

PAPUA.



No. 2 of 1920.

AN ORDINANCE

*To Prohibit the Disposal of German Property and for
other Purposes.*

J. H. P. MURRAY.

[L.S.]

15th March, 1920.

BE it enacted by the Lieutenant-Governor of the Territory of Papua, with the advice and consent of the Legislative Council thereof, as follows :—

1. This Ordinance may be cited as the *German Property Ordinance*, 1920. Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.

“German debts” means any debts or moneys which became payable before or during the war between England and Germany by or to a British subject resident in Papua to or by a German national resident in Germany;

German Property Ordinance, 1920.

“German national” means a subject of Germany and includes any company or corporation incorporated in Germany according to the law of Germany.

Disposal of property by German national prohibited.

3. (1) No person who is a German national shall, without the consent in writing of the Lieutenant-Governor, sell, transfer, mortgage or otherwise dispose of any property, or enter into any contract or agreement for the sale, transfer, mortgage or disposal of any property in which he has any estate or interest, and any person who commits a contravention of this subsection shall be guilty of an offence against this Ordinance.

(2) Any sale, transfer, mortgage, disposal, contract or agreement made, granted or entered into in contravention of this section shall be absolutely void and of no effect.

(3) Any sale, transfer, mortgage or disposal of property by a German national, and any contract or agreement for the sale, transfer, mortgage or disposal of property by a German national, made, granted or entered into since the tenth day of January, One thousand nine hundred and twenty, and before the commencement of this section, shall be absolutely void and of no effect.

(4) The Lieutenant-Governor may, by notice in writing, exempt from the provisions of this section any transaction or class of transactions entered into by a German national.

Payment and acceptance of German debts.

4. (1) Any person who, without the consent of the Lieutenant-Governor (proof whereof shall lie upon the person accused)—

- (a) pays or accepts payment of any German debt; or
- (b) being interested as debtor or creditor in any such debt has any communication with any other person who is interested therein as creditor or debtor

shall be guilty of an offence against this Ordinance.

(2) Any person who, without the consent of the Lieutenant-Governor (proof whereof shall lie upon the person accused), takes proceedings in any court for the recovery of any German debt shall be guilty of an offence against this Ordinance.

German Property Ordinance, 1920.

5. Offences against this Ordinance may be prosecuted summarily or upon indictment. Prosecution of offences.

6. The punishment for an offence against this Ordinance shall be as follows:— Punishment of offences.

- (a) If the offence is prosecuted summarily—a fine not exceeding Five hundred pounds or imprisonment for any term not exceeding twelve months, or both; and
- (b) if the offence is prosecuted upon indictment—a fine of any amount or imprisonment for not more than seven years, or both.

Passed in Council this fifteenth day of March, in the year of Our Lord One thousand nine hundred and twenty.