

PAPUA NEW GUINEA (STAFFING ASSISTANCE) ACT 1975

No. 100 of 1975

An Act to amend the *Papua New Guinea (Staffing Assistance) Act 1973*.

BE IT ENACTED by the Queen, the Senate and the House of Representatives of Australia, as follows:—

Short title and citation.

1. (1) This Act may be cited as the *Papua New Guinea (Staffing Assistance) Act 1975*.¹

(2) The *Papua New Guinea (Staffing Assistance) Act 1973*² is in this Act referred to as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the *Papua New Guinea (Staffing Assistance) Act 1973-1975*.

Commencement.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹

Interpretation.

3. Section 3 of the Principal Act is amended by adding at the end thereof the following sub-section:—

“(3) In this Act, a reference to Papua New Guinea, in relation to a time after Papua New Guinea becomes an independent sovereign state, is a reference to the Independent State of Papua New Guinea.”.

Termination of employment by Minister.

4. Section 14 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:—

“(1) The Minister may, after giving the prescribed notice, terminate the employment of a person if he is satisfied that the services of the person are no longer required.”.

Benefits under this Part.

5. Section 19 of the Principal Act is amended by inserting after sub-section (2) the following sub-section:—

“(2A) Regulations under sub-section (1) may include provision for deferred benefits in specified circumstances.”.

Membership of Super-annuation Board.

6. Section 21 of the Principal Act is amended by omitting paragraph (a) of sub-section (1) and substituting the following paragraph:—

“(a) a person appointed by the Minister, being the holder of an office or appointment under the *Public Service Act 1922-1975* or any other Act;”.

7. Section 24 of the Principal Act is amended by omitting paragraph (a) of sub-section (1) and substituting the following paragraph:—

Membership
of Benefits
Board.

“(a) a person appointed by the Minister, being the holder of an office or appointment under the *Public Service Act* 1922-1975 or any other Act;”.

8. After section 28 of the Principal Act the following section is inserted:—

“28A. A person appointed as a member of a Board under paragraph 21 (1) (a) or 24 (1) (a) shall be deemed to perform his duties under this Act as part of his duties under any other Act under which he holds an office or appointment.”.

Effect of
other Acts on
certain
appointments.

9. Section 38 of the Principal Act is amended by inserting in paragraph (a) of sub-section (1), after the word “persons”, the words “(including persons who have ceased to be employed under Part II in specified circumstances)”.

Regulations
for purposes
of this Part.

10. After section 62 of the Principal Act the following section is inserted:—

“62A. Where the whole or part of any benefit payable to a person under this Act is paid to that person by the Government of Papua New Guinea out of the moneys of that Government, the amount of that benefit that would, but for this section, be payable under this Act by Australia to that person shall be reduced by the amount so paid.”.

Payments
may be
made by
Papua New
Guinea.

11. The power to make regulations under the Principal Act as amended by this Act extends to the making of regulations expressed to take effect on and from a date earlier than the date of commencement of this Act, not being a date earlier than 30 June 1975.

Making of
regulations.

12. The amendments of sections 21 and 24 of the Principal Act made by this Act do not affect appointments under those sections made before the commencement of this Act.

Transitional
provision.

NOTES

1. Act No. 100, 1975; assented to 9 September 1975.
2. Act No. 70, 1973.