

National Cultural Property (Preservation) Regulation 1965

Unvalidated References:

National Cultural Property (Preservation) Act 1965

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 156.

National Cultural Property (Preservation) Regulation 1965

ARRANGEMENT OF SECTIONS.

1. Search warrant.
2. Register of proclaimed cultural property.
3. Notification of proclaimed cultural property.
4. Appeal.
5. Notices.

National Cultural Property (Preservation) Regulation 1965

MADE under the *National Cultural Property (Preservation) Act 1965*.

Dated 200 .

1. SEARCH WARRANT.

A search warrant issued under Section 10(3) of the Act shall be in Form 1.

2. REGISTER OF PROCLAIMED CULTURAL PROPERTY.

The register of proclaimed cultural property to be kept by the Trustees under Section 12 of the Act shall be in Form 2.

3. NOTIFICATION OF PROCLAIMED CULTURAL PROPERTY.

The notice to be given to the Trustees under Section 13(a) of the Act of the particulars, nature, situation and condition of proclaimed cultural property shall be in Form 3.

4. APPEAL.

(1) An appeal under Section 19 of the Act by a person aggrieved by a decision of the Trustees shall be in Form 4.

(2) An appeal may be forwarded to the Minister, and shall be lodged or posted not later than 28 days from the date on which the appellant received notice of the decision of the Trustees.

(3) Subject to Subsection (4), no action shall be taken on an appeal not lodged or posted within the time specified in Subsection (2).

(4) The Head of State, acting on advice, may, where he is satisfied that owing to the location of the person aggrieved it is not practicable for him to lodge or post an appeal within the time specified in Subsection (2), extend that time for such period as in the circumstances the Head of State, acting on advice, thinks necessary.

5. NOTICES.

(1) A requirement or notice under the Act may be made or given by instrument served on the person to whom it is addressed.

(2) In the cases not otherwise provided for by this Regulation, an instrument or document required or permitted by the Act or this Regulation to be served on a person (including a summons to attend as a witness), may be served—

(a) personally on the person; or

(b) by registered post at the last-known place of abode of the person; or

(c) by leaving it at the last-known place of abode of the person, with some person apparently an inmate of the place and apparently not less than 16 years of age; or

(d) in the case of a notice to the Head of State—by registered post to the office of the Department of the Prime Minister and National Executive Council.

SCHEDULE.

Form 1.—Warrant.

PAPUA NEW GUINEA.

National Cultural Property (Preservation) Act 1965.

Act, Sec. 10(3). Form 1.

Reg., Sec. 1.

WARRANT.

To *(name of person and capacity by virtue of which he is authorized to act under warrant)*.

I, A.B., a Justice of the Peace, being satisfied that *(insert the matter being a matter specified in Section 10(1)(a) of the Act)* authorize you to enter and search *(insert the land, building, aircraft, vessel or vehicle)* and to seize and detain *(insert the national cultural property or suspected national cultural property to be seized)* for such time as you think necessary, and,

for the exercise of the foregoing powers, to use such reasonable force as is necessary, and for so doing this shall be your sufficient warrant.

This warrant remains in force up to and including . . . 20

Dated . . . 20

Justice of the Peace.

Form 2.—Register of Proclaimed Cultural Property.

PAPUA NEW GUINEA.

National Cultural Property (Preservation) Act 1965.

Act, Sec. 12. Form 2.

Reg., Sec. 2.

REGISTER OF PROCLAIMED CULTURAL PROPERTY.

Date of proclamation. Description. Owned by. Remarks.

Form 3.—Notification to Trustees of Declaration of Proclaimed Cultural Property.

PAPUA NEW GUINEA.

National Cultural Property (Preservation) Act 1965.

Act, Sec. 13(a). Form 3.

Reg., Sec. 3.

NOTIFICATION TO TRUSTEES OF DECLARATION OF PROCLAIMED CULTURAL PROPERTY.

Name of owner or custodian. Nature of proclaimed cultural property. Situation of proclaimed cultural property. Condition of proclaimed cultural property.

Form 4.—Notice of Appeal.

PAPUA NEW GUINEA.

National Cultural Property (Preservation) Act 1965.

Act, Sec. 19. Form 4.

Reg., Sec. 4.

NOTICE OF APPEAL.

To the Minister for

I appeal on the ground (*or grounds*) specified below against the decision of the Trustees of the Papua New Guinea Public Museum and Art Gallery constituted under the *Public Museums and Art Galleries Act* made . . . 20 . . . under Section 19 of the *National Cultural Property (Preservation) Act*.

Grounds (*insert the grounds of appeal*).

Dated at . . . 20

(*Signature of Appellant.*)

(*Address of Appellant.*)