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[2013

THE PAPUA NEW GUINEA NATIONAL GAZETTE

The Papua New Guinea National Gazette is published sectionally in accordance with the following arrangements set out below.

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The Public Services Issue contains notices concerning vacancies, transfers and promotions within the National Public Service. These issues are published monthly in the first week of each month.

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National Gazette	Papua New Guinea K	Asia - Pacific K	Other Zones K
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Port Moresby.

NOTICES FOR GAZETTAL.

Notice for insertion in the General Gazette must be received at the Government Printing Office, P.O. Box 1280, Port Moresby, before 12.00 noon on Friday, preceding the day of publication.

All notices for whatever source, must have a covering instruction setting out the publication details required.

The notice must be an original. Photostat or carbon copies are not accepted.

The notice should be typewritten (double-spaced) and one side of the paper only. Signatures in particular, and proper names must be shown clearly in the text.

Copies submitted not in accordance with these instructions will be returned unpublished.

PROCEDURES FOR GOVERNMENTAL SUBSCRIPTIONS.

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PUBLISHING OF SPECIAL GAZETTES.

Departments authorising the publication of Special Gazettes are required to pay all printing charges under the instructions from the Manual of Financial Procedures Section 13.3, Subsection 11.

K. KAI AH,
Government Printer.

DATE OF NEXT MEETING OF PARLIAMENT

IN pursuance of the resolution of the National Parliament of Wednesday, 29th May, 2013, I hereby fix Tuesday, 9th July, 2013, at two o'clock in the afternoon, as the day on which Parliament shall next meet.

Hon. T. ZURENUOC, MP.,
Speaker of the National Parliament.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act* (Chapter 191), it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 11, Folio 62 evidencing a leasehold estate in all that piece or parcel of land known as Portion 2974 formerly Portions 632, Milinch Granville, Fourmil Moresby, National Capital District containing an area of 5.225 hectares more or less the registered proprietor of which is Monier Limited.

Dated this 13th day of June, 2013.

B. SAMSON,
Deputy Registrar of Titles.

*Land Registration Act (Chapter 191)***ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act* (Chapter 191), it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 8, Folio 1761 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 1, Section 39, Granville, National Capital District containing an area of 0.1391 hectares more or less the registered proprietor of which is Manubada View Limited.

Dated this 13th day of June, 2013.

B. SAMSON,
Deputy Registrar of Titles.

Land Act 1996

LAND AVAILABLE FOR LEASING

A. APPLICANT:

Applicants or Tenderers should note—

1. Full name (block letters), occupation and address;
2. If a Company, the proper Registered Company name and address of the Company representative;
3. If more than one person, the tenancy desired and, if tenancy in common, the division of shares.

Applicants or tenderers should note—

4. That a lease cannot be held in a name registered under the *Business Names Act* only; and
5. That in the case of death in joint tenancy, the deceased partner's interest vests in the surviving partner and, in the case of tenancy in common, the deceased partner's interest vests in his estate.

B. TYPE OF LEASE:

Leases provided for a Business, Residence, Pastoral, Agricultural, Mission or Special Purposes. State Leases may be granted for a maximum period of 99 years. Applicants should note that, in the case of land within physical planning areas the purpose of the lease must be in accordance with the zoning requirements of the *Physical Planning Act*.

C. PROPOSED PURPOSES, IMPROVEMENTS, ETC:

The applicant or tenderer should provide fullest details (on attachment if necessary) of his proposal for the lease including information on—

1. Financial status or prospects;
2. Details of other land holdings in Papua New Guinea including approximate value of improvements to these holdings;
3. Approximate value and type of proposed improvements to the land applied for;
4. Experience and abilities to develop the land;
5. Any other details which would support the application.

D. DESCRIPTION OF LAND:

To be used only when NOT in response to an advertisement. A brief description giving area and locality is required. A sketch plan should be provided on an attachment. Where possible the land parcel should be identified on a map published by the Department of Lands & Physical Planning.

In the case of Tenders or an advertisement of land available for leasing the description is to be inserted in the column provided under the heading "Tender or Land Available Preference".

E. TENDER OF LAND AVAILABLE PREFERENCE:

The preference should be clearly indicated. In cases where there are more than 20 preferences the additional preferences may be shown on attachment. The "Description" should give the Lot and Section number or the Portion number as shown in the *Gazette*. The "Amount Offered" column need only be completed in the case of tenders.

F. TENDERERS:

Tenderers should take particular note that a tender for an amount less than the reserve price is invalid and shall not be considered. The successful tenderer will be required to pay the full amount of the tender.

G. TOWN SUBDIVISION LEASES:

In addition to the requirements of the relevant sections above, an applicant or tenderer for a Town Subdivision Lease shall submit:

- (i) A preliminary proposal for the subdivision.
- (ii) A preliminary sketch plan of the proposed subdivision.
- (iii) Provisional proposals for subdivision surveys and installation of roads and drainage.

H. FEES:

- 1 All applications or tenders must be accompanied by a Registration of Application Fee. These are regulated as follows:—

				K					K
Residential high covenant	....	....	....	50.00	Mission Leases	....	....	....	20.00
Residential low-medium covenant	....	....	....	20.00	Agricultural Leases	....	....	....	20.00
Business and Special Purposes	....	....	....	100.00	Pastoral Leases	....	....	....	20.00
Leases over Settlement land (Urban & Rural)	....	....	....	20.00					

2. Following the grant of the lease, an additional fee of K50 (preparation of lease fee), and if surveyed, the survey fee as prescribed and, in the case of tender, the amount of the tender shall be payable within two months from the date of grant, ie. from the date of gazettal of therecommended lease holder in the *PNG National Gazette*.

3. If not surveyed, the payment of survey fee may be deferred until survey.

NOTE: If more than one block is required an additional Application Fee for each additional block must be paid.

GENERAL:

1. All applications must be lodged with the Secretary of Lands & Physical Planning;
2. All applications will be considered by the Land Board at a date which will be notified to the applicant and in the *National Gazette*.

Land Available for Leasing—continued*(Closing date: Tender closes at 3.00 p.m. on Wednesday, 16th July, 2013)***TENDER No. 070/2013—CITY OF PORT MORESBY (HOHOLA)—NATIONAL CAPITAL DISTRICT—(SOUTHERN REGION)****RESIDENCE (MEDIUM COVENANT) LEASE**

Location: Allotment 50, Section 353.

Area in Hectares: 0.0450 Hectares.

Annual Rental 1st 10 Years: K520.00 p/a

Improvements and Conditions: The lease shall be subject to the following conditions:—

- (a) Survey;
- (b) The lease shall be used bona fide for a Residence (Medium Covenant) Purposes;
- (c) The lease shall be for a term of Ninety-nine (99) years;
- (d) Rent shall be re-assessed after every ten (10) years;
- (e) Improvements being buildings for Residence (Medium Covenant) Purposes to a minimum value as to be decided by the Land Board shall be erected on the land within five (5) years from the date of grant and these or similar improvements to the same value to be maintained thereon in good repair during the currency of the lease;
- (f) Excision of easements for electricity, water, power, drainage and sewerage reticulation.

Copies of Tender No.070/2013 and plans will be displayed on the Notice Boards at the Department of Lands & Physical Planning, Waigani; Division of Alienated Lands, Waigani and the NCDC Local Level Council Chambers, Waigani, National Capital District.

They may also be examined in the Land Allocation and Land Board Section (Southern Region) of the Department of Lands & Physical Planning, Head Office (2nd Floor, Aopi Centre), Waigani, National Capital District.

CORRIGENDUM

IT is hereby advised that under the Heading, Forfeiture of State Lease most particularly the State Lease Volume 24 Folio 14 mentioned in the Schedule was erroneously published in the *National Gazette* No. 63 dated 14th February, 2013 where it should read as State Lease Volume 3 Folio 168.

Any inconvenience caused is regretted and we sincerely apologise.

Dated this 11th day of June, 2013.

R. KILA PAT,
Secretary.

Companies Act 1997
Companies Number 1-46741

**NOTICE OF INTENTION TO REINSTATE A COMPANY
REMOVED FROM THE REGISTER OF REGISTERED
COMPANIES**

I, Notu Rua of P.O. Box 7721, Boroko, National Capital District, give notice that I intend to apply to the Registrar of Companies to reinstate VN Construction Limited, a company that was removed from the Register of registered companies on 30th March, 2005, and give notice that my grounds of application will be that:

1. I was a Shareholder and Director of this company; and
2. The company was still carrying on business; and
3. The company should not have been removed from the Register.

Dated this 31st day of May, 2013.

N. RUA,
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 3rd day of June, 2013

A. TONGAYU,
Depty Registrar of Companies.

Note:—A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the *Companies Act 1997*.

Companies Act 1997
Companies Number 1-48691

**NOTICE OF INTENTION TO REINSTATE A COMPANY
REMOVED FROM THE REGISTER OF REGISTERED
COMPANIES**

I, Joe Qalu-am Sessel of P.O. Box 499, give notice that I intend to apply to the Registrar of Companies to reinstate Dreko-Ou Limited, a company that was removed from the Register of registered companies on applied date, 2005, and give notice that my grounds of application will be that:

1. I was a Director and Shareholder at the time of the removal of the company from the Register; and
2. The company was still carrying on business at the time of the removal of the company from the Registrar of Companies; and
3. The company should not have been removed from the Register.

Dated this 18th day of April, 2013.

J. Q. SELSEL,
Signature of person giving this Notice.

This Notice has been approved by the Registrar of Companies.

Dated this 17th day of May, 2013

A. TONGAYU,
Depty Registrar of Companies.

Note:—A person may within one month after the publication of this Notice, lodge with the Registrar of Companies an Objection and reasons thereof to the reinstatement of the defunct company in accordance with Section 378(3)(d) of the *Companies Act 1997*.

Street Closing Act 1951**NOTICE OF INTENTION UNDER SECTION 2**

I, Hon. Benny Allan, MP., Minister for Lands and Physical Planning, by virtue of the powers conferred by Section 2 of the *Street Closing Act 1951* and all other powers me enabling hereby give notice that it is my intention to close a street specified in the Schedule below after the expiration of sixty (60) days from the date of publication of this notice.

SCHEDULE

All that piece of land containing an area of 0.0430 hectares of thereabouts comprising of Allotment 98, Section 15, Town of Kimbe in the West New Britain Province, as delineated on miscellaneous plan catalogue Nmuber M/15/245 in the Department of Lands & Physical Planning, Port Moresby, National Capital District Land File: SN/015/098.

Any person aggrieved by this notice may lodge an objection within sixty (60) days from the date of publication of this Notice.

Dated this 14th day of June, 2013.

Hon. B. ALLAN, MP.,
Minister for Lands and Physical Planning.

Land Registration Act (Chapter 191)**ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 33 Folio 8036 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 1, Section 238, Hohola, National Capital District containing an area of 0.0688 hectares more or less the registered proprietor of which is National Housing Corporation.

Other Interest: Unregistered Transfer from NHC to one Wayne Norumu.

Dated this 19th day of June, 2013.

A. LAKE,
Deputy Registrar of Titles.

Lawyers Act 1986**APPOINTMENT OF CHAIRMAN OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(b), (4) & (6) of the *Lawyers Act 1986*, hereby appoint Vincent Mirupasi as Chairman of the Lawyers Statutory Committee for a period of three (3) years commencing from the date of this instrument.

Dated this 29th day of May, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Lawyers Act 1986**APPOINTMENT OF MEMBER OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(d) of the *Lawyers Act 1986*, hereby appoint Fr. Danny Bray Guka as a Member of the Lawyers Statutory Committee for a period of three (3) years commencing from the 25th of February, 2013.

Dated this 25th day of February, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Lawyers Act 1986**APPOINTMENT OF MEMBER OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(d) of the *Lawyers Act 1986*, hereby appoint John Kaikere as a Member of the Lawyers Statutory Committee for a period of three (3) years commencing from the 25th of February, 2013.

Dated this 25th day of February, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Lawyers Act 1986**APPOINTMENT OF MEMBER OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(c) of the *Lawyers Act 1986*, hereby appoint Philip Aeava as a Member of the Lawyers Statutory Committee for a period of three (3) years commencing from the 25th of February, 2013.

Dated this 25th day of February, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Lawyers Act 1986**APPOINTMENT OF MEMBER OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(c) of the *Lawyers Act 1986*, hereby appoint Erastus Kamburi as a Member of the Lawyers Statutory Committee for a period of three (3) years commencing from the 25th of February, 2013.

Dated this 25th day of February, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Lawyers Act 1986**RE-APPOINTMENT OF MEMBER OF THE LAWYERS STATUTORY COMMITTEE**

I, Sir. Salamo Injia, Kt., by virtue of the powers conferred on me by s48(2)(c) of the *Lawyers Act 1986*, hereby re-appoint Elastus Geroro as a Member of the Lawyers Statutory Committee for a period of three (3) years commencing from the 25th of February, 2013.

Dated this 25th day of February, 2013.

Sir. S. INJIA, Kt.,
Chief Justice.

Land Registration Act (Chapter 191)**ISSUE OF OFFICIAL COPY OF STATE LEASE**

NOTICE is hereby given that after the expiration of fourteen clear days from the date of publication of this Notice, it is my intention to issue an Official Copy of the State Lease referred to in the Schedule below under Section 162 of *Land Registration Act (Chapter 191)*, it having been shown to my satisfaction that the registered proprietor's copy has been lost or destroyed.

SCHEDULE

State Lease Volume 15, Folio 249 evidencing a leasehold estate in all that piece or parcel of land known as Allotment 108, Section 209, Hohola, National Capital District containing an area of 0.0509 hectares more or less the registered proprietor of which is Joe Degemba.

Dated this 24th day of May, 2013.

T. ASIZO,
Deputy Registrar of Titles.

In the National Court of Justice at Waigani Papua New Guinea

OS (JR) No. 594 Of 2012

Between

Anna Solomon
Plaintiff
and

The National Executive Council
First Defendant
and

The Public Services Commission
Second Defendant
and

Sir Puka Temu—Minister for Public Service
Third Defendant
and

Loujaya Tony—Minister for Community Development
Fourth Defendant
and

Joseph Klapat—Secretary—Department of Community
Development
Fifth Defendant
and

Sir Michael Ogio, G.C.M.G., K.St.J.,—Governor-General & Head
of State
Sixth Defendant
and

Independent State of Papua New Guinea
Seventh Defendant

COURT ORDER

THE Court [Cannings, J] Orders that:—

1. The requirements for Listings are dispensed with and the plaintiff's substantive application for judicial review as per the Notice of Motion filed by Banyamai Lawyers on 15th November, 2012 is heard and determined forthwith.
2. The reliefs sought under paragraphs 2 to 7 (inclusive) of the plaintiff's Notice of Motion filed on 17th May, 2013, are declined.
3. The application for judicial review is upheld.
4. An order in the nature of Certiorari is issued and the following decisions are brought into this Court and quashed forthwith:—
 - (a) The decisions of the defendant on 20th August, 2012, to approve to advise the Head of State to:—
 - (i) Uplift the suspension of Joseph Klapat and reinstate him as the incumbent Secretary of the Department of Community Development; and
 - (ii) Revoke the appointment of Mrs Anna Solomon as the Acting Secretary for the Department of Community Development effective on and from 20th August, 2012 and revert her back to her substantive position.
 - (b) The decisions of the Sixth defendant as per *National Gazette* No. G324 dated 28th August, 2012 to:—
 - (i) revoke the appointment of Mrs. Anna Solomon as the Acting Secretary for the Department of Community Development effective on and from 20th August, 2012 and revert her back to her substantive position; and
 - (ii) Uplift the suspension of Joseph Klapat and reinstate him as the incumbent Secretary of the Department of Community Development with effect on and from 20th August, 2012.

Court Order—continued

5. The plaintiff, Anna Solomon remains as Acting Secretary for the Department of Community Development and Joseph Klapat remains suspended as the substantive holder of the office, until the investigations against Joseph Klapat as approved or directed under the National Executive Council (NEC) Decicion No. NG 21/2011, dated 29th December, 2011, are completed.
6. The reasonable legal costs for the Plaintiff and all the defendants, including the fifth defendant, shall be paid by the State, through the Department of Community Development, and of which such costs are to be agreed to, or taxed.
7. Time is abridged to the date of settlement by the Registrar which shall take place forthwith.

Ordered: 5th June, 2013.

Entered: 6th June, 2013.

By the Court,
I. AUGEREA,
Registrar.

Land Act No. 45 of 1996

FORFEITURE OF STATE LEASE

I, Romilly Kila Pat, a delegate of the Minister for Lands & Physical Planning, by virtue of the powers conferred by Section 122(1) of the *Land Act* 1996, as amended to date, and all other powers me enabling, hereby forfeit the lease specified in the Schedule hereunder on the grounds that:—

- (a) the improvement conditions imposed by the Act have not been fulfilled in respect of the land;
- (b) the rent remains due and unpaid for a period of more than six (6) months; and
- (c) the lessee has failed to comply with the Notice under Section 122(2) of the *Land Act*.

SCHEDULE

All that piece or parcel of land known as Portion 2049, Milinch of Granville, Fourmil of Port Moresby, NCD, being the whole of the land more particularly described in the State Lease Volume: 3, Folio: 168.

Department of Lands and Physical Planning: Reference: 04116/2049.

Dated this 11th day of June, 2013.

R.K. PAT,
A delegate of the Minister for Lands & Physical Planning.

Oaths, Affirmation and Statutory Declarations Act (Chapter 317)

APPOINTMENT OF A COMMISSIONER FOR OATHS

I, Hon. Kerenga Kua, O.L., M.P., Attorney General & Minister for Justice, being satisfied that the following person is a fit and proper person and by virtue of the powers conferred by Section 12(1) of *Oaths, Affirmation and Statutory Declarations Act* (Chapter 317) and all powers me enabling hereby appoint Philomena Piamari Nawara as a Commissioner for Oaths for a period of 6 years while in the employ of Brian Bell & Company Limited as Human Resource Manager.

This appointment takes effect on the date of publication in the *National Gazette* and is valid until such time the applicant no longer holds the title described above or when he/she leaves the above employer, whichever first happens.

Dated this 14th day of June, 2013.

Hon. K. KUA, O.L., M.P.,
Minister for Justice.