

Unvalidated References:

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 316.

Native Regulation 1939

ARRANGEMENT OF SECTIONS.

PART I – PRELIMINARY.

[1 - 3. *Repealed*]

PART II – SUCCESSION TO PROPERTY.

Division 1 – Preliminary.

[4. *Repealed*]

Division 2 – Devolution of Property.

[5 - 7. *Repealed*]

Division 3 – Administration of Intestate Property.

[8 - 16. *Repealed*]

PART III – OFFENCES.

17. Adultery.

18. Inducing, etc., female to have unlawful sexual intercourse.

[19. *Repealed*]

20. Evidence of spouses..

SCHEDULE 1

Native Regulation 1939

MADE under the *Native Regulation Act*, 1908 of the former Territory of Papua (Adopted).

Dated 200 .

PART I. – PRELIMINARY.

1 - 3¹. [*REPEALED.*]

¹ Schedule 2 amended by *Passports (Amendment) Regulation 1990* (No 2 of 1990); replaced by *Passports (Amendment) Regulation 1995* (No 15 of 1995), s2.

PART II. – SUCCESSION TO PROPERTY.

Division 1.

Preliminary.

4². **[REPEALED.]**

Division 2.

Devolution of Property.

5 - 7³. **[REPEALED.]**

Division 3.

Administration of Intestate Property.

8 - 16⁴. **[REPEALED.]**

² Section 4 repealed by *Wills, Probate and Administration (Amendment) Act 1987* (No. 15 of 1987), s3(2).

³ Schedule 2 amended by *Passports (Amendment) Regulation 1990* (No 2 of 1990); replaced by *Passports (Amendment) Regulation 1995* (No 15 of 1995), s2.

⁴ Schedule 2 amended by *Passports (Amendment) Regulation 1990* (No 2 of 1990); replaced by *Passports (Amendment) Regulation 1995* (No 15 of 1995), s2.

PART III. – OFFENCES.**17. ADULTERY.**

(1) A married person who is subject to this Regulation who has sexual intercourse with another such person of the opposite sex (other than his or her wife or husband) is guilty of an offence.

Penalty: A fine not exceeding K6.00 or imprisonment for a term not exceeding six months, or both.

(2) A person who is subject to this Regulation who, knowing her or him to be married, has sexual intercourse with a married person (other than his or her wife or husband) who is subject to this Regulation and who is of the opposite sex is guilty of an offence.

Penalty: A fine not exceeding K6.00 or imprisonment for a term not exceeding six months, or both.

(3) A complaint may be brought under Subsection (1) or (2) only—

- (a) by the husband or wife (being a person who is subject to this Regulation) of the woman or man with whom the offence was alleged to have been committed; or
- (b) in the absence of the husband or wife, as the case may be, by his or her nearest available relative.

18. INDUCING, ETC., FEMALE TO HAVE UNLAWFUL SEXUAL INTERCOURSE.

A person who is subject to this Regulation who does anything with the object of inducing or compelling a female to have sexual intercourse with a male who is not her husband is guilty of an offence.

Penalty: A fine not exceeding K4.00 or in default of payment to imprisonment for a term not exceeding four months, or to imprisonment in the first instance for a term not exceeding four months.

19⁵. [REPEALED.]**20. EVIDENCE OF SPOUSES..**

On the hearing of a complaint under this Part, the husband or wife of the accused person is a competent but not a compellable witness.

⁵ Section 19 repealed by *Wills, Probate and Administration (Amendment) Act 1987* (No. 15 of 1987), s3(2).

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⁶ Schedule 1 repealed by *Wills, Probate and Administration (Amendment) Act 1987* (No. 15 of 1987), s3(2).

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