

RABAU BOTANIC RESERVE REGULATIONS 1929. ⁽¹⁾

PART I.—GENERAL.

1. These Regulations may be cited as the *Rabaul Botanic Reserve Regulations 1929.*⁽¹⁾
2. These Regulations are divided into Parts, as follows:—
 Part I.—General.
 Part II.—Rabaul Botanic Gardens and Reserve.
 Part III.—Town Avenues and Hedges.
3. In these Regulations, unless the contrary intention appears:—
 “Director” means the Director of Agriculture.
4. The Rabaul Botanic Reserve Regulations, 1928,⁽²⁾ the Kaewieng Botanic Reserve Regulations 1919, and the Rabaul Botanic Reserve (amendment) Regulations 1919 are hereby repealed.

PART II.—RABAU BOTANIC GARDENS AND RESERVE.

5. In this Part, the expression the “Reserve” shall mean and include:—

THE SCHEDULE.

All that piece of land situated in the Town of Rabaul in the Administrative District of New Britain being part of an area of Administration land entered in the Land Register for Gazelle Peninsula Volume 2 Folio 147 commencing at the point of intersection of the North side of Malaguna Road with the east side of Mango Avenue and bounded thence on the south by part of the north side of Malaguna Road aforesaid and a prolongation thereof being marked lines bearing true 88 degrees 21 minutes 30 seconds for 114 and 75/100 metres and 88 degrees 28 minutes 50 seconds for 1071 and 55/100 metres thence on the east by a marked line bearing true 358 degrees 28 minutes 50 seconds for 115 and 85/100 metres thence generally on the north-east north and north-west by marked lines bearing true 350 degrees 26 minutes for 63 and 40/100 metres 361 degrees 48 minutes 40 seconds for 65 and 15/100 metres 364 degrees 39 minutes 10 seconds for 32 and 90/100 metres 338 degrees 48 minutes 30 seconds for 21 metres 298 degrees 27 minutes 30 seconds for 51 and 20/100 metres 319 degrees 8 minutes 10 seconds for 69 and 70/100 metres 344 degrees 19 minutes 10 seconds for 69 and 15/100 metres 336 degrees 22 minutes 50 seconds for 73 metres 353 degrees 56 minutes 30 seconds for 31 and 5/100 metres 325 degrees 13 minutes 30 seconds for 123 and 50/100 metres 256 degrees 54 minutes 20 seconds for 71 and 60/100 metres 287 degrees 5 minutes 20 seconds for 38 and 90/100 metres 269 degrees 29 minutes 20 seconds

(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>Administrator's Powers Ordinance 1923-1938</i>	21.10.1929	31.10.1929	31.10.1929 (<i>N.G. Gaz.</i> of 31.10.1929)

(2) There were no Regulations entitled the “Rabaul Botanic Reserve Regulations, 1928.” *Semble*, the “Rabaul Botanic Reserve Regulations, 1918” were the Regulations intended. However, the Rabaul Botanic Reserve Regulations, 1918, as well as the other Regulations referred to in Regulation 4, would not be in force in the Territory subsequent to the amendment to the *Laws Repeal and Adopting Ordinance 1921-1928* by the *Laws Repeal and Adopting Ordinance 1929* (No. 4 of 1929), which took effect on 15.11.1929.

for 67 and 40/100 metres 288 degrees 31 minutes 40 seconds for 60 and 50/100 metres 351 degrees 18 minutes for 25 and 30/100 metres 325 degrees 15 minutes 30 seconds for 68 and 50/100 metres 322 degrees 45 minutes 40 seconds for 37 and 80/100 metres 299 degrees 12 minutes for 56 and 25/100 metres 290 degrees 7 minutes 40 seconds for 36 and 40/100 metres 308 degrees 44 minutes 40 seconds for 51 and 60/100 metres 285 degrees 34 minutes 40 seconds for 55 and 90/100 metres 275 degrees 31 minutes 30 seconds for 66 and 5/100 metres 298 degrees 4 minutes for 52 and 7/100 metres 276 degrees 58 minutes for 22 metres 251 degrees 43 minutes 10 seconds for 39 and 30/100 metres 283 degrees 43 minutes 20 seconds for 28 and 30/100 metres 277 degrees 46 minutes 30 seconds for 49 and 45/100 metres 276 degrees 31 minutes 50 seconds for 53 and 30/100 metres 206 degrees 0 minutes 17 seconds for 37 and 53/100 metres 253 degrees 38 minutes 35 seconds for 37 and 36/100 metres 231 degrees 37 minutes 45 seconds for 34 and 49/100 metres 303 degrees 6 minutes 15 seconds for 45 and 96/100 metres 288 degrees 11 minutes 37 seconds for 41 and 67/100 metres 237 degrees 6 minutes 37 seconds for 20 and 96/100 metres 218 degrees 36 minutes 16 seconds for 16 and 47/100 metres 240 degrees 4 minutes 18 seconds for 13 and 67/100 metres 287 degrees 27 minutes 50 seconds for 24 and 32/100 metres 300 degrees 14 minutes 18 seconds for 30 metres 226 degrees 7 minutes 48 seconds for 29 and 95/100 metres 245 degrees 38 minutes 30 seconds for 35 and 88/100 metres 229 degrees 16 minutes 13 seconds for 24 metres 233 degrees 45 minutes 31 seconds for 33 and 71/100 metres 244 degrees 7 minutes 15 seconds for 30 and 20/100 metres 264 degrees 35 minutes 6 seconds and 42 for⁽³⁾ 58/100 metres 218 degrees 4 minutes 25 seconds for 39 and 34/100 metres 227 degrees 27 minutes 53 seconds for 37 and 37/100 metres 172 degrees 56 minutes 43 seconds for 20 and 43/100 metres 133 degrees 27 minutes 10 seconds for 32 and 40/100 metres 154 degrees 34 minutes 56 seconds for 39 and 37/100 metres 185 degrees 50 minutes 58 seconds for 43 and 7/100 metres 206 degrees 14 minutes 48 seconds for 38 and 64/100 metres 239 degrees 59 minutes 38 seconds for 29 and 70/100 metres 271 degrees 23 minutes 53 seconds for 29 and 85/100 metres 277 degrees 21 minutes 53 seconds 29⁽⁴⁾ and 21/100 metres 240 degrees 22 minutes 53 seconds for 30 and 63/100 metres 258 degrees 7 minutes 1 second for 50 and 6/100 metres 281 degrees 54 minutes 4 seconds 21 and 31/100 metres 255 degrees 18 minutes 24 seconds for 59 and 33/100 metres 259 degrees 11 minutes 45 seconds for 16 and 41/100 metres and 262 degrees 12 minutes 29 seconds for 46 and 37/100 metres to a marked point at the north-east corner of Administration Lease Volume 1 Folio 70 known as Kuhns thence on the south-west by part of the north-eastern boundary of the said lease being a marked line bearing true 142 degrees 30 minutes for 40 metres thence on the south-east again on the south-west and on the west by the north-western north-eastern and eastern sides of an easement 3 metres wide being marked lines bearing true 55 degrees 30 minutes for 3 metres 145 degrees 30 minutes for 60 metres and 178 degrees 53 minutes for 218 and 89/100 metres thence again on the south by a line bearing true 88 degrees 56 minutes for 20 metres thence again on the west by a line bearing true 178 degrees 48 minutes 10 seconds for 15 and 74/100 metres thence again on the south by a line bearing true 91 degrees 2 minutes 10 seconds for 395 and 11/100 metres thence again on the west by a line bearing true 178 degrees 41 minutes 50 seconds for 88 and 18/100 metres thence again on the south by a line bearing true 88 degrees 41 minutes 40 seconds for 83 and 29/100 metres to a point on the east side of Mango Avenue aforesaid thence again on the west by part of the east side of Mango Avenue aforesaid being a line bearing true 178 degrees 23 minutes 40 seconds for 120 metres to the point of commencement be the said several dimensions all a little more or less.

6. The Director shall, under the Administrator, be charged with the care and control of the Reserve and of all matters pertaining thereto.

(3) The words and figures "and 42 for 58/100 metres" appeared in the Regulations as published in *N.G. Gaz.* They have now been omitted and the words and figures "for 42 and 58/100 metres" inserted in their stead by the Third Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.

(4) The words and figures "53 seconds 29 and 21/100 metres" appeared in the Regulations as published in *N.G. Gaz.* They have now been omitted and the words and figures "53 seconds for 29 and 21/100 metres" inserted in their stead by the Third Schedule of the *Ordinances Reprint and Revision Ordinance 1947* of the Territory of Papua-New Guinea.

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7. No unauthorised person shall interfere with, damage, destroy, or remove any seat, summer-house, arbour, fence, bridge, culvert, water-tap, water piping, well, road, flower-bed, turf, soil, stove, garden-pot, implement, cart, livestock, meteorological instrument, or any other property in the Reserve.

Penalty: Ten Pounds, or imprisonment for a period of one month.

8. No unauthorized person shall interfere with, cut, damage, destroy, or remove any tree, shrub, grass, fern, flower, fruit, seed, or plant or any part or parts thereof in the Reserve.

Penalty: Ten Pounds, or imprisonment for a period of one month.

9. No unauthorized person shall cut or collect firewood within the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

10. No unauthorized person shall climb any tree, arbour, or summer-house, or climb on, or jump on or over, any seat, fence, or gate, or stick, or otherwise affix any bill, advertisement, or notice on any fence, gate, seat, tree, post or other structure, in or around the Reserve, or cut, paint or write names, letters, or marks on any such tree, seat, gate, post, fence, or other structure, or otherwise injure or deface the same.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

11. No unauthorized person shall ride, drive, or take any carriage, cart, motorcar, motorcycle, motorlorry, motortractor, bicycle, or other vehicle into, over, or through the Reserve except by way of the portions thereof specially provided for wheeled traffic.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

12. No person who is not the holder of a licence to drive a motor vehicle shall drive any motor vehicle in the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

13. No person shall drive any vehicle along any roadway in the Reserve at a speed exceeding ten miles per hour.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

14. No unauthorized person shall ride or lead any horse into, upon, or through the Reserve except on the portions thereof specially provided for equestrians, and no person shall break in, gallop, or train any horse in the Reserve.

Penalty: Two Pounds, or imprisonment for a period of seven days.

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15. No unauthorized person shall carry, use, or discharge any firearm in the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

16. No unauthorized person shall take, snare, kill, or wound within the Reserve any pheasant, kookaburra, magpie, peewit, or other bird introduced from Australia or elsewhere, or interfere with the nesting, eggs, or breeding of any such bird.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

17. No unauthorized person shall take, snare, kill or wound within the Reserve any indigenous bird or animal whether for food or otherwise, or interfere with the nesting, eggs, or breeding of any such bird or animal.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

18. No unauthorized person shall bring or allow to remain or stray in the Reserve any horse, cattle, sheep, pigs, goats, dogs, or other animals.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

19. No person shall tie or tether horses, cattle, or any animal, whether attached to a vehicle or not, to any tree, shrub, seat, arbour, summer-house, fence, gate, or building in the Reserve.

Penalty: Two Pounds, or imprisonment for a period of seven days.

20. No person who is in a state of intoxication, or who is disorderly, or who is not decorously dressed shall enter or remain in the Reserve; and no person shall expectorate on any path, seat, or other structure within the Reserve; and no person shall commit any nuisance or offensive act within the Reserve.

Penalty: Five Pounds, or imprisonment for a period of seven days.

21. No person shall convene, call together, hold, attend, or take part in any fete, picnic, or concert, or any assembly for the purpose of public worship, preaching, or public speaking of any kind, or any meeting, or gathering of a like character, in the Reserve without the permission in writing of the Director first had and obtained.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

22. No unauthorized person shall make any fire or set fire to anything in the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

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23. No person shall erect any booth, tent, or other structure within the Reserve without the consent in writing of the Director.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

24. No person shall, in any part of the Reserve, wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the Reserve or the public conveniences therein erected, or wilfully obstruct in the execution of his duty or insult any keeper or other official employed in or about the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

25. No native shall make use of any garden seat, arbour, summer-house, or other convenience provided for the public in the Reserve, or soil, or disfigure the same.

Penalty: One Pound, or imprisonment for a period of seven days.

26. No person shall deposit any paper, empty tins, refuse, or rubbish of any description in the Reserve.

Penalty: One Pound, or imprisonment for a period of seven days.

27. No person shall sing, shout, play musical instruments, or make other noise or disturbance in the Reserve without the permission of the Director.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

28. No unauthorized person shall make use of the water, whether from the pipe supply, wells, or streams, in the Reserve.

Penalty: One Pound, or imprisonment for a period of seven days.

29. No unauthorized person shall interfere with or damage any buildings, houses, labourers' quarters, offices, or other buildings in the Reserve.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

PART III.—TOWN AVENUES AND HEDGES.

30. The boundaries of the towns⁽⁵⁾ of Rabaul, Kavieng, Morobe, Madang, Namatanai, Aitape, Lorengau, Kokopo, and Kieta, for the purpose of these Regulations, are as declared under the *Town Boundaries Ordinance 1924*.⁽⁶⁾

31. The Director shall have the care and control of all trees, shrubs and plants in the streets, and roads of the Township of Rabaul, and of all hedges around Administration offices, and all grass plots,

(5) See the *Town Boundaries Ordinance 1924-1927*, and the proclamations thereunder.

(6) Now the *Town Boundaries Ordinance 1924-1927*.

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plantations, parks, gardens, set apart for the use of the public, except where such areas as have been, or may be, handed over to trustees or other persons specially appointed for the purpose, within the township of Rabaul.

32. The Director shall have the care and control of all trees on Administration land in the township of Rabaul, and no person shall fell, ring, cut or damage any such tree without the written consent of the Director having first been had and obtained.

Penalty: One Pound, or imprisonment for a period of seven days.

33. No unauthorized person shall fell, ring, cut, damage, remove or otherwise interfere with any tree, shrub, plant, hedge, on any public street, road, park or garden:

Provided always that, in the case of any tree or portion of a tree breaking or falling, on account of storm, or other natural agency, and obstructing or being dangerous to traffic, such may be removed by any person, who should then notify the Director in Rabaul or, on an out-station, the District Officer.

Penalty: Ten Pounds, or imprisonment for a period of twenty-one days.

34. No unauthorized person shall climb any tree or ride or drive through or over any grass plot, plant, shrub, or hedge, in any public street, road, or throw any stone or missile or any refuse, or rubbish into or upon any such street or road, or any tree, grass, plot, plant, shrub, or hedge thereon.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

35. No person shall cut, paint, or place names, letters or marks on, or stick or otherwise affix notices, bills, or advertisements on or to any tree in any public street, road, park or garden.

Penalty: Five Pounds, or imprisonment for a period of fourteen days.

36. No unauthorized person shall fasten or tether any animal, whether attached to a vehicle or not, to any tree, shrub, seat, fence, gate or post, on any public street, road, park or garden; but this Regulation shall not apply to any rail, post, or peg specially erected for such purpose.

Penalty: Five Pounds, or imprisonment for a period of seven days.

37. No native shall use any seat, or other convenience provided for the use of the public in any public street, road, park, or garden, or soil, or disfigure the same.

Penalty: One Pound, or imprisonment for a period of seven days.