



National Gazette

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PUBLIC INFORMATION

THIS is to advise the General Public as follows:

1. That the purported revocation of appointment of William Powi (the legally appointed Acting Provincial Administrator of Southern Highlands Province) and the purported appointment of Alphonse Hayabe as the Acting Provincial Administrator of the Southern Highlands Province, is legally defective and has no force of law.
2. The purported revocation and appointment of Acting Provincial Administrator was dated 13th September, 2006 and published in the *National Gazette* No. G178 of 13th September, 2006.
3. By the terms of the purported notice, the revocation and the appointment was made by the Governor-General, acting on advice of the National Executive Council after receiving recommendation by the Public Services Commission—This is legally NOT correct.
4. The correct legal provisions are Sections 73(2) and & 73(2B) of the *Organic Law on Provincial Governments and Local-level Governments* and Sections 60 and 60B of the *Public Services (Management) Act 1995*. By those provisions of the law, the appointing authority, is the National Executive Council AND NOT the Head of State, acting on advice—the advice or recommendation of the National Executive Council.
5. Therefore, the purported notice is legally defective and the purported revocation and appointment has no legal basis and consequently is null and void and may be considered illegal. Accordingly the purported notice and its purported intention must be disregarded.
6. William Powi is still the Acting Provincial Administrator of the Southern Highlands Province until the National Executive Council decides otherwise.

Dated this 25th day of September, 2006.

D. POLYE,
Acting Prime Minister and Acting Chairman, National Executive Council.