

BOUGAINVILLE ASSOCIATE MINISTERS ACT 2015

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AUTONOMOUS REGION OF BOUGAINVILLE

(No 4 of 2015)

BOUGAINVILLE ASSOCIATE MINISTERS ACT 2015

Being an Act to establish the office of Associate Minister for the Autonomous Bougainville Government, and for related purposes.

MADE by the House of Representatives, to commence in accordance with Section 2

1 Short title

This is the *Bougainville Associate Ministers Act 2015*.

2 Commencement

This Act is taken to have commenced on 22 July 2015.

3 Office of Associate Minister

(1) The office of Associate Minister is established.

(2) The office of Associate Minister is—

(a) a public office; and

(b) an office to and in relation to which Part XIII of the *Bougainville Constitution* (dealing with the Leadership Code) applies.

(3) To avoid doubt, an Associate Minister is not—

(a) a member of the Bougainville Executive Council; and

(b) a Minister, for the purposes of—

(i) the *Bougainville Constitution*; or

(ii) a Bougainville law; or

(iii) an Act of the National Parliament.

4 Appointment of Associate Ministers

(1) A person is qualified for appointment as an Associate Minister if the person is a member of the House of Representatives, unless the person is—

(a) a member of the Bougainville Executive Council; or

(b) the Speaker; or

(c) the Deputy Speaker; or

(d) the Chair of a Committee of the House of Representatives, other than a Regional Committee.

- (2) The President, after consultation with the Bougainville Executive Council, may appoint a qualified person to the office of Associate Minister, by notice published in the Bougainville Gazette.
- (3) The President must not make an appointment under Subsection (2) if the appointment would result in there being more than 6 Associate Ministers at the same time.
- (4) An Associate Minister assumes office on the date specified in the notice of appointment.
- (5) The President must notify the Speaker in writing of the appointment.

5 Term of office

- (1) An Associate Minister holds office until—
 - (a) the next date on which a President assumes office—
 - (i) following an election under Section 89 or Section 90(1)(a) of the *Bougainville Constitution*; or
 - (ii) under Section 90(1)(b) of the *Bougainville Constitution*; or
 - (b) the Associate Minister ceases to be a person qualified for appointment as an Associate Minister under Section 4(1); or
 - (c) the Associate Minister resigns by written notice to the President; or
 - (d) the Associate Minister's appointment is revoked by the President by notice published in the Bougainville Gazette; or
 - (e) the Associate Minister is dismissed from office under Part XIII of the *Bougainville Constitution* (dealing with the Leadership Code); or
 - (f) the Associate Minister dies.
- (2) The President must notify the Speaker in writing if an Associate Minister ceases to hold office other than under Subsection (1)(a).

6 Title and responsibilities; powers and functions

- (1) An Associate Minister has—
 - (a) the title and responsibilities—
 - (i) determined by the President; and
 - (ii) specified in the notice of appointment; and
 - (b) the powers and functions—
 - (i) conferred under a Bougainville law; and
 - (ii) delegated under Subsection (2).
- (2) A member of the Bougainville Executive Council may, under Section 87(b) of the *Bougainville Constitution*, by notice published in the Bougainville Gazette, delegate

to an Associate Minister any of the member's powers, functions, duties and responsibilities, other than the power of delegation:

- (3) An Associate Minister must, in the performance of his or her functions, comply with the Leadership Code.
- (4) An Associate Minister—
 - (a) may, with the leave of the Chair of the Bougainville Executive Council—
 - (i) attend meetings of the Council; and
 - (ii) participate in discussions of the Council; and
 - (b) is not entitled to vote at a meeting of the Council.

7 Salary and remuneration

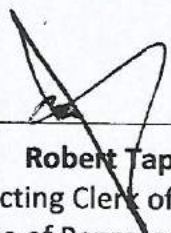
The salary and remuneration of an Associate Minister are as determined under Part XI, Division 6 of the *Bougainville Constitution* (dealing with the Bougainville Salaries and Remuneration Commission).

8 Act binds Autonomous Bougainville Government

This Act binds the Autonomous Bougainville Government.



I certify that the above is fair copy of a Bill for an Act entitled *Bougainville Associate Ministers Act 2015*, passed by the House of Representatives on 30 September 2015 and now presented to the Speaker for his certificate under Section 66(1) of the *Bougainville Constitution*.

Dated 6 October 2015


Robert Tapi
Acting Clerk of the
House of Representatives

I, Simon Pentanu, Speaker of the House of Representatives, hereby certify that the *Bougainville Associate Ministers Act 2015* was made by the House of Representatives on 30 September 2015.

Dated 6 October 2015



Honourable Simon Pentanu
Speaker of the House of
Representatives