

No. of 2003.

*Organic Law on Provincial Governments and Local-level Governments
(Amendment No.8) Law.*

Certified on: 16.05.03
operation: 11.8.2003

INDEPENDENT STATE OF PAPUA NEW GUINEA.

*Organic Law on Provincial Governments and Local-level Governments
(Amendment No. 8) Law.*

ARRANGEMENT OF SECTIONS.

1. Provincial and District Administrators (Amendment of Section 73).
2. Transitional and savings provisions.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

*Organic Law on Provincial Governments and Local-level Governments
(Amendment No. 8) Law,*

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

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. PROVINCIAL AND DISTRICT ADMINISTRATORS (AMENDMENT OF SECTION 73).

Section 73 of the *Organic Law on Provincial Governments and Local-level Governments* is amended –

(a) by repealing Subsection (2) and replacing it with the following:-

“(2) All substantive appointments to offices of Provincial Administrator shall be made by the National Executive Council from a list of three persons submitted by the Provincial Executive Council concerned from a list of persons recommended to the Provincial Executive Council by the Public Services Commission following procedures prescribed by or under an Act of the Parliament.”; and

(b) by inserting after Subsection (2) the following new subsections:-

“(2A) All temporary appointments to offices of Provincial Administrator shall be made by the National Executive Council in accordance with a recommendation from the Provincial Executive Council concerned made in accordance with a recommendation from the Public Services Commission following procedures prescribed by or under an Act of the Parliament.

“(2B) The revocation of appointment of Provincial Administrators appointed under Subsection (2) or (2A) shall be by the National Executive Council, in accordance with a recommendation from the Provincial Executive Council concerned in accordance with a recommendation from the Public Services Commission

1
1
1

Organic Law on Provincial Governments and Local-level Government

following procedures prescribed by or under an Act of the Parliament.

“(2C) The suspension from office of Provincial Administrators appointed under Subsection (2) or (2A) shall be by the National Executive Council in accordance with a recommendation by the Provincial Executive Council concerned in accordance with a recommendation from the Public Services Commission following procedures prescribed by or under an Act of the Parliament.”.

2. TRANSITIONAL AND SAVINGS PROVISIONS.

(1) All Provincial Administrators validly appointed (whether substantively or temporarily) under Section 73(2) of the *Organic Law on Provincial Governments and Local-level Governments* and holding office immediately prior to the coming into operation of this Law, shall continue to hold office in the capacity in which they were appointed as if appointed under Section 73 of the *Organic Law on Provincial Governments and Local-level Governments* as amended by Section 1 of this Law until the expiry of their term of appointment or until the cessation of their appointment otherwise according to law.

(2) A person who –

(a) was, before the coming into operation of this Law, validly suspended from an office of Provincial Administrator under Section 73(2) of the *Organic Law on Provincial Governments and Local-level Governments*; and

(b) immediately before that coming into operation was so suspended from that office,

shall, on that coming into operation, be deemed to have been validly suspended from that office in accordance with Section 73(2C) of the *Organic Law on Provincial Governments and Local-level Governments* as amended by Section 1 of this Law and shall continue to be so suspended from that office until the suspension is lifted according to law or until he ceases to hold such office according to law, whichever shall first happen.

Organic Law on Provincial Governments and Local-level Government

I hereby certify that the above is a fair print of the *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 8) Law* which has been made by the National Parliament.

Clerk of the National Parliament.

Constitution

CERTIFICATE UNDER SECTION 14.

I, **BILL SKATE**, 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 *Organic Law on Provincial Governments and Local-level Governments (Amendment No. 8) Law* and that the law was made by the National Parliament as follows:-

- (a) the first vote was taken on 10 December 2002 when the number of seats in the National Parliament was 109 and those voting for the proposal were 82 and none voted against the proposal; and
- (b) the second vote was taken on 13 March 2003 when the number of seats in the National Parliament was 109 and those voting for the proposal were 77 and none voted against the proposal.

Speaker of the National Parliament.

