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Essential Services Act 2002

PROCLAMATION OF EMERGENCY IN RELATION TO THE SUPPLY OF ELECTRICITY SERVICE

WHEREAS PNG Power Limited (PPL) is currently having a serious negative cash flow situation due to lack of tariff increase and as a result is unable to continue to maintain consistent and reliable electricity service nationwide, to the extent that electricity service in Papua New Guinea will be severely disrupted significantly and in some areas may be closed and shut down.

AND AS a consequence of the electricity service being significantly interrupted and or materially diminished having due regard to the health, safety and or welfare of the people of Papua New Guinea and the maintenance and restoration of peace and good order in Papua New Guinea, I am satisfied that the public interest is being prejudiced and threatened, and I hereby made a Proclamation of Emergency in relation to the supply of electricity service.

CONSEQUENT TO THE PROCLAMATION OF EMERGENCY HEREIN, the Minister for Public Enterprises and State Investments, now assumes and exercises all his powers under Section 4 of the *Essential Services Act 2002* and shall direct anybody or person as he deems fit to the extent and intent of this Act.

The power of the Minister under Section 4 herein will be restricted and deemed illegal only to the extent where the exercise of such powers contravene the provisions of the Constitution.

NOW THEREFORE, I, THEO ZURENUOC, Acting Governor-General, by virtue of the powers conferred by Section 3 of the *Essential Services Act 2002*, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby declare that this proclamation of emergency applies to the entire nation of Papua New Guinea and will be in full force for PNG Power Limited (PPL) for a period of two (2) months, with effect on and from the date of publication of this notice in the *National Gazette*.

Dated this 22nd day of December, 2014.

T. ZURENUOC,
Acting Governor-General.