

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 278A.

Infants (Clarification of Application).

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Justice at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

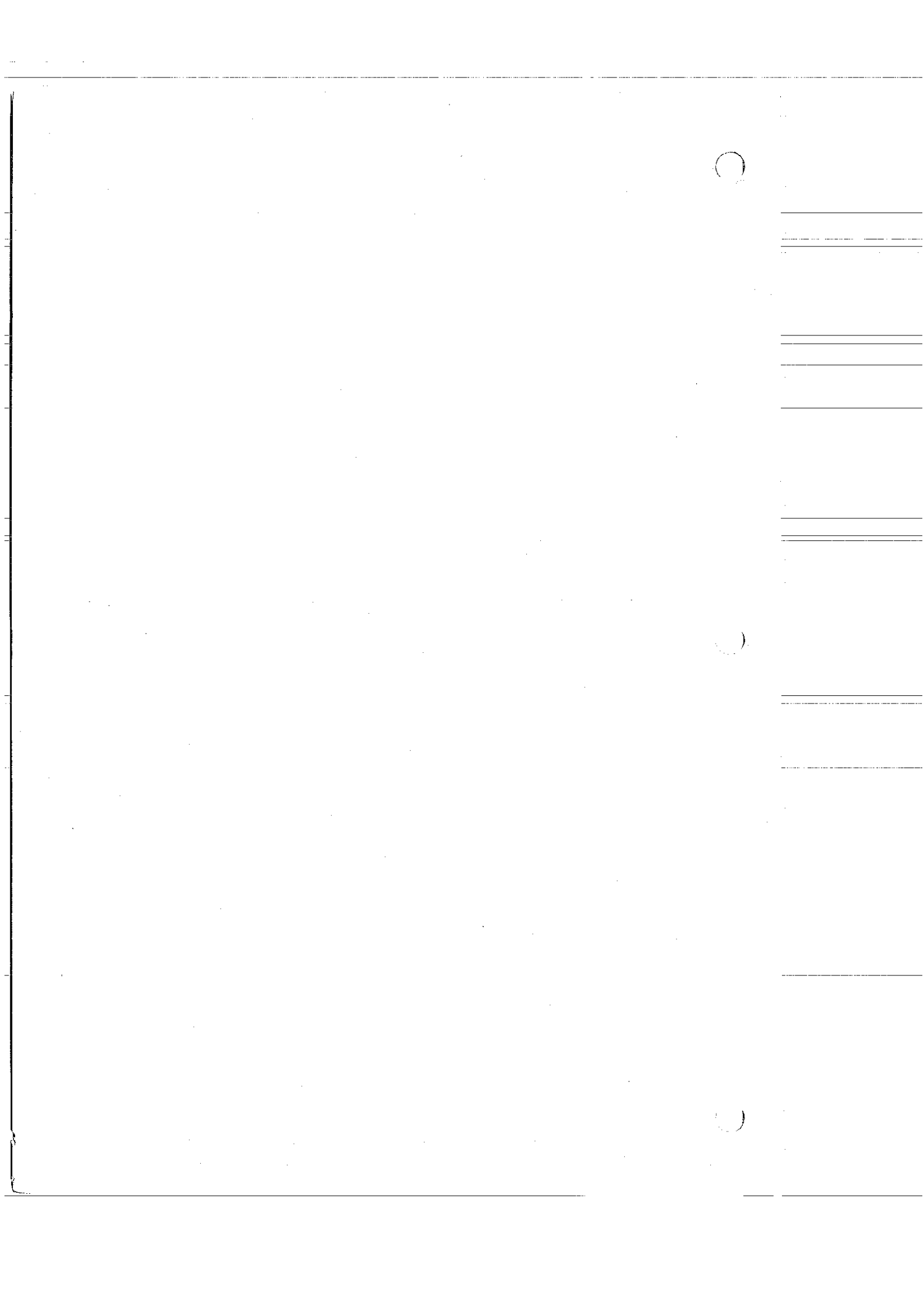
References in and in relation to this Chapter to —

“the Departmental Head” — should be read as references to the Secretary for Justice;

“the Department” — should be read as references to the Department of Justice.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 278A.

Infants (Clarification of Application) Act.

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.

CHAPTR NO. 278A.

Infants (Clarification of Application) Act.

Being an Act to clarify the application of the *Infants Act*, to be read as one with the *Infants Act*.¹

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*.

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.

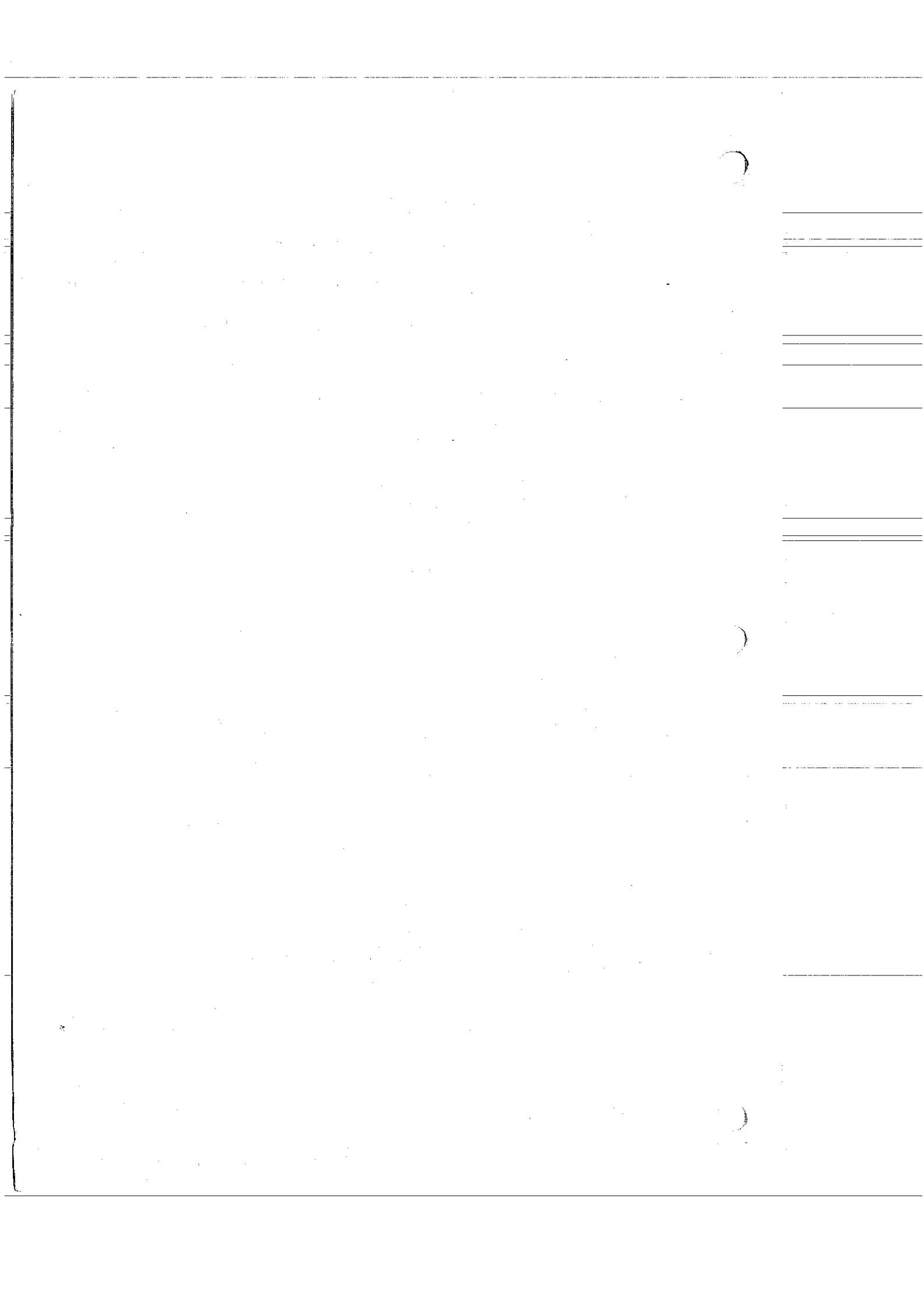
Where immediately after the passing of this Act, any action or proceeding commenced—

(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.

¹Section 5 of the *Infants Ordinance* 1956 referred to the *Native Childrens Ordinance* 1950 and the *Part Native Childrens Ordinance* 1950. Both these Ordinances were repealed by the *Child Welfare Ordinance* 1961 and, as they were no longer in force on the effective date, were omitted from the Revised Edition.



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APPENDIX.

SOURCE OF THE INFANTS (CLARIFICATION OF APPLICATION) ACT.

Part A.— Previous Legislation.

Infants (Clarification of Application) Act 1985 (No 12 of 1985).

Part B. — Cross References.

Section, etc. of Revised Edition.	Previous Reference. ¹
1	1
2	2
3	3

¹Unless otherwise indicated, references are to the Act set out in Part A.

