

# BUILDING REGULATIONS.<sup>(1)</sup>

## PART I.—PRELIMINARY.

1. These Regulations may be cited as the *Building Regulations*.<sup>(1)</sup> Short title.

2. These Regulations are divided into Parts, as follows:—

Part I.—Preliminary.

Part II.—Building Boards.

Part III.—Administration and Miscellaneous.

Part IV.—Building Provisions.

Division 1.—General.

Division 2.—Dwelling Houses.

Division 3.—Commercial Buildings.

Part V.—Provisions relating to Buildings Dangerous or Unfit for Human Habitation.

Parts.

Am. by 1936,  
No. 38, r. 1.

3.—(1.) In these Regulations, unless the contrary intention appears—

“Board” means a Building Board constituted in accordance with these Regulations;

Definitions.

(1) The *Building Regulations* (made under the *Public Health Ordinance 1932-1938*) comprise the original *Building Regulations*, as amended by the other Regulations referred to in the following Table:—

### REGULATIONS MADE BY THE ADMINISTRATOR.

Description and number and year (if any).	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect.
<i>Building Regulations</i>	1.10.1932	5.10.1932	18.10.1932 ( <i>N.G. Gaz.</i> of 5.10.1932)
<i>Amending Regulations</i>	13.12.1932	15.12.1932	“Forthwith” <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 15.12.1932)
<i>Amending Regulation</i>	1.4.1933	13.4.1933	“Forthwith” <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 13.4.1933)
<i>Amending Regulation</i>	6.10.1933	16.10.1933	“Forthwith” <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 16.10.1933)
<i>Amending Regulations</i>	23.8.1934	31.8.1934	“Forthwith” <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 31.8.1934)
<i>Amending Regulation</i>	10.9.1934	15.9.1934	“Forthwith” <sup>(a)</sup> ( <i>N.G. Gaz.</i> of 15.9.1934)
<i>Amending Regulation</i> (1935, No. 2)	16.3.1935	1.4.1935	1.4.1935 ( <i>N.G. Gaz.</i> of 1.4.1935)
<i>Amending Regulations</i> (1936, No. 38)	15.12.1936	18.12.1936	18.12.1936 ( <i>N.G. Gaz.</i> of 18.12.1936)
<i>Amending Regulation</i> (1938, No. 11)	1.8.1938	15.8.1938	15.8.1938 ( <i>N.G. Gaz.</i> of 15.8.1938)

(a) Each of the sets of Regulations to which this note (a) applies stated in their respective introductory parts that they were “to come into operation forthwith.” At the relevant dates in 1932-1934 Section 19 (3) of the *Public Health Ordinance 1932-1938* (under which each of these sets of Regulations were made) provided that “Regulations made under this Ordinance shall—(a) be published in the *New Guinea Gazette*, and (b) take effect from the date of publication, or from a later date specified therein.” At the relevant dates in 1932-1934 there was no other Ordinance or regulation of general application providing for the publication of regulations, the date on which they were to take effect, or the meaning of “forthwith”.

## HEALTH—

- “build” includes erect, re-erect, add to, modify, or convert any buildings;
- “building” means any structure of whatsoever material constructed;
- “building inspector” means a building inspector appointed under these Regulations;
- “building line” means the line between which and any public place or public reserve a building may not be erected;
- “commercial building” means a building used or constructed or adapted to be used for the purposes of any trade, industry, manufactory, shop, or other business or commercial purpose or as a place of public amusement;
- “dwelling house” means a building used or constructed or adapted to be used either wholly or in part for human habitation but does not include other than the dwelling-house portion (if any) of a commercial building;
- “habitable room” means any living room and includes all rooms intended or adapted to be used for the purposes of sleeping or eating;
- “permit” means a permit to build granted under these Regulations;
- “residential area” means an area declared under the *Public Health Ordinances 1932*<sup>(2)</sup> to be a residential area.

(2.) Any reference in these Regulations to a form shall be read as a reference to a form in the Schedule to these Regulations.

4.—(1.) For the purposes of these Regulations, the Administrator may, by notice in the *New Guinea Gazette*, appoint an officer of the Public Service of the Territory to be a building inspector in respect of the town specified in the notice.

(2.) A building inspector shall use all due diligence and take all lawful means to enforce compliance with the provisions of these Regulations.

5.—(1.) Subject to the provisions of the next succeeding sub-regulation, these Regulations shall apply to the erection of buildings, and to additions to, or alterations or conversions of, existing buildings, in any town.

(2.) The Administrator may, by notice<sup>(3)</sup> in the *New Guinea*

(2) Now the *Public Health Ordinance 1932-1938*.

(3) Pursuant to Regulation 5, the Administrator, by notice dated 11.5.1939 and published in *N.G. Gaz.* of 31.5.1939 declared that the provisions of the *Building Regulations* should apply to the following area:—

“All that area situated at Maprik in the Sepik District commencing at the junction of the left bank of Towigut Creek with the right bank of Screw River and bounded thence generally on the south-west by the left bank of the said Towigut Creek upstream generally north-westerly for approximately 2050 metres thence on the north-west by a line bearing magnetic 27 degrees for approximately 950 metres to a point on the right bank of the said Screw River thence generally on the north-east by the right bank of the said Screw River downstream generally south-easterly for approximately 3050 metres to the point of commencement.”

By the same notice the Administrator directed that the Wewak Building Board should have and exercise within that area the several powers and authorities conferred upon a Building Board by the *Building Regulations*.

Am. by Regs.  
gazetted on  
16.10.1933,  
r. 1.

Appointments  
of building  
inspectors.

Application of  
Regulations.

*Building Regulations.*

*Gazette*, declare that any or all of the provisions of these Regulations shall apply to any place or area, other than a town, specified in the notice as if the place or area were a town, and may direct that the Board specified in the notice shall have and may exercise within the place or area the several powers and authorities conferred upon a Board by these Regulations.

(3.) Except as otherwise specifically provided in these Regulations, these Regulations shall not apply to buildings for the housing of natives employed under the provisions of the *Native Labour Ordinance* 1922-1932<sup>(4)</sup> or any Ordinance amending, or in substitution for, that Ordinance.

(4.) Where a building is such that different regulations are applicable to different portions of the building, the different portions shall be subject to the regulations respectively applicable:

Provided that where a building is partly a dwelling house a Board may apply to the whole of the building any or all of the provisions of these Regulations relating to a dwelling house.

6. The Administrator may, by notice<sup>(5)</sup> in the *New Guinea Gazette*, exempt any building or any area, other than a residential area, from the operation of these Regulations or any of them.

Power of Administrator to exempt from Regulations.

PART II.—BUILDING BOARDS.

7.—(1.) For the purposes of these Regulations, there shall be a Building Board for each of the towns of the Territory.

Boards.

(2.) Each Board shall be known by the name of the town for which it is constituted, as, for example, "Rabaul Building Board", and shall have and may exercise within that town the several powers and authorities conferred upon a Board by these Regulations.

8.—(1.) Subject to the provisions of this regulation and of regulation 9 of these Regulations, a Board shall consist of two members who shall be the District Officer (who shall be the Chairman of the Board) and the Local Medical Authority of the District in which the town for which the Board is constituted is situate.

Constitution of Boards.  
Sub-reg (1) am. by Regs. gazetted on 15.9.1934, r. 1.

(1A.) The Administrator may, by notice<sup>(6)</sup> in the *New Guinea*

Sub-reg (1A) ad. by Regs. gazetted on 15.9.1934, r. 1.

(4) Repealed and replaced by the *Native Labour Ordinance* 1935-1939.

(5) No notice has been published in *N.G. Gaz.*

(6) Pursuant to Regulation 8, the Administrator, by notices, particulars of which are set out in the following Table, declared that the provisions of Section 8 (1) should not apply to the Towns specified in the respective notices, and appointed Boards for those Towns. A notice which is not now in force is shown in italics.

Date on which notice made.	Date on which published in <i>N.G. Gaz.</i>	Town specified.
20.9.1934 <sup>(a)</sup>	29.9.1934	Wau
<i>30.10.1941<sup>(b)</sup></i>	<i>15.11.1941</i>	<i>Lae</i>
4.12.1941	15.12.1941	Lae

(a) The members of the Board were changed by notices published in *N.G. Gaz.* of 16.10.1939, 15.8.1940, 15.3.1941, 6.5.1941 and 11.6.1941.

(b) Revoked by notice dated 4.12.1941 and published in *N.G. Gaz.* of 15.12.1941.

## HEALTH—

*Gazette*, declare that the provisions of sub-regulation (1.) of this regulation shall not apply to a town specified in the notice, and may, in the same or a subsequent notice, appoint two persons to constitute the Board for the town and may direct that one of the persons shall be the Chairman of the Board.

(2.) If, at any meeting of a Board constituted under this regulation, the members differ in opinion on any matter, the matter shall be referred to the Rabaul Building Board for determination, and that Board shall thereupon determine the matter of the reference and advise the Chairman of the Board by which the reference was made of its decision.

Rabaul  
Building Board.

9.—(1.) The Board for the town of Rabaul (the Rabaul Building Board) shall consist of five members, who shall be—

- (a) the person for the time being performing the duties of Director of Public Health of the Territory, who shall be the Chairman of the Rabaul Building Board;
- (b) the person for the time being performing the duties of Director of Public Works of the Territory;
- (c) the person for the time being performing the duties of Secretary for Lands, Surveys, Mines, and Forests of the Territory; and
- (d) two persons appointed by the Administrator by notice in the *New Guinea Gazette*.

(2.) A member appointed in pursuance of paragraph (d) of the last preceding sub-regulation shall hold office for a term of two years and shall be eligible for reappointment.

(3.) In the event of the absence from the Territory of a member appointed in pursuance of paragraph (d) of sub-regulation (1.) of this regulation, the Administrator may, by notice in the *New Guinea Gazette*, appoint a person to act during his absence.

(4.) Notwithstanding the provisions of sub-regulation (2.) of this regulation, the Administrator may, by notice in the *New Guinea Gazette*, remove a member appointed in pursuance of paragraph (d) of sub-regulation (1.) of this regulation.

(5.) The Chairman shall preside at all meetings of a Board at which he is present, and in his absence from any meeting the members present shall elect one of their number to preside as Chairman.

(6.) For the conduct of business, any three members of a Board shall be a quorum and shall have all the powers of the Board.

(7.) The Chairman shall have a deliberative vote and, in the event of an equality of votes for and against any matter, a second or casting vote.

*Building Regulations.*

10. All meetings of a Board shall be convened by the Chairman or a member of the Board authorised by him, by notice in writing to the other member or members of the Board specifying the time and place of meeting.

Meetings.

11.—(1.) At every meeting of a Board, the Chairman or a person appointed by him shall take minutes of the proceedings and shall record them in a minute book.

Minutes of meetings.

(2.) At each meeting of a Board the correctness of the minutes of the last preceding meeting shall be taken into consideration before the Board proceeds to the dispatch of any other business.

(3.) The minutes of each meeting shall be signed, after confirmation, by the Chairman of the meeting at which they are confirmed.

PART III.—ADMINISTRATION AND MISCELLANEOUS.

12.—(1.) No person shall build any building within a town unless he is the holder of a permit to do so given by the Board constituted for that town.

Necessity for permit.

Penalty: Fifty pounds or imprisonment for three months.

(2.) The provisions of this regulation shall not apply to the Administration.

13.—(1.) An application for a permit shall be in accordance with Form A and, except as hereinafter provided, shall be forwarded to the Chairman of the proper Board accompanied by two copies of the plans and specifications and by a fee of Five shillings.

Application for permit.

(2.) The application shall state the purpose for which the building is to be used.

(3.) The plans shall consist of a general plan of the building and a block plan, and shall be drawn to a convenient scale.

(4.) The general plan shall show the floor plan, the front, rear, and side elevations, and at least one section through the building.

(5.) The block plan shall show the area of the allotment and the relation of the building to the boundaries of the allotment and to other buildings thereon.

(6.) The specifications shall describe the construction, the materials of which the building is to be built, the provisions for water storage for domestic purposes, and the methods of drainage, and shall state whether the materials will be new or secondhand, and if secondhand shall give particulars.

14. A Board may dispense with the requirement that plans and specifications and the prescribed fee shall accompany an application for a permit where—

Power to dispense with plans, &c., in certain cases.

(a) minor alterations are proposed to be made to any existing building; or

R. 14 am. by 1935, No. 2, r. 1.

HEALTH—

(b) it is proposed to build—

- (i) a summer house or pergola;
- (ii) a tool house;
- (iii) a private boat house;
- (iv) a fuel shed;
- (v) a private cycle or motor shed;
- (vi) a fowl house or other structure intended for accommodation of domestic animals; or
- (vii) a temporary building.

Power to require information.

15. A Board may postpone consideration of an application for a permit until the applicant furnishes such plans or information as it may, by notice in writing, require.

Grounds on which a Board shall refuse a permit.

16.—(1.) Except as otherwise provided in these Regulations, a Board shall refuse an application for a permit in any case in which the plans or specifications show a proposed contravention of these Regulations.

Sub-reg. (1A) ad. by Regs. gazetted on 15.12.1932, r. 1.

(1A.) A Board may refuse an application for a permit in any case in which the design or materials shown or specified in the plans or specifications of a building are considered by the Board to be unsuitable for the site upon which the building is to be built.

(2.) If the application for a permit is refused, the applicant shall be informed of the reasons for the refusal.

Permit.

17.—(1.) If a Board grants an application for a permit, it shall forthwith—

(a) issue a permit in accordance with Form B and stamp both copies of the plans and specifications (if any) with the word “Approved” followed by—

- (i) the name of the Board;
- (ii) the signature of a member of the Board; and
- (iii) the date of the meeting at which the approval was given; and

(b) forward the permit together with one copy of the plans and specifications (if any) so stamped to the applicant.

(2.) A permit shall be void after a period of six months from the date of the permit unless the building has been substantially commenced.

Notice of completion of buildings.

18. Any person who erects a building or makes any alteration or addition to a building shall, within a reasonable time after the completion of the erection of the building or of the alteration or addition, give notice in writing to the proper Board.

*Building Regulations.*

19. A Board, upon receipt of the notice mentioned in the last preceding regulation, may grant or refuse a certificate in accordance with Form C that the building has been completed in accordance with these Regulations.

Certificate of completion.

20. No person shall occupy or authorise any person to occupy any building which has been erected, added to, or in any way altered since the commencement of these Regulations, unless a certificate under the last preceding regulation has been issued:

Occupation of buildings.

Provided that where a person is in occupation at the time of any addition or alteration to an existing building he may continue in occupation until the certificate is refused.

21.—(1.) A member of a Board or a building inspector may—

Powers of Boards and building inspectors.

(a) enter upon any allotment and inspect any building or building material on the allotment; and

(b) require that any person directing any building operations on any allotment shall—

(i) produce to him a permit; or

(ii) state the name and address of the person under whose authority he is directing the building operations.

(2.) A building inspector shall report promptly to the proper Board any breach of these Regulations that may come to his notice.

22.—(1.) Where, in erecting any building or doing any work to, in, or upon any building, anything in contravention of these Regulations is done or omitted to be done, a Board may, by notice in writing served upon the builder or owner or both, require him or them to make, within the time specified in the notice, such alterations as may be necessary to comply with these Regulations.

Notice in case of irregularity.

(2.) Nothing contained in this regulation shall be deemed to affect the liability of any person to prosecution for a breach of these Regulations without notice.

(3.) Any person who fails to comply with any lawful requirement made by a Board under this regulation shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months, and, in addition, Five pounds for every day during which the offence continues.

23. No building which does not comply with the provisions of these Regulations relating to a dwelling house or to a combined commercial building and dwelling house, shall be used as a dwelling house unless so used at the time of the commencement of these Regulations.

Use of buildings.

HEALTH—

Prohibition of erection or use of buildings in a residential area for purposes of trade, &c.

24.—(1.) A person shall not erect in any residential area any building for use for the purposes of any trade, industry, manufactory, shop, or place of public amusement, other than those prescribed.

(2.) A person shall not use in any residential area any building for the purposes of any trade, industry, manufactory, shop, or place of public amusement, other than those prescribed or other than those for which the building was used at the time of the coming into operation of these Regulations.

Area of building allotments.

25.—(1.) In any residential area, a building shall not be erected upon an allotment having an area of less than twenty-five ares nor shall the proportion of any allotment which may be covered by buildings exceed one-third of the whole allotment.

(2.) Subject to the provisions of regulation 50 of these Regulations, in an area other than a residential area, a building shall not be erected upon an allotment having an area of less than fifteen ares nor shall the proportion of any allotment which may be covered by buildings exceed one half of the whole allotment.

Distance from building line and boundaries.

26.—(1.) No building, other than a commercial building, or a combined commercial building and dwelling house erected under the provisions of sub-regulation (2.) of regulation 50 of these Regulations, shall be erected at a distance of—

- (a) less than thirty feet from a building line; or
- (b) less than twenty feet from the boundary of any adjoining allotment; or
- (c) less than thirty feet from any building on the same allotment.

Sub-reg. (2) am. by Regs. gazetted on 31. 8. 1934, r. 1.

(2.) The provisions of this regulation shall apply to buildings referred to in sub-regulation (3.) of regulation 5 of these Regulations.

(3.) A Board may exempt any building from the provisions of paragraphs (a), (b), or (c) of sub-regulation (1.) of this regulation.

Appeal.

27.—(1.) At any time within two months after—

- (a) the refusal of an application for a permit;
- (b) the service of a notice under these Regulations;
- (c) any refusal of the consent of a Board under these Regulations;
- (d) the refusal of a certificate under regulation 19 of these Regulations;
- (e) the making of any requirement by a Board under these Regulations; or
- (f) any order of a Board under these Regulations, a person aggrieved by the refusal, requirement, or order may, if he thinks fit, appeal to the Administrator.



*Building Regulations.*

(2.) The appellant shall serve on the Chairman of the proper Board a notice of appeal in accordance with Form D.

(3.) The Chairman, within seven days of the receipt of the notice of appeal, shall forward all relevant plans, specifications, and other documents to the Administrator together with the reason for the refusal, requirement, or order appealed against.

(4.) Subject to the provisions of these Regulations, the Administrator may allow or dismiss the appeal.

28. Any person who aids, abets, counsels, or procures, or by act or omission is in any way directly or indirectly knowingly concerned in, or party to, the commission of any offence against these Regulations, shall be deemed to have committed the offence and shall be punishable accordingly. Liability of persons aiding, &c.

29. Where any person (in this regulation referred to as the defendant) is charged with an offence under these Regulations, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge against himself and, if, after the commission of the offence has been proved, the defendant satisfies the court that he has used due diligence to ensure the observance of the provisions of these Regulations and that the other person has committed the offence in question without his knowledge, consent, or connivance, the other person shall be convicted of the offence and the defendant shall be exempt from any penalty. Exemption of defendant from penalty on conviction of actual offender.

30. Any person who contravenes or fails to comply with any provision of these Regulations or who fails to comply with any order or notice made or given under these Regulations shall be guilty of an offence and shall, where no other penalty is provided, be liable in respect of any offence to a penalty not exceeding Fifty pounds, and, in addition, to a daily penalty not exceeding Five pounds for every day during which the offence continues. Penalties. Am. by 1936, No. 38, r. 2.

PART IV.—BUILDING PROVISIONS.

*Division 1.—General.*

31. The provisions of this Division shall apply to all buildings. Application of Division.

32. No persons shall build upon a site which has been filled with, or upon which has been deposited, any material impregnated with faecal, animal, or vegetable matter, until the material has been removed by excavation or otherwise and any depressions caused by the removal filled up with clean soil. Unhealthy sites.

Damp sites.

**33.**—(1.) A Board shall not grant an application for a permit to build upon a site which it deems to be unhealthy owing to its dampness, until the site has been effectually drained and rendered sound and dry.

(2.) Wherever the dampness of a site makes it necessary or expedient, a Board may require that, before any building is commenced, the whole or any part of the surface of the site shall be covered by a layer at least four inches thick of cement concrete or tarred metal solidly rammed.

Dampcourses.

**34.** A Board may, before granting an application for a permit, require that provision shall be made in the plans and specifications for satisfactory dampcourses to be inserted at approved positions in the walls.

Building line.

**35.**—(1.) A Board shall fix the building line for each street or part of a street and shall cause it to be marked upon a plan bearing the date of the resolution by which it was fixed.

(2.) The plan shall be available for inspection during office hours at the office of the Director of Public Works.

(3.) A Board may alter a building line in respect of any building or part of a building when it appears to the Board to be necessary or expedient owing to the levels or the depth of any allotment or to any other exceptional condition.

Height of buildings.

**36.**—(1.) Subject to the provisions of regulation 51 of these Regulations, a building shall not exceed two storeys in height.

(2.) For the purpose of this regulation, any roof space containing a room or rooms and any basement or cellar shall not be counted as a storey.

Dimensions of habitable rooms.

**37.** In any habitable room—

- (a) the floor area shall not be less than 120 square feet; and
- (b) the height of the walls shall not be less than ten feet.

Foundations.

**38.** Every building shall rest either upon a brick, stone, or concrete foundation or upon brick, stone, or concrete piles with galvanized iron or zinc plates laid upon the tops of the piles:

Provided that a Board may in any case permit the use of wooden piles or dispense with the requirement of galvanized iron or zinc plates.

Footings.

**39.**—(1.) The walls of every building of brick, stone, concrete, or similar material, unless built upon a hard rock foundation, shall rest upon proper footings or upon a sufficient beam.

(2.) The height from the bottom of the footings to the base of the wall shall be equal to at least two-thirds of the thickness of the wall at its base.

*Building Regulations.*

(3.) When the footings are constructed of reinforced concrete, a Board may approve of a height less than that mentioned in the last preceding sub-regulation, but in any case it shall not be less than nine inches.

40.—(1.) A Board shall not grant an application for a permit unless the plans and specifications of the proposed building make provision, in the case of a frame building, for the following:—

Ventilation,  
lighting, &c.  
Sub-reg. (1)  
am. by Regs.  
gazetted on  
13.4.1933,  
r. 1.

(a) Where the building is proposed to be erected on piles, a clear space of not less than three feet between the ground level and every joist upon which the lowest floor is laid.

(b) Where the building is proposed to be erected on dwarf walls constructed of concrete—

(i) the ground-floor level being not less than six inches above the ground level;

(ii) the ground floor being of concrete of a thickness of not less than three inches; and

(iii) the walls resting upon foundations extending as a dwarf wall not less than twelve inches below the surface and having a thickness of not less than four inches greater than the thickness of the walls.

(c) Ventilation through the external walls—

(i) for a distance of nine inches from the ceiling downwards; or

(ii) in the proportion of six square feet for every thousand cubic feet of internal air ventilated.

(d) A window or windows (the area of glass in any glass door in any external wall being deemed to be a window for the purpose of this paragraph) of any room having, exclusive of sash frame, a total superficial area of not less than one-sixth of the floor area of the room.

(2.) Additional ventilation and lighting may be required by a Board in cases in which it thinks additional ventilation or lighting advisable for the maintenance of health.

41. Every building shall be provided with the prescribed closet accommodation. Closets.

42. Every building shall be provided with drains—

Drains.

(a) adequate for the purpose of carrying away from the building all surface, rain, or waste water; and

(b) laid elsewhere than beneath the building, unless a Board deems this to be impracticable.

HEALTH—

Roofs.

43. Every roof shall be constructed of iron, tiles, or other impervious material and shall be of a pitch approved by a Board.

Power to exempt outbuildings

44. A Board may exempt from the operation of regulations 38 to 43 inclusive of these Regulations or any of them—

- (a) any outbuilding used as a summer house, pergola, tool house, private boat house, fuel shed, private garage, private stable, fowl house, outhouse, or the like; or
- (b) any buildings erected within any public garden, recreation reserve, sports ground, golf course, or racecourse.

Assembly rooms, &c.

45. A building, in which there is a room, designed for the assembly of persons for any purpose, having a floor area of five hundred or more square feet, shall be built in compliance with the following provisions:—

- (a) The room shall be provided with at least two exits.
- (b) If the room is on any floor above the ground floor, it shall, in addition to the two exits, be provided with two staircases, or one staircase and one fire escape, leading from the exits to the ground floor or an open area.
- (c) The exits and staircases and the passages connecting them shall be of a total width calculated in the proportion of twenty inches for every six hundred square feet of floor area; but no exit, staircase, or passage shall be less than three feet six inches in width.
- (d) The stairs shall be uniform throughout with risers not more than seven inches high and treads not less than ten inches wide exclusive of nosings.
- (e) Each flight of steps shall contain not less than three nor more than fourteen risers.
- (f) Landings shall be half-space or quarter-space; and there shall be no winding stairs.
- (g) There shall be sufficient handrails, securely fixed; and staircases of over ten feet in width shall have a central handrail.
- (h) A door shall not open immediately upon a flight of steps, but a landing of a depth at least equal to the width of the door shall be provided between the steps and the doorway.

Access to allotment.

46. No building shall be built upon an allotment to which in the opinion of a Board there is not a convenient and satisfactory means of access for the purpose of removal of night-soil, garbage, and other refuse.

*Building Regulations.*

*Division 2.—Dwelling Houses.*

47. Every dwelling house erected after the commencement of these Regulations shall be provided with—

Provision for bathroom and laundry.

(a) a bathroom—

- (i) completely enclosed except so far as may be necessary for ventilation and lighting; and
- (ii) having a floor composed of impervious material properly graded and drained and having an area of not less than forty-two square feet; and

(b) a laundry separate from the kitchen and fitted with wash-tubs and copper or other means of washing clothes and having a floor composed of impervious material properly graded and drained.

48. All dividing walls between semi-detached dwelling houses or between one flat and another in the same dwelling house shall be so constructed as to—

Construction of dividing walls.

(a) minimise the conduction of sound; and

(b) where the dividing walls are of wood, contain a cavity not less than two inches wide throughout the length and height of the internal portion of the walls, the cavity to be filled with some sound-absorbing material approved by a Board.

49. Each semi-detached dwelling house and flat shall contain a bathroom, a laundry, and a kitchen:

Semi-detached houses and flats.

Provided that, in a residential-flat building, where a room is provided for meals to be taken by all the tenants or a kitchen is provided for the preparation of food for all the tenants, a separate kitchen need not be provided for each flat, if the approval of a Board is obtained.

*Division 3.—Commercial Buildings.*

50.—(1.) In an area other than a residential area, a commercial building which is not designed for use as a dwelling house in any part, other than for a caretaker, may, with its appurtenant buildings, occupy not more than seven-tenths of the allotment on which it stands.

Proportion of allotment to be occupied by buildings.

(2.) In an area other than a residential area, a Board may permit the erection of a building intended to be used as a commercial building and dwelling house combined on any allotment:

Provided that the proportion of the allotment which may be covered by buildings shall not exceed two-thirds of the allotment:

Proviso am. by 1938, No. 11, r. 1.

## HEALTH—

Provided further that no building shall be erected at a distance of less than ten feet from the boundary of any adjoining allotment without the consent in writing of a Board.

Sub-reg. (3)  
ad. by Regs.  
gazetted on  
31.8.1934,  
r. 2.

(3) The provisions of sub-regulation (2.) of regulation 25 of these Regulations shall not apply to buildings referred to in sub-regulation (1.) and (2.) of this regulation.

Height of  
commercial  
buildings.

51. A commercial building referred to in sub-regulation (1.) of the last preceding regulation may be three storeys in height.

Construction.

52. Every commercial building shall be so constructed—

- (a) that no wall shall be built at a distance of less than three feet from the boundary of any adjoining allotment;
- (b) that any wall built at a distance of less than six feet from the boundary of any adjoining allotment shall be constructed of fireproof or slow-burning material and shall be carried up two feet above the rafters;
- (c) that any fireproof walls shall be carried on concrete dwarf walls and be devoid of any break or opening and that no downpipe shall be led through or down the face of the fireproof walls; and
- (d) that the roof shall be constructed of fireproof or slow-burning material.

Dividing walls  
of shops or  
suites of offices.

53. Where any commercial building makes provision for a number of shops or suites of offices, a Board may direct that the walls dividing the shops or suites—

- (a) shall be constructed of fire-proof or slow-burning material; and
- (b) shall pass through the roof without break or opening and form a parapet two feet above the rafters.

Part V. ad. by  
1936, No. 38,  
r. 3.

### PART V.—PROVISIONS RELATING TO BUILDINGS DANGEROUS OR UNFIT FOR HUMAN HABITATION.

Power to  
declare building  
dangerous or  
unfit for human  
habitation, &c.

R. 54 ad. by  
1936, No. 38,  
r. 3.

54.—(1.) Where in any town a building or any part thereof is, in the opinion of the Building Board for that town, dangerous or unfit for human habitation, occupation, or use, the Building Board may—

- (a) declare, by notice to the owner, the building or any specified part thereof dangerous or unfit for human habitation, occupation, or use, as the case may be; and
- (b) prohibit, by the same or a subsequent notice, the habitation, occupation, or use of the building or any specified part thereof declared under the last preceding paragraph

*Building Regulations.*

dangerous or unfit for human habitation, occupation, or use after the time specified in the notice until the consent of the Building Board is given.

(2.) The notice under the last preceding sub-regulation prohibiting the habitation, occupation, or use of a building or any specified part thereof until the consent of the Building Board is given shall be affixed to some conspicuous part of the building.

(3.) After the expiration of the time specified in the notice referred to in the last preceding sub-regulation, a person shall not inhabit, occupy, or use the building or the part thereof specified in the notice, as the case may be, or suffer it to be inhabited, occupied, or used.

(4.) Where under sub-regulation (1.) of this regulation a Building Board has declared a building or any specified part thereof dangerous or unfit for human habitation, occupation, or use, the Building Board may, by order in writing served upon the owner, require him to take down and remove, or repair or alter in a manner specified in the order, the building or any specified part thereof, or otherwise to put the building or any specified part thereof in good repair and condition to the satisfaction of the Building Board, within a reasonable time to be fixed by the order.

(5.) If the owner of any building in respect of which an order is made under the last preceding sub-regulation refuses or neglects to comply with the order within the time fixed by the order, the Building Board may enter the premises on which the building is erected, and do the work required by the order.

(6.) The cost incurred by any Building Board in doing work under the last preceding sub-regulation shall be recoverable from the owner as a debt in any court of competent jurisdiction.

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THE SCHEDULE.

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FORM A.

TERRITORY OF NEW GUINEA.

*Building Regulations.*

APPLICATION FOR A PERMIT.

, 19 .

To the Chairman of the Building Board.

I submit herewith Plans and Specifications for a<sup>(a)</sup>  
to be used as<sup>(b)</sup> to be built by me on the allotment  
of land shown in the accompanying block plan, such allotment having a frontage  
to

Name of Builder (if known)

Address of Builder

Signature of Owner or Agent.

Address of Owner or Agent.

(a) State if new building, alteration, addition, conversion, &c.

(b) State purpose, e.g., dwelling house, shop, &c.

HEALTH--

FORM B.

TERRITORY OF NEW GUINEA.

*Building Regulations.*

PERMIT.

Permission is hereby given to<sup>(a)</sup>  
to erect a building as a<sup>(b)</sup>  
on allotment<sup>(c)</sup> in accordance with the Plans  
and Specifications attached hereto, and in accordance with the provisions of the  
Building Regulations.

Signed on behalf of the \_\_\_\_\_ Building Board this  
day of \_\_\_\_\_, One thousand nine hundred and \_\_\_\_\_  
Member of the \_\_\_\_\_ Building Board.

- (a) Name, description, and address of applicant.
- (b) Short description of building, e.g., dwelling house, shop, &c.
- (c) Situation of allotment.

FORM C.

TERRITORY OF NEW GUINEA.

*Building Regulations.*

CERTIFICATE OF COMPLETION.

This is to certify that a building has been completed by<sup>(a)</sup>  
on allotment<sup>(b)</sup> at  
in accordance with the Plans and Specifications approved therefor, and in  
accordance with the provisions of the Building Regulations.

Signed on behalf of the \_\_\_\_\_ Building Board this  
day of \_\_\_\_\_, One thousand nine hundred and \_\_\_\_\_  
Member of the \_\_\_\_\_ Building Board.

- (a) Name, description, and address.
- (b) Situation of allotment.

FORM D.

TERRITORY OF NEW GUINEA.

*Building Regulations.*

NOTICE OF APPEAL.

To the Chairman of the \_\_\_\_\_, 19 \_\_\_\_\_  
Building Board.  
Take notice that I appeal against the \_\_\_\_\_  
of the \_\_\_\_\_ Building Board set out hereunder.  
The grounds of my appeal and a statement of my case are annexed hereto.  
Signature of Appellant  
Address  
Refusal, Requirement, or Order appealed against:—