

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities.

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), while the administration of this Chapter was not vested specifically in any Minister, it appears from the determinations of the functions of Ministers and Departments that it came within the responsibility of the Office of Local Government in the Department of the Prime Minister, for which Office the Minister for Provincial Affairs and Local Government was responsible.

This Chapter does not refer to "the Minister", "the Departmental Head" or "the Department".

TABLE OF CONTENTS.

	<i>Page.</i>
<i>Cities Act</i>	3
<i>Cities (Official Styles and Precedence) Regulation</i>	7
Subsidiary Legislation	11
Appendixes—	
1. Source of Act.	
2. Source of Regulation.	

()

()

()

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities Act.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
 - "city"
 - "City Council"
 - "the regulations"
 - "this Act."
2. Creation of cities.
3. Change of name of city.
4. Area of city.
5. City Councils.
6. Flag and emblem.
7. Status as towns.
8. References to cities.
9. Regulations.

4

4

4

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities Act.

Being an Act to allow for the creation of cities.

1. Interpretation.

In this Act—

“city” means an area declared to be a city under Section 2;

“City Council” means the Local Government Council established for the area of, or for an area that includes the area of, a city;

“the regulations” means any regulations made under this Act;

“this Act” includes the regulations.

2. Creation of cities.

(1) The Head of State, acting on advice, may, by Warrant, declare an area to be a city under a name set out in the Warrant.

(2) An area shall not be declared a city unless a Local Government Council exists for, or for an area including, the area.

(3) In considering the question, whether an area should be declared to be a city, the Head of State, acting on advice, shall have regard to whether—

(a) the population of the area exceeds 15,000 persons; and

(b) the unimproved value of land within the area exceeds K10 000 000.00,

but otherwise this subsection does not limit his discretion.

3. Change of name of city.

The Head of State, acting on advice, may, by Warrant, change the name of a city.

4. Area of city.

(1) Subject to Subsection (2), the boundaries of a city are as defined in the Warrant under Section 2.

(2) The Head of State, acting on advice, may, by notice in the National Gazette, vary the boundaries of a city.

5. City Councils.

(1) The Local Government Council established for the area of, or for an area which includes the area of, a city shall be called a City Council and the constituent proclamation, within the meaning of the *Local Government Act*, of that Council shall be deemed to be amended accordingly.

(2) Nothing in Subsection (1) prevents the changing of the name of a City Council in accordance with the *Local Government Act*.

6. Flag and emblem.

(1) The Head of State, acting on advice, may, by Warrant, confer on a city a flag or an emblem, or both.

(2) The Head of State, acting on advice, may make rules, not inconsistent with this Act or any rules made under Section 4 or 8 of the *National Identity Act*, regulating the flying or use of a flag or symbol conferred under Subsection (1).

(3) Sections 75, 76 and 78 of the *Interpretation Act* do not apply to or in relation to rules made under Subsection (2).

(4) A City Council may make rules, not inconsistent with any rules made under Section 4 or 8 of the *National Identity Act* or with any rules made under Subsection (2), governing the flying or use of the flag or emblem conferred on the city under Subsection (1).

(5) Rules made under Subsection (4) shall be deemed to be rules made under the *Local Government Act*, and the provisions of that Act apply accordingly.

7. Status as towns.

A reference in any law to a town shall be read as including a reference to a city.

8. References to cities.

(1) A city may be referred to for any purpose by the name set out in the Warrant under Section 2 establishing the city.

(2) In any law, a reference to a city shall be read as a reference to a city declared under this Act.

9. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular for prescribing the style and precedence for official purposes of officers and functionaries of a city and other formal and ceremonial matters.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities (Official Styles and Precedence) Regulation.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
"the City Council".
2. Styles.
3. Precedence.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities (Official Styles and Precedence) Regulation.

Made under the *Cities Act*.

1. Interpretation.

In this Regulation, "the City Council" means the Port Moresby City Council or the Lae City Council.

2. Styles.

- (1) The President of the City Council shall be styled "Lord Mayor".
- (2) Any Vice-president of the City Council shall be styled "Deputy Lord Mayor".
- (3) The Council Clerk of the City Council shall be styled "Town Clerk".
- (4) Any Deputy Council Clerk shall be styled "Deputy Town Clerk".

3. Precedence.

As between themselves, the Lord Mayor is the senior Councillor, the Deputy Lord Mayors rank in such order of seniority as the City Council determines, and no other Councillor has precedence over any other Councillor.

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities.

SUBSIDIARY LEGISLATION.

1. Act, Section 2—Creation of Cities¹.

(a) City of Lae.

WARRANT ESTABLISHING THE CITY OF LAE.

WHEREAS it is provided by Section 4 of the *Cities Ordinance* 1971 that the Administrator in Council may, by Warrant, declare an area to be a City provided that a Local Government Council exists for, or for the area including, that area and after he has had regard to whether the population of the area exceeds fifteen thousand persons and the unimproved value of the land within the area exceeds Ten million dollars:

And whereas the Town of Lae, the boundaries of which are set out in the Schedule to this Warrant, is within the area of the Lae Town Council and has a population of at least fifteen thousand persons and as at the twentieth day of April, last past the unimproved value of land within the Town exceeded Ten million dollars:

Now Therefore I, Leslie Wilson Johnson, Administrator, by virtue of the powers conferred by the *Cities Ordinance* 1971 and all other powers me enabling, and having received the advice of the Administrator's Executive Council declare the Town of Lae to be a City under the name of the City of Lae:

And I do Further declare that the boundaries of the City of Lae shall be as set out in the Schedule to this Warrant.

SCHEDULE.

The boundaries of the Town of Lae as set out in a notice under the *Town Boundaries Ordinance* 1951-1952 dated 3rd December, 1967 and published in *Gazette* No. 69 of 21st December, 1967 at pages 1009-1010.

Given under my Hand and the Seal of the Administrator's Executive Council at Port Moresby, this eighth day of November, in the year of Our Lord, One thousand nine hundred and seventy-two, and in the twenty-first year of the reign of Her Majesty Queen Elizabeth II.

L. W. JOHNSON,

Administrator.

GOD SAVE THE QUEEN!

¹ These Warrants did not require gazettal, but are included in view of their general interest.

(b) City of Port Moresby.

WARRANT ESTABLISHING THE CITY OF PORT MORESBY.

WHEREAS it is provided by Section 4 of the *Cities Ordinance* 1971 that the Administrator in Council may, by Warrant, declare an area to be a City provided that a Local Government Council exists for, or for an area including, that area and after he has had regard to whether the population of the area exceeds fifteen thousand persons and the unimproved value of the land within the area exceeds Ten million dollars:

AND WHEREAS the Town of Port Moresby, the boundaries of which are set out in the Schedule to this Warrant, is within the area of the Port Moresby Town Council and has a population of at least fifteen thousand persons and as at the twenty-ninth day of February last past the unimproved value of the land within the Town exceeded Ten million dollars:

NOW THEREFORE, I, LESLIE WILSON JOHNSON, Administrator, by virtue of the powers conferred by the *Cities Ordinance* 1971 and all other powers me enabling, and having received the advice of the Administrator's Executive Council, declare the Town of Port Moresby to be a City under the name of the City of Port Moresby:

AND I DO FURTHER declare that the boundaries of the City of Port Moresby shall be as set out in the Schedule to this Warrant.

SCHEDULE.

The boundaries of the Town of Port Moresby as set out in a notice under the *Town Boundaries Ordinance* 1951-1952 dated 28th March, 1968, and published in the *Gazette* No. 17 of 4th April, 1968, at pp. 255-257.

GIVEN under my Hand and the Seal of the Administrator's Executive Council, at Port Moresby, this thirteenth day of April, in the year of Our Lord One thousand nine hundred and seventy-two, and in the twenty-first year of the reign of Her Majesty Queen Elizabeth II.

L. W. JOHNSON,
Administrator.

GOD SAVE THE QUEEN!

2. Act, Section 6(1)—Warrant conferring Flag or Emblem¹.

(a) City of Lae.

WARRANT CONFERRING FLAG AND EMBLEM ON THE CITY OF LAE.

WHEREAS Section 4 of the *Cities Ordinance* 1971 provides amongst other things that the Administrator in Council may, by Warrant, declare an area to be a city:

AND WHEREAS the Administrator in Council did, by Warrant dated the eighth day of November, One thousand nine hundred and seventy-two, declare the City of Lae:

AND WHEREAS Section 8 of the said Ordinance provides amongst other things that the Administrator in Council may, by Warrant, confer upon a city a flag or emblem, or both:

AND WHEREAS it is desired to confer a flag and an emblem upon the City of Lae:

¹ These Warrants did not require gazettal, but are included in view of their general interest.

NOW THEREFORE I, LESLIE WILSON JOHNSON, Administrator, by virtue of the powers conferred by the *Cities Ordinance* 1971 and all other powers me enabling, and having received the advice of the Administrator's Executive Council, hereby confer upon the City of Lae the Flag a description of which is set out in the First Schedule to this Warrant, and the Emblem a description of which is set out in the Second Schedule to this Warrant.

SCHEDULES.

FIRST SCHEDULE.

Description of Flag.

The Flag of the City of Lae is a rectangular turquoise flag, proportion four to three consisting of a stylized land formation in black and white with two black coconut palms imprinted on a white background and a symbolic depiction of the Sea situated all within a black circle with crenellated outer edge and containing within the bottom $\frac{5}{32}$ of said circle, the words "City of Lae" ("Pump" type).

Circle.

Centred at $\frac{50}{100}$ along the fly and $\frac{50}{100}$ down the Hoist radius to inner edge $\frac{20}{100}$ of the fly radius to inside of crenellated edge $\frac{23}{100}$ of the fly radius to outside of crenellated edge $\frac{25}{100}$ of the fly said crenellations being $\frac{1}{32} \times 360^\circ$ each.

Coconut Palms.

Large.

Trunk and fronds $\frac{1}{200}$ of the fly wide Bottom of Trunk $\frac{50}{100}$ along the fly $\frac{66}{100}$ down the Hoist Top of trunk $\frac{50}{100}$ along the fly $\frac{32}{100}$ down the Hoist fifteen fronds radiate from top of trunk and fit a circle with a radius of $\frac{6}{100}$ of the fly.

Small.

Trunk and fronds $\frac{1}{200}$ of the fly wide Bottom of Trunk $\frac{60}{100}$ along the fly and $\frac{66}{100}$ down the Hoist Top of Trunk $\frac{60}{100}$ along the fly $\frac{35}{100}$ down the Hoist 15 fronds radiate from top of trunk and fit a circle with a radius of $\frac{4}{100}$ of the fly.

Stylized land formation.

Commences at $\frac{30}{100}$ along the fly $\frac{52}{100}$ down the Hoist thence along inside edge of circle to $\frac{34}{100}$ along the fly $\frac{66}{100}$ down the Hoist thence horizontally to $\frac{66}{100}$ along the fly $\frac{66}{100}$ down the fly thence along inside edge of circle to $\frac{69}{100}$ along the fly $\frac{59}{100}$ down the Hoist thence undulating through $\frac{54}{100}$ along the fly $\frac{59}{100}$ down the Hoist and $\frac{48}{100}$ along the fly $\frac{55}{100}$ down the Hoist to $\frac{46}{100}$ along the fly $\frac{52}{100}$ down the Hoist thence horizontally to point of commencement.

Sea Symbol.

Being $\frac{1}{100}$ of Hoist wide with the top edge commencing at $\frac{36}{100}$ along the fly $\frac{69}{100}$ down the Hoist thence in a Series of 5 waves $\frac{2}{100}$ of hoist high within $\frac{68}{100}$ down the Hoist and $\frac{70}{100}$ down the Hoist and with the apex of the centre wave being at $\frac{50}{100}$ along the fly $\frac{68}{100}$ down the Hoist to $\frac{64}{100}$ along the fly $\frac{69}{100}$ down the Hoist.

Ch. No. 4

Cities

City of Lae.

Words in white positioned centrally on the bottom of the black circle and covering 5/32 of said circle ("Pump" type).

SECOND SCHEDULE.

Description of Emblem.

The Emblem of the City of Lae is the stylized land formation, the two black coconut palms and the symbolic depiction of the sea depicted on the Flag.

GIVEN under my Hand and the Seal of the Administrator's Executive Council this 7th day of March, One thousand nine hundred and seventy-three, and in the twenty-second year of Her Majesty's reign.

L. W. JOHNSON,

ADMINISTRATOR.

(b) City of Port Moresby.

WARRANT CONFERRING FLAG AND EMBLEM UPON THE CITY OF PORT MORESBY.

WHEREAS Section 4 of the *Cities Ordinance* 1971 provides amongst other things that the Administrator in Council may, by Warrant, declare an area to be a city:

And whereas the Administrator in Council did by Warrant dated the thirteenth day of April, One thousand nine hundred and seventy-two, declare the City of Port Moresby:

And whereas Section 8 of the said Ordinance provides amongst other things that the Administrator in Council may, by Warrant, confer upon a city a flag or emblem, or both:

And whereas it is desired to confer a flag and an emblem upon the City of Port Moresby:

Now therefore, I, Leslie Wilson Johnson, Administrator, by virtue of the powers conferred by the *Cities Ordinance* 1971, and all other powers me enabling, and having received the advice of the Administrator's Executive Council, hereby confer upon the City of Port Moresby the Flag, a description of which is set out in the First Schedule to this Warrant, and the Emblem, a description of which is set out in the Second Schedule to this Warrant.

SCHEDULES.

FIRST SCHEDULE.

Description of Flag.

The Flag of the City of Port Moresby is a rectangular flag, proportions four to three, consisting of a stylized *lagatoi* in black (Collies No. 537) on a yellow (Collies No. 309) background. The description and position of the *lagatoi* is as follows:—

Stylized, single vertical mast, single crab's-claw sail deckhouses fore and aft, in silhouette viewed from the port beam, positioned as follows:—

Part of Lagatoi.	Position measured from upper hoist corner, distance being fractions of length.
<i>Hull—</i>	
(a) Deck (flush, horizontal,—	
(i) Forward end	17/96 along the fly and 70/96 down the hoist
(ii) Aft end	78/96 along the fly and 70/96 down the hoist
(b) Bottom (approximately horizontal)	78/96 down the hoist
<i>Superstructure</i> (all overhangs 1/96 of hoist deep and 1/96 of fly long, measured horizontally, all uprights vertical)—	
(a) Top of forward end of overhang of forward deckhouse	27/96 along the fly and 67/96 down the hoist
(b) Top of aft end of overhang of forward deckhouse	41/96 along the fly and 65/96 down the hoist
(c) Top of forward end of overhang of aft deckhouse	56/96 along the fly and 65/96 down the hoist
(d) Top of aft end of overhang of aft deckhouse	69/96 along the fly and 67/96 down the hoist
<i>Mast</i> (Vertical, 1/96 of fly wide)—	
Forward tip of mast-head	48/96 along the fly and 15/96 down the hoist
<i>Sail—</i>	
(a) Forward end of foot (1/96 of fly wide)	On the deck, 43/96 along the fly
(b) Leech crossing forward edge of mast	62/96 down the hoist
(c) Luff crossing forward edge of mast	32/96 down the hoist
(d) Luff peak	67/96 along the fly and 6/96 along the hoist
(e) Leech peak	70/96 along the fly and 16/96 down the hoist
(f) Lowest point of head roach	62/96 along the fly and 31/96 down the hoist

SECOND SCHEDULE.

Description of Emblem.

The Emblem of the City of Port Moresby is the *lagatoi* depicted on the Flag.

Given under my Hand and the Seal of the Administrator's Executive Council this eighth day of June, 1972, and in the twenty-first year of the reign of Her Majesty Queen Elizabeth the Second.

L. W. JOHNSON,
Administrator.

(1)

)

)

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 4.

Cities.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE CITIES ACT.

Part A.—Previous Legislation.

Cities Act 1971 (No. 65 of 1971).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	3
2	4
3	5
4	6
5	7
6	8
7	9
8	10
9	11

¹ Unless otherwise indicated, references are to the Act set out in Part A.

APPENDIX 2.

SOURCE OF THE CITIES (OFFICIAL STYLES AND PRECEDENCE) REGULATION.

Part A.—Previous Legislation.

1. City of Lae (Official Styles and Precedence) Regulations 1972 (Statutory Instrument No. 60 of 1972).
2. City of Port Moresby (Official Styles and Precedence) Regulations 1972 (Statutory Instrument No. 25 of 1972).

Part B.—Cross References.

NOTE:

In this table, a reference "Lae" is a reference to the City of Lae (Official Styles and Precedence) Regulations 1972, and a reference "Port Moresby" is a reference to the City of Port Moresby (Official Styles and Precedence) Regulations 1972, both set out in Part A.

Section, etc., in Revised Edition.	Previous Reference.
1	Lae 3, Port Moresby 3
2	Lae 4, Port Moresby 4
3	Lae 5, Port Moresby 5