

PRIVATE TRAMWAYS ORDINANCE 1951.⁽¹⁾**No. 69 of 1951.****An Ordinance to Authorize the Construction, Maintenance and Working of Tramways.**

BE it ordained by the Administrator of the Government of the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949-1950*, as follows:—

- Short title. **1.** This Ordinance may be cited as the *Private Tramways Ordinance 1951.*⁽¹⁾
- Commencement. **2.** This Ordinance shall come into operation on a date to be fixed by the Administrator by notice⁽¹⁾ in the *Gazette*.
- Repeal. **3.**—(1.) The *Private Tramways Ordinance, 1920*⁽²⁾ of the Territory of Papua is repealed.
- (2.) All licences granted under the Ordinance repealed by this Ordinance and in force immediately before the commencement of this Ordinance shall continue in force as if granted under this Ordinance.
- Definitions. **4.** In this Ordinance, unless the contrary intention appears—
- “native land” means land which is owned or possessed by a native or native community by virtue of rights of a proprietary or possessory kind which belong to that native or native community and arise from and are regulated by native custom;
- “private tramway” means a tramway or railway other than a tramway or railway belonging to the Administration;
- “street” means a public road, street or way or a public place.
- Licences may be granted. **5.** The Administrator in Council may grant a licence to a person to construct, maintain and work a private tramway.

(1) Particulars of this Ordinance are as follows:—

Date on which made by Cwth. Administrator in Council.	Date on which notified in <i>Cwth. Gaz.</i>	Date on which took effect.
13.11.1951	13.11.1951	22.11.1951 (Papua and N.G. <i>Govt. Gaz.</i> of 22.11.1951)

(2) Printed in *The Laws of the Territory of Papua 1855-1945 (Annotated)*, Vol. IV., on p. 3923.

6. The person to whom a licence is granted under this Ordinance may construct a private tramway over such streets, Crown lands in the Territory of Papua, Administration lands in the Territory of New Guinea and native lands in the Territory as are mentioned in the licence, subject to such conditions as to the construction, maintenance and running thereof and the carriage of passengers and merchandise as may be contained in the licence.

Tramway may
be constructed.

7. The term of a licence granted under this Ordinance shall not exceed twenty-five years.

Term of
licence.

8. The conditions of a licence granted under this Ordinance may provide for the resumption of the undertaking by the Administration or the cancellation or termination of the licence at any time during its term.

Resumption and
cancellation.