

PROCLAMATION DECLARING THAT THE COMMONWEALTH OF AUSTRALIA HAS MADE LAWS FOR HEARING APPEALS FROM COURTS OF PAPUA.

PROCLAMATION.⁽¹⁾

By His Excellency the Right Honourable
Henry Stafford, Baron Northcote,
Knight Grand Cross of the Most
Distinguished Order of Saint
Michael and Saint George, Knight
Grand Commander of the Most
Eminent Order of the Indian Em-
pire, Companion of the Most
Honourable Order of the Bath,
Governor-General and Commander-
in-Chief in and over the Common-
wealth of Australia.

Commonwealth of Australia
To Wit.

WHEREAS by Letters Patent⁽²⁾ of His Majesty the King, bearing date the eighteenth day of March, one thousand nine hundred and two, the Possession of British New Guinea was placed under the authority of the Commonwealth, and it was thereby provided that the Governor-General should, so soon as the Parliament had made laws for the government of the Possession, issue a Proclamation signifying and declaring that the Parliament has made laws for the government of the Possession, and that from and after the date of such Proclamation (thereinafter referred to as the appointed day) the therein recited Letters Patent of the eighth day of June, one thousand eight hundred and eighty-eight, and any instructions which might from time to time have been given to any Officer administering the Government of British New Guinea with respect to the execution of any things that belong to the said Office of Administrator should cease to have effect, and should be revoked without prejudice to anything lawfully done thereunder:

And whereas by an Order of His Majesty in Council,⁽³⁾ bearing date the sixth day of March, one thousand nine hundred and two, it was provided that the Governor-General, so soon as the Parliament had made laws providing for the hearing of appeals from the Courts of the Possession of British New Guinea, should issue a Proclamation

(1) Published in Papua *Govt. Gaz.* of 1.9.1906.

(2) Printed on p. 69.

(3) Printed on p. 71.

ADMINISTRATION AND GOVERNMENT—

signifying and declaring that the Parliament has made such laws accordingly, and that thereupon the therein recited Orders in Council of the seventeenth day of May, one thousand eight hundred and eighty-eight, and the twenty-fourth day of November, one thousand eight hundred and ninety-one, should be revoked, and should cease to have effect without prejudice to anything lawfully done thereunder, provided that any appeals from any Court of the said Possession to the Supreme Court of Queensland, at Brisbane, under the provisions of the said Orders in Council which should be pending at the date of such Proclamation, should be heard and determined by the Supreme Court of Queensland, at Brisbane, in the same manner and in all respects as though the said Orders in Council had not been revoked:

And whereas by the "*Papua Act 1905*,"⁽⁴⁾ it is declared that the Possession of British New Guinea is accepted by the Commonwealth as a Territory under the authority of the Commonwealth, by the name of the Territory of Papua, and provision is made for the government of the Possession and for the hearing of appeals for the Courts of the Possession:

And whereas it is provided in the said Act that it shall commence on the day on which a Proclamation is issued by the Governor-General, in pursuance of the hereinbefore recited Letters Patent of the eighteenth day of March, one thousand nine hundred and two:

Now, therefore, I, HENRY STAFFORD, BARON NORTHCOTE, the Governor-General aforesaid, acting with the advice of the Federal Executive Council, do hereby signify and declare that the Parliament of the Commonwealth of Australia has made laws for the government of the Possession, and providing for the hearing of appeals from the Courts of the Possession, and do signify and declare that the "*Papua Act 1905*"⁽⁴⁾ shall commence on this Saturday, the first day of September, one thousand nine hundred and six.

Given under my Hand and the Seal of the Commonwealth of Australia this first day of September, One thousand nine hundred and six, and in the sixth year of His Majesty's reign.

By His Excellency's Command,

(Sgd.) ALFRED DEAKIN.

GOD SAVE THE KING!

(4) Now the *Papua Act 1905-1940*.