

National Gazette

PUBLISHED BY AUTHORITY
(Registered at the General Post Office, Port Moresby, for
transmission by post as a Qualified Publication)

No. G126 PORT MORESBY, MONDAY 25th FEBRUARY 2018

Land Act 1996

DECLARATION OF CUSTOMARY LAND UNDER SECTION 133 (1)

I, Hon. Justin.W. Tkatchenko, CBE, BEM, OL, MP, Minister for Lands and Physical Planning, by virtue of the powers conferred to me under Section 133(1) of the Land Act 1996 and all other powers me enabling, hereby DECLARE the Government land specified in the Schedule to be Customary land.

SCHEDULE

All that piece of land or parcel of land containing an area of 3.0 hectares or thereabouts situated in Mondo Village in the Daulo District of Eastern Highlands Province described as Portion 69 Milinch of Bundi, Fourmil Ramu, Eastern Highlands Province, delineated in registered Survey Plan Catalogue no 11/3405 with survey coordinates and features being the Longitude and Latitude respectively;

Dated this 14th day of December, 2018.

Hon. J.W. TKATCHENKO, BEM, OL, MP,
Minister for Lands & Physical

Planning.

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No. G127 PORT MORESBY, MONDAY 25th FEBRUARY 2018

Land Act 1996

REVOCATION OF APPOINTMENT AND APPOINTMENT OF MEMBERS TO THE
MOROBE

PROVINCIAL LAND BOARD

I, Hon. Justin.W. Tkatchenko, CBE, BEM, OL, MP, Minister for Lands and Physical Planning, by virtue of the powers conferred on me under Section 55 of the Land Act 1996 and all other powers me enabling, hereby revoke the appointment of the following persons herein made under Section 55 (3), specifically relating to the Morobe Provincial Land Board, gazetted as G3131 on Tuesday, 15th May, 2018 and appoint the following person herein as per the Morobe Provincial Executive Council Meeting No. 08/2018, Decision No. 37/2018 on 16th October, 2018 to the Morobe Provincial Land Board:-

1 herein Revoke:-

George Mutirewe's appointment as the member to the Morobe Provincial Land Board.

And I hereby simultaneously Appoint:-

, Sir Bob Sinclair as the member to the Morobe Provincial Land Board.

These revocation of appointment and appointment are to take immediate effect upon gazettal of this instrument.

Dated this 5th day of February, 2019.

Hon, J.W. TKATCHENKO, CBE, BEM, OL,
MP,

Planning.

Minister for Lands & Physical

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National Gazette

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No. G128

PORT MORESBY, MONDAY, 25th FEBRUARY

2019

CONSTITUTION

Public Services (Management) Act 2014

TERMINATION OF THE DEPARTMENTAL HEAD

1, GRAND CHIEF SIR BOB DADAE, GCL., K. St, J., Governor-General, by virtue of the powers conferred by Section 193(1D) of the Constitution, and Section 27 of the Public Services (Management) Act 2014, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, given after receiving a recommendation from the Ministerial Executive Appointments Committee, hereby terminate the appointment of LUTHER SIPISON as Secretary for the Department of Lands and Physical Planning, with effect on and from 22nd January, 2019.

Dated this Thursday, 21st day of February, 2019.

Sir BOB

DADAE,

Governor-

General.

Conservation and Environment Protection Authority

Act 2014

Regulatory Statutory Authorities (Appointment to Certain

Offices) Act 2004

RE-APPOINTMENT OF MANAGING DIRECTOR OF THE CONSERVATION AND ENVIRONMENT

PROTECTION AUTHORITY

1, GRAND CHIEF SIR BOB DADAE, GCL., G.C.M,G., K. St. J., Governor-General, by virtue of the powers conferred by Section 23 of the Conservation and Environment Protection Authority Act 2014 and Section 6 of the Regulatory Statutory Authorities (Appointment to Certain Of Act 2004, and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, after receiving a recommendation from the Ministerial Executive Appointments Committee, hereby re-appoint GUNTHER JOKU as Managing Director of the Conservation and Environment Protection Authority for a period of four (4) years, with effect on and from 5th December, 2017.

Dated this Thursday, 21st day of February, 2019.

Sir BOB

DADAE,

Governor-

General.

National Procurement Act 2018

NOTICE OF COMMENCEMENT

I, GRAND CHIEF SIR BOB DADAE, GCL., G.C.M.G., K. St. J., Governor-General, by virtue of the powers conferred by National Procurement Act 2018 (No. 12 of 2018) and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby fix 1st April, 2019 as the date on which the said Act is deemed to have come into operation.

Dated this Thursday, 21st day of February, 2019.

Sir BOB DADAE,
Governor-General.

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National Gazette

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No. G129 PORT MORESBY, MONDAY 25th FEBRUARY 2019

DECLARATION INSTRUMENT

National Information and Communications Technology Act
2009

WHOLESALE SERVICE DECLARATION NO. (1) OF 2019

The MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY makes this declaration under section 130 of the National Information and Communications Technology Act 2009

PART 1 –PRELIMINARY

1. Name of Declaration

This Declaration is Wholesale Service Declaration No.(1) of 2019.

2. Commencement

(1) This Declaration commences 30 calendar days after the date on which is notified in the National Gazette (the commencement date).

(2) This Declaration expires on the day before the fifth anniversary of the Commencement Date unless it is varied or revoked earlier in accordance with section 130 of the Act.

3. Definitions

(1) Subject to subsection (2), unless the context otherwise requires, terms used in this Declaration have the same meaning as in the Act.

(2) In this Declaration, unless the context otherwise requires:

(a) "Act" means the National Information and Communications Technology Act, 2009 and includes any regulations made under that Act;

(b) "beach manhole" means an underground chamber in which a sea cable is jointed to a terrestrial cable;

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Part 1–Preliminary--continued

(c) "cable landing station" is–

(i) a site at which an international fibre-optic

submarine cable is available on shore for the purpose of accessing transmission capacity on the cable; and

(ii) includes buildings housing the line terminal equipment.

For the avoidance of doubt this includes the cable landing stations located at Ela Beach and Madang.

(d) "duct" means an underground conduit that is used, installed ready to be used, or intended to be used to hold a terrestrial cable that connects a beach manhole to a cable landing station;

(e) "end point" means a nominal point at a cable landing station or international gateway switching centre in a foreign jurisdiction that is used to demarcate an end of a service, normally if it is supplied in the form of a full circuit;

(f) "mid point" means a nominal point along an international fibre-optic submarine cable that is used to demarcate an end of a service, normally if it is supplied in the form of a half circuit;

(g) "point of interconnection" means a location in Papua New Guinea which is a physical point of demarcation between the access seeker's network and the access provider's network.

NOTE: The following terms are defined in the Act:

- Access
- . Access Provider
- . Access Seeker
- Facilities Access Service
- International Gateway
- Network
- Network Service
- . Operator Licensee
- . Resale Service
- Site
- . Switching Centre
- . Wholesale Service

PART II – SUBMARINE CABLE TRANSMISSION CAPACITY SERVICE

4. Declaration of service

The international submarine cable transmission capacity service is hereby declared.

5. Service description

The international submarine cable transmission capacity service is a Network Service:

(2) For the avoidance of doubt, the wholesale broadband capacity

service:

- (a) for the carriage of any combination of voice communications and/or data via an international fibre-optic submarine cable between—
 - (i) any of the following points of interconnection:

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Part I—Preliminary—continued

- (A) a point of interconnection located at the access provider's cable landing station; or

- (B) a point of interconnection located in the access provider's switching centre that is nearest to that cable landing station and which contains a point of interconnection between the access provider and an operator licensee; or

- (C) a point of interconnection located in the access provider's switching centre the use of which for this purpose is mutually agreed to by the access provider and the access seeker; and

- (ii) a mid point or end point; and

- (b) with any unit of transmission capacity.

(2) For the avoidance of doubt—

- (a) the international submarine cable transmission capacity service and the international submarine cable gateway access service are separate wholesale services;

- (b) the international submarine cable transmission capacity service may be supplied as either a resale service or otherwise;

- (c) the international submarine cable transmission capacity service includes the supply of backhaul transmission capacity by the access provider to the extent that such is necessary to connect an access seeker's facilities at a virtual colocation site in the relevant switching centre to the access provider's facilities in a cable landing station;

- (d) if an access provider supplies an international submarine cable transmission capacity service with a particular transmission capacity from—

(i) a cable landing station that is under its control;
or

(ii) a switching centre that is under its control;

then, subject to the constraints of the relevant submarine cable capacity available through contract or ownership to the access provider, the access provider shall be deemed to be able to supply international submarine cable transmission capacity services with different transmission capacities to access seekers with different international capacity requirements.

PART III –SUBMARINE CABLE GATEWAY ACCESS SERVICE

6. Declaration of service

The international submarine cable gateway access service is hereby declared.

7. Service description

(1) The international submarine cable gateway access service is a facilities access service that provides an access seeker with such access to, or use of, the facilities of an access provider at the access provider's-

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Part 1–Preliminary–continued

(a) cable landing station; or

(b) switching centre that is nearest of the relevant cable landing station and which constrains a point of interconnection between the access provider and an operator licensee; or

(c) switching centre the use of which for this purpose is mutually agreed by the access provider and the access seeker;

as is necessary to enable the access seeker to interconnect its facilities to an international fibre-optic submarine cable.

(2) For the avoidance of doubt:

(a) the international submarine cable gateway access service enables an access seeker to—

(1) access the international gateway facilities of an access provider including, but not limited to, physical network infrastructure; and/or

(ii) physically collocate its facilities if technically feasible in any available space within the access provider's cable landing station; and/or

(iii) virtually or physically collocate its facilities if technically feasible in any available space within the access provider's relevant switching centre.

PART IV –SUBMARINE CABLE DUCT ACCESS SERVICE

8. Declaration of service

The international submarine cable duct access service is hereby declared.

9. Service description

The international submarine cable duct access service is a facilities access service that provides an access seeker with such access to, or use of, a beach manhole and its associated ducts so as to enable the access seeker to connect an international fibre-optic submarine cable to a cable landing station controlled by the access provider.

Dated this 18th day of February, 2019.

Hon. S. BASIL, MP,
Minister for Communications and
Information Technology.

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No. G130 PORT MORESBY, MONDAY 25th FEBRUARY 2019

DECLARATION INSTRUMENT
National Information and Communications Technology Act
2009

WHOLESALE SERVICE DECLARATION NO. (2) OF 2019
The MINISTER FOR COMMUNICATIONS AND INFORMATION TECHNOLOGY makes
this declaration
under section 130 of the National Information and Communications
Technology Act 2009

PART 1 – PRELIMINARY

1. Name of Declaration

This Declaration is Wholesale Service Declaration No.(2) of 2019.

2. Commencement

(1) This Declaration commences 30 calendar days after the date on
which it is notified in the National
Gazette (the commencement date).

(2) This Declaration expires on the day before the fifth
anniversary of the Commencement Date unless it is
varied or revoked earlier in accordance with section 130 of
the Act.

3. Definitions

(I) Subject to subsection (2), unless the context otherwise
requires. terms used in this Declaration have
the same meaning as in the Act.

(2) In this Declaration , unless the context otherwise requires:
(a) "Act" means the National Information and Communications
Technology Act, 2009 and

includes any regulations made under that Act;

(b) "Layer 2 bitstream service" means a Layer 2 Ethernet
bitstream service. For the purpose
of this definition Layer 2 has the same meaning as in the
Open System Interconnection (OSI)
Reference Model for data exchange.

(c) "Layer 3 network service" means a Layer 3 service with internet protocol. Layer 3 has the same meaning as in the Open System Interconnection (OSI) Reference Model for data exchange.

(d) "point of interconnection" is a location in Papua New Guinea which is physical point of demarcation between the access seeker's network and the access provider's network.

NOTE. The following terms are defined in the Act:

- Access Provider
- Access Seeker
- Interconnecton
- Network
- Network Service
- Wholesale Service

PART II – WHOLESALE BROADBAND CAPACITY SERVICE

4. Declaration of service

The Wholesale broadband capacity service is hereby declared.

5. Service description

(1) The wholesale broadband capacity service is a network service for the carriage of broadband traffic on a network within Papua New Guinea and involves the provision of a Layer 2 bitstream service or a Layer 3 network service from a point of interconnection, or potential point of interconnection, to either a second point of interconnection or potential point of interconnection.

(2) For the avoidance of doubt, the wholesale broadband capacity service:

(a) may carry high speed data traffic between different networks or to an international gateway in Papua New Guinea.

(b) shall be a service provided via optic fibre transmission.

Dated this 18th day of February, 2019.

MP,

Information Technology.

Hon. S. BASIL,

Minister for Communications and

Printer,

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Port Moresby.-130.

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No. G131 PORT MORESBY, TUESDAY, 26th FEBRUARY 2019

Harbours Act 1963

CORRIGENDUM

NOTICE OF DECLARATION OF PORT MORESBY DECLARED PORT
I, Welstly N. NUKUNDJ, MP, acting under Section 2 of the
Harbours Act 1963 (the Act), hereby advise that there
was an error in the National Gazette NO. G457 dated 10th July,
2018 regarding the Notice of Declaration of Port Moresby
Declared Port, under Schedule 3 of Port Moresby Declared Port limits
by Sea and Land on Page 2, where
Moresby Declared Port, under Schedule 3 of Port Moresby
Declared Port limits by Sea and Land on Page 2, where
it reads as point 4 at approximately 509,562,697m.

This should have read as Point 4 at approximately
509,722.00m Easting and 8,958,508.00m Northing and not
as gazetted.

Dated this 25th day of February, 2019.

Hon. W.N. NUKUNDJ, MP
Minister for Transport and

Infrastructure,

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No. G132

PORT MORESBY, TUESDAY, 26th FEBRUARY
2019

Kokonas Industri Koporesen Act 2002

APPOINTMENT OF COCONUT PRODUCT INSPECTORS

I, Kill Tambua, Chairman of the Kokonas Industri Koporesen, by
virtue of the powers conferred by Part X of the KIK
Act 2002 and all powers enabling me hereby revoke, reappoint and
appoint each person listed below to be a Coconut
Product Inspector for all regions within Papua New Guinea—

(a)		Revoke the
appointment of the following Inspectors		
		1,
Michael Sovek		
4.	Philemon Livinai	2.
Kenny Muasii		
5.	Donald Darius	3.
Adam Kuli		
6.	Alan Aku	
(b) Re-appoint the following		
Inspectors		1.
Michael Sovek		2.
Kenny Muasii		3. Adam
Kuli		
(c)		Appoint new
Inspectors below		1.
Daslogo Kula		
6.	Jimmy Risimeri	2.
Ranus Simpson		
7.	Harold Joseph	3.
Jack Gaula		
8.	Steven Pasu	4.
Ephraim Tade		
9.	James Maora	5.
Alfred Nongkas		

Dated this 15th day of February, 2019.

Chairman of Kokonas Industri Koporesen.
K. TAMBUA,

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Moresby.-132.