

**Unvalidated References:**  
*Constitution*

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 September 1948.

.....  
Legislative Counsel  
Dated 25 November 2006

## **INDEPENDENT STATE OF PAPUA NEW GUINEA.**

Chapter 298.

***Agents for Natives Regulation 1934***



## ARRANGEMENT OF SECTIONS.

1. Constitutional application.
2. Interpretation.  
    “agent for natives”  
    “licence”
3. Unlicensed persons acting as agents for natives.
4. Application for licence.
5. Grant of licence.
6. Conditions of licence.
7. Duration of licence.
8. Fees.
9. Cancellation of licence.
10. Failure to comply with conditions.

### SCHEDULE 1

#### *Agents for Natives Regulation 1934*

MADE under the *Licences Act* (T.N.G.) 1934.

Dated                      200 .

#### 1. CONSTITUTIONAL APPLICATION.

This Regulation applies, in accordance with Section Sch. 2.6(2) (*adoption of pre-Independence Laws*) of the *Constitution*, in and in relation to the area that, immediately before Independence Day, formed the Territory of New Guinea.

#### 2. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**agent for natives**” means a person other than a native (whether or not he carries on any other business) who, for reward, acts as an agent for the sale or disposition of coconuts, copra or other agricultural products on behalf of a native;

“**licence**” means a licence granted under this Regulation.

#### 3. UNLICENSED PERSONS ACTING AS AGENTS FOR NATIVES.

A person other than—

- (a) a native; or
- (b) an officer of the Public Service in the exercise of his functions as such,

who acts as an agent for natives is guilty of an offence unless he is the holder of a licence.

Penalty: A fine not exceeding K100.00.

**4. APPLICATION FOR LICENCE.**

A person who desires to obtain a licence must lodge with the Head of State—

- (a) a written application; and
- (b) a fidelity bond for K200.00 in the form in the Schedule from an insurance company or other surety approved for the purpose by the Head of State, acting on advice.

**5. GRANT OF LICENCE.**

(1) Subject to this Regulation, the Head of State, acting on advice, may grant or refuse an application for the grant of a licence.

(2) A licence shall specify the area within which it is valid.

**6. CONDITIONS OF LICENCE.**

A licence is subject to the following conditions:—

- (a) the licensee must not act as an agent for natives outside the area specified in the licence; and
- (b) the licensee must record in a book to be kept by him for the purpose particulars of all transactions entered into by him as an agent for a native; and
- (c) the licensee must keep his accounts in such a manner as to show the true position of the moneys to which they relate and to enable the accounts to be conveniently and properly audited; and
- (d) the licensee shall, at all reasonable times, permit a District Officer or a person authorized in writing by the Departmental Head to inspect all books, accounts, documents or papers relating to transactions entered into by him as an agent for natives, and to audit his accounts.

**7. DURATION OF LICENCE.**

A licence expires on 30 June next after the date of issue of the licence.

**8. FEES.**

(1) Subject to Subsection (2), the fee for a licence is K6.00.

(2) The fee for a licence issued during the first six months in any year is K4.00.

**9. CANCELLATION OF LICENCE.**

(1) The Head of State, acting on advice, may cancel any licence.

(2) Compensation is not payable by the State on account of the cancellation of a licence.

**10. FAILURE TO COMPLY WITH CONDITIONS.**

A licensee who fails to comply with a condition of his licence is guilty of an offence.

Penalty: A fine not exceeding K100.00.

**SCHEDULE 1**

**Sch. 1**

*Agents for Natives Regulation 9999*

Reg., Sec. 4.

**BOND**



... of ... (if made by a corporation, insert its name and registered office; if made by an individual or individuals, insert full name or names, address and additions of approved surety) is bound to the State in the sum of K200.00 to be paid to the State, for the due payment of which (I or we or the company) bind(s) (myself, my heirs, executors and administrators or ourselves and each of us, our respective heirs, executors and administrators or itself) by this Bond.

Whereas one (name of applicant for a licence with address) ... is an applicant for the grant of a licence under the *Agents for Natives Regulation*, under the terms of which Regulation each applicant is required to lodge with his application a fidelity bond for K200.00 from some insurance company or other surety approved for the purpose by the Head of State, acting on advice:

And Whereas (name of surety) has (or have) agreed to enter into the above bond for the fidelity of (name of person whose fidelity is answered for) as an agent for natives in all matters and things connected with, arising out of or incidental to his behaviour, conduct or dealings in relation to that business during the year ending 30 June 20...

The condition of this obligation is that if (name of person whose fidelity is answered for) is granted a licence under the *Agents for Natives Regulation*, and while the holder of that licence he behaves himself in all things in relation to the conduct of the business of an agent for natives in an honest and lawful manner and observes and complies with the requirements of the law governing agents for natives, then this Bond shall be void and of no effect, but otherwise it remains in full force and virtue.

Dated ... 20...

THE COMMON SEAL of ... was affixed

in the presence of

or

SIGNED, SEALED, AND DELIVERED

by

in the presence of

*Agents for Natives Regulation 1934*