



DEPARTMENT OF PERSONNEL MANAGEMENT
Office of the Secretary

MEDIA RELEASE

IMPROVED LAW TO ADDRESS SOVEREIGNTY ISSUES ASSOCIATED WITH NON-CITIZEN TECHNICAL ADVISERS TO BE EFFECTIVE ON 1 SEPTEMBER 2016

The National Executive Council (Decision No. 171/2016) has approved a new law to better regulate the engagement of Non-Citizen Aid Funded Technical Advisers. The new law will come into effect on 1 September 2016.

The new arrangements, apply to all non-citizens who are employed by development contractors and other agencies to provide advisory support within the National Public Service. The Regulation builds on the Government's commitment to ensure PNG's sovereignty is protected and respected by expatriate advisers who work in our Government Agencies.

The central component of the law is the requirement for Non-Citizen Technical Advisers to sign a *Performance and Conduct Agreement*. This Agreement creates, for the first time, a 'legal' link between the Adviser and their Agency Secretary. It ensures the Adviser is under the day-to-day control and direction of their PNG Agency Head and not the development contractor. The Performance and Conduct Agreement also commits the Adviser to build the capacity and performance of his or her counterparts by on-the-job training and skills transfer. Finally, the Agreement binds the Adviser to observe the provisions of the *Non-Citizen Technical Adviser Code of Conduct* which includes the requirements to (1) maintain confidentiality of information, (2) act with honesty and integrity and (3) not engage in any political activities.

The Performance and Conduct Agreement must be signed by the Non-Citizen Technical Adviser before they enter the country to take up their designated position.

The new law is the result of extensive consultation with stakeholders. A number of Departmental Heads and many of PNG's development partners provided suggestions for removing unnecessary 'red tape' associated with the engagement of Advisers. The new Regulation addresses these legitimate concerns while at the same time protecting and ensuring respect for PNG's sovereignty.

Secretary for DPM, John Kali praised the contribution from stakeholders in developing the new law. "I am very pleased with the positive reaction we have received from all of PNG's development partners to our efforts to ensure these Advisers are accountable and aligned with PNG goals and direction" he said. Mr Kali said the new legislation returned the control over expatriate advisers to Agency Secretaries. "I remind

"RISE UP, STEP UP, SPEAK UP"

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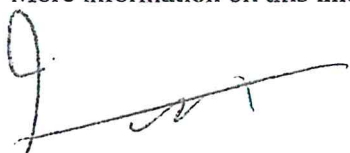
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all stakeholders these requirements will be a part of PNG law from 1 September 2016 and they must be complied with” Mr Kali said.

The Regulation does not apply to engagements within Statutory Authorities, Non-Government Organisations, Constitutional Offices, the disciplinary forces or the private sector. In addition, the Regulation will not apply at present within the Autonomous Region of Bougainville as DPM is currently discussing this issue with the ABG Chief Secretary.

DPM is currently reviewing the arrangements that apply to Citizen Technical Advisers who are also employed by development contractors. The purpose of this review is to ensure consistency between the arrangements for Non-Citizen and Citizen Technical Advisers.

More information on this initiative is available on the DPM website www.dpm.gov.pg.

A handwritten signature in black ink, appearing to read 'John Ma'o Kali', written over a horizontal line.

JOHN MA'O KALI, CMG OBE

Secretary