



# National Gazette

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**[2005**

## THE PAPUA NEW GUINEA NATIONAL GAZETTE

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K. KAIAH,  
Government Printer.

*Goods and Services Tax Act 2003***EXEMPTION FROM IMPORT DUTY**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 25(8) of the *Goods and Services Tax Act 2003*, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby, exempt goods and services tax on motor vehicles and other goods directly purchased or contributed by businesses or individuals towards Papua New Guinea's 30th Independence Anniversary Celebrations, hosting of the 36th Pacific Islands Forum (PIF) and the Melanesian Spearhead Group (MSG) Summit between the period commencing 1st January, 2005 up to and including 31st October, 2005.

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Customs Tariff Act 1990***EXEMPTION FROM IMPORT DUTY**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 9(1)(a) of the *Customs Tariff Act 1990*, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby, exempt from import duty on flags, medals, decals, banners and other goods directly purchased or contributed by businesses or individuals towards Papua New Guinea's 30th Independence Anniversary Celebrations, the hosting of the 36th Pacific Islands Forum (PIF) Meeting, the 16th Melanesian Spearhead Group (MSG) Summit and Medals for PNG Honours and Awards between the period commencing on and from 1st January, 2005 up to and including 31st October, 2005.

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Customs Tariff Act 1990***EXEMPTION FROM IMPORT DUTY**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 9(1)(a) of the *Customs Tariff Act 1990*, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby, exempt from import duty on the importation of ceremonial and accessories uniforms for the PNG Defence Force in relation to the 30th Independence Anniversary Celebrations.

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF DARU GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Naweda Gegeya, Ron Maipu, Terence Akima and Tuture Momona as members of the Daru General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Daru General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,

with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	Alice Honjipari
Section 10(1)(b)....	Tuve Olewale
Section 10(1)(d)....	Naunau Moide
Section 10(1)(e)....	Rebecca Malawa

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***APPOINTMENT OF MEMBERS OF KUNDIAWA GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council on the nomination of the Minister, hereby appoint each person specified in Column 2 of the Schedule to be a Member of the Kundiawa General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years commencing on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	William Asue
Section 10(1)(b)....	Gerald Philips
Section 10(1)(b)....	Gigmai Getru
Section 10(1)(b)....	Andy Siure
Section 10(1)(c)....	Pr. Solomon Minga
Section 10(1)(d)....	Boni Wau
Section 10(1)(e)....	Betty Frank
Section 10(1)(e)....	Waguo Goiye
Section 10(1)(e)....	Peter Pine

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF  
MT HAGEN GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Bernard Bal, Rachel Mete and Dr Peter Are as members of the Mt Hagen General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Mt Hagen General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,

with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	Terry Korowa
Section 10(1)(b)....	David Guinn
Section 10(1)(d)....	Billy Kua
Section 10(1)(e)....	Naomi Nollick
Section 10(1)(e)....	Kagul Koroka

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF  
WEWAK GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Francis Anjang, Danny Tjoeng, Simon Wagama and Laura Martin as members of the Wewak General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Wewak General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,

with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	Paul Bisambi
Section 10(1)(b)....	Wally Tauye
Section 10(1)(d)....	Sister Joseph Taylor
Section 10(1)(e)....	Rose Bais
Section 10(1)(e)....	Michael Mosoro

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***APPOINTMENT OF MEMBER OF PORT MORESBY GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council on the nomination of the Minister, hereby appoint each person specified in Column 2 of the Schedule to be a Member of the Port Moresby General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years commencing on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provision	Column 2 Member
Section 10(1)(b)....	Sir Brian Bell

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***APPOINTMENT OF MEMBER OF ANGAU MEMORIAL GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council on the nomination of the Minister, hereby appoint each person specified in Column 2 of the Schedule to be a Member of the Angau Memorial General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years commencing on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provision	Column 2 Member
Section 10(1)(b)....	Colin Payne

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF MENDI GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Moses Koha and Edward Hamilton as members of the Mendi General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Mendi General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,

with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	Thomas Anda
Section 10(1)(b)....	Alex Awasa

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF VANIMO GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Dr Joel Bonen and Lena Miori as members of the Vanimo General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Vanimo General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,
- with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(d)....	Steven Yaworam
Section 10(1)(e)....	Sr. Lorna Kawa

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF WABAG GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Chris Kandege, Tony Tambi and Bob Angun as members of the Wabag General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Wabag General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,
- with effect on and from the date of publication of this instrument in the *National Gazette*.

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(b)....	Ken Petakin
Section 10(1)(c)....	Michael Yarlo
Section 10(1)(e)....	Pato Potane

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

*Public Hospitals Act 1994***REVOCATION OF APPOINTMENT OF MEMBERS AND APPOINTMENT OF MEMBERS OF KAVIENG GENERAL HOSPITAL MANAGEMENT BOARD**

I, Paulias Matane, G.C.M.G., K.St.J., Governor-General, by virtue of the powers conferred by Section 10 of the *Public Hospitals Act 1994* and all other powers me enabling, acting on the advice of the National Executive Council, hereby:—

- (a) revoke the appointments of Dr Joachim Taulo, David Lanzaro, John Vaiv and Helen Seeto as members of the Kavieng General Hospital Management Board; and
- (b) on the nomination of the Minister, appoint each person specified in Column 2 of the Schedule to be a Member of the Kavieng General Hospital Management Board appointed under the provision specified in Column 1 of the Schedule opposite his/her name for a period of three years,
- with effect on and from the date of publication of this instrument in the *National Gazette*.

**Revocation of Appointment of Members and Appointment of Members of Kavieng General Hospital  
Management Board—continued**

**SCHEDULE**

Column 1 Provisions	Column 2 Members
Section 10(1)(a)....	Bau Waulas
Section 10(1)(b)....	Shawn Yip
Section 10(1)(c)....	Pr. Theophylus Bulo
Section 10(1)(e)....	Rhondie Badcock

Dated this 25th day of July, 2005.

PAULIAS MATANE,  
Governor-General.

Draft of 26/5/05

INDEPENDENT STATE OF PAPUA NEW GUINEA

THE CONSTITUTION

**ORGANIC LAW ON PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS  
(AMENDMENT) LAW**

THE Government proposes to introduce the *Organic Law on Provincial Governments and Local-level Governments (Amendment) Law* and, pursuant to Section 14(2)(making of alterations to the Constitution and Organic laws) of the Constitution, I, Jeffrey Nape, Speaker of the National Parliament, hereby publish the proposed Law:—

Draft of 27/4/2005

INDEPENDENT STATE OF PAPUA NEW GUINEA

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

*Organic Law on Provincial Governments and Local-level Governments (Amendment) Law*

**ARRANGEMENT OF CLAUSES**

1. Application of this Law.
2. Outline of Provincial Government and Local-level Government Finances (Amendment of Section 82).
3. New Section 91A.

“91A. SUSPENSION OF THIS SUBDIVISION, OTHER THAN THIS SECTION, AND PROVISION OF PROVINCIAL GOVERNMENT AND LOCAL-LEVEL GOVERNMENT GRANTS DURING FISCAL YEARS COMMENCING 1ST JANUARY, 2004, 1ST JANUARY, 2005 AND 1ST JANUARY, 2006.”

4. New Division V.5.

“Division 5.—Constitutional Regulations.”

“118A. CONSTITUTIONAL REGULATIONS.

5. Suspension of provisions of Schedules 1 to 16 inclusive.
6. New Schedule 7.

## INDEPENDENT STATE OF PAPUA NEW GUINEA

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

entitled

*Organic Law on Provincial Governments and Local-level Governments (Amendment) Law*

being

A law to amend the *Organic Law on Provincial Governments and Local-level Governments*,

MADE by the National Parliament to be deemed to have come into operation on 1st January, 2004.

## 1. APPLICATION OF THIS LAW.

This law applies to and in respect of all Provinces except Bougainville Province.

## 2. OUTLINE OF PROVINCIAL GOVERNMENT AND LOCAL-LEVEL GOVERNMENT FINANCES (AMENDMENT OF SECTION 82).

Section 82 of the *Organic Law on Provincial Governments and Local-level Governments* is amended—

(a) by inserting at the beginning of that section the following:—

“(1)”; and

(b) by adding after Subsection (1) the following new Subsection:—

“(2) For and in respect of the fiscal years commencing on 1st January, 2004, 1st January, 2005 and 1st January, 2006 —

(a) the provisions of Subsection (1)(b), shall be suspended; and

(b) the grants from the National Governments shall be as provided by Section 91A.”.

## 3. NEW SECTION 91A.

Subdivision IV.3.D of the *Organic Law on Provincial Governments and Local-level Governments* is amended by inserting before Section 91 the following new section:—

“91A. SUSPENSION OF THIS SUBDIVISION, OTHER THAN THIS SECTION, AND PROVISION OF PROVINCIAL GOVERNMENT AND LOCAL-LEVEL GOVERNMENT GRANTS DURING FISCAL YEARS COMMENCING 1ST JANUARY, 2004, 1ST JANUARY, 2005 AND 1ST JANUARY, 2006.

(1) The provisions of this Subdivision, other than this section, are suspended in relation to grants which, but for the provisions of this subsection, would be due in the financial years commencing on 1st January, 2004, 1st January, 2005 and 1st January, 2006 to Provincial Governments and Local-level Governments.

(2) The National Government, in the fiscal years commencing on 1st January, 2004, 1st January, 2005 and 1st January, 2006:—

(a) shall make the following grants to each Provincial Government:—

(i) function grant;

(ii) block grant;

(iii) provincial staff grant;

(iv) derivation grant;

(v) such other economic grants as are specified in any other law or agreement; and

(b) may make to a Provincial Government a less developed districts grant; and

(c) shall make to each Local-level Government (other than urban Local-level Governments) a rural Local-level Government grant; and

(d) shall make to each urban Local-level Government a town services grant; and

**A proposed Law to Alter the Organic Law on Provincial Governments and Local-Level Governments—continued**

- (e) shall make to each Joint Provincial and Budget Priorities Committee a provincial development grant; and
- (f) shall make to each Joint District Planning and Budget Priorities Committee a district development grant.

“(3) The grants referred to in Subsection (2) shall be made and used in accordance with Schedule 7 and as prescribed.”.

**4. NEW DIVISION V.5.**

The *Organic Law on Provincial Governments and Local-level Governments* is amended by adding to Part V the following new Division:—

“Division 5.—Constitutional Regulations.

“118A. CONSTITUTIONAL REGULATIONS.

As authorized by Section 258 (Constitutional Regulations) of the Constitution, the Head of State, acting with, and in accordance with, the advice of the National Executive Council, may make Constitutional Regulations, not inconsistent with this law, prescribing all matters that are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this law, and in particular for prescribing penalties not exceeding K5,000.00 for contraventions of the Constitutional Regulations.”.

**5. SUSPENSION OF PROVISIONS OF SCHEDULES 1 TO 6 INCLUSIVE.**

The provisions of Schedules 1 to 6 inclusive of the *Organic Law on Provincial Governments and Local-level Governments* are suspended in relation to the fiscal years commencing 1st January, 2004, 1st January, 2005 and 1st January, 2006.

**6. NEW SCHEDULE 7:**

The *Organic Law on Provincial Governments and Local-level Governments* is amended by adding the following new Schedule:—

“SCHEDULE 7

GRANTS PAYABLE TO PROVINCIAL GOVERNMENTS AND LOCAL-LEVEL GOVERNMENTS FOR THE FISCAL YEARS COMMENCING 1st JANUARY, 2004, 1st JANUARY, 2005 AND 1st JANUARY, 2006.

**Sch.7.1. Function Grants.**

7.1.1. The National Government shall make to each Provincial Government a separate function grant for the cost of the administration in the province of each of the following:—

- (a) primary health;
- (b) basic education;
- (c) maintenance of transport infrastructure and buildings;
- (d) village court officials allowances.

7.1.2. When a function grant is made, the National Government:—

- (a) shall specify the purpose (being one of the purposes specified in Section Sch.7.1.1) for which it is made; and
- (b) may specify that the grant may be used to meet the cost of salaries, wages or capital items (other than maintenance).

7.1.3. A Provincial Government:—

- (a) shall use a function grant only for the purposes specified in accordance with Section Sch. 7.1.2(a); and
- (b) may use a function grant to meet the cost of salaries, wages or capital items (other than maintenance) only if specified in accordance with Section Sch. 7.1.2(b); and
- (c) shall allocate to spend at least one half of each function grant in the districts.

7.1.4. The amount of function grants shall be calculated in accordance with Section Sch 7.3.

**A proposed Law to Alter the Organic Law on Provincial Governments and Local-Level Governments—continued****Sch.7.2. Block Grants.**

- 7.2.1. The National Government shall make to each Provincial Government a block grant.
- 7.2.2. Subject to Section Sch 7.2.3, the use of the block grant should be at the discretion of the Provincial Government.
- 7.2.3. The Provincial Government shall allocate to spend at least one half of the block grant in the districts.
- 7.2.4. The amount of the block grant shall be calculated in accordance with Section Sch 7.3.

**Sch.7.3. Calculation of Function Grants and Block Grants.**

- 7.3.1. The minimum amount to be available for apportionment, in accordance with Section Sch. 7.3.2, between functions grants and the block grant to a province, shall be calculated in accordance with the formula:—
- (a) K10.00 per head of population of the province (being the population of the province according to the most recent national census figures); plus
  - (b) K4.00 per square kilometer of the certified land mass of the province.
- 7.3.2. The National Executive Council shall, in consultation with the Provincial Government concerned, determine the proportion of the minimum grant calculated in accordance with Section Sch. 7.3.1 (or such larger amount as may be determined by the National Government) which is to be applied to the function grants and the block grant for the province.

**Sch.7.4. Provincial and Local-level Staff Grant.**

- 7.4.1. The National Government shall make to each Provincial Government and Local-level Government a provincial and local-level staff grant.
- 7.4.2. The amount of the provincial and local-level staff grant shall be an amount equal to the sum of the salaries and allowances, and the cost of other conditions of employment as prescribed by an Act of Parliament, for the:—
- (a) offices of the Provincial Administrator and District Administrators as provided for in Section 73;
  - (b) extended service of the National Departments and agencies as provided for in Section 80;
  - (c) teaching services as provided for in Section 77;
  - (d) other staff as provided for in Section 78; and
  - (e) Provincial Government and Local-level Government Secretariats as provided for in Section 81.
- 7.4.3. A:—
- (a) provincial staff grant shall be used towards the cost of staffing referred to in Section Sch. 7.4.2; and
  - (b) local-level staff grant shall be used towards the cost of staffing referred to in Section Sch. 7.4.2.
- 7.4.4. The provisions of Section Sch. 7.4 do not limit the right of a Provincial Government or Local-level Government to apply any revenues raised by the Provincial Government or the Local-level Government to the cost of their staffing.

**Sch.7.5. Derivation Grant.****7.5.1. In Section Sch. 7.5:—**

“export value”, in relation to a primary product, means, subject to Section Sch. 7.5.2, the FOB value at the port or airport of export;

“port or airport of export”, in relation to any primary product, means the port or airport at which the primary product is entered for export;

“primary product”, includes timber, fish, agricultural products, but does not include:—

- (a) any product more than 40% of the components of which are imported; or
- (b) any product the province of origin of which cannot be determined, except where the product is processed and a value-added component due to processing can be attributed to a particular province;

“processing”, in relation to any primary product, includes any package, or submission to any process of manufacture, by which the export value of the primary product is increased;

**A proposed Law to Alter the Organic Law on Provincial Governments and Local-Level Governments—continued**

“province of production” means the province in which the primary product was produced.

- 7.5.2. Where for the purposes of the calculation of the amount of tax payable under any Act of the Parliament an export value is attributed to or determined for any primary products, the value so attributed (or if there is more than one such value, the higher or highest of them) shall be deemed to be the export value of the primary products for the purposes of this Schedule.
- 7.5.3. The National Government shall pay to each Provincial Government a derivation grant.
- 7.5.4. The derivation grant is calculated at the rate of 0.75% of the export value of the primary products produced or processed in the province, other than primary products in respect of which the province receives a royalty.
- 7.5.5. In case of goods exported from Papua New Guinea without processing in any province of production, the export value of the goods shall be attributed to the province of production.
- 7.5.6. In the case of any goods exported from Papua New Guinea that have been processed, before export, in a province other than the province of production, the export value of the goods shall be apportioned between the province of production and the province in which the processing took place, in accordance with the amounts or proportions of that value that are attributed to the unprocessed goods and to the processing, respectively.
- 7.5.7. For the purpose of the application of Section Sch. 7.5.6 to goods that are processed more than once, the reference in that Section to the amount or proportion of the export value that is attributable to the processing shall be read as a reference to the amount or proportion of that value that is attributable to any re-processing, and the balance of the value shall be apportioned as if:—
- (a) the goods were exported immediately before the re-processing; and
  - (b) that balance was the export value of the goods.
- 7.5.8. Where the origins or value of goods, including fish, cannot be identified or where the goods were taken or processed, the National Economic and Fiscal Commission shall, for the purposes of this Schedule, apportion the export value of the goods in such reasonable manner as seems to it just and in accordance with the purposes of this Schedule.
- 7.5.9. A Provincial Government shall use the derivation grant only for:—
- (a) promoting the production of primary products for export and for secondary processing and export; and
  - (b) rehabilitating the infrastructure necessary to enable the producers of primary products, whether processed or not, to convey their products to a port or airport or other market place.

**Sch.7.6. Other Economic Grants.**

- 7.6.1. The National Government shall make available to Provincial Governments and Local-level Governments such other economic grants as are specified in any other law or agreement.

**Sch.7.7. Rural Local-level Government Grant.**

- 7.7.1. The National Government shall pay to each Local-level Government (other than urban Local-level Governments) a rural Local-level Government grant in accordance with this section.
- 7.7.2. The minimum amount of rural Local-level Government grant for each province to be available for distribution in accordance with Section Sch. 7.7.3 shall be calculated in accordance with the formula:—
- (a) K3.00 per head of the rural population of the province (being population of the province according to the most recent national census, less the population of the urban areas in the province according to the most recent national census); plus
  - (b) K2.00 per square kilometer of the certified land mass of the province.
- 7.7.3. The rural Local-level Government grant for a province shall be apportioned between the Local-level Governments (other than urban Local-level Governments) in the province in accordance with the population of the Local-level Government areas.

**A proposed Law to Alter the Organic Law on Provincial Governments and Local-Level Governments—continued**

7.7.4. The amount apportioned for a Local-level Government in accordance with Section Sch. 7.7.3 shall be paid directly to the Local-level Government through the Provincial and District Treasury.

7.7.5. A Local-level Government in receipt of an amount of rural Local-level Government grant under this section shall:—

- (a) use the grant to fund the functions which are the responsibility of that Local-level Government; and
- (b) not use the grant towards the payment of salaries, fees or allowances unless the National Government gives specific authorization.

**Sch.7.8. Town Services Grant.**

7.8.1. The National Government shall pay to each urban Local-level Government a town services grant in accordance with this section.

7.8.2. The minimum amount of town services grant for each province to be available for distribution in accordance with Section Sch. 7.8.3 shall be calculated at the rate of K9.00 per head of urban population (being the population according to the most recent national census of townships in the Province declared prior to the coming into operation of this provision, under any Act of the National Parliament relating to the declaration of town boundaries and townships).

7.8.3. The town services grant for each province shall be apportioned between the urban Local-level Governments in the province in accordance with the population of each urban area.

7.8.4. The amount apportioned for an urban Local-level Government in accordance with Section Sch. 7.8.3 shall be paid directly to that Local-level Government through the Provincial and District Treasury.

7.8.5. An urban Local-level Government in receipt of an amount of town services grant under this section shall use the grant only to fund the functions for which it is responsible.

**Sch.7.9. Less-developed District Grant.**

7.9.1. The National Government may make a less-developed district grant to a Provincial Government in accordance with this section.

7.9.2. Where the National Executive Council determines that:—

- (a) a district within a province is a less-developed district; and
  - (b) the Provincial Government of that province lacks the fiscal capacity to address underdevelopment in that district through the use of its own resources,
- it may direct the making of a less-developed district grant to that province.

7.9.3. Before making a determination under Section Sch. 7.9.2 the National Executive Council shall consider a report from the National Economic and Fiscal Commission:—

- (a) as to which districts are considered as less-developed; and
- (b) as to the amount of internal revenue likely to be received by the Provincial Government in the fiscal year.

7.9.4. The total amount available to a Provincial Government as less-developed district grant shall be divided equally among the less-developed districts in respect of which the grant is made.

7.9.5. Subject to Section Sch. 7.9.4 a Provincial Government in receipt of a less developed district grant shall obtain the approval of the Departmental Head of the Department responsible for national planning and monitoring matters, in consultation with the Departmental Head of the Department responsible for treasury matters, to all projects for the expenditure of the grant, before implementation of such projects.

**Sch.7.10. District Development Grant.**

7.10.1. The National Government shall make a district development grant in respect of each district in accordance with this section.

**A proposed Law to Alter the Organic Law on Provincial Governments and Local-Level Governments—continued**

7.10.2. The amount of the district development grant shall be K500,000.00 per district.

7.10.3. The district development grant shall be allocated as follows:—

- (a) one half shall be for projects selected by the Joint District Planning and Budget Priorities Committee from among projects in the approved District Plan;
- (b) one half shall be made to the Member representing the open electorate, to be used in accordance with the District Development Grant Guidelines issued under Section Sch. 7.10.6.

7.10.4. The National Government shall, within the first month of each quarter, make a payment of all monies due for that quarter for the purposes of the district development grant:—

- (a) as specified in Section Sch. 7.10.3(a)-to the Joint District Planning and Budget Priorities Committee; and
- (b) as specified in Section Sch. 7.10.3(b)-to the Member of the National Parliament representing the open electorate.

7.10.5. The monies referred to in:—

- (a) Section Sch. 7.10.4(a)-shall be paid to the Provincial and District Treasury and by the Provincial and District Treasury to the Joint District Planning and Budget Priorities Committee; and
- (b) Section Sch. 7.10.4(b)-shall be paid as prescribed.

7.10.6. The National Executive Council shall issue District Development Grant Guidelines relating to the district development grant specifying:—

- (a) the purposes for which the portion of it allocated under Section Sch. 7.10.3(b) may be used; and
- (b) the manner in which it shall be disbursed and accounted for; and
- (c) other administrative arrangements pertaining to it.

**Sch.7.11. Provincial Development Grant.**

7.11.1. The National Government shall make a provincial development grant in respect of each provincial electorate in accordance with this section.

7.11.2. The amount of the provincial development grant shall be K500,000.00 per Province.

7.11.3. The provincial development grant shall be allocated as follows:—

- (a) one half shall be for projects selected by the Joint Provincial Planning and Budget Priorities Committee from among projects in the approved Provincial Plan; and
- (b) one half shall be made to the Member representing the provincial electorate, to be used in accordance with the Provincial Development Grant Guidelines to be issued under Section Sch. 7.11.6.

7.11.4. The National Government shall, within the first month of each quarter, make a payment of all monies due for that quarter for the purposes of the provincial development grant:—

- (a) as specified in Section Sch. 7.11.3(a)-to the Joint Provincial Planning and Budget Priorities Committee; and
- (b) as specified in Section Sch. 7.11.3(b)-to the Member of the National Parliament representing the provincial electorate.

7.11.5. The monies referred to in:—

- (a) Section Sch. 7.11.4(a)-shall be paid to the Provincial and District Treasury and by the Provincial and District Treasury to the Joint Provincial Planning and Budget Priorities Committee; and
- (b) Section Sch. 7.10.4(b)-shall be paid as prescribed.

7.11.6. The National Executive Council shall issue Provincial Development Grant Guidelines relating to the provincial development grant specifying:—

- (a) the purposes for which the portion of it allocated under Section Sch. 7.11.3(b)-may be used; and
- (b) the manner in which it shall be disbursed and accounted for; and
- (c) other administrative arrangements pertaining to it.”.

*Life Insurance Act 2000***MARSH (PNG) LIMITED — LIFE INSURANCE BROKER LICENCE**

THE Bank of Papua New Guinea (the “*Bank*”), acting under Sections 12 and 13 of the *Life Insurance Act 2000* (the “*Act*”) and all other powers enabling it, being satisfied that the person specified in Schedule 1 (the “*life insurance broker*”):—

- (a) meets the fit and proper criteria set out in Schedule 2 of the Act; and
- (b) maintains professional indemnity and other insurances to an adequate level; and
- (c) maintains trust account for the receipt and payment of client’s moneys;

and that the life insurance broker’s officers meet the fit and proper criteria set out in Schedule 2 of the Act, grant a licence to the life insurance broker subject to the conditions set out in Schedule 2 of this licence.

**SCHEDULE 1**

Marsh (PNG) Limited

**SCHEDULE 2**

1. The licence holder must not carry on any aspect of a life insurance business other than as a life insurance broker.
2. The licence holder must:—
  - (a) at all times conduct its business in a prudent manner and with integrity and the professional skills appropriate to the nature and scale of, and the risks inherent in, its activities.
  - (b) at all times maintain adequate liquidity, having regard to the relationship between its actual and contingent liabilities, to the times at which those liabilities will or may fall due and its assets mature and to other relevant factors;
  - (c) at all times make adequate provision for depreciation or diminution in the value of its assets (including provision for bad or doubtful debts), for liabilities which will or may fall due to be discharged by it and for losses which it will or may incur;
  - (d) take appropriate steps to limit the risk of loss of its assets;
  - (e) at all times maintain adequate accounting and other records of its business and adequate systems of control of its business and records, sufficient to enable its business to be prudently managed and it to comply with the duties imposed on it by or under the Act;
  - (f) comply with all relevant financial requirements under the Act, including requirements as to the payment of fees or other similar requirements;
  - (g) ensure that a person:—
    - (i) who is appointed to become a director or a secretary or auditor of the licence holder must fulfil Schedule 2 of the Act; and any relevant prudential standards; and
    - (ii) is not appointed to a particular office or position with the licence holder, and does not continue to hold a particular office or position with the licence holder, if the Central Bank has notified the licence holder in writing that the person is not a fit and proper person to hold that office or position. For this purpose, the Central Bank may notify a class of offices or positions. In this condition, “office or position” includes the office or position of director of the licence holder;
  - (h) not engage:—
    - (i) an auditor; or
    - (ii) other service providers where the services provided have or may have a material effect on the licence holder’s operation as a life insurance broker;

unless the engagement is approved by the Central Bank, or is within a class approved by the Central Bank.
3. The licence holder must not appoint or continue the appointment of a life insurance agent unless it is satisfied that the life insurance agent meets the fit and proper person criteria set out in Schedule 2 of the Act and has the necessary skill, experience, expertise and resources to provide the relevant core services.

**March (PNG) Limited — Life Insurance Broker Licence—continued**

4. The licence holder must become a member of the existing Joint Management Committee or life insurance industry body acceptable to the Central Bank.
5. The licence holder must conduct all life insurance brokerage business with a life insurance company licensed under the Act.

Dated this 8th day of July, 2005.

L.W. KAMIT, CBE.,  
Governor.

**CONSTITUTION**

*Organic Law on National and Local-level Government Elections*

**NOTICE OF PROPOSED REDISTRIBUTION**

THE BOUNDARIES COMMISSION, by virtue of the powers conferred by Section 37 of the *Organic Law on National and Local-level Government Elections*, and all other powers it enabling, give notice that:—

- (a) it intends to redetermine the boundaries of the following open electorates specified in Column 2 of the Schedule below in the manner specified in Column 3:—

**SCHEDULE**

Nos.	Provinces	Open Electorates Affected	Proposed Changes
1.	Bougainville	Central Bougainville Open North Bougainville Open South Bougainville Open	Renaming of electorate Renaming of electorate Renaming of electorate Creation of New Open Electorate
2.	Central	Kairuku-Hiri Open	Creation of New Open Electorate
3.	Chimbu	—	No changes to existing electorates
4.	East New Britain	Gazelle Open Kokopo Open	Creation of New Open Electorate —
5.	East Sepik	Angoram Wosera-Gaui Open Yangoru-Saussia Open	— Creation of New Open Electorates —
6.	Eastern Highlands	Obura-Wonenara Open Kainantu Open	Creation of New Open Electorates —
7.	Enga	Lagaip-Pogera Open	Creation of New Open Electorates
8.	Gulf	—	No changes to existing electorates
9.	Madang	Samkar Open Middle Ramu Open Madang Open	— Creation of New Open Electorates —
10.	Manus	—	No changes to existing electorates
11.	Milne Bay	Kiriwina-Goodenough Open Samarai-Murua Open Alotau Open	Creation of New Open Electorates — —
12.	Morobe	Bulolo Open Huon Gulf Open Kabwum Open Menyamyia Open	— — Creation of New Open Electorates —
13.	National Capital	Moresby North East Open Moresby North West Open Moresby South Open	— Creation of New Open Electorates —
14.	New Ireland	Kavieng Open Namatanai Open	Creation of New Open Electorates —
15.	New Ireland	Ijivitari Open Sohe Open	Creation of New Open Electorates —
16.	Southern Highlands	Ialibu-Pangia Open Imbonggu Open Kagua-Erave Open Komo-Margarima Open Koroba-Lake Kopiago Open Mendi Open Nipa-Kutubu Open Tari Open	— — — Creation of New Open Electorates — — — —
17.	West New Britain	Kandrian-Gloucester Open Talasea Open	Creation of New Open electorates —
18.	West Sepik	Aitape-Lumi Open Nuku Open Telefomin Open	— Creation of New Open electorates —
19.	Western	—	No changes to existing electorates





**Notice of Proposed Redistribution—continued****Schedule—continued**

Nos.	Column 1 Provinces	Column 2 Locations	Column 3 Dates and Times
	Madang Province	Electoral Office, Madang Town	Thursday, 29th September, 2005; 10:00 a.m.—2.00 p.m.
	Southern Highlands Province	Electoral Office, Mendi Town	Friday, 30th September, 2005; 10:00 a.m.—2.00 p.m.
	Enga Province	Electoral Office, Wabag Town	Saturday, 1st October, 2005; 10:00 a.m.—2.00 p.m.
	Western Highlands Province	Electoral Office, Mt Hagen City	Monday, 3rd October, 2005; 10:00 a.m.—2.00 p.m.
	Eastern Highlands Province	Electoral Office, Goroka Town	Tuesday, 4th October, 2005; 10:00 a.m.—2.00 p.m.
	Morobe Province	Electoral Office, Lae City	Wednesday, 5th October, 2005; 10:00 a.m.—2.00 p.m.
	West New Britain Province	Electoral Office, Kimbe Town	Thursday, 6th October, 2005; 10:00 a.m.—2.00 p.m.
	East New Britain Province	Electoral Office, Kokopo Town	Friday, 7th October, 2005; 10:00 a.m.—2.00 p.m.
	New Ireland Province	Electoral Office, Kavieng Town	Saturday, 8th October, 2005; 10:00 a.m.—2.00 p.m.
	Bougainville Province	Electoral Office, Buka Town	Monday, 10th October, 2005; 10:00 a.m.—2.00 p.m.
	Northern Province	Electoral Office, Popondetta Town	Tuesday, 11th October, 2005; 10:00 a.m.—2.00 p.m.
	Milne Bay Province	Electoral Office, Alotau Town	Wednesday, 12th October, 2005; 10:00 a.m.—2.00 p.m.
	Central Province	Electoral Office, Konedobu Town	Thursday, 13th October, 2005; 10:00 a.m.—2.00 p.m.
	National Capital District	Motu-Koitabu Council Chambers	Friday, 14th October, 2005; 10:00 a.m.—2.00 p.m.

Any of the following persons are invited to attend the Public Inquiries and make representations or objections on the proposed redistributions:—

Members of Parliament affected;  
Members of Provincial and Local-level Governments affected;  
Officers of the National Public Service affected; and  
Cultural or Land Groups affected.

Written submissions may be submitted, to reach the Boundaries Commission before the date of inquiry as specified. Such written submissions are to be sent to:

The Chairman,  
Boundaries Commission of Papua New Guinea,  
c/- Papua New Guinea Electoral Commission,  
P.O. Box 5348,  
Boroko,  
National Capital District.

Dated this 28th day of July, 2005.

A.S. TRAWEN, MBE.,  
Chairman,  
Boundaries Commission.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR  
RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 11264

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Uhoganai Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) Its members are from Ganai Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Cloudy Bay Local Level Government Area, Central Province.

Dated this 21st day of July, 2005.

M. TOLA,  
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR  
RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 11263

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Pakik Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) Its members are from Tari (Morobe) Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Umi Atzera Local Level Government Area, Morobe Province.

Dated this 21st day of July, 2005.

M. TOLA,  
A Delegate of the Registrar of Incorporated Land Groups.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR  
RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 11050

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Kipa Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) Its members are from Iokea Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Moripi Local Level Government Area, Gulf Province.

Dated this 16th day of May, 2005.

M. TOLA,  
A Delegate of the Registrar of Incorporated Land Groups.

*Companies Act 1997*  
Company Number 1-42343**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Michael Septimas of P.O. Box 260, Popondetta, Oro Province give notice that I intend to apply to the Registrar of Companies to reinstate Onsen Contractors Ltd, a company that was removed from the Register of registered companies on the 31st March, 2005, and give notice that my grounds of application will be that:—

1. I have a proprietary interest in the restoration and continuation of the company as a going concern and therefore I am an aggrieved person within the meaning of Section 378(2)(a) & (b) of the *Companies Act 1997*; and
2. The company has assets and was/is still carrying on business at the time of its de-registration; and
3. The company should not have been removed from the Register.

Dated this 1st day of July, 2005.

M. SEPTIMAS,  
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 12th day of July, 2005.

T. GOLEDU,  
Registrar of Companies.

*Note:—*A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the *Companies Act 1997*.

*Land Groups Incorporation Act (Chapter 147)***NOTICE OF LODGEMENT OF AN APPLICATION FOR  
RECOGNITION AS AN INCORPORATED LAND GROUP**

ILG No. 11213

PURSUANT to Section 33 of the *Land Groups Incorporation Act*, notice is hereby given that I have received an application of a customary group of persons as an incorporated land group to be known by the name of:—

Okaudi Land Group Inc.

The said group claims the following qualifications for recognition as an incorporated land group:—

- (1) Its members are from Ianu Village.
- (2) Its members regard themselves and are regarded by other members of the said clan as bound by the common customs and beliefs.
- (3) It owns customary land in Cloudy Bay Local Level Government Area, Central Province.

Dated this 1st day of July, 2005.

M. TOLA,  
A Delegate of the Registrar of Incorporated Land Groups.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF SUB-LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of Sub-Lease No. 38066 over State Lease referred to in the Schedule below under Section 162 of *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

**SCHEDULE**

Certificate of Title Volume 91, Folio 61 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 3, Section 12, Kagamuga, WHP containing an area of 0.251 hectares more or less the registered proprietor of which is Kagamuga Natural Products Company Pty Ltd.

Dated this 6th day of June, 2005.

M. TOLA,  
Deputy Registrar of Titles.

*Companies Act 1997*  
Company Number 1-45523

**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Justine Mavike of P.O. Box 1348, Boroko, NCD give notice that I intend to apply to the Registrar of Companies to reinstate Liberty Enterprise Ltd, a company that was removed from the Register of registered companies on the 31st March, 2005, and give notice that my grounds of application will be that:—

1. I Justine Mavike was a Director/Shareholder at the time of the removal of the company from the register; and
2. The company is still carrying on business at the time of the removal of the company from the register; and
3. The company should not have been removed from the Register.

Dated this 20th day of July, 2005.

J. MAVIKE,  
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 27th day of July, 2005.

T. GOLEDU,  
Registrar of Companies.

*Note:—A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the Companies Act 1997.*

*Companies Act 1997*  
Company Number 1-44903

**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Nivi Wauta of P.O. Box 230, Port Moreby, NCD give notice that I intend to apply to the Registrar of Companies to reinstate Lewana One Enterprise Limited, a company that was removed from the Register of registered companies on the 31st March, 2005, and give notice that my grounds of application will be that:—

1. I the Director Nivi Wauta; and
2. The company is still carrying on business; and
3. The company should not have been removed from the Register.

Dated this 11th day of May, 2005.

N. WAUTA,  
Signature of person giving this Notice.

**Notice of Intention to Reinstate a Company removed from the  
Register of Registered Companies—continued**

This Notice has been approved by the Registrar of Companies.

Dated this 18th day of May, 2005.

T. GOLEDU,  
Registrar of Companies.

*Note:—A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the Companies Act 1997.*

*Companies Act 1997*  
Company Number 147709

**NOTICE OF INTENTION TO REINSTATE A COMPANY  
REMOVED FROM THE REGISTER OF REGISTERED  
COMPANIES**

I, Rodnen Aigal of P.O. Box 562, Lae 411, Morobe Province give notice that I intend to apply to the Registrar of Companies to reinstate Tongvetas Investment Limited, a company that was removed from the Register of registered companies on the 31st March, 2005, and give notice that my grounds of application will be that:—

1. I was a Director at the time of the removal of the company from the Register; and
2. The company was still carrying on business at the time of its removal from the Register; and
3. The company should not have been removed from the Register.

Dated this 8th day of June, 2005.

R. AIGAL,  
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 16th day of June, 2005.

T. GOLEDU,  
Registrar of Companies.

*Note:—A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the Companies Act 1997.*