



No. 13 of 1996.

Forestry (Amendment) Act 1996.

Certified on : 18.09.96

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1996.

Forestry (Amendment) Act 1996.

ARRANGEMENT OF SECTIONS.

1. National Interest.
2. Interpretation (Amendment of Section 2).

 "Chairman of the Provincial Forestry Committee"

3. Repeal and replacement of Section 10.

 "10. **MEMBERSHIP OF THE BOARD.**"

4. Repeal of Section 11.
5. Chairman and Deputy Chairman (Amendment of Section 12).
6. Vacation of office (Amendment of Section 14).
7. Calling of meetings (Amendment of Section 16).
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 "139A. **TRANSFER OF LAND TO THE AUTHORITY.**"

9. Further Amendments.

S C H E D U L E.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1996.

AN ACT

entitled

Forestry (Amendment) Act 1996,

Being an Act to amend the *Forestry Act 1991,*

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. NATIONAL INTEREST.

For the purposes of Section 41(2) of the *Organic Law on Provincial Governments and Local-level Governments* it is hereby declared that this Act relates to a matter of national interest.

2. INTERPRETATION (AMENDMENT OF SECTION 2).

Section 2 of the Principal Act is amended -

- (a) by inserting after the definition of "Chairman" the following new definition:-

"Chairman of the Provincial Forestry Committee', in relation to a province, means the Chairman of the Committee established by the Provincial Executive Council of that province to carry out its functions in respect of forestry matters;"; and

- (b) by repealing the definition of "provincial Minister".

3. REPEAL AND REPLACEMENT OF SECTION 10.

Section 10 of the Principal Act is repealed and is replaced with the following:-

"10. MEMBERSHIP OF THE BOARD.

(1) The Board shall consist of -

- (a) the Managing Director, *ex officio*; and

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- (b) the President of the Forest Industries Association, *ex officio*, or his nominee; and
- (c) the Departmental Heads, *ex officio*, or their nominees, of two Departments nominated from time to time by the National Executive Council on the recommendation of the Minister and notified in the National Gazette; and
- (d) five persons where -
 - (i) one of whom shall be a member representing the timber resource owners; and
 - (ii) one of whom shall be the President of the Association of Foresters of Papua New Guinea, *ex officio*, or his nominee, appointed by a notice in the National Gazette by the National Executive Council on the recommendation of the Minister.

"(2) The members appointed under Subsection (1)(d) hold office during the pleasure of the National Executive Council.

"(3) The members referred to in Subsection (1)(d) shall be entitled to such fees and allowances as are determined under the *Boards (Fees and Allowances) Act* (Chapter 299)."

4. REPEAL OF SECTION 11.

Section 11 of the Principal Act is repealed.

5. CHAIRMAN AND DEPUTY CHAIRMAN (AMENDMENT OF SECTION 12).

Section 12(1) of the Principal Act is repealed and is replaced with the following:-

"(1) The National Executive Council, on the recommendation of the Minister, shall appoint one of the members appointed under Section 10(1)(d) to be the Chairman of the Board."

6. VACATION OF OFFICE (AMENDMENT OF SECTION 14).

Section 14 of the Principal Act is amended -

- (a) in Subsection (1), by repealing the reference "Section 1(1)(a), (b), (c) or (d)" and replacing it with the following:-

"Section 10(1)(a), (b) or (c)"; and

- (b) by repealing Subsection (3).

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7. **CALLING OF MEETINGS (AMENDMENT OF SECTION 16).**

Section 16(5) of the Principal Act is amended by repealing the words "Director-General" and replacing them with the following:-

"Chairman"

8. **NEW SECTION 139A.**

The Principal Act is amended by inserting after Section 139 the following new section:-

"139A. TRANSFER OF LAND TO THE AUTHORITY.

(1) All land in Papua New Guinea in the name of the State held under a Certificate of Occupancy or set aside for use by the Department of Forests or the Forest Industries Council immediately before the coming into operation of this Act is, on and from the coming into operation of this Act deemed to have been transferred to and to have become the property of the Authority.

(2) Where land referred to in Subsection (1) is land registered under the *Land Registration Act* (Chapter 191), the Registrar of Titles shall, without formal transfer and without fee, on application in that behalf by the Authority, enter or register the Authority in the Registrar kept under that Act and, on entry and registration, grant a certificate of title, lease or other instrument evidencing title to the land within that Act."

9. **FURTHER AMENDMENTS.**

The Principal Act is further amended in accordance with the Schedule.

S C H E D U L E

Sec. 9.

<u>Provision</u>	<u>Amendment</u>
Section 30(1)(b)	Repeal the words "provincial Minister responsible for forestry matters" and replace with the following:- "Chairman of the Provincial Forestry Committee";

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Sections 30(1)(e); 31(2);
50(1) and (3); 51(a); 87(1);
89(4) and (5); 90; 122(2)(d)
and (h); 126(2)

In each case repeal the words "provincial
Minister" and replace with the following:-

"Chairman of the Provincial Forestry Committee".

I hereby certify that the above is a fair print of the *Forestry (Amendment) Act 1996* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Forestry (Amendment) Act 1996* was made by the National Parliament on 24 July 1996.

Acting Speaker of the National Parliament.