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[2002

Stamp Duties Act (Chapter 117)

DECLARATION OF INSTRUMENTALITIES OF GOVERNMENT

I, Mekere Morauta, Prime Minister and Minister for Treasury, by virtue of the powers conferred by Section 6(c) of the *Stamp Duties Act* (Chapter 117), and all other powers me enabling, with respect to all transactions and documents relating to or connected with the proposed sale of the 50.1% interest in Telikom PNG Limited including, without limitation, all transactions, documents and instruments relating to or connected with:—

1. the Share Acquisition Agreement between Independent Public Business Corporation of Papua New Guinea, Amalgamated Telecom Holdings (PNG) Limited, Amalgamated Telecom Holdings Limited and Steamships Trading Company Limited; and
2. the transfer of a 50.1% shareholding in Telikom PNG Limited pursuant to the Share Acquisition Agreement referred to in paragraph 1 above; and
3. the State/Telecom Deed between the Independent State of Papua New Guinea and Telikom PNG Limited; and
4. the Shareholder's Agreement between Independent Public Business Corporation of Papua New Guinea, Amalgamated Telecom Holdings (PNG) Limited and Telikom PNG Limited; and
5. the Management Agreement between Telikom PNG Limited, Amalgamated Telecom Holdings (PNG) Limited, Amalgamated Telecom Holdings Limited and Steamships Trading Company Limited; and
6. the adoption of the new Constitution for Telikom PNG Limited; and
7. the Telecommunications Regulatory Contract between Telikom PNG Ltd, Pacific Mobile Communications Ltd and The Independent Consumer and Competition Commission; and
8. the declaration of trust and transfer of up to 5% of the issued shares in Telikom PNG Limited to a trustee to hold on trust for the employees or former employees of Telikom PNG Limited; and
9. transfer of up to 10% of the issued shares in Telikom PNG Limited to the People's Unit Trust (as defined in the *Independent Public Business Corporation of Papua New Guinea Act 2002*); and
10. transfers by Telikom PNG Limited to the Independent Public Business Corporation of Papua New Guinea of all rights, title and interest in the following land described as:—
 - (a) (*Telikom Rumana*) Section 136, Lot 17, Hohola under and pursuant to State Lease Volume 101, Folio 218; and
 - (b) (*Lae Training College*) Portion 471, Lae;

Declaration of Instrumentalities of Government—continued

11. granting of a sublease by the Independent Public Business Corporation of Papua New Guinea to Telikom PNG Limited over the buildings on Section 136, Lot 17, Hohola (*Telikom Rumana*); and
12. transfer of all of the issued shares in Kalang Advertising Limited from Telikom PNG Limited to Independent Public Corporation of Papua New Guinea; and
13. any other transaction, document or instrument certified by the Secretary of Treasury as being related to or connected with the proposed sale,

declare that:—

1. Independent Public Business Corporation of Papua New Guinea; and
2. Telikom PNG Limited and its subsidiaries;
3. Amalgamated Telecom Holdings (PNG) Limited and its subsidiaries;
4. Amalgamated Telecom Holdings Limited and its subsidiaries;
5. Steamships Trading Company Limited and its subsidiaries;
6. The Independent Consumer and Competition Commission;
7. People's Unit Trust;
8. the trustee who has been appointed to hold up to 5% of the issued shares in Telikom PNG Limited on trust for the employees or former employees of Telikom PNG Limited; and
9. Kalang Advertising Limited,

are instrumentalities of the Government for all purposes relating to the payment of Stamp Duties.

Dated this 2nd day of August, 2002.

M. MORAUTA,
Prime Minister and Minister for Treasury.