

Unvalidated References:

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 January 2003.

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Legislative Counsel
Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 374.

Employment of Non-citizens Regulation 1983

ARRANGEMENT OF SECTIONS.

1. Application for work permit.
2. Application for approval to recruit.
3. Employer's register.
4. Fees.
5. Training and localization programmes.

SCHEDULE 1

Employment of Non-citizens Regulation 1983

MADE under the *Employment of Non-citizens Act 1978*.

Dated 200 .

1. APPLICATION FOR WORK PERMIT.

An application for a work permit under Section 6(1) of the Act shall be in Form 1.

2. APPLICATION FOR APPROVAL TO RECRUIT.

An application for an approval to recruit under Section 5A of the Act shall be in Form 2.

3. EMPLOYER'S REGISTER.

An employer's register under Section 14(1) of the Act shall be in Form 3.

4. FEES.

¹The fee for—

- (a) the issue of a work permit and duplicate work permit shall be free of charge; and
- (b)² the approval of each position for which an approval to recruit is given is K2000.00.

5. TRAINING AND LOCALIZATION PROGRAMMES.

All training and localization programmes shall include the following information as a minimum requirement:—

- (a) an organization chart which should clearly indicate—
 - (i) all positions in the organization; and

¹ Section 4 replaced by *Employment of Non-Citizens (Amendment) Regulation 1986* (No. 10 of 1986).

² Section 4(b) amended by *Employment of Non-Citizens (Amendment) Regulation 1990* (No. 23 of 1990); Section 4(b) amended by *Employment of Non-Citizens (Amendment) Regulation 1995* (No. 8 of 1995); Section 4 Amended by S.R. 2002, No. 22.

- (ii) the job titles; and
 - (iii) the responsibility and relationship of jobs to each other; and
 - (iv) the positions occupied and to be occupied by citizens and non-citizens; and
 - (v) whether the non-citizen positions have or require work permits; and
 - (vi) the positions reference number of each position (maximum of 5 digits); and
- (b) job descriptions and skill requirements for all non-citizen positions, which shall also contain the amount of wages (including bonus, allowance, subsidies, etc.) to be paid; and
- (c) a localization timetable which should clearly indicate for each non-citizen position, the anticipated length of time in years (and months if appropriate) needed for citizens to be suitably trained and experienced to fill those positions; and
- (d) details of training programmes to be undertaken by citizens selected to replace non-citizens, including information on—
- (i) type of training (on-the-job, formal, part-time, full-time, block release, etc.); and
 - (ii) training content (names of courses, work areas to be learned, etc.); and
 - (iii) length of training (formal courses, on-the-job, etc.) and necessary work experiences prior to taking full responsibility for the positions; and
 - (iv) location of training (Papua New Guinea or overseas, including names of training institutions, organizations, etc.); and
 - (v) costs of training (course and boarding fees, book and equipment allowances, fares, training staff salaries and overheads, establishment and maintenance of training aids, equipment and facilities, etc.); and
- (e) other relevant information such as summary of the company's background, its training activities, total training costs, number of citizens being trained,

and the format to be used shall be set out in the guidelines provided for in Section 18 of the Act.

SCHEDULE 1

PAPUA NEW GUINEA.

Form 1 – Application for Work Permit.

Act, Sec. 6(1). Form 1.Reg., Sec. 1.

NOTES:

1. All answers must be completed in block capitals.
2. Completed application should be sent to—
Assistant Secretary (Employment and Training)
Department of Labour and Employment,
marked "Attention: Training and Localization Branch".
3. Each application must be accompanied by—
(a) two passport size photographs of the applicant; and
(b) relevant documentary evidence of education, work experience, etc.
4. Both the employer and the non-citizen the subject of the application should be familiar with the terms and conditions of the *Employment of Non-citizens Act 1978* and in particular, Section 9(1). Incomplete forms may cause delay in processing and may even be refused.

PART A.

(To be completed by the non-citizen the subject of the application.)

IMPORTANT: *If you hold or have held a work permit, please state Serial No. (This will speed up the processing of this application).*

1. Family name:
2. Given name(s):
3. Sex:
4. Date of birth:
5. Nationality as in passport:
6. Place of repatriation:
Town: . . . Country: . . .
7. Dependants accompanying non-citizens—
Name. Relationship. Sex. Date of birth.
8. Are you a dependant of a non-citizen who has approval to be employed in Papua New Guinea? yes/no
9. Details of education and training—
Educational/training institution and location. Duration from/to. Degrees, certificate, etc. (*including special field of study*).
10. Employment record—
Employer and location (*town, country*). Nature of Business. Duration from/to. Occupation. Duties.
11. Other relevant qualifications (e.g. membership of professional bodies, etc.).

DECLARATION

I declare that the information given in this Part is true and correct.

Dated . . . , 20... (Signature of Applicant.)

PART B.

(To be completed by employer/self-employed person.)

- 12. Employer's name:
- 13. Address:
- 14. Nature of business:
- 15. Job title:
- 16. Position No.:
- 17. Details of duties:
- 18. Location:
- 19. Job requirements—
 - (a) education:
 - (b) training:
 - (c) nature and length of experience:
 - (d) other:
- 20. Salary (not to be completed by self-employed persons)
 - Basic annual salary (excluding overtime): K
 - Details of any other financial benefits (e.g. bonus, commission, car/housing allowance, etc): K
 - Total annual amount: K
- 21. Date work permit to commence . . . , 20...

DECLARATION: (To be completed by EMPLOYEE or COMPANY OFFICIAL (not an agent)).

(Paragraph (b) is not applicable to self-employed persons.)

I declare that—

- (a) the information in this application is true and correct; and
- (b) a written contract of employment will be entered into between the employer and employee; and
- (c) the non-citizen the subject of this application is fluent in written and oral English language.

Name: (Signature.)

Dated: . . . , 20... Designation.

FOR OFFICIAL USE ONLY.

Serial No. of application:

Date of receipt: Approved.

Commencement: Expiry

Conditions of approval:

Not approved: Reason:

Follow-up action:

Other notes:

PAPUA NEW GUINEA.

Form 2 – Application for Approval to Recruit.

Act, Sec. 5A. Form 2.Reg., Sec. 2.

STATEMENT BY EMPLOYER:

A summary of the positions for which I seek approval to recruit non-citizens is listed below.

Supporting information is contained in the attached documents to this application, as required by Section 5 of the *Employment of Non-citizens Regulation 1983* under the following headings:—

1. Organization chart.
2. Job description and skill requirements.
3. Localization time-table.
4. Details of training programmes.
5. Other relevant information.

Employer's Name: (Signature.)

Address:

Position No.	Job occupation title.	Vacant or occupied (<i>name of occupant</i> .)	Period
of approval.	For official use.		

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Form 3 – Employer’s Register of Work Permits.

Act, Sec. 14(1).

Form 3.Reg., Sec. 2.

Employer’s name:

Address:

Position No.	Name of permit holder (underline family name)	Work permit No.
	Job occupation title. Branch/division/location.	Expiry date of work permit.
Remarks including cancellation		

Employment of Non-citizens Regulation 1983