

Chapter 248.

Transport (Collection of Information) Act 1969.

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.



Chapter 248.

Transport (Collection of Information) Act 1969.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Transport (Collection of Information) Act 1969,

Being an Act to provide for the collection of information concerning road and water transport.

1. INTERPRETATION.

In this Act, unless the contrary intention appears—

¹“**Authority**” means the National Maritime Safety Authority established under *National Maritime Safety Authority Act 2003*;

“**the regulations**” means any regulations made under this Act;

“**road transport**” means any kind of vehicular transport of persons or goods, whether or not it is used or is being used on a public street or road;

“**this Act**” includes the regulations;

“**water transport**” means any kind of vessel used in navigation by water.

2. SUPPLY OF INFORMATION.

(1)² ³The Authority or a person authorized by him for the purpose may require any person to supply to him such information as to—

(a) road or water transport owned or operated by him; and

(b) his transport operations and the results of those operations,

as the Authority or authorized person, as the case may be, requires.

(2) The information required under Subsection (1) may include information as to—

¹ Section 1 Amended by No. 73 of 2003, s. 37.

² Section 2 Subsection (1) amended by No. 73 of 2003, s. 38.

³ Section 2 Subsection (1) amended by No. 73 of 2003, s. 38.

- (a) journeys made; and
- (b) cargo carried; and
- (c) passengers carried; and
- (d) the description of the road or water transport involved; and
- (e) financial matters connected with transport operations.

3. COLLECTION OF INFORMATION.

⁴For the purpose of acquiring any of the information referred to in Section 2, the Authority or authorized person may stop, enter or examine any road or water transport, and may require any person—

- (a) to fill up and supply, in accordance with the instructions contained in it or accompanying it, the particulars specified in a form supplied by the Departmental Head or authorized person; or
- (b) to allow him to examine and take copies of any accounts, consignment notes, waybills, manifests and other documents; or
- (c) to take the transport, together with its cargo (if any), to a place selected by the Departmental Head or authorized person for the purpose of weighing or measuring it and its cargo, and allow it to be weighed or measured.

4. RELEASE OF INFORMATION.

(1)⁵ ⁶Subject to this section, the Authority shall compile and tabulate the information collected under this Act, and may publish it or abstracts of it, with observations on it, to such persons, in such manner and to such extent as the Head of State, acting on advice, directs.

(2)⁷ ⁸Subject to Subsection (3), a person who, except to the extent required by his official duties or in accordance with this Act or some other law, discloses any information given to the Authority or an authorized person under this Act is guilty of an offence.

Penalty: ⁹A fine not exceeding K2,000.00.

(3) Subsection (2) does not apply where the information is disclosed—

- (a) to an officer of the Government or of the Government of Australia, for the performance of his official duties; or

⁴ Section 3 Amended by No. 73 of 2003, s. 39.

⁵ Section 4 Subsection (1) amended by No. 73 of 2003, s. 40.

⁶ Section 4 Subsection (1) amended by No. 73 of 2003, s. 40.

⁷ Section 4 Subsection (2) amended by No. 73 of 2003, s. 40.

⁸ Section 4 Subsection (2) amended by No. 73 of 2003, s. 40.

⁹ Section 4 Subsection (2) amended by No. 73 of 2003, s. 40.

- (b) to the Passenger Transport Control Board or the Harbours Board, or to a member, officer or employee of either of those Boards, for the exercise of the powers or the performance of the functions of that Board; or
- (c) with the consent of the person, firm or association by whom or on whose behalf the information was supplied.

5. OFFENCES GENERALLY.

A person who—

- (a) refuses or fails to supply information in his possession or under his control when required to do so under this Act; or
- (b) knowingly supplies false information when so required; or
- (c) hinders or obstructs a person in the exercise of his powers or the performance of his functions under this Act,

is guilty of an offence.

Penalty: ¹⁰A fine not exceeding K2,000.00.

5A. PAYMENT OF FINES.

¹¹All monies received by way of fines for an offence under this Act shall be paid into the funds of the Authority.

6. REGULATIONS.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

Office of Legislative Counsel, PNG

¹⁰ Section 5 Amended by No. 73 of 2003, s. 41.

¹¹ Section 5A Inserted by No. 73 of 2003, s. 42.