

CORRIGENDA.

Page 178—*Building Ordinance, 1929.*

In note (4), for "18.2.1921" read
"23.2.1921".

BUILDING ORDINANCE, 1929.⁽¹⁾

No. 7 of 1929.

An Ordinance to Regulate Building within Townships and to provide for the Demolition of Certain Buildings.

BE it enacted by the Lieutenant-Governor of the Territory of Papua with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the *Building Ordinance*, Short title. 1929.⁽¹⁾

2. In this Ordinance unless the context or subject-matter otherwise requires— Interpretation.

“Authorized person” means a person authorized in writing by the Board;

“Board” means the Building Board constituted under this Ordinance;

“Building” includes any dwelling shop factory storehouse garage or structure of like nature;

“Chief Medical Officer” means the officer ordinarily administering the Government Medical Department and in his absence the medical officer having charge and control of the said Department;

“Commissioner for Lands” means the officer ordinarily administering the Government Department of Lands and in his absence the officer having charge and control of the said Department;

“Director of Public Works” means the officer ordinarily administering the Government Department of Public Works and in his absence the officer having charge and control of the said Department;

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

Date of assent by Lieut.-Gov.	Date notified in Papua <i>Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
22.7.1929	24.12.1929	22.7.1929 (<i>Ordinances etc. of Papua</i> , 1929, p. 19)

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“Township” means the township of Port Moresby and any other township as the Lieutenant-Governor⁽²⁾ may include by notice⁽³⁾ in the *Gazette*.

Limits of townships.

3. The limits of any township to which the provisions of this Ordinance are or may be extended shall be such as have been or may be set out and described by publication⁽⁴⁾ in the *Gazette* under authority of the Lieutenant-Governor.⁽²⁾

Constitution of Board Members.

4. There shall be a Board to be called the Building Board consisting of the Commissioner for Lands the Chief Medical Officer the Director of Public Works and such other persons as shall be appointed by the Lieutenant-Governor.⁽²⁾

Chairman and deputy chairman.

5.—(1.) The Board shall have a chairman and a deputy chairman appointed from the members of the Board by the Lieutenant-Governor.⁽²⁾

(2.) At meetings of the Board the chairman shall preside and in his absence the deputy chairman and the person so presiding shall have a casting vote as well as a deliberative vote.

(3.) Two members of the Board of whom the chairman or the deputy chairman shall be one shall form a quorum.

Cancellation of appointments.

6. The Lieutenant-Governor⁽²⁾ may cancel the appointment of any chairman deputy chairman or member of the Board as and when he may think fit.

Meetings of Board.

7. The Board shall meet at least once a month unless there is no business for consideration by it.

Position of building.

8. No building shall within any township be erected or altered unless and until the Board has approved of the position of the proposed building or alteration.

Class of building.

9. No person shall within any township commence to erect or alter any building unless and until a copy of the plans and specifications of the proposed building or alteration has been deposited with and approved by the Board. Such copy when deposited as aforesaid shall be retained and form part of the records of the Board.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(3) No notice has been published in *Papua Govt. Gaz.*

(4) The limits of the township of Port Moresby have not been defined pursuant to the *Building Ordinance*, 1929, by any instrument published in *Papua Govt. Gaz.*; nor have such limits been defined for general purposes by any instrument published in *Papua Govt. Gaz.* However, the limits of the “Town of Port Moresby” have been defined for the purposes of the *Police Offences Ordinance*, 1912-1939, by a notice dated 18.2.1921, published in *Papua Govt. Gaz.* of 2.3.1921, and printed below, title CRIMINAL LAW. This notice is still in force.

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10. No person shall erect or alter a building except in the position and in accordance with the plans and specifications approved as aforesaid. Building erection only as approved.

11.—(1.) Any building within any township erected or altered otherwise than in accordance with the plans and specifications or position approved as aforesaid shall be demolished or altered to the satisfaction of the Board by the owner thereof upon notice in writing being given by the Board. Demolition of buildings.

(2.) If within fourteen days or such further time as is specified by the Board after the receipt of such notice the said building is not demolished or altered as aforesaid the building may be demolished or altered by the Board at the expense of the owner.

(3.) Notice to demolish or alter shall be deemed to have been given if such notice is affixed to the door or some conspicuous part of the building required to be demolished or altered.

12.—(1.) If the Board is of opinion that any abandoned or dilapidated building or structure of any kind whatsoever is so unsightly that it should be demolished or altered it may cause notice in writing thereof to be given to the owner whereupon such owner shall demolish or alter to the satisfaction of the Board the said building or structure within a period to be specified in such notice. Unsightly buildings.

(2.) If within such time as is specified by the Board after the receipt of such notice the said building or structure is not demolished or altered as aforesaid the building may be demolished or altered by the Board at the expense of the owner.

(3.) Affixing the aforesaid notice to the door or other conspicuous part of the building or structure will be deemed notice to the owner.

13. The Board may by notice in writing if of opinion that any building or structure of any kind whatsoever is dangerous direct the owner thereof to effect such repairs and alterations as will in the opinion of the Board make the building or structure as aforesaid safe. If such repairs and alterations are not carried out to the satisfaction of the Board within the time specified in the notice the Board may direct that the building or structure aforesaid be demolished or repaired or altered at the owner's expense. Dangerous buildings.

14.—(1.) There shall be an appeal to the Lieutenant-Governor⁽²⁾ from any determination of the Board. Appeal.

(2.) The owner of a building dissatisfied with a decision of the

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

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Board with respect to his property may at any time within fourteen days after such decision has been notified to him intimate in writing to the Board and to the Government Secretary that he is desirous of appealing to the Lieutenant-Governor⁽²⁾ against such decision. At the same time the appellant shall for this purpose furnish to the Government Secretary a written statement of the reasons for his dissatisfaction with the decision of the Board together with any documents or plans he may wish to tender in support of his appeal.

(3.) The Board shall upon receipt of the written notice from the appellant make a full report in writing on the case and set out therein the reasons for its decision and shall forward the same to the Government Secretary together with all documents and plans in the case.

(4.) The decision of the Lieutenant-Governor⁽²⁾ shall be final and conclusive.

Inspection.

15. Every owner of a building or structure or person in charge thereof shall permit any member of the Board or any authorized person to inspect the premises at any time during the hours between 9 a.m. and 5 p.m.

Regulations.

16. The Lieutenant-Governor in Council⁽²⁾ may make such regulations⁽⁵⁾ as may from time to time be deemed necessary for carrying into effect the provisions of this Ordinance.

Penalty.

17. Any person convicted of a breach of or non-compliance with any of the provisions of this Ordinance shall be liable to a penalty not exceeding Fifty pounds or imprisonment for any period not exceeding six months.

Procedure.

18. Proceedings in respect of a breach of or non-compliance with the provisions of this Ordinance and any regulations made thereunder may be taken summarily before a magistrate.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*

(5) No regulations have been made.