

Unvalidated References:
Architects (Registration) Act 1989

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1992.

Architects (Registration) Regulation 1992

ARRANGEMENT OF SECTIONS.

PART I – PRELIMINARY.

1. Interpretation.
“election”
“prescribed examinations”

PART II – MANNER OF ELECTION TO BOARD OF REPRESENTATIVES OF ARCHITECTS.

2. Roll of electors.
3. Notice of election.
4. Nomination and election of elective members of the Board.
5. Destruction of voting-papers.
6. Advice as to election of President of Papua New Guinea Institute of Architects.

PART III – BUSINESS OF THE BOARD.

7. Banking and application of moneys.
8. Communications to the Board.
9. Issue of certificates of registration.
10. Seal.
11. Roll fees.

PART IV – REGISTRATION AND APPROVALS.

12. Registration of Architects.
13. Approval of Companies.

PART V – QUALIFICATIONS FOR REGISTRATION.

14. Prescribed examinations.
15. Prerequisites.
16. Application for entry to examination.
17. Approved courses.
18. The Register.

PART VI – MISCELLANEOUS.

19. Prescribed schools of architecture.
20. Prescribed qualifications.
21. Prescribed value of works.
22. Annual statements of accounts.
23. Change of address.
24. Fees.
25. Offences and penalties.

SCHEDULE 1

SCHEDULE 2

SCHEDULE 3

Architects (Registration) Regulation 1992

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Architects (Registration) Act 1989*.

Dated 200 .

PART I. – PRELIMINARY.

1. INTERPRETATION.

In this Regulation, unless the contrary intention appears—

“**election**” means an election of members of the Board as required by Section 3(1)(c) of the Act;

“**prescribed examinations**” means the examinations referred to in Section 14(1).

PART II. – MANNER OF ELECTION TO BOARD OF REPRESENTATIVES OF ARCHITECTS.

2. ROLL OF ELECTORS.

(1) For the purpose of Section 3(1)(c) of the Act, the Registrar shall prepare a roll of electors entitled to vote at an election comprising the names of all persons who are duly registered as architects on the date of the publication of the notice of that election.

(2) The roll shall be certified to be correct by the Chairman by writing under his hand and when so certified shall be the roll of electors to be used at the election for which it was prepared.

3. NOTICE OF ELECTION.

(1) In the month of June in the year 1993 and in each year thereafter in which an election is to be held, the Board shall determine the date of the election to be held in such year and the date for the receipt of nominations therefor and, on or before a date to be determined by the Board, the Registrar shall give public notice by advertisement in the National Gazette of intention to hold such election.

(2) An election shall take place not later than 31 August next following the gazettal of a notice under Subsection (1) relating to that election.

(3) Nominations for an election shall close not less than 21 days after the date of the gazettal of a notice under Subsection (1) relating to that election.

(4) Ballot-papers for an election shall be issued not less than 21 days prior to the date fixed for that election.

(5) Every notice of election shall specify the date fixed for the election, and the date determined by the Board as the final date for the receipt of nominations of candidates in respect of such election.

4. NOMINATION AND ELECTION OF ELECTIVE MEMBERS OF THE BOARD.

(1) Any three persons whose names are included in the roll of electors, and who wish to nominate an eligible person as a candidate for an election, may complete and sign a nomination-paper in Form 1 of Schedule 1 and such nomination-paper shall be signed by the person, therein named as a candidate, accepting such nomination.

(2) A nomination paper completed and signed in accordance with Subsection (1) shall be lodged with or otherwise received by the Registrar before three o'clock in the afternoon of the day determined by the Board as the final day for the receipt of nominations of candidates.

(3) Where no more than two eligible persons are nominated, the Registrar shall make a return to the Minister and shall declare such persons to have been duly

elected by the architects of Papua New Guinea for appointment as members of the Board.

(4) Where the number of eligible persons nominated is greater than two, an election shall be held and the Registrar shall, as soon as practicable, cause voting-papers to be prepared and shall forward or cause to be forwarded in a sealed envelope, to every person included in the roll of electors, an open envelope addressed to the Registrar, and marked "Voting-paper only", and a voting-paper in Form 2 of Schedule 1 setting out the names of the candidates.

(5) A candidate may withdraw his consent to his nomination at any time before three o'clock on nomination day by delivering, or causing to be delivered to the Registrar, a notice of retirement in Form 3 of Schedule 1 and thereby the nomination shall be cancelled.

(6) The Registrar may, at any time prior to the forwarding of voting papers pursuant to Subsection (4), upon receipt of notice of the death of a candidate, and provided that it is practicable so to do, cancel the nomination of that candidate.

(7) Each voter shall vote for two candidates and indicate his vote on the voting-paper by placing a cross in the square opposite the name of each of the two candidates for whom he votes and, if any voter shall vote for more or less than two candidates or make any other mark or writing on the voting-paper, the vote given by such voter on such voting-paper shall be deemed to be informal and shall not be counted by the Registrar.

(8) A voter shall enclose his voting-paper in the envelope furnished to him under Subsection (4), addressed to the Registrar and marked as provided in Subsection (7) and shall deliver or cause to be delivered the same so that it shall be received by the Registrar before three o'clock in the afternoon of the day fixed for holding such election.

(9) Each voting-paper, when returned to the Registrar, shall be deposited in a locked ballot-box with a cleft or opening therein capable of receiving the voting papers.

(10) Each candidate shall be entitled to appoint, in writing, one scrutineer to be present when the Registrar shall open the envelopes containing the voting-papers on the day of the election and such appointment shall be notified to the Registrar not less than five days prior to the day fixed for the election.

(11) The Registrar shall, at three o'clock in the afternoon of the day of the election, in the presence of the scrutineers appointed in accordance with Subsection (10)–

- (a) open the envelopes addressed to the Registrar and marked in accordance with this section which have been returned to him; and
- (b) take out and examine the voting-papers contained in the envelopes; and
- (c) after rejecting informal votes, proceed to ascertain the number of votes for each candidate; and

- (d) where two or more candidates have received an equal number of votes, determine by lots, in the presence of witnesses, which candidate shall be elected.

(12) At the examination of the voting-papers under Subsection (11)(b), the Registrar shall deem to be informal and not count a voting paper which—

- (a) is manifestly irregular; or
- (b) contains a greater or lesser number of names voted for than the members to be elected; or
- (c) is so imperfectly executed that the intention of the voter cannot with certainty be ascertained.

(13) After carrying out the procedure set out in Subsection (11), the Registrar shall—

- (a) make out a written statement signed by himself, and countersigned by any scrutineers who are present and consent to sign the same, containing the numbers in words as well as figures of the votes for each candidate ascertained in accordance with Subsection (11); and
- (b) at the same time and place, declare to have been duly elected the two candidates who have received the greatest number of votes; and
- (c) forthwith thereafter certify to the Minister, by writing under his hand, the names of the candidates so elected, and the date of the declaration of the result of the election.

5. DESTRUCTION OF VOTING-PAPERS.

Not less than three months after holding an election, the Registrar shall, when authorized by the Board, destroy all voting-papers used at such election.

6. ADVICE AS TO ELECTION OF PRESIDENT OF PAPUA NEW GUINEA INSTITUTE OF ARCHITECTS.

Not later than seven days after each election of a person to be President of the Papua New Guinea Institute of Architects, the Secretary of the Papua New Guinea Institute of Architects, or the person acting in his behalf, shall notify the Minister and the Registrar of such election and of the name of the said President.

PART III. – BUSINESS OF THE BOARD.

7. BANKING AND APPLICATION OF MONEYS.

(1) The Registrar shall deposit all moneys received by him on account of the Board forthwith with the Papua New Guinea Banking Corporation in Port Moresby, or such other bank as may from time to time be determined by the Board, to the credit of the Board, to an account to be called “The Board of Architects of Papua New Guinea Account”.

(2) All accounts rendered to the Board and passed by it for payment shall be paid by cheque and signed by at least two of the following:–

- (a) the Chairman;
- (b) the Registrar;
- (c) one other person chosen by the Board.

(3) The Registrar shall present to the Board at each ordinary meeting a statement, showing the receipts and disbursements since the last preceding meeting, and shall obtain and produce the bank statement at each ordinary meeting, and at any special meeting if required to do so in the notice for the holding of such meeting.

8. COMMUNICATIONS TO THE BOARD.

All communications to the Board shall be addressed to the Registrar.

9. ISSUE OF CERTIFICATES OF REGISTRATION.

All certificates issued by the Board shall have affixed thereto the seal of the Board and shall bear the signatures of the Chairman and the Registrar.

10. SEAL.

(1) The Registrar shall have the custody of the seal of the Board which shall not be used except as provided in this Regulation.

(2) The seal of the Board may be affixed by the Chairman or the Registrar to any instrument or writing, when such fixing is authorized by a resolution of the Board passed for that purpose and entered in the minutes of the proceedings of the Board.

11. ROLL FEES.

No later than the 31 August in each year, the Registrar shall forward to each architect whose name remains on the register a notice setting out the amount of the roll fee due in respect of the year commencing on the first day of January next following.

PART IV. – REGISTRATION AND APPROVALS.

12. REGISTRATION OF ARCHITECTS.

(1) A person who wishes to be registered as an architect shall submit to the Board an application in Form 4 of Schedule 1.

(2) A certificate of registration shall be issued in Form 5 of Schedule 1.

(3) Not later than 30 September 1991, the President of the Papua New Guinea Institute of Architects shall submit to the Board a list of architects who are current members of the Papua New Guinea Institute of Architects and who meet the requirements of Section 22 of the Act.

(4) Upon application for registration in accordance with Section 23 of the Act, by an architect whose name appears on the list referred to in Subsection (3), the Board shall issue a certificate of registration.

13. APPROVAL OF COMPANIES.

(1) A company which desires to obtain approval as approved architectural company or to obtain renewal of its certificate of approval as approved architectural company shall make application to the Board in Form 6 of Schedule 1.

(2) A certificate of approval or a renewal of a certificate of approval shall be granted in Form 7 of Schedule 1.

(3) Where the Board refuses to grant an approval or to grant a renewal of a certificate of approval all fees that accompanied the application shall be refunded.

(4) Where, in relation to the consideration by the Board of an application for a certificate of approval or renewal of a certificate of approval, the Board is of the opinion that it requires further evidence that the applicant company properly fulfils the conditions entitling it to be an approved architectural company or to have its certificate of approval renewed, it may, if thought so desirable, appoint a time and place to allow the principal executive officer of the company to appear before it or before any committee appointed for that particular purpose to answer questions and to give further information relative to the application, and to produce such further evidence as the Board may require.

(5) An approved architectural company shall, within one month after a person becomes or ceases to be the person having the actual personal supervision and management of the business of the company at any place of business in Papua New Guinea, lodge with the Registrar a notice of that fact.

(6) The provisions of Subsection (4) shall *mutatis mutandis* apply where in the opinion of the Board further consideration should be given to the details of a notice lodged with the Registrar under Section 34 of the Act or under Subsection (5).

PART V. – QUALIFICATIONS FOR REGISTRATION.

14. PRESCRIBED EXAMINATIONS.

(1) Examinations in the subjects set out in Schedule 3 shall constitute the prescribed examinations referred to in Section 22 of the Act.

(2) The Board shall, from time to time, by notice published in the National Gazette, recommend for study and reference by candidates for the prescribed examinations such text-books as it considers appropriate and shall similarly publish a syllabus for each subject.

15. PREREQUISITES.

(1) A candidate shall not be permitted to sit for Parts 1 or 2 of the prescribed examinations unless that candidate would, in the opinion of the Board, be eligible for enrolment in a course falling within the provisions of Section 22(b) of the Act.

(2) The following provisions apply to the prescribed examinations:–

- (a) Part 1 and Part 2 of the prescribed examinations shall in each case be passed within a maximum of three years, except where, having regard to the special circumstances in any particular case, the Board grants an extension;
- (b) Part 2 of the prescribed examinations may not be undertaken unless Part 1 has been passed;
- (c) Part 3 of the prescribed examinations, or the equivalent examinations conducted by a Board or other body approved by the Board, shall not be taken unless—
 - (i) the requirements of Section 22(a) of the Act have been met; and
 - (ii) the candidate has undertaken the whole of the practical experience in architectural work and practice as is required by Subsection (3).

(3) Subject to Subsection (4), the practical experience in architectural work and practice referred to in Section 22(b) of the Act shall consist of a minimum of five years of employment which in the opinion of the Board might reasonably be expected to equip the candidate with sufficient knowledge and expertise to pass either Part 3 of the prescribed examinations or the equivalent examinations conducted by a board or other body approved by the Board.

(4) At least one full year of the employment referred to in Subsection (3) shall be commenced and completed after the requirements of Section 22(a) of the Act have been completed.

16. APPLICATION FOR ENTRY TO EXAMINATION.

The prescribed form of application for entry to examinations in any of the subjects contained in Parts 1 or 2 of the prescribed examinations shall be Form 8 of

Schedule 1 and the prescribed form of application for entry to Part 3 of the prescribed examinations shall be Form 9 of Schedule 1.

17. APPROVED COURSES.

The Board shall, from time to time, by notice in the National Gazette, publish a list of those courses of study in architecture the syllabuses of which have been approved by the Board pursuant to Section 22(b) of the Act.

18. THE REGISTER.

For the purposes of Section 18 of the Act, the register shall contain in respect of each person registered as an architect a description of the qualification (and the date upon which such qualification was gained) forming the basis of that person's registration.

PART VI. – MISCELLANEOUS.

19. PRESCRIBED SCHOOLS OF ARCHITECTURE.

The following shall be a prescribed school of architecture for the purposes of Section 3(1)(b) of the Act:–

“The Department of Architecture, Papua New Guinea University of Technology, Lae.”

20. PRESCRIBED QUALIFICATIONS.

(1) A person holds a prescribed qualification for the purposes of Section 31(b)(ii)(A) of the Act if that person is eligible for corporate membership of any of the following:–

- (a) Society of Professional Engineers of Papua New Guinea;
- (b) an institute or like body which in the opinion of the Board is equivalent to or of equal standing with the body listed in Paragraph (a), or the Papua New Guinea Institute of Architects.

(2) A person is a relative, as prescribed of an architect for the purposes of Section 31(1)(b)(iii)(B) of the Act if that person is the spouse, child, grandchild, parent or grandparent of the architect.

21. PRESCRIBED VALUE OF WORKS.

For the purposes of Section 46(1) of the Act, the estimated value of works shall exceed K50,000.00.

22. ANNUAL STATEMENTS OF ACCOUNTS.

For the purposes of Section 53(2) of the Act, the Annual Statements of Account shall be in accordance with Form 10.

23. CHANGE OF ADDRESS.

A registered architect shall within 14 days after changing his business address, notify the Registrar in writing of such change.

24. FEES.

The fees specified in Schedule 2 shall be the fees for the matters and circumstances respectively set out in that Schedule.

25. OFFENCES AND PENALTIES.

(1) A person who contravenes or fails to comply with any provision of this Regulation commits an offence against this Regulation.

(2) A person who–

s. 25.

Architects (Registration) Regulation 1992

- (a) fails to do what he is directed or required to do; or
- (b) does what he is forbidden to do,

commits an offence against this Regulation.

(3) A person who commits an offence against this Regulation is liable to a penalty of a fine not exceeding K1,000.00.

SCHEDULE 1

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 1 – Form of Nomination.

Reg. Sec 4(1)

.....
The ... day of ...

We, the undersigned architects of Papua New Guinea do hereby nominate (here state given names and surname in full and address) as a candidate at the election of the elective members of the Board of Architects of Papua New Guinea to be held on the ... day of ..., under the provisions of ... the *Architects (Registration) Act 1989*.

(Here are to follow not less than three signatures and addresses of nominators).

Signature of Nominee: _____

Date: _____

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 2 – Voting-paper.

Reg. Sec 4(4)

which it occurred.

An official record of the death, duly registered, shall be drawn up in accordance with the procedure relating thereto in force in the territory where the place of internment is situated, and a duly certified copy of such record shall be transmitted without delay to the Protecting Power as well as to the Central Agency referred to in Article 140.

ARTICLE 130 **Burial. Cremation.**

The detaining authorities shall ensure that internees who die while interned are honourably buried, if possible according to the rites of the religion to which they belonged and that their graves are respected, properly maintained, and marked in such a way that they can always be recognized.

Deceased internees shall be buried in individual graves unless unavoidable circumstances require the use of collective graves. Bodies may be cremated only for imperative reasons of hygiene, on account of the religion of the deceased or in accordance with his expressed wish to this effect. In case of cremation, the fact shall be stated and the reasons given in the death certificate of the deceased. The ashes shall be retained for safe-keeping by the detaining authorities and shall be transferred as soon as possible to the next of kin on their request.

As soon as circumstances permit, and not later than the close of hostilities, the Detaining Power shall forward lists of graves of deceased internees to the Powers on whom deceased internees depended, through the Information Bureaux provided for in Article 136. Such lists shall include all particulars necessary for the identification of the deceased internees, as well as the exact location of their graves.

ARTICLE 131 **Internees killed or injured in special circumstances.**

Every death or serious injury of an internee, caused or suspected to have been caused by a sentry, another internee or any other person, as well as any death the cause of which is unknown, shall be immediately followed by an official enquiry by the Detaining Power.

A communication on this subject shall be sent immediately to the Protecting Power. The evidence of any witnesses shall be taken, and a report including such evidence shall be prepared and forwarded to the said Protecting Power.

If the enquiry indicates the guilt of one or more persons, the Detaining Power shall take all necessary steps to ensure the prosecution of the person or persons responsible.

CHAPTER XII—Release, Repatriation and Accommodation in Neutral Countries

ARTICLE 132 **During hostilities or occupation.**

Each interned person shall be released by the Detaining Power as soon as the reasons which necessitated his internment no longer exist.

The Parties to the conflict shall, moreover, endeavour during the course of hostilities, to conclude agreements for the release, the repatriation, the return to places of residence or the accommodation in a neutral country of certain classes of internees, in particular children, pregnant women and mothers with infants and young children, wounded and sick, and internees who have been detained for a long time.

ARTICLE 133 **After the close of hostilities.**

Internment shall cease as soon as possible after the close of hostilities.

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 3 – Retirement of candidate.

Reg. Sec 4(5).

Internees in the territory of a Party to the conflict against whom penal proceedings are pending for offences not exclusively subject to disciplinary penalties, may be detained until the close of such proceedings and, if circumstances require, until the completion of the penalty. The same shall apply to internees who have been previously sentenced to a punishment depriving them of liberty.

By agreement between the Detaining Power and the Powers concerned, committees may be set up after the close of hostilities, or of the occupation of territories, to search for dispersed internees.

ARTICLE 134 Repatriation and return to last place of residence.

The High Contracting Parties shall endeavour, upon the close of hostilities or occupation, to ensure the return of all internees to their last place of residence, or to facilitate their repatriation.

ARTICLE 135 Costs.

The Detaining Power shall bear the expense of returning released internees to the places where they were residing when interned, or, if it took them into custody while they were in transit or on the high seas, the cost of completing their journey or of their return to their point of departure.

Where a Detaining Power refuses permission to reside in its territory to a released internee who previously had his permanent domicile therein, such Detaining Power shall pay the cost of the said internee's repatriation. If, however, the internee elects to return to his country on his own responsibility or in obedience to the Government of the Power to which he owes allegiance, the Detaining Power need not pay the expenses of his journey beyond the point of his departure from its territory. The Detaining Power need not pay the cost of repatriation of an internee who was interned at his own request.

If internees are transferred in accordance with Article 45, the transferring and receiving Powers shall agree on the portion of the above costs to be borne by each.

The foregoing shall not prejudice such special agreements as may be concluded between Parties to the conflict concerning the exchange and repatriation of their nationals in enemy hands.

SECTION V—Information Bureaux and Central Agency

ARTICLE 136 National Bureaux.

Upon the outbreak of a conflict and in all cases of occupation, each of the parties to the conflict shall establish an official Information Bureau responsible for receiving and transmitting information in respect of the protected persons who are in its power.

Each of the Parties to the conflict shall, within the shortest possible period, give its Bureau information of any measure taken by it concerning any protected persons who are kept in custody for more than two weeks, who are subjected to assigned residence or who are interned. It shall, furthermore, require its various departments concerned with such matters to provide the aforesaid Bureau promptly with information concerning all changes pertaining to these protected persons, as, for example, transfers, releases, repatriations, escapes, admittances to hospitals, births and deaths.

ARTICLE 137 Transmission of Information.

Each national Bureau shall immediately forward information concerning protected

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 4 – Application for registration as an architect.

Reg. Sec. 12(1)

persons by the most rapid means to the Powers of whom the aforesaid persons are nationals, or to Powers in whose territory they resided, through the intermediacy of the Protecting Powers and likewise through the Central Agency provided for in Article 140. The Bureaux shall also reply to all enquiries which may be received regarding protected persons.

Information Bureaux shall transmit information concerning a protected person unless its transmission might be detrimental to the person concerned or to his or her relatives. Even in such a case, the information may not be withheld from the Central Agency which, upon being notified of the circumstances, will take the necessary precautions indicated in Article 140.

All communications in writing made by any Bureau shall be authenticated by a signature or a seal.

ARTICLE 138 Particulars required.

The information received by the national Bureau and transmitted by it shall be of such a character as to make it possible to identify the protected person exactly and to advise his next of kin quickly. The information in respect of each person shall include at least his surname, first names, place and date of birth, nationality, last residence and distinguishing characteristics, the first name of the father and the maiden name of the mother, the date, place and nature of the action taken with regard to the individual, the address at which correspondence may be sent to him and the name and address of the person to be informed.

Likewise, information regarding the state of health of internees who are seriously ill or seriously wounded shall be supplied regularly and if possible every week.

ARTICLE 139 Forwarding of personal valuables.

Each national Information Bureau shall, furthermore, be responsible for collecting all personal valuables left by protected persons mentioned in Article 136, in particular those who have been repatriated or released, or who have escaped or died; it shall forward the said valuables to those concerned, either direct, or, if necessary, through the Central Agency. Such articles shall be sent by the Bureau in sealed packets which shall be accompanied by statements giving clear and full identity particulars of the person to whom the articles belonged, and by a complete list of the contents of the parcel. Detailed records shall be maintained of the receipt and despatch of all such valuables.

ARTICLE 140 Central Agency.

A Central Information Agency for protected persons, in particular for internees, shall be created in a neutral country. The International Committee of the Red Cross shall, if it deems necessary, propose to the Powers concerned the organization of such an Agency, which may be the same as that provided for in Article 123 of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

The function of the Agency shall be to collect all information of the type set forth in Article 136 which it may obtain through official or private channels and to transmit it as rapidly as possible to the countries of origin or of residence of the persons concerned, except in cases where such transmissions might be detrimental to the persons whom the said information concerns, or to their relatives. It shall receive from the Parties to the conflict all reasonable facilities for effecting such transmissions.

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 5 – Certificate of registration.

Reg. Sec. 12(2)

The High Contracting Parties, and in particular those whose nationals benefit by the services of the Central Agency, are requested to give the said Agency the financial aid it may require.

The foregoing provisions shall in no way be interpreted as restricting the humanitarian activities of the International Committee of the Red Cross and of the relief Societies described in Article 142.

ARTICLE 141 Exemption from charges.

The national Information Bureaux and the Central Information Agency shall enjoy free postage for all mail, likewise the exemptions provided for in Article 110, and further, so far as possible, exemption from telegraphic charges or, at least, greatly reduced rates.

PART IV.—EXECUTION OF THE CONVENTION

SECTION I—General Provisions

ARTICLE 142 Relief societies and other organizations.

Subject to the measures which the Detaining Powers may consider essential to ensure their security or to meet any other reasonable need, the representatives of religious organizations, relief societies, or any other organizations assisting the protected persons, shall receive from these Powers, for themselves or their duly accredited agents, all facilities for visiting the protected persons, for distributing relief supplies and material from any source, intended for educational, recreational or religious purposes, or for assisting them in organizing their leisure time within the places of internment. Such societies or organizations may be constituted in the territory of the Detaining Power, or in any other country, or they may have an international character.

The Detaining Power may limit the number of societies and organizations whose delegates are allowed to carry out their activities in its territory and under its supervision, on condition, however, that such limitation shall not hinder the supply of effective and adequate relief to all protected persons.

The special position of the International Committee of the Red Cross in this field shall be recognized and respected at all times.

ARTICLE 143 Supervision.

Representatives or delegates of the Protecting Powers shall have permission to go to all places where protected persons are, particularly to places of internment, detention and work.

They shall have access to all premises occupied by protected persons and shall be able to interview the latter without witnesses, personally or through an interpreter.

Such visits may not be prohibited except for reasons of imperative military necessity, and then only as an exceptional and temporary measure. Their duration and frequency shall not be restricted.

Such representatives and delegates shall have full liberty to select the places they wish to visit. The Detaining or Occupying Power, the Protecting Power and when occasion arises the Power of origin of the persons to be visited, may agree that compatriots of the internees shall be permitted to participate in the visits.

The delegates of the International Committee of the Red Cross shall also enjoy the

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 6 – Application for approvals as an architectural company.

Reg. Sec 13(1)

above prerogatives. The appointment of such delegates shall be submitted to the approval of the Power governing the territories where they will carry out their duties.

ARTICLE 144 Dissemination of the Convention.

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to the entire population.

Any civilian, military, police or other authorities, who in time of war assume responsibilities in respect of protected persons, must possess the text of the Convention and be specially instructed as to its provisions.

ARTICLE 145 Translations. Rules of application.

The High Contracting Parties shall communicate to one another through the Swiss Federal Council and, during hostilities, through the Protecting Powers, the official translations of the present Convention, as well as the laws and regulations which they may adopt to ensure the application thereof.

ARTICLE 146 Penal sanctions:—I. General observations.

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordered to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949.

ARTICLE 147 Penal sanctions:—II. Grave breaches.

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the present Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, unlawful deportation or transfer or unlawful confinement of a protected person, compelling a protected person to serve in the forces of a hostile Power, or wilfully depriving a protected person of the rights of fair and regular trial prescribed in the present Convention, taking of hostages and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

ARTICLE 148 Penal sanctions:—III. Responsibilities of the Contracting Parties.

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 7 – Certificate of approval.

Reg. Sec. 13(2)

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

ARTICLE 149 Enquiry procedure.

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

SECTION II—Final Provisions

ARTICLE 150 Languages.

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

ARTICLE 151 Signature.

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which opened at Geneva on April 21, 1949.

ARTICLE 152 Ratification.

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 153 Coming into force.

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

ARTICLE 154 Relation with the Hague Conventions.

In the relations between the Powers who are bound by the Hague Conventions respecting the Laws and Customs of War on Land, whether that of July 29, 1864, or that of October 18, 1907, and who are parties to the present Convention, this last Convention shall be supplementary to Sections II and III of the Regulations annexed to the above-mentioned Conventions of The Hague.

ARTICLE 155 Accession.

From the date of its coming into force, it shall be open to any Power in whose

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 8 – Application for entry to examination.

Reg. Sec. 16.

name the present Convention has not been signed, to accede to this Convention.

ARTICLE 156 Notification of accessions.

Accessions shall be notified in writing to the Swiss Federal Council, and shall take effect six months after the date on which they are received.

The Swiss Federal Council shall communicate the accessions to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

ARTICLE 157 Immediate effect.

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

ARTICLE 158 Denunciation.

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with release, repatriation and re-establishment of the persons protected by the present Convention have been terminated.

The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfil by virtue of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

ARTICLE 159 Registration with the United Nations.

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

IN WITNESS WHEREOF the undersigned, having deposited their respective full powers, have signed the present Convention.

DONE at Geneva this twelfth day of August 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

ANNEX I—Draft Agreement Relating to Hospital and Safety Zones and Localities

ARTICLE 1

Hospital and safety zones shall be strictly reserved for the persons mentioned in Article 23 of the Geneva Convention for the Amelioration of the Condition of the

Sch. 1

Architects (Registration) Regulation 1992

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

Form 9 – Application for entry to examination in architectural practice.

Wounded and Sick in Armed Forces in the Field of August 12, 1949, and in Article 14 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949, and for the personnel entrusted with the organization and administration of these zones and localities, and with the care of the persons therein assembled.

Nevertheless, persons whose permanent residence is within such zones shall have the right to stay there.

ARTICLE 2

No persons residing, in whatever capacity, in a hospital and safety zone shall perform any work, either within or without the zone, directly connected with military operations or the production of war material.

ARTICLE 3

The Power establishing a hospital and safety zone shall take all necessary measures to prohibit access to all persons who have no right of residence or entry therein.

ARTICLE 4

Hospital and safety zones shall fulfil the following conditions:

- (a) They shall comprise only a small part of the territory governed by the Power which has established them.
- (b) They shall be thinly populated in relation to the possibilities of accommodation.
- (c) They shall be far removed and free from all military objectives, or large industrial or administrative establishments.
- (d) They shall not be situated in areas which, according to every probability, may become important for the conduct of the war.

ARTICLE 5

Hospital and safety zones shall be subject to the following obligations:

- (a) The lines of communication and means of transport which they possess shall not be used for the transport of military personnel or material, even in transit.
- (b) They shall in no case be defended by military means.

ARTICLE 6

Hospital and safety zones shall be marked by means of oblique red bands on a white ground, placed on the buildings and outer precincts.

Zones reserved exclusively for the wounded and sick may be marked by means of the Red Cross (Red Crescent, Red Lion and Sun) emblem on a white ground.

They may be similarly marked at night by means of appropriate illumination.

ARTICLE 7

The Powers shall communicate to all the High Contracting Parties in peacetime or on the outbreak of hostilities, a list of the hospital and safety zones in the territories governed by them. They shall also give notice of any new zones set up during hostilities.

As soon as the adverse party has received the above-mentioned notification, the zone shall be regularly established.

PAPUA NEW GUINEA.

Architects (Registration) Act 1989.

***Form 10 – Annual statements of account statement of receipts and
disbursements for the year ended 30th December 19....***

Reg. Sec. 22

If, however, the adverse party considers that the conditions of the present agreement have not been fulfilled, it may refuse to recognize the zone by giving immediate notice thereof to the Party responsible for the said zone, or may make its recognition of such zone dependent upon the institution of the control provided for in Article 8.

ARTICLE 8

Any Power having recognized one or several hospital and safety zones instituted by the adverse Party shall be entitled to demand control by one or more Special Commissions, for the purpose of ascertaining if the zones fulfil the conditions and obligations stipulated in the present agreement.

For this purpose, members of the Special Commissions shall at all times have free access to the various zones and may even reside there permanently. They shall be given all facilities for their duties of inspection.

ARTICLE 9

Should the Special Commissions note any facts which they consider contrary to the stipulations of the present agreement, they shall at once draw the attention of the Power governing the said zone to these facts, and shall fix a time limit of five days within which the matter should be rectified. They shall duly notify the Power who has recognized the zone.

If, when the time limit has expired, the Power governing the zone has not complied with the warning, the adverse Party may declare that it is no longer bound by the present agreement in respect of the said zone.

ARTICLE 10

Any Power setting up one or more hospital and safety zones, and the adverse Parties to whom their existence has been notified, shall nominate or have nominated by the Protecting Powers or by other neutral Powers, persons eligible to be members of the Special Commissions mentioned in Articles 8 and 9.

ARTICLE 11

In no circumstances may hospital and safety zones be the object of attack. They shall be protected and respected at all times by the Parties to the conflict.

ARTICLE 12

In the case of occupation of a territory, the hospital and safety zones therein shall continue to be respected and utilized as such.

Their purpose may, however, be modified by the Occupying Power, on condition that all measures are taken to ensure the safety of the persons accommodated.

ARTICLE 13

The present agreement shall also apply to localities which the Powers may utilize for the same purposes as hospital and safety zones.

ANNEX II—Draft Regulations concerning Collective Relief

ARTICLE 1

The Internee Committees shall be allowed to distribute collective relief shipments for which they are responsible to all internees who are dependent for administration on the said Committee's place of internment, including those internees who are in

SCHEDULE 2

Reg. Sec. 24.

¹ MATTER AND CIRCUMSTANCE	FEES
Prescribed roll fee (Section 21(1))	80.00
Prescribed registration fee (Section (Section 23(1)(c)(i))	80.00
Prescribed certificate fee (Section 23(1)(c)(iii))	30.00
Prescribed fee accompanying application for approval (Section 31(2)(c))	100.00
Prescribed fee accompanying application for renewal of approval (Section 32(2)(c))	150.00
For supply of any copy or extract from the Register of Architects-for each page	5.00
Fee on application for entry to prescribed examinations	20.00.

¹ Schedule 2 repealed and replaced by *Architects (Amendments)(Registration) Regulation 1999* (No. 2 of 1999).

SCHEDULE 3

Part 1 subjects:

Subject 1–Testimonies of Study and Delineation.

Subject 2–Architectural Design 1

Subject 3–History of Architectural Development

Subject 4–Architectural Construction 1

Subject 5–Materials

Subject 6–Structures 1

Subject 7–Building Services 1

Part 2 subjects:

Subject 8–Testimonies of Study

Subject 9–Architectural Design II

Subject 10–Architectural Construction II

Subject 11–Structures II

Subject 12–Specifications

Sch. 3

Architects (Registration) Regulation 1992

Subject 13–Professional Practice

Subject 14–Building Services II

Subject 15–Town Planning

Part 3 subject:

Subject 16–Architectural Practice.

Architects (Registration) Regulation 1992