

# POLICE FORCE ORDINANCE 1930-1940.<sup>(1)</sup>

## An Ordinance to provide for the Constitution and Regulation of the New Guinea Police Force.

**B**E it ordained by the Governor-General of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *New Guinea Act 1920-1926*, as follows:—

### PART I.—PRELIMINARY.

1. This Ordinance may be cited as the *Police Force Ordinance 1930-1940*.<sup>(1)</sup> Short title.  
Amended by  
No. 3 of 1934,  
s. 50.

2. The *Police Force Ordinance 1922-1927* is hereby repealed. Repeal.

(1) The *Police Force Ordinance 1930-1940* comprises the *Police Force Ordinance 1930*, as amended by the other Ordinances referred to in the following Table:

TABLE.

#### PART I: ORDINANCES MADE BY THE GOVERNOR-GENERAL IN COUNCIL.

Short title, number and year.	Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Cwltth. Gaz.</i>	Date on which took effect.
<i>Police Force Ordinance 1930</i> (No. 3 of 1930)	19.2.1930	20.2.1930	20.2.1930 ( <i>Cwltth. Gaz.</i> of 20.2.1930)
<i>Police Force Ordinance 1931</i> (No. 16 of 1931)	20.4.1931	23.4.1931	23.4.1931 ( <i>Cwltth. Gaz.</i> of 23.4.1931)

#### PART II: ORDINANCES OF THE LEGISLATIVE COUNCIL.

Short title, number and year.	Date of assent by Administrator.	Date notified in <i>N.G. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
<i>Police Force Ordinance 1933</i> (No. 33 of 1933)	11.5.1933	15.12.1933	6.12.1933 ( <i>N.G. Gaz.</i> of 5.12.1933)
<i>Police Force Ordinance 1934</i> (No. 21 of 1934)	7.2.1934	15.8.1934	7.2.1934 ( <i>Laws of T.N.G.</i> , Vol. XIII, p. 59)
<i>Police Force Ordinance 1935</i> (No. 14 of 1935)	16.1.1935	15.6.1935	16.1.1935 ( <i>Laws of T.N.G.</i> , Vol. XIII, p. 173)
<i>Police Force Ordinance 1939</i> (No. 7 of 1939)	5.9.1939	16.12.1939	5.9.1939 ( <i>Laws of T.N.G.</i> , Vol. XV, p. 12)
<i>Police Force Ordinance 1940</i> (No. 5 of 1940)	2.4.1940	9.5.1940	The whole except Sec. 2 on 2.4.1940 ( <i>Laws of T.N.G.</i> , Vol. XV, p. 92); Sec. 2 on 2.9.1939 (Sec. 2 (2), <i>Police Force Ordinance 1940</i> )

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Existing regulations and officers.

3.—(1.) All regulations made under the Ordinance repealed by this Ordinance, which are in force at the commencement of this Ordinance, shall, except in so far as they are inconsistent with this Ordinance, be deemed to have been made under this Ordinance,<sup>(2)</sup> and any references in any such regulations to any enactments repealed by this Ordinance shall be construed as references to the corresponding provisions of this Ordinance.

(2.) The Superintendent of Police and members of the New Guinea Police Force appointed under or by virtue of the Ordinance repealed by this Ordinance, and holding office at the commencement of this Ordinance, shall remain in office as if this Ordinance had been in force at the time they were appointed, and they had been appointed thereunder or held office in pursuance thereof, and this Ordinance shall apply to them accordingly.

Parts.  
Amended by No. 7 of 1939, s. 2.

4. This Ordinance is divided into parts, as follows:—

Part I.—Preliminary.

Part II.—Composition and Administration of the Force.

Part III.—European Constabulary.

Part IV.—Auxiliary European Constabulary.

Part IVA.—Special Reserve European Constabulary.

Part V.—Native Constabulary.

Part VI.—General.

Definitions.

Amended by No. 7 of 1939, s. 3.

5. In this Ordinance, unless the contrary intention appears—

“Member of the Force” includes the Superintendent of Police, commissioned officers, warrant officers, sub-officers, European constables, non-commissioned officers and constables;

“Superintendent of Police” means the Superintendent of Police appointed under this Ordinance;

“The Force” means the New Guinea Police Force constituted under this Ordinance;

“The Administration” means the Administration or Government of the Territory.

### PART II.—COMPOSITION AND ADMINISTRATION OF THE FORCE.

Composition of Force.  
Sub-section (1) amended by No. 7 of 1939, s. 4.

6.—(1.) The Force, which shall be known as the New Guinea Police Force, shall, subject to the provisions of this Ordinance and the Regulations thereunder, consist of a Superintendent of Police and such other commissioned officers, warrant officers, sub-officers,

(2) See now Regulation 3 of the *Police Force Regulations*, printed on p. 3999.

European Constables, non-commissioned officers and constables as are appointed under this Ordinance.

(2.) The Force shall be divided into Branches as follows:—

- (a) European Constabulary;
- (b) Auxiliary European Constabulary;
- (ba) Special Reserve European Constabulary;
- (c) Native Constabulary.

Sub-section (2)  
amended by  
No. 7 of 1939,  
s. 4.

(3.) The Force shall not exceed on the whole such number as is from time to time determined by the Administrator.

7.—(1.) The Governor-General may appoint a Superintendent of Police.

Appointment of  
Superintendent  
of Police.

(2.) The Superintendent of Police shall be subject to the *Public Service Ordinance 1922-1933*.<sup>(3)</sup>

Section 7  
substituted by  
No. 33 of 1933,  
s. 3.

8.—(1.) In the event of a vacancy in the office of, or during the absence of, the Superintendent of Police, the Administrator may appoint an officer of the Public Service of the Territory to act as Superintendent of Police.

Acting  
Superintendent  
of Police.

(2.) The Superintendent of Police may, with the consent of the Administrator, delegate in writing all or any of his powers and functions under this Ordinance or any regulations made thereunder (except this power of delegation and his power to impose penalties under section twenty-four of this Ordinance) to any commissioned officer of the Force for any period during which the Superintendent of Police will be absent from Rabaul and on duty elsewhere in the Territory.

Sub-section (2)  
added by  
No. 16 of 1931,  
s. 2.

9. There shall be such Police Districts in the Territory as are prescribed.

Police Districts.

### PART III.—EUROPEAN CONSTABULARY.

10. The Administrator may appoint such commissioned officers and warrant officers to the European Constabulary as he deems necessary for the maintenance of the Force in an efficient condition and all such commissioned officers and warrant officers shall be Europeans.

Appointment of  
Officers.

11. No person shall be admitted to the European Constabulary unless he—

Officers  
to be British  
subjects.

- (a) is a natural born British subject;

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(3) Now the *Public Service Ordinance 1922-1940*.

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- (b) has submitted evidence to the satisfaction of the Administrator as to his date of birth, good character, health and physical fitness; and
- (c) makes and subscribes an oath or affirmation in accordance with the form provided in section thirty-six of this Ordinance.

Pay, allowances,  
and periods  
of service.

12. The pay and allowances (if any) of members of the European Constabulary and the periods of service shall be as prescribed.

Medical  
attention.

13. Whenever practicable, medical attention to members of the European Constabulary shall be provided, under such conditions as are prescribed.

Quarters and  
furniture.

14. Quarters, and on outstations furniture to members of the European Constabulary, shall be provided under such conditions as are prescribed.

Oath or  
affirmation  
equivalent to  
agreement.

15.—(1.) Every person taking or making and subscribing an oath or affirmation as provided in section thirty-six of this Ordinance shall be deemed to have thereby entered into a written agreement and shall be thereby bound to serve the Administration as a member of the Force from the date on which the oath or affirmation was taken or made and subscribed until he is discharged by the Administrator:

Provided that—

- (a) any such agreement shall not be set aside, cancelled or annulled for want of reciprocity; and
- (b) the agreement may be cancelled at any time by the discharge, dismissal or other removal from office of any such person or by the resignation of any such person duly accepted.

(2.) No member of the European Constabulary may resign his office or withdraw from the duties thereof unless expressly authorized so to do by the Administrator or a person thereto authorized by the Administrator, or unless he gives to the Administrator or the authorized person three months' notice in writing of his intention so to resign or withdraw.

(3.) Any member of the European Constabulary who resigns or withdraws otherwise than in accordance with the last preceding sub-section shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

16.—(1.) Every appointment to the European Constabulary shall be probationary for a period of twelve months upon the expiration of which the Administrator may confirm or annul the appointment or may extend the probationary period for a further twelve months. Probation.

(2.) The services of a probationer may be dispensed with by the Administrator at any time during the period of probation.

17. Whenever the Superintendent of Police is of the opinion that the number of members of the European Constabulary is greater than is required, he shall forthwith report to the Administrator who, if he considers that a reduction in the strength of European Constabulary is necessary, shall retire from the Force such members of the European Constabulary as he thinks fit: Reduction in strength.

Provided that, if the services of any such members can be utilized in lower ranks in the European Constabulary, the Administrator may transfer such members thereto and may reduce the salaries of such members to the prescribed rates of pay applicable to the ranks to which such members are transferred and the salaries of such members shall be reduced accordingly.

17A.—(1.) Where, after a full investigation, the Administrator is satisfied that any member of the European Constabulary is, owing to mental or bodily infirmity or for any other reason, unfit to discharge efficiently the duties of his office, he may, by notice in writing, retire the member from the Force. Power to retire member unfit to discharge duties.  
Section 17A inserted by No. 21 of 1934, s. 2.

(2.) Unless the Administrator so states in the notice, the retirement of the member shall not be deemed to be due to mental or bodily infirmity.

18. Any person who makes any false representation in applying for appointment as a member of the European Constabulary shall be guilty of an offence. Misrepresentation by applicant an offence.

Penalty: Fifty pounds or imprisonment for three months.

19.—(1.) The Superintendent of Police may suspend any commissioned or warrant officer of the European Constabulary. Suspension.

(2.) The suspension shall be reported at the earliest opportunity to the Administrator who may confirm the suspension and dismiss or terminate the appointment of the commissioned or warrant officer or direct that he be prosecuted or dealt with under this Ordinance or the Regulations thereunder.

(3.) No pay shall be allowed during the period of suspension unless the Administrator otherwise orders.

## POLICE FORCE—

Members not  
subject to  
*Public Service  
Ordinance  
1922-1929.*

20. Members of the European Constabulary shall not be subject to the *Public Service Ordinance* 1922-1929<sup>(3)</sup> of the Territory or the Regulations thereunder.

Officers of  
*Public Service*  
to retain  
rights.

21. If any officer of the Public Service of the Territory becomes a commissioned officer or warrant officer under this Ordinance, he shall retain all the rights in respect of leave of absence, furlough and superannuation to which from time to time he would be entitled if he had remained an officer of the Public Service of the Territory:

Provided that service prior to the commencement of this Ordinance as a temporary employee in the capacity of a warrant officer of the Force, if continuous with service in the European Constabulary, shall for the purposes of this section be deemed to be service as an officer of the Public Service of the Territory.

Leave of  
absence and  
superannuation.

Amended by  
No. 16 of 1931,  
s. 3.

22. Commissioned officers and warrant officers of the European Constabulary shall be entitled to such sick leave, leave of absence and furlough as are provided by the *Public Service Ordinance* 1922-1929<sup>(3)</sup> and shall, for the purposes of the *Superannuation Ordinance* 1928-1929,<sup>(4)</sup> be deemed to be officers of the Public Service of the Territory.

Leave for  
Defence  
purposes.

Section 22A  
inserted by  
No. 5 of 1940,  
s. 2.

22A.—(1.) The Administrator may grant leave of absence to any member of the European Constabulary who has enlisted in, or been appointed to, any Expeditionary Force raised under the provisions of the *Defence Act* 1903-1939<sup>(5)</sup> of the Commonwealth, or who is called up, in pursuance of that Act, for war service, and the duration of such leave shall not, unless the Administrator otherwise directs, exceed the period of the member's service with the Expeditionary Force or on war service, as the case may be.

(2.) Subject to the provisions of the next succeeding sub-section, leave of absence granted under this section shall be without pay.

(3.) A member of the European Constabulary who is granted leave of absence under this section may, if his pay as a member of the Defence Force in respect of the first sixteen calendar days of leave so granted is less than his pay as a member of the European Constabulary, be paid an amount equal to the difference.

(4.) The period during which any member of the European Constabulary is absent on leave granted under this section shall, for all purposes except the calculation of leave of absence for recreation or long leave, be included as part of the member's period of service.

Offences.

23. Any member of the European Constabulary who—

(a) commits any breach of the provisions of this Ordinance or the Regulations thereunder;

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(3) Now the *Public Service Ordinance* 1922-1940.

(4) Now the *Superannuation Ordinance* 1928-1940.

(5) Now the *Defence Act* 1903-1945.

*Police Force Ordinance 1930-1940.*

- (b) wilfully disobeys or disregards any lawful order made or given by any person having authority to make or give it;
- (c) is negligent or careless in the discharge of his duties;
- (d) is inefficient or incompetent and his inefficiency or incompetence arises from causes within his own control;
- (e) having made or subscribed an oath or affirmation under this Ordinance, does or says anything in violation of such oath or affirmation;
- (f) uses intoxicating liquor or drinks to excess;
- (g) is guilty of any conduct which is to the prejudice of the good order or discipline of the Force; or
- (h) is guilty of disgraceful or improper conduct either in his official capacity or otherwise,

shall be guilty of a disciplinary offence and shall be liable to be dealt with in accordance with the next succeeding section.

24.—(1.) The Superintendent of Police may as prescribed Offences. impose any of the following penalties upon any member of the European Constabulary who is found guilty of any disciplinary offence:—

- (a) Reprimand;
- (b) Severe reprimand;
- (c) A fine not exceeding five shillings.

(2.) The Administrator may as prescribed impose any of the following penalties upon any member of the European Constabulary who is found guilty of any disciplinary offence:—

- (a) Reprimand;
- (b) Severe reprimand;
- (c) A fine not exceeding £5;
- (d) Reduction to a lower rank;
- (e) Discharge from the Force;
- (f) Dismissal from the Force.

PART IV.—AUXILIARY EUROPEAN CONSTABULARY.

25. The Commissioner of Native Affairs,<sup>(6)</sup> District Officers, Acting District Officers, Assistant District Inspectors, Assistant District Officers, Acting Assistant District Officers and Patrol Officers shall, by virtue of their office and while holding their office, District Officers, &c., to be commissioned officers of police.

(6) See Section 3 of the *Reorganization of Native Affairs Department Ordinance 1932.*

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be deemed, for the purposes of this Ordinance, to be commissioned officers of the Auxiliary European Constabulary.

Appointment of officers and employees of the Public Service.

Amended by No. 21 of 1934, s. 3.

**26.** The Administrator may appoint to the Auxiliary European Constabulary as commissioned or warrant officers such officers or employees of the Public Service of the Territory of New Guinea as he deems necessary for the maintenance of the Force in an efficient condition.

Salary and allowance.

**27.** Officers and employees of the Public Service who are appointed to the Auxiliary European Constabulary shall not be paid any salary or allowance beyond that applicable to the office occupied by them under the *Public Service Ordinance 1922-1929*.<sup>(3)</sup>

Part IVA. inserted by No. 7 of 1939, s. 5.

### PART IVA.—SPECIAL RESERVE EUROPEAN CONSTABULARY.

Appointment of officers.

Inserted by No. 7 of 1939, s. 5.

**27A.** When it appears to the Administrator that a state of emergency exists, he may appoint such commissioned officers, warrant officers, sub-officers, and European constables to the Special Reserve European Constabulary as he deems necessary, and all such commissioned officers, warrant officers, sub-officers, and European constables shall be Europeans.

Admission to Special Reserve European Constabulary.

Section 27B inserted by No. 7 of 1939, s. 5.

**27B.** No person shall be admitted to the Special Reserve European Constabulary unless he—

- (a) is a natural born British subject;
- (b) has submitted evidence to the satisfaction of the Administrator as to his date of birth, good character, health, and physical fitness; and
- (c) makes and subscribes an oath or affirmation in accordance with the form provided in section thirty-six of this Ordinance.

Pay &c.

Inserted by No. 7 of 1939, s. 5.

**27C.** The pay and allowances (if any) of members of the Special Reserve European Constabulary shall be as prescribed.

Members of Special Reserve European Constabulary deemed members of European Constabulary for certain purposes.

Inserted by No. 7 of 1939, s. 5.

**27D.** Members of the Special Reserve European Constabulary shall, for the purposes of sections fifteen, eighteen, nineteen, twenty, twenty-three, and twenty-four of this Ordinance, be deemed to be members of the European Constabulary.

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(3) Now the *Public Service Ordinance 1922-1940*.



27E. The Administrator may at any time—

- (a) disband the Special Reserve European Constabulary;
- (b) dispense with the services of any member of the Special Reserve European Constabulary.

Power to disband  
Special Reserve  
European  
Constabulary, &c.  
Inserted by  
No. 7 of 1939,  
s. 5.

PART V.—NATIVE CONSTABULARY.

28. All non-commissioned officers and constables in the Force shall be natives.

Non-commissioned  
officers and  
constables.

29.—(1.) The pay of members of the Native Constabulary and the allowances and pensions (if any) shall be as prescribed.

Pay, allowances,  
pensions and  
periods of  
service in the  
Force.

(2.) Every native enrolled in the Force shall be enrolled for a period not exceeding five years, and shall unless legally discharged or dismissed from the Force be obliged to serve as a member of the Force for the period for which he has been enrolled.

(3.) On the completion of any term of service, a member of the Native Constabulary may be re-engaged for any further period not exceeding five years.

• 30. Members of the Native Constabulary may be granted such leave of absence as may be prescribed.

Leave of  
absence.

31. A commissioned officer of the Force may as prescribed impose any of the following penalties on any member of the Native Constabulary who commits any act of misconduct or neglect or breach of discipline as set forth in this Ordinance or the Regulations thereunder:—

Offences and  
punishment.

- (a) Admonishment or reprimand;
- (b) Confinement to barracks for a period not exceeding 28 days with or without, in the case of a constable, pack drill as prescribed;
- (c) Forfeiture of not more than one month's pay;
- (d) Detention not exceeding two months in barracks detention room and loss of pay during such detention with or without, in the case of a constable, pack drill as prescribed;
- (e) Fine not exceeding twenty shillings:

Paragraph (b)  
amended by  
No. 21 of 1934,  
s. 4.

Paragraph (d)  
amended by  
No. 21 of 1934,  
s. 4.

Provided that the Superintendent of Police may direct that any penalty imposed under this section by any specified commissioned officer or any member of a specified rank of commissioned officer shall not be put into execution until confirmed by a prescribed officer.

Proviso  
substituted by  
No. 21 of 1934,  
s. 4.

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Suspension.

32.—(1.) Any commissioned officer may suspend a member of the Native Constabulary for misconduct of any kind.

(2.) The suspension shall be reported at the earliest opportunity to the Superintendent of Police, who may confirm the suspension and discharge the member or direct that he be prosecuted or dealt with under this Ordinance or the Regulations thereunder.

(3.) No pay shall be allowed during the period of suspension unless the Superintendent of Police otherwise orders.

Discharge.

33. Any member of the Native Constabulary may be discharged at any time by order of the Superintendent of Police.

Power to reduce in rank.

Inserted by No. 21 of 1934, s. 5.

33A. The Superintendent of Police may reduce to a lower grade of non-commissioned rank or to the ranks any non-commissioned officer who commits any act of misconduct or neglect or breach of discipline as set forth in this Ordinance or the Regulations thereunder.

Dismissal or reduction for certain offence.

34.—(1.) Any non-commissioned officer or constable who is convicted of an offence which is punishable with imprisonment may, by order of the Administrator, be dismissed from the Force or, in the case of a non-commissioned officer, be reduced to a lower grade or to the ranks, or in the case of a constable be compelled to work for the unexpired portion of his period of service as a labourer in the service of the Administration.

(2.) A constable employed as a labourer in the Administration under the provisions of this section shall receive the usual wages paid to labourers.

No pay while in prison.

35. A member of the Native Constabulary shall not receive pay for any period during which he is in prison under a sentence unless the Court which convicts him orders otherwise.

## PART VI.—GENERAL.

Oath of office to be taken.

Sub-section (1) amended by No. 7 of 1939, s. 6.

36.—(1.) No person appointed to be a commissioned officer, warrant officer, sub-officer, or European constable of the Force shall be capable of holding that office or of acting in any way therein until he has taken and subscribed an oath or made and subscribed an affirmation in the following form:—

### Oath.

I, A.B., do swear that I will well and truly serve Our Sovereign Lord the King in the office of member of the Police Force of the Territory of New Guinea without favour or affection, malice or ill-will, from this date until I am discharged from that office; that I will seek and cause His Majesty's Peace to be kept and preserved, and that I will prevent to the best of my

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power, all offences against the same, and that, while I continue to hold the said office, I will, to the best of my skill and knowledge, discharge all the duties thereof faithfully according to law.

Taken and subscribed at  
this                      day of                      , 19 . }  
Before me—

*Affirmation.*

I, A.B., do solemnly and sincerely affirm and declare that I will well and truly serve Our Sovereign Lord the King in the office of member of the Police Force of the Territory of New Guinea without favour or affection, malice or ill-will, from this date until I am discharged from that office; that I will seek and cause His Majesty's Peace to be kept and preserved, and that I will prevent to the best of my power, all offences against the same, and that while I continue to hold the said office I will, to the best of my skill and knowledge, faithfully discharge all the duties thereof according to law.

Made and subscribed at  
this                      day of                      , 19 . }  
Before me—

(2.) The oath or affirmation shall be taken or made before a justice of the peace and shall in all cases be subscribed by the person taking the oath or making the affirmation, and when so taken or made and subscribed shall be forwarded to the Superintendent of Police by the person before whom the oath or affirmation was taken or made.

37. In addition to any punishment that may be imposed under this Ordinance or the Regulations thereunder upon any member of the Force, the Administrator may order that portion of the offender's pay shall be stopped and forfeited to make good any loss or damage to any property whatever occasioned by the act or neglect constituting the offence for which he has been convicted or any expense incurred by reason of such act or neglect.

Member of Force to make good loss occasioned by his neglect.

38. All fines and penalties imposed on any member of the Force under this Ordinance may, in addition to any other mode of recovery allowed by law, be deducted from his pay.

Fines may be deducted from pay.

39. The Administrator may grant rewards and gratuities to any member of the Force whom he deems deserving thereof or, in the event of his death, to his relatives, and any money so granted shall be paid out of the funds of the Territory.

Rewards, &c., may be granted.

40. The members of the Force shall execute all process and serve all summonses and warrants that may be sent to them by any Court in the Territory to be executed or served.

Members of Force to execute process of Courts.

41. Any person who induces or attempts to induce any member of the Force to neglect or omit to perform any duty shall be guilty of an offence.

Persons inducing members of Force to neglect their duty.

Penalty: Twenty pounds or imprisonment for three months.

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Inciting member of the Force to mutiny.

42. Any person who—

(a) incites any member of the Force to make or endeavour to make a mutinous assembly; or

(b) incites any member of the Force to commit any act of mutiny,

shall be guilty of an indictable offence.

Penalty: Imprisonment for ten years.

Offences by members of the Force.

43. Any member of the Force other than a commissioned or warrant officer of the Auxiliary European Constabulary who—

(a) commits an act of mutiny or takes part in a mutiny or incites any members to make or endeavours to make a mutinous assembly, or incites any member to commit an act of mutiny;

(b) levies blackmail, is guilty of extortion, or accepts a bribe; or

(c) accepts as a gift from any person any gold as defined in the *Gold Buyers Ordinance 1931*,<sup>(7)</sup>

shall be guilty of an indictable offence.

Penalty: In the case of an offence under paragraph—

(a), imprisonment for ten years;

In the case of an offence under paragraph—

(b), imprisonment for three years;

In the case of an offence under paragraph—

(c), imprisonment for one year.

Paragraph (c) inserted by No. 14 of 1935, s. 2.

Paragraph added by No. 14 of 1935, s. 2.

Unauthorized persons possessing arms, &c., of members of Force.

44. Any person who, not being a member of the Force, without proper excuse has in his possession any arm, accoutrement or badge or any uniform or part of a uniform of a member of the Force, or who assumes the description or designation of, or falsely pretends or represents himself to be, a member of the Force, shall be guilty of an offence.

Penalty: Twenty pounds or imprisonment for three months.

Wearing uniforms or imitations.

45. Any person who, not being a member of the Force, wears any uniform of the Force or any colourable imitation thereof shall be guilty of an offence.

Penalty: Ten pounds or imprisonment for three months.

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(7) Now the *Gold Buyers Ordinance 1931-1938*.

*Police Force Ordinance 1930-1940.*

46. When any member of the Force ceases for any reason to be a member thereof, all authority vested in him as a member of the Force and any appointment conferred upon him in his capacity as a member of the Force, and any office held by him in his capacity as a member of the Force, shall cease and determine.

Persons ceasing to be members of the Force.

47. Any person who—

(a) sells or supplies to any other person; or

(b) employs or induces any person not being a member of the Force to wear,

Supplying or inducing to wear uniforms.

any uniform of the Force or any colourable imitation thereof shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for six months.

48. A badge or other distinguishing mark or article may be provided for members of the Force, and any person who wears or bears about him such badge or other distinguishing mark or article shall, until the contrary be proved, be deemed a member of the Force.

Badge.

49.—(1.) If an action is brought against any member of the Force for any act done in obedience to a warrant of any officer, such member shall not be responsible for any irregularities in the issue of the warrant or for any want of jurisdiction in the officer who issued it.

Protection of officers and Police.

(2.) Upon production of the warrant and proof that the signature thereto is in the handwriting of the person whose name appears subscribed thereto, and that that person is reputed to be and acts as an officer possessing jurisdiction in the case, and that the act complained of was done in obedience to the warrant, a verdict shall be returned for the member of the Force, and he shall recover his costs of suit.

50. Members of the Force under this Ordinance shall have the same duties, rights and liabilities as constables at common law, except so far as they are modified by any other Ordinance.

Duties, rights, and liabilities of members of the Force.

51. Where punishment is provided both by this Ordinance or by the Regulations thereunder and also by any other Law or Ordinance of the Territory for the same offence, the punishment shall be alternative and not cumulative.

Punishment under this Ordinance alternative and not cumulative.

52.—(1.) Where property which has lawfully come into the possession of any member of the Force—

Disposal of unclaimed property.

(a) remains unclaimed for a period of six months; or

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- (b) is a perishable article; or
- (c) is of such a nature that its custody involves unreasonable expense or inconvenience,

the Superintendent of Police may direct that it be sold by public auction.

(2.) Where property has been sold under the provisions of this section, the Administrator may direct the payment of a reasonable reward out of the proceeds of the sale to any person, other than a member of the Force, by whom the property was delivered to the police.

(3.) Subject to the last preceding sub-section, the net proceeds received from the sale of property under this section shall be paid to the credit of the Public Account of the Territory, and, unless claimed within twelve months thereafter, shall be deemed to be the property of the Administration.

Regulations.

53.—(1.) The Administrator may make regulations,<sup>(8)</sup> not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance, and in particular for providing for—

- (a) enrolment in the Force;
- (b) discipline, conditions of service and of leave of absence and of furlough and internal management; and
- (c) penalties not exceeding twenty pounds or imprisonment for six months for the breach of any regulation.

(2.) Regulations made under this section shall—

- (a) be published in the *New Guinea Gazette*; and
- (b) take effect from the date of publication, or from a date specified therein.

(3.) All regulations made under this Ordinance shall be subject at any time to disallowance by the Governor-General, and any regulations so disallowed shall cease to have effect from the date of publication of the disallowance in the *New Guinea Gazette*.

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(8) See the *Police Force Regulations*, printed on p. 3999.