

**No.3 of 2008.**

***Bougainville Senior Appointments (Process and  
Acting Appointments) Act 2008.***

**Certified on: 12 September 2008.**



# **Autonomous Region of Bougainville**

**No.3 of 2008**

*Bougainville Senior Appointments (Process and Acting Appointments) Act 2008*

## **ARRANGEMENT OF CLAUSES.**

### **1. Interpretation.**

“Bougainville Constitutional office-holder”

“Bougainville Executive Council”

“Bougainville Senior Appointments Committee”

“Committee”

“President”

### **2. Meetings and Procedures of the Bougainville Senior Appointments Committee**

### **3. Appointment of Person to Act Temporarily as a Bougainville Constitutional Office-holder**



## AUTONOMOUS BOUGAINVILLE GOVERNMENT

No. 3 of 2008

### AN ACT

#### Entitled

#### *Bougainville Senior Appointments (Process and Acting Appointments) Act 2008,*

Being an Act to:

- (a) provide for the procedures of the Bougainville Senior Appointments Committee, as empowered by section 102(3) of the *Bougainville Constitution*; and
- (b) provide for a person to be appointed to act temporarily in an office of a Bougainville Constitutional Office-holder in circumstances where there is a vacancy in such an office which cannot readily be filled, as authorized by section 189(7) of the *Bougainville Constitution*.

MADE by the House of Representatives.

#### 1. INTERPRETATION.

In this Act unless the contrary intention appears:-

“*Bougainville Executive Council*” means the Bougainville Executive Council established under the *Bougainville Constitution*;

“*Bougainville Constitutional office-holder*” means a Bougainville Constitutional Office-holder provided for under section 189(1) of the *Bougainville Constitution*;

“*Bougainville Senior Appointments Committee*” means the Bougainville Senior Appointments Committee established under section 102 of the *Bougainville Constitution*;

“*Committee*” means the Bougainville Senior Appointments Committee;

“*President*” means the President of the Autonomous Region of Bougainville.

#### 2. MEETINGS AND PROCEDURES OF THE BOUGAINVILLE SENIOR APPOINTMENTS COMMITTEE

(1) The Chairman of the Bougainville Senior Appointments Committee shall be the President.

(2) If the President expects to be absent from the Autonomous Region of Bougainville for an extended period or for any reason to be unable to carry out his duties, he may appoint an acting Chairman from amongst the members of the Committee appointed under section 102(1)(b) to (e) of the *Bougainville Constitution*,



and an acting Chairman may exercise and perform all the powers, duties and functions of the Chairman.

(3) The Committee shall meet at such times and places as, in the opinion of the Chairman, are necessary for the efficient conduct of its affairs.

(4) A quorum of the Committee shall be more than half of the members of the Committee, inclusive of members appointed under section 102(1)(f) of the *Bougainville Constitution* where the Committee is considering an appointment of a Bougainville Constitutional Office-holder.

(5) The Chairman has a deliberative vote and, in the event of an equality of votes on a question, also a casting vote.

(6) The procedures of the Committee are as determined by the Committee.

(7) The Secretary to the Bougainville Executive Council shall be responsible for providing administrative support to the Committee.

### **3. APPOINTMENT OF PERSON TO ACT TEMPORARILY AS A BOUGAINVILLE CONSTITUTIONAL OFFICE-HOLDER**

(1) In accordance with section 189(7) of the *Bougainville Constitution*, at any time when -

(a) the office of a Bougainville Constitutional Office-holder is not filled on a permanent basis; or

(b) the holder of an office of a Bougainville Constitutional Office-holder is absent from the Autonomous Region of Bougainville for an extended period or for any reason is not able to carry out his duties,

the Bougainville Executive Council may appoint a person to act in the office of that Bougainville Constitutional Office-holder for a period not exceeding six months.

(2) A person appointed under sub-section (1) to act temporarily in the office of a Bougainville Constitutional Office-holder has and may exercise and perform all the powers, duties and functions of that Bougainville Constitutional Office-holder, and any law applying to that Constitutional Office-holder shall apply to a person appointed to act temporarily in the office of that Constitutional Office-holder in the same way as it applies to the Bougainville Constitutional Office-holder.

### **4. CERTIFICATION**

I hereby certify that the forgoing is a fair copy of the *Bougainville Senior Appointments (Process and Acting Appointments) Act 2008* which was 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 Senior Appointments (Process and Acting Appointments) Act 2008* was made by the House of Representatives on 10<sup>th</sup> September 2008.

Speaker of the House of Representatives

