

LAND REGULATIONS

Made under the "Land Ordinance, 1911-1919," and the Ordinances thereby repealed.^(a)

[Regulations made 19th December, 1906.—Gazetted same day.]

Regulations under *The Land Ordinance of 1906.*

1. The following plants^(b) are approved for the purposes of Section 17 :—

Coconut.	Cacao.	Pepper.
Rubber.	Vanila.	Ground nuts.
Coffee.	Nutmeg.	Chillies.
Cotton.	Sisal hemp.	Vegetables (European and
Tobacco.	Ramie fibre.	tropical).
Sugar.	Manila hemp.	Fruit (European and tropical).
Cinnamon.	Tea.	Kapok.

Land Board.

2. Permanent vacancies shall be filled by the appointment of new members by the Lieutenant-Governor.

Temporary vacancies shall be filled by the appointment of provisional members by the Lieutenant-Governor.

Two members shall be a quorum.

The Chairman of the Land Board shall in all cases be entitled to a vote, and shall also, if the numbers are equal, have a second or casting vote.

The Board shall meet at least once in every fortnight.

Assessment of Compensation.

3. Compensation to be paid under this Ordinance shall be assessed by an arbitrator agreed upon by the Crown and the party claiming compensation; if they cannot agree upon a single arbitrator each shall appoint an arbitrator, and the two arbitrators shall appoint an umpire, whose duty it shall be to decide any points upon which the arbitrators disagree. If either party refuses or neglects to appoint an arbitrator, or if either of the arbitrators refuses or neglects to appoint an umpire, application may be made by either party, upon notice, to the Central Court; and the Central Court may thereupon appoint an arbitrator or umpire as the case may be.

If an umpire or arbitrator becomes incapable of performing his duties, or refuses or neglects to perform them, either party may apply, upon notice, to the Central Court, and the Central Court shall have power to remove the arbitrator or umpire and to appoint some other person in his place.

An arbitrator or umpire shall have power to administer oaths to, or take the affirmations of, the parties or witnesses appearing.

Either party may sue a writ of *subpœna ad testificandum* or a writ of *subpœna duces tecum*, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action.

The decision of an arbitrator or umpire, as the case may be, shall be final.

(a) For the application of the regulations made under the repealed Ordinances to land held under the *Land Ordinance, 1911-1919.* See Section 2 of the last-mentioned Ordinance.

(b) For additional approved plants see regulation made 11th September, 1907.

Regulations.

Fencing of Native Reserves.

4. Native reserves shall be fenced in the following manner:—

- (1) A three-wired fence, bottom wire barbed, top wire four feet from the ground, bottom wire twenty inches from the ground; posts twelve feet apart, strainers every eighty yards; posts four feet four inches out of the ground, two feet in the ground, strainers four feet four inches out of the ground, three feet in the ground; posts not less than four inches in diameter at the small ends, strainers not less than six inches in diameter at the small ends; wire not lighter than number eight; or
- (2) a post and rail fence four feet six inches high with three rails, the lowest rail twenty inches above the ground, or such other timber fence as may be approved by the Land Board.

Fencing Town Allotments.

5. A paling fence to be erected four feet high, posts nine feet apart, or such other fence as may be approved by the Land Board.

Trading Licence.

6. A.B. has a trading licence in respect of [*describe land*] for one year from [*date*].

This licence may be renewed annually on application to the Resident Magistrate. Fee, One pound (£1).

This licence entitles the holder to enter upon and occupy the land and to fence it in, and to erect buildings thereon, and otherwise to make use of it for the purposes of trading. It does not confer exclusive rights to anchorage or the procuring of fresh water or firewood, and does not give the holder a right to prevent vessels, traders or fishermen from obtaining shelter ashore or afloat in case of need. The licence is irrevocable during the currency of the year for which it was granted, except by special order of the Lieutenant-Governor.

Frontage to Watercourse or Main Road.

7. In the case of a portion of land having frontage to a main watercourse or a main road, the frontage shall not exceed two-thirds of the depth except in cases where the peculiar features of the land render the application of this rule in the opinion of the measuring surveyor undesirable.

Made and approved in Executive Council this nineteenth day of December, One thousand nine hundred and six.

A. JEWELL,
Clerk of Executive Council.

[*Regulation made 28th November, 1906.—Gazetted 19th December, 1906.*]

"THE LAND ORDINANCE OF 1906."

ASSESSMENT OF THE UNIMPROVED VALUE OF LAND.^(a)

The unimproved value of such of the land of the Territory as has not been alienated by the Crown, and is capable of assessment, is assessed as follows:—

Lands of "Class A," 5s. an acre.

Lands of "Class B," 1s. an acre.

Town allotments, £20 a quarter of an acre allotment.

Approved in Executive Council on the twenty-eighth day of November, One thousand nine hundred and six.

A. JEWELL,
Clerk of Executive Council.

(a) As to the application of this assessment to land which has been since acquired by or has since reverted to the Crown, see Section 18 of the *Land Ordinance, 1911-1919.*

Regulations.

[Regulation made 19th December, 1906.—Gazetted same day.]

IMPROVEMENTS ON TOWN ALLOTMENTS.

The following is the scale representing the value of improvements which are to be made on town allotments as per Section 20 of *The Land Ordinance of 1906*.

Scale.

1. Land to be graded into three classes—

- (a) first-class allotments, improvements to be not less than £150.
- (b) second-class allotments, improvements to be not less than £100.
- (c) third-class allotments, improvements to be not less than £50.

The above improvements to be exclusive of the fencing of allotments.

(a)2. Township of Granville West, Port Moresby—

Section 1—The Board postpone placing any improvement valuation on this section until it is known what allotments are reserved for Government purposes.

Section 2—First-class allotments, Nos. 9, 10, 11, 13.

Second-class allotment, No. 14.

Third-class allotments, Nos. 1, 2, 3, 4, 5, 6, 15, 16, 17, 22.

Section 3—First-class allotments, Nos. 7, 8, 16, 17, 18.

Second-class allotments, Nos. 1, 2, 3, 4, 20.

Third-class allotment, No. 21.

Section 4—First-class allotments, Nos. 3, 4, 6.

Section 5—Government Reserve.

Section 6—Second-class allotments, Nos. 1, 14.

Third-class allotments, Nos. 3, 4, 5, 6, 7, 8, 9, 10.

Section 7—Third-class allotments, Nos. 1, 2, 3, 4, 5, 6, 7.

(a)3. Township of Granville East, Port Moresby—

The whole of the allotments in the Township of Granville East, Port Moresby, with the exception of Allotment No. 11 of Section 3 (already alienated) are graded as third class.

(b)4. Township of Samarai—

Section 4—First-class allotments, Nos. 5, 7.

Second-class allotments, Nos. 10, 11, 12, 13, 14, 15, 16.

Section 5—All allotments in this section are graded as first class.

Section 8—Second-class allotments, Nos. 3, 4.

5. Township of Daru—

All allotments which have not been leased or reserved are graded as third class for improvement purposes.

Approved in Executive Council on the nineteenth day of December, One thousand nine hundred and six.

A. JEWELL,
Clerk of Executive Council.

(a) Paragraphs 2 and 3 are cancelled by Regulation No. 5, made March 23, 1910, *infra*.

(b) For improvements on other specified allotments, Samarai, see Statutory Rules No. 9 of 1917 and No. 6 of 1918, *infra*.

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[*Regulation made 11th September, 1907.—Gazetted 2nd October, 1907.*]

Further Regulation under Clause 17 of *The Land Ordinance of 1906.*

In addition to the plants stated in Regulation No. 1, published in the *Gazette* as above, the following plants are also approved for the purposes of Section 17:—

Gutta Percha.	Camphor.
Castor Oil.	Maize.
Ginger.	Murva Fibre.
Lemon Grass.	Kola Nut.
Sugar Palm.	Cloves.
Cardamons.	Rice.
Tapioca.	Oil Palm.
Citronella Grass.	

Made in Executive Council this eleventh day of September, One thousand nine hundred and seven.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

[*Regulation made 17th September, 1908.—Gazetted 7th October, 1908.*]

Regulation under *The Land Ordinance of 1906*, No. 3.

^(a)Improvements upon Town Allotments in the Township of East Granville, Port Moresby, shall be to the amount set out hereunder, that is to say:—

	£
Upon one allotment improvements to the amount of	... 50
Upon two allotments improvements to the amount of	... 150
Upon three allotments improvements to the amount of	... 250
Upon four allotments improvements to the amount of	... 400

Made and approved in Executive Council this seventeenth day of September, One thousand nine hundred and eight.

CHARLES G. GARRIOCH,
Acting Clerk of Executive Council.

[*Regulation made 18th June, 1909.—Gazetted 7th July, 1909.*]

LAND REGULATION No. 4.

Under *The Land Ordinance of 1909* (No. V. of 1909.)

Notice calling for tenders for town allotments which have been forfeited may be published by posting the same at the office of the Resident Magistrate of the Division in which the allotment is situated.

Tenders shall be forwarded to the Commissioner for Lands, accompanied with a deposit of such amount not exceeding Twenty pounds as the Commissioner may in each case direct.

Made in Executive Council this eighteenth day of June, One thousand nine hundred and nine.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

^(a) This regulation is cancelled by Regulation No. 5, made 23rd March, 1919, *infra*.

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[Regulation made 15th January, 1910.—Gazetted 2nd February, 1910.]

SURVEY FEES REGULATION NO. 2.

Under *The Survey Fees Ordinance of 1909* (No. 30 of 1909).

Fees need not be deposited with the application in cases where the land applied for has already been surveyed. In those cases the fees shall only be payable upon special order by the Lieutenant-Governor in Council.

Made in Executive Council on the fifteenth day of January, One thousand nine hundred and ten.

CHARLES G. GARRIOCH,
Clerk, Executive Council.

[Regulation made 23rd March, 1910.—Gazetted 6th April, 1910.]

LAND REGULATION NO. 5.^(a)

Under *The Land Ordinance of 1906* (No. 5 of 1906).

1. The scale representing the value of improvements which are to be made on "Town Allotments" as published in *Gazette* No. 16 of 19th December, 1906, is hereby amended by the omission of paragraphs (2) and (3) thereof relating to the Townships of Granville West and Granville East, respectively.

2. All allotments in the Townships of Granville West and Granville East are hereby graded as first-class allotments on which improvements are to be not less than One hundred and fifty pounds (£150).

3. All improvements on township allotments, wherever situated, shall be verified by statutory declaration, with such detail as the Director of Public Works may in each case prescribe.

4. Regulation No. 3, published in *Gazette* No. 20 of 7th October, 1908, is hereby cancelled.

Made in Executive Council this twenty-third day of March, One thousand nine hundred and ten.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

[Regulation made 30th June, 1910; Gazetted 6th July, 1910.]

SURVEY FEES REGULATION NO. 4.

Under *The Survey Fees Ordinance of 1909* (No. 30 of 1909.)

1. The applicant for a lease under *The Land Ordinance of 1906*, or any Ordinance amending the same, shall lodge with his application survey fees at the rates mentioned in the schedule hereto. If the amount lodged exceeds the cost of the field survey, plus 15 per cent. thereon for inspection and office expenses, the balance shall be refunded to the applicant. If the said cost plus the said percentage exceeds the amount of the deposit, the balance shall be paid by the lessee.

2. The next preceding regulation shall not apply to any application for a lease of less than one hundred acres made by or on behalf of any person who is not already

^(a) For amendments (as to specified allotments) of this regulation, see regulation of 8th July, 1913; *Gazette* 6th August, 1913; and Statutory Rules No. 9 of 1917 and No. 6 of 1918, *infra*.

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the holder or promisee of a freehold or leasehold under *The Land Ordinance of 1906*, or any other Ordinance relating to land.^(a)

3. Survey Fees Regulation No. 1, published in *Gazette* No. 48 of 4th December, 1909, is hereby revoked.^(b)

Made in Executive Council this thirtieth day of June, One thousand nine hundred and ten.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

SCHEDULE.

AREA.		SURVEY FEE.			AREA.		SURVEY FEE.				
		£ s. d.					£ s. d.				
Not exceeding	1 acre	...	1	19	0	Not exceeding	2,000 acres	...	86	14	0
"	"	...	4	7	0	"	"	...	96	18	0
"	5 acres	...	4	7	0	"	2,500 "	...	106	4	0
"	10 "	...	6	3	0	"	3,000 "	...	114	12	0
"	15 "	...	7	10	0	"	3,500 "	...	122	11	0
"	20 "	...	8	14	0	"	4,000 "	...	129	18	0
"	50 "	...	13	16	0	"	4,500 "	...	136	19	0
"	100 "	...	19	10	0	"	5,000 "	...	143	11	0
"	200 "	...	27	9	0	"	5,500 "	...	150	0	0
"	300 "	...	33	12	0	"	6,000 "	...	156	6	0
"	400 "	...	38	17	0	"	6,500 "	...	162	3	0
"	500 "	...	43	7	0	"	7,000 "	...	167	11	0
"	600 "	...	47	11	0	"	7,500 "	...	173	5	0
"	700 "	...	51	6	0	"	8,000 "	...	178	16	0
"	800 "	...	54	18	0	"	8,500 "	...	183	15	0
"	900 "	...	58	4	0	"	9,000 "	...	188	11	0
"	1,000 "	...	61	7	0	"	9,500 "	...	193	13	0
"	1,500 "	...	75	0	0	"	10,000 "	...			

[Regulation made 14th November, 1910.—Gazetted 23rd November, 1910.]

LAND REGULATION NO. 6.^(c)

Under *The Land Ordinance of 1906* (No. 5 of 1906) and *The Amending Land Ordinance of 1910* (No. 16 of 1910).

As to *Special Leases*.

1. Special leases of land situated above high-water mark may be granted by the Lieutenant-Governor.
2. The term of a lease shall not exceed twenty-five years.
3. The area included in any lease shall not exceed twenty-five acres.
4. The annual rent reserved shall be such sum not being less than Five pounds for any one area as may be fixed by the Lieutenant-Governor in Council, either generally or in reference to any individual area.

(a) Nor does the regulation apply to those cases where the land has been already surveyed, except upon special Order in Council. See Survey Fees Regulation No. 2 of 15th January, 1910, *supra*.

(b) The revoked regulation (No. 1) is not included in this reprint.

(c) For amendments of this regulation, see Statutory Rules No. 7 of 1917 and No. 18 of 1919, *infra*.

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5. Every special lease shall, in the discretion of the Lieutenant-Governor in Council, be granted by priority of application or offered for sale by public auction or by tender at such time and place and at such upset price as shall be fixed by the Lieutenant-Governor in Council.

6. Unless otherwise directed by the Lieutenant-Governor, notice shall be given in the *Gazette* of the intention to offer for sale any special lease.

7. The *Gazette* notice shall contain the following particulars :—

- (a) A description of the area a lease whereof is intended to be offered for sale ;
- (b) the purpose or purposes for which a lease thereof may be granted ;
- (c) the annual rent to be reserved in the lease ;
- (d) the term thereof ;
- (e) the upset price.

8. A lease which has been so offered for sale may, if unsold, be from time to time re-offered for sale as aforesaid at a reduced upset price to be fixed as aforesaid, and may after the first or any subsequent unsuccessful offer for sale be granted without further competition to any applicant at the upset price at which it was last offered.

9. Within nine months after the purchase of the lease, the lessee shall erect in a workmanlike manner upon the land improvements suitable for the purpose for which it is leased, and of such a value as shall be decided by the Lieutenant-Governor in Council, and shall thereafter during the currency of the lease keep and maintain the said improvements in good repair.

10. The land comprised in any special lease shall not be used for any other purpose than that specified in the lease, unless the consent of the Lieutenant-Governor in Council be first obtained.

11. The foregoing regulations shall not apply to any land situated below high-water mark.

Made in Executive Council this fourteenth day of November, One thousand nine hundred and ten.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

[*Regulation made 15th March, 1911.—Gazetted 15th March, 1911.*]

LAND REGULATION NO. 7.

Under *The Land Ordinance of 1906* (No. 5 of 1906) and *The Amending Land Ordinance of 1910* (No. 16 of 1910).

1. The amount of the fine which may at any time be inflicted under Section 9 of *The Amending Land Ordinance of 1910*^(a) upon any lessee may be made payable at once in one sum, or by instalments at intervals as the Lieutenant-Governor in Council may in each case decide.

2. Special leases for the erection of jetties, landing-places, or slips for building or repairing vessels, or for any other special purpose, may be granted by the Lieutenant-Governor in Council subject to the terms and conditions set forth in clauses

(a) See now Section 52 of the *Land Ordinance, 1911-1919.*

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two, three, four, five, six, seven, eight, nine, and ten of Land Regulation No. 6 of the 14th November, 1910, and published in *Gazette* No. 25 of 1910, and subject further to such other conditions as the Lieutenant-Governor in Council may in each case approve.

Made in Executive Council this fifteenth day of March, One thousand nine hundred and eleven.

HERBERT RICHMOND,
Acting Clerk of Executive Council.

[*Regulation made 18th March, 1911.—Gazetted 20th March, 1911.*]

LAND REGULATION NO. 8.

Under *The Amending Land Ordinance of 1910* (No. 16 of 1910):

Should a lease be offered for sale by tender, or by auction, under the provisions of Section 7 of *The Amending Land Ordinance of 1910*—^(a)

- (1) a deposit at the rate of five per cent. of the amount offered for such lease shall accompany each tender;
- (2) if lease is offered for sale by auction, a deposit at the rate of five per cent. of the purchase-money shall be paid at the time of sale;
- (3) if the balance of the purchase-money is not paid within seven clear days from the date of acceptance of tender or sale by auction, the deposit shall be forfeited to the Crown unless the Lieutenant-Governor in Council otherwise directs;
- (4) in addition to the foregoing conditions, the Lieutenant-Governor in Council may impose any other conditions that he may deem necessary or advisable.

Made in Executive Council this eighteenth day of March, One thousand nine hundred and eleven.

HERBERT RICHMOND,
Acting Clerk of Executive Council.

[*Regulation made 13th April, 1911.—Gazetted 20th April, 1911.*]

LAND REGULATION NO. 9.

Under *The Land Ordinance of 1906* (No. 5 of 1906) and *The Amending Land Ordinance of 1910* (No. 16 of 1910).

As to Special Leases of Land Below High-Water Mark.

1. Special leases of land situated below high-water mark may be granted by the Lieutenant-Governor.
2. The term of the lease shall not exceed twenty-five years.
3. The area included in any lease shall not exceed twenty-five acres.
4. The annual rent reserved shall be such sum not being less than Five pounds for any one area as may be fixed by the Lieutenant-Governor in Council either generally or in relation to any individual area.

^(a) See now Section 45 of the *Land Ordinance, 1911-1919.*

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5. Every lease shall, in the discretion of the Lieutenant-Governor in Council, be granted by priority of application, or offered for sale by public auction, or by tender, at such time and place, and at such upset price, as may be fixed by the Lieutenant-Governor in Council.

6. Unless otherwise directed by the Lieutenant-Governor, notice shall be given in the *Gazette* of the intention to offer for sale by public auction or tender any special lease of land below high-water mark.

7. The *Gazette* notice shall contain the following particulars:—

- (a) A description of the area, a lease whereof is offered for sale;
- (b) the purpose or purposes for which a lease thereof may be granted;
- (c) the annual rent to be reserved in the lease;
- (d) the term thereof;
- (e) the upset price;
- (f) the value of the improvements to be effected on the area.

8. A lease which has been so offered for sale may, if unsold, be from time to time re-offered for sale as aforesaid at a reduced upset price to be fixed as aforesaid, and may after the first or any subsequent unsuccessful offer for sale be granted without further competition to any applicant at the upset price at which the lease was last offered.

9. An application under the last preceding regulation shall be made in writing and contain the particulars referred to in Regulation No. 7 hereof, and shall be accompanied by a deposit equal to the amount of the upset price together with rent calculated to the first day of January next following the date of the application.

10. Within one month from the date of the purchase of or application for a lease, and before the erection of any quay, wharf, jetty, pier, landing-place, slip or other structure shall be commenced, full and proper plans and specifications thereof shall be submitted to the Director of Public Works and be approved by the Lieutenant-Governor in writing.

11. Within nine months after the purchase of or the granting of the application for the lease, the lessee shall erect in a workmanlike manner, and to the satisfaction of the Director of Public Works, upon the land improvements suitable for the purpose for which it is leased, of the value specified in the *Gazette* notice or application, as the case may be, and in accordance with the approved plans and specifications.

12. The lessee shall not use any land or building or structure thereon for any purpose other than the purpose for which such land was leased without first obtaining in writing the consent of the Lieutenant-Governor.

13. The lessee shall at all times during the term of the lease keep any sea-wall, quay, wharf, jetty, pier, landing-place, reclamation, and all structures on the land leased, whether prior to or during the term of the lease, in good and efficient condition and in a thorough state of repair (repair to include such painting and lime washing as may be deemed necessary by the Director of Public Works) and properly cleansed and maintained in all respects in accordance with the requirements of the Board of Health, or other legally-constituted sanitary authority for the time being, and of the Director of Public Works. And the lessee shall also keep the land free from all débris broken piles, and other obstructions.

14. The Director of Public Works, or any person duly authorized on his behalf, may at all times enter in and upon and view the state of repair and condition of the premises, and all necessary repairs and cleansings of which notice shall have been

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given to the lessee by the said Director or by any such person as aforesaid shall forthwith be carried out at the expense of the lessee. And if such repairs and cleanings shall not be carried out within such time as the Director of Public Works may deem reasonable, the same may be effected by him at the cost and expense of the lessee, and such expense and cost shall be repaid to the said Director by the lessee on demand.

15. The lessee shall not display or erect, or permit to be displayed or erected, any advertisement, sign or hoarding upon the leased premises, unless he shall have obtained in writing the authority of the Director of Public Works to do so, and such authority may be revoked at any time, whereupon all such advertisements, signs and hoardings shall be at once removed.

16. The lessee shall provide and maintain at his own cost all such lighting as shall or may be deemed necessary by the Director of Public Works in the use of the premises, and in particular shall exhibit from sunset to sunrise at the seaward end of any structure on the premises, where it can best be seen, an approved bright white light.

17. The general public shall have the right of passing and repassing over the waters of the harbor covering the land comprised in the lease, and of passing over and along any jetty, pier, wharf and landing-place erected thereon, so long as they do not unnecessarily interfere with the business of the lessee.

18. No vessel using and no goods landed upon the leased premises shall be exempt from payment of wharfage or other rates now or hereafter at any time to be made payable under any law in that behalf.

19. All buildings, erections and structures upon the land included in the lease, and whether erected prior to or during the currency of the lease, shall at the expiration or other sooner determination of the term of the lease revert to and become the property of the Government without compensation.

Passed in Executive Council this thirteenth day of April, One thousand nine hundred and eleven.

H. L. MURRAY,
Acting Clerk of Executive Council.

[*Regulation made 12th September, 1911.—Gazetted 4th October, 1911.*]

LAND REGULATION NO. 10.

Under *The Amending Land Ordinance of 1910.*

RESIDENCE LEASES.

A residence lease granted under Section 5 of *The Amending Land Ordinance of 1910* for residence purposes shall be subject to the following conditions:—

- (1) The rent shall be at the rate of Ten shillings per acre per annum, but in no case shall be less than One pound per annum in the aggregate for any area comprised in any lease;
- (2) improvements in the nature of buildings for residence purposes of the full value of Seventy-five pounds (£75) shall be effected upon the leasehold within nine (9) months after the granting of the application for the lease;

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- (3) the improvements mentioned in the foregoing regulation shall be maintained on the leasehold throughout the currency of the lease ;
- (4) the Lieutenant-Governor in Council may, on the application of the lessee, in any case, and either without conditions, or upon such conditions as he thinks fit, extend the period hereinbefore provided for the effecting of building improvements ;
- (5) in addition to the improvements hereinbefore mentioned, the lessee shall, within nine (9) months from the granting of the application for the lease, erect and, during the term of this lease, keep erected, and in good repair, a paling fence, enclosing the area comprised in the lease, four (4) feet high, with posts not less than five (5) inches in diameter at the smaller end, nine (9) feet apart, or such other fence as shall be approved by the Land Board.

Passed in Council this twelfth day of September, One thousand nine hundred and eleven.

H. L. MURRAY,
Acting Clerk, Executive Council.

[*Regulations made 30th August, 1912.—Gazetted 2nd October, 1912.*]

LAND REGULATIONS NO. 1.

Under the *Land Ordinance*, 1911 (No. 5 of 1912).

Any town allotment which has been forfeited shall, before being leased, be first offered for sale by auction or tender at an upset price to be fixed by the Lieutenant-Governor in Council on the recommendation of the Land Board.

2. Any town allotment which has been forfeited and offered for sale, either by auction or tender, if unsold, may, after the first or any subsequent unsuccessful offer for sale, be granted without further competition to any applicant at the upset price at which the lease was last offered.

[*Regulation made 10th December, 1912.—Gazetted 23rd December, 1912.*]

SURVEY REGULATIONS.

Under the *Land Ordinance*, 1911 (No. 5 of 1912).

GENERAL RATES.

Marked Lines.

Open forest and grassed country per linear mile, £4 base rate.

Lines not Marked.

Traverse lines with theodolite and tape per linear mile, £3 6s. 8d. base rate.

Traverse lines of water frontage which form boundaries paid for at marked line rates, with allowances.

Compass traverse open forest and grassed country per linear mile, £1 15s.

Compass traverses through jungle per linear mile, £3 6s. 8d.

Compass traverses are to be run only under express instructions from the Chief Government Surveyor.

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Allowances added to the Base Rate of £4 and of £3 6s. 8d. per linear mile.

Reference Letter.	Vegetation Defined.	Reference Letter.	Conformation Defined.			
		Class Slopes.	1 0° to 5°.	2 5° to 10°.	3 10° to 20°.	4 Exceeding 20°.
a	Open Downs and ordinary open Forest Thickly-timbered Forest and High Grass Tropical Jungle and Cane Grass ...	a	Add $\frac{1}{4}$	Add $\frac{3}{4}$
b		b	Add $\frac{1}{4}$	Add $\frac{1}{2}$	Add $\frac{3}{4}$	Add $1\frac{1}{4}$
c		c	Add $1\frac{1}{2}$	Add 2	Add $2\frac{1}{2}$	Add $3\frac{1}{2}$

In addition to the above, as a special allowance for surveys in Papua, surveyors will be paid ten per cent. on the value of voucher, exclusive of travelling allowance.

Roads.

For all road lines directed to be measured and marked, whether on one or both sides, payment will be made at the marked line rate for each line measured.

Reference and Intersection.

A fee of 5s. will be allowed for each intersection with a previously-surveyed line not being one of the lines of the survey in course of execution; but where the necessary connection exceeds five chains the whole length measured along the original line will be paid for at the traverse rate of 66s. 8d. per mile.

Fee for Commencement of Surveys.

A fee of £3 3s. will be allowed for commencing survey of isolated portions or of groups of surveys by the same surveyor.

Inspection Work.

Inspection work not usually necessitating the employment of a full party will generally be paid for at £2 2s. per diem.

Observations.

Observations (check) calculated, 7s. 6d. each.

Observations complete for datum (isolated), £1 each.

Observations for magnetic declination, 5s. each.

Observations for latitude, 10s. each.

Payments will only be allowed for such observations as the surveyor has been instructed to make.

Corners.

Portions under 160 acres in area—all corners to be paid for at 5s. each.

Over 160 acres—four principal corners at 5s. each.

Corner pegs to be 3 feet 6 inches long, 4 inches by 4 inches, hardwood, sunk 2 feet into the ground; lock-spit trenches 10 links in length and 9 inches deep to be dug, marking direction of boundaries at each corner.

Additional corners on same portion, 4s. each, to be of hardwood 15 inches long, 3 inches by 2 inches, driven 12 inches into the ground; trenches 5 links in length and 9 inches deep to be dug, marking direction of boundaries at each additional corner.

Town Allotments.

Survey of town allotments and inspection for new roads to be made by staff or inspecting surveyor, or by contract surveyor under special arrangement.

Regulations.

Travelling Allowance.

A travelling allowance (surveyor, assistant and crew of six—full party) for time reasonably occupied in travelling will be allowed for at the rate of £3 per day, or, at the option of the Chief Government Surveyor, at the rate of Six shillings a mile by land and Three shillings a mile by water.

Vouchers.

Vouchers are to be prepared in triplicate on the forms supplied by the Department—two copies being stamped, and one always forwarded with the plans.

As soon as possible after the receipt of the plans and vouchers, an advance payment of seventy-five per cent. of the total amount payable may be made. The balance due will be paid when the examination of the plans and vouchers has been completed and the work passed.

Before a voucher is passed for payment errors will be corrected, omissions supplied and overcharges reduced.

Overcharging is deprecated, and, if persisted in, the surveyor's claim for employment will be impaired.

Two and a half per cent. on value of vouchers, exclusive of travelling allowance and of the special allowance of ten per cent. hereinbefore provided for, will be allowed for preparation of plan and field-book.

Instructions to Survey.

Surveyors are expected to fulfil instructions for survey with the utmost despatch. In the event of a surveyor being unable to act immediately on instructions he must advise the Chief Surveyor accordingly.

Instruments and Outfits.

Each surveyor authorized by the Department shall provide himself for use in survey work all necessary instruments, steel bands, camp equipment and outfit.

Plan forms and field books will be supplied by the Department at cost price.

Vouchers and all other forms supplied free of cost.

Conduct of Surveys.

All surveys shall be carried out personally by the surveyor to whom they are entrusted. The Chief Government Surveyor may sanction the employment of any competent assistant surveyor, but the surveyor entrusted with the work shall be held solely responsible.

Any surveyor who makes an error in any authorized survey shall, at the direction of the Chief Government Surveyor, correct such error at his own expense, or shall be liable to pay the cost of such correction if such error has been corrected by an inspecting surveyor.

All surveys or other duties are to be carried out in accordance with the rules and directions for the guidance of surveyors issued from time to time by the Chief Government Surveyor. Until such rules and directions are issued all surveys and other duties shall be carried out in accordance with the rules and directions for the guidance of surveyors in force in Queensland on the first day of March, 1910, so far as the same are, or can be made, reasonably applicable to the case, with such amendments as may from time to time be made by the Chief Government Surveyor. Of such amendments surveyors will be duly advised.

Regulations.

Cancellation of Regulation.

Survey Regulations No. 3, made under *The Survey Fees Ordinance of 1909* (No. 30 of 1909), on the first day of March, 1910, are cancelled.^(a)

Application.

These regulations shall apply only to surveys the instructions for which shall be given after the thirty-first day of December, One thousand nine hundred and twelve.

Made in Council this tenth day of December, in the year of Our Lord, One thousand nine hundred and twelve.

CHARLES G. GARRIOCH,
Clerk, Executive Council.

[*Regulation made 18th March, 1913.—Gazetted 2nd April, 1913.*]

REGULATION NO. 3.

Under the *Land Ordinance, 1911* (No. 5 of 1912).

Any person, the employee of an individual or company holding an agricultural or pastoral lease, who applies for an agricultural or pastoral lease of one hundred (100) acres or less, must pay survey fees or make a statutory declaration that the area applied for shall not be used in any way by, or on behalf of, his employer, and that no moneys of his employer shall be expended thereon.

Made in Council this eighteenth day of March, One thousand nine hundred and thirteen.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

[*Regulation made 8th July, 1913.—Gazetted 6th August, 1913.*]

LAND REGULATION NO. 2.

Made under the *Land Ordinance, 1911* (No. 5 of 1912).

Regulation 2 of Land Regulation No. 5, made on the 23rd March, 1910, and gazetted 6th April, 1910, so far only as the same refers to Allotments Nos. 9 and 10 of Section 5, in the Township of Granville West, Port Moresby, is cancelled.

2. Improvements on Allotment No. 9 of Section 5, in the Township of Granville West, Port Moresby, are to be not less in amount than Ten pounds, and on Allotment No. 10 of Section 5, in the said township, are not to be less than Seven hundred and fifty pounds.

Made in Executive Council this eighth day of July, One thousand nine hundred and thirteen.

CHARLES G. GARRIOCH,
Clerk of Executive Council.

(a) These cancelled regulations are not included in this reprint.

Regulations.

[*Regulation made 5th January, 1914.—Gazetted 4th February, 1914.*]

LAND REGULATION NO. 3.

Made under the *Land Ordinance, 1911 (No. 5 of 1912).*

LEASES AND LICENCES FOR SPECIAL PURPOSES.

Leases.

Special leases of any Crown Lands, or of any lands belonging to or vested in the Crown, may be granted by the Lieutenant-Governor for the purpose of obtaining and removing therefrom guano phosphates, animal, vegetable or mineral manures, or any substance used as a manure or a constituent thereof, or other valuable substance not being a metal, metalliferous ore, coal, shale or mineral oil.

2. The area of a special lease for any of the aforesaid purposes shall be of such reasonable extent as in the opinion of the Lieutenant-Governor will enable the particular object or industry for the purpose of which the lease is required to be carried on successfully.

3. The term of the lease shall not exceed twenty-five years.

4. The annual rent reserved shall be such sum with or without royalty as may be fixed by the Lieutenant-Governor in Council, either generally or in relation to any particular area applied for.

5. The terms and conditions of the lease in other respects shall be such as may be directed by the Lieutenant-Governor in Council.

Licences.

6. Monthly, quarterly and half-yearly licences to dig and take away gravel, stone, limestone, salt, guano, manure, shell, seaweed, sand, loam, clay or other earth from unleased land the property of the Crown may be issued by the Lieutenant-Governor or any person authorized by him in that behalf.

7. The land in respect of which the licence is granted shall be described in the licence.

8. The licence may be issued on the payment of the fees specified in the Schedule A hereto : Provided that in addition to the fees so specified the Lieutenant-Governor may, if he thinks fit, impose a further charge by way of royalty in respect of any licence issued under these regulations. Such royalty shall not exceed five per centum of the gross value of the material obtained and removed.

9. All licences shall date from the first day of the month in which the application therefor is made.

10. The licences will be issued and shall be subject to such directions as may from time to time be given by the Lieutenant-Governor or those authorized by him as to the mode of digging, raising, collecting and removing any of the above materials, and may be in the form of the Schedule B or to the like effect.

11. Persons licensed under these regulations will not be allowed to locate themselves on Crown lands, except temporarily, for the purpose of exercising their licences, nor will they be allowed to depasture any cattle on the Crown lands except those actually employed in and required for the removal of the materials.

12. Every person licensed under these regulations shall exhibit his licence to any Government officer, or to any other person authorized by the Lieutenant-Governor,

Regulations.

when required to do so, and in the event of any person refusing or neglecting to exhibit his licence when so required will be held to be unlicensed.

13. Contractors under Government may cut timber and raise and collect stone, sand and gravel from Crown lands unsurveyed and unleased, provided that they first obtain the necessary permission from the Lieutenant-Governor or person authorized by him.

14. Every person digging, raising or removing any of the said materials must be the holder of or represented by a licence as follows :—

In the case of European employees each must be the holder of a licence, but the same may be transferred to any other European employee by the Lieutenant-Governor or person authorized at the request of the employer.

In the case of native employees, one licence shall be sufficient to represent and authorize the employment of any five native employees in the digging, obtaining and removal of any of the said materials by an employer who himself is the holder of a licence.

Made in Executive Council this fifth day of January, One thousand nine hundred and fourteen.

H. L. MURRAY,
Acting Clerk, Executive Council.

[*Regulation made 20th March, 1914.—Gazetted 1st April, 1914.*]

REGULATIONS FOR THE ACQUISITION OF LAND.

Made under the *Land Ordinance, 1911-1913.*

When land which is occupied by or is the property of native Papuans, and which has never before been acquired by the Crown, is acquired by the Lieutenant-Governor by notice in the *Gazette* for any of the purposes set out in Section 58 of the *Land Ordinance, 1911-1913*, the following regulations shall apply :—

2. Forthwith after the publication of the notice in the *Gazette* the Commissioner for Lands shall cause a copy of the notice; together with a description of the land referred to therein, to be transmitted to the Commissioner for Native Affairs and Control and to the Registrar of Titles respectively.

3. After the expiration of a period of three months from the date of the publication of the said notice in the *Gazette* the Registrar of Titles, upon receiving the instructions of the Lieutenant-Governor so to do, shall record the notice in the separate register and as nearly as may be in the manner provided in Section 6 of the *Land Ordinance, 1911-1913*, for the authentication of purchases by the Crown from natives under the last-mentioned Ordinance.

4. Immediately upon the said notice being recorded by the Registrar of Titles the land described therein shall be vested in His Majesty, and the estate and interest of all persons therein shall be taken to have been converted into a claim for compensation.

5. Upon receipt of the copy of the notice from the Commissioner for Lands the Commissioner for Native Affairs and Control shall ascertain the names of the *bona fide* owners of the land referred to therein at the time of the publication of the notice, the amount which they claim as compensation for the land, and the use (if any) to

Regulations.

which the land is put by the said owners, and shall report thereon to the Lieutenant-Governor, stating what, in his opinion, is the amount which should be paid to the owners of the land as compensation for the acquisition thereof.

6. After the expiration of three months from the date of the notice in the *Gazette* acquiring the land the Lieutenant-Governor in Council shall take into consideration any objections which may have been addressed to him by any person feeling aggrieved at the acquisition of the land, and if he shall allow the objection shall by another notice in the *Gazette* annul the previous notice by which the land was acquired, and thereupon the land so acquired shall be divested from His Majesty and shall re-vest in the owners thereof as of their former estate or interest.

7. If the objections shall be disallowed by the Lieutenant-Governor in Council he shall thereupon take into consideration the said report of the Commissioner for Native Affairs and Control, together with any representations which may have been made to and any information which has been obtained by the Lieutenant-Governor in reference to the claim for compensation, and shall assess the compensation which shall be paid to the owners for the acquisition of the land, and shall instruct the Registrar of Titles to record the *Gazette* notice by which the land was acquired in the manner provided by these regulations.

8. The amount of compensation so assessed by the Lieutenant-Governor in Council shall be paid to the owners in full satisfaction of their claims.

Made in Executive Council this twentieth day of March, One thousand nine hundred and fourteen.

H. L. MURRAY,
Acting Clerk, Executive Council.

[Approved in Executive Council 20th March, 1914.—Gazetted 1st April, 1914.]

PORT MORESBY COMMON.

BY-LAWS.

Made by the Trustees of the Port Moresby Common, this 17th day of March, 1914.

1. The common shall be under the immediate supervision of a ranger who shall be appointed by the Lieutenant-Governor and shall be under the control and act under the directions of the trustees.

2. The trustees may assign any part of the common to any particular stock, or class of stock, and thereafter the same part shall not be used by the owners of any other stock or class of stock.

3. No stallions, rigs, bulls or rams shall be presented for admission or admitted for agistment to the common, except stallions which are the property of the Government for which special paddocks are provided.

4. No stock known to be suffering from swamp cancer or any disease or illness will be admitted to the common.

5. Applications for admission to the common of stock for agistment shall be made to the ranger, and shall be accompanied by a full description of each animal and of its brands, and payment of the prescribed fees.

6. The ranger shall issue a receipt in the form of the First Schedule hereto for all fees paid to him.

Regulations.

7. Admission fees for agistment shall be at the rate set out in the Second Schedule hereto and shall be payable in advance. No fees shall be payable in respect of stock the property of the Government.

8. No fees shall be refunded for any reason.

9. Any stock which, in the opinion of the ranger, is suffering from disease must be immediately removed by the owner on the written notification of the ranger. If the owner shall fail to remove such stock the ranger may do so and thereupon the owner shall, in addition to any penalty for breach of these by-laws, be liable to pay the costs incurred by the removal of the stock by the ranger.

10. No person shall permit his stock to trespass upon the common.

11. The owner of any stock trespassing upon the common shall, in addition to any penalty prescribed for breach of the last preceding by-law, be liable to pay fees at double the rates set out in the Second Schedule hereto for the period of such trespass.

12. The owners of stock left upon the common after the period covered by the ranger's receipt for fees in respect thereof shall pay fees in respect of such stock at double the rates set out in the Second Schedule hereto until they are removed or until fees are paid in advance for them as hereinbefore provided.

13. No person shall enter or be upon the common except upon *bonâ fide* business in connection therewith, or with the written permission of the trustees or ranger.

14. Agisted stock when required by the owner must be removed by the owner, after application to the ranger, or by some person on the owner's written order delivered to the ranger, and at the owner's expense.

Such order should specify the number of the receipt issued in respect of the stock, and in the case of any particular animal the proper description thereof.

If any fees are due or payable in respect of such stock they must be paid before the stock is removed.

15. The trustees, or the ranger under their instructions, may from time to time refuse to admit stock, or any additional stock, upon the common.

16. Neither the trustees, nor the ranger, nor any other person employed by the trustees shall be responsible for any damage sustained by any owner of stock agisted or running upon the common by reason of the death, injury, damage, disease, escape, loss or delivery in error of any such stock, or by any other circumstance whatsoever.

17. The penalty for a breach of any of the foregoing by-laws shall be a fine of a sum not exceeding Five pounds.

STANIFORTH SMITH, Director of Agriculture, }
A. M. CAMPBELL, Government Secretary, } Trustees.
H. W. CHAMPION, Treasurer. }

Approved in Executive Council this twentieth day of March, One thousand nine hundred and fourteen.

H. L. MURRAY,
Acting Clerk, Executive Council.

Regulations.

FIRST SCHEDULE.

PORT MORESBY COMMON.

No.
 Received from (owner's name) the sum of
 pounds shillings and pence, for admission and agistment fees on
 the stock specified hereunder, from 19....., to 19....., subject to
 the by-laws of the Port Moresby Common.

Description of Each Head of Stock.	Brands.

Ranger.

SECOND SCHEDULE.

FEES.

Description of Stock.	Per Annum.	Per Week.
Horses and Horned Cattle, Mules, Asses	£1	6d.
Sheep	6s. 8d.	2d.
Foals and Calves under twelve months old	—	3d.