

No. 914 of 9998.

***Organic Law on the Relief of Members of Disciplined Forces from the
Responsibility for the Consequences of Carrying out a Lawful Order.***

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.



Organic Law on the Relief of Members of Disciplined Forces from the Responsibility for the Consequences of Carrying out a Lawful Order.

ARRANGEMENT OF SECTIONS.

1. Disciplined forces.
2. Member of a disciplined force not liable for the consequences of carrying out lawful order, etc.
3. Liability to make compensation in certain cases to lie on authority responsible for disciplined force.

INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Organic Law on the Relief of Members of Disciplined Forces from the Responsibility for the Consequences of Carrying out a Lawful Order,

Being an Organic Law to implement Section 208 (*protection of members of disciplined forces*) of the *Constitution* by providing for—

- (a) the relief of members of disciplined forces from the responsibility for the consequences of carrying out a lawful order; and
- (b) liability to make compensation to lie on the authority responsible for the disciplined force,

and for related purposes.

1. DISCIPLINED FORCES.

For the purposes of this Organic Law—

- (a) the Police Force; and
- (b) the Defence Force; and
- (c) the Correctional Services,

are disciplined forces.

2. MEMBER OF A DISCIPLINED FORCE NOT LIABLE FOR THE CONSEQUENCES OF CARRYING OUT LAWFUL ORDER, ETC.

A member of a disciplined force is not liable for the consequences of carrying out—

- (a) a lawful order; or
- (b) on order which he honestly, and on reasonable grounds believed to be a lawful order (the onus of establishing his belief and the reasonable grounds on which it was based, being on him).

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3. LIABILITY TO MAKE COMPENSATION IN CERTAIN CASES TO LIE ON AUTHORITY RESPONSIBLE FOR DISCIPLINED FORCE.

(1) Where, but for the provisions of Section 2, a member of a disciplined force would be liable to make compensation, the liability to make compensation shall lie on the authority responsible for that disciplined force.

(2) The provisions of Subsection (1) do not derogate any other right to compensation from an authority responsible for that disciplined force.

Office of Legislative Counsel, PNG