

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 10.

National Name (Protection).

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), there was no gazetted indication where the administration of this Chapter was vested. It seems likely, therefore, that under the Constitution, Section 148(2), the Prime Minister was politically responsible.

This Chapter does not refer to "the Minister", "the Departmental Head" or "the Department".

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National Name (Protection) Act.

ARRANGEMENT OF SECTIONS.

1. Interim protection.
2. Saving of pre-Independence uses.

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National Name (Protection) Act.

Being an Act of the Parliament to implement Section 1(2) (*the Independent State of Papua New Guinea*) of the Constitution by protecting the National name¹.

1. Interim protection.

Where in or under any pre-Independence law provision is made prohibiting or restricting the use of the expression "Commonwealth", "Australia", "State", "Territory", "Papua New Guinea" or any related expression, that prohibition or restriction applies, with the necessary modifications, to the expression—

- (a) "Papua New Guinea"; or
- (b) "the State"; or
- (c) "the Independent State of Papua New Guinea",

and to related expressions.

2. Saving of pre-Independence uses.

Subject to any other law and to any directions given by the Head of State, acting on advice, Section 1 does not apply to the continued use of any expression referred to in Section 1(a), (b) or (c), or any related expression, in a case where the use was lawful before Independence Day.

¹ The original Act was made by the National Constitutional Assembly as a Provisional Act of the Parliament. See Constitution, Section 266(2).

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APPENDIX.

SOURCE OF THE NATIONAL NAME (PROTECTION) ACT.

Part A.—Previous Legislation.

National Name (Protection) Act 1975 (No. 99 of 1975).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous References ¹ .
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2	2

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

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