

No. 34 of 2022.

*National Energy Authority (New Porgera)(Amendment) Act 2022.*

Certified on : 30 MAY 202



No. 34 of 2022.

*National Energy Authority (New Porgera)(Amendment) Act 2022.*

**ARRANGEMENT OF SECTIONS.**

1. Roles and functions of the Minister (Amendment of Section 5).
2. New Section 113A.

**“113A. APPLICATION TO NEW PORGERA.”.**



No. 34 of 2022.

AN ACT

entitled

***National Energy Authority (New Porgera)(Amendment) Act 2022,***

Being an Act to amend the *National Energy Authority Act 2021*,

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. ROLES AND FUNCTIONS OF THE MINISTER (AMENDMENT OF SECTION 5).**

Section 5 of the Principal Act is amended -

- (a) by repealing the words “The Minister” and replacing them with the words “the Minister”;
- and
- (b) inserting immediately before the words “the Minister” the following:

“Except as provided for under Section 7,”.

**2. NEW SECTION 113A.**

The Principal Act is amended by inserting immediately after Section 113, the following new section:

**“113A. APPLICATION TO NEW PORGERA.**

(1) Any Inapplicable Tax imposed under this Act is not payable in respect of New Porgera or by any New Porgera Entity in respect of New Porgera, the New Porgera Operations and the New Porgera Tenements, for the duration of the Stability Period.

(2) In this Section 113A -

- (a) “Porgera Project Commencement Agreement” means the Porgera Project Commencement Agreement dated 3 February 2022 between the Independent State of Papua New Guinea, Barrick (Niugini) Limited, Porgera (Jersey) Limited, Kumul Minerals Holdings Limited and Mineral Resources Enga Limited as amended, novated, replaced or acceded to from time to time; and

*National Energy Authority (New Porgera)(Amendment)*

- (b) “Inapplicable Tax”, “New Porgera”, “New Porgera Entity”, “New Porgera Operations”, “New Porgera Tenements” and “Stability Period” have the meaning given to them in the Porgera Project Commencement Agreement.”.

I hereby certify that the above is a fair print of the *National Energy Authority (New Porgera) (Amendment) Act 2022*, which has been made by the National Parliament.

Clerk of the National Parliament.

30 MAY 2022

I hereby certify that the *National Energy Authority (New Porgera)(Amendment) Act 2022*, was made by the National Parliament on 21 April 2022, by an absolute majority in accordance with the *Constitution*.

Speaker of the National Parliament.

30 MAY 2022