

PAPUA.



No. 12 of 1940.

AN ORDINANCE

To Amend the "Ordinance Interpretation Ordinance,
1911-1939."

H. W. CHAMPION.

[L.S.]

18th September, 1940.

BE it ordained by the Legislative Council for the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1940*, as follows:—

1. (1) This Ordinance may be cited as the *Ordinance Interpretation Ordinance, 1940*. Short title and citation.

(2) The *Ordinance Interpretation Ordinance, 1911-1939*, is in this Ordinance referred to as the Principal Ordinance.

(3) The Principal Ordinance as amended by this Ordinance may be cited as the *Ordinance Interpretation Ordinance, 1911-1940*.

2. Section Three of the Principal Ordinance is amended by omitting the word "of" (second last occurring) and inserting in its stead the word "for". Application of Ordinances.

Ordinance Interpretation Ordinance, 1940.

Commence-
ment of
Ordinances
assented to by
Administrator
or reserved.

3. Section Five of the Principal Ordinance is amended by omitting the word "Lieutenant-Governor" (wherever occurring) and inserting in its stead the word "Administrator".

Evidence of
date of assent
or notification
of assent.

4. Section Six of the Principal Ordinance is amended by omitting the word "Lieutenant-Governor" (wherever occurring) and inserting in its stead the word "Administrator".

Constitutional
and official
definitions.

5. Section Nineteen of the Principal Ordinance is amended—

(a) by inserting before the definition of "The Territory" the following definitions:—

"Administrator" shall mean the Administrator of the Territory and shall include any person for the time being administering the Government of the Territory;

'Administrator in Council' shall mean the Administrator acting with the advice of the Executive Council or acting in opposition to the advice and decision of the Executive Council as the case may be;";

(b) by omitting the definitions "Lieutenant-Governor" and "Lieutenant-Governor in Council"; and

(c) by adding at the end thereof the following subsection:—

"(2) Where in any Ordinance or law of the Territory there is a reference to—

(a) the Lieutenant-Governor—that reference shall be read as a reference to the Administrator;

(b) the Lieutenant-Governor in Council—that reference shall be read as a reference to the Administrator in Council; and

(c) the Central Court—that reference shall be read as a reference to the Supreme Court."

Ordinance Interpretation Ordinance, 1940.

6. Section Twenty-six of the Principal Ordinance is amended— Definitions and meanings of certain words.

(a) by omitting from paragraph (a) the words “Central Court” (wherever occurring) and inserting in their stead the words “Supreme Court”; and

(b) by adding at the end thereof the following word and paragraph:—

“; and

(f) the word ‘Judge’ shall mean a Judge of the Supreme Court of the Territory.”

7. Section Twenty-eight of the Principal Ordinance is amended by omitting the words “Lieutenant-Governor or by the Lieutenant-Governor” and inserting in their stead the words “Administrator or by the Administrator”. Proclamations judicially noticed.

8. After Section Thirty-seven of the Principal Ordinance the following section is inserted:— Numbering of Ordinances.

“37A. The Government Printer shall in each year consecutively number arithmetically the Ordinances of the Territory according to the date of the Administrator’s assent thereto or the date upon which the Governor-General’s pleasure is made known as the case may be.”

9. Sections Six and Twenty-eight of the Principal Ordinance shall continue to apply to all Ordinances ordained and Proclamations and Orders made or purporting to have been made prior to the commencement of this Ordinance as if this Ordinance had not been ordained. Saving of certain provisions.

Passed in Council this eighteenth day of September, in the year of Our Lord One thousand nine hundred and forty.

