

No.2 of 2008.

Bougainville Restoration and Development Authority (Amendment) Act 2008.

Certified on: 18 August 2008.



Autonomous Region of Bougainville

No 2 of 2008

Bougainville Restoration and Development Authority (Amendment) Act 2008

ARRANGEMENT OF CLAUSES

- 1. AMENDMENT TO SECTION 15 OF THE PRINCIPAL ACT**
- 2. ADDITION OF NEW SECTION 20A – FUNDS OF THE AUTHORITY**



Autonomous Region of Bougainville

No 2 of 2008

AN ACT

entitled

Bougainville Restoration and Development Authority (Amendment) Act 2008

Being an Act to amend certain provisions of the *Bougainville Restoration and Development Authority Act 2006*.

MADE by the House of Representatives, to come into operation on certification.

1. AMENDMENT TO SECTION 15 OF THE PRINCIPAL ACT

Section 15 of the *Bougainville Restoration and Development Authority Act 2006* is amended by deleting the words “oversee and coordinate” and replace them with the words “oversee, coordinate and execute”.

2. ADDITION OF NEW SECTION 20A – FUNDS OF THE AUTHORITY

The *Bougainville Restoration and Development Authority Act 2006* is amended by inserting after section 20 a new section, as follows:

“20A. FUNDS OF THE AUTHORITY.

Without limiting the application of section 20, the funds of the Authority shall consist of –

- (a) such moneys (if any) as are appropriated by the House of Representatives for the purposes of the Authority, inclusive of grants to the Authority;
- (b) such moneys as are received by the Authority by way of fees and charges that the Authority imposes in the exercise of its functions and powers;
- (c) subject to section 327 of the Papua New *Constitution*, such money as are received by the Authority from donor funds;
- (d) such money as are lawfully received by the Authority from any other source.”

I hereby certify that the foregoing is a fair copy of the *Bougainville Restoration and Development Authority (Amendment) Act 2008* which has been made by the House of Representatives

Acting Clerk of the House of Representatives

I, NICHOLAS PENIAI, Speaker of the House of Representatives hereby certify that the *Bougainville Restoration and Development Authority (Amendment) Act 2008* was made by the House of Representatives on 16th July 2008.

Speaker of the House of Representatives



AUTONOMOUS BOUGAINVILLE GOVERNMENT

EXPLANATORY NOTE

On the

Bougainville Restoration and Development Authority (Amendment) Act 2008

General

The *Bougainville Restoration and Development Authority Act 2006* meets the requirements of paragraphs 161 and 162 of the Bougainville Peace Agreement, section 327 of the Papua New Guinea *Constitution* and section 49 of the *Organic Law on Peace-building in Bougainville-Autonomous Bougainville Government and Bougainville Referendum*. In the process of implementation of that law through establishing the Authority that it provides for, it has been found that the law lacks clarity on the ability of the Authority to take direct responsibility for restoration and development projects, and to receive and manage funds. This amendment law aims to remedy those defects.

Clause 1

Clause 1 clarifies that the Authority has the ability to execute restoration and development projects.

Clause 2

Clause 2 supplements the provisions of Part VIII of the *Public Finances (Management) Act* which are stated by section 20 as applying to the Authority, elaborating the possible sources of funds for the Authority which are stated in Part VIII of that Act.