

No. 79 of 1976.

***Leadership Code (Alternative Penalties) Act 1976.***

Certified on: / /20 .



INDEPENDENT STATE OF PAPUA NEW GUINEA.



No. 79 of 1976.

***Leadership Code (Alternative Penalties) Act 1976.***

**ARRANGEMENT OF SECTIONS.**

1. Interpretation.
  - “the appropriate authority”
  - “the Organic Law”
  - “the tribunal”
2. Alternative penalties.



INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

***Leadership Code (Alternative Penalties) Act 1976,***

Being an Act to implement Section 28(1A) (*further provisions*) of the *Constitution* and Section 27(5)(b) of the *Organic Law on the Duties and Responsibilities of Leadership* by providing for penalties, other than dismissal, for misconduct in office.

**1. INTERPRETATION.**

In this Act—

“**the appropriate authority**” has the same meaning as in Section 27(7) of the Organic Law;

“**the Organic Law**” means the *Organic Law on the Duties and Responsibilities of Leadership*;

“**the tribunal**”, in relation to a person found guilty of misconduct in office, means the tribunal referred to in Section 27 of the Organic Law, that found him guilty.

**2. ALTERNATIVE PENALTIES.**

The penalties that may be recommended and imposed under and for the purposes of Section 28(1A) of the *Constitution* and Section 27(5)(b) of the Organic Law are that the person found guilty of misconduct in office—

- (a) be fined an amount fixed by the tribunal, not exceeding K1,000.00; or
- (b) be ordered by the appropriate authority to enter into his own recognizance in a reasonable amount, not exceeding K500.00, fixed by the tribunal that he will comply with Division III.2 (*Leadership Code*) of the *Constitution* and with the Organic Law during a period fixed by the tribunal, not exceeding 12 months from the date of the announcement,

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under Section 27(6) of the Organic Law, of the decision of the tribunal;  
or

- (c) be suspended, without pay, from office or position for a period not exceeding three months from the date of commencement of the suspension; or
- (d) be reprimanded,

or if he is a public office-holder as that expression is defined in Section Sch.1.2(1) of the *Constitution*, that, as determined by the tribunal—

- (e) he be reduced in salary; or
- (f) if his conditions of employment are such as to allow of demotion—he be demoted.

Office of Legislative Counsel, PNG