

PAPUA NEW GUINEA  
STATUTORY INSTRUMENT

No. of 1974.

National Parks By-laws 1974,

being

By-laws made by the National Parks Board under the *National Parks Act 1966*, as amended to date.

1. - APPLICATION.

These By-laws apply to and in relation to all reserves.

2. - INTERPRETATION.

(1) In these By-laws, unless the contrary intention appears -

"authorized person" means a member or a delegate of the Board;  
"camping permit" means a permit granted under Section 10;  
"fishing permit" means a permit granted under Section 11;  
"licence" means a licence granted under Section 16(2)(i) of the Act;  
"licensee" means a person to whom a licence has been granted and "licensed" has a corresponding meaning;  
"officer" means an officer of the Board appointed under Section 19 of the Act;  
"the Act" means the *National Parks Act 1966*, as in force from time to time.

(2) Where in these By-laws it is provided that a permit or consent may be granted or given, that permit or consent shall be granted or given in writing under the signature of any two members of the Board, or under the seal of the Board.

3. - HOURS.

(1) The hours during which the public may enter or be upon a reserve or a part of a reserve are as determined by the Board from time to time by notice in the *Government Gazette* either generally or in relation to a particular reserve or part of a reserve.

(2) The Board shall cause notices to be exhibited at or near the entrance to each reserve indicating the hours determined under Subsection (1) for that reserve.

(3) A person shall not during hours other than the hours determined under Subsection (1) enter or be upon a reserve unless -

(a) he is an officer, member of the Police Force or other authorized person except that nothing contained in this paragraph shall be deemed to authorize an officer, member of the Police Force or other authorized person to enter any premises on a reserve; or

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- (b) subject to Subsection (4), he is the holder of a licence or an employee of a licence holder; or
- (c) in a case where the licence authorizes the occupation and use of part of a reserve for the purposes of a caravan park, hostel or hotel - he is a member of the licensee's family or a visitor to any of those persons; or
- (d) he is a guest at a caravan park, hostel or hotel on the reserve or a visitor to that person; or
- (e) he is the holder or joint holder of a camping permit; or
- (f) in the case of a camping permit which is issued in respect of the holder and his family - he is a member of that family; or
- (g) in the case of a camping permit which is issued to an organization - he is a member of that organization and, where that permit so provides, he produces a card specified in Section 10(5)(d); or
- (h) he has the consent of the Board.

(4) A licensee of a kiosk, place of entertainment (other than a hotel), refreshment room or other facility for amusement (other than a hotel) on a reserve and his employees shall not be on the reserve during hours other than the hours determined under Subsection (1) except for the purpose of opening up, closing down, maintaining, stocking or cleaning that facility each day.

4. - FEES.

(1) The Board may, from time to time, by notice in the *Government Gazette* determine the fees to be paid to it in relation to the use of a reserve or part of a reserve.

(2) The Board shall cause notices to be exhibited at or near the entrance to each reserve indicating the fees determined under Subsection (1) for that reserve.

5. - EXCLUSION OF CERTAIN VEHICLES.

(1) An officer shall not permit a vehicle to enter or to be on a reserve if the vehicle is not fitted with an efficient exhaust silencing system controlling the omission of excess noise or smoke.

(2) Except with the consent of the Board or an officer, a vehicle which exceeds two t tare shall not be permitted to enter or to be on a reserve.

(3) A vehicle which is -

- (a) carrying any of the items specified in paragraph (i), (j), or (l) of Section 7(1), shall not be permitted to enter or to be on a reserve unless the appropriate consent or consents under those provisions has or have been obtained; or
- (b) carrying an animal, shall not be permitted to enter or to be on a reserve unless consent has been given under Section 7(2); or
- (c) carrying fireworks, shall not be permitted to enter

- or to be on a reserve; or
- (d) towing a caravan or trailer of any kind, shall not be permitted to enter or to be on a reserve,

6. - ENTRY UPON PARTS OF RESERVE SUBJECT TO LICENCES.

Where a licence has been granted in respect of a part of a reserve a person shall not -

- (a) enter that part without paying the charges (if any) fixed by the licensee in accordance with Section 13; or
- (b) act in such a way as to cause undue interference with the reasonable and proper use of that part.

7. - CONDUCT OF PERSONS.

(1) A person shall not while on a reserve -

- (a) deposit or leave any litter or rubbish or any noxious, offensive or polluting substance or any material which is likely to injure other persons using the reserve; or
- (b) break any object the fragments of which if left on the ground would be likely to injure other persons using the reserve or
- (c) light, maintain or use a fire in any place other than a fireplace or other location approved by the Board or an officer; or
- (d) fish without a fishing permit; or
- (e) foul the water in any river, stream, reservoir, dam or tank on or flowing through the reserve, as the case may be; or
- (f) cut, fell, remove or have in his possession any tree, shrub, plant or flower except with the consent of the Board; or
- (g) damage, deface or interfere with -
  - (i) any rockface or other natural object or feature; or
  - (ii) any walks, drives, reservoirs, dams, tanks, banks, drains or other works,
- except with the consent of the Board; or
- (h) remove, damage, destroy, deface, interfere with or have in his possession (in whole or in part) any sign, building, outdoor furniture or other man-made structure, plant or equipment forming part of or used in connexion with the reserve except with the consent of the Board; or
- (i) carry or use any firearm, airgun, speargun, spear, bow and arrow or other lethal weapon except with the consent of the Board; or
- (j) carry or use any explosive except with the consent of the Board; or
- (k) carry or use any firework; or
- (l) carry or use any traps, nets, snares, lines, hooks, lures, poisons, baits, enticements, cages, and other

- articles capable of being used for luring, holding, taking or destroying animals, birds or reptiles except with the consent of the Board; or
- (m) hunt, capture, snare, injure, kill or have in his possession any bird, animal or reptile except with the consent of the Board; or
  - (n) destroy, remove or interfere with the eggs of birds or any bird next except with the consent of the Board; or
  - (o) dig, cut, collect, remove or interfere with any sand, soil, clay, gravel, rock, mineral, shell, fossil, timber (whether or not living), humus or other natural substance or object whether on or under water, except with the consent of the Board; or
  - (p) subject to Section 9, erect, build or maintain any dam, fence, tent, building, or other structure except with the consent of the Board; or
  - (q) except with the prior written consent of the Board or in accordance with a licence -
    - (i) sell or hire, expose for sale or hire or solicit for sale or hire any article or service; or
    - (ii) conduct or assist the operation of any amusement, entertainment or performance; or
  - (r) throw any missile or behave in a disorderly, abusive, drunken or offensive manner; or
  - (s) obstruct an officer in the performance of his duties or the exercise of his powers under these By-laws.

(2) A person shall not bring, release (whether or not the release is intended to be temporary), lead, drive or allow to stray onto or on a reserve any animal except with the consent of the Board.

(3) No person, group of persons or organization shall use a reserve for the purpose of holding meetings, private or public, without the consent of the Board.

#### 8. - CONTROL OF VEHICLES.

(1) The Board may cause signs to be erected in a prominent position to regulate or prevent the movement of vehicles on a reserve or on a part of a reserve or to prohibit or restrict the parking or standing of vehicles on any part of a reserve.

(2) An officer, member of the Police Force or other authorized person may give directions regulating or preventing the movement of vehicles on a reserve or on a part of a reserve.

(3) A person in control of a vehicle on a reserve shall observe all signs and comply with the reasonable directions of an officer, member of the Police Force or other authorized person.

(4) Subject to any sign or direction erected or given, as

the case may be, under this section or to the consent of the Board or an officer, a vehicle on a reserve shall be driven only on a defined road or track.

9. - ERECTION OF TENTS.

(1) A tent or marquee for the purpose of camping may be erected only in an area established under licence as a camp or a caravan park, or in an area established by the Board for those purposes.

(2) Where a tent or marquee is erected under Subsection (1), the person in charge of the tent or marquee shall comply with the provisions of any permit issued under Section 10.

10. - CAMPING PERMITS.

(1) Subject to this section, the Board may issue permits to -

- (a) a person to two or more persons jointly to authorize that person or those persons; or
- (b) a person to authorize that person and a specified number of members of his family; or
- (c) an organization to authorize a specified number of members of that organization,

to temporarily camp for a specified period on a reserve.

(2) An application for a camping permit shall be in writing and shall specify -

- (a) the name of the reserve at which it is desired to camp; and
- (b) the period for which it is desired to camp; and
- (c) the name, address and telephone number of a person to be contacted in the event of an emergency; and
- (d) in the case of a permit under Subsection (1)(a) the name and address of the applicant or applicants; and
- (e) in the case of a permit under paragraph (b) of that subsection the name and address of the applicant and the number of members of his family who will accompany him; and
- (f) in the case of a permit under paragraph (c) of that subsection -
  - (i) the name and address of the person or persons organizing the camp and, if they are different, the name and address of the persons in charge of the camp; and
  - (ii) the name and address of the other members of the organization who will be camping.

(3) The Board shall consider each application and shall in its discretion approve or reject each application.

(4) In the case of an application by an organization the Board may issue a permit in respect of a smaller number of members

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or a shorter period of camping time, or both, than specified in the application.

(5) A permit may be issued subject to one or more of the following conditions :-

- (a) that the campers eat their meals and sleep in a specified area to be more particularly described by an officer at the reserve; or
- (b) that the campers do not enter a specified area to be more particularly described by an officer at the reserve; or
- (c) that the campers carry a first aid kit of a type approved by an officer; or
- (d) in the case of a permit granted under Sub-section (1)(c) where the Board considers it desirable to limit the number of members of an organization on a reserve - that at the time the campers arrive at the reserve for the commencement of the camp each camper present will be issued with a card which identifies the permit granted to his organization and that at the end of the camp each card will be surrendered to the Board.

(6) Where an officer believes on reasonable grounds -

- (a) that one or more persons on a reserve by virtue of a camping permit has or have contravened or failed to comply with these By-laws; or
- (b) that a condition of that permit has been breached,

he may revoke that permit by notifying -

- (c) in the case of a permit granted under Sub-section (1)(a) - the permit holder or one of the permit holders; or
- (d) in the case of a permit granted under paragraph (b) of that subsection - the permit holder; or
- (e) in the case of a permit granted under paragraph (c) of that subsection - the person or one of the persons in charge of the camp.

#### 11. - FISHING PERMITS.

(1) Subject to this section, the Board may issue permits to authorize fishing in a reserve or a specified part of a reserve for any species or a particular species of fish and may specify a minimum size for all or any of the fish to which the permit relates.

(2) An application for a fishing permit shall specify -

- (a) the name and address of the applicant; and
- (b) a description of the equipment he intends to use; and

- (c) the name of the reserve at which he desires to fish.

(3) Subject to Subsection (4), the Board shall consider each application and shall in its discretion approve or reject each application.

(4) Where the Board considers it to be in the interests of conservation to do so it may decide on a policy -

- (a) that no fishing permits shall be granted in respect of a particular reserve for a fixed period or an indefinite period; or
- (b) that no fishing permits shall be granted in respect of any reserve for a fixed period or an indefinite period,

which may be reviewed by the Board from time to time.

(5) Where a permit authorizes fishing -

- (a) in a specified part of a reserve, the permit holder shall not fish in another part of that reserve; or
- (b) for a particular species of fish, the permit holder will immediately return to the water fish of any other species that he catches; or
- (c) for a minimum size of fish, the permit holder will immediately return to the water fish which are smaller than that size.

(6) Where an officer believes that the holder of a fishing permit has contravened or failed to comply with these By-laws he may revoke that permit by notifying the permit holder.

#### 12. - UNAUTHORIZED STRUCTURES MAY BE REMOVED.

Where a structure is erected, built or maintained contrary to Section 7(1)(p) the Board may cause that structure to be removed.

#### 13. - BOARD MAY AUTHORIZE CHARGES.

(1) A person who is licensed by the Board to use and occupy any area within a reserve shall not impose charges for the admission of persons to that area without the consent of the Board.

(2) A consent under Subsection (1) -

- (a) shall indicate the maximum amount that may be charged for admission; and
- (b) may authorize the waiver or reduction of that amount in the circumstances specified by the Board.

#### 14. - CERTAIN ANIMALS MAY BE DESTROYED.

The Board may, after consultation with the Conservator of Fauna, cause to be removed or destroyed flora or fauna found on a reserve which in the opinion of the Board is not indigenous to that reserve.

## 15. - NAME AND ADDRESS TO BE GIVEN IN CERTAIN CASES.

(1) Where an officer, member of the Police Force or other authorized person believes on reasonable grounds that a person has contravened or failed to comply with these By-laws he may require that person to give his name and address.

(2) A person shall not refuse or fail to comply with a requirement of Subsection (1) or give a false name and address.

## 16. - REMOVAL OF CERTAIN PERSONS.

(1) Where an officer, member of the Police Force or other authorized person believes on reasonable grounds that a person has contravened or failed to comply with these By-laws he may require that person to leave the reserve.

(2) A person shall not refuse or fail to comply with a requirement under Subsection (1).

(3) Where a person refuses or fails to comply with a requirement under Subsection (1) an officer, member of the Police Force or other authorized person may remove that person and his vehicle (if any) from the reserve except that the officer, member of the Police Force or other authorized person shall not use more force against that person than is reasonably necessary to remove that person.

## 17. - DELEGATION OF POWERS.

(1) The Board may by writing under its seal delegate to a person all or any of its powers and functions under these By-laws (except this power of delegation), so that the delegated powers and functions may be exercised by a delegate with respect to the matters or class of matters, or to the whole of Papua New Guinea or the part of Papua New Guinea, specified in the instrument of delegation.

(2) A delegation under this By-law is revocable at will and no delegation prevents the exercise of a power or function by the Board.

## 18. - BREACH OF BY-LAWS.

A person who contravenes or fails to comply with a provision



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of these By-laws is liable to a penalty not exceeding \$100.00.

DATED the                      day of                      ,1974.

Chairman.

Member.

Member.

I, THOMAS KINGSTON CRITCHLEY, High Commissioner, by virtue of the powers conferred by the *National Parks Act 1966*, as amended to date, and all other powers me enabling, and having received the advice of the Executive Council, hereby approve these By-laws.

DATED the                      day of                      ,1974.

HIGH COMMISSIONER.