

No. 19 of 1994.

Vice-Ministers Act 1994.

Certified on: / /20 .

INDEPENDENT STATE OF PAPUA NEW GUINEA.



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Vice-Ministers Act 1994.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Vice-Ministers Act 1994,

Being an Act to make provision for Vice-Ministers, their appointment and functions, and for related purposes.

1. INTERPRETATION.

In this Act, unless the contrary intention appears—

“**Vice-Minister**” means a Vice-Minister appointed under Section 2.

2. VICE-MINISTERS.

(1) Offices of Vice-Minister are hereby established.

(2)¹ ²There shall be such number of Vice-Ministers (not exceeding 12) as is determined by the Head of State, acting with, and in accordance with, the advice of the Prime Minister.

(3) A Vice-Minister shall be appointed from amongst the Members of the Parliament (other than Ministers) by the Head of State, acting with, and in accordance with, the advice of the Prime Minister.

(4) A Vice-Minister—

(a) may be dismissed from office by the Head of State, acting with, and in accordance with, the advice of the Prime Minister; and

(b) ceases to hold office if he becomes a Minister or ceases to be a Member of the Parliament.

(5) A Vice-Minister may resign from office by written notice to the Prime Minister.

¹ Section 2(2) amended by *Vice-Ministers (Amendment) Act 1994* (No. 26 of 1994).

² Section 2(2) amended by *Vice-Ministers (Amendment) Act 1994* (No. 26 of 1994).

3. FUNCTIONS OF VICE-MINISTERS.

The functions of a Vice-Minister are—

- (a) to assist such Minister or Ministers as are designated by the Prime Minister; and
- (b) to be a supportive spokesman in Parliament on the subject matter of the portfolio of the Minister or Ministers whom he is assisting; and
- (c) to exercise delegated legislative powers; and
- (d) to carry out ceremonial functions in relation to the portfolio; and
- (e) to carry out such other duties as are specified by the Prime Minister.

4. REPEALED.

The *Parliamentary Secretaries Act* 1990 and the *Parliamentary Secretaries (Consequential Amendments) Act* 1990 are hereby repealed.

5. TRANSITIONAL.

(1) A person who, immediately before the commencement of this Act, was a Parliamentary Secretary within the meaning of the definition of “Parliamentary Secretary” in Section 1 of the *Parliamentary Secretaries Act* 1990 shall, on the commencement of this Act, be deemed to have been appointed a Vice-Minister under this Act.

(2) All acts, matters and things done or suffered under or for the purposes of the repealed act or any determinations made thereunder and in effect immediately before the commencement of this Act shall be deemed, on the commencement of this Act, to have been done or suffered under or for the purposes of the equivalent provisions of this Act.

(3) Where any document or instrument whenever made or executed contains a reference express or implied, to a Parliamentary Secretary, that reference shall, on the commencement of this Act, except where the context otherwise requires, be read and construed and have effect as a reference to a Vice-Minister.

Office of Legislative Counsel, PNG