

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 409.

Emergency (National Capital District)(Defence Force).

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was not vested specifically in any Minister at the date of its preparation for inclusion. It seems that under Constitution Section 148(2), it came within the political responsibility of the Prime Minister.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

TABLE OF CONTENTS.

	<i>Page.</i>
<i>Emergency (National Capital District) (Defence Force) Act</i>	3
Appendix—	
Source of Act.	

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 409.

Emergency (National Capital District) (Defence Force) Act.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
 - "Commander"
 - "controller"
 - "emergency area"
 - "national emergency".
2. Application.
3. Use of Defence Force during National Emergency.
4. Command.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 409.

***Emergency (National Capital District) (Defence Force)
Act.***

Being an Emergency Act as authorized by Part X. of the Constitution to make provision, in compliance with Section 202(c)(iii) (*functions of the Defence Force*) of the Constitution, for the Defence Force to provide assistance to civilian authorities during the national emergency declared with effect from 14 June 1985.

1. Interpretation.

In this Act, unless the contrary intention appears—

“Commander” means the Commander of the Defence Force;

“controller” means a person appointed as the controller under the *Emergency (National Capital District) (General Powers) Act*;

“emergency area” means the National Capital District;

“national emergency” means the national emergency declared with effect from 14 June 1985.

2. Application.

(1) This Act applies to and in relation to the emergency area.

(2) This Act applies notwithstanding the provisions of any other law to the contrary.

3. Use of Defence Force during National Emergency.

(1) Subject to Subsection (2) the National Executive Council may require the Defence Force or a part of the Defence Force to assist the controller during the national emergency.

(2) The extent of the assistance to be rendered under Subsection (1) shall be as determined by the National Executive Council.

4. Command.

(1) For the purposes of rendering assistance under Section 3, the Defence Force or part of the Defence Force shall be subject to the orders and directions of the controller, which, in so far as is practicable, shall be given to the person designated by the Commander for the purpose.

(2) For the purposes of any Constitutional or other law, an order or direction given in pursuance of this Act by the controller to a member of the Defence Force assisting under Section 3 is deemed to be a lawful order.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 409.

Emergency (National Capital District)(Defence Force).

APPENDIX.

SOURCE OF THE EMERGENCY (NATIONAL CAPITAL DISTRICT)(DEFENCE FORCE) ACT.

Part A.—Previous Legislation.

Emergency (National Capital District) (Defence Force) Act 1985 (No. 3 of 1985).

Part B.—Cross References.

Section, etc. in Revised Edition.	Previous Reference. ¹
1	1
2	2
3	3
4	4

¹Unless otherwise indicated, references are to the Act set out in Part A.