

Constitutional Amendment No. 21 - The Salaries and Remuneration Commission.

Certified on : 13.11.98

INDEPENDENT STATE OF PAPUA NEW GUINEA.

LAW TO ALTER THE CONSTITUTION.

Constitutional Amendment No. 21 - The Salaries and Remuneration Commission.

ARRANGEMENT OF SECTION.

The Salaries and Remuneration Commission (Amendment of Section 216A).

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Constitutional Amendment No. 21 - Salaries and Remuneration Commission.

Being a Law to alter the Constitution.

MADE by the National Parliament.

THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT OF SECTION 216A).

Section 216A of the *Constitution* is amended -

(a) in Subsection (3) -

(i) in Paragraph (a), by repealing the following words in parenthesis:-

“(other than pensions or retirement benefits which shall be fixed by a Parliamentary Committee)”; and replacing them with the following:-

“(including pensions and retirement benefits if they are not provided for by law other than this provision)”; and

(ii) by adding the following new paragraphs:-

“(e) the salaries, allowances and benefits, financial and otherwise (including pensions or retirement benefits if they are not provided for by law other than this provision) for all Departmental Heads and the Heads of all bodies set up by statute for governmental or official purposes; and

(f) the salaries, allowances and benefits, financial and otherwise (including pensions or retirement benefits if they are not provided for by law other than this provision) for the Heads of all bodies (including companies incorporated under any law) in which the National Government has a financial interest and which are declared by the Head of State, acting with, and in accordance with, the advice of the National Parliament to be bodies to which this provision applies; and

(g) that the Parliament considers, and approves or rescinds, any decision made by the salaries and Conditions Monitoring Committee which the Commission, after consideration, is of the opinion should be referred to the Parliament.”; and

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(b) by inserting after Subsection (5) the following new subsection:-

“(5A) Effect may be given to the provisions of a recommendation by the Commission under Subsection (3)(a) to (f) inclusive pending the acceptance or rejection of the recommendation by the Parliament and where effect is so given and the Parliament subsequently -

(a) accepts the recommendation - the provisions of the recommendation are deemed to have had effect from the date on which they were so effected; and

(b) rejects the recommendation - the provisions of the recommendation -

(i) cease to have effect from the date on which they are rejected by the Parliament; -

(ii) are deemed to have been valid from the date on which they were effected until the date on which they are rejected by the Parliament.”.

I hereby certify that the above is a fair print of the ***Constitutional Amendment No. 21 - The Salaries and Remuneration Commission*** which has been made by the National Parliament.

Clerk of the National Parliament.

Constitution.

CERTIFICATE UNDER SECTION 14.

I, **JOHN PUNDARI**, Speaker of the National Parliament, hereby certify that the requirements of Section 14(1), (2) and (3) of the ***Constitution*** were complied with in respect of the ***Constitutional Amendment No. 21 - The Salaries and Remuneration Commission*** and that the law was made by the National Parliament as follows:-

(a) the first vote was taken on 9 July 1998 when the number of seats in the National Parliament was 109 and those voting for the proposal were 73 and none voted against the proposal; and

(b) the second vote was taken on 1 October 1998 when the number of seats in the National Parliament was 109 and those voting for the proposal were 76 and those voting against the proposal were 6.

Speaker of the National Parliament.