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INDEPENDENT STATE OF PAPUA NEW GUINEA

THE CONSTITUTION

ALTERATION TO CONSTITUTION

THE Government proposes to alter the Constitution and, pursuant to Section 14(2) (*Making of alterations to the Constitution and Organic Laws*) of the Constitution, I, Jeffery Nape, Speaker of the National Parliament, hereby publish the proposed Law:—

Draft of 13/03/06

INDEPENDENT STATE OF PAPUA NEW GUINEA

**PROPOSED LAW TO ALTER THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL ELECTIONS  
(AMENDMENT No. 2) LAW**

*Organic Law on National and Local-level Government Elections (Amendment No. 2) Law 2006*

ARRANGEMENT OF CLAUSES

1. Compliance with constitutional requirements.
2. Application of this Law.
3. Interpretation (Amendment of Section 3).
4. Repeal of Section 34.
5. Open electorates (Amendment of Section 35).
6. Size of open electorates (Amendment of Section 36).
7. Persons entitled to enrolment (Amendment of Section 52).

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A Law to amend the *Organic Law on National and Local-level Government Elections* to effect certain amendments made by the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002*, and for related purposes,

MADE by the National Parliament.

## 1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS.

This Law, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3C (*qualified rights*) of the Constitution, namely:—

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right to peacefully assemble and associate and to form or belong to, or not to belong to, political parties, industrial organizations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonable privacy in respect of his private and family life, his communications with other persons and his personal papers and effects conferred by Section 49; and
- (f) the right to vote and stand for public office conferred by Section 50; and
- (g) the right of reasonable access to official documents conferred by Section 51; and
- (h) the right of freedom of movement conferred by Section 52,

of the Constitution, is a law that is made (pursuant to Section 38 of the Constitution) taking account of the National Goals and Directive Principles for the purpose of giving effect to the public interest in public order and public welfare.

## 2. APPLICATION OF THIS LAW.

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

## 3. INTERPRETATION (AMENDMENT OF SECTION 3).

For the purposes of Section 3 of the *Organic Law on National and Local-level Government Elections (No. 3 of 1997) Law*, the amendment made by Section 2 of the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002* shall come into operation on the date of issue of writs for the General Election next held after the General Election scheduled for 2007.

## 4. REPEAL OF SECTION 34.

For the purposes of Section 34 of the *Organic Law on National and Local-level Government Elections (No. 3 of 1997) Law*, the amendment made by Section 5 of the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002* shall come into operation on the date of issue of writs for the General Election next held after the General Election scheduled for 2007.

**Proposed Law to Alter the Organic Law on National and Local-level Government Elections  
(Amendment No. 2) Law:—continued**

5. OPEN ELECTORATES (AMENDMENT OF SECTION 35).  
For the purposes of Section 35 of the *Organic Law on National and Local-level Government Elections (No. 3 of 1997) Law*, the amendment made by Section 6 of the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002* shall come into operation on the date of issue of writs for the General Election next held after the General Election scheduled for 2007.
6. SIZE OF OPEN ELECTORATES (AMENDMENT OF SECTION 36).  
For the purposes of Section 34 of the *Organic Law on National and Local-level Government Elections (No. 3 of 1997) Law*, the amendment made by Section 7 of the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002* shall come into operation on the date of issue of writs for the General Election next held after the General Election scheduled for 2007.
7. PERSONS ENTITLED TO ENROLMENT (AMENDMENT OF SECTION 52).  
For the purposes of Section 52 of the *Organic Law on National and Local-level Government Elections (No. 3 of 1997) Law*, the amendment made by Section 12 of the *Organic Law on National and Local-level Government Elections (Amendment No. 1) Law 2002* shall come into operation on the date of issue of writs for the General Election next held after the General Election scheduled for 2007.