

INDEPENDENT STATE OF PAPUA NEW GUINEA.

INTRODUCTORY CHAPTER: REVISION OF LAWS.

GENERAL ANNOTATION.

BASIS OF INCLUSION OF THIS INTRODUCTORY CHAPTER.

Section 23 of the *Revision of the Laws Act 1973*, as affected by the *Revised Edition of the Laws Act 1976*, provided as follows :—

“23.—PLACE OF THIS ORDINANCE, ETC., IN THE REVISION.

(1) This Ordinance and any Ordinance made in accordance with Section 11 of this Ordinance shall be included at or about the beginning of the text of the Revised Laws.

(2) Section 7 of this Ordinance does not apply to or in relation to the printing of an Ordinance in accordance with the preceding provisions of this section.

(3) All notices under Subsection (1) of Section 5, or Paragraph (b) of Subsection (2) of Section 10, of this Ordinance shall be printed with the Ordinances referred to in Subsection (1) of this section.”

In addition, Section 3 of the *Revised Edition of the Laws Act 1976* provided as follows :—

“3.—INCLUSION OF THIS ACT, ETC., IN THE REVISED EDITION.

This Act, and any appointment made under Section 1, shall be included in the text of the Revised Edition in some convenient place following the *Revision of the Laws Act 1973*.”

Accordingly, those Acts, and the subsidiary legislation under them, are set out here, although because of their special status and because they cannot be the subject of any editorial alteration, without any Chapter number.

One change that has been made to the text of the Acts has been made in accordance with Section 4(4) of the 1976 Act. By way of explanation—Section 4(1), (2) and (3) amended the text of the 1973 Act and Section 4(4) went on to provide as follows :—

“(4) When the Principal Act¹ is included in the Revised Edition in accordance with Section 23 of that Act, it shall be printed as amended by this section, in accordance with Section 5 of the *Printing of the Laws Act 1975*, as in force at the commencement of this Act, and this section shall be omitted from this Act when it is included in the Revised Edition in accordance with Section 3 of this Act.”

This has been done, and the amendments made by Section 4 of the 1976 Act have been incorporated in the 1973 Act as reprinted here.

¹That is, the *Revision of the Laws Act 1973*.

Revision of Laws

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of functions to Ministers and Departments at about the effective date), while the administration of these Acts was not vested specifically in any Minister it appears from the fact that under the 1973 Act the responsibility for the Revised Edition belonged to the First Legislative Counsel (see *Legislative Drafting Service Act*) that it came within the responsibility of the Prime Minister, who in any event would be politically responsible under Constitution, Section 148(2).

This Chapter does not refer to "the Minister," "the Departmental Head" or "the Department".

TABLE OF CONTENTS.

	<i>Page.</i>
<i>Revision of the Laws Act 1973</i>	3
Notice fixing the effective date	15
Laws omitted from the Revised Edition under Section 5.	17
<i>Revised Edition of the Laws Act 1976</i>	21
Appointment under Section 1	25
<i>Revised Laws (Commencement) Act 1981.</i>	27

INDEPENDENT STATE OF PAPUA NEW GUINEA.

*Revision of the Laws Act 1973*¹.

ARRANGEMENT OF SECTIONS.

1. Short title.
2. Commencement.
3. Definitions—
 - "law of Papua New Guinea"
 - "laws to which this Ordinance applies"
 - "the effective date"
 - "the Revised Laws".
4. Preparation of Revised Laws.
5. Omission of certain laws.
6. Editorial omission of certain provisions.
7. Editorial powers of revision.
8. Texts of documents included in Ordinances, etc.
9. Method of dealing with alterations of substance.
- 9A. Inclusion of constitutional laws.
10. Inclusion of certain other laws.
11. Bringing Revision into force.
12. Rectification of errors.
13. General effect of Revision.
14. Continuance in force of certain subordinate enactments.
15. Effect of annotations.
16. Construction of reference to repealed or amended laws.
17. Sealed copies to be deposited.
18. Distribution of Revision.
19. Replacements and additional material.
20. Judicial notice of Revision, etc.
21. Continuance of text of former laws for certain purposes.
22. Periodical lists of laws not yet incorporated into Revision.
23. Place of this Ordinance, etc., in the Revision.

SCHEDULE.—"Commencement" Bill.

¹In accordance with Section 23 of this Act, it is printed without major editorial change, although changes in institutions, etc., have been footnoted. In accordance with Section 4(4) of the *Revised Edition of the Laws Act 1976*, it incorporates amendments made by Section 4 of that Act.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revision of the Laws Act 1973¹.

AN ORDINANCE

To make provision for the preparation and publication of Revised Laws of Papua New Guinea, and for their continuing revision and maintenance up to date.

Be it ordained by the House of Assembly, in pursuance of the powers conferred by the *Papua New Guinea Act 1949-1973*, as follows :—

1. Short title.

This Ordinance may be cited as the *Revision of the Laws Ordinance 1973²*.

2. Commencement.

This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*³.

3. Definitions.

In this Ordinance, unless the contrary intention appears—

“law of Papua New Guinea” means a law of Papua New Guinea other than—

(a) a Constitutional Law; or

(b) a subordinate enactment made under a Constitutional Law; or

(c) the underlying law or a rule or principle of the underlying law⁴;

“laws to which this Ordinance applies” means all laws of Papua New Guinea in force on the effective date, other than any such law that is omitted from the Revised Laws under Section 5 of this Ordinance;

“the effective date” means the date fixed under Subsection (2) of Section 4 of this Ordinance;

“the Revised Laws” or “the Revision” means the text of the laws of Papua New Guinea prepared under the authority of this Ordinance.

4. Preparation of Revised Laws⁵.

(1) The First Legislative Counsel shall cause a Revision of the laws to which this Ordinance applies to be prepared and maintained in accordance with this Ordinance, in some convenient form.

(2) In the first instance, the Revised Laws shall be prepared as at a date fixed by the Administrator⁶ by notice in the *Gazette*^{7 8}.

¹This Act was amended by the *Revised Edition of the Laws Act 1976*. Amendments made by that Act are noted at the appropriate places.

²In accordance with the practice from 1974 elsewhere in the Revised Edition this section is disregarded, and the later form of citation, “*Revision of the Laws Act 1973*”, is used.

³This Act came into force on 11 April 1974 (*Papua New Guinea Government Gazette* No. 27 of 11 April 1974).

⁴This definition was substituted by the *Revised Edition of the Laws Act 1976*, Section 4(1). The original definition read as follows :—

“law of Papua New Guinea” means an Ordinance, adopted Act or subordinate enactment, but does not include a Commonwealth Act or Imperial Act, or subordinate legislation under any such Act, applying of its own force.

⁵See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

⁶As at the effective date, the reference was to the Head of State, acting on advice.

⁷Now the *National Gazette*.

⁸1 January 1976.

Revision of Laws

5. Omission of certain laws.

(1) The Administrator¹ may, by notice in the *Gazette*², direct the omission from the Revised Laws of any provision which in his opinion it is undesirable or unnecessary to publish in the Revision.

(2) The First Legislative Counsel³ may omit from the Revised Laws any subordinate enactment that in his opinion it is undesirable or unnecessary to publish in the Revision because of its limited application or otherwise, but in that event a note of the omission shall be included in the Revision.

(3) A note referred to in Subsection (2) of this section is conclusive evidence that the subordinate enactment was omitted under that subsection, and the absence of such a note is conclusive evidence that it was not so omitted.

6. Editorial omission of certain provisions.

(1) In the preparation of the Revised Laws any of the following laws and provisions may be omitted:—

- (a) all laws or provisions that have been repealed, whether expressly or by necessary implication, or have expired, have had their effect or have been superseded; and
- (b) all repealing provisions, and all tables, lists and schedules of repealed provisions; and
- (c) all provisions continuing in operation a law to which this Ordinance applies made under a repealed provision where that law is itself included in the Revised Laws; and
- (d) all preambles, where the omission can conveniently be made; and
- (e) all provisions prescribing the date on which a law or provision is to come into operation, or the manner in which that date is to be fixed, where the omission can conveniently be made; and
- (f) all amending provisions, where the amendments have been embodied in the law to which they relate; and
- (g) all words of enactment; and
- (h) all provisions so far as they effect changes of titles or citations of laws; and
- (i) all provisions the whole of which, except provisions relating to titles and citations of laws, incorporation with other laws and other preliminary and formal matters, consists of amendments to other laws, where the amended laws are themselves included in the revised laws; and
- (j) all declaratory provisions, where they are incorporated in some other law in accordance with paragraph (e) of Subsection (1) of Section 7 of this Ordinance; and
- (k) all forms, where the omission can conveniently be made; and
- (l) all validating provisions; and
- (m) all vesting provisions; and
- (n) all subordinate enactments made under laws omitted from the Revised Laws by virtue of the preceding provisions of this section.

¹As at the effective date the reference was to the Head of State, acting on advice.

²Now the National Gazette.

³See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

Revision of Laws

(2) To the extent that any provision otherwise in force is omitted from the Revised Laws by virtue of Subsection (1) of this section it shall be deemed to have been repealed.

7. Editorial powers of revision.

(1) Subject to Section 9 of this Ordinance, in the preparation of the Revised Laws the First Legislative Counsel¹ has and may exercise the following powers :—

- (a) the grouping and sequence of laws may be arranged in Chapters in such manner as seems convenient; and
- (b) grammatical, typographical, clerical and similar errors or inconsistencies may be corrected; and
- (c) punctuation may be corrected; and
- (d) references and cross-references may be altered or corrected; and
- (e) the provisions of any law may be renumbered, and any references or cross-references to a renumbered provision may be altered accordingly; and
- (f) the order or arrangement of the provisions of any law may be altered; and
- (g) tables or standard provisions showing the arrangement of Parts, Divisions, Subdivisions, sections, schedules, forms or other component parts of any law may be added or omitted; and
- (h) marginal notes or headnotes may be supplied, altered or deleted; and
- (i) footnotes and other annotations may be added by way of amplification, reference or cross-reference or may be deleted or altered; and
- (j) a short title may be added to any law, and a short title may be altered; and
- (k) such formal alterations as to names, locations, departments, offices, titles and otherwise may be made as may be necessary or desirable to bring any provision into conformity with the circumstances of Papua New Guinea as at the effective date; and
- (l) any words, expressions, nomenclature or provisions which have become obsolete may be omitted and replaced (where necessary) by appropriate words, expressions, nomenclature or provisions; and
- (m) references to amounts of money in a currency other than the present currency of Papua New Guinea may, where appropriate, be altered to references to the equivalent amounts in the currency of Papua New Guinea; and
- (n) where any variation in any law is necessary for giving full effect to any provision of any other law by which the scope, effect or construction of any provision of the first-mentioned law is varied, modified, enlarged, restricted, qualified or otherwise affected, the variation may be made; and
- (o) where the meaning and effect of a declaratory provision can conveniently be expressed by incorporating it into some other law included in the Revised Laws, it may be so incorporated in some convenient form; and
- (p) any two or more provisions relating to the same subject matter, or which it is convenient to consolidate, may be consolidated into one provision, with such alterations as may be necessary or desirable as a result; and
- (q) the form or arrangement of any provision may be altered by transferring words, or by dividing it into two or more provisions; and

¹See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

Revision of Laws

- (r) any provision of any law may be transferred to any other law to which it more properly or more conveniently belongs; and
- (s) where any form, schedule or other provision of any Ordinance can be more conveniently and properly included as or in a subordinate enactment, it may be so included; and
- (t) where the meaning of any provision can be more conveniently expressed by reliance on any provision of the law applicable to the interpretation of statutes, or where the meaning of any provision that relies on any provision of that law, or that is expressed by reference to any other provision, can be more conveniently expressed without any such reliance or reference, the necessary alterations may be made (including the provision, amendment or deletion of a definition); and
- (u) generally, convenient standard forms for any provisions in common use may be adopted, in accordance with directions issued under Subsection (3) of this section, and any provision may be altered accordingly; and
- (v) any alterations may be made that are necessary or desirable in order to achieve uniformity of style, expression and form; and
- (w) any alterations may be made that are necessary or desirable for generally improving, and bringing into conformity with modern standards of drafting, the form and manner in which any provision is expressed; and
- (x) any alterations may be made that are necessary or desirable to shorten or simplify the phraseology of any provision; and
- (y) Ordinances may be restyled "Acts"; and
- (z) any other thing relating to form or method may be done that may be necessary or desirable for the perfecting of the Revised Laws, whether by analogy with the preceding provisions of this subsection or otherwise, and in particular any omission or alteration may be made that is consequential on, or is made desirable by, any omission or alteration made under Section 6 of this Ordinance or the preceding provisions of this subsection.

(2) The powers conferred by Subsection (1) of this section are cumulative, each such power is additional to and not in derogation of any other such power and any two or more such powers may be exercised in relation to any one provision.

(3) The First Legislative Counsel¹ may from time to time issue general directions, not inconsistent with the preceding provisions of this section, as to drafting style and concerning the manner and form of presentation of laws in the Revised Laws, the exercise of his powers under those provisions and generally for implementing those provisions, and with a particular view to improving and standardizing the form and drafting of laws for the future.

(4) Directions under Subsection (3) of this section shall be—

- (a) tabled in the House of Assembly²; and
- (b) published in the *Gazette*³.

¹See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

²Now the National Parliament.

³Now the National Gazette.

Revision of Laws

8. Texts of documents included in Ordinances, etc.

Where any law to which this Ordinance applies sets out the text of any agreement or other document, nothing in this Ordinance allows any alteration to the text of that agreement or document.

9. Method of dealing with alterations of substance.

(1) Nothing in Section 7 of this Ordinance allows the making of any change in the substance and effect of any law, but this provision is directory only.

(2) If it appears desirable that, in the preparation of the Revised Laws, alterations or amendments not authorized by Section 6 or 7 of this Ordinance should be made, the First Legislative Counsel¹ may cause a Bill or other appropriate draft law to be prepared setting out those alterations and amendments, which shall be submitted to the Administrator² and dealt with in the ordinary way.

(3) If it appears desirable for the purposes of the preparation and perfecting of the Revised Laws, or for any purpose associated with it, that further or other legislative provision be made, the First Legislative Counsel¹ shall cause a Bill or other appropriate draft law to be prepared, which shall be submitted to the Administrator² and dealt with in the ordinary way.

(4) A Bill or other draft law prepared in accordance with Subsection (2) or (3) of this section may provide—

- (a) that it shall apply to the Revised Laws as if it had come into force immediately before the effective date; or
- (b) that it shall not be included in the Revised Laws, or both.

9A. Inclusion of constitutional laws³.

The Constitutional Laws and any subordinate enactments made under the Constitutional Laws may be included in the Revised Laws in some convenient form, but they do not form part of the Revised Laws for the purposes of this Act.

10. Inclusion of certain other laws.

(1) There may be included in the Revised Laws, in some convenient form—

- (a) any laws that were in force in or in relation to the country or a part of the country before Independence Day; and
- (b) any foreign laws; and
- (c) any other documents or materials,

that are, in the opinion of the First Legislative Counsel¹, of sufficient constitutional or other importance to warrant their inclusion, but they do not form part of the Revised Laws for the purposes of this Act⁴.

(2) There may be included in the Revised Laws—

- (a) any laws that were made before, but were not yet in force on, the effective date; and

¹See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

²As at the effective date, the reference was to the Head of State, acting on advice.

³Section 9A, added by the *Revised Edition of the Laws Act 1976*, Section 4(2).

⁴This subsection was substituted by the *Revised Edition of the Laws Act 1976*, Section 4(3). The original subsection read as follows:—

"There may be included in the Revised Laws any Australian Acts or other documents of sufficient constitutional or other significance to warrant their inclusion, but they shall be deemed not to form part of the Revised Laws."

Revision of Laws

(b) any laws that were made after the effective date which the Administrator¹, by notice in the *Gazette*², directs to be so included, in such manner and with such annotations as the First Legislative Counsel³ thinks necessary or desirable in order to explain their actual or prospective effect, and to conform with the requirements of the Revised Laws.

(3) The provisions of this Ordinance, with such modifications as are necessary, apply to and in relation to laws to which Subsection (2) of this section applies in the same manner as they apply to laws to which this Ordinance applies, except that in the case of laws referred to in paragraph (b) of that subsection the date of publication of the notice under that paragraph shall be treated as the effective date.

11. Bringing Revision into force.

The Revised Laws shall come into operation on such date as is provided for by or under an Ordinance in the form or to the effect of the Schedule to this Ordinance.

12. Rectification of errors.

(1) The First Legislative Counsel³ may, by notice in the *Gazette*², rectify any clerical or printing error appearing in the Revised Laws, or rectify in a manner consistent with the powers conferred by this Ordinance any other error so appearing.

(2) Every notice under this section shall promptly be laid before the House of Assembly⁴, and if a resolution is passed at the meeting of the House⁴ at which the notice is so laid or at the next following meeting that the notice be disallowed the notice ceases to have effect, but without prejudice to the validity of anything done or suffered under it or to the making of a new notice.

13. General effect of Revision.

(1) Except in so far as concerns any law omitted from the Revised Laws under Section 5 of this Ordinance, on and after the date referred to in Section 11 of this Ordinance the Revision is, in all courts and for all purposes, the sole authentic text of the laws of Papua New Guinea according to their respective tenors—

(a) in the case of a law to which this Ordinance applies, or of a law included in accordance with paragraph (a) of Subsection (2) of Section 10 of this Ordinance—as at the effective date but subject to the effect of any law included under paragraph (b) of that subsection; and

(b) in the case of a law included in accordance with paragraph (b) of Subsection (2) of Section 10 of this Ordinance—as at the date of publication in the *Gazette*² of the relevant notice under that section.

(2) Nothing in this Ordinance gives to a subordinate enactment included in the Revised Laws any validity other than that which it would have had if it had been made by the appropriate authority on the date referred to in Section 11 of this Ordinance.

14. Continuance in force of certain subordinate enactments.

On the date referred to in Section 11 of this Ordinance, all subordinate enactments that were :—

(a) made under a law to which this Ordinance applies; and

¹As at the effective date, the reference was to the Head of State, acting on advice.

²Now the National Gazette.

³See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

⁴Now the National Parliament.

Revision of Laws

(b) in force immediately before the effective date; and

(c) omitted from the Revised Laws under Section 5 of this Ordinance,

shall be deemed to have been in force on the effective date as if they had been made under the corresponding provision in the Revised Laws.

15. Effect of annotations.

Where any factual statement is made in relation to any law to which this Ordinance applies in any annotation in the Revised Laws, that statement is, unless the contrary intention appears, prima facie evidence of the fact so stated.

16. Construction of reference to repealed or amended laws.

Where in any law of Papua New Guinea or in any document reference is made to any provision, the reference shall, where necessary and practicable, be construed as a reference to the corresponding provision in the Revised Laws.

17. Sealed copies to be deposited.

(1) Three bound copies of each volume of the Revised Laws shall be dated and signed by the Administrator¹ and shall be sealed with the Public Seal of Papua New Guinea².

(2) One of the sealed copies shall be deposited amongst the records of the Supreme Court³, one shall be held in the records of the House of Assembly⁴ and one shall be held in such custody as the Administrator¹ directs.

18. Distribution of Revision.

(1) Copies of the Revised Laws shall be distributed among such persons, officers, Departments and institutions as the Administrator¹ directs.

(2) There shall be offered to the public such number of copies at such prices as the Administrator¹ directs.

19. Replacements and additional material.

(1) The First Legislative Counsel⁵ shall from time to time cause to be issued—

(a) replacement sheets incorporating any amendments to the text of laws included in the Revised Laws; and

(b) directions for the removal of provisions that have been repealed or have expired, have had their effect or have been superseded, or that otherwise might have been omitted from the Revised Laws under Section 6 of this Ordinance; and

(c) the text of new laws to be incorporated in the Revised Laws.

(2) Each replacement sheet, and the text of each new law, shall—

(a) specify the date as at which it was prepared; and

(b) state the part of the Revised Laws that it replaces, or where it should be inserted in the Revised Laws,

and shall form part of the Revised Laws as if the date specified under paragraph (a) of this subsection were the effective date.

¹As at the effective date, the reference was to the Head of State, acting on advice.

²Now the National Seal.

³Now the National Court.

⁴Now the National Parliament.

⁵See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

Revision of Laws

(3) In preparing a replacement sheet or the text of a new law to be incorporated into the Revised Laws, the First Legislative Counsel¹ may exercise, as appropriate, all or any of the powers conferred by Section 6, 7 or 9 of this Ordinance.

20. Judicial notice of Revision, etc.

(1) All courts and persons acting judicially shall take judicial notice of the text of the laws to which this Ordinance applies as included in the Revised Laws.

(2) Except where this Ordinance specifically provides to the contrary, no footnotes or other annotations, and no explanatory matter, printed in the Revised Laws in relation to any provision shall be deemed to form part of that provision or be judicially noticed.

(3) The mere production of a volume purporting to be a volume of the Revised Laws and to have been printed by a Government Printer is, in all courts and before all persons acting judicially, prima facie evidence that the volume is a volume of the Revised Laws.

(4) The copies of the Revised Laws sealed under Section 17 of this Ordinance, and copies of replacement sheets and new laws prepared under Section 19 of this Ordinance and certified by the First Legislative Counsel¹ to be such copies, as affected by any rectification under Section 12 of this Ordinance, are for all purposes conclusive evidence of the texts of the laws to which they relate.

(5) A law or former law that is not included in the Revised Laws may be proved in any way in which it might have been proved immediately before the effective date.

(6) The provisions of this section are in addition to and not in derogation of any other law relating to evidence or judicial notice.

21. Continuance of text of former laws for certain purposes.

The inclusion of a law in, or the exclusion of a law from, the Revised Laws does not affect any civil or criminal proceeding previously commenced under that law, but every such proceeding may be continued and everything in relation to it may be done in all respects as if the law had not been so included or excluded.

22. Periodical lists of laws not yet incorporated into Revision.

The First Legislative Counsel¹ shall, from time to time, at intervals not exceeding three months, cause to be published in the *Gazette*² lists of all laws amending, repealing or affecting laws included in the Revised Laws for which replacement sheets or new material has not been issued under Section 19 of this Ordinance.

23. Place of this Ordinance, etc., in the Revision.

(1) This Ordinance and any Ordinance made in accordance with Section 11 of this Ordinance shall be included at or about the beginning of the text of the Revised Laws.

(2) Section 7 of this Ordinance does not apply to or in relation to the printing of an Ordinance in accordance with the preceding provisions of this section.

(3) All notices under Subsection (1) of Section 5, or paragraph (b) of Subsection (2) of Section 10, of this Ordinance shall be printed with the Ordinances referred to in Subsection (1) of this section.

¹See, also, the *Revised Edition of the Laws Act 1976*, Sections 1, 2.

²Now the *National Gazette*.

Revision of Laws

SCHEDULE.

“Commencement” Bill¹.

PAPUA NEW GUINEA.

Revised Laws (Commencement) Bill 1973.

Sec. 11.

ARRANGEMENT OF CLAUSES.

1. Short title.
2. Commencement.
3. Incorporation.
4. Bringing of Revised Laws into force.
5. Effect of subordinate enactments.

PAPUA NEW GUINEA.

A BILL
FOR
AN ORDINANCE

To bring into operation the Revised Laws of Papua New Guinea, and for related purposes.

Be it ordained by the House of Assembly, in pursuance of the powers conferred by the *Papua New Guinea Act 1949-19*, as follows :—²

1. Short title.

This Ordinance may be cited as the *Revised Laws (Commencement) Ordinance 19*.

2. Commencement.

This Ordinance shall come into operation on the date on which it receives Assent.

3. Incorporation.

This Ordinance shall be incorporated and read as one with the *Revision of the Laws Ordinance 1973*.

4. Bringing of Revised laws into force.

The Revised Laws of Papua New Guinea shall come into force on the _____ day of _____, One thousand nine hundred and _____, as if contained in this Ordinance.

5. Effect of subordinate enactments.

Subject to paragraph (s) of Subsection (1) of Section 7 of the *Revision of the Laws Ordinance 1973*, nothing in Section 4 of this Ordinance gives to a subordinate enactment included in the Revised Edition of the Laws of Papua New Guinea any force or effect other than that which it would have had had it been made by the appropriate authority on the date fixed by Section 4 of this Ordinance.

¹See *Revised Laws (Commencement) Act*.

²The post-Independence formula would, of course, be—
“MADE by the National Parliament”.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revision of Laws Act 1973.

FIXING OF DATE.

I, Tore Lokoloko, G.C.M.G., O.B.E., K.St.J., Governor-General, by virtue of the powers conferred by Section 4(2) of the *Revision of the Laws Act 1973* and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby fix as the date at which the Revised Laws shall be prepared as 1st January, 1976.

Dated this 4th day of May, 1981.

TORE LOKOLOKO,

Governor-General.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

LAWS OMITTED FROM THE REVISED EDITION UNDER SECTION
5 OF THE REVISION OF THE LAWS ACT 1973.

Part 1.—General Omissions

1. All Appropriation and Supply Acts.
2. All saving provisions.
3. All validating provisions.
4. Laws amending laws listed in Part 2.
5. All subordinate legislation under laws listed in Part 2, except where otherwise shown in that Part.
6. All subordinate legislation so far as it relates to named individuals or bodies.
7. All subordinate legislation that was not required to be published or notified in the *National Gazette*.
8. All subsidiary legislation made after 1 January 1980.

Part 2.—Listed Omissions

Coastal Shipping, Ports and Harbours Regulations 1938 of the former Territory of New Guinea.

Continental Shelf (Living Natural Resources) Act 1968 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Criminal Practice Rules of 1900, Schedule to, (Queensland adopted).

Fees (Increase) Act 1923 of England as adopted by Constitution, Section Sch. 2.6 and Schedule 5, Part 2.

Income Tax Act 1959.

Income Tax (Rates) Act Consolidated 1976.

Income Tax (Specific Gains Tax) (Rates) Act 1982.

Judiciary Act 1903-1969 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Land (Tenure Conversion) Act 1963.

Land Titles Commission Act 1962.

The Marine Board Act of 1908 of the former Territory of Papua.

Maritime Conventions Act 1911 of England, as adopted by Constitution, Section Sch. 2.6 and Schedule 5, Part 2.

Merchant Shipping Acts 1894 to 1921 of England, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 2.

Revision of Laws

Merchant Shipping (Liability of Shipowners & Others) Act 1900 of England as adopted by Constitution, Section Sch. 2.6 and Schedule 5, Part 2.

Nationality and Citizenship Act 1948-1967 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

The Navigation Act of 1889 of the former Territory of Papua.

Navigation Act 1912-1973 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Patents Act 1903-1973 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Petroleum (Submerged Lands) Act 1967-1968 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Seamen's Compensation Act 1911-1972 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Seamen's War Pensions and Allowances Act 1940-1974 of Australia, as adopted by Constitution Section Sch. 2.6 and Sch. 5, Part 1.

Transactions with Natives Act 1958.

The Water Police Act of 1853 (Queensland, adopted) of the former Territory of Papua.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

*Revised Edition of the Laws Act 1976*¹.

ARRANGEMENT OF SECTIONS.

1. Commissioner for the Revised Laws.
2. Powers, etc., of Commissioner.
3. Inclusion of this Act, etc., in the Revised Edition.
4. Amendment of the Revision of Laws Act².

¹In accordance with Section 23 of the *Revision of the Laws Act 1973*, printed at page 3, this Act is printed without major editorial change, except for the required omission of Section 4. Amendments made by it have been incorporated in that Act.

²Omitted as required by Section 4(4).

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revised Edition of the Laws Act 1976.

Being an Act to provide for the preparation of the initial Revised Laws of Papua New Guinea, to be incorporated and read as one with the *Revision of the Laws Act 1973*,

MADE by the National Parliament.

1. Commissioner for the Revised Laws.

(1) The Head of State, acting on advice, may appoint a person to be the Commissioner for the Revised Edition of the Laws of Papua New Guinea.

(2) The Commissioner is responsible for the preparation, as at the date fixed under Section 4(2) of the Principal Act, of the Revised Laws.

2. Powers, etc., of Commissioner.

For the purposes of the performance of his functions under Section 1(2), the Commissioner appointed under Section 1 has all the powers, functions, duties and responsibilities of the First Legislative Counsel under the Principal Act, and references in that Act to the First Legislative Counsel shall be read as references to the Commissioner accordingly.

3. Inclusion of this Act, etc., in the Revised Edition.

This Act, and any appointment made under Section 1, shall be included in the text of the Revised Edition in some convenient place following the *Revision of the Laws Act 1973*.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revised Edition of the Laws Act 1976.

APPOINTMENT OF COMMISSIONER FOR THE REVISED LAWS.

I, JOHN GUISE, G.C.M.G., Governor-General, by virtue of the powers conferred by Section 1 of the *Revised Edition of the Laws Act 1976* and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby appoint CYRIL JOSEPH LYNCH to be the Commissioner for the Revised Edition of the Laws of Papua New Guinea.

DATED this 20th day of September 1976.

John Guise,
GOVERNOR-GENERAL

REVOCATION AND APPOINTMENT OF COMMISSIONER FOR THE REVISED EDITION

I, TORE LOKOLOKO, G.C.M.G., O.B.E., K.St.J., Governor-General, by virtue of the powers conferred by Section 1 of the *Revision of the Laws Act 1973* and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby—

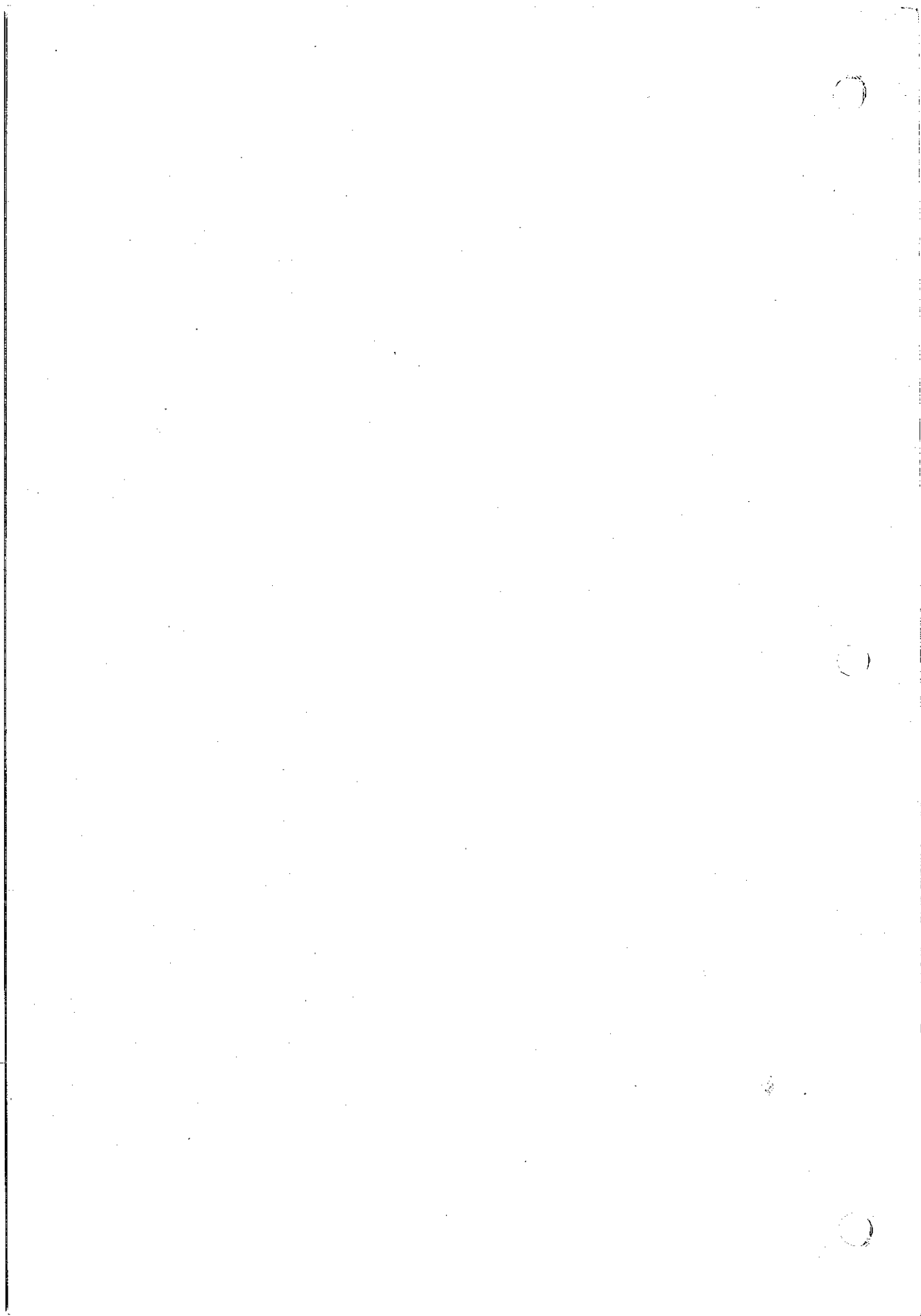
(a) revoke the appointment of Cyril Joseph Lynch dated 20th September, 1976; and

(b) appoint Jack Royston Mattes,

as Commissioner for the Revised Edition of the Laws of Papua New Guinea.

DATED this 18th day of September, 1980.

Tore Lokoloko,
GOVERNOR-GENERAL



INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revised Laws (Commencement) Act 1981.

ARRANGEMENT OF SECTIONS.

1. Bringing of Revised Laws into force.
2. Effect of subordinate enactments.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Revised Laws (Commencement) Act 1981.

BEING an Act to bring into operation the Revised Laws of Papua New Guinea, and for related purposes, to be incorporated and read as one with the *Revision of the Laws Act 1973*,

MADE by the National Parliament.

1. Bringing of Revised Laws into force.

The Revised Laws of Papua New Guinea shall come into force on 1 January 1982, as if contained in this Act.

2. Effect of subordinate enactments.

Subject to Section 7(1)(s) of the *Revision of the Laws Act 1973*, nothing in Section 1 gives to a subordinate enactment included in the Revised Edition of the Laws of Papua New Guinea any force or effect other than that which it would have had had it been made by the appropriate authority on the date fixed by Section 1.

