

Draft of 30/03/2020.



A BILL

for

AN ACT

entitled

Emergency (Defence Force)(COVID-19) Bill 2020.

ARRANGEMENT OF CLAUSES.

1. Interpretation.
2. Application.
3. Use of Defence Force during National Emergency.
4. Command.



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Emergency (Defence Force)(COVID-19) Bill 2020,

Being an emergency law as authorized by Part X (*emergency powers*) of the **Constitution** to make provision, in compliance with Section 202(c)(iii) (*Functions of the Defence Force*) of the **Constitution**, for the Defence Force to provide assistance to the civilian authorities during the National Emergency declared on 23 March 2020 for the whole area of Papua New Guinea, in relation to the COVID-19 pandemic.

MADE by the National Parliament.

1. INTERPRETATION.

- (1) In this Act, unless the contrary intention appears -
“Commander” means the Commander of the Papua New Guinea Defence Force;
“Emergency Controller” means the person appointed as Emergency Controller under Section 4 of the **Emergency (General Provisions) Regulation 2020**;
“National Emergency” means the National Emergency declared on 23 March 2020 in respect of the COVID-19 pandemic.

(2). Unless the contrary intention appears, the provisions of the **Interpretation Act** (Chapter 2) applies to this Act.

2. APPLICATION.

(1) This Act applies within the area of Papua New Guinea, notwithstanding the provisions of any other law to the contrary.

3. USE OF DEFENCE FORCE DURING NATIONAL EMERGENCY.

The Defence Force or part of the Defence Force must assist the Emergency Controller, as and when requested, during the national emergency.

4. COMMAND.

(1) For the purpose of rendering assistance under Subsection (2), the Defence Force or a part of the Defence Force must be responsive to the orders and directions of the Emergency Controller, which, insofar as is practicable, must be given to the person designated by the Commander for that purpose.

Emergency (Defence Force)(COVID-19)

(2) For the purposes of any constitutional or any other law, an order or direction given in pursuance to this Act by the Emergency Controller to a member of the Defence Force assisting under Section 3, is a lawful order.



CERTIFICATE

I hereby certify that the *Emergency (Defence Force)(COVID 19) Bill 2020*
(Draft of 30/03/2020) is in accordance with the National Executive Council
Decision No. 84/2020, and the drafting instructions.


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30th March, 2020.