

ORDINANCES REVISION ORDINANCE

1950. ⁽¹⁾ ⁽²⁾

No. 18 of 1950.

An Ordinance to amend certain Ordinances and other Laws in force in the Territory.

BE it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949*, as follows:—

1. This Ordinance may be cited as the *Ordinances Revision Ordinance 1950.*⁽²⁾ Short title.
- 2.—(1.) Section six of this Ordinance and the Third Schedule to this Ordinance shall be deemed to have come into operation on the first day of July, One thousand nine hundred and forty-nine. Commencement.
- (2.) The remaining provisions of this Ordinance shall come into operation on the date on which notice of the making of this Ordinance is published in the *Commonwealth of Australia Gazette.*⁽²⁾
3. The Ordinances of the Territory of Papua, and the Acts in force in that Territory, specified in the first column of the First Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule. Amendment of Ordinances of the Territory of Papua.
4. The Ordinances of the Territory of New Guinea specified in the first column of the Second Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule. Amendment of Ordinances of the Territory of New Guinea.
5. The Criminal Code of Queensland in its application to the Territory of New Guinea is amended by omitting from section six hundred and thirteen the word “undertaking” and inserting in its stead the word “understanding”. Amendment of Criminal Code in its application to New Guinea.

(1) The amendments to the Ordinances and subordinate legislation made by this Ordinance are additional to the amendments included in the Schedules of the *Ordinances Reprint and Revision Ordinance 1947*, printed on p. 4393.

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

Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Owlth. Gaz.</i>	Date on which took effect.
27.9.1950	5.10.1950	Sec. 6 and Third Schedule on 1.7.1949 (Sec. 2(1.), <i>Ordinances Revision Ordinance 1950</i>); Remaining provisions on 5.10.1950 (Sec. 2(2.), <i>Ordinances Revision Ordinance 1950</i>)

Amendment of Ordinance of the Territory of Papua-New Guinea.

Amendment of Regulations and By-laws of the Territory of Papua.

Citation of amended Ordinances.

6. The Ordinance of the Territory of Papua-New Guinea specified in the first column of the Third Schedule to this Ordinance is amended as specified in the second column of that Schedule.

7.—(1.) The Regulations and By-laws of the Territory of Papua specified in the first column of the Fourth Schedule to this Ordinance are amended as respectively specified in the second column of that Schedule.

(2.) The Regulations and By-laws amended by this section may, as so amended, be repealed or further amended as if the amendments made by this section had been made by Regulations or By-laws, as the case may be.

8. Each Ordinance specified in the first column of the Fifth Schedule to this Ordinance, as amended by the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea, by this Ordinance or by each of those Ordinances, as the case may be, may be cited in the manner specified in the second column of that Schedule opposite the reference to that first-mentioned Ordinance in the first column.

THE SCHEDULES.

FIRST SCHEDULE.

Section 3.

ORDINANCES OF THE TERRITORY OF PAPUA AND ACTS IN FORCE IN THAT TERRITORY.

First Column. Ordinance or Act.	Second Column. Extent of Amendment.
<i>Animal Protection Ordinance, 1912</i> ..	Section 3— After “context” insert “otherwise”
<i>Animals Prohibition and Restriction Ordinance, 1911</i>	Section 9— Omit from paragraph (1) “any such Proclamation to alter or revoke by a similar Proclamation” insert “alter or revoke any such Proclamation by a similar Proclamation”
<i>Bills of Exchange Ordinance, 1884-1937</i>	Section 7— After “in” in sub-section (1.) insert “a”
<i>Butchers Ordinance, 1912</i>	Section 16— Omit from sub-section (1.) “to” insert “may”
<i>Education Ordinance, 1914, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 22— Omit “the” (second occurring) insert “this”
<i>Evidence and Discovery Ordinance, 1913, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 27— Omit “the” (first occurring) insert “any”
	Section 58— Omit from sub-section (1.) “persons” (first occurring) insert “person”

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued

FIRST SCHEDULE—continued.

First Column. Ordinance or Act.	Second Column. Extent of Amendment.
<i>Excise Ordinance, 1914, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 105— Omit "justice" (wherever occurring) insert "judge"
<i>Fire Prevention Ordinance, 1912 ..</i>	Section 8— After "interfere" (first occurring) insert "with"
<i>Health Ordinance, 1912-1924 ..</i>	Section 104— Omit from paragraph (b) "and" insert "that"
<i>Insanity Ordinance, 1912, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 42— Omit from sub-section (1.) "may" (second occurring)
<i>Insolvency Ordinance, 1912 ..</i>	Section 115— Omit "contains unnecessary recitals of statement" insert "contain unnecessary recitals or statements"
<i>Justices Ordinance, 1912-1940 ..</i>	Section 183— Omit from paragraph (9) "to" (second occurring) insert "and"
<i>Married Women's Property Ordinance, 1912, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 32— Omit "persons" insert "person"
<i>Mining Ordinance, 1937-1939 ..</i>	Section 3— Omit from sub-section (2.) "or" (first occurring) insert "on"
<i>Partnership Ordinance, 1912 ..</i>	Section 145— After "defendant" insert "and"
<i>Pawnbrokers Ordinance, 1912 ..</i>	Section 192— After "upon" insert "a"
<i>Petroleum Ordinance, 1927 ..</i>	Section 239— Omit "mineral" insert "minerals"
<i>Partnership Ordinance, 1912 ..</i>	Section 249— (a) After "far" (first occurring) insert "as"; and (b) Omit from Rule 6 "shaft" insert "shafts"
<i>Partnership Ordinance, 1912 ..</i>	Section 250— Omit "giving" insert "given"
<i>Partnership Ordinance, 1912 ..</i>	Section 251— Omit from the proviso "of" (fourth occurring) insert "for"
<i>Partnership Ordinance, 1912 ..</i>	Section 254— (a) Omit from paragraph 5 "on" (third occurring) insert "or"; and (b) Omit from paragraph 16 "crossing" insert "crossings"
<i>Partnership Ordinance, 1912 ..</i>	Section 44— Omit from paragraph (1) "or" (second occurring) insert "of"
<i>Partnership Ordinance, 1912 ..</i>	Section 20— Omit "in any case" (second occurring)
<i>Partnership Ordinance, 1912 ..</i>	Section 12— After "section" (second occurring) in sub-section (3.) insert "he"

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued.

FIRST SCHEDULE—continued.

First Column. Ordinance or Act.	Second Column. Extent of Amendment.
<i>Places of Public Entertainment Ordinance, 1915</i>	Section 2— From the definition of "Proprietor" omit "of" (first occurring) insert "or"
<i>Port Moresby Water Supply Ordinance, 1941</i>	Section 12— After "consent" in paragraph (15) of sub-section (1.) insert "of"
<i>Probate and Administration Ordinance, 1913-1940, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 52— Omit from sub-section (2.) "payments" insert "payment"
<i>Quarantine Ordinance, 1913-1937, as amended by the Ordinances Reprint and Revision Ordinance 1947</i>	Section 52— After "master" (first occurring) in sub-section (3.) insert "owner" Section 83— (a) From paragraph (k) omit "and" (b) From paragraph (p) omit "and" (second occurring) (c) From paragraph (q) omit "and" (second occurring)
<i>Railway Ordinance, 1914</i>	Section 32— Omit from paragraph (2) "thereafter" insert "therefor" Section 59— Omit from paragraph (3) "railways" insert "railway"
<i>Stamp Duties Ordinance, 1909-1932 ..</i>	Section 11B— After "set" in sub-section (2.) insert "out"
<i>Succession Act of 1867 (Queensland, adopted)</i>	Section 1— Omit from the proviso "fifteen" insert "fourteen"
<i>Summary Ejectment Act of 1867 (Queensland, adopted)</i>	Section 21— Omit "paternal" (fourth occurring) insert "maternal"
<i>The Water Police Act of 1853 (Queensland, adopted)</i>	Section 26— Omit "mortgage" insert "mortgagee"
<i>Summary Ejectment Act of 1867 (Queensland, adopted)</i>	Section 12— Omit "of"
<i>The Water Police Act of 1853 (Queensland, adopted)</i>	Section 44— Omit "them" insert "him"
<i>The Wreck and Salvage Ordinance of 1902</i>	Section 46— Omit "word" (last occurring) insert "words"
<i>The Wreck and Salvage Ordinance of 1902</i>	Section 29— After "wrecked" (second occurring) insert "or"
<i>Trustees and Executors Ordinance, 1912</i>	Section 17— Omit from sub-section (1.) "having" (first occurring) insert "to have"

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued.

SECOND SCHEDULE.

Section 4.

ORDINANCES OF THE TERRITORY OF NEW GUINEA.

First Column. Ordinance.	Second Column. Extent of Amendment.
<i>Electric Light and Power Ordinance</i> 1929-1938, as amended by the <i>Ordinances Reprint and Revision Ordinance</i> 1947	Section 3— (a) From the definition of "Street" omit "land" insert "lane"; and (b) From the definition of "Works" omit "lights" insert "lines"
<i>Insanity Ordinance</i> , 1912 (Papua, adopted)	Section 115— Omit "contains unnecessary recitals of statement" insert "contain unnecessary recitals or statements"
<i>Insolvency Ordinance</i> , 1912 (Papua, adopted)	Section 183— Omit from paragraph (9) "to" (second occurring) insert "and"
<i>Lands Registration Ordinance</i> 1924-1939, as amended by the <i>Ordinances Reprint and Revision Ordinance</i> 1947	Section 180— Omit "one hundred and seventy-eight" insert "one hundred and seventy-seven"
<i>Partnership Ordinance</i> , 1912 (Papua, adopted)	Section 44— Omit from paragraph (1) "or" (second occurring) insert "of"
<i>The Wreck and Salvage Ordinance</i> of 1902 (Papua, adopted)	Section 29— After "wrecked" (second occurring) insert "or"

THIRD SCHEDULE.

Section 6.

ORDINANCE OF THE TERRITORY OF PAPUA-NEW GUINEA.

First Column. Ordinance.	Second Column. Extent of Amendment.
<i>Ordinances Reprint and Revision Ordinance</i> 1947	Section 4— (a) In the definition of "an Administration Printer", after "Papua-New Guinea", insert "or the Administration of the Territory of Papua and New Guinea"; and (b) From the definition of "Lieutenant-Governor" omit "the" (third occurring)
	The Second Schedule— (a) Omit from the amendments to the <i>Excise Ordinance</i> , 1914 the words and figures— "Section 42— Omit from sub-section (1.) the word 'may' (second occurring)"; (b) Omit the amendment to the <i>Justices Ordinance</i> , 1912-1940; and (c) Omit " <i>Succession Duties Ordinance</i> , 1912", insert " <i>Succession Duties Ordinance</i> , 1913-1941"

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued.

FOURTH SCHEDULE.

Section 7.

REGULATIONS AND BY-LAWS OF THE TERRITORY OF PAPUA.

First Column. Regulations or By-laws.	Second Column. Extent of Amendment.
<i>Customs Regulations, 1917</i> (made under the <i>Customs Ordinance, 1909-1939</i>) <i>Mining Regulations, 1935</i> (in force under the <i>Mining Ordinance, 1937-1939</i>)	Schedule— Omit from Form 3 “of the conditions” insert “to the conditions” Regulation 26— After “called” insert “a” Regulation 60— Omit from sub-regulation (2.) “herewith” insert “therewith” Regulation 67— Omit from sub-regulation (7.) “chain” (first occurring) insert “chains” Regulation 166— After “thereof” (first occurring) insert “for” Regulation 241— Omit from the Form of Injunction in sub-regulation (2.) “balance on” insert “balance of”
<i>Native Regulations, 1939</i> (made under the <i>Native Regulation Ordinance, 1908-1930</i>)	Regulation 41— After “obeying” insert “a” Regulation 109— After “in” (second occurring) in sub-regulation (3.) insert “the” Regulation 135— Omit from sub-regulation (1.) “to” (second and fourth occurring) Regulation 137— Omit “of” (second occurring) insert “by” Regulation 13— Omit “him” insert “them”
<i>Native Education (Primary) Regulations, 1931</i> (made under the <i>Native Taxes Ordinance, 1917-1936</i>)	Regulation 7— After “seed” (first occurring) in paragraph (1) insert “is”
<i>Plants’ (Importation) Regulations, 1923</i> (made under the <i>Plants’ Diseases Ordinance, 1911-1913</i>)	By-law 12— After “in” insert “the”
Port Moresby Public Cemetery By-laws (made under the <i>Cemeteries Ordinance, 1911</i>)	Regulation 33— Omit “or” (fifth occurring) insert “of”
<i>Port Regulations, 1923</i> (made under the <i>Navigation Ordinance, 1889-1938</i>)	Regulation 14— After “and” insert “the”
<i>Prisons Regulations, 1919</i> (made under the <i>Prisons Ordinance, 1919-1930</i>)	Regulation 88— After “Entering” in paragraph (3) insert “a”
Extraordinary Traffic Regulations (made under the <i>Roads Ordinance, 1916</i>) (3)	Regulation 104— Omit “room” insert “rooms” Regulation 2— Omit “subsection” insert “sub-paragraph”

(3) The heading assigned to these Regulations on p. 4002 of this Volume is “Roads (Extraordinary Traffic) Regulations”. These Regulations do not themselves prescribe a mode by which they may be cited, but in pursuance of Section 16(2.) of the *Ordinances Reprint and Revision Ordinance 1947* they are cited in the Lists and Tables in Volumes I-V of this Annotated Reprint by the heading assigned to them on p. 4002.

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued.

FOURTH SCHEDULE—continued.

First Column. Regulations or By-laws.	Second Column. Extent of Amendment.
Extraordinary Traffic Regulations— <i>continued.</i>	Regulation 27— Omit “to” (first occurring) in- sert “or”
<i>Sago (Mangrove) Regulations, 1923</i> (made under the <i>Sago Ordinance,</i> 1908-1936)	Regulation 8— Omit from paragraph (d) “,as” insert “,as is,”
<i>Samarai Public Cemetery By-laws</i> (made under the <i>Cemeteries Ordin-</i> <i>ance, 1911</i>)	By-law 12— After “in” insert “the”
<i>Succession Duties Regulations</i> (made under the <i>Succession Duties Ordin-</i> <i>ance, 1913-1941</i>)	Form N— Omit “order that the sum of ” insert “order that the sum of be returned to ”.

FIFTH SCHEDULE.
CITATION OF ORDINANCES.

Section 8.

First Column.	Second Column.
ORDINANCES OF THE TERRITORY OF PAPUA.	
<i>Animal Protection Ordinance, 1912 ..</i>	<i>Animal Protection Ordinance, 1912-</i> <i>1950</i>
<i>Animals Prohibition and Restriction</i> <i>Ordinance, 1911</i>	<i>Animals Prohibition and Restriction</i> <i>Ordinance, 1911-1950</i>
<i>Auctioneers Ordinance, 1911-1934 ..</i>	<i>Auctioneers Ordinance, 1911-1947</i>
<i>Bills of Exchange Ordinance, 1884-</i> <i>1937</i>	<i>Bills of Exchange Ordinance, 1884-</i> <i>1950</i>
<i>British New Guinea Development Com-</i> <i>pany Limited Ordinance, 1923</i>	<i>British New Guinea Development</i> <i>Company Limited Ordinance, 1923-</i> <i>1947</i>
<i>Butchers Ordinance, 1912</i>	<i>Butchers Ordinance, 1912-1950</i>
<i>Companies Ordinance, 1912-1926 ..</i>	<i>Companies Ordinance, 1912-1947</i>
<i>Coroners Ordinance, 1911</i>	<i>Coroners Ordinance, 1911-1947</i>
<i>Education Ordinance, 1914</i>	<i>Education Ordinance, 1914-1950</i>
<i>Employers' Liability Ordinance, 1912</i>	<i>Employers' Liability Ordinance, 1912-</i> <i>1947</i>
<i>Evidence and Discovery Ordinance,</i> <i>1913</i>	<i>Evidence and Discovery Ordinance,</i> <i>1913-1950</i>
<i>Excise Ordinance, 1914</i>	<i>Excise Ordinance, 1914-1950</i>
<i>Fire Prevention Ordinance, 1912 ..</i>	<i>Fire Prevention Ordinance, 1912-1950</i>
<i>Health Ordinance, 1912-1924 ..</i>	<i>Health Ordinance, 1912-1950</i>
<i>Insanity Ordinance, 1912</i>	<i>Insanity Ordinance, 1912-1950</i>
<i>Insolvency Ordinance, 1912</i>	<i>Insolvency Ordinance, 1912-1950</i>
<i>Justices Ordinance, 1912-1940 ..</i>	<i>Justices Ordinance, 1912-1950</i>
<i>Land Ordinance, 1911-1940</i>	<i>Land Ordinance, 1911-1947</i>
<i>Married Women's Property Ordin-</i> <i>ance, 1912</i>	<i>Married Women's Property Ordin-</i> <i>ance, 1912-1950</i>
<i>Mining Ordinance, 1937-1939 ..</i>	<i>Mining Ordinance, 1937-1950</i>
<i>Papuan Antiquities Ordinance, 1913-</i> <i>1940</i>	<i>Papuan Antiquities Ordinance, 1913-</i> <i>1947</i>
<i>Partnership Ordinance, 1912 ..</i>	<i>Partnership Ordinance, 1912-1950</i>
<i>Pawnbrokers Ordinance, 1912 ..</i>	<i>Pawnbrokers Ordinance, 1912-1950</i>
<i>Petroleum Ordinance, 1927</i>	<i>Petroleum Ordinance, 1927-1950</i>
<i>Places of Public Entertainment Ord-</i> <i>inance, 1915</i>	<i>Places of Public Entertainment Ord-</i> <i>inance, 1915-1950</i>
<i>Port Moresby Water Supply Ordin-</i> <i>ance, 1941</i>	<i>Port Moresby Water Supply Ordin-</i> <i>ance, 1941-1950</i>
<i>Post and Telegraph Ordinance, 1912-</i> <i>1941</i>	<i>Post and Telegraph Ordinance, 1912-</i> <i>1947.</i>

Ordinances Revision Ordinance 1950.

THE SCHEDULES—continued.

FIFTH SCHEDULE—continued.

First Column.	Second Column.
ORDINANCES OF THE TERRITORY OF PAPUA—continued.	
<i>Postal Rates (Defence Forces) Ordinance, 1940</i>	<i>Postal Rates (Defence Forces) Ordinance, 1940-1947</i>
<i>Prisons Ordinance, 1938-1941</i>	<i>Prisons Ordinance, 1938-1947</i>
<i>Probate and Administration Ordinance, 1913-1940</i>	<i>Probate and Administration Ordinance, 1913-1950</i>
<i>Quarantine Ordinance, 1913-1937</i>	<i>Quarantine Ordinance, 1913-1950</i>
<i>Railway Ordinance, 1914</i>	<i>Railway Ordinance, 1914-1950</i>
<i>Real Property Ordinance, 1913-1939</i>	<i>Real Property Ordinance, 1913-1947</i>
<i>Registration of Firms Ordinance, 1923</i>	<i>Registration of Firms Ordinance, 1923-1947</i>
<i>Sale of Stolen Cattle Prevention Ordinance, 1912</i>	<i>Sale of Stolen Cattle Prevention Ordinance, 1912-1947</i>
<i>Small Debts Ordinance, 1912</i>	<i>Small Debts Ordinance, 1912-1947</i>
<i>Stallions Licensing Ordinance, 1912</i>	<i>Stallions Licensing Ordinance, 1912-1947</i>
<i>Stamp Duties Ordinance, 1909-1932</i>	<i>Stamp Duties Ordinance, 1909-1950</i>
<i>Succession Duties Ordinance, 1913-1941</i>	<i>Succession Duties Ordinance, 1913-1947</i>
<i>The Wreck and Salvage Ordinance of 1902</i>	<i>Wreck and Salvage Ordinance, 1902-1950</i>
<i>Trustees and Executors Ordinance, 1912</i>	<i>Trustees and Executors Ordinance, 1912-1950</i>
<i>Weights and Measures Ordinance, 1913</i>	<i>Weights and Measures Ordinance, 1913-1947</i>
ORDINANCES OF THE TERRITORY OF NEW GUINEA.	
<i>Birds and Animals Protection Ordinance 1922-1933</i>	<i>Birds and Animals Protection Ordinance 1922-1947</i>
<i>Dangerous Drugs Ordinance 1927</i>	<i>Dangerous Drugs Ordinance 1927-1947</i>
<i>Deportation Ordinance 1921</i>	<i>Deportation Ordinance 1921-1947</i>
<i>District Courts Ordinance 1924-1938</i>	<i>District Courts Ordinance 1924-1947</i>
<i>Electric Light and Power Ordinance 1929-1938</i>	<i>Electric Light and Power Ordinance 1929-1950</i>
<i>Lands Registration Ordinance 1924-1939</i>	<i>Lands Registration Ordinance 1924-1950</i>
<i>Legal Practitioners Ordinance 1928-1938</i>	<i>Legal Practitioners Ordinance 1928-1947</i>
<i>Liquor Ordinance 1931-1938</i>	<i>Liquor Ordinance 1931-1947</i>
<i>Maintenance Orders (Facilities for Enforcement) Ordinance 1928-1938</i>	<i>Maintenance Orders (Facilities for Enforcement) Ordinance 1928-1947</i>
<i>Maintenance Orders (New Zealand) (Facilities for Enforcement) Ordinance 1936</i>	<i>Maintenance Orders (New Zealand) (Facilities for Enforcement) Ordinance 1936-1947</i>
<i>Mining Ordinance 1928-1940</i>	<i>Mining Ordinance 1928-1947</i>
<i>Natives' Contracts Protection Ordinance 1921-1936</i>	<i>Natives' Contracts Protection Ordinance 1921-1947</i>
<i>Police Offences Ordinance 1925-1941</i>	<i>Police Offences Ordinance 1925-1947</i>
<i>Reciprocal Enforcement of Judgments Ordinance 1925</i>	<i>Reciprocal Enforcement of Judgments Ordinance 1925-1947</i>
<i>Registration of Births, Deaths, and Marriages Ordinance 1935-1941</i>	<i>Registration of Births, Deaths, and Marriages Ordinance 1935-1947</i>
<i>Stamp Duties Ordinance 1927-1941</i>	<i>Stamp Duties Ordinance 1927-1947</i>
<i>Succession Duties Ordinance 1922-1941</i>	<i>Succession Duties Ordinance 1922-1947</i>
<i>Veneral Diseases Ordinance 1920-1925</i>	<i>Veneral Diseases Ordinance 1920-1947</i>
<i>Weights and Measures Ordinance 1939</i>	<i>Weights and Measures Ordinance 1939-1947</i>
ORDINANCE OF THE TERRITORY OF PAPUA-NEW GUINEA.	
<i>Ordinances Reprint and Revision Ordinance 1947</i>	<i>Ordinances Reprint and Revision Ordinance 1947-1950</i>