

# IMMIGRATION RESTRICTION REGULATIONS. <sup>(1)</sup>

## DEFINITION.

1. In these Regulations "the Ordinance" means *The Immigration Restriction Ordinance of 1907*.

## POWERS AND DUTIES OF OFFICERS.

2. Except as provided in Sections 7, 7A and 8 of the Ordinance, an Officer shall not allow a prohibited immigrant to enter the Territory. Am. by S.R. 1933, No. 20, r. 1.

3. For the purpose of medical examination, an officer may detain for a period not exceeding twenty-four hours, in such place and in such custody as he thinks fit, any person whom he reasonably supposes to be a prohibited immigrant within the meaning of Sub-section (3.) or (4.) of Section 2 of the Ordinance.

4. Any Officer may, at any time, enter into or upon any vessel, other than a public vessel of any Government, and may search, or cause a search to be made, in every part of the vessel for the purpose of determining whether any prohibited immigrant is on board.

5. Any person who claims to be excepted from the Ordinance, as being—

- (a) possessed of a certificate of exemption, or a permit, or—
- (b) duly accredited to the Government of the Territory, or of the Commonwealth, by the Imperial or any other Government, or sent by any Government on any special mission,

shall, when required by an Officer, produce the certificate, permit, or his credentials.

(1) The *Immigration Restriction Regulations* (made under the *Immigration Restriction Ordinance, 1907-1935*) comprise the original *Immigration Restriction Regulations* as amended by the other Regulations referred to in the following Table:—

### REGULATIONS MADE BY THE LIEUTENANT-GOVERNOR IN COUNCIL.

Description and number and year (if any).	Date on which made by Lieut.-Gov. in Council.	Date on which published in Papua Govt. Gaz.	Date on which came into force.
<i>Immigration Restriction Regulations</i>	18.3.1913	2.4.1913	2.4.1913 (Papua Govt. Gaz. of 2.4.1913)
<i>Amending Regulations</i> (S.R. 1933, No. 20)	19.12.1933	29.12.1933	29.12.1933 (Papua Govt. Gaz. of 29.12.1933)

## IMMIGRATION—

### CERTIFICATE EXCEPTING FROM THE DICTATION TEST.

6.—(1.) Any person desiring a certificate under Section 5, Subsection (1.), of the Ordinance may make application therefor, in the form in Schedule A, to the Executive Authority.

(2.) The Applicant shall furnish to the Executive Authority, with his application, certificates of character by at least two reputable citizens of the Territory, and four photographs of himself—two of his full-face and two of his profile.

(3.) The certificate may be in the form in Schedule B.

(4.) The certificate shall be in duplicate and one part shall be delivered to the Applicant and the other part shall be retained.

(5.) The Fee for issue of the certificate shall be £2.

### OFFENCES.

7. Every person shall answer all questions which are put to him by an Officer and which are, in the opinion of the Officer, necessary for determining whether he or any other person is a prohibited immigrant.

8. Any person who refuses to answer any question lawfully put to him by an Officer, or who knowingly makes a false statement, either in answer to any such question or in applying to an Officer for any certificate under the Ordinance or these Regulations, or in connection with any such certificate, shall be guilty of an offence against these Regulations.

9. Any person who, with intent to contravene or evade the Ordinance, or these Regulations, or without just cause or excuse transfers or delivers up to any other person any permit, certificate, or credentials referred to in the Ordinance or in these Regulations shall be guilty of an offence against these Regulations.

10. Any person who, with intent to contravene or evade the Ordinance or these Regulations, or without just cause or excuse, has in his possession—

(a) a certificate of exemption, or a permit which does not belong to him; or—

(b) any permit, certificate or credentials referred to in the Ordinance or in these Regulations, and not belonging to him; or—

(c) any such permit, certificate or credential which is forged or false,

shall be guilty of an offence against these Regulations.

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DUTIES OF MASTERS.

11. The Master of every vessel, other than a public vessel of any Government, arriving at any port in the Territory, from parts beyond the Territory, with any passengers on board for that port, shall, before making entry at the Customs, deliver to an Officer a list of all such passengers, specifying to the best of his knowledge the name, the nationality and race, the place of shipment, and the calling and occupation of each such passenger; and he shall, if required by the Officer, certify in writing that, to the best of his knowledge and belief, none of the passengers in the list (except as therein stated) is an idiot or insane person or a person suffering from an infectious or contagious disease of a loathsome or dangerous character, or a person likely by reason of any physical disability to become a charge upon the public or upon any public or charitable institution.

12. The Master of every vessel, other than a public vessel of any Government, arriving at a port in the Territory, from parts beyond the Territory, shall, if required by an Officer, deliver to an Officer a list showing the number and names of the crew and their nationality and race, and produce the vessel's articles.

13. The Master of every vessel shall afford to an Officer every facility for performing his duties, and shall answer all questions which are put to him by the Officer, and which are, in the opinion of the Officer, necessary for determining whether any person is a prohibited immigrant. And no person shall obstruct or hinder an Officer in the carrying out of the Ordinance or these Regulations.

14. The approved sureties mentioned in Section 9 of the Ordinance shall be such sureties as are approved by the Executive Authority. The sureties shall enter into a bond conditioned to become void if the immigrant leaves the Territory within one month.

DEPORTATION.

15. Where any person, not being a British subject either natural-born or naturalized under a law of the United Kingdom or of the Commonwealth or of a State or of the Territory, has been convicted of any crime of violence against the person, and has, upon the expiration of any term of imprisonment imposed on him therefor, been required to pass the dictation test, and has failed to do so, an Officer may detain him in such custody for such time as is, under all the circumstances, reasonably necessary to enable a deportation order to be made by the Lieutenant-Governor.<sup>(2)</sup>

Where the Lieutenant-Governor<sup>(2)</sup> has made an order for the deportation of any such person an Officer may detain him in such custody and for such time as is reasonably necessary to enable him

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

## IMMIGRATION—

to be deported pursuant to the order, and may, for that purpose, convey him to any place of shipment and on board any ship.

### PERMITTED ENTRY OF PROHIBITED IMMIGRANT [SECTION 2 (2.)].

R. 15A ad. by  
S.R. 1933, No.  
20, r. 2.

15A. The Executive Authority may permit the entry of a prohibited immigrant within the meaning of Sub-section (2.) of Section 2 of the Ordinance upon the following terms and conditions:—

(a) That he deposits with the Executive Authority at the time of his entry the sum of £30, or furnishes security approved by the Executive Authority to the amount of £30.

(b) That such sum or security will if the Executive Authority so requires remain available in the hands of the Executive Authority to meet the cost of maintenance and transport out of the Territory should he at any time within 12 months from the date of entry become in the Territory in the opinion of the Executive Authority destitute.

(c) That the sum or security shall be repaid or released if the prohibited immigrant does not within 12 months of the date of his entry become in the opinion of the Executive Authority destitute in the Territory or if he sooner departs from the Territory not having become so destitute.

(d) That upon becoming destitute in the Territory within 12 months of the date of his entry he will depart forthwith from the Territory upon the order of the Lieutenant-Governor in Council.<sup>(2)</sup>

(e) In any case the Lieutenant-Governor<sup>(2)</sup> may order that the requirements of these Regulations be dispensed with.

### PERMIT TO ENTER THE TERRITORY.

16.—(1.) Any person desiring the entry of a prohibited person into the Territory under Section 8 may make application to the Executive Authority in the form in Schedule C.

(2.) The permit may be in the form in Schedule D.

(3.) The permit shall be in duplicate and one part shall be delivered to the Applicant and the other part shall be retained.

(4.) The Fee for the issue of a permit shall be ten shillings.

(5.) Four photographs, two of the full-face and two of the profile, and a certificate of good health from the Chief Medical Officer or other Government Medical Officer of the Territory, shall be delivered by the Applicant to the Executive Authority before a permit is issued.

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

*Immigration Restriction Regulations.*

(3) SCHEDULE A.

TERRITORY OF PAPUA.

*(Immigration Restriction Ordinance of 1907).*

Sir,

I beg to apply for a Certificate under *The Immigration Restriction Ordinance of 1907*, Section 5, Sub-section (1.) and Regulations, and I forward herewith a Statutory Declaration in support of my application.

I wish to visit \_\_\_\_\_ for \_\_\_\_\_ months.  
I attach \_\_\_\_\_ certificates of my character and four photographs of myself (two full-face and two profile).

If my application is granted please intimate the fact to me at the above address.

I have the honour to be,  
Sir,  
Your Obedient Servant,

*The Executive Authority.*

NOTE.—The Statutory Declaration should set out the length of residence in Papua, and should verify all documents accompanying the application, and should be in the form required by the *Oaths Ordinance, 1912.*

SCHEDULE B.

TERRITORY OF PAPUA.

*(Immigration Restriction Ordinance of 1907).*

CERTIFICATE EXCEPTING A PERSON FROM BEING REQUIRED TO PASS THE  
DICTATION TEST.

I, \_\_\_\_\_ the Executive Authority under *The Immigration Restriction Ordinance of 1907*, hereby certify that \_\_\_\_\_ hereinafter described, who is leaving the Territory temporarily, will be excepted from the provisions of paragraph (1) of Section 2 of the Ordinance if he returns to the Territory within a period of \_\_\_\_\_ from this date.

Date:

Executive Authority.

DESCRIPTION:

Nationality:	Birthplace:	Age:	Complexion:
Height:	Hair:	Build:	Eyes:
Particular Marks:			

(For impression of hand see back of this document).

PHOTOGRAPHS:

	Full-face.	Profile.
Date of Departure:	Destination:	Ship:
Date of Return:	Ship:	Port:

Customs Officer.

TERRITORY OF PAPUA.

*(The Immigration Restriction Ordinance of 1907).*

(Section 8)

SCHEDULE C.

Sir,

I beg to apply for a Permit, under Section 8 of *The Immigration Restriction Ordinance of 1907*, for the admission into the Territory of—

Name:	Where Born:
Apparent Age:	Colour:

(3) The following note appeared in the original Regulations immediately after the signature and before Schedule A: "Note—A person guilty of an offence against these Regulations is, under Section 21 of the Ordinance, liable upon summary conviction to a penalty not exceeding £50, and in default of payment to imprisonment, with or without hard labour, for any period not exceeding three months."

IMMIGRATION—

Colour and Description of Hair:            Colour and Description of Whiskers:  
Colour and Description of Beard:        Colour and Description of Moustache:  
Height:                                      Special Marks:  
Any other Peculiarity:                    For the purpose of engaging in:

I attach Chief Government Medical Officer's certificate and the photographs, both full-face and profile, in respect of the abovenamed.

I have the honour to be,  
Sir,  
Your Obedient Servant,

*The Executive Authority,  
Immigration Restriction Ordinance,  
The Treasury, Port Moresby.*

TERRITORY OF PAPUA.

*(The Immigration Restriction Ordinance of 1907).*

(Section 8)

SCHEDULE D.

Fee, 10s.

PERMIT.

Subject to the conditions referred to at the foot hereof,                                      is permitted  
to enter and remain within the Territory for a period of                                      months  
from the date hereof.

Where Born:                                      Apparent Age:                                      Colour:  
Colour and Description of Hair:            Colour and Description of Whiskers:  
Colour and Description of Beard:        Colour and Description of Moustache:  
Height:                                      Special Marks:                                      Any other Peculiarity:

CONDITIONS:

(Executive Council Order No.            of            ).

Issued at                                      this                                      day of                                      19  
Executive Authority.

N.B.—Take impression of left hand on back of duplicate and affix photographs to same.