



National Gazette

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THE PAPUA NEW GUINEA NATIONAL GAZETTE

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National Gazette	Papua New		
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All notices for whatever source, must have a covering instruction setting out the publication details required.

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The notice should be typewritten (double-spaced) and one side of the paper only. Signatures in particular, and proper names must be shown clearly in the text.

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Departments authorising the publication of Special Gazettes are required to pay all printing charges under the instructions from the Manual of Financial Procedures Section 13.3 Sub-section 11.

K. KALAH,
Government Printer.

*Stamp Duties Act (Chapter 117)***DECLARATION OF INSTRUMENTALITY OF THE GOVERNMENT**

I, Bart Philemon, MP and Minister for Finance and Treasury, by virtue of the powers conferred by Section 6(c) of the *Stamp Duties Act* (Chapter 117), and all other powers me enabling, hereby declare Eda Oil Limited to be an instrumentality of the Government for the purposes of the *Stamp Duties Act* (Chapter 117) in respect of an acquisition of equity interest of 20.5% in the Moran Project to be held in trust on behalf of and for, the benefit of the State as a subsidiary to Mineral Resources Development Corporation Limited.

Dated this 29th day of October, 2004.

B. PHILEMON,
Minister for Finance & Treasury.

*Price Regulation Act (Chapter 320)***PUBLIC MOTOR VEHICLE (MOTOR OMNIBUS) FARES**

I, Thomas Abe, Acting Commissioner of ICCC, by virtue of the powers conferred under Section 21 of the *Price Regulation Act* (Chapter 320), hereby fix the maximum PMV fares for the National Capital District as shown in the Schedule to come into effect on Monday 31st January, 2005.

SCHEDULE**MAXIMUM PMV FARES—NATIONAL CAPITAL DISTRICT**

Category of Passenger	Old PMV Fare in toea	New PMV Fare in toea
Adults	0.50	0.70
Students (High Schools)	0.30	0.30
Students (Community Schools)	0.20	0.20

The effect of this Prices Order is to increase adult fares by 20 toea while, student fare for High School and Community Schools remain at 30 toea and 20 toea respectively. This is an interim fare adjustment and will be subject to review when the Commission undertakes a full review of the industry.

Dated this 27th day of January, 2005.

T. ABE,
Acting Commissioner, Independent Consumer & Competition Commission.

Life Insurance Act 2000**REVOCATION OF LICENCE**

THE Bank of Papua New Guinea acting under Section 25 of the *Life Insurance Act 2000* (the “Act”) and all other powers enabling it, confirms that the licence issued to Kanda International Insurance Brokers & Risk Consultants Ltd as a licensed life insurance broker is revoked with effect from 1st January, 2005.

Dated this 14th day of January, 2005.

L. W. KAMIT, CBE.,
Governor, Bank of Papua New Guinea.

Superannuation (General Provisions) Act 2000**ANZ Investments (PNG) Limited—Investment Manager****SURRENDER OF LICENCE**

THE Bank of Papua New Guinea (the “Bank”), acting under Section 21 of the *Superannuation (General Provisions) Act 2000* (the “Act”) and all other powers enabling it, confirms that the licence issued to ANZ Investments (PNG) Limited as an investment manager is surrendered with effect from 1st January, 2005.

Dated this 1st day of January, 2005.

L. W. KAMIT, CBE.,
Governor, Bank of Papua New Guinea.

Life Insurance Act 2000**PACIFIC MMI INSURANCE LIMITED—LICENCE**

THE Bank of Papua New Guinea (the “Central Bank”), acting under Sections 12 and 16 of the *Life Insurance Act 2000* (the “Act”) and all other powers enabling it, being satisfied that the person specified in Schedule 1 (the “licence holder”) —

- (a) meets the fit and proper criteria set out in Schedule 2 to the Act; and
- (b) can be relied on to perform, in a fit and proper manner, the duties relevant to this licence; and
- (c) satisfied the financial requirements set out in Schedule 3 to the Act; and
- (d) has appointed or on the granting of this licence will appoint the appropriate life insurance agents, and that the licence holder’s officers meet the fit and proper criteria set out in Schedule 2 to the Act, grant a licence to the licence holder subject to the conditions set out in Schedule 2 of this licence.

SCHEDULE 1**PACIFIC MMI INSURANCE LIMITED**SCHEDULE 2

1. The Licence holder’s capital resources must at all times be satisfactory to the Central Bank.
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; and
 - (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; and
 - (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 to be discharged by it and for losses which it will or may incur; and
 - (d) take appropriate steps to limit the risk of loss of its assets; and

Pacific MMI Insurance Limited—Licence—continued**Schedule 2—continued**

- (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 to enable it to comply with the duties imposed on it by or under the Act; and
 - (f) comply with all relevant financial requirements under the Act, including requirements as to the payment of fees, minimum capitalization requirements and other similar requirements; and
 - (g) ensure that a person:
 - (i) who is appointed to become a director or a secretary or actuary 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; and
 - (h) not engage:
 - (i) an actuary or an auditor (for itself); or
 - (ii) another service provider (for itself) where the services provided have or may have a material effect on the licence holder’s operation as a life insurance company; 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.
 4. The licence holder must ensure that its constitution is consistent with the Act within six months from the date of issue of this licence and thereafter the licence holder must not amend or modify the constitution without the prior written approval of the Central Bank.
 5. The licence holder together with its appointed actuary must within 6 months from the date of issue of this licence set up a statutory fund to conduct all life insurance businesses.
 6. The licence holder must become a member of the existing Joint Management Committee set up under the Act or a life insurance industry body acceptable to the Central Bank.
 7. All transactions between the licence holder and its related parties must be on arms length basis.
 8. The licence holder must ensure that there is a proper complaints handling mechanism in place to handle policyholders concerns.
 9. The licence holder must undertake an audited demarcation of assets between life insurance and its other businesses within 6 months from the date of issue of this licence.
 10. The licence holder must submit all outstanding information which were not submitted at the time of application within 3 months from the date of issue of this licence.

Dated this 7th day of January, 2005.

L. W. KAMIT, CBE.,
Governor, Bank of Papua New Guinea.

CORRIGENDUM

THE general public is hereby advised that under the heading of the Successful Applicants of Land Leased of Papua New Guinea Land Board Meeting No. 6/2004, Item 42 was wrongly gazetted, the Item shall be withdrawn pending an appeal.

Dated at City of Port Moresby this 17th day of January, 2005.

J. USAPUNA,
Executive Officer, PNG Land Board.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF STATE 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 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

State Lease Volume 111, Folio 107 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 76, Section 193, Hohola, National Capital District containing an area of 00450 hectares more or less the registered proprietor of which is National Housing Corporation.

Dated this 6th day of November, 2004.

M. TOLA,
Deputy Registrar of Titles.

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

ILG No. 10678

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:—

Poba'bala Land Group Inc.

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

- (1) Its members are from Apanaipi 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 Bereina Local Level Government Area, Central Province.

Dated this 17th day of January, 2005.

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

*Land Act No. 45 of 1996***FORFEITURE OF STATE LEASE**

I, Pepi S. Kimas, delegate of the Minister for Lands and Physical Planning, by virtue of the powers conferred by Section 122(1) of the *Land Act 1996* and all other powers me enabling, hereby forfeit the lease specified in the Schedule hereunder on the grounds that:—

- (1) the improvement covenant and/or conditions stipulated in the lease agreement have not been fulfilled; and
- (2) the land lease rent remains due and unpaid for a period of more than six (6) months.

SCHEDULE

All that piece or parcel of land known as Allotment 24, Section 418, Hohola, National Capital District, being the whole of the land more particularly described in State Lease Volume 77, Folio 180. Department of Lands and Physical Planning File Reference: DC/418/024.

Dated this 19th day of November, 2004.

P. S. KIMAS,
Delegate of the Minister for Lands and Physical Planning.

In the National Court of Justice at Waigani Papua New Guinea

MP No. 476 Of 2004

In the matter of the *Companies Act 1997*
and

In the matter of Tiyofi Investment Limited (1-23790)

PETITION

THE Humble Petition of Rogers & Anderson International Pty Ltd whose registered office is Newstead Commercial Village Unit 3B, 76 Doggett Street, Newstead, Queensland 4006, Australia, Showeth as follows:—

1. Tiyofi Investments Limited (In this Petition called "the Company") was in/before 2000 incorporated under the *Companies Act 1997*.
2. The registered office of the Company is Kainantu Shell Services Station, Section 9, Allotment 3, Kainantu Town, Eastern Highlands Province.
3. The Company is indebted to the Petitioner for the amount of AU\$63,004.08 Australian Dollars being the amount due by the Company to the Petitioner for Judgment Debt in Waigani National Court registered proceedings WS No. 772 of 2002 and for AU\$10,080.66 being interest on the judgment debt as at 27 September, 2004 which accrues daily at the amount of AU\$13.81.
4. On the 4th October, 2004 the Petitioner caused to be personally served on the Company's registered offices, at Section 9, Allotment 3, Kainantu, Eastern Highlands Province, a Creditors Statutory Demand for Payment of Debt dated 22nd September, 2004 signed by the Petitioner's Peter Anderson requiring the Company to pay the sum referred to in the preceding paragraph.
5. The Company has failed for a period of one (1) month after service of the Creditor's Statutory Demand referred to in the preceding paragraph, to pay the said sum or to secure or compound it to the reasonable satisfaction of the Petitioner.
6. The Company is unable to pay its debts.

YOUR PETITIONER THEREFORE HUMBLY PRAYS:—

1. That Tiyofi Investments Limited be wound-up by the Court under the provisions of the *Companies Act*,
2. That Andrew Crompton of Deloitte Touche Tohmatsu be appointed Liquidator for the purposes of the winding-up;
3. That the Bank in which the Liquidator is to open a Trust Account be Bank of South Pacific Limited, Commercial Centre, Gordons Branch;
4. That the Liquidator pay the Petitioner's costs of and incidental to this petition to be taxed on a common funds basis;
5. That leave be given to abridge time for entry of this Order to the time of settlement the Registrar which shall take place forthwith.

Note: It is intended to serve this Petition on Tiyofi Investments Limited.

To the Company:

If there is no attendance before the Court by you or by your counsel or solicitor at the time and place specified below, the proceedings may be heard and you will be able to suffer judgement or an order against you in your absence.

Time: 9.30 a.m.

Place: National Court, Independent Drive, Waigani, National Capital District

Lawyers: Young & Williams Lawyers, Ground Floor, Investwell Building, Allotment 30, Section 38 (Off Cameron Road), Gordons, Port Moresby, National Capital District. Telephone: 311 2311 Facsimile: 311 2322 Email: maladinas@datec.com.pg

Petitioner's Address for Service: As above

Address of Registry: National Court, Independent Drive, Waigani, National Capital District.

Dated this 25th day of November, 2004.

G. J. SHEPPARD,
by his employed lawyer.
F. GRIFFIN of Young & Williams.
Lawyers for the Petitioner.

In the National Court of Justice at Waigani Papua New Guinea

MP No. 506 Of 2004

In the matter of the *Companies Act* 1997
and
In the matter of Siwi Shipping Services Limited

ADVERTISEMENT OF PETITION

NOTICE is given that a petition for the winding-up of the abovenamed Company by the National Court was, on the 15th day of December, 2004, presented by Mobil Oil New Guinea Limited, a company duly incorporated pursuant to the *Companies Act* and that the petition is directed to be heard before the Court sitting at Waigani at 9.30 a.m. on the 16th day of February, 2005 and any creditor or contributory of the Company desiring to support or oppose the making of an order on the petition may appear at the time of hearing by himself or his lawyer for that purpose; and a copy of the petition will be furnished to any creditor or contributory of the Company requiring it by the undersigned on payment of the prescribed charge.

The Petitioner's address for service is care of Blake Dawson Waldron Lawyers, 4th Floor, Mogoru Moto Building, Champion Parade, P.O. Box 850, Port Moresby, National Capital District.

D. R. HARTSHORN,
by his employed lawyer J. R. KASOU.
Lawyer for the Petitioner.

Note:—Any person who intends to appear on the hearing of the petition must serve on or send by post to the abovementioned notice in writing of his intention to do so. The notice must state the name and address of the person, or if a firm, the name and address of the firm, and must be signed by the person or firm or his or its lawyer (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the abovenamed, not later than 4.00 p.m. on the 15th February, 2005.

In the National Court of Justice at Waigani Papua New Guinea

MP No. 507 Of 2004

In the matter of the *Companies Act* 1997
and
In the matter of Finall Holdings Limited

ADVERTISEMENT OF PETITION

NOTICE is given that a petition for the winding-up of the abovenamed Company by the National Court was, on the 15th day of December, 2004, presented by Toyota Tsusho (PNG) Ltd trading as Ela Motors, a company duly incorporated pursuant to the *Companies Act* and that the petition is directed to be heard before the Court sitting at Waigani at 9.30 a.m. on the 16th day of February, 2005 and any creditor or contributory of the Company desiring to support or oppose the making of an order on the petition may appear at the time of hearing by himself or his lawyer for that purpose; and a copy of the petition will be furnished to any creditor or contributory of the Company requiring it by the undersigned on payment of the prescribed charge.

The Petitioner's address for service is care of Blake Dawson Waldron Lawyers, 4th Floor, Mogoru Moto Building, Champion Parade, P.O. Box 850, Port Moresby, National Capital District.

D. R. HARTSHORN,
by his employed lawyer J. R. KASOU.
Lawyer for the Petitioner.

Note:—Any person who intends to appear on the hearing of the petition must serve on or send by post to the abovementioned notice in writing of his intention to do so. The notice must state the name and address of the person, or if a firm, the name and address of the firm, and must be signed by the person or firm or his or its lawyer (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than 4.00 p.m. on 15th February, 2005.

Fisheries Management Act 1998

REVOCATION AND APPOINTMENT OF PROVINCIAL FISHERY OFFICERS

I, Sylvester B. Pokajam, Acting Managing Director of the National Fisheries Authority, by virtue of the powers conferred upon me under Section 48(1)(b) of the *Fisheries Management Act* 1998, hereby revoke all previous appointments of Provincial Fishery Officers and appoint the following Provincial Fishery Officers for the purpose of fisheries enforcement under the said Act in relation to their respective provinces:

Names of Officers	Provincial Delegate
Kolonia Odori	Western Province
Stanley Jogo	Western Province
Geowa Tamala	Gulf Province
Enoch Pabon	Gulf Province
Pepena Gamini	Central Province
Iga Peni	Central Province
Steven Klembassa	Milne Bay Province
Jane Bagita	Milne Bay Province
Paul Anayabere	Oro Province
Mena Dukunara	Oro Province
Paul Mangeu	Morobe Province
Ralph Ryan	Morobe Province
Terry Sibangane	Madang Province
Thomas Amepou	Madang Province
Stanley Abola	East Sepik Province
Richard Maik	East Sepik Province
Cassian Saroya	Sandaun Province
Sylvester Mala	Sandaun Province
Stephen Nakilai	Manus Province
Kanawi Pomat	Manus Province
Satarek Tapurt	New Ireland Province
Venantius Kabuak	New Ireland Province
Dickson Kondaul	East New Britain Province
Clement Kembu	East New Britain Province
Issac Ave Mesulam	West New Britain Province
Noah Taia	West New Britain Province
Kevin Anana	Bougainville
Ginro Boisen	Bougainville

The revocation and appointments of the Fishery Officers will be effective from the date of publication of this instrument in the *National Gazette*.

Dated this 13th day of December, 2004.

S. B. POKAJAM,
Acting Managing Director.

Workers' Compensation Act 1978
(Consolidated To No. 11 of 1990)

APPOINTMENT OF ACTING COMMISSIONER

I, Honourable Roy Biyama, MP., Minister for Labour and Industrial Relations, by virtue of the powers conferred by Section 3(3) of the *Workers' Compensation Act* 1978 (Consolidated To No. 11 of 1990), ("the Act") and all other powers me enabling, hereby appoint David Haro, as Acting Commissioner of the Workers' Compensation for a period commencing on and from 17th December, 2004 to and including 27th January, 2005.

Dated this 16th day of December, 2004.

R. BIYAMA, MP.,
Minister for Labour and Industrial Relations.

In the National Court of Justice at Waigani Papua New Guinea

MP No. 508 Of 2004

In the matter of the *Companies Act 1997*
and

In the matter of Kana Kungit Joint Venture Limited

ADVERTISEMENT OF PETITION

NOTICE is given that a petition for the winding-up of the abovenamed Company by the National Court was, on the 15th day of December, 2004, presented by Toyota Tsusho (PNG) Ltd as Ela Motors, a company duly incorporated pursuant to the *Companies Act* and that the petition is directed to be heard before the Court sitting at Waigani at 9.30 a.m. on the 16th day of February, 2005 and any creditor or contributory of the Company desiring to support or oppose the making of an order on the petition may appear at the time of hearing by himself or his lawyer for that purpose; and a copy of the petition will be furnished to any creditor or contributory to the Company requiring it by the undersigned on payment of the prescribed charge.

The Petitioner's address for service is care of Blake Dawson Waldron Lawyers, 4th Floor, Mogoru Moto Building, Champion Parade, P.O. Box 850, Port Moresby, National Capital District.

D. R. HARTSHORN,
by his employed lawyer J. R. KASOU.
Lawyer for the Petitioner.

Advertisement of Petition—continued

Note:—Any person who intends to appear on the hearing of the petition must serve on or send by post to the abovementioned notice in writing of his intention to do so. The notice must state the name and address of the person, or if a firm, the name and address of the firm and must be signed by the person or firm or his or its lawyer (if any), and must be served, or if posted, must be sent by post in sufficient time to reach the above-named not later than 4.00 p.m. on 15th February, 2005.

Land Act No. 45 of 1996

NOTICE UNDER SECTION 77

I, Romilly Kila Pat, Acting Secretary for Lands & Physical Planning, by virtue of the powers conferred by Section 77 of the *Land Act No. 45 of 1996* and all other powers me enabling, hereby extinguish the right of Bill Gigmai of P.O. Box 110, Kundiawa, Chimbu Province to lease over the land described in the Schedule hereunder.

SCHEDULE

A grant of an application for a lease of all that piece or parcel of land known as Allotment 7, Section 10, Town of Kundiawa, Chimbu Province. Department of Lands & Physical Planning File Reference: JG/010/007.

Dated this 8th day of December, 2004.

R. KILA PAT,
A/Secretary for Lands & Physical Planning.