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## THE PAPUA NEW GUINEA NATIONAL GAZETTE

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K. KAIAH,  
Government Printer.

*Organic Law on Provincial Governments and Local-level Governments**Public Services (Management) Act 1995***APPOINTMENT OF ACTING PROVINCIAL ADMINISTRATOR**

I, Michael Thomas Somare, Prime Minister, by virtue of the powers conferred by Section 73(2A) of the Organic Law on Provincial Governments and Local-level Governments and Section 60A of the *Public Services (Management) Act 1995*, and all other powers it enabling, in accordance with a recommendation from the Enga Provincial Executive Council and made in accordance with a recommendation from the Public Services Commission, following procedures prescribed by or under the *Public Services (Management) Act 1995*, hereby appoint Dr. Samson Amean to be the Acting Provincial Administrator of Enga Province for a period commencing on and from 19th June, 2007 until a substantive appointment is made.

Dated this 4th day of October, 2007.

M.T. SOMARE,  
Prime Minister.

Draft of 12/09/2007

**THE CONSTITUTION****ALTERATION TO THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS**

THE Government proposes to alter the *Organic Law on Provincial Governments and Local-level Governments*, and pursuant to Section 14(2) (making of alterations to the Constitution and Organic Law) of the Constitution, I, Jeffrey Nape, Speaker of the National Parliament, hereby publish the proposed law:—

**INDEPENDENT STATE OF PAPUA NEW GUINEA****PROPOSED LAW TO ALTER THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS**

*The Organic Law on Provincial Governments and Local-level Governments (Amendment No. 12) Law.*

**ARRANGEMENT OF CLAUSES**

1. Provincial Government and Provincial Legislature (Amendment of Section 10).
2. The Deputy Provincial Governor (Amendment of Section 18).
3. Vacation of Office of the Provincial Governor (Amendment of Section 19).
4. Joint District Planning and Budget Priorities Committee (Amendment of Section 33A).
5. Provincial and Local-level Administrative System (Amendment of Section 72).
6. Functions of the Provincial and District Administrator (Amendment of Section 74).
7. Savings provision.

Arrangement of Clauses—*continued*

Draft of 12/09/07

**ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS  
(AMENDMENT LAW No. 12) LAW**

being

A law to amend the *Organic Law on Provincial Governments and Local-level Government*,

MADE by the National Parliament and:—

- (a) in relation to Sections 1, 2, 5, 6 and 7 shall be deemed to have come into operation on 30th January, 2007; and
- (b) in relation to Section 4, shall be deemed to have come into operation on 18th December, 2006.

**1. PROVINCIAL GOVERNMENT AND PROVINCIAL LEGISLATURE (AMENDMENT OF SECTION 10).**  
Section 10(3) of the *Organic Law on Provincial Governments and Local-level Governments* is amended by inserting immediately after Paragraph (a) the following new paragraphs:—

- “(b) heads of the Rural Local-level Governments in the Province; and
- “(c) one representative of the heads of Urban Local-level Governments to represent the Urban Local-level Governments in the Province; and”.

**2. THE DEPUTY PROVINCIAL GOVERNOR (AMENDMENT OF SECTION 18).**

Section 18 of the *Organic Law on Provincial Governments and Local-level Governments* is amended:—

- (a) in Subsection (2) by deleting “Section 10(3)(a)” and replacing them with “Section 10(3)(b) or (c)”; and
- (b) by repealing Subsections (3), (4) and (5) and replacing them with the following new subsections:—

“(3) If the Deputy Provincial Governor:—

- (a) is dismissed from office in accordance with Section 20; or
- (b) resigns his office by written notice to the Governor; or
- (c) is otherwise disqualified by law or ceases to be—
  - (i) the head of a Rural Local-level Government in the Province; or
  - (ii) the representative of the Urban Local-level Governments in the Province,

he shall be deemed to have vacated the office of Deputy Provincial Governor.

“(4) If the Deputy Provincial Governor vacates his office in accordance with Subsection (3), the Provincial Assembly shall elect another member referred to in Section 10(3)(b) or (c) to be the Deputy Governor.”.

**3. VACATION OF OFFICE OF THE PROVINCIAL GOVERNOR (AMENDMENT OF SECTION 19).**

Section 19(1) of the *Organic Law on Provincial Governments and Local-level Governments* is amended by inserting immediately before Subparagraph (b)(i) the following new subparagraph—

“(ia) the Prime Minister or the Deputy Prime Minister; or”.

**4. JOINT DISTRICT PLANNING AND BUDGET PRIORITIES COMMITTEE (AMENDMENT OF SECTION 33A).**

Section 33A(3) of the *Organic Law on Provincial Governments and Local-level Governments* is amended by repealing Paragraph (f).

**5. PROVINCIAL AND LOCAL-LEVEL ADMINISTRATIVE SYSTEM (AMENDMENT OF SECTION 72).**

Section 72(2) of the *Organic Law on Provincial Governments and Local-level Governments* is amended by repealing Subparagraph (a)(iv).

**6. FUNCTIONS OF THE PROVINCIAL AND DISTRICT ADMINISTRATOR (AMENDMENT OF SECTION 74).**

Section 74(3) of the *Organic Law on Provincial Governments and Local-level Governments* is amended:—

- (a) by deleting “; and” at the end of Paragraph (b) and replacing it with “.”; and
- (b) by repealing Paragraph (c).

**Organic Law on Provincial Governments and Local-Level Governments (Amendment Law No. 12) Law—continued****7. SAVINGS PROVISIONS.**

(1) If immediately before the commencement of the *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 10) Law* a person was a member of a Provincial Assembly, by virtue of holding office as—

- (a) the head of a Rural Local-level Government in the Province; or
- (b) the representative of the heads of Urban Local-level Governments in the Province,

then, despite the repeal of Sections 10(3)(b) and (c) of the *Organic Law on Provincial Governments and Local-level Governments* by Section 1 of the *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 10) Law*, the person is deemed not to have been removed as a member of the Provincial Assembly on the commencement of the *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 10) Law*.

(2) Any act or omission by—

- (a) a Provincial Government; or
- (b) a Provincial Assembly; or
- (c) the head of a Rural Local-level Government in a Province in his capacity as a member of the Provincial Assembly; or
- (d) the representative of the heads of Urban Local-level Governments in a Province in his capacity as a member of the Provincial Assembly,

that, but for the operation of Section 1 of the *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 10) Law*, would have been valid, is deemed to be valid.

INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on Provincial Governments and Local-level Governments (Amendment) Law 2007*

ARRANGEMENT OF SECTIONS

1. Compliance with Constitutional requirements
2. Duration of office (Amendment of Section 34).

INDEPENDENT STATE OF PAPUA NEW GUINEA

*Organic Law on Provincial Governments and Local-level Governments (Amendment) Law 2007*

being

A Law to alter the *Organic Law on Provincial Governments and Local-level Governments Law*,  
MADE by the National Parliament.

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.**

This Law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*qualified rights*) of the Constitution, namely:—

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right to peacefully assemble and associate and to form or belong to, or not to belong to, political parties, industrial organizations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonable privacy in respect of his private and family life, his communications with other persons and his personal papers and effects conferred by Section 49; and
- (f) the right to vote and stand for public office conferred by Section 50; and
- (g) the right of reasonable access to official documents conferred by Section 51; and
- (h) the right of freedom of movement conferred by Section 52,

of the Constitution, is a law that is made (pursuant to Section 38 of the Constitution) taking account of the National Goals and Directive Principles for the purpose of giving effect to the public interest in public order and public welfare.

**Organic Law on Provincial Governments and Local-Level Governments (Amendment) Law 2007—continued**

**2. DURATION OF OFFICE (AMENDMENT TO SECTION 34).**

Section 34 of the *Organic Law on Provincial Governments and Local-level Governments Law* is amended by repealing Subsection (1) and substituting the following:—

- “(1) Wherever practicable, the term of a Local-level Government shall be the same as and run concurrently with the term of the Parliament, but in order to ensure the effective conduct of respective elections, this may be varied, provided that the date for the return of writs in a general election to Local-level Governments is fixed:—
- (a) for a date not earlier than the fourth anniversary of the return of writs for the immediately preceding general election to the Local-level Government; or
  - (b) for a date not later than twelve months after the date fixed for the return of writs of the general election to the Parliament.”.

**PROPOSED LAW TO ALTER THE CONSTITUTION**

*Constitutional Amendment (Provincial Electorates) Law 2006*

**ARRANGEMENT OF CLAUSES**

1. Compliance with Constitutional requirements.
2. Membership (Amendment of Section 101).
3. Electorates (Amendment of Section 125).

**PROPOSED LAW TO ALTER THE CONSTITUTION**

entitled

*Constitutional Amendment (Provincial Electorates) Law 2006*

being

A Law to alter the Constitution by amending the provisions relating to provincial electorates,

MADE by the National Parliament to come into operation in accordance with a notice in the *National Gazette* by the Head of State, acting with, and in accordance with, the advice of the Minister.

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.**

This Law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*qualified rights*) of the Constitution, namely:—

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right to peacefully assemble and associate and to form or belong to, or not belong to, political parties, industrial organizations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonably privacy in respect of his private and family life, his communications with other persons and his personal papers and effects conferred by Section 49; and
- (f) the right to vote and stand for public office conferred by Section 50; and
- (g) the right of freedom of movement conferred by Section 52, of the Constitution, is a law that is made (pursuant to Section 38 of the Constitution) taking account of the National Goals and Directive Principles for the purpose of giving effect to the public interest in public order and public welfare.

**2. MEMBERSHIP (AMENDMENT OF SECTION 101).**

Section 101 of the Constitution is amended:—

- (a) in Subsection (1) by repealing Paragraph (b); and
- (b) in Subsection (2) by repealing the words “and provincial”; and
- (c) in Subsection (4) by repealing the words “and of provincial electorates”.

**Constitutional Amendment (Provincial Electorates) Law 2006—continued****3. ELECTORATES (AMENDMENT TO SECTION 125).**

Section 125 of the Constitution is amended in Subsection (1) by repealing the words “and of provincial electorates”.

**CERTIFICATION OF AN ACT**

IT is hereby notified for General Information that the *Provincial Health Authorities Act 2007* (No. 9 of 2007) made by the National Parliament was certified by the Speaker of the National Parliament on 12th September, 2007.

D. PANDAN,  
Clerk of the National Parliament.

**CERTIFICATION OF AN ACT**

IT is hereby notified for General Information that the *Employment of Non-Citizens Act 2007* (No. 10 of 2007) made by the National Parliament was certified by the Speaker of the National Parliament on 1st October, 2007.

D. PANDAN,  
Clerk of the National Parliament.

**CERTIFICATION OF ACTS**

IT is hereby notified for General Information that the following Acts made by the National Parliament were certified by the Speaker of the National Parliament on 3rd October, 2007.

- Act No. 11 of 2007—*Goods and Services Tax (Amendment) Act 2007*
- Act No. 12 of 2007—*Goods and Services Tax (2007 Budget Amendment) Act 2007*
- Act No. 13 of 2007—*Income Tax (Amendment) Act 2007*
- Act No. 14 of 2007—*Institute of Medical Research (Amendment) Act 2007*
- Act No. 15 of 2007—*National Aids Council (Amendment) Act 2007*
- *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 4) Law 2007*

D. PANDAN,  
Clerk of the National Parliament.

**CERTIFICATION OF AN ACT**

IT is hereby notified for General Information that the *Lukautim Pikinini (Child) Act 2007* (No. 16 of 2007) made by the National Parliament was certified by the Speaker of the National Parliament on 8th October, 2007.

D. PANDAN,  
Clerk of the National Parliament.

**Organic Law on National and Local-level Government Elections****RAI COAST OPEN ELECTORATE BY-ELECTION 2007****REVOCATION AND APPOINTMENT OF ASSISTANT RETURNING OFFICERS**

THE ELECTORAL COMMISSION, by virtue of the powers conferred by Section 20 of the Organic Law on National and Local-level Government Elections, and all other powers it enabling, hereby revokes the previous appointment of Assistant Returning Officers for Rai Coast Open Electorate and appoints the following persons specified in Column 1 of the Schedule to be the Assistant Returning Officers for the said Electorate as specified in Column 2 set out opposite the name of that person in Column 1 and LLG's in Column 3.

**SCHEDULE**

Column 1 Assistant Returning Officers	Column 2 Electorates	Column 3 LLG's
Jim Aspel	Rai Coast	Astrolable Bay
Hans Tanguri	Rai Coast	Naho Rawa
Jacob Asevi	Rai Coast	Nayudo
Mercy Timous	Rai Coast	Rai Coast

Dated this 1st day of October, 2007.

A.S. TRAWEN, MBE,  
Electoral Commissioner.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF STATE LEASES**

NOTICE is hereby given that after the expiration of fourteen (14) clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Leases referred to in the Schedule below under Section 162 of the *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

**SCHEDULE**

Sections	Allotments	Title References (Volumes/Folios)	Locations	Land Areas (HA)
53	18	5/108	Wewak	0.1041
310	105	99/32	Hohola	0.0450
246	17	28/6884	Hohola	0.0600
28	05	1/175	Goroka	0.0701
230	04	31/7654	Hohola	0.5400
432	28	104/138	Hohola	0.5700
97	28	39/69	Lae	0.0546
19	07	126/71	Wewak	0.2500
33	02	3/53	Wewak	0.0530
39	08	5/1211	Boroko	0.1455
89	26	35/99	Madang	0.0760
115	10	105/47	Goroka	0.0464
88	49	125/56	Goroka	0.0530

All State Lease evidencing leasehold estate in all those pieces or parcels of land known above of which the registered proprietor of which is National Housing Corporation.

Dated this 8th day of October, 2007.

R. KAVANA,  
Registrar of Titles.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF STATE LEASES**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Leases referred to in the Schedule below under Section 162 of the *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

**SCHEDULE**

Volumes	Folios	Lots	Sections	Towns	Provinces	Land Areas
1	4	39	32	Kokopo	East New Britain	0.0850 Ha
8	28	38	126	Madang	Madang	0.0455 Ha
7	201	2	126	Madang	Madang	0.0576 Ha
26	6469	13	59	Boroko	National Capital District	0.1138 Ha
18	4321	10	106	Hohola	National Capital District	0.0730 Ha
35	8727	18	27	Granville	National Capital District	0.1185 Ha
76	216	12	413	Hohola	National Capital District	0.0519 Ha
121	166	26	404	Hohola	National Capital District	0.0492 Ha

more or less the registered proprietor of them is PNG Harbours Board.

Dated this 24th day of September, 2007.

B. SAMSON,  
Deputy Registrar of Titles.

*Companies Act 1997*  
Company Number 1-43992

**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Sir Hugo Berghuser of P.O. Box 1785, Boroko, National Capital District, give notice that I intend to apply to the Registrar of Companies to reinstate Windjammer Beach Motel Ltd, a company that was removed from the Register of Registered companies on the 31st March, 2005 and give notice that my grounds of application will be that:—

1. I am a Director of the company and an "aggrieved person" with the defunct company at the time of the company's removal from the Register; and
2. The company was carrying on business at the time of its deregistration; and
3. The company should not have been removed from the Register of Registered companies.

Dated this 21st day of September, 2007.

Sir Hugo BERGHUSER,  
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 2nd day of October, 2007.

T. GOLEDU,  
Registrar of Companies.

*Companies Act 1997*  
Company Number 1-14029

**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Ben Joseph of P.O. Box 11, Wau, Morobe Province, give notice that I intend to apply to the Registrar of Companies to reinstate Hidden Valley Holdings Ltd, a company that was removed from the Register of Registered companies on the 12th December, 1996 and give notice that my grounds of applications are:—

1. I have a proprietary interest in the restoration of the company and therefore am an "aggrieved person" within the meaning of that term in Section 378(2)(d) of the *Companies Act 1997*; and
2. The company has assets (and therefore carrying on business) at the time of its deregistration; and
3. The company do have outstanding company issues with regards to taxation as well as new business negotiations.

Dated this 17th day of April, 2007.

B. JOSEPH,  
Signature of Applicant.

This Notice has been approved by the Registrar of Companies.

Dated this 18th day of May, 2007.

T. GOLEDU,  
Registrar of Companies.

*Note:—*A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the deregistered company in accordance with Section 378(3)(d) of the *Companies Act 1997*.

*Land Registration Act (Chapter 191)*

**ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

**SCHEDULE**

State Lease Volume 39, Folio 9561 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 35, Section 24, Boroko, National Capital District containing an area of 0.1371 hectares more or less the registered proprietor of which is Martin Kapia.

Dated this 9th day of October, 2007.

B. SAMSON,  
Deputy Registrar of Titles.

*Organic Law on National and Local-level Government Elections*

**RAI COAST OPEN ELECTORATE BY-ELECTION 2007**

**REVOCATION AND APPOINTMENT OF RETURNING  
OFFICER**

THE ELECTORAL COMMISSION, by virtue of the powers conferred by Section 19 of the *Organic Law on National and Local-level Government Elections*, and all other powers it enabling, hereby revokes the previous appointment of Returning Officer for Rai Coast Open Electorate and appoints Michael Pamaraka as Returning Officer.

Dated at Port Moresby this 1st day of October, 2007.

A.S. TRAWEN, MBE,  
Electoral Commissioner.

*Land Groups Incorporation Act (Chapter 147)*

**NOTICE OF LODGEMENT OF AN APPLICATION FOR  
RECOGNITION AS AN INCORPORATED LAND GROUP**

**ILG No. 13213**

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an Application of a customary group of persons as an Incorporated Land Group to be known by the name of:—

Orumako Vainairu Land Group Inc.

The said group claims the following qualifications for recognition as an Incorporated Land Group:—

- (1) Its members belong to the Mapaio Aikavalavi Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Baimuru Local Level Government Area, Gulf Province.

Dated this 11th day of September, 2007.

M. TOLA,  
A Delegate of the Registrar of Incorporated Land Groups.