

ROADS ORDINANCE, 1916. ⁽¹⁾

No. 8 of 1916.

An Ordinance relating to Roads and Traffic thereon.

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 *Roads Ordinance*, Citation.
1916. ⁽¹⁾

2. In this Ordinance unless the context otherwise indicates— Definitions.
“Main Road” means a street road or highway which is declared to be a main road under this Ordinance and includes a bridge or culvert upon any street road or highway so declared to be a main road.

“Vehicle” means any description of vehicle drawn or propelled by animal or other motive power and used or intended to be used on a main road.

3. The Lieutenant-Governor⁽²⁾ may by notice⁽³⁾ in the *Gazette* declare any street road or highway to be a main road. Main roads may be constituted.

4. The Lieutenant-Governor⁽²⁾ may make regulations⁽⁴⁾ with respect to all or any of the matters hereinafter mentioned that is to say:— Regulations may be made.
Cf. Q. 2 Ed. VII. No. 19, s. 182 and Sch. 4.
3 Geo. V. No. 16, s. 14.

(1) The control and management of main roads;

(2) the lighting of main roads and the protection of lights maintained thereon;

(3) the prevention of injury or obstruction to main roads

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

Date of assent by Lieut.-Gov.	Date notified in Papua Govt. Gaz. as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
9.8.1916	7.3.1917	9.3.1916 (<i>Statute Law of Papua</i> , 1888 to 1916, Vol. III, p. 1004)

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

(3) A Table containing particulars of notices declaring streets, roads, or highways to be main roads pursuant to the *Roads Ordinance*, 1916, is printed on p. 4018, and the notices are printed immediately after the Table.

(4) See the *Roads Regulations*, 1933, printed on p. 4001; *Roads (Extraordinary Traffic) Regulations*, printed on p. 4002; and *Motor Vehicles Regulations*, 1925, printed on p. 4011.

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and the injury or destruction of timber and ornamental trees growing thereon;

- (4) prohibiting or requiring the issue of a permit for the opening of the soil of main roads and foot-ways by persons other than the authorized Government officers or persons authorized by any Ordinance so to do;
- (5) regulating traffic on main roads;
- (6) imposing upon the owners and occupiers of premises abutting on a main road or foot-way the duty of making and maintaining proper crossings for traffic across foot-ways and channels;
- (7) prohibiting or regulating the traffic of animals or vehicles upon along or across any foot-way or any water channel or gutter of any main road except at some proper crossing;
- (8) preventing sand drifts upon or near to any main road;
- (9) defining what traffic shall be deemed to be extraordinary traffic having regard to the average expense of repairing main roads or any main road specially affected;
- (10) prohibiting extraordinary traffic on main roads or any specified main roads;
- (11) regulating and if necessary restricting extraordinary traffic on main roads or any specified main roads;
- (12) compelling any person corporation or other body by whom or by whose order extraordinary traffic has been conducted to pay to the Government any expenses incurred by the Government by reason of damage arising to the main roads or any main road used by such traffic;
- (13) authorizing the Director of Public Works or any other officer to enter into any agreement with any such person corporation or other body as last aforesaid for the payment to the Government of a composition in respect of such traffic in lieu of the expenses actually incurred as aforesaid;
- (14) regulating and if necessary restricting the carrying on vehicles upon any main road of long large heavy or projecting goods whether the same constitute extraordinary traffic as defined or not;

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- (15) requiring drivers or conductors of any vehicle driven or propelled by any power other than animal power to obtain licences;
- (16) requiring the owners of such last-mentioned vehicles used kept or let for hire or for the use of which any payment recompense or remuneration is made given or received to obtain a licence in respect of every such vehicle;
- (17) prescribing the qualifications of persons who are required to obtain licences as drivers or conductors of any vehicle defining the age at which they shall be entitled to become licensees;
- (18) prescribing the number of passengers that may be carried in or on any vehicle used kept or let for hire or for the conveyance of passengers for hire;
- (19) prescribing the width of the tyres of wheels of vehicles used on main roads;
- (20) the marking of licensed vehicles with names and distinguishing numbers;
- (21) the weight that may be carried in or on any vehicle;
- (22) prescribing and regulating the seizure and custody of unattended vehicles and horses and other animals upon any main road and providing for the recovery of all expenses of the custody of the same;
- (23) regulating the rate of speed and pace of vehicles and of horses;
- (24) providing for the prevention of accidents arising from the improper use of vehicles and horses and from the use of animals on main roads;
- (25) requiring the owner of any vehicle to provide the prescribed number of lamps to be attached to such vehicle and the driver rider or person having the control of the same to keep such lamps lighted while the same is standing or being driven at night;
- (26) prohibiting loitering and obstruction of traffic upon any main road;
- (27) regulating the mode of application for licences and permits the manner in which the same shall be granted transferred and the duration and renewal thereof;

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- (28) prescribing any conditions on which any licence or permit may be granted transferred suspended or revoked;
- (29) prescribing fees for licences and permits and for the renewal thereof.

Application of regulations.
Penalties.

5. Such regulations may apply generally to all main roads or particularly to specified main roads or any part thereof and may impose for any breach thereof a fine not exceeding Fifty pounds and in default of payment imprisonment with or without hard labour for any period not exceeding six months.

Obstruction of roads etc.

6. Any person who at any time before the commencement of this Ordinance shall have wilfully or negligently obstructed any surveyed street road or highway and having so obstructed it shall after the commencement of this Ordinance refuse or neglect to remove any such obstruction within a period of one month after having been directed in writing to do so by the Director of Public Works shall be liable to pay the costs and expenses incurred by the Government in removing such obstruction after the expiration of such period.