

No. 27 of 1998.

Industrial Relations (Amendment) Act 1998.

Certified on : 22-10-98

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. 1998.

Industrial Relations (Amendment) Act 1998.

ARRANGEMENT OF SECTIONS.

1. Establishment, etc., of National Tripartite Consultative Council (Amendment of Section 9B).
2. Alternates (Amendment of Section 9C).
3. Vacation of office of members representing employers and employees (Amendment of Section 9D).
4. Office of the Director of the Secretariat (Amendment of Section 9J).
5. Committees (Amendment of Section 9K).
6. Repeal and replacement of Section 9L.

“9L. FUNCTIONS OF THE COMMITTEES.”

7. New Section 9M.

“9M. PUBLIC FINANCES (MANAGEMENT) ACT 1995 TO APPLY.”

INDEPENDENT STATE OF PAPUA NEW GUINEA.

No. of 1998.

AN ACT

entitled

Industrial Relations (Amendment) Act 1998,

Being an Act to amend the *Industrial Relations Act* (Chapter 174),

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

1. ESTABLISHMENT, ETC., OF NATIONAL TRIPARTITE CONSULTATIVE COUNCIL (AMENDMENT OF SECTION 9B).

Section 9B of the Principal Act is amended -

(a) by repealing Paragraph (a) of Subsection (2) and replacing it with the following:-

“(a) the following Ministers representing the Government -

(i) the Minister responsible for industrial relations matters, who shall be Chairman of the Council; and

(ii) the Minister responsible for treasury matters; and

(iii) the Minister responsible for trade and industry matters; and

(iv) the Minister responsible for mining matters;”;

and

(b) in Subsection (4), by repealing the words “Minister responsible for finance and planning matters” and replacing them with the following:-

“Minister responsible for treasury matters”.

2. ALTERNATES (AMENDMENT OF SECTION 9C).

Section 9C(1) of the Principal Act is repealed and is replaced with the following:-

“(1) For each of the members -

(a) referred to in Section 9B(2)(a), the Departmental Head of the Department for which the member is politically responsible is the alternate member; and

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- (b) referred to in Section 9B(2)(b) and (c), an alternate member shall be appointed in the same manner and subject to the same conditions as the member for whom he is the alternate.”.

3. VACATION OF OFFICE OF MEMBERS REPRESENTING EMPLOYERS AND EMPLOYEES (AMENDMENT OF SECTION 9D).

Section 9D of the Principal Act is amended -

- (a) in Subsection (4), by repealing the words “Minister responsible for labour and employment matters” and replacing them with the following:-

“Minister responsible for industrial relations matters”; and

- (b) in Subsection (5), by repealing the words “Minister for labour and employment matters” and relacing them with the following:-

“Minister responsible for industrial relations matters”.

4. OFFICE OF THE DIRECTOR OF THE SECRETARIAT (AMENDMENT OF SECTION 9J).

Section 9J of the Principal Act is amended -

- (a) by repealing Subsection (1) and replacing it with the following:-
“(1) There shall be a Director of the Secretariat to the Council (who shall be an officer of the Public Service) who shall be appointed by the Minister by notice in the National Gazette.”; and
- (b) by repealing Subsection (3) and replacing it with the following:-
“(3) The Director shall -
- (a) be responsible to the Minister for all policy matters relating to the deliberations of the Council; and
 - (b) be responsible to the Departmental Head of the Department responsible for industrial relations matters for all administrative matters relating to the office of the Secretariat; and
 - (c) advise the Council generally on ways and methods of improving the climate of industrial relations throughout the working environment; and
 - (d) perform such other duties as are consistent with those specified in Paragraphs (a), (b) or (c) or as are directed by the Minister.”.

5. COMMITTEES (AMENDMENT OF SECTION 9K).

Section 9K of the Principal Act is amended -

- (a) by repealing Subsection (1) and replacing it with the following:-

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- “(1) There shall be a Committee of the Council known as the Monitoring and Implementation Committee which shall consist of six members or alternate members of the Council being:-
- (a) two alternate members of the Council referred to in Section 9C(1)(c), one of whom shall be the Departmental Head of the Department responsible for industrial relations matters who shall be Chairman of the Committee; and
 - (b) two members of the Council referred to in Section 9B(2)(b) or alternate members referred to in Section 9C(1)(b); and
 - (c) two members of the Council referred to in Section 9B(2)(c) or two alternate members referred to in Section 9C(1)(b), of whom one shall be a representative of a public sector union and the other shall be a representative of a private sector union.”; and
- (b) by adding the following new subsections:-
- “(4) The Council shall establish Working Committees which shall consist of such persons having professional, expert or technical knowledge as agreed on by the Council.
- “(5) A Working Committee established under Subsection (4) shall meet at such times and places as are determined by that Working Committee.
- “(6) The quorum at a meeting of a Working Committee shall be determined by the Council at the time of establishment of the Committee.”.

6. REPEAL AND REPLACEMENT OF SECTION 9L.

Section 9L of the Principal Act is repealed and is replaced with the following:-

“9L. FUNCTIONS OF THE COMMITTEES.

- (1) The functions of the Monitoring and Implementation Committee are -
- (a) to monitor the progress of the activities and programmes of the Council; and
 - (b) to formulate agendas for the Council meetings; and
 - (c) to ensure that action plans based on Council resolutions are carried out by the Secretariat and the Working Committees; and
 - (d) to formulate and approve press statements for the Chairman to release.

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- “(2) The functions of a Working Committee are -
- (a) to conduct studies, undertake research and discuss particular issues in detail as referred to it by the Council; and
 - (b) to submit reports and recommendations to the Council through the Monitoring and Implementation Committee for consideration and appropriate action.”.

7. NEW SECTION 9M.

Division 2.IIA of the Principal Act is amended by adding after Section 9L the following new section:-

“9M. PUBLIC FINANCES (MANAGEMENT) ACT 1995 TO APPLY.

The provisions of Part VIII of the *Public Finances (Management) Act 1995* apply to and in relation to the Council.”.

I hereby certify that the above is a fair print of the *Industrial Relations (Amendment) Act 1998* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Industrial Relations (Amendment) Act 1998* was made by the National Parliament on 9 September 1998.

Speaker of the National Parliament.