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INDEPENDENT STATE OF PAPUA NEW GUINEA

THE CONSTITUTION

ALTERATIONS TO THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS

THE Honourable Byron Chan, Member for Namatanai Open, proposes to alter the *Organic Law on Provincial Governments and Local Level Governments* and pursuant to Section 14 (2) (*Making of alterations to the Constitution and Organic laws*) of the Constitution, I, BILL SKATE, Speaker of the National Parliament, hereby publish the proposed law:-

Draft of 21/05/2003.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

PROPOSED LAW TO ALTER THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS.

The Organic Law on Provincial Governments and Local - Level
Governments (Amendment) Law.

ARRANGEMENT OF CLAUSES.

1. Provincial Government and Provincial Legislature (Amendment of Section 10).
2. Vacation of office (Amendment of Section 13).
3. Provincial Executive Council Committees (Amendment of Section 25).
4. Composition of Local Level Governments (Amendment of Section 29).
5. Vacation of office (Amendment of Section 30).
6. Joint District Planning and Budget Priorities Committee (Amendment of Section 33A).
7. Financial Responsibility (Amendment of Section 105A).

Draft of 21/05/2003.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

PROPOSED LAW TO ALTER THE ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS

entitled

The Organic Law on Provincial Governments and Local-Level Governments (Amendment) Law.

being

A Law to alter of the Organic Law on Provincial Governments and Local-Level Governments and for related purposes.

MADE by the National Parliament.

1. PROVINCIAL GOVERNMENT AND PROVINCIAL LEGISLATURE (AMENDMENT OF SECTION 10).

Section 10 of the Organic Law is amended in Subsection (3), by repealing Paragraph (f) and replacing it with the following:—

“(f) other members not exceeding three in number, of whom -

- (i) one shall be a representative of the churches, nominated by the Council of Churches in the Province; and
- (ii) one shall be the Chairman of the Provincial Youth Council, as the Provincial Assembly may appoint from time to time.

2. VACATION OF OFFICE (AMENDMENT OF SECTION 13).

Section 13 of the **Organic Law** is amended in Subsection (3) by adding a new Paragraph after Paragraph (h):-

“(i) in the case of the member referred to Section 10 (3) (f) (ii), ceases to hold office as the Chairman of the Provincial Youth Council in accordance with the *National Youth Commission Act 2000*,”

3. PROVINCIAL EXECUTIVE COUNCIL COMMITTEES (AMENDMENT OF SECTION 25).

Section 25 of the Organic Law is amended -

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

“(c) other members not exceeding three in number, of whom -

- (i) one shall be a representative of the churches, nominated by the Council of the Churches in the Province; and
- (ii) one shall be a representative of the women’s organisation, nominated by the Council of the women in the Province; and
- (iii) one shall be a representative of the youth, nominated by the Provincial Youth Council, appointed on a adhoc basis, by the Provincial Executive Council;” and

(b) in Subsection (3) by adding a new Paragraph after Paragraph (e):-

“(f) consider and implement a District Plan and Budget Submission approved by the Joint District Planning and Budget Priorities Committee;” and

(c) by adding a new Subsection after Subsection (3):-

“(3A) A Provincial Government or a Joint Provincial Planning and Budget Priorities Committee in endorsing any Provincial Plans and Budget in relation to a District, shall give effect to a District Plan and Budget Submission referred to in Subsection (3) (f).”

Proposed Law to Alter the Organic Law on Provincial Governments and Local -Level Governments—continued**4. COMPOSITION OF LOCAL LEVEL GOVERNMENT (AMENDMENT OF SECTION 29).**

Section 29 of the Organic Law is amended in Subsection (1) by adding a new Paragraph after Paragraph (d):-

“(e) two members who shall be -

- (i) the Chairman of the Ward Youth Council; and
- (ii) a representative of the Churches, nominated by the Council of Churches in the District, appointed by the Local Level Government.

5. VACATION OF OFFICE (AMENDMENT OF SECTION 30).

Section 30 of the Organic Law is amended in Subsection (1) by adding a new Paragraph after Paragraph (j):—

“(k) in the case of the Member referred to in Section 29(1)(e)(i) ceases to hold office as the Chairman of the Ward Youth Council in accordance with the *National Youth Commission Act 2000*.”

6. JOINT DISTRICT PLANNING AND BUDGET PRIORITIES COMMITTEE (AMENDMENT OF SECTION 33A).

Section 33A of the Organic Law is amended—

(a) In Subsection (2)—

(i) by repealing Paragraph (d) and replacing it with the following:—

“(d) other members not exceeding three in number, of whom—

- (i) one shall be a representative of the Church, nominated by the Council of Churches in the District; and
- (ii) one shall be a representative of the womens organisation, nominated by the Council of Women in the District, appointed by the Member of Parliament representing the open electorate in consultation with the heads of the Local Level Governments in the District.” and

(ii) by adding a new Paragraph after Paragraph (d):—

“(e) Chairman of the District Youth Council”; and

(b) by adding a new Subsection after Subsection (2A):—

“(2B) Where the member referred to in Subsection (2)(e), ceases to hold office as the Chairman of the District Youth Council in accordance with the *National Youth Commission Act 2000*—

- (a) he shall cease to be a Member of the Committee; and
- (b) the vacancy in the Committee shall be filled by the person holding office as the Chairman of the District Youth Council in accordance with the *National Youth Commission Act 2000*.”; and

(c) by adding a new Subsection after Subsection (4):—

“(5) The Joint District Planning and Budget Priorities Committees shall forward its District Plan and Budget Submission to the Joint Provincial Planning and Budget Priorities Committee, for consideration and implementation in accordance with Section 25”.

7. FINANCIAL RESPONSIBILITY (AMENDMENT OF SECTION 105A).

Section 105A of the Organic Law is amended in Subsection (3) by adding after the words “Provincial Permanent Committees” the following:—

“and the relevant Joint District Planning and Budget Priorities Committee.”

Dated this 21st day of May, 2003.

B. SKATE, CMG, MP.,
Speaker of the National Parliament.

CERTIFICATION OF LAWS AND AN ACT

IT is hereby notified for general information, that the following Laws and Act passed by the National Parliament were certified by the Speaker of the National Parliament on the 16th of May, 2003.

No. 1 of 2003—*Slaughtering (Amendment) Act 2003.*

—*Constitutional Amendment No. 25—The State Services.*

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

A. PALA,
Clerk of the National Parliament.