



FINAL REPORT  
OF THE  
COMMISSION OF INQUIRY INTO  
  
A  
SUITABLE FORM OF GOVERNMENT  
FOR THE NATIONAL CAPITAL DISTRICT

COMMISSION  
APPOINTED 31ST JULY 1981  
UNDER THE "COMMISSION OF INQUIRY ACT" 1951

PORT MORESBY  
OCTOBER 1981

PART ONE

CORRIGENDUM

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THE EAST AND WEST MOTU KOITABUAN COMMUNITY GOVERNMENTS

There shall be two Community Governments for the Motu Koitabuan villages. The East Motu Koitabuan Community Government shall consist of eight members (representing each of the four villages in that area), and the West Motu Koitabuan Community Government shall consist of twelve members (also representing each of the six villages in that area). These members may be either elected directly by the people or by a mere show-of-hands.



30th October 1981

The Rt. Honourable Sir Julius Chan, K.B.E., M.P.,  
Prime Minister

Our Dear Prime Minister,

We, your Commissioners appointed under the Commission of Inquiry Act 1951, to inquire and report on a suitable form of government for the National Capital District taking due notice of the needs of the Motu Koitabuan people, have the honour to submit this, our final report.



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SINAKA VAKAI GOAVA  
CHAIRMAN



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SEMESE SEA  
COMMISSIONER

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TOUA KAPENA  
COMMISSIONER

---

KEPAS WATANGIA  
COMMISSIONER

---

ANGOEVA TADABE  
COMMISSIONER



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HIRI GUREKI  
COMMISSIONER

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## INTRODUCTION

The Commission of Inquiry as a logical and initial step, considered the various forms of government from which a suitable form could be chosen. These ranged from a simple dictatorship through the euphemistic "guided" democracy to a democratically elected form of government.

Apart from the obvious requirement to introduce a suitable form of government for the National Capital District as provided for in Section 4 (4) of the Constitution, it was obvious even at an early stage and became completely so during the course of the Commission's hearings, that the present administrative system operating within the National Capital District lacked co-ordination and planning, both to meet day to day demands and to cater for the very obvious growth needs of the future.

Again, the City Council, largely through no fault of its own, had failed to provide the type of goods and services reasonably expected by the residents of the city. For these reasons the Commission did not deem it at all reasonable to consider simply permitting the present administrative and service system of the National Capital District to continue.

Turning then to other alternative systems, the Commission examined the possibility of recommending the introduction of provincial government. The Commission was unable to bring itself to a recommendation aimed at the introduction of provincial government as:

1. The non-homogeneous nature of the population of the National Capital District would mean that in any form of provincial government the Motu Koitabuan people would still remain a very small minority group with no real voice or influence in the total direction in which the city progressed, and no real means of protecting their own identity and specific interests.
2. The aim of the introduction of provincial government was to decentralise national powers and the supply of national goods and services to provincial level: this is neither necessary nor does the Commission see it as beneficial with regard to the nation's capital.
3. The cost of provincial government and the lack of essential trained manpower to service those provincial governments already introduced, has led to very obvious problems at provincial levels. It would be unwise in the extreme to risk introducing the same problems into the National Capital District.
4. Though disjointed and in many cases unco-ordinated, basic services were already provided within the National Capital District. The introduction of formal provincial government would only introduce duplicate services and costs, together with the difficulties already being experienced at provincial level in regard to the exercise and performance of national and provincial functions.



5. Any form of government for the National Capital District would in the Commission's opinion most definitely need to be service and administrative oriented.

The Commission considered the arguments for and against a nominated, fully elected or partly elected system of government for the National Capital District. After fully considering all aspects of this question, the Commission opted, at least in the initial years of the life of a government for the National Capital District, to recommend a nominated body, for the following reasons:-

1. A nominated body was thought best to enable the introduction of a competent functioning form of government pending a plebiscite as to the wishes of all residents of National Capital District as to whether it should or should not be replaced by a fully elected body.
2. Elected bodies are by their nature politically oriented and so make decisions from a political standpoint rather than an administrative one.
3. Nominated government would guarantee reasonable representation to all residents of the National Capital District, including minority groups such as the Motu Koitabuan.
4. A nominated government would guarantee the National Government a voice in the running of the nation's capital and the seat of Government.

5. A nominated body consists of members more easily replaced in the event of failure on the part of a member or members to efficiently carry out their duties.
6. A nominated body provides the ability to place people with the best qualifications in selected essential professional fields on such a body.
7. A nominated body would enjoy a far better working relationship with the National Government and this is essential during the formative years of the National Capital District Governing Commission.

Turning to the question of the Motu Koitabuan people, the Commission recommends clearly the introduction of an elected political arm for these people, for the following reasons:-

1. The Motu Koitabuan are the only group within the National Capital District totally devoid of middle level political representation: other citizens resident within the National Capital District enjoy such representation through their individual provincial governments.
2. An Assembly would guarantee to the Motu Koitabuan people the right to control their own political destiny, at least with regard to the Motu Koitabuan homeland.
3. A Motu Koitabuan Assembly would guarantee through its two nominated members to the National Capital District Govern-

ing Commission, a genuine meaningful voice on that body in any discussion affecting the National Capital District as a whole or the Motu Koitabuan in particular.

4. Through identified delegated legislative powers it would have the right to regulate and direct the affairs of all Motu Koitabuan villages within the National Capital District.
5. Again, through the proposed powers of the Motu Koitabuan Assembly, enable a guarantee of protection of the cultural and social heritage of the Motu Koitabuan people.

The Commission recommends the creation of a Business Arm to service the Motu Koitabuan community. Through the establishment of such a formal and registered body it would be possible to:

1. Provide access to business for the Motu Koitabuan community and guarantee the community a fair return from the business sector of the National Capital District as opposed to the present position where only a limited few, in point of fact, received such benefit.
2. Enable the Motu Koitabuans to participate in large scale development projects requiring heavy capital input and management/financial skills and capacity.

3. Provide a recognised body with which the National Government and developers could identify with regard to finance, loans, technical aid and assistance.
4. Provide a body to which certain restricted economic activities could be tied: due cognisance would need to be taken here of the provisions of Section 55, Sub-section 2 of the National Constitution.
5. Provide the sole body to which initial approaches would have to be made for any development schemes involving traditional land and in which non Motu Koitabuan participation was involved.
6. Provide a body to which priority opportunity should be given where local equity was sought by foreign investors.
7. Provide a body to which undeveloped alienated land could be returned by the National Government through the Motu Koitabuan Assembly as a form of assistance, where such action was undertaken for use in generating income for the Motu Koitabuan community.
8. Provide the Motu Koitabuan Assembly with a guaranteed source of income from which it could improve the supply of goods and services to the community.

The Commission recommends the creation of two community governments to represent the interests of the Motu Koitabuan people:-

1. To give to the Motu Koitabuan people an elected body at which matters affecting the peace and good order of the villages and to determine the needs for the supply of goods and services to the communities as a whole could be set and determined.
2. A means of strengthening the sense of community and leadership within the Motu Koitabuan community.
3. An avenue to provide communities with a link into the overall system of administration and through which they can bring to the attention of the Assembly and the Commission the real needs and wishes of the Motu Koitabuan people.
4. The ability to set and determine priority needs and requirements based on the expressed wishes of the communities themselves.

BACKGROUND

1.1 On 16th September 1975, the National Parliament, pursuant to powers contained in Section 4 (1) of the Constitution of the Independent State of Papua New Guinea, declared Port Moresby to be its National Capital District and set out the boundaries for that District under Section 4 (3) by passing the Organic Law on the Boundaries of the National Capital District.

The seat of Government was simultaneously established under Section 4 (2).

Political representation at national level was granted to the newly created District under the provisions of Section 4 (5).

No action was taken with regard to Section 4 (4), which makes provision for an Organic Law or Act of Parliament to establish a form of Government for the National Capital District. Various government bodies and academics looked at the general question of the administration and possible government of the National Capital District from 1975 to 1981, but no firm submission or proposal was accepted or actioned by the National Government until the decision to create this, your current Commission.



1.2 During the earlier period of the history of the city, it was administered by a Town Manager who was a senior officer of the then Department of District Administration, answerable to a nominated Town Advisory Council.

The Local Government system was first introduced into Port Moresby in 1950 with the creation of the Hanuabada Local Government Council to provide local government services to the residents of that village. It was extended in other Motu Koitabuan areas with the introduction of the Fairfax Local Government Council, covering Hanuabada, Tatana and Baruni. This failed and was replaced by the Port Moresby Local Government Council covering Hanuabada, Tatana, Baruni, Pari, Vabukori, Kila Kila and Korobosea.

This in turn was replaced with an enlarged council, the Hiri Local Government Council, covering the old Port Moresby Sub-district geographic area. This failed to satisfy the Motu Koitabuan people living within the city boundaries, in that it largely concentrated on the supply of goods and services to the rural sector, ignoring the needs of the urban dwellers.

Thus it was that after consultation the urban dwelling Motu Koitabuan people agreed that they would join in the proposed Port Moresby City Council and that the Hiri Council would continue to service and administer

the balance of residents living within the Port Moresby Sub-district. A further council to service the needs of the Koiari people was brought into being in March of 1976.

In 1971 the Port Moresby City Council was brought into being and functioned until its suspension and replacement with a Town Manager, Mr. R. Malcolm, as the city's principal and administrative service supply organisation. Currently an appointed Board with Mr. J. Nilkare as Chairman is responsible for the day to day general management of the city: a number of other agencies such as the Electricity Commission, Posts and Telegraphs, National Works Authority, and Lands, operate and supply goods and services within their own specific sphere of competence and designated authority.

#### STATEMENT OF CASE

- 1.3 This Commission was appointed to enable the National Government to implement the terms of Section 4 (4) of the Constitution. Certain problems affecting the original inhabitants of the National Capital District, the Motu Koitabuan people, have been simmering within the district for a number of years. Quite apart from the need to provide for a suitable form of government for the nation's capital, the Government wishes to meet as much as possible the legitimate demands and aspirations of the Motu Koitabuan people. All the



classic injustices of a traditional landowning group swamped by the development of a large city, are present in the national capital city today, and will only become more acute as the city continues to expand.

- 1.4 With these needs in mind and pursuant to requirements of Section 4 (4) of the Constitution, the National Executive Council resolved at a meeting held in Vanimo on 10th June 1981 to empower the Rt. Honourable the Prime Minister to bring into being a Commission of Inquiry into, and make suitable recommendations leading to the establishment of a form of government for the National Capital District. Taking due note of the position of the Motu Koitabuan people, it further charged that the Commission should give due attention and consideration to their position and problems within the general framework of any such government.

#### APPOINTMENT OF THE COMMISSION

- 1.5 In compliance with the decision of the National Executive Council, the Rt. Honourable the Prime Minister appointed this Commission as of 31st July 1981.
- 1.6 Acting under the powers conferred on him by the Commission of Inquiry Act 1951, he appointed:

SINAKA VAKAI GOAVA

SEMESE SEA

TOUA KAPENA

GASIKA GASIKA

LEO DEBESSA

KEPAS WATANGIA

ANGOEVA TADABE

COMMISSIONER L. DEBESSA was relieved of his appointment without replacement on 27th August 1981.

REVEREND HIRI GUREKI was appointed as a Commissioner on 25th September 1981 to replace BISHOP GASIKA GASIKA who resigned his commission owing to church commitments.

- 1.7 He further directed that SINAKA VAKAI GOAVA be Chairman of that Commission.
- 1.8 He further appointed JOHN DESMOND FITZER to be Secretary to that Commission.

#### TERMS OF REFERENCE

- 1.9 The Rt. Honourable the Prime Minister authorised the Commission to inquire into and report on a matter in which inquiry would be, in his opinion, for the public welfare, that is to say to inquire into the Future Government of the National Capital District. In particular, he charged the Commission to consider and report on the following matters:-

1. Examine, review and evaluate the objectives, roles, performance and co-ordination of bodies and institutions concerned with the government and administration of the National Capital District.
2. Consider and assess the special needs and problems of government and administration in the National Capital District.
3. In the light of the examination of current arrangements and identified needs and problems, consider, describe and evaluate possible alternative approaches to government and administration of the National Capital District.
4. Consult with and receive submissions from individuals and bodies involved in and affected by the processes of government and administration in the National Capital District.
5. Consider and assess how the supply of government and public services to Motu and Koitabu Villages in the National Capital District can be improved.
6. Consider and assess how the level of participation by Motu and Koitabu people in the economic development of the National Capital can be increased.

- 1.10 He further directed that a quorum for the Commission's meetings would be set at four.
- 1.11 He further directed that the inquiry would be held in the National Capital District unless otherwise directed.
- 1.12 He further directed that the Commission would commence its inquiry immediately.
- 1.13 He further directed that the Commission would render to him its report on findings within a period of three months from the date of the Commission, with full details on recommended arrangements for the government of the National Capital District and its administration. That where changes were considered necessary or desirable in the light of the Commission's findings the Commission would supply full reasons for recommending any such changes.
- 1.14 And he finally directed the Commission to prepare drafting instructions for an Organic Law or Act of Parliament to make provisions for the government and administration of the National Capital District.

#### SUPPORT STAFF

- 1.15 The Commission was serviced by the following casual Public Servants appointed by the Public Services

Commission for the period of its Commission, with its Secretary seconded fulltime to the Commission.

Mrs. S. Brook	K.B.O. 4
Miss F. Doriga	K.B.O. 1
Miss A. Goava	C.C. 3
Miss B. Idau	K.B.O. 1
Mr. N. Loa	C.C. 1
Mr. T. Lanoi	Messenger/Cleaner
Mrs. S. Thompson	K.B.O. 5

**CHAPTER 2****CONDUCT OF INQUIRY AND BASIC PRINCIPLES OF THE COMMISSION**

- 2.1 The Commission, at its inaugural meeting on 5th August 1981, made a number of policy and procedural decisions, the principal of these being:
- 2.2 It would seek professional input from persons already resident inside Papua New Guinea and only look overseas for consultant advice should it fail to find expertise in a particular area obtainable locally.
- 2.3 Whilst in no way barring or discouraging individual approaches or submissions from members of the Motu Koitabuan community, it would deal primarily with and through the chosen Motu Koitabuan Committee, Chaired by Mr. F. Igo, in its dealings with that sector of the National Capital District's residents.
- 2.4 In view of the area covered by its Terms of Reference and the highly educated and sophisticated nature of the great majority of the National Capital District's residents, that English would be the basic language used by the Commission during its commission, but that where a specific request was made or an express desire to use Motu or Koitabuan disclosed, these languages would be accepted.

2.5 That its meetings would avoid over-formality and aim at achieving a feeling of joint participation rather than that of an inquisition. That within the restrictions of both finance and accepted proper business dealings, traditional patterns of hospitality would be observed, and thus ensure that citizens appearing before the Commission felt free to express themselves, not only at informal, but equally importantly at formal sessions.

2.6 The Commission's Terms of Reference were distributed widely to government departments, agencies, statutory bodies and the private business sector together with the Chairman's covering letter, seeking that they consider these and prepare to appear before the Commission and also to consider the submission of written opinions, views, and suggestions.

Your Commission notes not only its disappointment but its displeasure at the failure of the majority of National Departments, Bodies and Instrumentalities, to submit written considerations, in many cases despite the undertaking to do so made by those organisations.

Your Commission further notes the degree of importance attached to the Commission and its task by the above-mentioned organisations in the low level of representation made to the Commission. In all but a handful



of cases, the Heads of the organisations concerned did not appear, and in some cases sent representatives who had been totally unprepared, not briefed and even unaware of the Commission's Terms of Reference.

2.7 The media was used to publish the Commission's Terms of Reference and organisations or individuals asked to phone either the Commission or individual Commissioners in order that they could make suitable arrangements to present their views.

2.8 The Motu Koitabuan Committee was used to disseminate thoughts and information regarding the Commission, its work and the results of its meetings with that Committee.

### SUBMISSIONS

2.9 By far the bulk of the Commission's information was received from formal organisations and in the form of meetings with representatives of those organisations. All such hearings were open to the general public or for that matter any other interested party wishing to attend.

2.10 Written submissions, though promised prior to the Commission's deadline of 3rd September 1981, and on extension to the 30th September 1981, have largely not been forthcoming: the response has been most disappointing. Written submissions received appear under Part II of this report.



- 2.11 The Commission heard testimony from 27 groups and organisations operating within the National Capital District: these are listed in Appendix B of the report.
- 2.12 Your Commission regrets to report the failure of the public at large to evince interest in its business or to come forward to present private views and opinions.
- 2.13 Your Commission regrets having to bring to your attention the lack of interest displayed by members of our National Parliament. Perhaps it may be reasonable to argue that public servants could be excused for displaying a lack of interest in what they may have seen as a political matter. If one however accepts this argument, the Commission is at a loss to put forward a reasonable argument to explain the apathy of National Parliamentarians.
- 2.14 Informal meetings have taken place with Church members, members of the Motu Koitabuan community, and of private enterprise, in the National Capital District. Similar, but far more low key meetings, occurred in Lae during the course of the Commission's visit to that city to hold formal initial talks with members of the Lae University of Technology's academic staff.

- 2.15 Though these latter discussions were not subject to any formal record, the Commission was provided with valuable opinions to weigh together with those received in the course of formal hearings.
- 2.16 Though as noted elsewhere in this report the Commission's business was conducted in public, four private hearings did take place. These were with politicians and senior public servants in Lae, the President Hiri Local Government Council, the Registrar General, and Mr. Oram.
- 2.17 Your Commission draws your attention to Section 3.2 of the report, on land and its basic importance in considerations affecting citizens of Papua New Guinea. Accordingly, it respectfully advises that though land was not included in your Terms of Reference given to it, to enable it generally to consider Articles 5 and 6 of its Terms of Reference, that it had no choice but to take full cognisance of the land question.
- 2.18 Your Commission draws attention to the fact that its deliberations and findings and the final recommendations accepted by your Government will be considered by and influence thinking on the part of other urban centres, and that the Commission's findings could well generate demands for the same or similar conditions to apply in other urban centres. This, whilst in no way presenting a constraint to your Commission, never-

theless has brought home to it the need for whatever it recommends to be weighed against this reaction, and further that it would not be practical for the Commission to make recommendations based on the presumption that they would be applicable only within the National Capital District.

- 2.19 Your Commission feels that after taking due note of the Motu Koitabuan people's rejection of the concept of total alienation of their land, that some formula should be considered that will provide a source of income, not only to the current traditional land-owners, but to their descendants.

## CHAPTER 3

SUMMARY OF RECOMMENDATIONS

- 3.1 Your Commission's report is the outcome of eight successive draft reports, each of which received consideration, paragraph by paragraph, and only after total agreement approved for inclusion as part of this report.
- 3.2 Land is an integral part of our society and the very base of traditional, social and economic life: the Western concept of land as a simple transferable asset aimed at generating cash profits is totally alien to us and to our people.
- 3.3 Whilst accepting our task to explore economic opportunities for the Motu Koitabuan people, we are most conscious that the principal avenue to do this within the National Capital District lies in the economic exploitation of land: this has already led, in no small measure, to the present distress of the Motu Koitabuan people.
- 3.4 Aware of this, your Commission has striven to reach a final recommendation recognising the true value and position of land within traditional society, whilst at the same time guarantee your Government and the nation's right to expect co-ordinated, planned and orderly development of the nation's capital.

Together with this it seeks a satisfactory standard of good Government and the supply of goods and service to all residents of the National Capital District.

3.5 At an early stage of the Commission's sittings, it became obvious that earlier Commissions had touched on matters pertaining to its present activities: in particular the Commission to Examine Land Matters. The Commission also has become increasingly aware of departmental submissions on a range of matters concerning or affecting the development, planning and administration of the National Capital District.

3.6 In the majority of cases of which this Commission has become aware, little or no real follow up or implementation action arising from such recommendations has been identified. It would seem in many cases that they have simply been allowed to disappear into official records, and there remain gathering dust until such time as they are resurrected and examined to prepare yet one more submission.

3.7 Your Commission recommends most strongly that it be provided with an ongoing role to ensure that its accepted recommendations do not suffer a similar fate. As an example, the Commission draws attention to recommendations made by the Commission of Inquiry into Prison Unrest, asking that a body be set up to undertake necessary follow up action from its recommenda-

tions and to the recommendations from the Commission of Inquiry into Land Matters, where once again an identical request was made.

- 3.8 The Commission of Inquiry into Prison Unrest recommended that a Secretariat be set up to oversight its own recommendations, to examine outstanding recommendations from earlier Commissions, and to provide a permanent Secretariat to support future Commissions or Boards of Inquiry. Your present Commission was informed that this recommendation was accepted but never implemented.

With regard to the recommendation from the Commission of Inquiry into Land Matters, here the recommendation took the form of a proposed special section to be set up within the Department of Lands to draft legislation and work out detailed administrative proposals to implement recommendations accepted by the Government. This section was actually brought into being and headed by Mr. J. Fingleton. However, unfortunately, it was unable to exert sufficient authority and it foundered in a sea of bureaucratic disinterest.

- 3.9 Your Commission's experience in the many problems it encountered in setting up suitable office accommodation and support staff, leads it to support most strongly the expressed need by earlier Commissions for the bringing into being of a standing body to

ensure the implementation of approved Government policies and directives arising from its recommendations.

We would also see the need and value for such a body to have the additional functions recommended by the Commission of Inquiry into Prison Unrest.

3.10 Your Commission notes another area from which some degree of confusion has arisen and this in that even after the Commission commenced its Inquiry, direct links were maintained together with ongoing consultation between the Motu Koitabuan Committee and the Department of Decentralisation. As a matter of principle it suggests most strongly that in future where a Commission has been set up to consider a particular matter, all dealings with regard to that matter should be conducted through it and not at departmental level.

3.11 Your Commission suggests most strongly the creation of a Secretariat of a standing nature to guarantee that:

3.11.1 Adequate support facilities and accommodation are available to enable future Commissions or Boards of Inquiry to commence functioning smoothly and efficiently as of the date of their appointment.



- 3.11.2 Funds allocated by the National Government to the Department of Finance for Commissions or Boards of Inquiry have, in point of fact, been transferred to and received by the Prime Minister's Department.
- 3.11.3 Adequate and suitable support staff have been recruited.
- 3.11.4 Suitable accommodation, bearing in mind the size and the task of the Commission or Board, had been acquired.
- 3.11.5 All stores and furniture necessary for the Commission's activities have been brought in.
- 3.11.6 A suitable and functioning telephone system had been installed.
- 3.11.7 A publicity campaign had been launched to familiarise the public with the Commission or Board and its Terms of Reference.
- 3.11.8 Initial contact had been established with affected parties in order that a suitable programme of meetings and consultation had been drawn up: these to be on a firm basis subject to change only in emergency.



3.11.9 Problems encountered by your Commission in obtaining suitable accommodation, telephones, stationery, staff, and even funds, sadly hampered its activities in the first three weeks of its operation. Funds were not available for two weeks after the Commission officially commenced its work, adequate staff of suitable capability for three weeks.

3.11.10 Whilst the Commission is desirous that its operations conform with Finance's wishes and directions, it is imperative that prior to any other Commission or Board commencing its task, that a clear understanding of such procedures be known to its support staff.

Regrettably this Commission encountered a number of minor procedural problems and difficulties, the sum total of which forced the Commission to take the matter up personally with yourself, as well as writing to you on the subject separately by letter.

This, in your Commission's opinion, further strengthens the case for a standing Secretariat, staff members of which are fully conversant with Finance's all too frequent procedural changes.

3.11.11 Your Commission recommends strongly that the question of rigid adherence to Finance instructions with regard to future Commissions or Boards should be examined, and that where simpler or more direct procedures are available and provided such procedures are fully documented and accountable, agreement should be reached to enable these procedures to be used, guaranteeing swift and comprehensive support services.

3.12 Recommendation 1

Regarding only the Commission's concern as to the implementation of its own finally accepted recommendations, it is most anxious to ensure that any such recommendations made by it and accepted by your Government would, in point of fact, not only be implemented but implemented in line with the wishes and intention of the Commission when it made such recommendations. It recommends that after the formal and legal completion of its task, this should take the form of a Secretariat supporting two of the existing Commissioners, together with the present members of the Port Moresby City Council Board of Governors. This arrangement should continue in force until the introduction of an interim government for the National Capital District. Your Commission notes that the current term of office for the present Port Moresby City Council Board is due to expire in November of this year.

3.13 Recommendation 2

Your Commission recommends that a **Commission** be the governing body for the National Capital District and that its title be the National Capital District Governing Commission.

3.13.1 Further that the present Port Moresby City Council be abolished upon the introduction of the interim National Capital District Governing Commission and that the present staff providing administrative and technical support for the Port Moresby City Council be absorbed into and form the administrative and technical support staff of the Commission. This action subject to the expansion of duties and activities outlined for the Commission elsewhere in the body of this report.

3.13.2 Further that the National Capital District Governing Commission be the governing body for the National Capital District with the power of further delegation of identified matters to a lesser political body or bodies.

3.14 Recommendation 3

Your Commission recommends the establishment of a body aimed at providing the Motu Koitabuan people

with a political forum and through which decisions could be made bearing upon and affecting the affairs of that community. Such a body should be titled the Motu Koitabuan Assembly and would be made up of members of the Motu Koitabuan community elected to that body from the ten villages making up that community.

Further that the Assembly be given such powers and functions as are essential for it to control the day to day affairs of the community which it serves.

3.15 Recommendation 4

To provide an answer to the present economic plight in which the Motu Koitabuan find themselves, your Commission recommends the creation of a Motu Koitabuan Business Arm, thus enabling the community as a whole to participate in and benefit from economic activity within the National Capital District.

Further, that such a Business Arm be the recipient of the same benefits as that given to the business arms of provincial governments.

3.16 Recommendation 5

Your Commission recommends the creation of two community governments answerable to the Assembly, to serve the East Motu Koitabuan community, consisting of the villages of Vabukori, Pari, Korobosea, and Kila Kila, and the West Motu Koitabuan community consisting

of Tatana, Baruni, Hohodae-Poreporena-Laurabada, Poreporena-Lahara, Elavala, and Tanobada-Gabi.

Further, that these two community governments be clearly seen as service arms to the community as opposed to political organisations.

### 3.17 Recommendation 6

#### Implementation

Your Commission feels that the implementation of a suitable form of Government arising from its recommendations could best be undertaken by the Department of Decentralisation in general, but in particular from within what was the old Division of Implementation.

This Division had earlier been charged with and most successfully carried out the task of introducing and implementing Provincial Government throughout the nation. Your Commission suggests that this Division should be geared fulltime to oversight and carry out the implementation of the National Capital District Governing Commission.

3.17.1 It is suggested that the actual manner in which this Department carries out its task and organises the implementation process be left entirely to itself to determine. This, of course, would be subject to the oversight

of a monitoring body which will be subject to suggestions contained in paragraph 3.17.3 of the report. Your Commission has recommended the creation of a Secretariat to monitor the introduction of a suitable form of government. This body would at all times maintain very close contact and liaison with the Department of Implementation, would be briefed fully on its plans, the time slotting and manner in which it intended to operate to bring about implementation, and would be available at all times to assist the Department wherever and whenever it encountered problems.

3.17.2 Regardless of who has the carriage of implementing a suitable form of government, your Commission recommends that an implementation programme containing a deadline be set for the achievement of formal government in the National Capital District. It is the considered opinion of the Commission that any open-ended recommendation that did not guarantee results within a reasonable time, would be totally unacceptable to the Motu Koitabuan people.

Though of course your Commission can set no firm dates at this point of time and these

would be set dependant on the date of the introduction of an interim enabling Act and the Organic Law, hopefully the interim arrangements could be in force by March of 1982, an Organic Law by mid 1983 and formal elections for the Motu Koitabuan Assembly held late in 1983.

- 3.17.3 Your Commission suggests that members of the present Commission should be seriously considered by your Government for appointment as members of an interim Government for the National Capital District along the lines suggested earlier at paragraph 3.12 of the report. It feels that by so doing you would strengthen the chances of having this Commission's, and through it your Government's wishes and intentions, followed and implemented. Certainly during the initial stages and the early functioning years of such a Government, it suggests great value could accrue from such a course of action.

These feelings are fully supported by the representatives of the Motu Koitabuan people who have expressed grave doubts as to what could happen should any proposals after acceptance be subject to further interpretation and variation by bureaucrats or government departments.

3.18 Recommendation 7

Your Commission recommends most strongly that no further alienation of Motu Koitabuan customary land should take place within the National Capital District.

The Commission, mindful of the need to guarantee further land for the continued orderly, planned and beneficial growth of the National Capital District, recommends that where further land is required, this should be acquired by lease and for a set period of time. It is further recommended that where such land is leased from the traditional owners, that they automatically receive priority participation opportunity in whatever development that land has been acquired for. Traditional landowners could reasonably expect to receive the following benefits from new lease acquisition:

1. An annual rent for the life of the lease.
2. Priority participation in the proposed development of that lease.
3. No alienation of their customary lands except for that period of time for which they have agreed to lease the land.



3.19 Recommendation 8

Your Commission draws attention to the need to clearly identify traditional land and actual owners. The necessary recommendations to achieve such a state of affairs are contained in the report of the Commission of Inquiry into Land Matters, appointed on 16th February 1973 under the Commission of Inquiry Act 1951, and submitted to the then administration of the Territory of Papua New Guinea in October 1973. The Commission has already noted that by and large this Commission's findings and recommendations have not been fully implemented to date.

3.20 Recommendation 9

Your Commission recommends that any rebate system involving action as contemplated in paragraph 4.7 of this report, involving rental income from alienated or leased lands, would form part of the total government funds (National Government or National Capital District Governing Commission), granted or given to the Motu Koitabuan Assembly.

The Commission expects people to operate on a cost user basis where political organisations are brought into being as an express wish or desire of any particular group of people.

3.21 Recommendation 10

Your Commission recommends that the present rebate on exports given to Provincial Governments under the provisions of the Organic Law on Provincial Government be similarly given and granted to the National Capital District Governing Commission. All such benefits as are received by Provincial Governments under Part 10, Division 3 of that Organic Law should be equally applicable to the Commission.

The Commission makes this recommendation taking due cognisance of Section 66 of the Organic Law on Provincial Government.

3.22 Recommendation 11

Your Commission recommends the establishment of a Secretariat to service the National Capital District Governing Commission and the Motu Koitabuan Assembly.

Further, that such Secretariat be limited in size and staffed with senior and experienced officers.

N A T I O N A L   G O V E R N M E N T

AUDITOR GENERAL

MINISTER FOR DECENTRALISATION

**NATIONAL CAPITAL DISTRICT  
GOVERNING COMMISSION**

**7 Commissioners**

Authority Staff  
All revenue collection services  
Constructing Authority  
Town Planning  
Land Board N.C.D.  
Liquor Lic. functions  
Land courts & mediation  
For full details see  
4.25, 4.26 & 4.27

**N.C.D.G.C.  
SECRETARIAT**

Chairman	National Govt. Nominee
Member	Private Enterprise Rep.
Member	City Res. Rep.
Member	" " "
Member	" " "
Member	Motu Koitabuan Rep.
Member	" " "

**Liaise & Consultation  
with M.K.A. Sec.**

**Consultation with  
Desk Officers**

- 1 NOM. FROM M.K.A.
- 1 NOM. OUTSIDE M.K.A.

**M.K.A.  
SECRETARIAT**

**MOTU-KOITABUAN  
ASSEMBLY**

**M.K.A. BUSINESS  
ARM**

- 10 Elected Reps:
- Chair  
M.K.A. Nom.
  - Member  
E.M.K.C.G. Nom.
  - Member  
W.M.K.C.G. Nom.
  - Member  
Nat. Govt. Nom.

**East M.K. (8)  
Community Govt.**

**West M.K. (12)  
Community Govt.**

Vabukori  
Pari  
Korobosea  
Kila Kila

Tatana  
Baruni  
Hohodae/Poreporena/Laurabada  
Poreporena/Lahara  
Elavala  
Tanobada/Gabi

**NOTES** - After formal Govt. introduces

1. N.C.D.G.C. to delegate to M.K.A.
  - (a) L.L. Matters
  - (b) Licences & permits
2. M.K.A. Funding
  - (a) Initial Est. Grant Nat. Govt.
  - (b) Grants from N.C.D.G.C.
  - (c) Tax Revenue
  - (d) Derivation Grant
3. Plebiscite in 8 years voting for all residents of the N.C.D.

**CHAPTER 4****ADMINISTRATION AND ORGANISATION**

- 4.1 Your Commission, having agreed to recommend the introduction of a Commission to govern the National Capital District, makes the following points:
- 4.1.1 That it would be a governing body in the true sense of the word and not simply an advisory and co-ordinating body.
- 4.1.2 That it would consist of nominated members.
- 4.1.3 That these members would number seven, two of whom would be representatives of the Motu Koitabuan people, one a representative of private enterprise, three representatives of the residents of the National Capital District living outside the Motu Koitabuan areas, and one National Government nominee who will be Chairman of the Commission.
- 4.1.4 Nominees for the National Government, private enterprise and city residents would be nominated by the National Executive Council. The Motu Koitabuan members nominated by the Motu Koitabuan Assembly, subject to approval by the National Executive Council. One such nominee would come from the serving members of the Motu Koitabuan Assembly, the second from a non serving Motu Koitabuan.

4.1.5 The title of the governing body of the National Capital District would be the National Capital District Governing Commission.

4.2 The National Capital District Governing Commission would absorb the existing Port Moresby City Council administrative system and staff to provide its base support services. The Commission would be responsible for the overall collection of revenue, the provision of services, and to provide a construction authority for the entire National Capital District. It would have the power of delegation of certain of its functions both to a Motu Koitabuan Assembly and through it to a community government system servicing the Motu Koitabuan villages.

4.2.1 As the constructing authority, the Commission through its staff and resources would be responsible for construction work within the Motu Koitabuan Assembly geographic area. Identified projects would flow to the Commission via the Motu Koitabuan Assembly, community governments and village committees and then be included as part of the total annual project activity for the district. Actual construction would be undertaken by the Commission where such was physically possible, or by a contract or sub-contract where this was not so.

4.2.2 To ensure the availability of adequate key staff or personnel, it would be essential for the Commission to be guaranteed adequate housing and any additional necessary office space.

4.3 The present ward system should be maintained for the non Motu Koitabuan area of the National Capital District, subject to a critical review of the present number of wards and aimed at providing the least number of wards compatible with efficient administration and the supply of goods and services to residents living within the ward areas. Existing wards within the proposed Motu Koitabuan community areas should be replaced by village committees. The present link relationship between the Port Moresby City Council and wards, both for administrative and information purposes, would be retained in the case of both ward committees and village committees. The role function of both ward and village committees would be purely an administrative one.

4.4 The Business Arm will be governed by a Board of Directors, the Chairman of which would be a member of the Motu Koitabuan community, not serving as a member of the Assembly and nominated by the Motu Koitabuan Assembly, a serving member of the M.K.A. nominated by the M.K.A., a Commissioner of the National Capital District Governing Commission nominated by the Commission, one member nominated by the East Motu Koitabuan community, and one nominee

nominated by the West Motu Koitabuan community. The Business Arm would receive income in its first year of operations:

- 4.4.1 By an establishment grant provided by the National Government through the National Capital District Governing Commission, to provide for office and staff accommodation and operating costs during the interim period. The provision of such assistance could take the form of either a grant of cash or the provision of physical accommodation. Such a grant to be limited to K100,000 repayable after the first five years of operation and at a nominal interest rate.
- 4.4.2 Untied grants from the National Government and the National Capital District Governing Commission.
- 4.4.3 Tied grants from the same sources.
- 4.4.4 A derivation grant would be made initially to the National Capital District Governing Commission with the proviso that a percentage of the total grant so received would be made available on a percentage basis by the Commission to the Motu Koitabuan Assembly.



4.4.5 Tax revenue raised under powers bestowed upon the Motu Koitabuan Assembly would be available through it to the Motu Koitabuan Business Arm.

4.4.6 In addition to providing revenue for the Assembly in line with the above suggestions, the Business Arm would provide assistance to individual members of the community wishing to enter into business undertakings, acting upon the advice of the Assembly after a full and thorough survey of any proposed business venture by staff of the Business Arm.

The establishment grant to be a one up exercise.

4.5 Commissioners agree that in the revenue field certain statutory powers should be capable of delegation from the Commission to the Assembly as follows:-

4.5.1 Village Court fines.

4.5.2 Licences and Permits: mobile trading, trade stores, taverns, gambling, places of public entertainment.

4.5.3 Liquor Licencing fees.

4.5.4 Such functions and activities as are common to community governments under the Local Government Act 1963, as amended to date.

4.6 With regard to any revenue generated, your Commission is unanimous that this should not be paid to individuals or groups but provide a firm financial base for economic ventures aimed at generally improving the lot of all members of the Motu Koitabuan people who currently live within the National Capital District, and to provide an ongoing economic base for their descendants. The Commission considers this safeguard essential in view of past experience where large sums of money distributed to individuals or small groups have by and large been dissipated, leaving no residual benefit for those who came behind. In other cases, a distribution of financial gain from the alienation of land has meant that each individual member received a sum of money so small as to be meaningless where any consideration of income investment was concerned.

4.7 Your Commission suggests that consideration could be given to the rebate of a set percentage of the total gross income earned by the National Government from the sub-lease of such land, and further that a similar principle could and should be examined with regard to the gross rental incomes currently being received from previously alienated land. It is reiterated that

this percentage rebate should in no way flow to an individual or minority group, but that should such a system be introduced it would form part of the economic base for a Motu Koitabuan Business Arm.

#### THE MOTU KOITABUAN ASSEMBLY

4.8 This Assembly is to consist of ten members supported by a small but high powered Secretariat. Members of the Motu Koitabuan Assembly would be elected by voters electing the two community governments. The candidate receiving the highest number of votes automatically would become the representative on the Assembly. Candidates receiving the second and third highest number of votes would become representatives on the respective community governments. Two community governments only are recommended by your Commission.

4.8.1 East Motu Koitabuan Community Government consisting of representatives elected from Vabukori, Pari, Korobosea, Kila Kila villages.

4.8.2 West Motu Koitabuan Community Government consisting of elected representatives from Tatana, Baruni, Hohodae-Poreporena-Laurabada, Poreporena-Lahara, Elavala, Tanobada-Gabi.

4.8.3 Elections for community government and the Assembly should take the form of a simple ballot of all eligible voters. Preparation, conduct and declaration of the poll in regard to this ballot should be the responsibility of the Electoral Commissioner.

4.9 The Commission recommends the appointment of ten representatives, one to represent each of these villages, from amongst members of the current Motu Koitabuan Committee, to form an interim Assembly to discuss and:

4.9.1 Determine voting rights for non Motu Koitabuan residents within village boundaries.

4.9.2 Finalise boundaries for village community governments.

4.9.3 Determine the qualification for voting for both the Assembly and community governments, subject to the provisions of Section 50 of the Constitution.

4.9.4 Outline in principle the role function and powers of the proposed Motu Koitabuan Assembly, this latter function in close consultation with the interim National Capital District Governing Commission.

4.9.5 Examine the question of migrants within Motu Koitabuan community government boundaries

and the question of legal or illegal squatter settlements.

- 4.9.6 Determine suspension or dismissal of members of the Assembly.
- 4.9.7 Determine the position of members of the Assembly with regard to community governments, namely should they be ex-officio members of their respective community governments and/or should an ex-officio member have voting rights.
- 4.9.8 Critically examine the present law and order situation at village level and make suitable recommendations to the Commission for improvement.
- 4.9.9 Consider the role and relationship of the Royal Papua New Guinea Constabulary to the Assembly and community government and make suitable recommendations and suggestions to the Commission.
- 4.10 Members of the Motu Koitabuan Assembly should automatically become Chairman of their respective village committees.

4.11 During the period of interim government, the National Executive Council should appoint two members of the interim Motu Koitabuan Assembly to the interim National Capital District Governing Commission. These Commissioners should hold office until formal elections of the Motu Koitabuan Assembly and consist of one member nominated from amongst members of the interim Motu Koitabuan Assembly and one from outside the members of the interim Motu Koitabuan Assembly. In both cases nominees must be Motu Koitabuan people.

4.12 The latest available Bureau of Statistics figures for the Motu Koitabuan group are as follows:

<u>MOTU KOITABUAN POPULATION</u>		<u>NON MOTU KOITABUAN SETTLEMENT POPULATION</u>	
1. <u>CENSUS DIVISION 84.</u> <u>BOROKO-KOROBOSEA</u>		<u>CENSUS DIVISION 84.</u>	
CU 80 KILA KILA VILLAGE	700	CU 74 TAURAMA BARRACK	1560
CU 81 PARI VILLAGE	1437 = 2137	CU 75 SARAGA NO.3 KOIARI SETT.	279
2. <u>CENSUS DIVISION 85.</u> <u>KILA KILA-KAUGERE</u>		CU 76 RAGAMUKA (CHIMBU)	363
CU 11 VABUKORI VILLAGE	323	CU 77 TAURAMA BEACH	19
CU 34 KOROBOSEA VILLAGE	230	CU 78 KILA KILA NO. 3 (KEREMA)	230
CU 53 KILA KILA NO. 2 VILLAGE	437 = 990		2789
3. <u>CENSUS DIVISION 86.</u> <u>TOWN-HANUABADA</u>		<u>CENSUS DIVISION 85.</u>	
CU 28 HOHODAE NORTH	310	CU 52 KEREMAS BUTUKA	224
CU 29 ABOVE BUS STOP	434	CU 09 KEREMAS DAINANATERA	367
CU 31 HANUABADA-HOHODAE	1635	CU 10 HULAS (VABUKORI)	409
CU 32 ST. MICHAEL-KAVARI	229	CU 12 TAIKONE (VABUKORI)	356
CU 33 METOREIA	366	CU 13 GUNIKA ( " )	103
CU 34 POREPORENA-TANOBADA	852	CU 15 KILA POLICE DEPOT	299
CU 36 GABI, KURIU & ELAVALA	1206		1758
CU 47 BOE VAGI ROAD BELOW	121 = 5153	<u>CENSUS DIVISION 86.</u>	
CU 39 BARUNI	878	CU 27 KONE-BADIHAGWA	499
CU 40 TATANA	1116 = 1994	CU 37 SHELL AREA	370
		CU 38 KANUDI	174
			1043

TOTAL POPULATION M/KCONSOLIDATION

KILA KILA	1137	M/K	
PARI	1437		<u>NON M/K</u>
KOROBOSEA	230	CD. 84	
VABUKORI	323	2,137	2,789
HANUABADA	5153	CD. 85	
BARUNI	878	990	1,758
TATANA	<u>1116</u>	CD. 86	
	10274	7,147	1,043
		<u>TOTALS</u>	
		10,274	5,590
			<u>          </u>
		GRAND TOTAL =	<u>15,864</u>
			=====

Over and above this, it must be noted that many more Motu Koitabuan people are resident in other areas of the National Capital District and it is for this reason the Commissioners decided to recommend the right to vote to all Motu Koitabuan people, not merely those living within traditional village areas.

VOTING

4.13 Your Commission recommends the following:

4.13.1 One man, one vote.

4.13.2 All Motu Koitabuan people residing within the National Capital District to have the right to vote for their "home" area.

4.13.3 Voting to be compulsory.

4.13.4 The question of migrant settlers within the Motu Koitabuan area to be subject to future



ruling of the Motu Koitabuan Assembly in consultation with the National Capital District Governing Commission. However, in principle, voting rights should be given to those residents who could prove the intention to become permanent residents of the National Capital District.

4.14 Your Commission recommends that a plebiscite should be held at the end of the second term of office of the National Capital District Governing Commission to determine whether the residents of the National Capital District wish to replace the nominated Commission with fully elected membership. This plebiscite to take place eight years from the date of introduction of a formal government.

The Commission notes here that being guided by the complete lack of interest so far displayed by the general public as a whole, as distinct from the Motu Koitabuan people and the outcome of a similar plebiscite to that proposed, in Canberra, there would appear to be no popular demand for the vote amongst residents of capital cities operating within a Federal system. Witnesses appearing before the Commission indicate a clear attitude that providing good administration and an acceptable level in the supply of goods and services is guaranteed, most residents of the National Capital District are not politically oriented.

EXECUTIVE SUPPORT

4.15 Executive support to the National Capital District Governing Commission will take the form of a small number of experienced, competent and acceptable staff. In this area the Commissioners take note of the Motu Koitabuan Committee's reservations with regard to the staffing of this particular unit and the fact that they have asked the Commission to ensure that staff located in this area were known to the Motu Koitabuan people and also known to have at least a sympathetic understanding of their aims and aspirations.

4.16 Staffing considered necessary to meet the needs of the National Capital District Governing Commission is proposed as follows:

4.16.1 Secretary Level 2 - subject to job evaluation in line with anticipated increase in responsibilities after the introduction of formal government.

4.16.2 Senior Projects Officer C.C.10

4.16.3 Senior Research Officer C.C.10

4.16.4 Research Officer C.C.7/8

4.16.5 K.B.O. 5

4.16.6 Adequate clerical and typing support staff

4.17 The cost of such staff during the interim period of the National Capital District Governing Commission should be borne by the National Government. With the introduction of formal government the Commission should absorb the full cost of support staff with the National Government continuing to provide the balance of staff until the completion of the second year of the Commission's operations. At that stage public servants filling these positions would:

4.17.1 Resign from the Public Service and take up a contract with the Commission.

4.17.2 Return to their parent departments.

4.17.3 Whereupon agreement between the Commission and the National Government their services continue to be available to the Commission, the Commission reimburse the cost of their salary to the National Government until such time as it, the Commission, could employ a suitable replacement.

4.18 The duties and functions of the Secretariat to the National Capital District Governing Commission would be:

4.18.1 The supply of high level administrative and clerical support to the Commission.

4.18.2 Policy.

4.18.3 Research.

4.18.4 Co-ordination.

4.18.5 Review and oversight.

4.19 Recognising the ongoing function of certain National Departments and instrumentalities and that these would be working side by side with the National Capital District Governing Commission, a system of desk officers at Assistant Secretary level should be introduced. The relevant desk officer in each identified area should have his or her duty statement modified to include the responsibility of responding to requests and generally servicing the needs of the National Capital District Governing Commission with regard to detail or information regarding the department or instrumentalities, actions or activities.

4.20 In the case of both the proposed National Capital District Governing Commission and Motu Koitabuan Assembly Secretariats, these positions should be funded by the National Government either by direct cash allocation, through the secondment of serving Public Servants, or through a combination of either of these two options.

4.21 In line with your Commission's recommendation for the need for an ongoing support role during the pre

interim government period, a small Secretariat consisting of -

1 Secretary Level 1

1 K.B.O. 5

1 C.C. 3

supporting the interim National Capital District Governing Commission should be brought into existence immediately and expanded to the proposed final size and composition, either upon the achievement of full government within the National Capital District or at an earlier stage as the need became apparent.

SECRETARIAT FOR THE MOTU KOITABUAN ASSEMBLY

4.22 The Secretariat for the Motu Koitabuan Assembly should consist of:

4.22.1 Secretary Level 1 - subject to job evaluation in line with anticipated increase in responsibilities after the introduction of formal government.

4.22.2 Co-ordinator Community Governments C.C.10

4.22.3 Co-ordinator Projects, including land, C.C.10

4.22.4 Administrative Officer, C.C.7/8

4.22.5 K.B.O. 4

4.22.6 Adequate clerical and typing support staff.

4.23 The cost of such staff during the interim period of the Motu Koitabuan Assembly should be borne by the National Government. With the introduction of formal government the Assembly should absorb the full cost of support staff with the National Government continuing to provide the balance of staff until the completion of the second year of the Assembly's operations. At that stage public servants filling these positions would:

4.23.1 Resign from the Public Service and take up a contract with the Assembly.

4.23.2 Return to their parent departments.

4.23.3 Whereupon agreement between the Commission and the National Government their services continue to be available to the Assembly, the Commission reimburse the cost of their salary to the National Government until such time as it, the Assembly, could employ a suitable replacement, provided that the Motu Koitabuan Assembly shall have the right at such time to employ its own staff at cost to itself to fill any or all such Secretariat positions.

4.24 It is recommended that the Projects Officer should also be a member of the National Capital District Land Board. Key staff for this Secretariat may well be

available in the form of the present staff of the District Commissioner's Office, National Capital District. Should this be so, it is recommended that new and relevant duty statements be drawn up and those officers affected seconded to form the Secretariat to support and service the Motu Koitabuan Assembly, for a period of two years after the formal introduction of that Assembly.

- 4.25 The following powers and functions should be transferred to the National Capital District Governing Commission in both the enabling Act and fully formalised later within its Organic Law:

Community and Local Government (including Sections 57 and 59 of the Local Government Act)

Education

Liquor Licencing Commission

Land Board

Health

Agriculture

Business Development

Town Planning

Office of Information

Community and Welfare Services

Building Board

Censorship Board

Water

Sanitation and Garbage

Roads and Bridges



Parks and Gardens

Markets

Tourism

Public Entertainment

Police

Justice - Village and Land Courts

Taxing powers, including retail sales tax

Licencing - Mobile traders, trade stores, meat

Cemeteries

Registration of Births, Deaths and Marriages

Dogs/Dog Pound

Vehicle Registration

Public Transport

Customary Marriages and Adoption

Head Tax

Gambling

- 4.26 The following powers and functions should be transferred to the Motu Koitabuan Assembly in both the enabling Act and fully formalised later within its Organic Law:

Borrowing powers - subject to prior approval by the Minister and the National Capital District Governing Commission.

Community and Local Government (including Sections 57 and 59 of the Local Government Act)

Village and Land Courts

Education

Health

Markets

Head Tax - if imposed Motu Koitabuan Assembly to collect

Cemeteries

Legislation for customary land use

- 4.27 In addition the following powers and functions should be delegated by the National Capital District Governing Commission to the Motu Koitabuan Assembly:

Registration of Births, Deaths and Marriages

Licencing - Mobile traders

Trade Stores

Public Entertainment

Meat

Gambling

Liquor Licencing matters

- 4.28 The power to legislate on any function by the Motu Koitabuan Assembly would be limited in that legislation made by that body would be subservient to legislation made by the National Capital District Governing Commission.

#### DISMISSAL

- 4.29 The National Capital District Governing Commission may be suspended by the National Government acting on the recommendation of the Minister, after the receipt of a report of a Commission of Inquiry set up to examine the affairs or a particular affair of

the National Capital District Governing Commission.

- 4.29.1 Individual Commissioners of the National Capital District Governing Commission may be suspended or dismissed by the National Executive Council acting on the recommendation and advice of the Minister.
- 4.29.2 Suspension or dismissal of the elected Motu Koitabuan Assembly should take place by the National Executive Council through the Minister acting on advice of the National Capital District Governing Commission and where such recommendation has the full support of the Minister.
- 4.29.3 Suspension or dismissal of individual members of the Motu Koitabuan Assembly should take place by the Minister acting in response to a request from the majority of that member's representatives within the relevant community government.

#### STATUTORY POWERS AND FUNCTIONS

- 4.30 Generally delegated powers and functions will vest in the National Capital District Governing Commission, which in turn will have the power to sub-delegate to the Motu Koitabuan Assembly.

- 4.30.1 Delegated powers to the Motu Koitabuan Assembly would bestow on that body full authority to legislate in connection with the delegated function.
- 4.30.2 Those powers and functions retained as the primary responsibility of the National Capital District Governing Commission would in no way or manner be subject to legislation by the Motu Koitabuan Assembly.
- 4.30.3 The full list of the suggested functions and responsibilities appears in this report at paragraphs 4.25, 4.26 and 4.27 respectively.
- 4.31 Powers delegated by the National Capital District Governing Commission to the Motu Koitabuan Assembly will be subject to withdrawal at any time but only with the prior approval of the Minister.
- 4.32 As mentioned earlier in this report, a service arm for the proposed National Capital District Governing Commission currently exists in the structure and basic functions of the present Port Moresby City Council. This body's present Executive Officer, Mr. R. Malcolm, has your Commission's full and unreserved recommendation to become the interim General Manager of that body and to also become an ex-officio member of both the interim and the National Capital District Governing Commission.

4.33 Your Commission, realising that the attachment of serving Public Servants to the Commission will deprive the parent department of the services of such staff, accordingly recommends that the Public Services Commission permit an increase in the total staff ceiling to cover the loss of such staff by the parent department affected.

#### AUDIT

4.34 As noted earlier in the report the Auditor General should be responsible for annual audit of all three bodies, the National Capital District Governing Commission, Motu Koitabuan Assembly and Business Arm, on an annual basis. The Commission recommends that each body be responsible for the appointment of external auditors over and above the requirement for audit by the Auditor General. The Commission does not feel that any of these three bodies should be subject to audit and inspection by the Department of Finance.

4.35 In addition to annual audit, an annual report as to the affairs and activities of each of the three bodies, that is the National Capital District Governing Commission, Motu Koitabuan Assembly and Motu Koitabuan Business Arm, will be required.

4.35.1 The Motu Koitabuan Business Arm will present its report to the Assembly with a copy to the Commission and the Minister.

4.35.2 The Motu Koitabuan Assembly will present its report to the Commission with a copy to the Minister.

4.35.3 The Commission shall present its report to the Minister.

4.36 The provision of these reports to Parliament through the Minister will provide both information and access to the Parliamentary Public Accounts Committee.

4.37 In that your Commission recommends that the National Capital District Governing Commission be a statutory body, it most formally recommends that with regard to the employment of staff, it attracts the same rights and ability as that currently enjoyed by the Port Moresby City Council. Officers employed by and working directly for the Commission would hold contracts to that body. This is deemed essential by your Commission in order to guarantee the most desirable and suitable form of staffing and recruitment procedure aimed at guaranteeing the efficient and simple operation and functioning of the Commission.

### NATIONAL CAPITAL DISTRICT LAND BOARD

4.38 The National Capital District Governing Commission should constitute the Land Board for the National Capital District operating on the necessary delegation and powers and functions from the National Government. A link between land courts and mediators would clearly be established with this Board. As recommended earlier in the report at paragraph 4.24, the Projects Officer of the Motu Koitabuan Assembly Secretariat should be a member of the Board.

### TENURE OF THE MEMBERS OF THE COMMISSION

4.39 Commissioners of the National Capital District Governing Commission should be appointed for a set period of time, four years in the case of both the Chairman and the Commissioners. The Chairman should be a full-time appointment, with Commissioners appointed on a part-time basis and the Commission to meet at a minimum of fortnightly intervals. The salaries and/or allowances for the Chairman and Commissioners would be determined and set by the Parliamentary Salaries Tribunal.

4.40 The provisions of the Leadership Code will apply to the Chairman of the National Capital District Governing Commission, the General Manager of the National Capital District Governing Commission, and the Chairman of the Motu Koitabuan Assembly.



4.40.1 Besides the specific positions listed in the above paragraph, the provisions of the Leadership Code shall apply to those persons falling within the definition of "public office holder" as defined under Schedule 1.2(1) "Rules for Shortening and Interpreting of the Constitutional Laws" of the Constitution of the Independent State of Papua New Guinea.

**CHAPTER 5****ACTIVITIES OUTSIDE NATIONAL CAPITAL DISTRICT**

5.1 As noted earlier in this report your Commission, with your approval, has undertaken one visit outside the National Capital District. The visit to Lae was specifically to discuss the Commission's functions and activities with academic members of the Lae University staff.

This meeting proved of great value to the Commission and as a result of it and the earlier meeting with members of the University of Papua New Guinea academic staff, a further joint meeting was held at U.P.N.G. on 19th and 20th October, 1981. A summary of this meeting appears in the form of Appendix F of this report.

5.2 After consideration of a number of possible cities suitable for consideration by your Commission, approval was granted to examine Kuala Lumpur and Suva. Your Commission expresses its appreciation for permission to visit both these cities. A detailed report of the Commission's visit to both Kuala Lumpur and Suva appears in the form of Appendix G of this report.

**CHAPTER 6****THE DRAFTING INSTRUCTION FOR THE PROPOSED ORGANIC LAW TO MAKE PROVISIONS FOR THE GOVERNMENT AND ADMINISTRATION OF THE NATIONAL CAPITAL DISTRICT**

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**PURPOSE OF THE ORGANIC LAW**

- 6.1 The purpose of the Organic Law is to implement Section 4(4) of the National Constitution which requires the establishment of a government for the National Capital District.

**PRELIMINARY MATTERS**

- 6.2 The matters that would be covered under this heading would include definitions, legal capacity of governments, recognition of laws enacted by these governments, establishment of these governments (both interim and formal), and etc.

**THE STRUCTURE OF NATIONAL CAPITAL DISTRICT GOVERNMENT**

- 6.3 The structure of the National Capital District Government shall be as follows:

6.3.1 **THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION**

This shall be the government for the National Capital District.

6.3.2 **THE MOTU KOITABUAN ASSEMBLY**

Closely beneath the abovementioned Government shall be the Motu Koitabuan Assembly.

### 6.3.3 THE TWO MOTU KOITABUAN COMMUNITY GOVERNMENTS

There shall be two Community Governments established for the Motu Koitabuan villagers. One shall be called the East Motu Koitabuan Community Government and it shall consist of the villages of Pari, Kila Kila, Korobosea and Vabukori. The other shall be called the West Motu Koitabuan Community Government and it shall consist of the following villages - Tatana, Baruni, Elavala, Hohodae-Poreporena-Laurabada, Tanobada-Gabi and Poreporena-Lahara.

## THE COMPOSITIONS/MEMBERSHIPS, ETC.

### 6.4 THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION

The National Capital District Governing Commission shall consist of the following members:

6.4.1 Three mature persons of good standing who enjoy the general respect of the residents of the National Capital District appointed by the National Executive Council to represent the non Motu Koitabuan residents of the city.

6.4.2 Two persons representing the Motu Koitabuan community in the National Capital District appointed by the National Executive Council on the recommendation/nomination of the Motu

Koitabuan Assembly. Out of these two, one of them must be a non-member of the Motu Koitabuan Assembly, while the other must be a member of that Assembly.

6.4.3 One person representing the "Private Sector" in the National Capital District appointed by the National Executive Council on the recommendation/nomination of the Private Sector (represented by the Chamber of Commerce).

6.4.4 A nominee of the National Government appointed by the National Executive Council, who would automatically be the Chairman of the National Capital District Governing Commission.

6.4.5 The term of Commissioners shall be for the Chairman four years on a fulltime basis, and for the Commissioners four years on a part-time basis.

## 6.5 THE MOTU KOITABUAN ASSEMBLY

The Motu Koitabuan Assembly shall consist of ten (10) elected members, representing each of the ten (10) Motu Koitabuan villages within the National Capital District. The Assembly shall be elected by simple ballot, the preparation and conduct of such to be the responsibility of the Electoral Commissioner.

The term of office for members of the Motu Koitabuan Assembly shall be the same as that for Commissioners of the National Capital District Governing Commission, namely four years.

6.6 THE EAST AND WEST MOTU KOITABUAN COMMUNITY GOVERNMENTS

There shall be two Community Governments for the Motu Koitabuan villages. The East Community Government shall consist of four members (representing each of the four villages in that area) and the West Community Government shall consist of six members (also representing each of the six villages in that area). These members may be either elected directly by the people or by a mere show-of-hands.

6.7 MOTU KOITABUAN ASSEMBLY EXECUTIVES

The executive power of the Motu Koitabuans, and the execution of the Motu Koitabuan laws, rules, etc., shall be vested in the Assembly as a whole. That is there shall be no cabinet system in the Motu Koitabuan Assembly (though it would be necessary to elect the Chairman from among the elected members and the Speaker of the Assembly).

6.8 FUNCTIONS OF THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION AND THE OTHER LEVELS OF GOVERNMENT

In general, the functions of these governments would be to provide the services needed by the residents

of the National Capital District. This would mean the enactment of laws, rules, regulations, etc. by these governments/institutions for the purposes of providing these services.

Registration of legislation would be by submission to the Minister and provision for proof of coming into operation by notice by the Minister in the National Gazette.

There should be no distinction between taxing and other legislation.

The provisions of Section 35 of the Organic Law on Provincial Government should be disregarded with regard to legislation by these bodies, but the provisions of Section 36 retained.

With regard to disallowance of legislation, legislation enacted by the National Capital District Governing Commission shall be subject to disallowance in the same manner as legislation made by Provincial Governments and subject to the same terms and conditions as those imposed upon Provincial Government legislation under the provisions of Section 37 of the Organic Law on Provincial Government.

With regard to legislation made by the Motu Koitabuan Assembly in those areas designated as a primary responsibility, legislation passed by the Assembly shall be subject to disallowance by the Minister.

## 6.9 THE POWERS (LEGISLATIVE)

### 6.9.1 THE LEGISLATIVE POWERS OF THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION.

(a) Within the limits allowed or imposed by the proposed Organic Law and the other National Constitutional Laws, the National Capital District Governing Commission shall have full legislative power to make laws for the peace, order and good government of the National Capital District.

(b) The areas upon which the National Capital District Governing Commission may legislate on are listed in Chapter 4 of this report.

### 6.9.2 THE LEGISLATIVE POWERS OF THE MOTU KOITABUAN ASSEMBLY

(a) The proposed Organic Law on the National Capital District Governing Commission shall authorise the Motu Koitabuan Assembly to enact its own laws on certain specific subjects. It may also legislate on such matters



and in regard to such functions as are delegated to it by the National Capital District Governing Commission.

- (b) All Motu Koitabuan Assembly laws (including the Motu Koitabuan Assembly Constitution) has to or must be construed subject to the provisions of the proposed Organic Law, and to other National Constitutional Laws.

### 6.9.3 DIVISION OF LEGISLATIVE POWERS

- (a) The Organic Law on the National Capital District Governing Commission must expressly divide the subjects between these two governments so that there are no ambiguities that may cause confusion.
- (b) The Organic Law, however, must vest legislative power of delegation in the National Capital District Governing Commission to the Motu Koitabuan Assembly in relation to subjects over which it alone has the legislative authority.
- (c) The Organic Law must state that the power of delegation vested in the National Capital District Governing Commission is discretionary and not mandatory.

6.9.4 LEGISLATIVE POWERS OF THE TWO COMMUNITY GOVERNMENTS

It is intended that these two Community Governments would principally be executive arms of the Motu Koitabuan Assembly. However, if the need arises, the Motu Koitabuan Assembly may empower them to make rules, regulations, etc. by enacting a law to that effect.

6.10 FUNDING

6.10.1 THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION

The question of funding in relation to this body is yet to be considered. Nevertheless the Commission has agreed in principle to allow an interim authority with a small efficient staff to run the city until the formal government is formed. It is, however, clear that some form of establishment grant would have to be given by the National Government.

6.10.2 THE MOTU KOITABUAN ASSEMBLY

Funds for the Assembly would be derived from the following sources and in each case channelled to the Assembly through the National Capital District Governing Commission:

- (a) Establishment grant from the National Government.
- (b) Unconditional grants from the National Government.
- (c) Conditional grants from the same sources.
- (d) Derivation grant.
- (e) Revenues from taxes, licences, etc.

#### 6.10.3 THE TWO COMMUNITY GOVERNMENTS

Initially, they would have to be funded by the Motu Koitabuan Assembly and the National Capital District Governing Commission. However, some of their funds would be derived from the following sources:

- (a) Village Court fines.
- (b) Licences and permits.
- (c) Liquor Licencing fees.

#### 6.11 FINANCIAL CONTROL

The Auditor General be empowered to do annual auditing of the National Capital District Governing Commission, the Motu Koitabuan Assembly and the Business Arm of the Motu Koitabuan Assembly. Over and above this requirement the National Capital District Governing Commission, the Motu Koitabuan Assembly and the

Motu Koitabuan Business Arm, shall appoint a registered firm of Chartered Accountants to undertake an annual audit of the books and financial affairs of each respective body.

With regard to community governments, the annual audit for such bodies shall be the responsibility of the Motu Koitabuan Assembly.

These three institutions should not be subject to audit and inspection by the Department of Finance.

#### 6.12 SUSPENSIONS, PROCEDURES, ESTABLISHMENTS, ETC.

##### HEADNOTE:

In reaching the following conclusions and instructions, the Commission has taken due note of pending National Government legislation with regard to the possible amendment, alteration or replacement of Sections 87, 90, 91, new Sections 91A to 91 inclusive, 92, 93, 94, and 95 of the Organic Law on Provincial Governments: Sections 187(E), 187(F) of the Constitution of the Independent State of Papua New Guinea.

##### 6.12.1 THE NATIONAL CAPITAL DISTRICT GOVERNING COMMISSION

- (a) The National Parliament by a simple majority vote may suspend the National Capital District Governing Commission if:

- i) there is wide-spread corruption in the administration of the National Capital District; or
- ii) there has been gross mismanagement of the financial affairs of the National Capital District; or
- iii) there has been a break-down in the administration of the District; or
- iv) there has been deliberate and persistent frustration of, or failure to comply with lawful directions of the National Government.

(b) Before the matter is brought to the Parliament, the N.E.C. (through the Minister for Decentralisation) must appoint an independent Committee to investigate and report to the N.E.C. on the circumstances of the National Capital District Governing Commission.

(c) The N.E.C. may by notice in the Government Gazette provisionally suspend the National Capital District Governing Commission after the receipt of the Minister's report embodying the report

of a committee, together with comment by the National Capital District Governing Commission.

- (d) The powers and functions of the National Capital District Governing Commission shall be vested in and shall be exercised by or on behalf of the N.E.C. if that Commission is suspended.
- (e) Within nine months from the date of suspension, the N.E.C. must make fresh appointments to the National Capital District Governing Commission (but with the right to extend that period not exceeding six months).
- (f) The N.E.C. may dismiss any member of the Commission and appoint another to take his place on the recommendation of the Minister for Decentralisation.
- (g) The office of a Commissioner will become vacant on the occurrence of any of the following events:
- Dismissal
  - Death
  - Resignation
  - Imprisonment for more than nine months
  - Illness
  - Misconduct in office

Breach of the provisions of the Leadership Code

Absence without leave for more than three consecutive meetings

Unsoundness of mind.

- (h) A Commissioner of the National Capital District Governing Commission wishing to resign must tender his resignation together with his reasons to the Chairman one clear month in advance of the intended date of resignation. Such a resignation will come into effect at and on the date at which his replacement takes office.

FOOTNOTE:

The suspension and dismissal of the National Capital District Governing Commission would require eight distinct steps:

1. The Minister appoints a Committee to investigate a matter or matters in his opinion warranting investigation.
2. The Committee investigates.
3. The Committee reports to the Minister within twenty one days of receiving its appointment.

4. Within 14 days the Minister must:
  - (a) Seek a written reply from the Commission to any charges levelled or matters raised.
  - (b) Submit all relevant information to the N.E.C.
5. The N.E.C. considers the matter. If in its opinion dismissal of the Commission is warranted, it may provisionally suspend the Commission by notice in the Gazette.
6. The Minister must then bring the matter to the attention of Parliament through the Speaker.
7. At the next sitting of Parliament after the receipt by the Speaker of the Minister's submission, and within seven sitting days of the commencement of that Parliamentary session, Parliament will vote on the matter.
8. The matter will be decided on the basis of a simple majority vote.

6.12.2 THE MOTU KOITABUAN ASSEMBLY

- (a) The Motu Koitabuan Assembly may be suspended by the Minister acting as a result of an inquiry into its



affairs. Such inquiry would be instigated by the Minister. Procedures for suspension and dismissal would be the same as Steps 1 - 4 for suspending or dismissing the Commission.

- (b) The grounds for its suspension would be the same as those applicable to the National Capital District Governing Commission, but with a further ground, namely that there has been deliberate and persistent frustration of, or failure to comply with lawful directions of the National Capital District Governing Commission and/or the National Government.
- (c) During the life of its suspension, the powers and functions of the Assembly have to be vested in the National Capital District Governing Commission.
- (d) With the occurrence of a vacancy on the Motu Koitabuan Assembly through either the dismissal, death, resignation, imprisonment for more than nine months, illness, misconduct in office, breach of the provisions of the Leadership Code, absence without leave for more than three consecutive meetings

or due to unsoundness of mind of a member, by-election for the vacant position must take place within nine months of the occurrence of the vacancy.

- (e) In relation to the question of re-establishment of the Assembly, fresh elections should be held within nine months of its suspension (with the right to extend that period if it is impossible to do so within that period).

6.12.3 THE EAST AND THE WEST MOTU KOITABUAN COMMUNITY GOVERNMENTS

The matters relating to these two lower level governments should be left to the Motu Koitabuan Assembly to determine.

6.13 STAFFING/SECRETARIAT

- 6.13.1 In relation to the Secretariat for the National Capital District Governing Commission, see paragraph 4.15 on P.50 and paragraph 4.16 on P.50 of this report.

- 6.13.2 While in relation to the Secretariat of the Motu Koitabuan Assembly, see paragraph 4.22 on P.53 of this report.

6.14 PECULIARITIES6.14.1 DIVISION OF LEGISLATIVE POWERS

- (a) The National Capital District Governing Commission is to be vested with all the legislative powers just as the Provincial Governments are. However, at the same time, the Motu Koitabuan Assembly must be given certain legislative powers on certain specific subjects and vest powers to request the National Capital District Governing Commission to delegate some of its legislative powers to it in relation to certain subjects.
- (b) All the laws enacted by the Motu Koitabuan Assembly would be subject to the provisions of any laws enacted by the National Capital District Governing Commission.
- (c) The National Capital District Governing Commission may (through the Motu Koitabuan Assembly) delegate some of its rule-making authority to the two Community Governments. Of course, the Motu Koitabuan Assembly would also have the same right as the National Capital District Governing Commission.

6.14.2 THE BUSINESS ARM OF THE MOTU KOITABUAN ASSEMBLY

(a) The Organic Law must state that there shall be a Business Arm of the Motu Koitabuan Assembly to generate additional revenue to be used by the Motu Koitabuan Assembly in the supply of additional goods and services to the Motu Koitabuan community and where necessary to assist in the operating costs of the Assembly.

i) The Business Arm will be governed by a Board of Directors, the Chairman of which would be a member of the Motu Koitabuan community, not serving as a member of the Assembly and nominated by the Motu Koitabuan Assembly, a serving member of the Motu Koitabuan Assembly nominated by the Motu Koitabuan Assembly, a Commissioner of the National Capital District Governing Commission nominated by the Commission, and two representatives from each of the two community governments.

- ii) The establishment grant must be given by the National Government through the National Capital District Governing Commission.

6.14.3 THE MOTU KOITABUAN ASSEMBLY CONSTITUTION

- (a) The interim Motu Koitabuan Assembly should be vested with the power to draw up its own Constitution. However, its provisions should be entrenched in such a way that it does not conflict with the provisions of the proposed Organic Law and other National laws and Constitutional Laws.
- (b) The provisions of the Constitution must be worded in such a way that it takes into account all the motives behind the granting of that special status given to the Motu Koitabuans.

6.15 INTERIM ARRANGEMENTS

The National Parliament be requested to enact a law entitled, National Capital District Government (Preparatory Arrangements) Act for the purposes of establishing the interim government for the National Capital District.

- 6.15.1 The interim Motu Koitabuan Assembly should consist of ten selective representatives of the present Motu Koitabuan Committee.
- 6.15.2 The interim National Capital District Governing Commission should consist of the present five members of the Board of Management and two members of the present Commission of Inquiry into the future government of the National Capital District.
- 6.15.3 The Local Government Act 1963 (A.A.T.D.) to continue to operate for the time being. National Government laws and Port Moresby City Council rules to continue to apply until such time as the National Capital District Governing Commission or the Motu Koitabuan Assembly passes laws. Such laws when passed should take into account assets of the Port Moresby City Council, any existing contracts and/or law suits with regard to that body.

**CHAPTER 7**ORGANISATION - STAFF OF THE COMMISSION

7.1 The Commission, mindful of the need for proper planning to bring about effective change in any system of government, and noting the need to avoid trying to undertake too much too soon, emphasises that this Chapter is very much of a general nature and that much work will have to be done before a final and detailed organisation is brought into being, let alone made operational.

7.2 Broadly, the development of the functions of the National Capital District Governing Commission should be in two distinct stages.

7.2.1 Stage 1 generally to cover land use and development, works and design, water and sewerage, the present functions currently carried out by the Port Moresby City Council, financial planning and control, staff training, community affairs, services, health and licencing.

7.2.2 Stage 2 would cover such areas of activity as police, education, agriculture, business development, and the balance of health services.

7.3 To examine the proposed staged phase-in of activities more closely -

7.3.1 LAND USE AND DEVELOPMENT

(a) Here your Commission sees a clear need to combine the functions of three currently operating Boards, the Town Planning Board, the Land Board and the Building Board, under one combined Board, the National Capital District Land Use Development Board. This Board would exercise the powers and functions of the three present Boards and be made up of Commissioners of the National Capital District Governing Commission. Appeals from decisions of such a Board would lie respectively to the National Land Board, the National Planning Board and the National Building Board.

(b) Fragmentation of decision making in regard to land use within the National Capital District has already led to a situation where infrastructure - water, sewerage, rates, electricity - are not adequately or properly planned to cater for the expanding population. In some instances those responsible for planning or land allocation are not aware that such an infrastructure is inadequate or even non-existent.



(c) Careful co-ordinated planning now of the city and its development is essential if we are to enjoy a pleasant and well organised urban situation in the future.

7.4 Your Commission recommends most strongly then the creation of a National Capital District Land Use Development Board in line with the foregoing remarks.

7.5 PRESENT FUNCTIONS PORT MORESBY CITY COUNCIL

The present functions carried out by the Port Moresby City Council and its present organisation would come under the control of the National Capital District Governing Commission as soon as this new body is recognised.

7.6 WORKS AND DRAINAGE

The existing Works Section of the Port Moresby City Council will need immediate examination and capacity up-grading. In addition to the current staff, a small design team will be required and design work carried out by this new section should be shared with National Works Authority which already is staffed and has capacity in this area.

7.7 WATER AND SEWERAGE

Dependent on the outcome of proposed legislation aimed

at establishing a National Water and Sewerage Board, the functions of maintenance and accounting, should such a Board be introduced, should be delegated to the National Capital District Governing Commission. Should a Board in point of fact not be introduced, then the Commission would exercise the existing powers of the Port Moresby City Council.

#### 7.8 FINANCIAL PLANNING AND CONTROL

Though generally the existing financial and administrative staff of the Port Moresby City Council would be sufficient at the outset of operations of the Commission, some additional staffing would be required. In particular there would be a need to recruit a Manager of Finance and Administration, a Senior Administrative Officer, and a Financial Forward Planner.

#### 7.9 STAFF TRAINING

There would be an immediate need to commence in-service training courses to familiarise and inform existing staff of changes taking place and to plan for an internal staff training programme, particularly aimed at replacing key expatriate staff.

#### 7.10 COMMUNITY AFFAIRS

A section would have to be introduced, staffed by

officers experienced in the history of Local Government and known to and respected by the Motu Koitabuan people. The task of this section would be to provide administrative assistance and support in regard to the affairs of the proposed community governments. It would have no policy or directive role.

7.11 HEALTH

The existing role and function of the Port Moresby City Council with regard to health matters should become the initial role and function of the Commission with an expansion of activities at a later date under Stage 2.

7.12 LICENCING

Trading licences are already controlled and are the responsibility of the Port Moresby City Council and would therefore automatically be absorbed. Control over public motor vehicles, licencing fees and the movement of public motor vehicles should be immediately passed to the Commission and an experienced staff member appointed to competently manage this aspect of the Commission's activities. Business licencing (N.I.D.A.) should also be simultaneously transferred and again an experienced staff member appointed. The Commission would constitute itself accordingly and applications held in the normal manner.

7.13 SERVICES

Functions such as tourism, censorship, information, and the provision of service facilities, should be immediately linked into the new authority by the appointment of desk officers in those government departments or instrumentalities affected.

7.14 With the successful introduction of all aspects of Stage 1, Stage 2 should be implemented. However, prior to any such implementation a full and thorough investigation and analysis of these proposed activities must be undertaken and here a vital role will be played by the proposed Secretariat. Equally important to Stage 2 and Stage 1 is the necessity to make adequate provision for the supply of both office accommodation and staff housing.

7.15 The Commission fully appreciates that this particular paragraph provides no more than an outline of what could possibly best be described as a working paper for the interim Commission and those charged with introducing and implementing the proposed Governing Commission. Consideration of this particular paragraph would require a heavy input by the O. & M. Division of the Public Services Commission.

STAGE ONE

NATIONAL CAPITAL GOVERNING AUTHORITY

TRANSITION Support Secretariat 2-3 Years

General Manager

Manager Finance &  
Administration

Manager Social  
Services

Management  
Services Division  
Principal

Manager Engineering

Functions

Functions

Functions

Legal Officer  
Research Officer  
Internal Auditor  
Private Secretary  
Corporate Secretary  
(Keeper of Minutes)  
Executive Officer

A) Land Use Planning & Administration

1. Town & Village Planning
2. Land demarcation & allocation
3. Building inspection and approvals.

A) Financial Planning

1. Taxes
2. Service Charges
3. Budget preparation
4. Government Grants and Loans
5. Future Works

A) Community Affairs

1. Local & Community Government
2. Motu/Koitabu Authority

B) Works

1. Roads & Bridges
2. Parks & Gardens & Public facilities
3. Sanitation & Garbage
4. Contract Administration & New Works
5. Transport & Building Maintenance

B) Financial Control

1. Revenue
2. Expenditure
3. Costs
4. Budget Control
5. Inventory Control
6. Computerisation

B) Services

1. Tourism
2. Censorship Control
3. Information
4. Registration Births, Deaths, Marriages

C) Design-Shared with N.W.A.

1. Survey & Drafting
2. Roads & Traffic
3. Water & Sewerage
4. Sub-Divisions
5. Public Transport

C) Administrative Services

1. Procedures documented
2. Staff and Accommodation
3. Records and Registry
4. Transport Control

C) Health

1. Inspection (IGA)
2. Local Medical Authority

D) Water & Sewerage

1. Water maintenance
2. Sewerage maintenance
3. Metering

D) Training

1. Staff Training
2. Internal Training course development

D) Licensing

1. Vehicles
2. Businesses
3. Trading Licences

E) Clerk of Works

1. Estimate Control
2. Cost Control

E) Police

: Stage Two

F) Agriculture

: after careful

G) Business Development

: planning by

H) Other Health Service

: Transition

I) Education

: Secretariat

- A) Land Use Planning and Administration
- B) Works
- C) Design
- D) Water and Sewerage
- E) Clerk of Works

ENGINEERING DIVISION

KEY STAFF

MANAGER OF ENGINEERING - (Co-ordinating role)

DEPUTY MANAGER OF ENGINEERING - (Day to day Administration)



- 1. Senior Town and Village Planner
- 2. Structural Engineer
- 3. Senior Lands Officer
- 4. Senior Building Inspector
- 5. Senior Surveyor
- 6. Senior Draftsman

- 1. Senior Works Engineer
- 2. Senior Roads Supervisor
- 3. New Works Supervisor
- 4. Building Maintenance Supervisor
- 5. Vehicle Maintenance Supervisor

- 1. Clerk of Works/ Office Manager

- 1. Senior Water Sewerage Engineer
- 2. Senior Water Supervisor
- 3. Senior Sewerage Supervisor
- 4. Senior Meter Supervisor

- 1. Senior Design Engineer
- 2. Senior Design Engineer Water and Sewerage
- 3. Senior Surveyor
- 4. Senior Draftsman

- A) Financial Planning
- B) Financial Control
- C) Administrative Services
- D) Training

FINANCE AND ADMINISTRATION DIVISION

KEY STAFF

MANAGER OF FINANCE AND ADMINISTRATION

A and B

D

C

1. Financial Controller
2. Senior Financial Planner
3. Budget Officer
4. Finance Officer Revenue
5. Finance Officer Expenditure
6. Finance Officer Costs
7. Stores Controller
8. Computer Analyst Programmer
9. Salaries & Wages O.I.C.

1. Senior Training Officer
2. Training Officer (Commercial)
3. Training Officer (Technical)

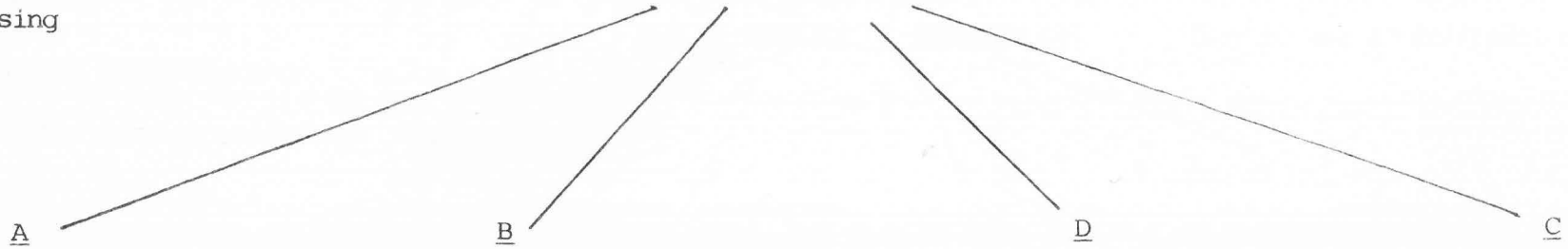
1. Senior Administrative Officer (Procedures)
2. Staff Officer
3. Assets Officer
4. Transport Officer

- A) Community Affairs
- B) Services
- C) Health
- D) Licensing

SOCIAL SERVICES DIVISION

KEY STAFF

MANAGER SOCIAL SERVICES



- 1. Senior Community Government Officer
- 2. Two Senior Co-ordinators of Projects

- 1. Senior Public Relations Officer
- 2. Assistance Public Relations Officer

- 1. Senior Business Licensing Officer
- 2. Public Transport Officer

- 1. Senior Health Inspector



FINANCE STATEMENTBUDGET SUBMITTED TO DEPARTMENT OF FINANCE JULY 1981

Original budget for Commission's operation as submitted to Mr. L. Sparreboom, First Assistant Secretary, Budgets, Department of Finance.

	K
A. Attendance Fees	2,100.00
B. Travel - Internal	3,000.00
- Overseas	25,000.00
C. Transport	5,704.00
D. Stores & Supplies (See App.)	5,000.00
E. Printing & Incidentals	5,300.00
F. Emoluments & O/T	7,653.00
G. Consultants Fees	25,000.00
H. Rentals	2,100.00
I. Utilities	2,135.00
J. Entertainment	<u>1,500.00</u>
	<u>K84,492.00</u>
Cr. Balance on allocation to Reserve	<u><u>K40,508.00</u></u>

To briefly comment on the expenditure items:

- A. Three (3) Commissioners are non Public Servants.
- B. Both PM's and Decentralisation position papers indicate the need for travel.
- C. Two sedans for the duration of the Commission i.e. three months.
- D. As for attachment. With the expiry of this Commission's span these must be safely stored or used in such a way as to guarantee their availability to future Commissions.
- E. Includes newspaper ads, K3,500 for printing of final report.
- F. A loading of K2,000 for O/T outside typing included.
- G. This item is principally intended for travel and movement of identified technocrats and administrative experts (familiar with PNG) both internally and from overseas.
- H. Covers halls as well as office rental.
- I. Phone, Water, Power, Post Office, etc. etc.
- J. This item to be utilised under direct control of the Chairman.

It should be noted here that this, in point of fact, was the second Budget presented and due to an oversight Provision for Minor New Works essential for the minimum upgrading and repair of the Commission's office at Ela Beach was inadvertently dropped from the second Budget submission. The estimated figure here in the original budget stood at K3,000.

Expenditure as per records held by the Management Services Division of the Prime Minister's Department as at 31st August:

245-1-116-2	3,000	NIL	716.00	716.00	UNDER COMMITTED
245-1-116-3	4,300	NIL	15.00	15.00	UNDER COMMITTED
245-1-116-4	6,300	NIL	2,119.42	2,119.42	UNDER COMMITTED
245-1-116-5	5,700	NIL	NIL	NIL	
245-1-116-6	28,600	220.00	1,654.45	1,874.45	UNDER COMMITTED
245-1-116-7	4,000	NIL	2,273.91	2,273.91	UNDER COMMITTED
245-1-116-9	25,000	NIL	NIL	NIL	
245-1-116-10	7,600	1,268.70	388.45	1,657.15	UNDER COMMITTED

Item 2 covers Internal Travel

Item 3 covers Printed Forms, including Government Printers Forms

Item 4 covers Material, Supplies and Advertising

Item 5 covers Plant Hire

Item 6 covers Special Services

Item 7 covers Purchase of Major Office Equipment

Item 9 covers Overseas Travel

Item 10 covers Emoluments and Overtime

EXPENDITURE AS AT 30TH OCTOBER 1981

Travel (Internal)	K3,947.20	(K2,808 of this was to cover costs of consultants travel and accommodation)
Printing	K2,238.75	Cost of Printing Final Report estimated only at K6,500.
Stores & Supplies	K3,872.29	
Transport	K3,993.26	

Attendance Allowances	K2,770.00	Commissioner Kapena K950
		Sea 840
		Gasika 620
		Gureki 360
Entertainment	K1,609.38	
Overtime	K551.84	
Overseas Travel	K13,693.00	Five Commissioners to Kuala Lumpur and Suva for 14 days.
Staff Salaries	K7,166.39	
Major Office Equipment	K5,919.92	
Sundries	K120.00	

Total Expenses - K45,362.03

COMMISSION OF INQUIRY INTO A SUITABLE FORM OF GOVERNMENT  
FOR THE NATIONAL CAPITAL DISTRICT

MEETINGS HELD

August

10th

MOTU-KOITABU REPRESENTATIVES

- Mr. F. Igo
- Mr. I. Oala
- Mr. D. Toka
- Mr. I. Hari
- Mr. K. Ono
- District Commissioner Gomara

10th

PORT MORESBY CHAMBER OF COMMERCE

- Mr. Zonneveld, President

12th

DEPARTMENT OF DECENTRALISATION

- Mr. H. Richardson, Commissioner of Local Government
- Mr. T. Gabogani, Principal Local Government Officer
- Mr. T. Hadlow, D.O. Special Duties Urban Council

14th

UNIVERSITY OF PAPUA NEW GUINEA REPRESENTATIVES

- Vice Chancellor Lohia
- Dr. J. Igo, Dean of Medical Faculty
- Mr. P. Larmour, Political & Administrative Studies
- Dr. T. Crowley, Subdean of Arts Faculty
- Prof. J. Griffin, Chairman, Extension Studies
- N. Badu, Political & Administrative Studies
- J. Tamate, Pro Vice Chancellor
- Prof. B. Brogan, Economics
- I. Ikupu, Economics
- Prof. Jackson, Professor of Geography
- Mr. B. Minol, Pro Vice Chancellor
- Observer - H. Richardson, Community Local Govt.

19th

DEPARTMENT OF WORKS & SUPPLY

- Mr. J. Baure, First Assistant Secretary

19th

POSTAL & TELECOMMUNICATION SERVICES

- Mr. Tamah, First Assistant Secretary
- Mr. Maitawa, Technical Branch

20th

ELECTRICITY COMMISSION

- Dr. K. Newcombe, General Manager

21st

OFFICE OF INFORMATION

- Mr. Kwarara
- Miss M. Hebei
- Mr. A. Bosit
- Mr. D. Fopp

August

24th

## DEPARTMENT OF DECENTRALISATION

- Mr. M. Kwapena, Assistant Secretary into Government Relations
- Mr. T. Regan, Assistant Secretary, Legal Services Division.

25th

## DEPARTMENT OF URBAN DEVELOPMENT

- P. Gaiyer, Secretary
- S. Homoka, Assistant Secretary, Settlements
- M. Alaluku, Acting Deputy Secretary, Town Planning
- W. Aruga, Acting Asst. Secretary, Town Planning

27th

## DEPARTMENT OF JUSTICE

- B. Sakora, Deputy Secretary
- N. Gregory, Asst. Secretary, C.N.P. Division
- T. Pryke, Asst. Secretary, Village Court Secretariat
- Mr. Basangu, Liquor Licensing Commission

28th

## MOTU-KOITABUAN COMMITTEE

- Mr. F. Igo
- Mr. D. Toka
- Mr. I. Oala
- Mr. A. Mahuru
- Mr. I. Sioa
- Mr. A. Rabura
- Mr. T. Kuruku
- Mr. V. Morea
- Mr. M. Taboro
- Mr. G. Gomara - District Commissioner
- Mr. B. Baia

September

1st

## UNIVERSITY OF TECHNOLOGY, LAE

- Prof. P. Jones, H.O.D. Mathematics, Acting Vice Chancellor
- Prof. P. Greenwood, H.O.D. Electrical and Communications Eng.
- A/Prof. E. Balasubramaniam, H.O.D. Applied Physics
- Dr. E. Taylor, Snr. Lecturer, Languages and Social Science
- Mr. C. Mahoney, Reader, Architecture & Building
- Prof. J.W. Beall, H.O.D. Accountancy & Business Studies
- Mr. I. Irving-Gass, Registrar
- Mr. J.J. Callaghan, Senior Assistant Registrar
- Mr. N. Boromu, Audio-Visual Unit
- Mr. I.R. Benton, Senior Lecturer, Architecture and Building
- Mr. W. Norumu, Chemical Technology
- Mr. N. Tau, Surveying

3rd

## DEPARTMENT OF THE PRIME MINISTER

- Miss J. Kekedo, Deputy Secretary

## September

- 3rd PORT MORESBY CITY COUNCIL  
- Mr. R. Malcolm, Town Manager
- 4th NATIONAL PLANNING & DEVELOPMENT OFFICE  
- Mr. V. Reva, Director  
- Mr. R. O'Leary, Assistant Director
- 9th PORT MORESBY CITY COUNCIL  
- Mr. T. Layton, City Engineer
- 9th DEPARTMENT OF DECENTRALISATION  
- Mr. N. Gregory
- 14th DEPARTMENT OF EDUCATION  
- Mr. Roakeina, Deputy Secretary
- 14th DEPARTMENT OF HEALTH  
- Mr. R. Tenaen
- 17th HARBOURS BOARD  
- Mr. E. Elijah, Chairman
- 17th ROYAL PAPUA NEW GUINEA CONSTABULARY  
- Mr. P. Bouraga, Commissioner  
- Mr. M. Vee, Commander N.C.D.  
- Mr. D. Tasion, Chief of Operations
- 17th NATIONAL STATISTICS OFFICE  
- Mr. J. Shadlow, Chief Statistician
- 18th FINANCE DEPARTMENT  
- Mr. J. Vulupindi
- 21st LANDS DEPARTMENT  
- Mr. H. Dixon, Deputy Secretary
- 21st TRANSPORT & CIVIL AVAITION  
- Mr. T. Tataga
- 28th MEETING WITH THE RIGHT HON. PRIME MINISTER

## October

- 12th MOTU-KOITABUAN COMMITTEE  
- Mr. F. Igo, Chairman  
- Mr. D. Toka, Deputy Chairman  
- Mr. I. Oala

October

16th

MOTU-KOITABUAN COMMITTEE

- G. Harry, Kila Kila
- H. Heni, Tatana
- I. Oala, Tatana
- B. Baia, Tatana
- M. Gavera, Poreporena
- V. Vaieke, Hohodae
- F. Bau, Elavala
- I. Sioa, Vabukori
- T. Madaha, Kila Kila
- G. Tolana, Elavala
- A. Rabura, Vabukori
- H. Abari, Kila Kila
- D. Toka, Hohodae
- F. Igo, Motu Koita
- K. Onno, Motu Koita
- M. Nou Taboro, Motu Koita

PRIVATE HEARINGS AND DISCUSSIONS

September

1st

Held in Lae.

Premier,  
Deputy Premier, Morobe Provincial Govt.  
Secretary, Deputy Secretary, Department  
of Morobe Province  
Representatives of Settlers  
Representatives of Private Enterprise

25th

Mr. Mataio, President Hiri Local Government Council

30th

Mr. Moi, Registrar General

October

5th

Professor M. Oram, Latrobe University, Australia  
former Counciller P.M.C.C., and author of the  
book "Colonial Town to Melanesian City".

22nd

Hon. Speaker S. Morea, M.P.  
Miss J. Abaijah  
Mr. M. Rarua Rarua M.P.  
Mr. J. Mopio M.P.  
Mr. A. Pala, National Parliamentary Legal Officer.



COMMODORE ERSKINE'S PROCLAMATION

Commodore Erskine's Proclamation has become enshrined in the minds of the Papuan people generally but particularly amongst the Motu Koitabuan as virtually a Magna Carta for Papua in regard to the protection of its inhabitants' land rights.

This was made quite clear when Sir Percy Chatterton addressed a seminar subsequent to a constitutional Commission of which he was a member. In this submission he said in part:

"Your Commission has noted that Motu-Koitabuan people opted for individual human rights as being the more important whereas (others) outsiders opted for economic development and national prosperity as the more important.

The situation actually might be likened to a tightrope stretched between complete individual freedom at the one end and the complete dominance of the state and the interests of the state at the other; the Community has to choose the point along that tightrope at which it will try to balance itself.

It is fairly obvious that by and large most people would choose a point on the tightrope nearer to the state-dominating end and the Motu Koitabuan people would tend to choose a point on the tightrope nearer to the individual freedom end.

Another factor which I think we can't leave out of consideration is the fact that Papuans have had since the very first day of the protectorate a mini-Bill of Rights, or at least what they

have taken to be a mini-Bill of Rights. If you go into any village along the southern coast of Papua and start talking about land matters, it won't be long before someone says: 'Well, what about what Commodore Erskine said in 1884?' Before he raised the British flag out at the mission at Hanuabada, he used these words:

I desire on behalf of Her Majesty the Queen to explain to you the meaning of the ceremonial you are about to witness. It is a proclamation that from this time forth you are placed under the protection of Her Majesty's government, that evil-disposed men will not be able to occupy your country, to seize your lands or to take you away from your homes. Your lands will be secured to you. Your wives will be protected.

Now I imagine that our learned judges would describe this declaration by Commodore Erskine as non-justifiable. Sir Hubert-Murray seems to have thought rather differently, because in 1912 he said this:

The address by Commodore Erskine was translated into Motu by Dr. Lawes and has since, in spite of the subsequent annexation, been regarded as a fundamental part of the Papuan Constitution which is not to be altered by legislation.

While Commodore Erskine's words may have survived the annexation, they do not appear to have survived the New Guinean take-over

of Papua in 1945. But the point I want to make is that Erskine's words were remembered and are still remembered by Papuans and are regarded as their Magna Carta, because of their simplicity, their lack of equivocation. It is because of this that they have exerted such a powerful influence on Papuan thinking ever since."

For the record, this Appendice now sets out the wording of Commodore Erskine's actual proclamation.

ERSKINE'S PROCLAMATION: THE FINAL VERSION

The wording of the official published version of the Proclamation establishing the British Protectorate over the southern shores of New Guinea, and the adjacent islands, is not quite the same as the wording of the Proclamation read by Erskine at Port Moresby on 6th November 1884. The original Proclamation did not refer to the D'Entrecasteaux Group. It was decided to add this Group to the Protectorate later, and the technique then adopted was to add a reference to the D'Entrecasteaux Islands to the original Proclamation, without amending its date - 6th November 1884.

PROCLAMATION on behalf of Her Most Gracious Majesty Victoria,  
by the Grace of God, of the United Kingdom of Great Britian  
and Ireland, Queen, Defender of the Faith, Empress of India,  
establishing a Protectorate of Her Most Gracious Majesty  
over a portion of New Guinea and the islands adjacent thereto.

To all to whom these presents shall come,

Greeting:

Whereas it has become essential for the protection of the

lives and properties of the native inhabitants of New Guinea, and for the purpose of preventing the occupation of portions of that country by persons whose proceedings, unsanctioned by any lawful authority, might tend to injustice, strife, and bloodshed, and who, under the pretence of legitimate trade and intercourse, might endanger the liberties, and possess themselves of the lands of such native inhabitants, that a British Protectorate should be established over a certain portion of such country and the islands adjacent thereto.

And whereas Her Majesty having taken into Her Gracious consideration the urgent necessity of Her protection to such inhabitants, has directed me to proclaim such protection in a formal manner at this place: Now, I, James Elphinstone Erskine, Captain in the Royal Navy and Commodore of the Australian Station, one of Her Majesty's Naval Aides-de-Camp, do hereby, in the name of Her Most Gracious Majesty, declare and proclaim the establishment of such Protectorate over such portions of the coast and the adjacent islands as is more particularly described in the schedule hereunto annexed.

And I hereby proclaim and declare that no acquisition of land, whensoever or howsoever acquired, within the limits of the Protectorate hereby established, will be recognised by Her Majesty: And I do hereby, on behalf of Her Majesty, command and enjoin all persons whom it may concern to take notice of this Proclamation.

SOURCE DOCUMENTS

1. The Constitution of the Independent State of Papua New Guinea.
2. The Organic Law on Provincial Government.
3. The Local Government Act 1963, as amended to date.
4. Report of the Commission of Inquiry into Land Matters October 1973.
5. Organisation and Manning Chart of the Port Moresby City Council.
6. Briefs from Embassies or Consulates on their relevant capital city administrative structures.
7. Report to the Minister for Decentralisation and the Commissioner for Local Government on the Management of the Port Moresby City Council. Malcolm for period 2nd October 1980 to 14th July 1981.
8. The Local Government Act, Fiji, 1972 (AATD).
9. Employment, Income & Migration in Papua New Guinea Towns. Monograph 6 IASER 1977.
10. The Urban Household Survey: Town Profiles Monograph 12 IASER 1979.
11. The Post Courier Selective Index 1972-1979 Inc. IASER.
12. Current pending Amendments to the Constitution and Organic Law on Provincial Government.
13. Journal of the Papua New Guinea Society, Volume 4, No. 1 of 1970 "Land and Race in Port Moresby" Oram N. P.5

COMMISSION OF INQUIRY INTO A SUITABLE FORM OF GOVERNMENT  
FOR THE NATIONAL CAPITAL DISTRICT

MINUTES OF MEETING OF 20TH OCTOBER 1981, HELD AT THE ACTION  
ROOM OF THE UNIVERSITY OF PAPUA NEW GUINEA.

PRESENT: CHAIRMAN  
COMMISSIONER SEA  
COMMISSIONER KAPENA  
COMMISSIONER WATANGIA  
COMMISSIONER GUREKI

APOLOGIES: COMMISSIONER TADABE

PRESENT: REPRESENTATIVES OF UNIVERSITY OF TECHNOLOGY, LAE  
& (NATIONALS) -  
MR. L. MAGASU  
MR. JOHN FAINAME  
MR. CLEMENT TABUL  
MR. BERNARD GOLE  
MISS SELINA MAINGA  
MR. PETER TASIN

REPRESENTATIVES OF U.P.N.G. -  
PROFESSOR BROGAN  
MR. PETER LARMOUR

CHAIRMAN: Welcomed the Lae Unitech delegates and the  
U.P.N.G.'s representatives and invited them to  
make their submissions to the Commission.

MR. MAGASU: My colleagues and I wish to thank the Commission  
for inviting us to Port Moresby at the weekend  
to make our submission to your Commission. The  
following is the written submission of the members  
of my party. The contents of the submission are  
our collective ideas, as are our answers to the  
given questions which have been based on the Terms

of Reference of the Commission of Inquiry into a Suitable Form of Government for the National Capital District. It is our pleasure to present it as a written submission to you Chairman, and your Commissioners.

#### SUBMISSION

We do sympathise with the needs and aspirations of the Motu Koitabuan people to have a form of Government for the National Capital District.

Having carefully considered Commission's Terms of Reference, questionnaires and records of Commission's Minutes of earlier meetings with Motu Koitabuan people, being held on 12th and 16th October, 1981, at Commission's Office and United Church Building respectively, we regret to inform the Commission that we were unable to produce our submissions in given time due to certain circumstances.

Given our limited understanding of administration and mechanics involved for such formation of a government, we would like to submit the following.

That the government of National Capital District should have two administrative bodies.

(a) Shire Council

A Country area Council which is to be responsible for the Welfare and the needs of the population living in the Shire i.e. MOTU KOITA inhabitants.

(b) Municipal Council

Municipal Council is to be responsible for the welfare of the population in the metropolitan areas including squatters, Private Sectors, Church Groups, Womens Groups, etc.



These two administrative bodies will form National Capital District. In its true sense it should operate as an envisaged modified Provincial Government system, hence Commission should make submissions to amend sections in the Organic Law to allow for such a system. We are fully aware that introduction of such Scheme will create precedence.

The Government of National Capital District should have a guaranteed representation based on percentage ration making sure that minority groups have a fair representation.

The relationship of National Capital District to the National Government should be entered through the Ministry of Decentralisation, and should be divorced from the Central Provincial Government.

The Municipal Council absorbs present Council resources and similarly relevant functions should be identified and be exercised by Shire Council. With regard to government departments and statutory bodies a review be undertaken to determine the lines of responsibilities between the National Government and National Capital District.

The function of the Police shall remain with the National Government.

The re-enforcement of law and order of the National Capital District should be maintained by the National Police.

The Municipal and the Shire Councils will ensure that supplies of goods and services are guaranteed.

The Shire Council is formulated with limited authority to handle the affairs of the minority group.

The Shire and Municipal Council are both subservient to National Capital District.



Fully elected representatives from minority groups are made to the National Capital District.

It is anticipated that within the proposed government there would be no deprivation of minority in regard to economic matters, and any form of business ownerships and activities are encouraged.

Such a scheme should be subjected to control and direction of the National Capital District Government.

The structure and management should be directly controlled by the individual Councils.

CHAIRMAN: Received and accepted the written submission of the Lae Unitech's group from Mr. L. Magasu with appreciation. He then invited Professor Brogan of U.P.N.G. to make his submission to the Commission.

PROFESSOR BROGAN: I don't really have much to say, as I did say to your Executive Officer yesterday I have written a short submission which is being typed.

I have skimmed through the documents you have here. What I have said in my own submission is that as I am certainly a non-citizen I do not have any right to make terribly strong statements about issues of policy.

I have tried to say things that I thought were needed. I think very strongly that Motu Koitabuan people have been very severely disadvantaged in two ways.

The two ways are, they have lost control over their own social and political affairs: something has to be done to compensate them for that. Secondly

they have lost control over some of the wealth generated in the National Capital District, so I think there is both a political and a financial problem. The political problem has to be solved in a way which gives the people some say over their own affairs.

I am not a specialist in that area. It seems to me that all the analogies that referred to Canberra, Washington and cities like that are really not good analogies, because there wasn't a local population in those places, whereas the problem here is that a group of people have been disadvantaged because of the growth of the nation's capital.

On the other hand, I do think it is important for the Motu Koitabuan people to accept that some advantages have come to them from the capital being here, for example in the form of Port Moresby General Hospital.

There are some social advantages, but on the other hand there are disadvantages. I think something has to be done to correct the disadvantages, both economic and political.

You have come up with a political solution here. I know you cannot easily change the Constitution and Organic Laws. It seems to me that whilst the National Capital District was created under the Constitution, it would be necessary to ensure that its residents were not disenfranchised under any form of government.

I would like to suggest that I can see no reason why this city should not be part of Central Province. I think, even if you devise a form of

government, it still means that people from this district are unlike any other Papua New Guineans. They do not belong to a Province.

Provincial citizenship is just as important as National citizenship, so I would still hope for some form of identity for the Motu Koitabuan people.

However you do it, the very special nature of the city of Port Moresby has to be recognised. Though it is not only the nation's capital, it is also the biggest Motu Koitabuan city in the nation. Every other city in the nation is allowed to take on the character of the people in the Province. This city ought to be seen as a Motu Koitabuan city basically, even though it has taken on a national flavour, owing to the vast majority of its residents coming not only from every province within the nation but from overseas.

A form of government to suit the National Capital District should guarantee at least another tier of government, perhaps an Assembly as has been suggested, to permit the Motu Koitabuan people to retain their own distinct identity and to take care of their own affairs.

Some sort of mechanism has to be provided to make sure that some of the features of the city have a Motu Koitabuan flavour about them, rather than a National Capital flavour. I mean there is a national museum, why isn't there a Motu Koitabuan museum somewhere? A monument to the Motu Koitabuan people in the role they have played in the region, just as there is a Highlands Museum in Goroka.

There ought to be some cultural facilities in this town that stress the very special characteristics of the local people.

There are all sorts of ways that you can improve the flavour of the city, as a Motu Koitabuan city.

A very real problem that has to be considered is how to channel some of the wealth created in the district to the special needs of the Motu Koitabuan people.

I think your suggestion of Community Government is very good. I would like to suggest that many of the functions of both National and Provincial Government could be provided and administered within the compounds of the communities, by those community governments.

I think a suggestion that our Vice Chancellor made at our first meeting was a very good one. He expressed the local village people's fear that the big city is encroaching on them year by year. Soon the villages as such simply are not going to exist. He suggested that the villages needed to be quite specifically defined, and that it had to be made quite clear that the city was not going to encroach into those traditional village areas any further. I think that is very important. That is another aspect of my view, that something has to be done to make the Motu Koitabuan people feel very secure.

The final thing I want to say is that something has to be done to channel some of the economic wealth of the district into the communities. My suggestion could be grafted on to your suggestion. The thing that is the centre of your suggestion is

the Motu Koitabuan Assembly. I do not know what functions you envisage for it, however I would have thought that one important function it could fulfil would be to make recommendations at all levels of government.

How best to use some of the revenue generated within the district for the supply of goods and services to the residents in general and to the Motu Koitabuan people in particular, is a matter that would require some considerable thought and consideration. It would appear that the direction the Commission is taking would envisage the Assembly taking on many of the functions of local government, including the responsibility for raising local government taxes, licence fees, and such other forms of revenue raising.

My suggestion is that the National Government continue to raise various forms of property-based taxes, land taxes and the like. The guaranteed share of those taxes should be channelled to the Motu Koitabuan people, because after all it is their land.

One of the persistent themes in this district is not just a call for local government, but it is a call for compensation for land that has been lost.

What I am suggesting is that instead of compensation, by way of a capital grant, and that's the end of it. What the Motu Koitabuan people should be guaranteed is a share of the revenues of land and property taxes raised within the city of Port Moresby. That share should be spent on behalf of the Motu Koitabuan people, not necessarily by their own government, but along lines decided by their community and Assembly.

That is the major contribution to the debate that I would like to make.

If you can solve this problem and guarantee the people who are still living in the villages a share of the revenue generated by the exploitation of their traditional land, then I would feel it most likely that you would not have a political situation.

I am not suggesting a detailed form of government for the district, as I think there are too many levels of government already in Papua New Guinea.

I would like to see the citizens of Port Moresby enjoying the right to be part of Central Province, just as the citizens of any other part of Papua New Guinea enjoy the right to be part of a Province.

I think a Provincial form of government for the city would be uneconomic as the city is too small. It is also rather absurd to see a big province like Central Province without a city as its centre.

I would like to see an institution, perhaps your Assembly, which was charged with two broad functions, one to highlight the Motu Koitabuan flavour of the city, a very important flavour, and which is not sufficiently featured in cultural and other institutions, and two, I would like to see that Assembly advising all tiers of government on how best a share of taxes could be distributed particularly in order that village communities could receive tangible benefits, and also the ties and bonds of those communities strengthened.

It would be a tragedy of great proportion if these villages one day simply merge into the city proper. The Vice Chancellor's view about boundaries is very important.

The other analogies that are building up about Canberra, Washington and Brasilia type governments are not necessarily relevant. Something like a city council is needed, but it need not be the sort of city council that existed before, with all its possibilities for corruption and mismanagement.

The National Government ought to be bound to fund many of the services in this city, because it is after all the National Capital.

I would like to repeat that I feel that your report should also note and draw to the Motu Koitabuan people's attention that they do, in point of fact gain advantages in many areas from having the National Capital District situated on their traditional homeland, and not simply disadvantages only, for example, employment opportunities, secondary and tertiary level openings, a higher level of health services, better and more concentrated policing.

Certainly in the field of people with tertiary qualifications, when I was at the University of Technology in Lae last Tuesday talking to Business Studies students, it was quite clear that a very high proportion of them would end up living and working in Port Moresby, simply because that was where the major employment opportunities existed.



There are then advantages in having a National Capital in the midst of the Motu Koitabuan people. I think that fact should be recognised.

Two points I would like to make in conclusion with regard to your consideration of the political problem. I would like to see you do it without adding too much to the already existing number of government levels existing within Papua New Guinea, and I would like you to take note of the political rights of all citizens who live in this city.

Finally, I would ask that you consider very deeply and make suitable recommendations as to how a share of the revenue raised by the National Government in the city as a result of the exploitation of land, could be best channelled to meet the needs of the Motu Koitabuan people and in such a way as to satisfy their aspirations to maintain a separate and distinct individuality.

That is really all I have to say. Mr. Chairman, I thank you.

MR. LARMOUR: I thank the Chairman for the opportunity once again to address the Commission.

As I have said before I am not totally aware of the problem within National Capital District in general, and of the Motu Koitabuan people in particular. However, I have done some work in the Solomon Islands and Kiribati and the same or very similar problems existed with regard to their cities and urban land.

I will confine my remarks to what I feel are additional matters over and above ones that you have already decided upon.



It would appear to me that you have already reached fairly firm conclusions on a basic political structure and I would like to suggest a few extra things that may be worth considering and of assistance when it comes to the question of actually implementing systems you are considering.

Firstly, I would agree very much with Brian's remarks but in a slightly different context. Whatever structure you have in mind for the National Capital District must indeed be related in some way to Central Province just as it must relate to the National Government. Apart from the obvious administrative need for such a relationship you simply cannot ignore cultural and ethnic ties.

The National Capital District is an integral part of Central Province and all roads lead to Port Moresby. I can see problems over the city boundary and the need at a very early stage to work out a permanent relationship between the government of the National Capital and that of Central Province. An obvious way of achieving this would be to have a nominee of the Central Provincial Government on the government of the National Capital. This at least would ensure that each side knew what was going on.

The second point is a point about Commissions of Inquiry, and the kind of recommendations they make. There are two things that you can do. One is to recommend institutions, and change institutions that will solve problems. The other is to make suggestions that you think will solve the problems yourself.

You can either say that there is a problem in Port Moresby, for example migration, and you can suggest solutions to the problem of migration, or say that we cannot solve the problem but we will set up some expert representative who will do that.

One can set up institutions that can do that. One can also, perhaps, look behind the problem and see what is causing it. Perhaps there could emerge simple straightforward things that might ease the pressure of migration in Port Moresby. The Commission could make recommendations like that, not just about institutions, but about problems.

In my written submission I made a few points about how you can go about trying to decrease the pressure on the capital city. A problem that all Pacific Island countries share is that everybody is moving towards the capital.

One straightforward one is simply by not expanding the National Government in the capital. If the National Government wants to expand, build new offices, it should be building one in provincial centres, in Lae or Goroka. It does not mean that you transfer the powers to those centres, you simply have some national activities, national buildings, national offices, physically located in other parts of the country.

Some parts of the government could be separated off, like the Taxation Office. It does not have to be in Moresby. It could as well be centralised in Lae, in the same way as Telecommunication is, so one recommendation might be that there should be more attempts to relocate government activities outside the capital. Perhaps a freeze on building of new government offices.

The second was what Kiribati's been trying. It finds that the problem of migration is caused by people coming into town and looking for work. Looking for work with the government and the private sector. One thing the government can do is not hire people in town, although we cannot stop them coming into town. If it's recruiting people for government work, it should recruit them in regional centres, so there is less incentive for them to come to town. If you wanted to work in Moresby, you would have to be recruited in Lae or Goroka.

The decentralisation of certain government activity to regional level would guarantee employment at regional level and remove the necessity for recruitment into the nation's capital.

In this context too, we should be dealing with the causes of migration to town and not just the effects it might have. You could think more positively about the causes.

My third point is that I disagree with Brian. It is not simply a question of how you finance your recommendations, where the money is going to come from, to set up whatever institutions are set up. It would be very important that whatever money is required to finance your recommendations, should be raised from revenue that comes from Port Moresby, not from the National Revenue.

Port Moresby is very rich, there are plenty of possibilities for increasing taxes on the already rich people in Moresby.

If you were to recommend that the National Government meets the cost of a government system for the National Capital District, and that such a cost decreases the amount of money available for it to help the provinces, there will be a great degree of resistance to such an idea from the Members of Parliament representing the people at provincial level. Additional revenue sources can be introduced and supported by the National Capital District.

One of Brian's suggestions is land tax. A tax on people's use of land in town. This seems to have very many advantages. The problem with the Motu Koitabuan people is that a land tax would be a double-edged weapon. While it may be sensible to tax land in order to give some of the money to the Motu Koitabuan people, the Motu Koitabuan people are not going to be taxed on their own land, whether it is inside or outside the town, so there is a problem there.

This is a very sensitive area, and it might destroy the impact of your recommendations if you start taking land taxes.

The third point on which Brian has touched is the importance of symbolic actions, in recommending political solutions, new institutions and perhaps ways to cope with problems you would also need to bear this in mind. One of the problems is a breakdown of trust and communication between the National Government, City Council and Motu Koitabuan people. Now, your recommendations hopefully will start building up that trust again.

There are a lot of little things that can be done to demonstrate the Government's belief that this was Motu Koitabuan land. In some way it still is, and they are paying more than an equal share of the costs of having a National Capital here.

All the symbolic parts of Port Moresby, all the buildings, the names, reflect its national nature, its Papua New Guinean nature.

We could be doing more, such as renaming every street in the Motu Koitabuan language, or renaming all new streets. Doing something about the National Parliament, and how it is decorated.

I do not think the symbolic things solve the problems themselves. Once you are solving the problem, they help build up trust and respect. They show commitment; they would not work on their own, but they certainly do help.

The fourth thing I would raise is the very severe problems of implementation of any new institution. Brian mentioned the problem with the number of institutions that already exist in Port Moresby. In my submission I said it would be sensible to try and adapt existing institutions, not create new ones.

The Commission has considered the difficulties there will be in actually getting its recommendations put into practice. With my experience over the last ten years in Papua New Guinea of the extreme difficulty there is in implementing recommendations of Commissions of Inquiry, I am sure there will be difficulties.

There are two things that you can do about that. One, you can say that it is not our problem and blame the Government for failing to implement recommendations. The second is preparing a bit for that difficulty, and the disappointments that will necessarily follow when things take longer than anybody expected.

The obvious way is simply to say it will all take time, put a rather long term horizon on the implementation process, and sit back. On the other hand, you can set a reasonable time span but keep people permanently in touch with the process of implementation and how successfully things are moving towards a set target date.

Finally, in making recommendations that are implementable and also talking very seriously in the final stages of your work with the officials who are likely to be carrying the thing through: the danger is if you recommend something that the Government cannot implement.

Mr. Chairman, there are two last points which I would wish to make with regard to some remarks of Brian's. I would like to set the record straight where Canberra, Washington and Brasilia are concerned. The original inhabitants of the land on which these cities now stand were simply chased out to enable a neat and orderly construction of the new city. There is no way that this could or should even be contemplated with regard to the traditional land owners of the National Capital District.

The Aborigines in Australia, the Ame Indians in Brasilia and the American Indians in Washington, all were totally stripped of any rights and

and entitlements. This is one way of solving the problem but certainly not one applicable to Papua New Guinea.

My second point in continuation is that you can change the Constitution and you can change the Organic Law, they are not fixed, but it is very difficult to change them. For a problem affecting a minority of a population it is going to be a practical problem to get the kind of majorities you need in Parliament to make Constitutional changes or changes in the Organic Law.

There is nothing in principle stopping you from doing that, when you are talking about problems of minority, it is just going to be difficult to get two-thirds of Parliament to back-change, that is a practical point.

I am extremely grateful for the opportunity to talk to the Commission. Like Brian and other members of the University we have a duty to participate in affairs like this, and where through our expertise or knowledge of other similar overseas situations we have the ability to contribute meaningfully to discussions.

I thank you Mr. Chairman and your Commissioners once again for this opportunity to address you.

S. GOAVA,  
CHAIRMAN.



OVERSEAS EDUCATIONAL TOURWEDNESDAY 7TH OCTOBER - SATURDAY 17TH OCTOBER 1981INTRODUCTION

In addition to the terms of reference, there was provision for this Commission to enquire outside the National Capital District. This could happen only after consultation with and an approval given by the Prime Minister.

The Commissioners felt that it was in the best interest of this Commission to observe and learn from a number of relevant overseas Capitals of selected countries. Hence a number of names of selected overseas Capitals were submitted to the Prime Minister for his consideration and approval. Subsequently, the Acting Prime Minister approved two places, namely, Kuala Lumpur (Malaysia) and Suva (Fiji). (See attached A, Request for Approval, and B, Letter of Approval).

PURPOSE OF THE OVERSEAS VISIT

This Commission was tasked with the responsibility to investigate and recommend to the National Government a Suitable Form of Government and Administration for the National Capital District, the seat of our National Government, and at the same time attempt to accommodate the specific needs and aspiration of the Motu Koitabuan people living within the National Capital District boundaries.

The Commission was convinced that by observing the selected overseas Capitals, this would enlighten the Commissioners in their deliberations on their given terms of reference.

Certainly the two approved overseas Capitals, Kuala Lumpur and Suva, both have much to offer and to learn from, especially from the point of view of the type of Government and administration that exists in those two places respectively.



KUALA LUMPUR (MALAYSIA)

Prior to the overseas tour, this Commission was aware that Kuala Lumpur (the Malaysian Federal Capital) has an appointed authority which governs and administers the National Capital, and therefore the Commission was anxious to meet the appropriate authorities and collect detailed and relevant information, more particularly in the following areas:

- (a) how the appointed authority governs and administers the National Capital, Kuala Lumpur.
- (b) how the above authority relates to the National Government and other lower form of governments.
- (c) how the authority of Kuala Lumpur accommodates the needs and aspiration of various ethnic groups.
- (d) policy on land use in Kuala Lumpur.

However, the Commission was bitterly disappointed that it could not have the opportunity to meet and discuss the above areas with the appropriate local authorities in Kuala Lumpur. This was brought about by the lack of formal communication by our Department of Foreign Affairs and Trade through its Ambassador in Jakarta, Indonesia.

Even in this situation the Commission did its utmost to get in touch with the local authorities. However, with further disappointment it learnt that Malaysia was having one of its important religious festivities. (This was officially conveyed to the Commission by both the Malaysia Ministry of Foreign Affairs and the Australian High Commission office in Kuala Lumpur).

The Commission then proceeded to Fiji via Singapore.

SUVA, FIJI

The members of Commission arrived in Suva, Fiji on the 13th October 1981, and were met and welcomed by our High Commissioner to Fiji, Dr. A. Tous and his staff.

FRIDAY 16TH OCTOBER 1981

- 9.00 a.m. Commissioners depart Suva by bus to Lautoka.
- 2.00 p.m. Meeting with the Executive to the BA Provincial Council, based in Lautoka City.
- 3.30 p.m. Visit to Tanoa Village to meet the Paramount Chief and his Chiefs.
- 

Fiji has a population of approximately six hundred thousand (600,000) people, out of which about 40% are Native Fijians. The rest are of Indian origin and a small percentage are of European stock. In other words, the Native Fijians are a minority in their own country. The economy appears to be in the hands of the other 60% of the population.

In the course of this Commission's discussions with various people, a number of interesting and valuable observations were made:

(A) Ministry of Fijian Affairs:

This Ministry has the sole responsibility of catering for the needs and aspirations of the native Fijians.

(a) Native Land Trust Board (NLTB):

This body, (NLTB), is within the Ministry of Fijian Affairs which is responsible for all the matters connected with or associated with non alienated land. For instance,

- a) All National land transactions, (lease or otherwise) has to be processed through the NLTB. This requirement applied to both the National Government and other private individuals.
- b) All non-alienated land are registered with the NLTB. Thus, there is proper records for all native land.

- c) The Board is responsible for the collection of annual rates of behalf of Leasors. A portion of this is paid to the Leasors and the rest invested by NLTB on their behalf.

NOTE: ALL ALIENATED LAND IN FIJI IS OWNED COMMUNALLY, SIMILAR TO PAPUA NEW GUINEA'S CLAN SYSTEM. ALL BENEFITS DERIVED FROM LAND DEVELOPMENT, THEREFORE, BENEFITS THE WHOLE COMMUNITY AND NOT INDIVIDUALS.

(B) THE SUVA CITY COUNCIL.

- I. The Commission observed that the National Capital is administered by a City Council. The Commission was told that two (2) years ago, Suva City Council was suspended by the Minister for Urban Development, for reasons similar to that of our suspended Port Moresby City Council. The Council is headed by a Lord Mayor who also has his Deputy. The Commission further noted that the institution is administratively headed by the City Council Clerk with other support staff.

The Commission was informed that the elections of both the Mayor and his Deputy are done within the Council from among the elected members.

II. THE TYPE OF COUNCIL.

As indicated above, the City Council consists of elected members/representatives (elected on common roll basis).

The Council functions/operates through Committees (i.e. like the English System). That is, the Committees consider all the matters that are needed to be done and make decisions on these matters. These decisions then go in the form of recommendation to the Council for its blessings and actions.

III. THE FINANCIAL MATTERS

As far as the funding of the Council is concerned, it is financially self-supporting in that it does not obtain any financial assistance from the National Government. Their main source of income is from the collection of rates levied/imposed on the properties that are located within the boundaries of the City.

IV. THE FUNCTIONS OF THE COUNCIL.

Generally speaking, the commission observed that the Council's functions were identical to those of equivalent institutions as elsewhere, namely, service-oriented.

At the same time, however, the commission noted certain distinctive features and these are as follows:

- a) In relation to "planning", the Council worked through the Urban Development Ministry. And as a consequence, it seemed that there was a good co-ordination between the City Council and the above-named Government Department.
- b) Closely related to the above, the Commission also noticed that the Council had advanced-drawn plans for the next decade or so for the City's developments.
- c) That in relation to all the building constructions, the Council had jurisdictions over all the matters related to or in connection with building constructions. This however, did not apply to the buildings being constructed or are to be constructed by the National Government. Even then however, the Director of Rural and Town Planning still had to notify the City Council about the National Government's construction of these buildings.
- d) That in relation to the question of suspension, the power of suspension was vested in the Minister for

Urban Development by the provisions of the Local Government Act 1972 (as amended to date).

The procedures employed for the suspension of any one given Council are as follows:

- i) The Minister requests some of his officers (i.e. officers from his own Department) to look into the circumstances surrounding the Council concerned and submit a report to him.
  - ii) Upon the receipt of the Report the Minister looks at it and if he is of the opinion that there are sufficient evidences warranting further investigations, he appoints an independent Commission to investigate and report to him.
  - iii) When the Report is presented to him by the Commission, the Minister studies and considers the Report and if there are sufficient evidences warranting its suspension, he suspends the Council.
- e) The Commission also observed that there are no traditional villages within the boundaries of the National Capital (Suva), as we have in our National Capital. This was so because all the traditional villages that were within the boundaries of the Suva City were re-settled outside the city boundaries during the colonial period. A classic example of one of these re-settled villages which the Commission visited was the village of Suvavou (a distance of about one kilometre from the boundaries of the Suva City).

(C) SUBMISSIONS FOR CONSIDERATION

(1) LAND MATTERS

- (i) That a "Motu-Koitabuan Land Trust Board (M-KLTB) be established within the frame-work of the proposed Motu-Koitabuan Assembly.
- (ii) That all remaining Motu-Koitabuan land within the National Capital District be registered with Motu-Koitabuan Land Trust Board.
  - (a) All Customary land under the proposed Customary Land Registration Bill.
  - (b) Any undeveloped alienated land that may be declared as Customary Land under Section 84 of the Land Act, 1962.
- (iii) All applications for land development and other transactions connected with the above land categories within the National Capital District either by the Government or individuals must carry approval from the proposed Motu-Koitabuan Land Trust Board and the Land Use Planning and Development Board of the National Capital District Governing Commission.
- (iv) The proposed Motu-Koitabuan Land Trust Board (M-KLTB) must work closely with the proposed Land Use Planning and Development Board of National Capital District Governing Commission.
- (v) That prior to the setting up of Motu-Koitabuan Land Trust Board, a selected team of Public Servants with experience in land matters be attached to the Native Land Trust Board of Fiji to carry out a detailed study of land policy and land use in Fiji.



(2) URBAN PLANNING AND ADMINISTRATION

- (i) That the traditional villages within the boundaries of the National Capital District must be part and partial of the National Capital.
- (ii) Development plans for the National Capital District must incorporate specific cultural needs and aspirations of the traditional villages.
- (iii) Normal urban services be provided to traditional villages, e.g. water, sewerage, etc.

Below are the names of the Commissioners who visited the approved two countries:

SINAKA GOAVA - CHAIRMAN  
TOUA KAPENA - COMMISSIONER  
ANGOEVA TADABE - COMMISSIONER  
SEMESE SEA - COMMISSIONER  
KEPAS WATANGIA - COMMISSIONER

(A) REQUEST FOR APPROVAL

COPY 8th September 1981

The Rt. Hon. Sir Julian Chan, K.B.E., M.P.,  
Prime Minister's Department  
P.O. Box 6605  
BOROKO

My dear Prime Minister,

Again I write to seek your formal approval for permission for your Commission to visit a number of overseas countries to examine the administrative and service systems operating within their national capitals. Your Commission sees value in visiting the following capitals - Kuala Lumpur, Sydney, Canberra, Manilla, Honiara, Suva and Singapore.

If permission is granted the Commission intends to depart Papua New Guinea on 4th October, returning on the 18th of the same month. Ample funds to cover the trip were contained in funds allocated by your Government at the time the Commission was brought into being.

In closing I advise with pleasure that your Commission's Interim Report is progressing well and I am confident will be in your hands no later than the 21st of this month.

Yours faithfully,

  
S. GOAVA M.B.E.  
CHAIRMAN



(B) LETTER OF APPROVAL

6th October, 1981

The Chairman  
Commission of Inquiry  
P.O. Box 6605  
BOROKO

Dear Sir,

I acknowledge receipt of your letter dated 8th September in which you sought Prime Minister's approval for the Commission to visit overseas countries to examine administrative and service supply systems.

Having regard to the financial constraints placed upon us, I have decided to approve visits only to Kuala Lumpur and Suva. I sincerely hope that these visits will be of valuable assistance to the work of the Commission.

Yours sincerely,

IAMBAKEY OKUK (Signed)

ACKNOWLEDGEMENTS

Your Commission gratefully acknowledges the assistance and help of the following persons or organisations:

1. Mr. C. Maino, Secretary for Justice, for the provision of temporary office accommodation in the Lands Secretariat at Ela Beach during the first three weeks of the Commission's operation.
2. Mrs. H. Horton, Assistant Secretary, Management Services, Prime Minister's Department, for her great assistance in processing promptly and swiftly general forms and general finance matters.
3. Relevant staff members of the Bureau of Management Services and Central Staff Unit in the same manner.
4. Mr. K. Rabona in the manner of swift approval in regard to staff recruitment.
5. Mr. A. Thompson of P.N.G. Printing for advice and printing support, both during and out of normal working hours.
6. Mr. L. Sadlow of Hertz Rent-a-Car for the prompt and efficient supply and replacement of vehicles to the Commission, enabling it to have transport available at all times.
7. The Vice Chancellors and staff of the Universities of Papua New Guinea and Lae for their advice, co-operation and assistance, and in particular for their most kind offer of project research availability to the Commission or to a future form of Government for the National Capital District.
8. To the Commission's support staff for their untiring support and their willingness to accept heavy workloads on short demand.
9. Mrs. N. Goava for weekend and evening typing of Commission Minutes during the period it had no typing support. In so doing she enabled the Commission to continue its business uninterrupted.
10. Mr. R. Malcolm of the P.M.C.C. for advice on the present organisation and supply of services by the P.M.C.C.
11. His Excellency the High Commissioner to Fiji and staff for assistance to the Commissioners during their visit to Suva.
12. Those persons appearing before the Commission to present views and information relevant to its deliberations.
13. Messrs. N. Gregory and M. Horner.



GRID NORTH

CORAL  
SEA

CENTRAL PROVINCE  
CAPITAL DISTRICT



TATANA

BARUNI

LA  
MUABADA

PORT MORESBY  
HARBOUR

WAIGANI  
SWAMP

WAIGANI  
DRIVE

JACKSONS  
AERODROME

MURRAY  
HIGWAY

HUBERT

KOROBOSEA

KILA KILA

VABUKORI

PARI

BIRITANO  
HWY

KOIARI

ROAD

GOLDIE

RIVER

RIVER

NATIONAL  
CENTRAL PROVINCE  
DISTRICT

GEREKA

IDUMAVA

BOOTLESS  
INLET

### NATIONAL CAPITAL DISTRICT MOTU - KOITA AREAS



KILOMETRES

EAST MOTU KOITA



WEST MOTU KOITA

M 49/715

DEPARTMENT OF LANDS OCTOBER 1961

INVENTORY

Typewriters - Remington SR 101 No. 1460565  
1460478

Olivetti ET 221 No. 5048711

Dictaphone - Lanier Edisette, with foot pedal & headphone  
No. 511917

Sanyo - Memo Scriber No. 67230476 x3

Desks - 9x Chairs, Necos - 11x

Filing Cabinets - Brownbuilt 4 drawer - 3x

safe Lord - No. C. 38 1137

Metal Shelf Units - 6' - 3x

Refrigerator - Westinghouse, compact Deluxe 281  
\$ 054462

Superlite Briefcases with Combination Locks - 2 Large Size