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INDEPENDENT STATE OF PAPUA NEW GUINEA

THE CONSTITUTION

ALTERATION TO THE CONSTITUTION

THE Honourable Member for Morobe Regional, Luther Wenge, proposes to alter the *Organic Law on the Duties and Responsibilities of Leadership* and, pursuant to the requirements of Section 14(2) (making of alteration to the *Constitution and Organic Laws*) of the Constitution, I, Jeffrey Nape, the Speaker of the National Parliament, hereby publish the proposed Law—

Draft of 5/3/2009

INDEPENDENT STATE OF PAPUA NEW GUINEA

THE CONSTITUTION

PROPOSED LAW TO ALTER THE ORGANIC LAW ON THE DUTIES AND RESPONSIBILITIES OF LEADERSHIP

entitled

The Organic Law on the Duties and Responsibilities of Leadership (Amendment) Law

ARRANGEMENT OF CLAUSES

1. Proceedings of the Commission (Amendment of Section 20).
2. Effect of proceedings (Amendment of Section 30).

INDEPENDENT STATE OF PAPUA NEW GUINEA
**PROPOSED LAW TO ALTER THE ORGANIC LAW ON THE DUTIES AND RESPONSIBILITIES OF
LEADERSHIP**

entitled

The Organic Law on the Duties and Responsibilities of Leadership (Amendment) Law

being

A Law to alter the *Organic Law on the Duties and Responsibilities of Leadership*, and for related purposes,

MADE by the National Parliament to come into operation in accordance with a notice in the *National Gazette* by the Head of State, acting with, and in accordance with, the advice of the Minister.

1. PROCEEDINGS OF THE COMMISSION (AMENDMENT OF SECTION 20).

Section 20 of the Organic Law is amended—

(a) in Subsection (9), by repealing the word “Where” and replacing it with following:—

“Subject to Subsection (12), where”; and

(b) in Subsection (11), by repealing the word and number in brackets “or (7)” and replacing them with the following:—

“,(7), or (12)”; and

(c) by adding after Subsection (11) the following new Subsection:—

“(12) Notwithstanding anything in this Law or this Section, the Commission shall not take any action under Subsection (11)(a), within 12 months before the fifth anniversary of the date fixed for the return of the writs at the previous general election”.

2. EFFECT OF PROCEEDINGS (AMENDMENT OF SECTION 30).

Section 30 of the Organic Law is amended—

(a) in Subsection (4)—

(i) in Paragraph (a), by repealing the words “if a complaint concerning the alleged misconduct in office, is made to the Commission or it inquires generally into the matter on its own initiative” and replacing them with the following:—

“which is not provided for in Paragraph (b)”; and

(ii) in Paragraph (b), by repealing the words “if a complaint concerning the alleged misconduct in office, is made to that authority” and replacing them with the following:—

“which relates to an offence or cause of action prescribed by or under the criminal or civil law”; and

(b) in Subsection (5)(b), by adding after the words “in office” the following:—

“,other than a charge of misconduct referred to in Subsection (4)(b)”,