



# National Gazette

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**[1998**

## 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. The notice must be an original. Photostat or carbon copies are not accepted.

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.

Copies submitted not in accordance with these instructions will be returned unpublished.

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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. KAIHAH,  
Government Printer.

*Public Services (Management) Act 1995***APPOINTMENT OF ACTING MEMBER OF PUBLIC SERVICES COMMISSION**

I, Silas Atopare, G.C.M.C., K.St.J., Governor-General, by virtue of the powers conferred by Section 12 of the *Public Services (Management) Act 1995* and all other powers me enabling, acting with, and in accordance with, the advice of the Minister, hereby appoint Paul Lawton to be acting member of the Public Services Commission with effect on and from 19th May, 1998 up to and including 19th June, 1998.

Dated this 17th day of August, 1998.

SILAS ATOPARE,  
Governor-General.

**INDEPENDENT STATE OF PAPUA NEW GUINEA****THE CONSTITUTION****ALTERATION TO THE CONSTITUTION**

THE Government proposes to alter the Constitution and, pursuant to Section 14(2) (Making of alterations to the Constitution and Organic Laws) of the Constitution, I, John Pundari, Speaker of the National Parliament, hereby publish the proposed Law—

30/7/98.

**INDEPENDENT STATE OF PAPUA NEW GUINEA.****PROPOSED LAW TO ALTER THE CONSTITUTION.**

*Constitutional Amendment (Commencement of Constitutional Amendments Nos. 16 and 17 - Further Amendment)*

**ARRANGEMENT OF CLAUSES.**

1. Further amendment of Commencement Clause of Constitutional Amendment No. 16 - Provincial Governments and Local-level Governments.
2. Further amendment of Commencement Clause of Constitutional Amendment No. 17 - Provincial Governments and Local-level Governments.

*Constitutional Amendment (Commencement of Constitutional Amendments Nos. 16 and 17 - Further Amendment)*

Draft of 30/7/98.

## INDEPENDENT STATE OF PAPUA NEW GUINEA.

## A PROPOSED LAW TO ALTER THE CONSTITUTION

entitled

*Constitutional Amendment (Commencement of Constitutional Amendments Nos. 16 and 17 - Further Amendment)*

Being a Law to further alter the Commencement Clauses of Constitutional Amendment No. 16 - Provincial Governments and Local-level Governments and Constitutional Amendment No. 17 - Further Provisions relating to Provincial Governments and Local-level Governments,

MADE by the National Parliament.

**1. FURTHER AMENDMENT OF COMMENCEMENT CLAUSE OF CONSTITUTIONAL AMENDMENT NO. 16 - PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS.**

The Commencement Clause of Constitutional Amendment No. 16 - Provincial Governments and Local-level Governments is further amended by repealing Paragraph (b) and replacing it with the following:-

"(b) in so far as relating to Bougainville Province - in accordance with a notice published in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister."

**2. FURTHER AMENDMENT OF COMMENCEMENT CLAUSE OF CONSTITUTIONAL AMENDMENT NO. 17 - FURTHER PROVISIONS RELATING TO PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS.**

The Commencement Clause of Constitutional Amendment No. 17 - Further Provisions relating to the Provincial Governments and Local-level Governments is further amended by repealing Paragraph (b) and replacing it with the following:-

"(b) in so far as relating to Bougainville Province - in accordance with a notice published in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister."

## INDEPENDENT STATE OF PAPUA NEW GUINEA

## THE CONSTITUTION

## ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS

THE Government proposes to introduce the *Organic Law on Provincial Governments and Local-level Governments (Amendment) Law* and, pursuant to Section 14(2) (*Making of alterations to the Constitution and Organic Laws*), I, John Pundari, Speaker of the National Parliament, hereby publish the proposed Law—

Draft 30/7/98.

## INDEPENDENT STATE OF PAPUA NEW GUINEA.

## PROPOSED LAW TO ALTER THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS.

## ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS (AMENDMENT) LAW.

## ARRANGEMENT OF CLAUSE.

Amendment of Commencement Clause.

*Constitutional Amendment (Commencement of Constitutional Amendments Nos. 16 and 17 - Further Amendment)*

Draft 30/7/98.

## INDEPENDENT STATE OF PAPUA NEW GUINEA.

## PROPOSED LAW TO ALTER THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS.

entitled

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

Being a Law to amend the Organic Law on Provincial Governments and Local-level Governments,

MADE by the National Parliament.

## AMENDMENT OF COMMENCEMENT CLAUSE.

The Commencement Clause of the Organic Law on Provincial Governments and Local-level Governments is amended by repealing Paragraph (b) and replacing it with the following:-

- "(b) in so far as relating to Bougainville Province - in accordance with a notice published in the *National Gazette* by the Head of State, acting with, and in accordance with, the advice of the Minister."

*Maritime College Act (Chapter No. 355)*

## APPOINTMENT OF MEMBERS AND AD HOC MEMBERS OF MARITIME COLLEGE BOARD

I, Muki Taranupi, Minister for Education, Culture and Science, by virtue of the powers conferred by Section 5 and Section 10 of the *Maritime College Act* (Chapter No. 355) and all other powers me enabling, hereby:-

- (a) appoint each person specified in Column 1 of the Schedule 1 to be a member of the Maritime College Board under the Section of the Act specified in Column 2 of Schedule 1 who holds office for a term specified in Column 3 of Schedule 1, and
- (b) appoint the person specified in Column 4 to be the alternate member of the member whose name is set out in Column 1 opposite the name of the alternate member.
- (c) appoint each person specified in Column 1 of Schedule 2 to be an ad hoc member of the Maritime College Board under the Section of the Act specified in Column 2 of Schedule 2 who holds office for a term specified in Column 3 of Schedule 2, and
- (d) appoint Terry Fuery as the Chairman and Peter Baki as the Deputy Chairman of the Maritime College Board.

## SCHEDULE 1

| Column 1<br>Members | Column 2<br>Section under which appointed | Column 3<br>Term of office | Column 4<br>Alternate Members |
|---------------------|---|----------------------------|-------------------------------|
| Chris Rupen         | 5(1)(a)(i)                                | 2 years                    |                               |
| Peter Baki          | 5(1)(a)(ii)                               | 2 years                    |                               |
| John Bagasel        | 5(1)(a)(iii)                              | 2 years                    | Jerry Kuhena                  |
| Terry Fuery         | 5(1)(b)                                   | 2 years                    |                               |
| Steve Holdsworth    | 5(1)(b)                                   | 2 years                    |                               |

## SCHEDULE 2

| Column 1<br>Members | Column 2<br>Section under which appointed | Column 3<br>Term of Office |
|---------------------|---|----------------------------|
| Medi Velamat        | 5(2)                                      | 2 years                    |
| Anil Singh          | 5(2)                                      | 2 years                    |
| Lady Morauta        | 5(2)                                      | 2 years                    |

Dated this 23rd day of July, 1998.

M. TARANUPI,  
Minister for Education, Culture and Science.

Education Act (Chapter 163)**APPOINTMENT OF MEMBERS AND ALTERNATE MEMBERS OF THE EAST SEPIK PROVINCIAL EDUCATION BOARD**

I, Muki Taranupi, Minister for Education, Culture and Science, by virtue, of the powers conferred by Sections 31, 32 and 33 of the *Education Act* (Chapter 163) and all other powers therein enabling, hereby:-

- (a) appoint each person specified in Column 1 of the Schedule as a member of the Provincial Education Board; and
- (i) to represent the organisation or office specified in Column 2 of the Schedule opposite the name of that person; and
- (ii) to hold office for the period specified in Column 3; and
- (b) appoint the person specified in Column 4 to be the alternate member of the member whose name is set out in Column 1 opposite the name of the alternate member.

SCHEDULE

| Column 1<br>Members | Column 2<br>Organisation Represented | Column 3<br>Term of office | Column 4<br>Alternate Members |
|---------------------|--------------------------------------|----------------------------|-------------------------------|
| Paul Hukahu         | Community                            | 3 years                    | Leo Seo                       |
| Paulson Weseki      | Community                            | 3 years                    | John Malken                   |
| Henry Airo          | Council                              | 3 years                    | Jacob Mindua                  |

Dated this 23rd day of July, 1998.

M. TARANUPI,  
Minister for Education, Science and Culture.

**NOTICE OF THE MAKING OF REGULATION**

THE Regulation set out in the table below has been made under the Act set out in the table. Copies may be obtained from the Office of Legislative Counsel, P.O. Box 639, Waigani.

| Statutory Instrument No. | Citation or Nature                               | Act under which made |
|--------------------------|--|----------------------|
| No. 5 of 1998            | Emergency (General Powers No. 2) Regulation 1998 | Constitution         |

The above Regulation shall be deemed to come into operation on 7th August, 1998.

Dated this 18th day of August, 1998.

W. KIAP,  
National Executive Council.

Land Act 1996**LAND BOARD MEETING NO. 1991, ITEM NO. 1**

Successful applicant for State leases and particulars of Land leased.

1. L.F. DC/341/004—Yumi Electrical Services Pty Ltd., a Business (Light Industrial) lease over Allotment 4, Section 341 (Gerehu), Hohola, City of Port Moresby, National Capital District.

Dated at City of Port Moresby this 14th day of August, 1998.

M. ALALUKU,  
Secretary for Lands.

Land Act 1996**LAND BOARD MEETING NO. 1994, ITEM NO. 4**

Successful applicants for State leases and particulars of Land leased.

1. L.F. DB/044/025—Gidare Land Holding Company Pty Ltd., a Business (Commercial) Lease over Allotment 25, Section 44, Granville, City of Port Moresby, National Capital District.

Dated at City of Port Moresby this 14th day of August, 1998.

M. ALALUKU,  
Secretary for Lands.

## CORRIGENDUM

I, Mao Zeming, Minister for Housing, by virtue of the powers conferred by Section 42 of the *Housing Corporation Act* (Chapter 79) and all powers enabling me, give notice that:—

1. Julai Takope was gazetted as approved Purchaser of Property Section 49, Allotment 11, Mt Hagen, under the Government Home Give Away Scheme's requirements to have the property transferred to his name.
2. Julai Takope is now deceased and as such cannot be able to meet the Give Away Scheme's requirements to have the property transferred to his name.
3. Because of 2 above, I now declare to revoke Julai Takope (deceased) as the purchaser of Section 49, Allotment 11, Mt Hagen, *National Gazette* No. G26 of 14th April, 1994.
4. I further declare that Susan Julai, being the lawful wife (widow) of law Julai Takope be gazetted as the approved purchaser for Section 49, Allotment 11, Mt Hagen pursuant to terms and conditions to Give Away Scheme.

Dated this 26th day of March, 1998.

M. ZEMING, MP,  
Minister for Housing.

## CORRIGENDUM

THE general public is hereby advised that the Advertisement of Petition in MP No. 373 of 1998; in the matter of the *Companies Act* 1997; and in the matter of Beoman Investments Pty Limited was incorrectly gazetted on Thursday, 23rd July, 1998.

Gazettal of the Advertisement of Petition is withdrawn.

Any inconvenience caused due to the above matter is very much regretted.

L. R. HENAO,  
by his employed lawyer,  
G. K. Garo,  
of Henaos,  
Lawyer for the Petitioner.

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

ILG No. 6843

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:—

Kotai Wabokip Land Group Inc.

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

- (1) its members are from Kotai Village.
- (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 Wewak But Local Level Government Council Area, Wewak, East Sepik Province.

Dated this 13th day of August, 1998.

T. PISAE,  
A delegate of the Registrar of Incorporated Land Groups.

*Land Act 1996 (Chapter 45)*APPOINTMENT OF MEMBERS OF THE CENTRAL  
PROVINCE LAND BOARD

I, Honourable Viviso Seravo, Minister for Lands, by virtue of the powers conferred by Section 55 of the *Land Act* 1996, and all other powers me enabling, hereby appoint the following persons to be the Central Provincial Land Board Members.

Vili Maha — Deputy Chairman — Rigo District  
Igo Eguta — Member — Hiri District  
Cam Rapila — Member — Abau District  
Paul Ikupu — Member — Kairuku District  
A. Andrew — Member — Gailala District

These appointments take immediate effect upon the gazettal of these instrument in the *National Gazette* and are for a term of 3 years.

Dated this 2nd day of July, 1998.

V. SERAVO,  
Minister for Lands.

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

## SOUTHERN HIGHLANDS PROVINCE

## IMBONGGU OPEN ELECTORATE

## 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 Imbonggu Open Electorate and appoints Alphonse Yapen as the Returning Officer.

Dated at Port Moresby this 11th day of August, 1998.

R. T. KAIULO, MBE,  
Electoral Commissioner.

*Public Services Conciliation and Arbitration Act (Chapter No. 69)*

## DETERMINATION NO. 2 OF 1998

I, Maria Lovaga, Industrial Registrar, by virtue of the powers conferred by *Public Services Conciliation and Arbitration Act* (Chapter No. 69), and all other powers me enabling, hereby register a Determination described in the Schedule hereto under the title, "Annual Performance Review Increments Determination for Electricity Commission National Employees" (No. 2 of 1998), and advise that copies of the Determination may be obtained from the Industrial Registry, Department of Industrial Relations, P.O. Box 5644, Boroko, National Capital District.

An Industrial Agreement made on the 6th July, 1998, between the Papua New Guinea Electricity Commission (PNG. ELCOM) (hereinafter referred to as "the employer") of the one part and the Papua New Guinea Electricity Commission National Staff Association and Papua New Guinea Electricity Commission (PNG. ELCOM) Branch of Public Employees' Association (PEA) of the other part, being an Agreement made to regulate annual performance review increments for National Employees of the Papua New Guinea Electricity Commission for 1996, 1997 and subsequent reviews and shall remain in force until amended by mutual agreement by the parties.

Dated this 29th day of July, 1998.

M. LOVAGA,  
Registrar of Public Services Conciliation and Arbitration Tribunal.

*Institute of Medical Research Act*

## APPOINTMENT OF COUNCIL MEMBERS

I, Ludger Mond, Minister for Health, by virtue of the powers conferred by Section 7 (1)(h) of the *Institute of Medical Research Act* and all other powers me enabling, hereby appoint each person specified in Column 2 of the Schedule to be a member of the Papua New Guinea Institute of Medical Research Council appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of 3 years.

## SCHEDULE

| Column 1<br>Provisions | Column 2<br>Members |
|------------------------|---------------------|
| Section 7(1)(d) ....   | Wari Iarno          |
| Section 7(1)(d) ....   | Dauga Anakapu       |
| Section 7(1)(h) ....   | Timothy Pyakalyia   |
| Section 7(1)(h) ....   | Adolf Saweri        |
| Section 7(1)(h) ....   | Tukutau Taufu       |

Dated this 29th day of June, 1998.

L. MOND,  
Minister for Health.

*Auctioneer's Act (Chapter 90)*

## AUCTIONEER'S LICENCE

MICHAEL C. CHOLAI, of P.O. Box 79, Alotau, Milne Bay Province, is hereby licenced to Act as an Auctioneer for all parts of Papua New Guinea.

This Licence shall remain in force until 31st December, 1998.

Dated this 8th day of July, 1998.

D. HENRY,  
Acting First Assistant Secretary,  
Top Management & Administrative Services,  
For: Secretary for Treasury & Corporate Affairs.

*Land Registration Act (Chapter 191)*

## ISSUE OF OFFICIAL COPY OF STATE LEASE

NOTICE is hereby given that after the expiration of 14 clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of 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 11, Folio 2652 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 15, Section 10, Cameron, Alotau, Milne Bay Province containing an area of 32 perches more or less the registered proprietor of which is Alotau Enterprises Pty Ltd.

Dated this 10th day of July, 1998.

K. LAVI,  
Deputy Registrar of Titles.

*Land Registration Act (Chapter 191)*

## ISSUE OF OFFICIAL COPY OF STATE LEASE

NOTICE is hereby given that after the expiration of 14 clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of 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 36, Folio 8757 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 11, Section 10, Alotau, Milne Bay Province containing an area of 0.0809 hectares more or less the registered proprietor of which is Alen Enterprises Pty Limited.

Dated this 14th day of July, 1998.

P. PISAE,  
Deputy Registrar of Titles.

*Land Registration Act (Chapter 191)*

## ISSUE OF OFFICIAL COPY OF STATE LEASE

NOTICE is hereby given that after the expiration of 14 clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of 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 100, Folio 169 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 12, Section 10, Alotau, Milne Bay Province containing an area of 32 perches more or less the registered proprietor of which is Alen Enterprises Pty Limited.

Dated this 10th day of July, 1998.

K. LAVI,  
Deputy Registrar of Titles.

Land Act 1996

**NOTICE UNDER SECTION 77**

I, Morris Alaluku, Secretary for Lands, by virtue of the powers conferred by Section 77 of the *Land Act 1996* and all other powers me enabling, hereby extinguish the right of The Manager, Biomedical Co. Pty Ltd, P.O. Box 56, University, National Capital District to lease over the land described in the Schedule.

SCHEDULE

A grant of an application in respect of Allotment 8, Section 349, Hohola, National Capital District, and being the whole of the land more particularly described in the Department of Lands and Physical Planning file: DC/349/008.

Dated this 7th day of August, 1998.

M. ALALUKU,  
Secretary for Lands.

In the matter of the *Companies Act* Section 392(1)

and

In the matter of Bacardi-Martini Pacific Pty Limited

**NOTICE OF INTENT TO CEASE TO CARRY ON BUSINESS  
IN PAPUA NEW GUINEA**

NOTICE is hereby given that Bacardi-Martini Pacific Pty Limited, an overseas company registered under the *Companies Act 1997*, intends to cease to carry on business in Papua New Guinea.

Dated this 18th day of August, 1998.

C. J. BURT,  
Secretary,  
Abacus (PNG) Pty Limited,  
Agent in Papua New Guinea.