

POLICE OFFENCES ORDINANCE 1925-1941.⁽¹⁾

An Ordinance Relating to Police Offences.

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:—

PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Police Offences Ordinance 1925-1941*.⁽¹⁾

Short title.

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

2. This Ordinance shall commence on a date to be fixed by the Administrator by notice in the *New Guinea Gazette*.⁽¹⁾

Commencement.

(1) The *Police Offences Ordinance 1925-1941* comprises the *Police Offences Ordinance 1925*, 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 Gov.-Gen. in Council.	Date on which published in <i>Cwltth. Gaz.</i>	Date on which took effect.
<i>Police Offences Ordinance 1925</i> (No. 52 of 1925)	9.12.1925	10.12.1925	8.3.1926 (<i>N.G. Gaz.</i> of 15.1.1926)
<i>Police Offences Ordinance 1926</i> (No. 15 of 1926)	25.6.1926	28.6.1926	28.6.1926 (<i>Cwltth. Gaz.</i> of 28.6.1926)
<i>Police Offences Ordinance 1927</i> (No. 15 of 1927)	27.4.1927	28.4.1927	28.4.1927 (<i>Cwltth. Gaz.</i> of 28.4.1927)
<i>Police Offences Ordinance 1928</i> (No. 26 of 1928)	5.11.1928	8.11.1928	31.1.1929 (<i>N.G. Gaz.</i> of 15.2.1929)
<i>Police Offences Ordinance 1930</i> (No. 7 of 1930)	10.2.1930	13.2.1930	13.2.1930 (<i>Cwltth. Gaz.</i> of 13.2.1930)

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 Gov.-Gen. in Council.	Date on which came into operation.
<i>Police Offences Ordinance 1935</i> (No. 13 of 1935)	16.1.1935	15.6.1935	16.1.1935 (<i>Laws of T.N.G.</i> , Vol. XIII, p. 171)
<i>Police Offences Ordinance (No. 2) 1935</i> (No. 27 of 1935)	31.7.1935	15.2.1936	31.7.1935 (<i>Laws of T.N.G.</i> , Vol. XIII, p. 322)
<i>Police Offences Ordinance 1937</i> (No. 4 of 1937)	3.3.1937	22.6.1937	3.3.1937 (<i>Laws of T.N.G.</i> , Vol. XIV, p. 8)
<i>Police Offences Ordinance 1938</i> (No. 38 of 1938)	24.8.1938	15.12.1938	24.8.1938 (<i>Laws of T.N.G.</i> , Vol. XIV, p. 160)
<i>Police Offences Ordinance 1939</i> (No. 21 of 1939)	5.9.1939	16.12.1939	4.10.1939 (<i>N.G. Gaz.</i> of 4.10.1939)
<i>Police Offences Ordinance 1941</i> (No. 10 of 1941)	22.4.1941	31.7.1941	22.4.1941 (<i>Laws of T.N.G.</i> , Vol. XV, p. 152)
<i>Police Offences Ordinance (No. 2) 1941</i> (No. 21 of 1941)	23.9.1941	29.11.1941	23.9.1941 (<i>Laws of T.N.G.</i> , Vol. XV, p. 164)

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Parts.

3. This Ordinance is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Powers of the Police Force and the
Apprehension of Offenders.

Part III.—Special Constables.

Part IV.—Offences Generally.

Part V.—Offences in Certain Towns Only.

Part VI.—Vagrancy and Kindred Offences.

Part VII.—Miscellaneous.

Definitions.
Inserted by
No. 21 of
1941, s. 2.

4. In this Ordinance, unless the contrary intention appears—

“Aircraft” means any aircraft as defined by the Air Navigation Regulations from time to time in force in the Territory;

“Court” means a District Court;

“Justice” means a Justice of the Peace and includes a Stipendiary Magistrate;

“Police Officer” means any European Officer of Police or Warrant Officer of Police;

“Public Place” or “Place of Public Resort” includes—

(a) every place to which free access is permitted to the public with the express or tacit consent of the owner or occupier thereof; and

(b) every place to which the public are admitted on payment of money, the test of the admittance being the payment of the money only; and

(c) every road, street, footway, court, alley, or thoroughfare which the public are allowed to use, notwithstanding that the road, street, footway, court, alley, or thoroughfare may be formed on private property; and

“Vessel” means any ship, boat, or other description of vessel used for any purpose on the sea or in navigation, but does not include a vessel actually employed in His Majesty’s Service, or a vessel of war the commanding officer whereof holds a commission from any foreign Government or Power.

Amended by
No. 15 of 1926,
s. 2.

PART II.—POWERS OF THE POLICE FORCE AND THE APPREHENSION OF OFFENDERS.

5.—(1.) Notwithstanding any law or custom to the contrary, the Superintendent of Police or an Inspector of Police may issue general search warrants to such police officers as he thinks fit.

Power to grant general search warrants.

(2.) Every such warrant shall be in accordance with the form in the Schedule to this Ordinance and shall be signed by the person issuing the warrant.

(3.) Every such warrant shall remain in force for six months from the date thereof, or for such shorter period (if any) as is specified therein, unless revoked in pursuance of the next succeeding sub-section.

(4.) The person issuing such a warrant may at any time revoke the warrant.

(5.) The police officer named in any such warrant may, and if necessary by force, at any time in the day or night, with such assistance as he thinks necessary, enter into and search any building, premises, vessel, carriage, aircraft, or place where he has reasonable ground to suspect that there is—

Sub-section (5) substituted by No. 13 of 1935, s. 2; amended by No. 21 of 1941, s. 3.

- (a) anything with respect to which an offence against any law of the Territory has been, or is suspected on reasonable ground to have been, committed;
- (b) anything as to which there is reasonable ground to suspect that it will afford evidence as to the commission of any such offence; or
- (c) anything as to which there is reasonable ground to suspect that it is intended to be used for the purpose of committing any such offence;

and may—

- (d) break open and search any cupboard, drawer, chest, trunk, box, package, or other thing, whether a fixture or not, in which he has reasonable ground to suspect that anything referred to in paragraphs (a), (b), or (c) of this section may be found; and
- (e) seize and take charge of anything referred to in paragraphs (a), (b), or (c) of this section which he finds in the building, premises, vessel, carriage, aircraft, or place.

(6.) In this section “stolen goods” includes goods obtained by any crime or misdemeanour.

6. Any police officer may stop, search and detain—

- (a) any cart, carriage or vehicle in or upon which there is reason to suspect that anything stolen or unlawfully obtained may be found; and

Power to search vehicles and suspected persons.

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- (b) any person who is reasonably suspected of having, or conveying in any manner, anything stolen or unlawfully obtained.

Police officer
may board
vessels.

7. Any police officer may by virtue of his office enter at all times, as well by night as by day, into or upon any vessel lying or being in any harbour, port, river or creek, or any dock thereto adjacent, and into every part of the vessel for the purpose of—

- (a) searching and inspecting the vessel;
- (b) inspecting and observing the conduct of all persons who are employed on board the vessel, in or about the lading or unlading thereof;
- (c) taking any measures necessary to provide against fire and other accidents;
- (d) preserving peace and good order on board of the vessel; and
- (e) preventing or detecting crimes or misdemeanours.

Police may
search ships.

8.—(1.) Any police officer having reasonable or probable cause to suspect that a crime has been, or is about to be, committed on board any vessel lying or being in any harbour, port, river, dock or creek, or that any person who has committed an offence rendering him liable to apprehension, either with or without a warrant, or that any person, against whom any warrant has been issued by any Justice, is harboured, secreted or concealed on board of any such vessel may—

- (a) stop and detain the vessel; and
- (b) enter at all times as well by night as by day, with such members of the police force as he thinks necessary, into and upon the vessel, and into every part thereof; and
- (c) search and inspect the vessel, and therein take all necessary measures for the prevention and detection of all suspected crimes, and for the apprehension of any person so suspected;

and shall—

- (d) take into custody all persons suspected of being concerned in any such crimes, or liable to any such apprehension; and
- (e) take charge of all property suspected of being stolen.

(2.) Any person who—

- (a) resists or wilfully prevents or obstructs any police officer while stopping, detaining or entering upon, or endeavouring to stop, detain or enter upon, a vessel, or while searching and inspecting a vessel; or

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(b) harbours, conceals or rescues or attempts to rescue or assist any suspected person, shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for six months or both.

9.—(1.) Any police officer may—

(a) enter into any house, room, premises or place where any public table, board, appliance or accommodation is kept for playing billiards, bagatelle, bowls, fives, rackets, quoits, skittles or ninepins, or any game of the like kind, when and so often as the police officer thinks fit; and

Police may visit houses where games carried on.

(b) enter into any house, room or place kept or used for any theatrical or public entertainment, concert, musical or other exhibition or show of any kind whatsoever (whether admission thereto is obtained by payment of money or not) at any time when the house, room or place is open for the reception of persons resorting thereto, and may order any common prostitute, reputed thief or loose, idle or disorderly person who is found therein to leave the house, room or place.

(2.) If any such person refuses to leave the house, room or place on being ordered by the police officer so to do, the police officer may forcibly remove him therefrom and take him into custody.

(3.) Any such person remaining in the house, room or place after having been so ordered to leave shall be guilty of an offence.

Penalty: Two pounds.

9A.—(1.) Any police officer authorised in writing by the Superintendent of Police or by an Inspector of Police to enter into and search houses ordinarily occupied exclusively by natives may, without any warrant other than this Ordinance, enter into and search any such house and, for that purpose, may enter upon any land giving access to such house.

Power to enter and search houses occupied by natives.

Section 9A inserted by No. 21 of 1941, s. 4.

(2.) Any police officer authorised in accordance with this section may use force, if necessary, in order to enter any house referred to in the last preceding sub-section, and may break open and search any cupboard, drawer, chest, trunk, box, receptacle, package, or other thing found therein.

10. Any police officer, without any warrant other than this Ordinance, at any hour of the day or night, may apprehend—

Power of police to apprehend offenders.

(a) any person whom he finds drunk, or fighting, or using profane, indecent or obscene language, or who uses

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- any threatening, abusive or insulting words, or behaves in a threatening, abusive or insulting manner, with intent to provoke a breach of the peace or whereby a breach of the peace might be occasioned, in any road, street, thoroughfare or public place;
- (b) any person who rides or drives through any road, street, thoroughfare or public place so negligently, carelessly or furiously that the safety of any other person might thereby be endangered;
 - (c) any person who cruelly beats, ill-treats, over-drives, over-loads, abuses or tortures any animal or causes the animal to be cruelly beaten, ill-treated, over-driven, over-laden, abused or tortured, or who conveys or carries any animal in any road, street, thoroughfare or public place in such a manner or position as to cause unnecessary pain or suffering to the animal;
 - (d) any loose, drunken or riotous person whom he finds disturbing the public peace;
 - (e) any person whom he has just cause to suspect of having committed, or being about to commit, any felony, misdemeanour or offence, or of any evil designs;
 - (f) any person whom he finds lying or loitering in any street, highway, yard or other place, who does not give a satisfactory account of himself; and
 - (g) any idle and disorderly person, rogue and vagabond, or incorrigible rogue.

Power to apprehend persons disturbing the peace on board ships and in public houses.

11.—(1.) Any police officer, when he deems necessary or whenever called upon by the master or chief officer of any vessel lying in any harbour, port, river or creek, or any dock adjacent thereto, may—

- (a) enter into and upon the vessel; and
- (b) without any warrant other than this Ordinance, apprehend any person whom he finds drunk, and riotously or indecently behaving himself, or whom he finds fighting or using threatening, abusive or insulting words, or behaving in a threatening, abusive or insulting manner, and disturbing the peace and good order of the vessel, or behaving with intent to provoke a breach of the peace or whereby a breach of the peace might be occasioned.

(2.) Any police officer, whenever called upon by any holder of a licence for the sale of fermented or spirituous liquors, shall enter into the licensed premises of the holder of the licence, and

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may, without a warrant apprehend any person whom he finds drunk and riotously or indecently behaving himself, or whom he finds fighting, or using threatening, abusive or insulting words, or behaving in a threatening, abusive or insulting manner, and disturbing the peace and good order of the licensed premises, or behaving with intent to provoke a breach of the peace or whereby a breach of the peace might be occasioned.

12.—(1.) Any police officer may, without a warrant, take into custody—

- (a) any person whom he has reasonable or probable cause for believing or suspecting to be a person for whose apprehension a warrant has been issued by a Justice;
- (b) any person, charged by any other person with committing a felonious assault, in every case in which the police officer has good reason to believe—
 - (i) that the assault has been committed (although not within view of the police officer); and
 - (ii) that by reason of the recent commission of the offence a warrant could not have been obtained for the apprehension of the offender.

Certain persons may be apprehended without a warrant. Sub-section (1) amended by No. 15 of 1926, s. 3.

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Paragraph (c) omitted by No. 15 of 1926, s. 3.

(2.) Any member of the New Guinea Police Force may, without warrant, take into custody any native found committing or suspected of having committed any crime, misdemeanour, or simple offence.

Sub-section (2) added by No. 15 of 1926, s. 3.

13. Any police officer and all persons whom he calls to his assistance shall take into custody, without a warrant, any person who, within view of the police officer, commits any offence against this Ordinance, if such person's name and residence is unknown to the police officer and cannot be ascertained by him.

Police may apprehend any offender whose name and residence is not known.

14.—(1.) Any police officer, or any other person, with or without a warrant, may apprehend any reputed common prostitute or thief, or any loose, idle or disorderly person, or any reputed rogue and vagabond or incorrigible rogue, who, within view of the police officer or person, commits any offence against this Ordinance.

Apprehension of known offenders.

(2.) The police officer or person shall forthwith take and convey the offender before a Justice to be dealt with in manner provided by this Ordinance, or shall deliver him to any police officer or other peace officer of the place where he has been apprehended, to be so taken and conveyed as aforesaid.

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Power to police and persons aggrieved to apprehend certain offenders.

Section 15 amended by No. 15 of 1926, s. 4.

15. Any person found committing any indictable offence punishable upon summary conviction—

- (a) may be taken into custody without a warrant by any police officer; or
- (b) may be apprehended by the owner of the property on or with respect to which the offence was committed, or by his servant or any person authorised by him, and may be detained until he can be delivered into the custody of a police officer to be dealt with according to law.

Native witnesses.

16. Where any native is required as a witness in any proceedings relating to an offence against this Ordinance or against any law or Ordinance of the Territory, and, in the opinion of a police officer, it is desirable that the native should be segregated, the police officer may apprehend and detain the native until he has given his evidence.

Where stolen property attempted to be sold or pawned.

Paragraph (a) amended by No. 15 of 1926, s. 5.

17. Any person to whom property is offered to be sold, pawned or delivered, if he has reasonable cause to suspect—

- (a) that any indictable offence punishable upon summary conviction has been committed with respect to the property; or
- (b) that the property, or any part thereof, has been stolen or otherwise unlawfully obtained,

may apprehend and detain the person so offering the property, and, as soon as may be, deliver him into the custody of a police officer, together with the property, to be dealt with according to law.

Search, examination, and identification of persons in custody.

Section 18 repealed by No. 13 of 1935, s. 3; new Section 18 inserted by No. 27 of 1935, s. 2.

18.—(1.) When a person is in lawful custody upon a charge of committing any offence, any member of the New Guinea Police Force may search his person and take from him anything found upon his person, and may use such force as is reasonably necessary for that purpose.

(2.) When any person is in lawful custody upon a charge of committing any offence which is of such a nature and is alleged to have been committed under such circumstances that there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of the offence, any medical practitioner acting at the request of a police officer, and any person acting in good faith in aid of the medical practitioner and under his direction, may make such an examination of the person so in custody as is reasonable in order to ascertain the facts which may afford that evidence and may use such force as is reasonably necessary for that purpose.

(3.) When a person is in lawful custody upon a charge of committing any offence, the police officer in charge of the police station where he is so in custody, or any member of the New Guinea Police Force of or above the rank of Warrant Officer First Class, may take or cause to be taken such particulars as he deems necessary for the identification of that person, including his photograph and fingerprints, and may use or cause to be used such force as is reasonably necessary to secure those particulars.

PART III.—SPECIAL CONSTABLES.

19.—(1.) Where it appears to a District Officer that a tumult, riot or felony has taken place or is likely to occur in the district, and that the constables or officers on duty in the district are not sufficient for the preservation of the peace and for the protection of the inhabitants and their property, or for the apprehension of offenders, the District Officer may appoint, by precept in writing under his hand, so many as he thinks fit of the persons (not legally exempt from serving in the office of constable) residing in the district to act as special constables for such time and in such manner as the District Officer directs.

District Officer may appoint special constables.

(2.) A District Officer who appoints any special constables under this Ordinance, may administer to any person so appointed the following—

Oath or affirmation to be administered to special constables.

(a) oath:—

“I, A.B., do swear that I will well and truly serve our Sovereign Lord the King in the office of special constable for the (*town or place, as the case may be,*) without favour or affection, malice or ill-will, and that I will to the best of my power cause the peace to be kept and preserved and prevent all offences against the persons and properties of His Majesty’s subjects and of all other persons resident or being in the Territory, and that while I continue to hold the said office I will to the best of my skill and knowledge discharge all the duties thereof faithfully according to law. So help me, God”; or

Paragraph (a) amended by No. 26 of 1928, s. 3.

(b) affirmation:—

“I, A.B., do solemnly and sincerely affirm and declare that I will well and truly serve our Sovereign Lord the King in the office of special constable for the (*town or place, as the case may be,*) without favour or affection, malice or ill-will, and that I will to the best of my power cause

Paragraph (b) amended by No. 26 of 1928, s. 3.

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the peace to be kept and preserved and prevent all offences against the persons and properties of His Majesty's subjects and of all other persons resident or being in the Territory, and that while I continue to hold the said office I will to the best of my ability, skill and knowledge discharge all the duties thereof faithfully according to law."

Sub-section (3)
amended by
No. 27 of 1935,
s. 3.

(3.) Whenever it is deemed necessary to appoint special constables under this section, notice of appointment shall be forthwith transmitted by the District Officer to the Government Secretary and the Superintendent of Police.

Regulations
respecting
special
constables and
removal for
misconduct.

20. Where a District Officer has appointed special constables under this Ordinance and those constables have been called out, the District Officer may, from time to time, make such orders and regulations as he thinks necessary and expedient for rendering the special constables more efficient for the preservation of the public peace, and may remove any such special constable from his office for any misconduct or neglect of duty.

Power of
special
constables.

21. Every special constable appointed under this Ordinance shall have, exercise and enjoy all such powers, authorities, advantages and immunities, and be liable to all such duties and responsibilities as any warrant officer of police duly appointed has by virtue of any law in force in the Territory.

Penalty for
refusing to
take oath
of office.

22. Any person appointed a special constable under this Ordinance who refuses to take the oath or make the affirmation in accordance with section nineteen of this Ordinance, when required to do so by the District Officer appointing him, shall be guilty of an offence.

Penalty: Ten pounds.

Penalty for
refusing to
serve or for
disobeying
orders.

23. Any person appointed a special constable under this Ordinance who—

- (a) neglects to appear at the time and place for which he is summoned for the purpose of taking the oath or making the affirmation in accordance with section nineteen of this Ordinance; or
- (b) on being called upon to serve, fails or refuses to serve as a special constable, or to obey such lawful orders and directions as are given to him by the District Officer or any Government Officer under whose orders he is placed for the performance of the duties of his office,

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shall, unless he proves to the satisfaction of a District Officer that he was prevented by sickness or such other cause as is, in the opinion of the District Officer, sufficient, be guilty of an offence.

Penalty: Ten pounds.

24.—(1.) A District Officer who has appointed special constables under this Ordinance may, if the special constables have been called out, suspend or determine the services of the special constables or of so many as he thinks fit.

District Officer may discontinue the services of special constables.

(2.) Notice of suspension or determination of the services of all or any of the special constables shall be transmitted forthwith by the District Officer to the Government Secretary and the Superintendent of Police.

Sub-section (2) amended by No. 27 of 1935, s. 4.

25. Every special constable shall forthwith, after the expiration of his office, or after he ceases to hold and exercise his office pursuant to this Ordinance, deliver over to his successor, if a successor has been appointed, or to such person, and at such time and place as are directed by the District Officer, all arms, staves, weapons and other articles which have been provided for the special constable.

Special constables to deliver arms to successors.

Penalty: Ten pounds.

26. Any person who assaults or resists a special constable in the execution of his office or promotes, incites or encourages any other person so to do shall be guilty of an offence.

Assaulting or resisting special constables.

Penalty: Ten pounds or imprisonment for one month.

27. The Administrator may, where he deems it necessary to preserve the public peace, transfer any special constable to any district of the Territory for duty in that district.

Transfer of special constable from one district to another.

PART IV.—OFFENCES GENERALLY.

28. Any person found drunk in or on any public place shall be guilty of an offence.

Drunkenness in public place.

Penalty: Two pounds, or imprisonment for seven days, for the first offence and Five pounds, or imprisonment for fourteen days, for any subsequent offence.

29. Any person, whose behaviour in or on any public place is riotous or disorderly, or who is drunk while in charge of any motor vehicle, carriage, horse, cattle, or steam-engine, and any person who is drunk when in possession of loaded firearms, shall be guilty of an offence.

Penalty on drunkards who are riotous or in charge of carriages or loaded firearms.

Penalty: Five pounds, or imprisonment for fourteen days.

30. Any person who sings any obscene song or ballad or writes or draws any indecent or obscene word, figure or representation or

Obscene language, &c., in public.

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uses any profane, indecent or obscene language in or on any public place or therein or thereon, or within the view or hearing of any person being in or passing that public place, and any person who uses any threatening, abusive or insulting words or behaviour, in or on any public place, with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned, shall be guilty of an offence.

Penalty: Ten pounds, or imprisonment for one month.

Offensive and insulting behaviour.

31. Any person who, in, on or near any public place or within the view or hearing of any person being or passing therein or thereon—

(a) behaves in a riotous, indecent, offensive, threatening or insulting manner; or

(b) uses any threatening, abusive or insulting words,

shall be guilty of an offence.

Penalty: Five pounds, or imprisonment for fourteen days.

Riotous conduct in police station.

32. Any person who behaves riotously or indecently in any police station, shall be guilty of an offence.

Penalty: Five pounds, or imprisonment for fourteen days.

Disturbing good order of vessel in harbour or of public house.

33. Every person who—

(a) on board any vessel lying or being in any harbour, port, river, or creek or in any dock adjacent thereto, is guilty of riotous or indecent behaviour while drunk, or of fighting or using threatening, abusive or insulting words, or behaving in a threatening, abusive or insulting manner, and disturbing the peace and good order of the vessel, or with intent to commit a breach of the peace or whereby a breach of the peace might have been occasioned; or

(b) in any place licensed for the sale of fermented or spirituous liquors, behaves riotously or indecently, or fights, or uses threatening or abusive words, or behaves insultingly and disturbs the peace of the licensed premises, or does any act with intent to commit a breach of the peace or whereby a breach of the peace might have been occasioned,

shall be guilty of an offence.

Penalty: Five pounds, or imprisonment for fourteen days.

Furious driving.

34. Any person who rides or drives negligently, carelessly or furiously through any road, street or public place shall be guilty of an offence.

Penalty: Two pounds.

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34A. Any person who cruelly beats, ill-treats, over-drives, over-loads, abuses, or tortures any animal or causes the animal to be cruelly beaten, ill-treated, over-driven, over-laden, abused, or tortured, or who conveys or carries any animal in any road, street, thoroughfare, or public place in such a manner or position as to cause unnecessary pain or suffering to the animal shall be guilty of an offence.

Cruelty to animals.
Inserted by
No. 13 of 1935,
s. 4.

Penalty: Five pounds or imprisonment for one month.

34B. Any person who upon any road, street, or public place, at any time between the hours of six o'clock in the evening and six o'clock in the morning, drives any vehicle other than a motor vehicle, or rides any bicycle or tricycle, which has not—

Lights for vehicles other than motor vehicles.
Section 34B inserted by
No. 4 of 1937,
s. 2.

(a) a lighted lamp or lighted lamps attached to it in such a manner and position as to show a bright, white light clearly visible to any person approaching the vehicle, bicycle, or tricycle from the front; and

(b) a lighted lamp attached to it in such a manner and position as to show a bright, red light clearly visible to any person approaching the vehicle, bicycle, or tricycle from the rear, or a red reflector attached to it in such a manner and position as to reflect the lights of a vehicle approaching the vehicle, bicycle, or tricycle from the rear,

shall be guilty of an offence.

Penalty: Two pounds or imprisonment for fourteen days.

35. Any person who offends against decency by the exposure of his person in any street or public place, or in the view thereof, shall be guilty of an offence.

Penalty for indecent exposure of the person.

Penalty: Ten pounds, or imprisonment for one month.

36. Any person who wilfully and wantonly disturbs the occupant of, or any other person in, any house, by pulling or ringing any door bell, or knocking at any house, without lawful excuse, shall be guilty of an offence.

Unlawfully ringing house bells.

Penalty: Two pounds.

37. Any person who wantonly or maliciously breaks or injures any pane of glass, lamp or lamp post, or extinguishes any lamp set up for public convenience, shall be guilty of an offence.

Injuring or extinguishing street lamps.

Penalty: Five pounds, and in addition, the cost of repairing the damage.

38. Any common prostitute who solicits, importunes or accosts any person for the purpose of prostitution, or loiters about for the purpose of prostitution, in any public street, road, thoroughfare or

Soliciting.

place, or within the view or hearing of any person passing therein shall be guilty of an offence.

Penalty: Five pounds or imprisonment for fourteen days.

Stealing
domestic
animals.

39. Any person who steals any dog, or any bird or animal ordinarily kept in a state of confinement and not being the subject of larceny, shall be guilty of an offence.

Penalty: Ten pounds, in addition to the value of the dog, bird, or animal stolen.

Challenge to
fight.

40.—(1.) Any person who sends or accepts, either by word or letter, any challenge to fight for money, or for any valuable thing, or engage in any prize fight, shall be guilty of an offence.

Penalty: Twenty pounds, or imprisonment for three months.

(2.) The Court, before whom any person is convicted of an offence against this section, may, if it thinks fit, in addition to imposing a penalty, also require that person to find sureties for keeping the peace.

Valueless
cheques.

41. Any person who obtains any chattel, money, or valuable security by passing any cheque which is not paid on presentation shall, notwithstanding that there may have been some funds to the credit of the account on which the cheque was drawn at the time it was passed, be guilty of an offence, unless he proves—

(a) that he had reasonable grounds for believing that the cheque would be paid in full on presentation; and

(b) that he had no intent to defraud.

Penalty: Imprisonment for twelve months.

Persons
suspected of
having stolen
goods.

42.—(1.) Any person, brought before a Court and charged with having in his possession, or conveying in any manner, property suspected of having been stolen or unlawfully obtained, who does not give an account, to the satisfaction of the Court, as to how he came by the property, shall be guilty of an offence.

Penalty: Twenty-five pounds or imprisonment for three months.

(2.) Where the true owner of any property suspected of having been stolen or unlawfully obtained is not discovered within one month from the conviction under this section of any person for an offence with respect to the property, the property may be sold by public auction, and the proceeds of the sale, if not claimed by the true owner within twelve months, shall be paid into the Public Revenue Account.

(3.) In this section “property suspected of having been stolen” includes money or any other thing which may be reasonably sus-

pected of having been stolen or unlawfully obtained and proved to be, or to have been, in the possession of the person charged, whether in a building or otherwise, and whether the possession had been parted with by him before being brought before the court or not.

43.—(1.) Whenever any credible witness shows, upon oath before any Justice, that there is reasonable cause to suspect that any property of the kind mentioned in this section has been taken or stolen, and may be found in any house or other place, the Justice may issue a warrant to search the house, or place, for the property.

Where property improperly taken or stolen is found and not satisfactorily accounted for.

(2.) Any person in whose possession, or on whose premises, any of the property is found by virtue of any such warrant, or by any police officer when executing any general search warrant or any other warrant, or otherwise acting in the discharge of his duty, may be brought before a court, and unless he satisfies the court that he came lawfully by the property, or that the property was on his premises without his knowledge or consent, he shall be guilty of an offence.

Penalty—

- (a) if the property so found consists of goods, merchandise, or other articles belonging to any vessel in distress, or wrecked, stranded, or cast on shore—Twenty-five pounds or imprisonment for three months;
 - (b) if the property so found consists of the carcass or the head, skin, hide, fleece, feet, or any other part of any cattle—Twenty-five pounds, or imprisonment for three months;
 - (c) if the property so found consists of the whole or any part of any tree, sapling, or shrub, or any underwood or any part of any live or dead fence, or any post, picket, rail, stile or gate, or any part thereof (being of the value of not less than One shilling)—Ten pounds or imprisonment for one month, and in addition such compensation to the person aggrieved, as the Court thinks just.
- (3.) Any person who—
- (a) offers or exposes for sale any goods, merchandise, or articles which have been unlawfully taken, or are reasonably suspected of having been unlawfully taken, from any vessel in distress, or wrecked, stranded, or cast on shore; and

CRIMINAL LAW—

(b) does not satisfy the Court before whom he is brought that he came lawfully by the goods, merchandise or articles, or that the goods, merchandise or articles were on his premises without his knowledge or consent, shall be guilty of an offence.

Penalty: Twenty-five pounds, or imprisonment for three months, and in addition such sum as the Court fixes as a reasonable reward to the person who seized the goods, merchandise or articles.

(4.) In every case to which this section applies, any person to whom such property as is therein mentioned is offered for sale, or any officer of the Customs or police officer, may lawfully seize the property and shall, with all convenient speed, cause the property to be removed to a Court, and in every such case it shall be lawful for the Court by whom the case is heard, to direct that the property be delivered over to the rightful owner, if known, or, if the rightful owner is not known, that the property be sold, and the proceeds thereof applied in the same manner as any penalties under this Ordinance.

(5.) If any person charged with an offence against this section is not convicted thereof, the Court hearing the case, may at its discretion, compel the attendance before it of any person through whose hands any property of the kind mentioned in this section, or any part thereof, appears to have passed, and if the person from whom the property was first received, or any person who has had possession thereof, does not satisfy the Court that he came lawfully by the property, he shall be guilty of an offence and subject to the appropriate penalty provided by this section.

Malicious injury
to property.

44.—(1.) Any person who wilfully and maliciously commits any damage, injury, or spoil to or upon any real or personal property whatsoever, whether public or private, shall be guilty of an offence.

Penalty: Ten pounds or imprisonment for one month, and, in addition, such compensation to the person aggrieved as the Court thinks just.

(2.) Nothing herein contained shall extend to—

(a) any act done in the course of a trespass, where the party trespassing acted under a fair and reasonable supposition that he had a right to do the act; or

(b) any trespass, not being unlawful or malicious, committed in hunting or fishing, or in the pursuit of game.

(3.) Any person committing a trespass shall be liable therefor in the same manner as if this Ordinance had not been passed.

Police Offences Ordinance 1925-1941.

44A.—(1.) The owner of any cattle found straying in any garden or cultivated area (not being mere pasture land) shall be guilty of an offence.

Straying horses, &c.
Section 44A inserted by No. 27 of 1935, s. 5.

Penalty: Two pounds and, in addition, such compensation, not exceeding Twenty pounds, to the person aggrieved as the Court thinks just.

(2.) In this section "cattle" includes any horse, mare, gelding, colt, filly, or foal, and any bull, cow, ox, steer, heifer or calf, and any ram, ewe, sheep, or lamb, and any ass, mule, goat, or pig.

44B.—(1.) The owner of any cattle found straying in any aerodrome to which the Administrator by notice⁽²⁾ in the *New Guinea Gazette* directs that the provisions of this section shall apply, shall be guilty of an offence.

Straying cattle in aerodromes.
Section 44B inserted by No. 10 of 1941, s. 2.

Penalty: Five pounds.

(2.) In this section "cattle" includes any horse, mare, gelding, colt, filly, or foal, and any bull, cow, ox, steer, heifer, or calf, and any ram, ewe, sheep, or lamb, and any ass, mule, goat, or pig.

45.—(1.) Any person who—

(a) steals or damages with intent to steal, any part of any live or dead fence, or any post, picket, or rail set up or used as a fence, or any stile or gate or any part thereof respectively, or receives it knowing it to have been stolen or unlawfully come by, shall be guilty of an offence.

Destroying property with intent to steal or unlawfully retaining or disposing of property.

Penalty: Ten pounds, or imprisonment for one month for the first offence, and Twenty pounds or imprisonment for two months for any subsequent offence.

(b) steals or cuts, breaks, roots up, or otherwise destroys or damages, with intent to steal, the whole or any part of any growing tree, sapling, shrub or underwood, or any growing fruit or vegetable production or any growing cultivated root or plant, or receives it knowing it to have been stolen or unlawfully come by, shall be guilty of an offence.

Penalty: Ten pounds, or imprisonment for one month for the first offence, and Twenty pounds or imprisonment for two months for any subsequent offence.

(2) Pursuant to Section 44B, the Administrator, by notice dated 10.12.1941 and published in *N.G. Gaz.* of 15.12.1941, directed that the provisions of Section 44B should apply to the following aerodromes:—Vunakanau (Rabaul No. 1) Aerodrome, Lakunai (Rabaul No. 2) Aerodrome, Kavieng Aerodrome, Salamaua Aerodrome, Lae Aerodrome and Wau Aerodrome.

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- (c) being an artificer, workman, journeyman, apprentice or other person, unlawfully disposes of, or retains in his possession, without the consent of the person by whom he is hired, retained, or employed, any goods, wares, work or materials committed to his care or charge, shall be guilty of an offence.

Penalty: Twenty pounds or imprisonment for two months for the first offence, and Fifty pounds or imprisonment for six months for any subsequent offence.

(2.) Any person to whom any property mentioned in this section is offered to be sold, pawned or delivered, who has reasonable cause to suspect that any offence mentioned in the last preceding sub-section has been committed with respect to the property, may arrest without a warrant, and shall, with all convenient speed, bring before a Court the person offering the property, together with the property, to be dealt with according to law.

(3.) In every such case the property shall, by order of the Court which hears and determines the charge against the person offering the property, be delivered over to the rightful owner, if known, or, if the rightful owner is not known, the property shall be sold and the proceeds thereof applied in the same manner as penalties under this Ordinance.

Penalty on persons selling adulterated or unwholesome articles of food.

46.—(1.) Any person who—

- (a) sells, or offers for sale, as food for human consumption, any grain, flour, meat or vegetable which in whole or part is spoiled or in any manner adulterated; or
- (b) exhibits for sale any unwholesome provisions, meat or other foods of any kind, for man or beast, or practises any deceit or fraud in respect of the quality of any such provisions, meat or food,

shall be guilty of an offence.

Penalty: Ten pounds or imprisonment for one month.

(2.) Any Justice may seize or cause to be seized any provisions, meat or food mentioned in paragraph (b) of the last preceding sub-section in regard to which an offence is alleged to have been committed.

(3.) Upon the conviction of any person for an offence against this section, any grain, flour, meat or vegetable or any provisions, meat or food, with respect to which the offence was committed, shall be forfeited by the offender and shall be disposed of in such manner as the Court directs.

Police Offences Ordinance 1925-1941.

46A. Any person who unlawfully, and with intent to injure or annoy any person or affect the mind of any person in any way, adds any matter or thing to food or drink intended to be eaten or drunk by any person shall be guilty of an offence.

Unlawfully adding matter to food or drink.
Inserted by No. 27 of 1935, s. 6.

Penalty: Fifty pounds or imprisonment for six months.

47.—(1.) Every person, who has or keeps any house, shop, room or place of public resort wherein provisions, liquor or refreshments of any kind, are sold or consumed (whether they are kept or retailed therein or procured elsewhere), who—

Regulation of places of public resort.

- (a) wilfully and knowingly permits drunkenness or other disorderly conduct in the house, shop, room or place; or
- (b) knowingly suffers any unlawful games or gaming whatsoever therein; or
- (c) knowingly permits or suffers prostitutes or persons of notoriously bad character to meet together and remain therein,

shall be guilty of an offence.

Penalty: Five pounds.

(2.) Any person, convicted of any contravention of this section, who is the holder of a publican's licence under the *Intoxicating Liquors Ordinance 1921-1924*,⁽³⁾ shall not be exempt from any penalties to which he may be liable for committing an offence against that Ordinance.

48. Any person who, in any public place or place of public resort, plays at any unlawful game or at either of the games commonly known as "Pitch and Toss" and "Two Up" respectively, shall be guilty of an offence.

Playing unlawful games.

Penalty: Five pounds.

49. Any person who, by any fraud, unlawful device or ill practice—

Cheating at play.

- (a) in playing at or with cards, dice or tables or at any other game; or
- (b) in bearing a part in the stakes, wagers or advantages; or
- (c) in betting on the sides or hands of the players; or
- (d) in wagering on the event of any game, sport, pastime or exercise,

wins from any other person for himself or any other person any sum of money or valuable thing, shall be guilty of an offence.

Penalty: Imprisonment for six months.

(3) Repealed and replaced by the *Liquor Ordinance 1931-1938*.

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Photographs of natives for use in moving pictures forbidden without consent of Administrator.

Amended by No. 15 of 1926, s. 6.

50. Any person who without the consent in writing of the Administrator takes, buys, or sells any negative, photograph or film of any native, intended to be used, or capable of being used, in moving pictures or living pictures of a dramatic character, shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

Prohibition of machine guns, silencers, &c. Section 50A inserted by No. 21 of 1939, s. 3.

50A. Notwithstanding any law of the Territory to the contrary, a person shall not carry or have in his custody or possession—

- (a) any machine gun or submachine gun;
- (b) any weapon of whatever description designed or adapted for the discharge of any noxious or stupefying liquid, gas, or other thing;
- (c) any apparatus capable of being attached to a firearm so that the noise of the firing of the firearm is silenced or reduced; or
- (d) any apparatus capable of being attached to a firearm so that the firearm is converted to a machine gun or a submachine gun:

Provided that this section shall not apply to any person in the Naval, Military, or Air Forces of the King or of the Commonwealth, in respect of his duly authorised custody or possession of any article referred to in this section appointed for the use of such Forces or in respect of his carrying of any such article in the performance of his duty:

Provided further that it shall not be an offence under this section for a person to whom the Superintendent of Police has granted permission in writing to carry or have in his custody or possession an article referred to in this section and specified in the written permission, to carry or have in his custody or possession (as the case may be) that article in accordance with the terms of the written permission.

Penalty: Imprisonment for twelve months.

PART V.—OFFENCES IN CERTAIN TOWNS ONLY.

Application of this Part.

Amended by No. 21 of 1941, s. 5.

51. The provisions of this Part shall, unless the context or subject-matter otherwise indicates or requires, apply and be in force only in the town of Rabaul,⁽⁴⁾ and any other towns or any areas to which the provisions of this Ordinance are extended in pursuance of the next succeeding section.

(4) The boundaries of the Town of Rabaul are set out in a notice (made under the *Town Boundaries Ordinance 1924-1927*) dated 5.5.1924, published in *N.G. Gaz.* of 15.5.1924, and printed below, title *TOWNS*.

Police Offences Ordinance 1925-1941.

52. The Administrator may, by notice⁽⁵⁾ published in the *New Guinea Gazette*, extend the provisions of this Part to any town or area specified in the notice.

Power to extend provisions of Part to towns in Territory.

Amended by No. 21 of 1941, s. 6.

53. The Superintendent of Police or, in respect of any town to which the provisions of this Part apply, any commissioned officer of the New Guinea Police Force authorised in writing by him may, as occasion requires, make rules—

Rules for preventing obstructions in streets during public processions.

Section 53 amended by No. 27 of 1935, s. 7.

(a) in regard to the route to be observed by all carts, carriages, vehicles, horses and persons, and for preventing any obstruction of the streets and thoroughfares, in all times of public processions, public rejoicings or illuminations; and

(b) giving directions for keeping order, and for preventing any obstruction of the thoroughfares, in the immediate neighbourhood of all public buildings and offices, theatres and other places of public resort, and in any case where the streets or thoroughfares are thronged or are liable to be obstructed.

54.—(1.) Any person who, in any street, road, thoroughfare or public place—

Prohibition of nuisances in thoroughfares.

(a) to the annoyance of the inhabitants or passengers, exposes for show or sale (except in a market lawfully appointed for that purpose) any horse or other animal, or feeds or fodders any horse or other animal (horses attached to vehicles standing for hire on any public stand excepted), or shows any caravan containing any animal, or any other show or public entertainment, or shoes, bleeds or farries any horse or other animal (except in case of accident), or cleans, dresses, exercises, trains or breaks any horse or animal or cleans, makes or repairs any part of any carriage or cart (except in cases of accident where repair on the spot is necessary); or

(5) Pursuant to Section 52, the Administrator, by notices, particulars of which are set out in the following Table, has extended the provisions of Part V of the *Police Offences Ordinance 1925-1941* to the towns specified therein:—

Date on which notice made.	Date on which published in <i>N.G. Gaz.</i>	Towns ^(a) to which the notice refers.
10.2.1927	15.2.1927	Kavieng, Kieta, Kokopo and Madang
11.11.1933	15.11.1933	Salamaua and Wau
11.5.1939	31.5.1939	Wewak

(a) See the *Town Boundaries Ordinance 1924-1927*.

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- (b) turns loose any horse or any cattle, or suffers to be at large any unmuzzled ferocious dog, or sets on or urges any dog or other animal to attack, worry or put in fear any person, horse or other animal; or
- (c) by negligence or ill-usage in driving cattle, causes any mischief to be done by the cattle, or in any way misbehaves himself in the driving, care or management of the cattle, or, not being hired or employed to drive the cattle, wantonly and unlawfully pelts, hurts or drives the cattle; or
- (d) being the driver of any waggon, cart or dray of any kind not drawn by horses properly driven with reins, rides upon the waggon, cart or dray, unless a person on foot is guiding the waggon, cart or dray; or
- (e) being the driver of any carriage whatsoever, is at such a distance from that carriage, or in such a situation while it is passing along any street, road, thoroughfare or public place, that he cannot guide and control the horses or cattle drawing the carriage; or
- (f) rides upon the shafts of any waggon, cart, dray or other vehicle whatsoever; or
- (g) riding a bicycle, or on horseback, or driving or propelling any motor vehicle, waggon, cart, dray or coach, or any other carriage or vehicle whatsoever, on meeting any other person riding a bicycle or on horseback, or driving or propelling any motor vehicle, waggon, cart, dray or coach, or any other carriage or vehicle whatsoever, does not keep his bicycle, horse, waggon, cart, dray, coach, carriage or vehicle on the left or near side of the road; or
- (h) in any manner prevents any other person from passing him or any vehicle under his care, or prevents, hinders or interrupts the free passage of any vehicle or person; or
- (ha) loiters to the annoyance of any person; or
- (i) causes any cart or vehicle (except a vehicle standing for hire in any place not forbidden by law) or any truck or barrow, with or without horses, to stand longer than is necessary for loading or unloading or for taking up or setting down passengers; or

Paragraph
(ha) in-
serted by
No. 7 of 1930,
s. 2.

Police Offences Ordinance 1925-1941.

- (j) by means of any cart or carriage or any truck or barrow or any horse or other animal, wilfully interrupts any public crossing, or wilfully causes any obstruction in any thoroughfare; or
- (k) after notice of any rules made under the last preceding section, wilfully disregards any such rule or does not conform thereto; or
- (l) without the consent of the owner or occupier affixes any posting bill or other paper against or upon any building, wall or fence, or writes upon, soils, defaces or marks any building, wall or fence with chalk or paint, or in any other manner whatsoever; or
- (m) wantonly discharges any firearm, or burns any shavings or other thing, or throws or discharges any stone or other missile to the damage or danger of any person, or makes any bonfire, or throws or sets fire to any firework without the consent of the Superintendent of Police or any commissioned officer of the New Guinea Police Force authorised in writing by him; or
- (n) wilfully and unlawfully extinguishes the light of any lamp; or
- (o) flies any kite, or plays any game, to the annoyance of the inhabitants or passengers in any street, road, thoroughfare or public place, or to the common danger of the passengers therein; or
- (p) turns loose or suffers any kind of swine or goats belonging to him or under his charge to stray or go about or to be tethered or depastured in any street, road, thoroughfare or public place; or
- (q) wilfully injures or destroys, or attempts to injure or destroy, any native or acclimatized bird on any park lands or public road or reserve (not being a public road or reserve on the banks or shores of any navigable or tidal water) without the authority of the person having the care and management of the park lands, or public road or reserve, as the case may be; or

Paragraph (m)
amended by
No. 27 of 1935,
s. 8.

* * * * *

Paragraph (r)
inserted by
No. 7 of 1930,
s. 2; substituted
by
No. 27 of 1935,
s. 8;
omitted by
No. 4 of 1937,
s. 3.

- (s) rides any bicycle or tricycle on any footpath; or

Paragraph (s)
inserted by
No. 27 of 1935,
s. 8.

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Paragraph (t)
inserted by
No. 21 of 1941,
s. 7.

(t) wantonly strews or leaves any bottle or broken glass on the surface of the ground or pavement of any public place,

shall be guilty of an offence.

Penalty
amended by
No. 7 of 1930,
s. 2.

Penalty: Five pounds or imprisonment for fourteen days.

Sub-section (2)
amended by
No. 15 of 1926,
s. 7.

(2.) Any police officer, within whose view an offence against this section is committed, may take the offender into custody, without the issue of a warrant.

Playing musical
instruments so
as to annoy.

55.—(1.) Every householder, personally, or by his servant or by any police officer, may require any street musician to depart from the neighbourhood of his house on account of the illness of any inmate of the house or for any reasonable cause.

(2.) Every person who, after being so required to depart, sounds or plays upon any musical instrument in any thoroughfare near to and so as to be heard at the house, shall be guilty of an offence.

Penalty: Two pounds.

Keeping clean
yards, &c.

56. Any owner or occupier of any premises or place who by neglecting to keep clean all private avenues, passages, yards and ways within the premises or place, causes a nuisance by offensive smell or otherwise, shall be guilty of an offence.

Penalty: Two pounds, but not less than Ten shillings.

Damaging
public
property.

57. Any person who wilfully damages any public buildings, wall parapet, sluice, bridge, road, street, sewer, watercourse or other public property shall be guilty of an offence.

Penalty: Ten pounds, but not less than Two pounds, and, in addition, the cost of repairing the damage.

Polluting or
obstructing
watercourse.

58. Any person who casts any filth or rubbish into any well, watercourse or canal, or obstructs or diverts from its channel any public sewer or watercourse shall be guilty of an offence.

Penalty: Ten pounds, but not less than One pound, and, in addition, the cost of removing the filth, rubbish or obstruction, or of restoring the sewer or watercourse to its proper channel.

Offences
relating to
public
fountains.

59.—(1.) Any person who wilfully damages any public fountain, well, pump, cock or water pipe, or any part thereof, shall be guilty of an offence.

Penalty: Ten pounds, but not less than One pound, and, in addition, the cost of repairing the damage.

Police Offences Ordinance 1925-1941.

(2.) Any person who has in his possession any private key for the purpose of opening any cock, or who in any manner clandestinely or unlawfully appropriates to his use any water from any public fountain or pipe, shall be guilty of an offence.

Penalty: Ten pounds, but not less than Two pounds.

(3.) Any person who opens, or leaves open, any cock on any public fountain or pump, so that the water runs or may run to waste, shall be guilty of an offence.

Penalty: Two pounds.

(4.) Any person who washes any clothes or any part of his body or of the body of any other person at any public fountain, well or pump shall be guilty of an offence.

**Sub-section (4)
amended by
No. 15 of 1927,
s. 2.**

Penalty: One pound.

60. Any person who—

- (a) throws or leaves, or causes to be thrown or left, any dead animal, or part thereof, upon any street, lane, road or other public place, or into any river, creek or other stream which flows through, by or along any such street, lane, road or public place; or
- (b) leaves, or causes to be left, any dead animal or any part thereof, upon the shores of any such river, creek or other stream; or
- (c) leaves, or causes to be left, any dead animal, or any part thereof, on or upon any private property abutting upon any street, or on or near to any other public place, to the annoyance of the inhabitants or of persons passing along or resorting to the street, lane, road or public place, or of the occupiers of any dwelling-house,

**Leaving dead
animals in
public places.**

shall be guilty of an offence.

Penalty: Two pounds.

61. Any person who—

- (a) forms, digs or opens any drain or sewer in, or removes or causes to be removed, any turf, clay, sand, soil, gravel, stone or other material used in the formation of streets, roads or other public highways, from any part of any road or footpath; or
- (b) wantonly breaks up or otherwise damages any such road or footpath,

**No sand, gravel,
&c., to be
removed from
streets without
permission.**

shall be guilty of an offence.

Penalty: Five pounds, but not less than One pound.

Drawing or trailing timber or stone in streets.

62. Any person who—

- (a) hauls or draws, or causes to be hauled or drawn, upon any street, road or public place, any timber, stone, or other thing, otherwise than upon wheeled carriages; or
- (b) suffers any timber, stone, or other thing which is carried, either principally or in part, upon wheeled carriages, to drag or trail upon any street, road or public place, to the injury thereof, or to hang over any part of the carriage bearing the timber, stone or other thing so as to occupy or obstruct any street, road or public place beyond the breadth of the carriage,

shall be guilty of an offence.

Penalty: Two pounds.

Entrances to cellars, coal holes, &c., to be covered and secured.

63. Any owner or occupier of any house, building or premises, having any iron or wooden rails or bars over any areas or opening to any kitchen, cellar or other part of the house, building or premises below the level of the footpath of any street or public place, or having any doorway or entrance into the cellar or basement storey thereof, who—

- (a) does not either ~~keep the doorway or entrance~~, or the rails or bars of the kitchen or cellar, in good and sufficient repair, or safely and securely ~~guard and~~ constantly keep securely guarded by a rail the ~~area~~ or opening or doorway or entrance, or cover over the area, opening, doorway or entrance with a strong flap or trap-door, according to the nature of the case, so as to prevent danger of⁽⁶⁾ any persons passing and re-passing; or
- (b) leaves open or does not sufficiently and substantially cover and keep covered and secured any coal-hole or other hole or any funnel, trap-door or cellar-flap, belonging to or connected with the cellar or basement storey of the house, building or premises (except only during such reasonable times as any coal, wood, cask, or other thing is being put down or taken up out of the cellar or basement storey, or during such reasonable times as the flap, trap-door or covering thereof is being altered or repaired); or
- (c) does not repair, and from time to time keep in good and substantial repair, to the satisfaction of a District

(6) The words "danger of" appeared in the original Ordinance. The word "to" has now been substituted for the word "of" by the First Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.

Police Offences Ordinance 1925-1941.

Officer, any such iron or wooden rail or guard-rail, or flap, trap-door or other covering, shall be guilty of an offence.

Penalty: Five pounds, but not less than Two pounds.

64. Any person who makes any cellar or any opening, door, or window, in or beneath the surface of the footpath or any street or public place, shall be guilty of an offence.

Cellars or openings beneath the surface of footpaths prohibited.

Penalty: Five pounds, and, in addition, the expense of remedying or removing the cellar, opening, door or window.

65. Every person having a well situated between his dwelling house or the appurtenances thereof and any street or footpath, or at the side thereof, or in any yard or place open and exposed to the street or footpath, who does not cause the well to be securely and permanently covered over or otherwise secured, shall be guilty of an offence.

Wells adjacent to streets to be covered over.

Penalty: Two shillings and sixpence for every day that the well remains open or uncovered contrary to the provisions of this section.

66. Any person who, being the owner or occupier of any vacant land, or of any house, tenement or building, erected or being erected or about to be erected, digs or makes, or causes to be dug or made, on the land, or in front of, adjoining, or at the side of the house, tenement, or building, and adjoining any road, street, thoroughfare, or public place formed or to be formed or in course of formation, any hole, or causes to be left open any hole or area or space for the purpose of making any vault or area or the foundation of any house, tenement or building, or for any other purpose whatsoever and—

Holes made for foundations to be enclosed.

- (a) does not forthwith enclose the hole, area or space in a good and sufficient manner; or
- (b) keeps up, or causes to be kept up and continued any such enclosure for any time longer than is absolutely necessary; or
- (c) does not, when thereunto required by any District Officer or, in the case of any such land in the Town of Rabaul, by the Director of Public Works, well and sufficiently fence or enclose any such hole or area or space within twenty-four hours after he is required so to do by any District Officer or by the Director of Public Works, as the case may be, and in the manner and with such materials as he directs and to his satisfaction, and does not place a light upon the

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enclosure and keep the light constantly burning from sunset to sunrise during the continuance of the enclosure,

shall be guilty of an offence.

Penalty: Five pounds, but not less than Two pounds.

Hours of trading.

Sub-section (1) amended by No. 21 of 1941, s. 8.

67.—(1.) Any person who trades or deals, or keeps open any shop, store, or other place for the purpose of trading or dealing—

(a) on any Christmas Day or Good Friday; or

(b) on any other day except between the hours of six in the morning and half-past six in the evening,

shall be guilty of an offence.

Penalty: Five pounds.

(2.) The provisions of paragraph (a) of the last preceding sub-section shall not apply to the shops or houses of butchers, bakers, fishmongers and greengrocers until the hour of ten in the forenoon and of bakers between the hours of one and two in the afternoon and of apothecaries at any hour:

Provided that nothing in this sub-section shall be taken to authorise the sale of articles or goods other than meat, bread, fish, fruit, vegetables and drugs.

Sub-section (3) added by No. 21 of 1941, s. 8.

(3.) The provisions of this section shall extend to any place within a distance of one mile from and outside the boundaries of the Town of Rabaul,⁽⁴⁾ and of any town or area to which the provisions of this Part are extended under section fifty-two⁽⁵⁾ of this Ordinance.

PART VI.—VAGRANCY AND KINDRED OFFENCES.

Idle and disorderly persons.

Paragraph (a) amended by No. 38 of 1938, s. 2.

68.—(1.) Any person committing any of the following offences shall be deemed an idle and disorderly person:—

(a) Any person, not being a native or the child of a native, who is found lodging or wandering in company with any of the natives of the Territory:

Provided that, if that person, upon being required by the Court, gives a good account to the satisfaction of the Court that he has a lawful fixed place of residence and lawful means of support and that such lodging or wandering has been for some temporary and lawful occasion only, he shall not be deemed an idle and disorderly person;

(4) The boundaries of the Town of Rabaul are set out in a notice (made under the *Town Boundaries Ordinance 1924-1927*) dated 5.5.1924, published in *N.G. Gaz.* of 15.5.1924, and printed below, title TOWNS.

(5) See footnote (5) printed on p. 1683.

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- (b) Any habitual drunkard having been thrice convicted of drunkenness within the preceding twelve months, or any common prostitute who, in or on any public place, behaves in a riotous or indecent manner;
- (c) The occupier of any house which is frequented by reputed thieves or persons who have no visible lawful means of support and any person found in any such house in company with reputed thieves or persons:

Provided that if any person so found, on being required by the Court, gives to the satisfaction of the Court a good account of his lawful means of support and also of his being in the house upon some lawful occasion, he shall not be deemed an idle and disorderly person;

- (d) Any person wandering abroad or placing himself in any public place to beg or gather alms, or causing or procuring or encouraging any child to do so;
- (e) Any person found between the hours of nine o'clock in the evening and six o'clock in the morning, armed with any gun, pistol, sword, bludgeon or other offensive weapon or instrument:

Paragraph (e)
amended by
No. 38 of 1938,
s. 2.

Provided that if the person, upon being required by the Court, gives to the satisfaction of the Court a good account of his lawful means of support and assigns a valid and satisfactory reason for his being so armed, he shall not be deemed an idle and disorderly person; and

- (f) Any person having on or about his person, without lawful excuse (the onus of proof of which excuse shall lie upon that person), any deleterious drug or any article of disguise.

(2.) Any person convicted of being an idle and disorderly person within the meaning of the last preceding sub-section shall be guilty of an offence.

Penalty: Imprisonment for twelve months.

69.—(1.) Where any police officer has reasonable cause to believe that any person has no lawful means of support or has insufficient lawful means of support he may arrest that person, either with or without warrant, and bring him before a Court or may summon him to appear before a Court.

Arrest of
persons
without lawful
means of
support.

(2.) If that person fails to prove to the satisfaction of the Court that he has sufficient lawful means of support or that such

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means of support as he has are lawful, he shall be deemed to be an idle and disorderly person within the meaning of the last preceding section.

(3.) The fact that any person charged under this section can produce or prove that he possesses money or property shall not be taken into account in deciding the charge against that person unless he shows by his own or other evidence that he honestly obtained the money or property.

Rogues and
vagabonds.

70.—(1.) Any person who—

- (a) having been convicted of being an idle and disorderly person, is convicted of an offence against this Part;
- (b) solicits, gathers or collects alms, subscriptions or contributions under any false pretence;
- (c) imposes or endeavours to impose upon any person or charitable institution by any false or fraudulent representation, either verbally or in writing, with a view to obtaining money or any other benefit or advantage;
- (d) wilfully exposes to view in or on any public place or exposes or causes to be exposed to view in the window or other part of any shop or other building situated in any public place, any obscene book, print, picture, drawing or representations;
- (e) wilfully and obscenely exposes his person in or on any public place or in the view thereof;
- (f) plays or bets at any unlawful game;
- (g) in or on or near any public place or within the view or hearing of any person being or passing therein or thereon, or in or near any house or premises licensed for the sale of liquors, plays or bets, or solicits or encourages any other person to play or bet—
 - (i) at or with any instrument of gaming at any game or pretended game of chance; or
 - (ii) at or on any game or trick of sleight of hand; or
 - (iii) at or on any game or trick played with any instrument which in the opinion of the Court is constructed or kept as a means of cheating;
- (h) being a known or reputed cheat, loiters in or near any public place or in or near any house or premises licensed for the sale of liquors and having in his possession any instrument of gaming or any instru-

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ment, which, in the opinion of the Court, is constructed or kept as a means of cheating, unless that person accounts, to the satisfaction of the Court, for his having such instrument in his possession;

(i) is a suspected person or known or reputed thief or cheat, loitering in, on or about or frequenting—

(i) any river, canal, navigable stream, dock or basin or any quay, wharf or warehouse near or adjoining thereto, or any street highway or avenue leading thereto; or

(ii) any public place; or

(iii) any street, highway or avenue leading to a public place; or

(iv) any place adjacent to a street or highway, with intent to commit a crime or misdemeanour;

(j) has in his custody or possession, without lawful excuse (the onus of proof of which excuse shall lie upon that person), any picklock key, crow, jack, bit or other implement of housebreaking;

(k) is armed with any gun, pistol, sword, bludgeon or other offensive weapon or instrument with unlawful intent;

(l) is, with an unlawful intent, found with his face blackened or wearing felt or other slippers, or dressed or otherwise disguised;

(m) is found without lawful excuse (the onus of proof of which excuse shall lie upon the person) in or upon any dwelling-house, warehouse, shop, coach-house, stable or outhouse, or in any room of any dwelling-house, warehouse, shop, coach-house, stable or outhouse, or in any enclosed yard, garden or area, or in or on board any ship or other vessel when in Territorial waters or lying or being in any place within the Territory or in any cabin of any such ship or other vessel or in or upon any mine or claim;

Paragraph (m)
amended by
No. 13 of 1935,
s. 5.

(n) is arrested as an idle and disorderly person and who violently resists any member of the police force so arresting him, and who is subsequently convicted of the offence for which he has been so arrested; or

(o) fraudulently manufactures or aids in the manufacture of any spurious or mixed metal substance, or who fraudulently sells or offers for sale, as unmanufactured gold or as gold in its natural state, any

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metal or mixed or adulterated metal or other substance whether partly composed of gold or not, shall be guilty of an offence.

Penalty: Imprisonment for two years.

(2.) For the purpose of proving under paragraph (i) of the last preceding sub-section, intent to commit a crime or misdemeanour it shall not be necessary to show that the person charged was guilty of any particular act or acts tending to show his intent, and he may be convicted if from the circumstances of the case and from his known character as proved to the Court before which he is charged it appears to the Court that his intent was to commit a crime or misdemeanour.

(3.) Any person convicted of an offence against this section shall be deemed a rogue and a vagabond.

Incorrigible rogues.

Sub-section (1) amended by No. 15 of 1926, s. 8.

71.—(1.) Any person who—

- (a) breaks or escapes out of any place of legal confinement before the expiration of the term for which he has been committed;
- (b) being a rogue and vagabond commits an offence against the last preceding section; and
- (c) is arrested as a rogue and vagabond and violently resists any member of the police force so arresting him, and is subsequently convicted of the offence for which he has been so arrested,

shall be guilty of an offence.

Penalty: Imprisonment for three years.

(2.) Any person convicted of an offence against this section shall be deemed an incorrigible rogue.

Sub-section (2) substituted by No. 15 of 1926, s. 8.

Evidence of previous convictions.

72. In any proceedings under any of the last four preceding sections the informant may—

- (a) give or produce evidence in support of the information to prove that the person charged is a known or reputed thief or cheat or was found in company with reputed thieves or persons having no visible lawful means of support; or
- (b) give or produce evidence to rebut any evidence (including evidence as to general character) given by or on behalf of the person charged.

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73.—(1.) Where any person, other than a native, is convicted under the provisions of sections sixty-eight, seventy, or seventy-one of this Ordinance the Court may, in addition to the penalty imposed upon him, recommend to the Administrator that he be removed from the Territory.

Removal of certain offenders.

(2.) When such a recommendation has been made, the Administrator may, by order in writing, direct that the person shall be removed from the Territory, and any person ordered to be removed in pursuance of this section shall be removed accordingly.

74.—(1.) Any person who has been removed from the Territory in pursuance of the last preceding section and who, without the permission in writing of the Administrator, returns to the Territory shall be guilty of an offence.

Return to Territory of persons removed.

Penalty: Fifty pounds or imprisonment for six months.

(2.) Where any person is convicted of an offence against this section the Court may, in addition to the penalty imposed upon him for that offence, order him to be removed from the Territory and he shall be removed accordingly.

Sub-section (2) amended by No. 15 of 1927, s. 3.

* * * * *

Section 75 repealed by No. 15 of 1927, s. 4.

76. The master, owners, agents or charterers of a vessel calling at any port in the Territory shall, upon being required so to do by the Administrator, provide a passage and such accommodation as the Administrator thinks fit, for any person ordered to be removed under this Ordinance, to a port to which the vessel is bound.

Obligation of master, &c., of ship to provide passage for deportee.

Amended by No. 15 of 1927, s. 5.

77.—(1.) Any police officer or other person apprehending any person charged with being an idle and disorderly person, or a rogue or vagabond, or an incorrigible rogue, may seize any horse or cattle, or any goods or vehicle, in the possession or use of the person so apprehended and charged.

Seizure of property in possession of idle and disorderly persons, &c.

(2.) Any court by whom any person is adjudged to be an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue shall order—

- (a) that the person be searched; and
- (b) that his trunks, boxes, bundles, parcels or packages and any cart or other vehicle found in his possession or use be searched; and
- (c) that any money which may then be found with or upon the person be paid and applied for or towards the expenses of apprehending and conveying him to gaol, and maintaining him during the period for which he

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is committed, and towards the expense of the keep of any horse or cattle seized under this section, during the time the horse or cattle is detained.

(3.) Where, upon such search, money sufficient for the purposes aforesaid is not found, the court may order—

- (a) that the horse or other cattle, and so much as is necessary of any other property seized under this section, be sold; and
- (b) that the produce of the sale be paid and applied as aforesaid; and
- (c) that the balance of the money or effects, after deducting the charges for the sale, be returned to the offender.

Lodging houses,
&c., may be
searched.

78. Any justice, upon information on oath that any person described in the foregoing provisions of this Ordinance to be an idle and disorderly person or a rogue and vagabond or an incorrigible rogue is, or is suspected to be, in any house, building, tent or place, kept, or purporting to be kept, for the reception, lodging or entertaining of travellers or others, may enter the house, building, tent or place at any time by day or night, or may issue his warrant authorising any police officer in like manner to enter the house, building, tent or place and to arrest and bring before him any idle and disorderly person, rogue and vagabond or incorrigible rogue who is found therein, to be dealt with in the manner directed by this Ordinance.

Persons
living on
prostitution.

79.—(1.) Where, by information on oath, it is made to appear to a Justice that there is reason to suspect that any house or any part of a house is used by a female for purposes of prostitution and that any male person residing in or frequenting the house is living wholly or in part on the earnings of the prostitute, the Justice may issue a warrant authorising any police officer to enter and search the house and to arrest that person and bring him before a Court.

(2.) If it is proved to the satisfaction of the Court that the male person is living with, or habitually in company with, the prostitute, and has no lawful means of support, or has insufficient lawful means of support, he shall, unless he satisfies the Court to the contrary, be deemed to be knowingly living, wholly or in part, on the earnings of prostitution.

(3.) Any male person knowingly living wholly or in part on the earnings of prostitution shall be guilty of an offence.

Penalty: Imprisonment for two years.

Keeping or
assisting in a
brothel.

80. Any person who keeps or manages or acts or assists in the management of a brothel shall be guilty of an offence.

Penalty: Imprisonment for two years.

81. Any person who—

- (a) lets any house to a tenant knowing that the same is intended to be kept and used by the tenant as a disorderly house or house of ill-fame and repute; or
- (b) being the tenant, lessee or occupier of any house, is wilfully a party to the use of the house or any part thereof as a disorderly house or house of ill-fame and repute shall be guilty of an offence.

Penalty for letting house for immoral purposes.

Penalty: Twenty pounds.

82. Any person pretending or professing to tell fortunes or using any subtle craft, means or device, by palmistry or otherwise, to defraud, or impose on any other person, shall be guilty of an offence.

Fortune telling an offence.

Penalty: Twenty pounds or imprisonment for two months.

83. When any person is convicted of any offence against any of the provisions of this Part, any firearms, gun, pistol, sword, dirk, dagger, bludgeon or other offensive weapon or instrument and any instrument of gaming or of cheating, picklock key, crow, jack, bit or other implement of housebreaking and any metal, or substance of spurious mixed or adulterated metal, or substance such as is referred to in paragraph (o) of section seventy of this Ordinance, found in his possession or control when arrested, may, by order of the Court, be forfeited to the King.

Forfeiture of offensive weapons, &c.

84. Any person who disturbs or hinders any police officer or other person in the execution of this Part shall be guilty of an offence.

Obstruction of officers.

Penalty: Twenty pounds or imprisonment for two months.

PART VII.—MISCELLANEOUS.

85. In every case of adjudication of a pecuniary penalty or amends under this Ordinance, or of the forfeiture of a sum of money payable under a recognizance taken under this Ordinance or before any Justice the Court may, in and by the same or any subsequent order, commit the offender or person making default in payment to prison.

On non-payment of penalties, &c., Court may imprison.

86. All complaints of offences against this Ordinance shall be heard and determined in a summary manner before a Court.

Complaints of offences to be dealt with summarily.

* * * * *

Section 87 repealed by No. 15 of 1926, s. 9.

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No conviction unless within certain time.

88. No person shall be convicted of any offence against Part V. of this Ordinance after the expiration of three months after the commission of the offence.

Appropriation of penalties.

89. The whole amount of any penalty recovered under this Ordinance shall be paid into the Public Revenue Account.

Power to deliver stolen goods, &c., from brokers.

90.—(1.) Where any goods are stolen or unlawfully obtained from any person or, being lawfully obtained, are unlawfully deposited, pawned, pledged, sold or exchanged, and complaint is made to a Justice that the goods are in the possession of any broker, marine store dealer or other dealer in secondhand property, or of any person who has advanced money upon the security of the goods, the Justice may issue a summons or warrant for the appearance of the broker or dealer before a Court and for the production of the goods, and the Court may order the goods to be delivered up to the owner thereof, either without any payment or upon payment of such sum and at such time as the Court thinks fit.

(2.) Every broker or dealer who, being so ordered, refuses or neglects to deliver up the goods, or who disposes of or makes away with them, after notice that the goods were stolen or unlawfully obtained, shall pay to the owner of the goods the full value thereof as determined by the Court:

Provided that no such order shall bar any such broker or dealer from recovering possession of the goods from the person into whose possession they came by virtue of the order, by proceedings in any Court of competent jurisdiction commenced within six months after the order is made.

Power to dispose of goods stolen or fraudulently obtained.

91.—(1.) Where any goods or money which any person is charged with having stolen or fraudulently obtained are in the custody of any police officer by virtue of any warrant of a Justice or in prosecution of any charge of felony or misdemeanour with regard to the obtaining thereof, and the person charged with stealing or fraudulently obtaining the goods or money is not found, or has been summarily convicted or discharged or has been tried and acquitted or has been tried and found guilty, but the property so in custody has not been included in any indictment upon which he has been found guilty, the Court may make an order for the delivery of the goods or money to the person who appears to be the rightful owner thereof, or, in case the rightful owner thereof cannot be ascertained, may make such order with respect to the goods or money as the Court thinks just.

(2.) The order shall not be a bar to the right of any person to sue the person to whom the goods or money is delivered and recover the goods or money from him by action:

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Provided that the action shall be commenced within six months after the order is made.

92. Notwithstanding anything contained in this Ordinance, where any person has committed an offence which is punishable on summary conviction under this Ordinance and is also punishable on indictment under any other law in force in the Territory, he may be prosecuted on indictment under that other law, and, if so prosecuted, shall be liable to the penalty or punishment provided for the offence by that law:

Offences punishable on indictment or on summary conviction.

Provided that no person shall be punished twice for the same offence.

93. Where any person is charged before any Court with an offence cognizable by a Court of superior jurisdiction, and, in the opinion of the Court, the case is proper to be disposed of by that Court, the Court may commit the person for trial to any Court of competent jurisdiction.

Certain offenders may be committed for trial by superior Court.

94. In every case where—

- (a) any information or complaint of any offence is laid or made before any Justice, and is not further prosecuted; or
- (b) if the information or complaint is further prosecuted, and it appears to the Court hearing it that there is not sufficient ground for making the charge,

Amends for frivolous information.

the Court shall have power to award such amends, not being more than the sum of Five pounds, to be paid by the informer to the party informed or complained against, for his loss of time and expenses in the matter, as to the Court seems just.

95. A Court shall not be bound to convict if the offence proved is, in its opinion, of so trivial a nature as not to merit punishment.

Court not bound to convict where offence trivial.

96.—(1.) Except where otherwise expressly provided, all actions and prosecutions against any person for anything done in pursuance of this Ordinance shall be commenced within four months after the cause of the action or prosecution arose.

Proceedings against persons under this Ordinance.

(2.) Notice in writing of any such action and of the cause of the action shall be given to the defendant not less than fourteen days before the commencement of the action.

(3.) In any such action the defendant may plead the general issue and give this Ordinance as the special matter in evidence.

(4.) No plaintiff shall recover in any such action if tender of sufficient amends has been made before action, or if, after action, a sufficient sum of money, together with the costs incurred up to that time, has been paid into Court on behalf of the defendant.

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(5.) In any such action, if a verdict is given for the defendant, or if the plaintiff becomes non-suited or discontinues, or if judgment is given against the plaintiff, the defendant shall recover his full costs as between attorney and client and have the like remedy for those costs as any defendant has by law in other cases, and if a verdict is given for the plaintiff he shall not have costs against the defendant unless the Court before whom the trial is held certifies therefor.

Penalty for offences where no special penalty is appointed.

97. Every offence against this Ordinance for which no special penalty is provided shall render the offender liable to a penalty of Five pounds or to imprisonment for fourteen days.

Penalty for compounding informations.

98. Any person who lays an information before any Justice for any offence alleged to have been committed, by which he was not personally aggrieved, and afterwards directly or indirectly receives, without the permission of the Justice, any sum of money or other reward for compounding, delaying, or withdrawing the information, shall be guilty of an offence.

Penalty: Twenty pounds or imprisonment for six months.

Regulations. Sub-section (1) amended by No. 38 of 1938, s. 3.

99.—(1.) The Administrator in Council may make regulations⁽⁶⁾ not inconsistent with this Ordinance, prescribing all matters which, by this Ordinance, are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Ordinance.

Sub-sections (2) and (3) omitted by No. 38 of 1938, s. 3.

* * * * *

THE SCHEDULE.

Sec. 5.

Form 1.

TERRITORY OF NEW GUINEA.

Police Offences Ordinance 1925-1935.

GENERAL SEARCH WARRANT.

To

You are hereby authorised, at any time in the day or night and with or without assistants and others and if necessary by force, to enter into and search any building, premises, vessel, carriage, or place where you have reasonable ground to suspect that there is—

(a) anything with respect to which an offence against any law of the Territory has been, or is suspected on reasonable ground to have been, committed;

(b) anything as to which there is reasonable ground to suspect that it will afford evidence as to the commission of any such offence; or

(6) No regulations have been made.

Schedule substituted by No. 27 of 1935, s. 9.

Police Offences Ordinance 1925-1941.

- (c) anything as to which there is reasonable ground to suspect that it is intended to be used for the purpose of committing any such offence;

and to—

- (d) break open and search any cupboard, drawer, chest, trunk, box, package, or other thing, whether a fixture or not, in which you have reasonable ground to suspect that anything referred to in paragraphs (a), (b), or (c) of this warrant may be found; and
- (e) seize and take charge of anything referred to in paragraphs (a), (b), or (c) of this warrant which you find in the building, premises, vessel, carriage, or place.

This warrant shall remain in force for six months from the date hereof [if for a shorter period state how long].

Dated this day of , 19 .

Superintendent or Inspector of Police.

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