

No. 6 of 2006.

Emergency (Southern Highlands Province) (Defence Force) Act 2006.

Certified on: 9/8/2006.

INDEPENDENT STATE OF PAPUA NEW GUINEA.



No. 6 of 2006.

Emergency (Southern Highlands Province) (Defence Force) Act 2006.

ARRANGEMENT OF SECTIONS.

1. Interpretation.
 - “Commander”
 - “Controller”
 - “emergency area ”
 - “national emergency”
2. Application.
3. Use of Defence Force during national emergency.
4. Command.

INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

Emergency (Southern Highlands Province) (Defence Force) Act 2006,

Being an Emergency Act as authorized by Part X (emergency powers) of the *Constitution* to make provision, in Compliance with Section 202(c)(iii) (functions of the Defence Force) of the *Constitution* for the Defence Force to provide assistance to the civilian authorities during the national emergency declared in relation to the Southern Highlands Province,

MADE by the National Parliament to come into operation on the date of declaration of the national emergency.

1. INTERPRETATION.

(1) In this Act, unless the contrary intention appears –

“**Commander**” means the Commander of the Defence Force;

“**Controller**” means the person appointed as Controller or as Deputy Controller under Section 3 of the *Emergency (Southern Highlands Province) (General Provisions) Act 2006*;

“**emergency area** ” means the Southern Highlands Province being the area to which the national emergency applies;

“**national emergency**” means the national emergency declared in respect of the Southern Highlands Province.

(2) Unless the contrary intention appears, the provisions of the *Interpretation Act 1975* (Chapter 2) apply to this Act.

2. APPLICATION.

(1) This Act applies to and in relation to the emergency area.

(2) This Act applies notwithstanding the provisions of any other law to the contrary.

3. USE OF DEFENCE FORCE DURING NATIONAL EMERGENCY.

(1) Subject to Subsection (2), the National Executive Council may require the Defence Force or part of the Defence Force to assist the Controller during the national emergency.

(2) The extent of the assistance to be rendered under Subsection (1) shall be as determined by the National Executive Council.

4. COMMAND.

(1) For the purposes of rendering assistance under Subsection (2), the Defence Force or part thereof shall be subject to the orders and directions of the Controller, which, in so far as is practicable, shall be given to the person designation by the Commander for the purpose.

(2) For the purposes of any Constitutional or any other law, an order or direction given in pursuance to this Act by the Controller to a member of the Defence Force assisting under Section 3 is deemed to be a lawful order.

Office of Legislative Counsel, PNG