub-section (2.) substituted by No. 26 of 1925, s. 2.

(2.) Any regulations made under this Ordinance—

Paragraph (a) amended by No. 7 of 1929, s. 2, and by No. 12 of 1929, s. 3.

(a) may declare that any contravention of any of the provisions of the regulations shall be an offence punishable upon conviction by a penalty not exceeding a fine of Fifty pounds, or imprisonment not exceeding six months, or both, and that any goods the subject of an offence may upon conviction be forfeited to the Administration;

(b) may provide for the issue of licences to engage in any business or occupation or do any act to which the regulations relate, and may fix the fees to be paid for such licences; and

Paragraph (c) inserted by No. 7 of 1929, s. 2.

(c) may prescribe the fees (if any) which shall be payable in respect of any act or matter to which the regulations relate.

Sub-section (3.) inserted by No. 27 of 1937, s. 2.

(3.) Regulations made under this Ordinance may be of general application or may be limited to a prescribed area or according to time or circumstances, and may be restricted in their operation to natives or to persons other than natives or to any prescribed class of natives or persons other than natives, or to natives or persons other than natives in a prescribed area, or to any prescribed class of natives or persons other than natives in a prescribed area.

Sections 3 and 4 repealed by No. 23 of 1938, s. 3.

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Power of Administrator to execute mortgages.

5.—(1.) The Administrator may, on behalf of the Administration, execute mortgages to secure the payment of money to the Administration, and all rights conferred on the Administrator or on the Administration by any such mortgage shall be exercisable and enforceable by, and all obligations imposed thereby shall be binding upon, the Administrator for the time being in office.

Section 5 inserted by No. 34 of 1928, s. 2.

(2.) Mortgages executed by the Administrator prior to the commencement of this section shall be valid and effectual for all purposes, and shall be deemed to have been executed in pursuance of this section.