

No. 12 of 1985.

Infants (Clarification of Application) Act 1985.

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.



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Infants (Clarification of Application) Act 1985.

ARRANGEMENT OF SECTIONS.

1. Interpretation.
 "the former Principal Act"
 "the Principal Act"
2. Application of the Principal Act.
3. Application to Certain Proceedings.

INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Infants (Clarification of Application) Act 1985,

Being an Act to clarify the application of the infants Act, to be read as one with the *Infants Act 1956*.

1. INTERPRETATION.

In this Act, unless the contrary intention appears—

“**the former Principal Act**” means the *Infants Act 1956* as amended by the *Infants (Amendment) Act 1975*;

“**the Principal Act**” means the *Infants Act 1956*.

2. APPLICATION OF THE PRINCIPAL ACT.

(1) For the removal of doubt it is declared that, with effect on and from 1 January 1982, the Principal Act applies to all infants.

(2) For the purposes of Subsection (1), where—

(a) prior to 1 January 1982 the former Principal Act contained a provision to the effect that the former Principal Act did not apply to an infant who—

- (i) is or is commonly reputed to be the off-spring of parents both of whom are natives; or
- (ii) is the off-spring of a father who is not a native and a mother who is a native; and

(b) that provision was omitted from the Principal Act purportedly by or under the authority of the *Revision of Laws Act 1973*,

the omission shall be deemed for all purposes to have been a repeal of that provision with effect on and from 1 January 1982.

3. APPLICATION TO CERTAIN PROCEEDINGS.

Where immediately after the passing of this Act, any action or proceeding commenced—

(a) prior to 1 January 1982; and

(b) by or in relation to a person referred to in Section 2(2)(a),

is still pending, then, notwithstanding that provision of the former Principal Act referred to in Section 2(2)(a), the action or proceeding shall be deemed to have been competent *ab initio* and may be continued or be dealt with under the Principal Act as if this Act had been in force at all material dates.

Office of Legislative Counsel, PNG