

SAGO (MANGROVE) REGULATIONS, 1923.<sup>(1)</sup>

1. These Regulations may be cited as the *Sago (Mangrove) Regulations, 1923.*<sup>(1)</sup>

2. In these Regulations “the Ordinance” means the *Sago Ordinance, 1908-1920.*<sup>(2)</sup>

3. The Regulations made under the Ordinance on the twenty-fourth day of August, 1912, the second day of September, 1914, and the twenty-eighth day of September, 1915, and published in *Gazettes* dated respectively the fourth day of September, 1912, the seventh day of October, 1914, and the sixth day of October, 1915, and Statutory Rules No. 12 of 1917 and No. 7 of 1918 are repealed.

4. Applications under the Ordinance to cut and remove mangrove or mangrove bark from any Crown land shall be made to the Commissioner for Lands in writing and shall specify as nearly as possible—

(a) the position of the land in respect of which the licence is required;

(b) its extent of frontage in miles to the coast-line or to any river or creek not navigable by whaleboat;

(c) the total mileage already held by the applicant under licence;

and shall be accompanied by a plan showing as nearly as possible such position and extent.

5. No licence shall be granted in respect to any land—

(a) not situated in a proclaimed Mangrove Reserve;

(1) The *Sago (Mangrove) Regulations, 1923* (made under the *Sago Ordinance, 1908-1936*) comprise the original *Sago (Mangrove) Regulations, 1923*, 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.	Date on which made by Lieut.-Gov. in Council.	Date on which published in Papua Govt. Gaz.	Date on which took effect.
<i>Sago (Mangrove) Regulations, 1923</i> (S.R. 1923, No. 9)	22.10.1923	7.11.1923	7.11.1923 (Papua Govt. Gaz. of 7.11.1923)
<i>Amending Regulation</i> (S.R. 1930, No. 3)	8.4.1930	7.5.1930	7.5.1930 (Papua Govt. Gaz. of 7.5.1930)
<i>Amending Regulation</i> (S.R. 1931, No. 2)	5.1.1931	4.2.1931	4.2.1931 (Papua Govt. Gaz. of 4.2.1931)
<i>Amending Regulations</i> (S.R. 1931, No. 3)	26.1.1931	4.2.1931	4.2.1931 (Papua Govt. Gaz. of 4.2.1931)

(2) Now the *Sago Ordinance, 1908-1936.*

- (b) fronting any harbour or any river or creek navigable by whaleboat; or
- (c) within one mile of the mouth of any river or creek navigable by whaleboat or of the entrance to any harbour.

6. A Mangrove Licence shall be in the form of the Schedule hereto or to the like effect.

7. A Mangrove Licence may be granted by the Lieutenant-Governor<sup>(3)</sup> for any period not exceeding thirty years.

Am. by S.R.  
1930, No. 3, r. 1.

8. A Mangrove Licence shall be liable to forfeiture at any time by the Lieutenant-Governor in Council<sup>(3)</sup> if—

- (a) work to the satisfaction of the Lieutenant-Governor in Council<sup>(3)</sup> has not been done upon the area included in the licence. The Lieutenant-Governor in Council<sup>(3)</sup> may upon application of a licensee for the purpose of this sub-regulation take into consideration work done upon other areas included in other licences held by the same licensee;
- (b) failure be made in payment of the rent payable thereunder;
- (c) in the opinion of the Lieutenant-Governor in Council<sup>(3)</sup> the work being carried out thereon causes obstruction to or otherwise impairs the navigability of any harbour, river, creek or part of the coast-line; or
- (d) the work is being conducted in such a manner, as in<sup>(4)</sup> the opinion of the Lieutenant-Governor in Council<sup>(3)</sup> prejudicial to the public interest.

Para. (a)  
am. by S.R.  
1931,  
No. 3, r. 1.

Provided that in no case shall a licence be forfeited upon the grounds set out in Sub-regulation (a) (c) or (d) of this regulation unless and until notice in writing has been given to the licensee of the grounds of the proposed forfeiture and calling upon him to comply with conditions specified in the said notice within such period as the Lieutenant-Governor in Council<sup>(3)</sup> deems reasonable and informing him that in default of compliance with the said conditions to the satisfaction of the Commissioner for Lands within the period specified or such further period as may be allowed the licence shall be forfeited.

Proviso ad. by  
S.R. 1931, No. 3,  
r. 2.

9. The extent of frontage to the coast-line comprised in any one Mangrove Licence shall not exceed 10 miles nor shall the aggregate extent of frontage to the coast-line granted to and held by any one person or company under any number of such licences exceed 40 miles.

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

(4) The words "as in" appeared in the Regulations as published in *Papua Govt. Gaz. Semble*, "as is in" was intended.

10. The rent to be paid for each licence shall be fixed by the Lieutenant-Governor in Council<sup>(3)</sup> or tenders may be called for in any case.

11. A deposit equal to Ten shillings per mile of frontage shall be made with each application.

12. The deposit shall be returned if the application is refused and shall be credited towards rent payable under the next following paragraph if the application is granted.

13. Immediately after the granting of the application the applicant shall pay in advance such a proportion of one year's rent as shall be equal to the rent for the period from the date the application was granted up to the thirtieth day of June or the thirty-first day of December whichever of such days shall next follow the date on which such application was granted; and thereafter rent shall be paid in respect of the licence half-yearly in advance on the first days of the months of January and July in every year during its currency.

14. The holder of a Mangrove Licence shall not cut, bark or remove mangroves growing or being on any land—

(a) fronting any harbour or any river or creek navigable by whaleboat;

(b) within one mile of the mouth of any river or creek navigable by whaleboat or of the entrance to any harbour:

Provided that the Lieutenant-Governor<sup>(3)</sup> may by Proclamation<sup>(5)</sup> published in the *Gazette* fix some lesser distance in respect of a particular locality and upon the publication of any such Proclamation as aforesaid the additional area shall be deemed land included in the licence of the licensee of the land adjoining and a part of the proclaimed Mangrove Reserve.

(c) on any part of the coast-line above high-water mark;

(d) outside the area included in his licence.

15. A licensee shall not cut, remove, bark or damage any indigenous tree or plant other than mangroves in the area included in his licence.

16. Natives of villages in the vicinity of any area included in a Mangrove Licence and lessees from the Crown of any land granted under the Land Ordinances or Ordinances relating to Mining, and adjoining, or in proximity to, any area included in a Mangrove Licence, shall have the right to cut and remove from such area for

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

(5) No proclamation has been published in *Papua Govt. Gaz.*

*Sago (Mangrove) Regulations, 1923.*

his<sup>(6)</sup> own use for firewood, fencing, building or mining purposes, any indigenous trees which are suitable or usually used for such purposes.

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SCHEDULE.

MANGROVE LICENCE.

Under the *Sago Ordinance, 1908-1920.*

of is licensed under the *Sago Ordinance, 1908-1920*, to cut, remove and bark mangroves upon the Mangrove Reserve (or upon that part of the Mangrove Reserve which is comprised in the description at the foot of this licence) for a term of years subject to the regulations.

The rent for this licence is per annum, and is payable half-yearly in advance.

DESCRIPTION.

All that part of the Mangrove Reserve commencing

Commissioner for Lands.

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(6) The word "his" appeared in the Regulations as published in *Papua Govt. Gaz. Semble*, "their" was intended.