

No. 20 of 1995.

Teaching Service (Amendment) Act 1995.

Certified on : 19.07.95

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

Teaching Service (Amendment) Act 1995.

ARRANGEMENT OF SECTIONS.

1. Dealing with minor offences (Amendment of Section 84).
2. Dealing with serious offences (Amendment of Section 85).
3. Leave without pay (Amendment of Section 102).
4. Pro-rata leave, etc., (Amendment of Section 118).
5. Resignation, etc., to contest election (Amendment of Section 124).
6. Further amendments.

S C H E D U L E .

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1995.

AN ACT

entitled

Teaching Service (Amendment) Act 1995,

Being an Act to amend the *Teaching Service Act 1988* consequential on the enactment of the *Organic Law on Provincial Governments and Local-level Governments* and to make further amendments,

MADE by the National Parliament, to come into operation -

- (a) in respect of Sections 1 and 2 - in accordance with the coming into operation of the *Organic Law on Provincial Governments and Local-level Governments*; and
- (b) in respect of the remainder - on certification.

1. DEALING WITH MINOR OFFENCES (AMENDMENT OF SECTION 84).

Section 84 of the Principal Act is amended by inserting before Subsection (1) the following new subsection:-

"(1A) For the purposes of this section, the Provincial Administrator in a province is the Departmental Head in relation to members of the Teaching Service employed in the province."

2. DEALING WITH SERIOUS OFFENCES (AMENDMENT OF SECTION 85).

Section 85 of the Principal Act is amended by inserting before Subsection (1) the following new subsection:-

"(1A) For the purposes of this section, the Provincial Administrator in a province is the Departmental Head in relation to members of the Teaching Service employed in the province."

3. LEAVE WITHOUT PAY (AMENDMENT OF SECTION 102).

Section 102(4) of the Principal Act is repealed and is replaced with the following:-

"(4) The period during which a member is absent on leave granted under this section shall be counted as part of his period of service in the Teaching Service and shall not affect the continuity of his service in the Teaching Service."

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4. PRORATA-LEAVE, ETC., (AMENDMENT OF SECTION 118).

Section 118 of the Principal Act is amended -

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

"(2) Where -

(a) a member dies; or

(b) the Commission, after consideration of all the circumstances, directs that the death of a member be presumed,

the Commission may authorize payment to his dependants of pay in lieu of -

(c) any period of vacation leave; and

(d) any pro-rata furlough leave under Subsection (3), to which he was entitled immediately before his death."; and

- (b) by adding the following new Subsection:-

"(3) A member who has qualified for leave of absence as furlough under Section 109 shall, in respect of service over 15 years, be eligible for pro-rata leave of absence as furlough."

5. RESIGNATION, ETC., TO CONTEST ELECTION (AMENDMENT OF SECTION 124).

Section 124 of the Principal Act is amended by inserting before Subsection (1) the following new Subsection:-

"(1A) A member shall not contest an election to -

(a) the National Parliament; or

(b) a Provincial Government or Local-level Government."

6. FURTHER AMENDMENTS.

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

S C H E D U L E

Sec.

<i>Provision</i>	<i>Amendment</i>
Section 3	Repeal "included" and replace with "include".
Section 8(1)	Repeal "that" and replace with "than".
Section 22(4)	Repeal "Section 70" and replace with "Section 71".
Section 27(1)	Repeal "desireable" and replace with "desirable".
Section 48(1)(a)	Repeal "Section 45" and replace with "Section 46".
Section 64(1)	Repeal "Section 68" and replace with "Section 69".
Section 69(1)	Repeal "Section 28(3)" and replace with "Section 28(d)".
Section 69(3)	Repeal "Subsection (3)" and replace with "Subsection (2)".

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Section 69(4)(last line)	Repeal "Subsection (2)" and replace with "Subsection (3)".
Section 77(2)	Repeal "received" (first occurring) and replace with "receive".
Section 80	Repeal "The National Board Disciplinary Committee" and replace with "The National Education Board Disciplinary Committee".
Section 85(4)	Repeal "Subsection (5)" and replace with "Subsection (3)".
Section 86(1)(c)	Repeal "possession of control" and replace with "possession or control".
Section 90(3)(a)(i)	Repeal "Section 84 or 85" and replace with "Section 85".
Section 110	Repeal "fully pay" and replace with "full pay".
Section 111(heading)	Repeal "MEMBERSHP" and replace with "MEMBERSHIP".
Section 124(1)	(a) Repeal "(b)", second time occurring, and replace with "(d)"; (b) Add at the end "of teaching positions."
Section 124(b)	Repeal "offected" and replace with "affected".
Section 130(7)	Repeal "the whole of part" and replace with "the whole or part".
Section 131(4)	Repeal "forfeit" and replace with "forfeited".

I hereby certify that the above is a fair print of the *Teaching Service (Amendment) Act 1995* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Teaching Service (Amendment) Act 1995* was made by the National Parliament on 29 June 1995.

Speaker of the National Parliament.

