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THE PAPUA NEW GUINEA NATIONAL GAZETTE

The Papua New Guinea *National Gazette* is published sectionally in accordance with the following arrangements set out below.

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NOTICES FOR GAZETTAL

"Notice for insertion" in the General Gazette must be received at the Government Printing Office, P.O. Box 1280, Port Moresby, before 12.00 on Friday, preceding the day of publication.

All notices for whatever source, must have a covering instruction setting out the publication details required.

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The notice should be typewritten (double-spaced) and on side of the paper only. Signatures in particular, and proper names must be shown clearly in the text.

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- (i) The Department of the Public Services Commission, P.O. Wards Strip, Waigani.
(for the Public Services issue); and
- (ii) The Department of the Prime Minister, P.O. Wards Strip, Waigani.
(for the General notices issue).

PUBLISHING OF SPECIAL GAZETTES

Departments authorizing the publication of Special Gazettes are required to pay all printing charges under the instructions from the Manual of Financial Procedures Section 13.3 Sub-section 11.

K. KALIAH,
Government Printer.

Commissions of Inquiry Act (Chapter 31)

WITHDRAWAL AND REPLACEMENT OF TERMS OF REFERENCE OF COMMISSION OF INQUIRY

To: The Honourable Justice Kubalan Los
Principal Magistrate Mekeo Gauli
Principal Magistrate Raphael Apa

I, Bill Skate, Prime Minister, by virtue of the powers conferred by the *Commissions of Inquiry Act (Chapter 31)* and all other powers me enabling hereby—

- (a) withdraw the terms of reference (being Paragraphs 1 to 14 inclusive) of the Commission of Inquiry into Transparency in Government Dealings and Accountability of Public Office Holders appointed on 10th August, 1997; and
- (b) replace them with the following:—
 1. Whether the procedures followed relating to the contract made between the State and Sandline International Ltd. (hereinafter referred to as "the Sandline Contract") and the Sandline Contract itself, complied with the provisions of the *Public Finances (Management) Act 1995*.
 2. Whether—
 - (a) there was any arrangement made in January or February 1997 between the former Minister for Finance (Mr Haiveta) and Rupert McCowan to purchase or sell CRA shares in Bougainville Copper Limited; and
 - (b) there was any arrangement made in January or February 1997 between the former Minister for Finance (Mr Haiveta) and any other person to purchase or sell CRA shares in Bougainville Copper Limited; and

Withdrawal and Replacement of Terms of Reference of Commission of Inquiry—continued

- (c) in January or February 1997 any CRA shares in Bougainville Copper Limited were purchased or sold by or on behalf of or on the instructions of the former Minister for Finance (Mr Haiveta) or by or on behalf of any entity in which he has an interest; and
 - (d) any results of any investigation by the Australian Securities and Corporate Affairs Commission into trading of shares in Bougainville Copper Limited during January and February 1997 disclose any involvement by a person who at the time of the trading was a leader (being a person to whom the Leadership Code applied) or the associate, agent or a related person of that leader.
3. Whether, during January and February 1997:—
- (a) Nicos Violaris was a business associate of the former Prime Minister (Sir Julius Chan); and
 - (b) Nicos Violaris was a director in or secretary or employee of International Monetary Brokers Limited; and
 - (c) any shares in International Monetary Brokers Limited were held by or in trust for any person to whom the Leadership Code applied or for the associate, agent or a related person of that person; and
 - (d) Nicos Violaris or International Monetary Brokers Limited bought or sold shares in Bougainville Copper Limited on their own account or on behalf of any other person or entity; and
 - (e) Nicos Violaris held discussions with any person in Canada, London, Hong Kong, Singapore or Australia for or on behalf of any leader concerning the extraction of minerals from the Panguna Copper Mine.
4. Whether the Directors of North Fly Highway Development Company Pty Ltd., acted *ultra vires* their powers in relations to the creation of a loan agreement for the purposes of transmission of moneys to be paid under the Sandline Contract.
5. Whether the former Commander of the Defence Force (Jerry Singirok) acted within his authority as such Commander in respect of the orders which he gave to abort the Sandline Contract, and what were those orders.
6. Whether—
- (a) there was ever a set price of US\$30 million for the Sandline Contract; and
 - (b) this set price was later increased to US\$36 million, and if there was such an increase what the reasons for it were.
7. With respect to equipment to be delivered by or on behalf of Sandline International pursuant to the Sandline Contract—
- (a) into Papua New Guinea—
 - (i) what equipment has in fact been delivered; and
 - (ii) what is its age, condition and fair market value; and
 - (iii) what expenses were incurred by Sandline in respect of the equipment; and
 - (b) presently held at RAAF Tindall—
 - (i) what equipment is in fact situated at Tindall; and

Withdrawal and Replacement of Terms of Reference of Commission of Inquiry—continued

- (ii) what is its age, condition and fair market value; and
 - (iii) what expenses were incurred by Sandline in respect of the equipment; and
 - (iv) whether the Australian Government will release such equipment from Australia.
8. With respect to equipment to be delivered by Sandline International pursuant to the Sandline Contract which has not been delivered in Papua New Guinea or Australia—
- (i) whether Sandline International has acquired an interest in such equipment as purchaser, option-holder, lessee, licensee or otherwise; and
 - (ii) what is it, and what is its age, condition and fair market value; and
 - (iii) what expenses were incurred by Sandline International in connection with such equipment; and
 - (iv) where is it situated.
9. What expenses were incurred by Sandline International in respect of the contract (including the expenses paid or payable by Sandline International in the performance of the contract) as well as the approximate date such expenses were incurred.
10. Whether any secret commission or improper payments were made or other improper advantage given to any person in Papua New Guinea or elsewhere in relation to the Sandline Contract and if so, by whom were the commission or payments made or advantage given and by whom received.
11. Whether within the last three years any person, now or previously—
- (i) a member of the Defence Force; and
 - (ii) an officer or employee of the Department of Defence; or
 - (iii) a Minister; or
 - (iv) any other public official,

has received any payment financial inducement, benefit, advantage, secret commission or bribe from any supplier of military equipment to the State (or from any arms broker, arms agent or arms dealer who supplied military equipment to the State) and, if so, what were the nature of such receipts and the events and circumstances surrounding such receipts.

Dated this 16th day of September, 1997.

B. SKATE,
Prime Minister.

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 1st September, 1997.

No. 10 of 1997 — *Companies Act 1997*

No. 11 of 1997 — *Securities Act 1997*

A. PALA,
Clerk of the National Parliament.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5827

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:—

Feleso Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Lake Campbell.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5828

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:—

Kesewele Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Lake Campbell.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5829

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:—

Alinapi Bainapi (Two) Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5830

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:—

Haipi Doso Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5831

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:—

Kailamoso Doso Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR
RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5832

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:—

Supai Doso Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,
Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5833

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:—

Kamula Kailamso (Two) Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5834

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:—

Kamula (Two) Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5835

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:—

Paluwa Kamula Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5836

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:—

Alinapi Tulumsa Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5837

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:—

Sipso Turumsa Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5838

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:—

Supai Tulumsa Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Makapa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5839

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:—

Taminaso Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Pikiwa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act***NOTICE OF LODGEMENT OF AN APPLICATION FOR RECOGNITION AS AN INCORPORATION LAND GROUP**

ILG No. 5840

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:—

Umomi Turumsa (Two) Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) its members are from Pikiwa.
- (2) its members regard themselves and are regarded by other members of the said clan as bounded by the common customs and beliefs.
- (3) it owns customary land in the Balimo Local Government Council Area, Western Province.

Dated this 17th day of September, 1997.

K. LAVI,

Delegate of the Registrar of Incorporated Land Groups.

*Insolvency Act (Chapter No. 253) Section 50*In the matter of Michael Waragai Mosoro
MP 295 OF 1996**NOTICE OF CREDITOR'S MEETING**

MICHAEL WARAGAI MOSORO of P.O. Box 277, Wewak, East Sepik Province, was adjudged insolvent on 3rd September, 1997.

The first meeting of Michael Waragai Mosoro's creditors will be held at the office of the Registrar of the National Court, Waigani on the 24th September, 1997 at 10:30 am.

Until the election of a trustee, all persons having in their possession any of the effects of the insolvent must deliver them, and all debts due to the insolvent must be paid to, the Public Curator, the official trustee in the estate who may be contacted on 301 2841. Creditors must forward their proof of debts to the official trustee.

Dated 9th September, 1997.

Gadens Ridgeway Lawyers.

In the National Court of Justice at Waigani, Papua New Guinea

MP 294 OF 1996

In the matter of the *Insolvency Act* (Chapter 253)

and

In the matter of Michael Waragai Mosoro

ORDER OF ADJUDICATION OF INSOLVENCY

THE Court Orders that:

1. Upon the hearing of his petition this day and upon proof, satisfactory to the court, of the debt of the petitioner and the act of insolvency alleged to have been committed by Michael Waragai Mosoro, it is ordered that Michael Waragai Mosoro be and is hereby adjudged insolvent, and that the Public Curator be official trustee of his estate.
2. A first general meeting of creditors of Michael Waragai Mosoro, for the election of a trustee, be held at the office of the Registrar of this court on the 24th day of September 1997 at 10:30 am.
3. Michael Waragai Mosoro shall on the 24th day of September at 9:30 a.m. deliver to the trustee in this estate a full true and accurate statement, verified on oath, of his debts and liabilities of every kind and of the name and residences, so far as known, of his creditors and of the causes of his inability to meet his engagement.
4. For the costs of this petition be costs in the insolvency.
5. The time for entry of this order be abridged to the time of settlement by the Registrar which shall take place forthwith.

ORDERED the 3rd day of September, 1997.

ENTERED the 3rd day of September, 1997.

By the Court,
C. DAUIGO,
Deputy Registrar.

In the National Court of Justice at Waigani, Papua New Guinea

MP 269 OF 1997

In the matter of the *Companies Act* (Chapter 146)

and

In the matter of Golden Summit Investment Pty Ltd

ADVERTISEMENT OF PETITION

NOTICE is given that a petition for the winding-up of the above-named company by the National Court was on the 20th day of August, 1997, presented by Fresha Export Limited of P.O. Box 1068, Auckland, New Zealand, and that the petition is directed to be heard before the Court sitting at Waigani at 9:30 a.m. on the 19th day of September, 1997 and any creditor or contributory of the company desiring to support or oppose the making of an order on the petition may appear at the time of hearing by himself or his lawyer for the purpose; and a copy of the petition will be furnished to any creditor or contributory of the company requiring it by the undersigned on payment of the prescribed charge.

The Petitioner's address is care of Fiocco Posman & Kua, Lawyers, Level 1, Mogoru Moto Building, Champion Parade, (P.O. Box 228), Port Moresby, National Capital District.

The Petitioner's lawyer is Rio George Fiocco by his employed lawyer, Hubert Kikira of Fiocco Posman & Kua, Lawyers, P.O. Box 228, Port Moresby, National Capital District.

FIOCCO POSMAN & KUA,
Lawyers for the Petitioner.

Note:—Any person who intends to appear on the hearing of the petition must serve on or send by post to the abovementioned notice in writing of his intention to do so. The notice must state the name of the firm and must be signed by the person or firm or his or its lawyer (if any) and must serve or, if posted, must be sent by post in sufficient time to reach the abovenamed not later than 4:30 p.m. on 18th September, 1997.