

No. 47 of 2002.

*Claims By and Against the State (Amendment) Act 2002.*

Certified on: 21.02.03



**INDEPENDENT STATE OF PAPUA NEW GUINEA**

No. of 2002.

*Claims By and Against the State (Amendment) Act 2002.*

**ARRANGEMENT OF SECTION.**

New Section 2A.

**“2A. CLAIM AGAINST THE STATE NOT ENFORCEABLE IN  
CERTAIN CIRCUMSTANCES.”**



INDEPENDENT STATE OF PAPUA NEW GUINEA.

AN ACT

entitled

*Claims By and Against the State (Amendment) Act 2002,*

Being an Act to amend the *Claims By and Against the State Act 1996,*

MADE by the National Parliament to come into operation on 1 March 2003.

**NEW SECTION 2A.**

The Principal Act is amended by inserting after Section 2 the following new section:-

**“2A. CLAIM AGAINST THE STATE NOT ENFORCEABLE IN CERTAIN CIRCUMSTANCES.**

(1) In this section –

“Authority to Pre-commit Expenditure” an Authority to Pre-commit Expenditure issued under Section 47B of the *Public Finances (Management) Act 1995;*

“Integrated Local Purchase Order and Claim (ILPOC)” means Finance Form 4A – Integrated Local Purchase Order and Claim issued in accordance with the Finance Instructions under the *Public Finances (Management) Act 1995.*

“(2) A claim for the price arising from the sale of property or stores or for the supply of goods or services to the State shall not be enforceable, through the courts or otherwise, unless the seller of the property or stores or the supplier of the goods or services produces –

(a) a properly authorized Integrated Local Purchase Order and Claim (ILPOC); or

(b) an Authority to Pre-commit Expenditure,

relating to the property or stores or goods or services, the subject of the claim, to the full amount of the claim.”.

“(3) The provisions of this section apply to an alleged sale of property or stores or to an alleged supply of goods or services after 1 March 2003.”.

*Claims By and Against the State (Amendment)*

I hereby certify that the above is a fair print of the *Claims By and Against the State (Amendment) Act 2002* which has been made by the National Parliament.

*Acting Clerk of the National Parliament.*

I hereby certify that the *Claims By and Against the State (Amendment) Act 2002* was made by the National Parliament on 10 December 2002.

*Speaker of the National Parliament.*