

GERMAN PROPERTY ORDINANCE, 1920.⁽¹⁾

No. 2 of 1920.

An Ordinance to prohibit the Disposal of German Property and for other Purposes.

BE it enacted by the Lieutenant-Governor of the Territory of Papua, with the advice and consent of the Legislative Council thereof, as follows:—

1. This Ordinance may be cited as the *German Property Ordinance*, 1920.⁽²⁾ Short title.

2. In this Ordinance, unless the contrary intention appears— Definitions.

“German debts” means any debts or moneys which became payable before or during the war between England and Germany by or to a British subject resident in Papua to or by a German national resident in Germany;

“German national” means a subject of Germany and includes any company or corporation incorporated in Germany according to the law of Germany.

3.—(1.) No person who is a German national shall without the consent in writing of the Lieutenant-Governor,⁽²⁾ sell, transfer, mortgage or otherwise dispose of any property, or enter into any contract or agreement for the sale, transfer, mortgage or disposal of any property in which he has any estate or interest, and any person who commits a contravention of this subsection shall be guilty of an offence against this Ordinance. Disposal of property by German national prohibited.

(2.) Any sale, transfer, mortgage, disposal, contract or agreement made, granted or entered into in contravention of this section shall be absolutely void and of no effect.

(3.) Any sale, transfer, mortgage or disposal of property by a German national, and any contract or agreement for the sale, transfer, mortgage or disposal of property by a German national,

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

Date of assent by Lieut.-Gov.	Date notified in Papua <i>Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
15.3.1920	4.8.1920	15.3.1920 (<i>Ordinances etc. of Papua</i> , 1920, p. 3)

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

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made, granted or entered into since the tenth day of January, One thousand nine hundred and twenty, and before the commencement of this section, shall be absolutely void and of no effect.

(4.) The Lieutenant-Governor⁽²⁾ may, by notice in writing, exempt from the provisions of this section any transaction or class of transactions entered into by a German national.

4.—(1.) Any person who, without the consent of the Lieutenant-Governor⁽²⁾ (proof whereof shall lie upon the person accused)—

(a) pays or accepts payment of any German debt; or

(b) being interested as debtor or creditor in any such debt has any communication with any other person who is interested therein as creditor or debtor

shall be guilty of an offence against this Ordinance.

(2.) Any person who, without the consent of the Lieutenant-Governor⁽²⁾ (proof whereof shall lie upon the person accused), takes proceedings in any court for the recovery of any German debt shall be guilty of an offence against this Ordinance.

5. Offences against this Ordinance may be prosecuted summarily or upon indictment.

6. The punishment for an offence against this Ordinance shall be as follows:—

(a) If the offence is prosecuted summarily—a fine not exceeding Five hundred pounds or imprisonment for any term not exceeding twelve months, or both; and

(b) if the offence is prosecuted upon indictment—a fine of any amount or imprisonment for not more than seven years, or both.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.