

PAPUA.



No. VII. of 1918.

## AN ORDINANCE

*To Amend the "Ordinance Interpretation Ordinance, 1911."*

J. H. P. MURRAY.

[L.S.]

*13th May, 1918.*

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

**1.** (1) This Ordinance may be cited as the *Ordinance Interpretation Ordinance, 1918.* Short title and citation.

(2) The *Ordinance Interpretation Ordinance, 1911*, as amended by this Ordinance may be cited as the *Ordinance Interpretation Ordinance, 1911-1918.*

**2.** After section four of the *Ordinance Interpretation Ordinance*, 1911, the following section is inserted:—

Exercise of statutory powers between passing and commencement of Ordinance. Cwth., No. 2 of 1901, s. 4.

“4A. When an Ordinance is not to come into operation immediately on the passing thereof and confers power to make any appointment to make grant or issue any instrument (including any rules regulations or by-laws) to give notices to prescribe forms or to do any other thing for the purposes of the Ordinance, that power may unless the contrary intention appears be exercised at any time after the passing of the Ordinance for the purpose of bringing the Ordinance into operation at the commencement thereof:

Provided that any instrument made under the power shall not unless the contrary intention appears in the Ordinance or the contrary is necessary for bringing the Ordinance into operation, come into operation until the Ordinance comes into operation.”

**3.** After section ten of the *Ordinance Interpretation Ordinance*, 1911, the following section is inserted:—

References to amended Ordinances *Ibid.*, s. 10A

“10A. Where in any Ordinance reference is made to any other Ordinance and that other Ordinance is subsequently amended then unless the contrary intention appears the reference shall from the date of the amendment be deemed to be to that Ordinance as so amended.”

**4.** Section thirty-three of the *Ordinance Interpretation Ordinance*, 1911, is amended by adding at the end thereof the following proviso:—

Amendment of s. 23 of Ordinance 7 of 1911.

“Provided that where any regulations made before the first day of May 1918 under any Ordinance adopt wholly or in part and with or without amendments or alteration any regulations made under any Commonwealth Act or under any Act of a State of the Commonwealth—

- (i) the notification of the regulations made under such Ordinance in the *Gazette* shall be a sufficient notification under this section of the regulations so adopted thereby; and

- (ii) the regulations as so adopted shall be deemed to have taken effect from the notification in the *Gazette* of the regulations adopting the same or from the later date specified in such last mentioned regulations; and
- (iii) paragraph (c) of this section shall not apply or be deemed to have applied to the Regulations so adopted."

5. After section thirty-three of the *Ordinance Interpretation Ordinance, 1911*, the following section is inserted:—

"33A. Where an Ordinance confers power to make Regulations the repeal of any Regulations which have been made under the Ordinance shall not unless the contrary intention appears in the Ordinance or Regulations effecting the repeal—

Effect of repeal of Regulations Cwth., No. 1 of 1904, s. 11.

- (a) affect any right privilege obligation or liability acquired accrued or incurred under any Regulations so repealed; or
- (b) affect any penalty forfeiture or punishment incurred in respect of any offence committed against any Regulations so repealed; or
- (c) affect any investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid;

and any such investigation legal proceeding or remedy may be instituted continued or enforced and any such penalty forfeiture or punishment may be imposed as if the repealing Ordinance or Regulations had not been passed or made."

Passed in Council this thirteenth day of May, in the year of Our Lord One thousand nine hundred and eighteen.