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INDEPENDENT STATE OF PAPUA NEW GUINEA
CONSTITUTION

ALTERATION TO THE CONSTITUTION

THE Government proposes to alter the Constitution and, pursuant to the requirements of Section 14(2) (*making of alterations to the Constitution and Organic Laws*) of the Constitution, I, Timothy Bonga, the Speaker of the National Parliament, hereby publish the proposed Law—

Draft of 23/1/84.

INDEPENDENT STATE OF PAPUA NEW GUINEA
PROPOSED LAW TO ALTER THE CONSTITUTION
Constitutional Amendment (Public Services Commission)

ARRANGEMENT OF CLAUSES

1. Repeal and replacement of Section 190.
"190. Establishment of the Commission."
2. Repeal and replacement of Section 191.
"191. Functions of the Commission."
3. Repeal and replacement of Section 192.
"192. Independence of the Commission."

Preliminary Draft of 23/1/84.

INDEPENDENT STATE OF PAPUA NEW GUINEA
PROPOSED LAW TO ALTER THE CONSTITUTION
entitled
Constitutional Amendment (Public Services Commission)
being

A Law to alter the Constitution by repealing and replacing the provisions relating to the establishment functions and independence of the Public Services Commission,

MADE by the National Parliament to come into operation 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.

Proposed Law to Alter the Constitution—*continued*

1. REPEAL AND REPLACEMENT OF SECTION 190

Section 190 of the Constitution is repealed and is replaced by the following:

"190.—ESTABLISHMENT OF THE COMMISSION.

(1) A Public Services Commission is hereby established by the following:—

(2) The Commission shall consist of three members who shall be appointed for a term of five years by the Head of State, acting with, and in accordance with, the advice of the National Executive Council given after consultation with any appropriate Permanent Parliamentary Committee.

(3) All of the members of the Commission must be citizens who have gained substantial experience in the National Public Service.

(4) Subject to this Constitution, an Act of the Parliament shall make provision for and in respect of the appointment and the conditions of employment of the members of the Commission, and for and in respect of its constitution, powers and procedures."

2. REPEAL AND REPLACEMENT OF SECTION 191

Section 191 of the Constitution is repealed and is replaced by the following:—

"191.—FUNCTIONS OF THE COMMISSION.

(1) The Public Services Commission shall be responsible, in accordance with an Act of the Parliament, for—

(a) the review of personnel matters connected with the National Public Service; and

(b) the continuous review of the State Services (other than the Papua New Guinea Defence Force), and the services of other governmental bodies, and to advise, either on its own initiative or on request, the National Executive Council and any authority responsible for any of those services, on organizational matters.

(2) The Public Services Commission has such other functions as may be prescribed by or under a Constitutional Law or an Act of the Parliament.

(3) In carrying out its function under Subsection (1) (b), the Public Services Commission—

(a) shall take into account the government policy on a particular matter when advising the National Executive Council and the other authorities responsible for those services; and

(b) shall not have any power to direct or control a State Service or the services of other governmental bodies.

(4) The Public Services Commission shall, in respect of each year, prepare and forward to the Speaker for presentation to the Parliament, a report on the advice it has given during the year to the National Executive Council or other authorities in accordance with Subsection (1) (b) indicating in particular the nature of the advice given and whether or not that advice was accepted."

3. REPEAL AND REPLACEMENT OF SECTION 192

Section 192 of the Constitution is repealed and is replaced by the following:—

"192.—INDEPENDENCE OF THE COMMISSION.

The Public Services Commission is not subject to direction or control when carrying out its function under Section 191(1) (a) (*functions of the Commission*).".

INDEPENDENT STATE OF PAPUA NEW GUINEA

ORGANIC LAW ON THE PUBLIC SERVICES COMMISSION

THE Government proposes to repeal the Organic Law on the Public Services Commission and, pursuant to the requirements of Section 24(2) (*making of alteration to the Constitution and Organic Laws*) of the Constitution, I, Timothy Bonga, the Speaker of the National Parliament hereby publish the proposed Law—

INDEPENDENT STATE OF PAPUA NEW GUINEA

Draft of January, 1984.

PROPOSED LAW TO REPEAL THE ORGANIC LAW ON THE PUBLIC SERVICES COMMISSION

Organic Law on the Public Services Commission (Repeal)

ARRANGEMENT OF CLAUSES

Repeal.

INDEPENDENT STATE OF PAPUA NEW GUINEA

PROPOSED LAW TO REPEAL THE ORGANIC LAW ON THE PUBLIC SERVICES COMMISSION

entitled

Organic Law on the Public Services Commission (Repeal)

being

A Law to repeal the Organic Law on the Public Services Commission,

MADE by the National Parliament to come into operation 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.

REPEAL

The Organic Law on the Public Services Commission is repealed.