



Constitutional & Law Reform Commission
P.O. Box 3439
BOROKO R: 13/03/2018
National Capital District

NATIONAL EXECUTIVE COUNCIL
OFFICE OF THE SECRETARY

Dr. Eric Kwa
Secretary
Constitutional and Law Reform Commission
P.O. Box 3439
BOROKO, NCD

Date: 12th March 2018
File No: NEC07-8
A/Officers: ebalg/TFrank

Dear Secretary,

SUBJECT: REVIEW OF THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL GOVERNMENT ELECTIONS AND RELATED ELECTORAL LAWS AND SYSTEMS

Attached are the following statutory document in relation to the above, executed by the Head of State on advice of the NEC for your records/reference purposes:

1. Instrument on the direction to Review the Organic Law on National and Local Level Government Elections and related Electoral Laws and Systems; and
2. National Gazette No. G163 of 08th March 2018 on the same.

Yours sincerely,

Grace So-on
Acting Secretary

Copies :

- : Chief Secretary to Government*
- : Acting Commander, Papua New Guinea Defence Force*
- : Commissioner of Police*
- : Secretary, Department of Provincial & Local Level Government Affairs*
- : Acting Secretary, Department of Justice & Attorney-General*
- : First Legislative Counsel*

CONFIDENTIAL



A. 04/2018

NATIONAL EXECUTIVE COUNCIL

Meeting No:

01/2018

Statutory Business Paper No:

NG80/2017

20/2/18

JG.
21/02/18

ADVICE TO THE GOVERNOR-GENERAL

Your Excellency,

You are hereby informed that on the

18th

day of

January,

2018

the National Executive Council did decide to advise you to, direct the Constitutional and Law Reform Commission to inquire into and review the workings of the *Organic Law on National and Local Level Government Elections Law 1997* under Section 12 of the Constitutional and Law Reform Commission Act 2004,

in accordance with the attached Instrument.

Chairman

National Executive Council

Date: 31st January 2018

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Constitutional and Law Reform Commission Act 2004.

CONSTITUTIONAL AND LAW REFORM COMMISSION REFERENCE NO. 1 OF 2018.

**REVIEW OF THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL
GOVERNMENT ELECTIONS AND RELATED ELECTORAL LAWS AND SYSTEMS.**

I, GRAND CHIEF SIR BOB DADAE, GCL., G.C.M.G., K. St. J., Governor-General, by virtue of the powers conferred by Section 12(1) of the *Constitutional and Law Reform Commission Act 2004* and all other powers me enabling, acting with, and in accordance with, the advice of the National Executive Council, hereby direct that -

- (a) the Constitutional and Law Reform Commission (the Commission) review or enquire into and report on the workings of the *Organic Law on National and Local-level Government Elections* (the *Organic Law*); and
- (b) in the conduct of this review or inquiry into the *Organic Law*, the Commission must work in close consultation with the Electoral Commission of PNG, Department of Provincial Governments and Local-level Government Affairs, the Office of the Registrar of Political Parties and Candidates and other relevant agencies; and
- (c) in the conduct of this review or inquiry into the *Organic Law*, the Commission must be guided by the following Terms of Reference, without limitation:
 - (i) the electoral roll system; and
 - (ii) the polling system, including polling periods and polling places; and
 - (iii) the electoral boundaries; and
 - (iv) women and special interest representation in Parliament; and

- (vi) the eligibility for nomination; and
 - (vii) the election petitions filing fees and period of filing; and
 - (viii) the voter identification system; and
 - (ix) the Local-level Government elections; and
 - (x) the electoral offences; and
 - (xi) the powers, functions and composition of electoral commissioners; and
 - (xii) the decentralisation of election responsibilities; and
 - (xiii) such other matters that may arise in the course of the review or inquiry; and
- (d) that the Commission must complete this review or inquiry within 18 months from the date of signature of this Instrument; and
- (e) that the Commission must submit its findings and recommendations to the National Executive Council at the end of the 18-month period; and
- (f) that this Direction takes effect on and from the date of signature of this Instrument.

DATED this *twenty-first (21st)* day of *February*, 2018.



GOVERNOR-GENERAL.



National Gazette

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PORT MORESBY, THURSDAY, 8th MARCH

[2018

Constitutional and Law Reform Commission Act 2014

CONSTITUTIONAL AND LAW REFORM COMMISSION REFERENCE NO. 1 OF 2018

REVIEW OF THE ORGANIC LAW ON NATIONAL AND LOCAL-LEVEL GOVERNMENT ELECTIONS AND RELATED ELECTORAL LAWS AND SYSTEMS

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- (b) in the conduct of this review or inquiry into the *Organic Law*, the Commission must work in close consultation with the Electoral Commission of PNG, Department of Provincial Governments and Local-level Government Affairs, the Office of the Registrar of Political Parties and Candidates and other relevant agencies; and
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 - (ii) the polling system, including polling periods and polling places; and
 - (iii) the electoral boundaries; and
 - (iv) women and special interest representation in Parliament; and
 - (v) the nomination fees; and
 - (vi) the eligibility for nomination; and
 - (vii) the election petitions filing fees and period of filing; and
 - (viii) the voter identification system; and
 - (ix) the Local-level Government elections; and
 - (x) the electoral offences; and
 - (xi) the powers, functions and composition of electoral commissioners; and

*Review of the Organic Law on National and Local-Level Government Elections and—continued
Related Electoral Laws and System—continued*

- (xii) the decentralisation of election responsibilities; and
 - (xiii) such other matters that may arise in the course of the review or inquiry, and
- (d) that the Commission must complete this review or inquiry within 18 months from the date of signature of this Instrument; and
- (e) that the Commission must submit its findings and recommendations to the National Executive Council at the end of the 18 month period; and
- (f) that this Direction takes effect on and from the date of signature of this Instrument.

Dated this 21st day of February, 2018.

Sir BOB DADAE,
Governor—General.