

ROADS MAINTENANCE REGULATIONS. ⁽¹⁾

1. The notice to repair and maintain under Sections 6 (1) and 8 of the above Ordinance shall be in the form in the First Schedule.

2. Service of notices to repair and maintain may be served on any day and at any time and proof that such notice was delivered to the owner lessee or occupier or left at his principal abode or residence or in the case of a native chief at his head village shall be sufficient.

3. Owners lessees or occupiers of land possessing a common frontage to a road may mutually agree as to which part or parts each is liable to maintain. In any case where owners lessees or occupiers of land possessing a common frontage to any length of road fail to agree as to which particular part or length of such road they are each liable to maintain, the District Officer shall decide as to their respective liability therefor.

4. Any person firm company or the Expropriation Board who willfully or negligently obstructs any road by:

- (a) Erecting any fence barricade or other obstruction thereon to the danger or hindrance of traffic;
- (b) Allowing horses, oxen, sheep, goats, pigs or any other live stock to stray or graze thereon;
- (c) Digging or excavating drains, ditches or causeways across any road in such position as to endanger or hinder traffic;
- (d) Allowing any cart, conveyance or other vehicle to remain stationary and unattended on any road;
- (e) Extinguishing removing or in any way interfering with any lamps or lights placed on or near any road for the pur-

(1) Particulars of these Regulations are as follows:—

Ordinance under which made.	Date on which made by Administrator.	Date on which published in <i>N.G. Gaz.</i>	Date on which took effect.
<i>Roads Maintenance Ordinance</i> 1922-1938	6.10.1922	16.10.1922	"Forthwith" ^(a) (<i>N.G. Gaz.</i> of 16.10.1922)

(a) This set of Regulations stated in its introductory part that it was "to come into operation forthwith". At the relevant dates in 1922 Section 13 of the *Roads Maintenance Ordinance* 1922-1938 (under which this set of Regulations was made) provided that "All regulations so made shall be published in the *New Guinea Gazette*, and shall take effect from the date of publication, or from a later date, to be specified in such regulations". At the relevant dates in 1922 there was no other Ordinance or regulation of general application providing for the publication of regulations, the date on which they took effect, or the meaning of "forthwith".

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pose of providing illumination to such roads or parts thereof shall be liable to a fine not exceeding £5.

5. Any person who is guilty of a breach of any of the Regulations made under the *Roads Maintenance Ordinance 1922*⁽²⁾ for which no specified punishments are provided shall be liable on summary conviction to a penalty not exceeding £5.

FIRST SCHEDULE.

NOTICE TO REPAIR AND MAINTAIN.

District of

To

Of

TAKE NOTICE that you are hereby required within 14 days after service of this notice upon you to make reasonably passable within the meaning of the *Roads Maintenance Ordinance 1922* such portion as is specified hereunder of the adjacent road or track which bounds or adjoins the land known as in the above District of which land you (or any natives under your control) are the owner lessee or occupier and that you are further required thenceforth to maintain the same within the meaning of the said Ordinance.

Dated this day of nineteen hundred and twenty-

District Officer.

(here specify the portion of the road to be repaired and whether the half width or whole width is to be repaired.)

District Officer.

(2) Now the *Roads Maintenance Ordinance 1922-1938*.