

No. 28 of 2014.

National Youth Development Authority Act 2014.

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No. of 2014.

An Act

entitled

National Youth Development Authority Act 2014.

Being an Act to -

- (a) establish the National Youth Development Authority; and
- (b) define the functions and powers of the Authority; and
- (c) repeal the ***National Youth Commission Act 1999***; and
- (d) make provision for the National Youth Development Authority, the Provincial Youth Development Council, District Youth Development Council, Local-level Youth Development Council, and for related purposes.

MADE by the National Parliament, to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

PART I. - PRELIMINARY.

1. NATIONAL INTEREST.

For the purposes of Section 42 of the ***Organic Law on Provincial Governments and Local-level Governments*** this law relates to a matter of national interest.

2. INTERPRETATION.

In this act, unless the contrary intention appears -

- “Authority” means the National Youth Development Authority established by Section 3;
- “Board” means the National Youth Development Authority Board established by Section 7;
- “Committee” means a Committee established under Section 17;
- “Director-General” means the Director General of the National Youth Development Authority appointed under Section 20;
- “District Youth Development Council” means a District Youth Development Council established under Section 43, and in relation to a District means the District Youth Council established in relation to that District;
- “Local-level Youth Development Council” means a Local-level Youth Development Council established under Section 52 and in relation to a Local-level area;
- “Province” includes the National Capital District;
- “Provincial Youth Development Council” means a Provincial Youth Development Council established under Section 32, and in relation to a Province;
- “this Act” includes the Regulations;
- “volunteer employee” means a person employed under PART II, Division 5;

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“youth” means a person not less than 12 years of age and not more than 38 years of age.
“youth group” means a group of persons referred to under Section 63.

PART II. - THE NATIONAL YOUTH DEVELOPMENT AUTHORITY.

Division 1. - The National Youth Development Authority.

3. ESTABLISHMENT OF THE NATIONAL YOUTH DEVELOPMENT AUTHORITY.

- (1) The National Youth Development Authority is hereby established.
- (2) The National Youth Development Authority -
 - (a) is a body corporate with perpetual succession; and
 - (b) shall have a common seal; and
 - (c) may acquire, hold and dispose of property; and
 - (d) may sue and be sued in its corporate name.

4. COMMON SEAL OF THE AUTHORITY.

- (1) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Authority affixed to a document and shall presume that it was duly affixed.
- (2) The common seal of the Authority may not be affixed to any document or instrument except pursuant to a resolution of the Board.
- (3) The affixation of the common seal of the Authority is to be attested by any two members of the Board.

5. FUNCTIONS OF THE NATIONAL YOUTH DEVELOPMENT AUTHORITY.

- (1) The functions of the Authority are -
 - (a) to advise the Ministry and the National Government on policy formulation and legislative changes pertaining to youth affairs; and
 - (b) to authorise, coordinate, implement and monitor youth development activities at the National, Provincial and Local-levels; and
 - (c) to develop and provide policy and technical advice to the Provincial Governments and Local-level Governments on matters pertaining to youth; and
 - (d) to establish standards, regulate and monitor the level of services and training offered to youth by Government and non-profit organisations; and
 - (e) to monitor the execution of National Youth Development Plans at the Provincial and District levels; and
 - (f) to empower and provide opportunities to enable youth to participate meaningfully in activities at the International, National and Local-levels; and
 - (g) to generate revenue and fund youth programs and activities; and
 - (h) to report to the Minister on any matters referred to it by the Minister from time to time; and
 - (i) to establish and maintain a strong youth network at the National, Provincial, District and Local-level areas; and
 - (j) to promote awareness and disseminate information on youth matters through its network.

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(2) The National Executive Council may give to the Authority through the Minister directions on policy and the Authority shall give effect to such directions.

6. POWERS OF THE AUTHORITY.

The Authority has, in addition to the powers otherwise conferred on it by this Act and any other law, power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions, including the establishment and conduct of youth activities at the National, Provincial and Local-level and business ventures.

Division 2. - National Youth Development Authority Board.

7. ESTABLISHMENT OF THE NATIONAL YOUTH DEVELOPMENT AUTHORITY BOARD.

(1) There is established a National Youth Development Authority Board.

(2) The Board shall carry out the functions, exercise the powers, oversee and direct the affairs of the Authority pertaining to all resources in terms of finance, staff, assets and liabilities.

8. MEMBERSHIP OF THE BOARD.

(1) The Board shall consist of the following members:

- (a) a male person and female person representing the youths of Papua New Guinea to be elected by the National Youth Forum; and
- (b) one person representing the churches nominated by the Papua New Guinea Council of Churches; and
- (c) one person nominated by the Papua New Guinea Chamber of Commerce; and
- (d) the Secretary responsible for the Department of Community Development or his or her nominee; and
- (e) one person representing institutions of higher learning and research to be nominated by the authority of higher education; and
- (f) the Director-General, *ex-officio*; and
- (g) one person to represent women, nominated by the National Council of Women; and
- (h) one person representing civil society organisation dealing with youth work; and
- (i) one person representing the chamber of mines and petroleum;
- (j) the Secretary responsible for the Department of Commerce and Industry or his nominee.

(2) The Board members referred to in Subsection (1) -

- (a) shall hold office for a term of three years; and
- (b) shall be eligible for re-election.

(3) The Board members referred to in Subsection (1)(a), (b), (c), (e), (g), (h) and (i) shall be appointed by the Head of State and in accordance with the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004*.

(4) The Board members referred to in Subsection (1) shall hold office on the following terms and conditions:

- (a) members shall only be paid a sitting allowance and stipends for the duration of all meetings at a rate fixed by the *Salaries and Conditions Monitoring Committee Act 1988*; and

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- (b) the Authority shall meet all their transport, airfares (where applicable), accommodation, meal cost and insurance cover when they are undertaking official business.

9. CHAIRMAN AND DEPUTY CHAIRMAN.

(1) There shall be a Chairman of the Board of the National Youth Development Authority Board who shall be elected by all members appointed to the National Youth Development Authority Board at its first meeting of its three year term.

(2) There shall be a Deputy Chairman of the Board who shall be elected by all members appointed to the Board at its first meeting of its three year term.

(3) There shall be an Executive Officer appointed by the Board and responsible to the Chairman.

10. LEAVE OF ABSENCE OF MEMBERS.

The Minister may grant leave of absence to a member of the Board on such terms and conditions as the Minister determines.

11. VACATION OF OFFICE.

(1) A member of the Board, other than an *ex-officio* member may resign for his office in writing, signed by him and delivered to the Minister within seven working days.

(2) Where a member of the Board -

(a) dies; or

(b) becomes permanently incapable of performing his duties; or

(c) resigns his office in accordance with Subsection (1); or

(d) is absent, except with the written consent of the Minister, from three consecutive meetings of the Board; or

(e) ceases to represent the organisation or group he was appointed to represent on the Board; or

(f) becomes bankrupt, or applies to take the benefit of any law for the benefit of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit; or

(g) is convicted of an offence punishable under a law,
the Minister shall terminate his appointment.

(3) The Minister may, at any time, by written notice, advise a member of the Board that he intends to terminate his appointment on the grounds of inefficiency, incapacity or misbehaviour.

(4) Within 14 days of receipt of a notice under Subsection (3), the member may reply in writing to the Minister who shall consider the reply, and where appropriate, terminate the appointment.

(5) Where the member, referred to in Subsection (3), does not reply in accordance with Subsection (4), his appointment is terminated.

12. VACANCY NOT TO AFFECT POWERS OR FUNCTIONS.

The exercise of a power or the performance of a function of the Board is not invalidated by reason only of a vacancy in the membership of the National Youth Development Authority Board.

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13. CALLING OF MEETINGS.

(1) Subject to Sections 17 and 18, the Board shall meet as often as the business of the Authority or the Board requires, and at such times and places as the Board determines, or as the Chairman, or in his absence, the Deputy Chairman, directs, but in any event shall meet not less frequently than once in every three months.

(2) Where he receives a request to do so by the Minister or by not less than two members, the Chairman, or in his absence the Deputy Chairman, shall convene a meeting of the Board within 21 days.

(3) For the purpose of Subsection (1), the Chairman or the Deputy Chairman shall give to every member at least 21 days' notice of the meeting.

14. PROCEDURE AT THE BOARD MEETINGS.

(1) At a meeting of the Board -

(a) three quarters of the members constitute a quorum; and

(b) the Chairman, or in his absence the Deputy Chairman, shall preside, but if both the Chairman and Deputy Chairman are absent, the members present shall appoint a Chairman for that meeting from among their own number; and

(c) matters arising shall be decided by a majority of the members present and voting; and

(d) the person presiding has a deliberative vote and in the event of an equality of votes on any matter, also a casting vote.

(2) The Board shall cause minutes of its meetings to be recorded, owned and archived by the Board.

(3) Subject to this Act, the procedures of the Board are as determined by the Board.

15. DISCLOSURE OF INTEREST BY MEMBERS.

(1) A member of the Board who has a direct or indirect interest in a matter being considered or about to be considered by the Board, otherwise than as a member of, and in common with the other members of, an incorporated company consisting of not less than 25 persons, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Board.

(2) A disclosure under Subsection (1) shall be recorded in the minutes of the Board, and the member -

(a) shall not take part, after the disclosure, in any deliberations or discussion of the Board in relation to the matter; and

(b) shall be disregarded for the purpose of constituting a quorum of the Board for any such deliberation or decision.

16. SUSPENSION ETC., OF THE BOARD.

(1) Where, in the opinion of the Minister -

(a) there is wide-spread corruption in the administration of the Board; or

(b) there has been gross mismanagement of the financial affairs of the Board; or

(c) there has been a breakdown in the administration of the Board,

the Minister may suspend the Board.

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(2) As soon as practicable after suspending the Board under Subsection (1), the Minister shall appoint a Caretaker Committee consisting of -

- (a) a senior member of the Authority; and
- (b) three persons who are not members of the Board or of the staff of the Authority, for the purpose of carrying out an investigation into the matters giving rise to the suspension, and reporting thereon to the Minister.

(3) In carrying out their functions under Subsection (2), the members of the Caretaker Committee have the full powers of members of the Board.

(4) The Caretaker Committee shall complete its investigation into the matters giving rise to the suspension and forward a report thereon to the Minister within six months of its establishment, but the Minister may, on application by the Caretaker Committee, extend this period by not more than two months.

(5) The Minister shall consider the report under Subsection (4) and may -

- (a) uplift the suspension of the Board; and
- (b) revoke the appointments of all or any members of the Board and appoint interim members to hold authority for a period of not more than three months and within that period a new Board shall be appointed.

(6) Where the Caretaker Committee fails to provide a report within the period or extended period specified under Subsection (4), the suspension is automatically uplifted and the Caretaker Committee discharged.

17. COMMITTEES.

(1) The Board may, from time to time, establish such Committees as it considers necessary for the purposes of the Board.

(2) The Board shall appoint to be members of a Committee at its pleasure, such number of persons as it thinks fit, including persons who are not members of the Board.

(3) The functions, powers and procedures of a Committee shall be as determined by the Board.

(4) A member of a Committee is subject to the same terms and conditions as determined by the Board.

(5) A member of the Board who is also a member of the Committee shall not be entitled to any terms and conditions referred to in Subsection (4).

18. DELEGATION.

The Director General may by instrument delegate to any Committee or to a member of the staff of the Authority all or any of its powers and functions under this Act (except this power of delegation).

19. REPORTS.

(1) The Board shall, by 31 May in each year, furnish to the Minister a report on the progress and performance of the Authority in relation to its functions during the year ended 31 December preceding.

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(2) As soon as practicable after he has received a report referred to in Subsection (1), the Minister shall forward the report to the Speaker for presentation to the Parliament.

(3) The Board shall furnish to the Minister a quarterly performance report and any such other reports as he may from time to time require.

Division 3. - Director-General.

20. DIRECTOR-GENERAL.

(1) There shall be a Director-General of the Authority who shall be appointed by the Head of State and in accordance with the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004*.

(2) The suspension and dismissal of the Director-General shall be done in accordance with the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004*.

- (3) The Director-General is -
- (a) the Chief Executive of the Authority; and
 - (b) the Chief Financial Delegate of the Authority; and
 - (c) the head of the staff of the Authority.

(4) Subject to the *Salaries and Conditions Monitoring Act 1988*, the terms and conditions of appointment of the Director-General are as determined by the Board.

21. FUNCTIONS, ETC., OF THE DIRECTOR-GENERAL.

- (1) The Director-General shall -
- (a) manage the Authority in accordance with the policy and direction of the Board; and
 - (b) advise the Board on any matter concerning the Authority referred to him by the Board; and
 - (c) carry out and perform the duties required of him under this Act; and
 - (e) perform such other functions as the Board may from time to time determine.

(2) The Director-General may, by instrument in writing, delegate to the Authority or an employee of the Authority all or any of his powers and functions under this Act (except this power of delegation).

22 VACANCY OF THE OFFICE OF THE DIRECTOR-GENERAL.

The office of the Director-General becomes vacant, if he -

- (a) dies; or
- (b) becomes permanently incapable of performing his duties; or
- (c) resigns from his office by writing to the Board; or
- (d) engages, without the consent of the Board, in any paid employment outside his duties; or
- (e) becomes bankrupt; or
- (f) is convicted of an offence punishable by law; or
- (g) for inability, inefficiency, incapacity or gross misbehaviour.

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Division 4. - Staff of the Authority.

23. STAFF OF THE AUTHORITY.

(1) The Director-General may recruit and appoint to be officers and employees of the Authority such persons as he considers necessary for the purposes of giving effect to this Act.

(2) The Director-General and the officers appointed under Subsection (1) and the employees appointed under this Part constitute the staff of the Authority.

(3) In recruiting and appointing persons under Subsection (1), the Director-General shall, insofar as is appropriate, follow the procedures relating to recruitment and employment as specified in the General Orders issued under the *Public Services (Management) Act 1995*.

24. CONDITIONS OF EMPLOYMENT.

The staff of the authority shall hold office on such terms and conditions as determined from time to time and subject to the *Salaries and Conditions Monitoring Committee Act 1988*.

25. CONSULTANTS.

The Director-General may from time to time -

- (a) after consultation with the Board; and
- (b) on such terms and conditions as are fixed by the Board acting on advice of the Director-General,

engage such consultants as, in the opinion of the Director General, are necessary for the purposes of the Office.

Division 5. - Volunteer Employees.

26. APPLICATION FOR EMPLOYMENT.

(1) A person may apply to the Director-General for employment as a volunteer employee.

(2) An application under Subsection (1) shall be in such form and contain such particulars as may be fixed by the Director-General.

27. APPOINTMENT OF VOLUNTEER EMPLOYEES.

(1) After consideration of an application under Section 62, the Director-General may employ a person as a volunteer employee.

(2) A volunteer employee shall be employed for a term not exceeding three years and is eligible for re-employment.

28. CONDITIONS OF EMPLOYMENT.

(1) A volunteer employee shall be -

- (a) employed under a written contract of employment fixed by the Director-General; and
- (b) subject to Subsection (2), paid such salary and allowances as the Board may determine.

(2) In determining the salaries and allowances under Subsection (1)(b), the Board has power to determine salaries and allowances lower than the minimum salaries prescribed by any law relating to the determination of salaries and conditions of employment.

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29. DUTIES OF VOLUNTEER EMPLOYEES.

A volunteer employee shall perform such functions and carry out such duties as are specified in his contract of employment and as are directed by the Director-General.

30. NON-CITIZEN VOLUNTEER EMPLOYEES.

(1) The Director-General may employ a non-citizen as a volunteer employee.

(2) A non-citizen volunteer employee shall be employed under a written contract of employment fixed by the Director-General and is otherwise subject to the same conditions of employment as a volunteer employee under Sections 26, 27, 28 and 29.

(3) The *Public Employment (Non-Citizens) Act* (Chapter 342) does not apply to a non-citizen employed as a volunteer employee under this Act.

31. THE NATIONAL YOUTH FORUM.

(1) The Authority shall convene, once in every three years, a National Youth Forum.

(2) The National Youth Forum shall discuss and deliberate on matters relating to youths and youth activities.

PART III. - THE PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

32. ESTABLISHMENT OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

(1) The Authority may, in relation to each province, establish a Provincial Youth Development Council.

(2) A Provincial Youth Development Council may have its own constitution complying with relevant provisions of this Act and approved by the Board.

33. FUNCTIONS OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

The functions of a Provincial Youth Development Council are -

- (a) to advise on policy matters relating to youth development in the province; and
- (b) to advise relevant authorities in provinces on any matter referred to it; and
- (c) to promote the interest and aspirations of youths in the province in consultation with the Board and the Provincial Government; and
- (d) to make recommendations to the Board on all matters on behalf of its members; and
- (e) to exercise its powers or any other function delegated or consistent as required by this Act, its constitution or any other laws; and
- (f) to co-ordinate, implement and monitor youth development activities in the provinces in consultation with the Board and Provincial Government.

34. MEMBERSHIP OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

(1) A Provincial Youth Development Council shall consist of -

- (a) the Chairman of each District Youth Development Council in the province; and
- (b) one female youth representing young women in the province; and
- (c) one person representing the private sector in the province; and

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- (d) one youth representing civil society organisations dealing with youths in the province; and
- (e) two persons dealing with youths representing churches in the province; and
- (f) the Provincial Youth Co-ordinator, *ex-officio*; and
- (g) the Provincial Administrator or his nominee; and
- (h) one woman representing the council of women in the province.

(2) The members referred to in Subsection (1)(b), (c), (d), (g) and (h) shall be nominated by appropriate recognised groups in the province and approved by the Director-General.

- (3) The members of a Provincial Youth Development Council shall -
- (a) subject to Section 37, hold office for a period of three years; and
 - (b) hold office on such terms and conditions as shall be determined by the Board; and
 - (c) be eligible for re-appointment.

35. EXECUTIVE MEMBERS OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.
The members of a Provincial Youth Development Council shall elect from their own number an executive consisting of a Chairman, Deputy Chairman, Secretary and Treasurer.

36. LEAVE OF ABSENCE OF MEMBER.
The Director-General may grant leave of absence to a member of a Provincial Youth Development Council on such terms and conditions as the Board determines.

37. VACATION OF OFFICE.

(1) A member of a Provincial Youth Development Council may resign from his office by written notice to the Director-General.

- (2) Where a member of a Provincial Youth Development Council -
- (a) dies; or
 - (b) becomes permanently incapable of performing his duties; or
 - (c) resigns from his office in accordance with Subsection (1); or
 - (d) is absent except with the written consent of the Director-General from three consecutive meetings of the Provincial Youth Development Council; or
 - (e) fails to comply with Section 32; or
 - (f) becomes bankrupt or applies to take the benefit of any law for the benefit of bankrupt or insolvent debtors, compounds with his creditors or makes an assignment of his remuneration for their benefit; or
 - (g) is convicted of an offence punishable under a law,
- the Director-General shall terminate the appointment.

(3) The Director-General may, at any time, by written notice, advise a member of a Provincial Youth Development Council that he intends to terminate his appointment on the grounds of inefficiency, incapacity or misbehaviour.

(4) Within 14 days of the receipt of a notice under Subsection (3), the member may reply in writing to the Director-General who shall consider the reply, and, where appropriate, terminate the appointment.

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(5) Where the member referred to in Subsection (3) does not reply in accordance with Subsection (4), his appointment is terminated.

38. VACANCY NOT TO AFFECT POWERS OR FUNCTIONS.

The exercise of a power or the performance of a function of a Provincial Youth Development Council is not invalidated by reason of a vacancy in the membership of the Provincial Youth Development Council.

39. CALLING OF MEETINGS.

(1) A Provincial Youth Development Council shall meet as often as the business of the Provincial Youth Development Council requires, and at such times and places as the Provincial Youth Development Council determines, or as the Chairman, or in his absence, the Deputy Chairman, determines but in any event shall meet not less frequently than once in every three months.

(2) Where he receives a request to do so by not less than two members, the Chairman shall convene a meeting within 21 days.

40. DISCLOSURE OF INTEREST BY MEMBER OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

(1) A member of a Provincial Youth Development Council who has a direct or indirect interest in a matter being considered or about to be considered by the Provincial Youth Development Council, otherwise than as a member of and in common with the other members of an incorporated company consisting of not less than 25 persons, shall, as soon as possible after the relevant facts have come to his knowledge, disclose the nature of his interest at a meeting of the Provincial Youth Development Council.

(2) A disclosure under Subsection (1) shall be recorded in the minutes of the Provincial Youth Council and the member of the Provincial Youth Development Council -

- (a) shall not take part, after the disclosure, in any deliberations or discussions of the Provincial Youth Development Council in relation to the matter; and
- (b) shall be disregarded for the purpose of constituting a quorum of the Provincial Youth Development Council for any such deliberation or decision.

41. SUSPENSION OF A PROVINCIAL YOUTH DEVELOPMENT COUNCIL.

(1) The Board may, after considering a recommendation of the Director-General, suspend the operation of a Provincial Youth Development Council on its failure to implement or comply with the provisions of this Act.

(2) Upon suspension under Subsection (1), the powers, functions, duties and responsibilities of the Provincial Youth Development Council vest in the Board.

(3) During the period of suspension of a Provincial Youth Development Council under Subsection (1), the Director-General shall take such steps as are necessary to rectify the matters giving rise to the suspension in consultation with relevant provincial authorities.

(4) Where the matters giving rise to the suspension have been rectified to the satisfaction of the Board, the Director-General shall uplift the suspension and -

- (a) reinstate the suspended members; or

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- (b) revoke the appointments of the members and call for fresh nominations to the Provincial Youth Development Council.

(5) A suspension of a Provincial Youth Development Council shall be investigated and a report presented to the Board within three months, and failure to do so shall nullify the suspension.

(6) Before revoking the appointment of a member of a Provincial Youth Development Council under Subsection (4), the Director-General shall follow the procedures set out in Section 41 (3), (4) and (5).

42. REPORTS.

(1) A Provincial Youth Development Council shall forward a quarterly report to the Authority and to the relevant Provincial authority.

(2) An annual report shall be presented to the Authority.

PART IV. - DISTRICT YOUTH DEVELOPMENT COUNCIL.

43. ESTABLISHMENT OF A DISTRICT YOUTH DEVELOPMENT COUNCIL.

(1) The National Youth Development Authority shall, in relation to each district (if any) in the province, establish a District Youth Development Council.

(2) A District Youth Development Council shall have a constitution complying with relevant provisions of this Act and approved by the Director-General.

44. FUNCTIONS OF A DISTRICT YOUTH DEVELOPMENT COUNCIL.

The functions of a District Youth Development Council are -

- (a) to provide a forum for youths at the district level; and
- (b) to consult and discuss issues of importance to youth development in the district; and
- (c) to advise on any matters referred to it; and
- (d) to assist in coordinating and promoting youth activities and programmes at the district level; and
- (f) to exercise its powers or any other functions delegated and consistent as required by this Act, its constitution or any other law; and
- (e) to co-ordinate, implement and monitor the youth development activities in the district.

45. MEMBERSHIP OF A DISTRICT YOUTH DEVELOPMENT COUNCIL.

(1) A District Youth Development Council shall consist of -

- (a) the elected Chairman of each Local-level Youth Development Council in the district; and
- (b) one female youth representing young women in the district; and
- (c) two youths representing churches in the district, nominated by the churches in the district; and
- (d) the youth development officer in the district, *ex-officio*; and
- (e) one community representative in the district; and
- (f) one woman nominated by the District Council of Women.

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- (2) The members of a District Youth Development Council shall -
- (a) be appointed by the Director-General; and
 - (b) subject to Section 48, hold office for a period of three years; and
 - (c) hold office on such terms and conditions as provided in their council's *Constitution*; and
 - (d) be eligible for re-appointment.

46. EXECUTIVE MEMBERS.

The members of a District Youth Development Council shall elect from their own number an executive consisting of a Chairman, a Deputy Chairman, a Secretary and Treasurer .

47. LEAVE OF ABSENCE.

The constitution of a District Youth Development Council shall provide for the conditions relating to leave of absence of members of the District Youth Development Council.

48. VACATION OF OFFICE.

The constitution of a District Youth Development Council shall provide for the conditions and procedures relating to vacation of office of members of the District Youth Development Council.

49. MEETINGS OF A DISTRICT YOUTH DEVELOPMENT COUNCIL.

(1) A District Youth Development Council shall meet as often as the business of the District Youth Development Council requires, and at such times and places as the District Youth Development Council determines, or the Chairman, or in his absence, the Deputy Chairman, determines and shall meet not less frequently than once in every three months.

(2) Where he receives a request to do so by not less than two members of the District Youth Development Council, the Chairman shall convene a meeting of the District Youth Development Council.

50. SUSPENSION OF A DISTRICT YOUTH DEVELOPMENT COUNCIL.

(1) The Director-General may, after considering a report on a District Youth Development Council, suspend a District Youth Development Council where it appears that there has been -

- (a) mismanagement of the financial affairs of the District Youth Development Council; or
- (b) a breakdown of the administration of the District Youth Development Council.

(2) The duration of the suspension of a District Youth Development Council shall not exceed six months and the Director-General shall carry out an investigation and take measures necessary and appropriate before reinstating the District Youth Development Council.

51. REPORTS.

A District Youth Development Council shall forward quarterly reports to the Director-General and the District Administration on its operations.

PART V. - LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

52. LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

(1) The Authority may delegate powers to a District Youth Development Council, in relation to each Local-level Government area, to establish a Local-level Youth Development Council.

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(2) A Local-level Youth Development Council shall have a constitution complying with relevant sections of this Act and approved by the Board.

53. FUNCTIONS OF A LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

The functions of a Local-level Youth Development Council are -

- (a) to provide a forum at the Local-level for consultation, sharing and discussion of issues of concern to youth organisations; and
- (b) to assist in co-ordinating, promoting, implementing and monitoring youth activities systematically at the local-level; and
- (c) to exercise its powers or any other functions delegated by this Act, its *Constitution* or any other law.

54. MEMBERSHIP OF A LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

(1) The membership of a Local-level Youth Development Council shall consist of -

- (a) the Chairman of each registered youth group in the Local-level area; and
- (b) two persons representing churches in the Local-level area; and
- (c) one female youth representing young women in the Local-level area; and
- (d) one community leader; and
- (e) the Community Youth Development Officer, *ex-officio*.

(2) The members of a Local-level Youth Development Council shall hold office -

- (a) subject to Section 51, for a period of three years; and
- (b) on such terms and conditions as provided in their Council's approved *Constitution*; and
- (c) be eligible for re-appointment.

55. EXECUTIVE MEMBERS.

A Local-level Youth Development Council shall elect from its own numbers an executive consisting of a Chairman, a Deputy Chairman, a Secretary and Treasurer.

56. LEAVE OF ABSENCE.

The constitution of a Local-level Youth Development Council shall provide for leave of absence of members of the Local-level Youth Development Council.

57. VACATION OF OFFICE.

The constitution of a Local-level Youth Development Council shall provide for the conditions and procedures relating to vacation of office of members of the Local-level Youth Development Council.

58. MEETINGS OF A LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

(1) A Local-level Youth Development Council shall meet as often as the business of the Ward Youth Development Council requires, and at such times and places as the Local-level Youth Development Council determines, or as the Chairman, or in his absence, the Deputy Chairman, directs but in any event shall meet not less frequently than once in every three months.

(2) Where he receives a request to do so by not less than two members, the Chairman shall convene a meeting of the Local-level Youth Development Council.

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59. SUSPENSION OF A LOCAL-LEVEL YOUTH DEVELOPMENT COUNCIL.

(1) The Director-General may, after considering a report on a Local-level Youth Development Council, suspend the Local-level Youth Development Council where it appears that there has been -

- (a) mismanagement of the financial affairs of the Local-level Youth Development Council; or
- (b) a breakdown of the administration of the Local-level Youth Development Council.

(2) The duration of the suspension of a Local-level Youth Development Council shall not exceed six months, and the Director-General shall carry out an investigation and take measures necessary and appropriate before reinstating the Local-level Youth Development Council.

PART VI. - CENTRES AND YOUTH GROUPS.

60. CENTRES, ETC.

The National Youth Development Authority may establish such centres and institutions as, in the opinion of the National Youth Development Authority are necessary for the purposes of the Authority.

61. ADMINISTRATION OF CENTRES AND INSTITUTIONS, ETC.

The National Youth Development Authority shall maintain and administer all centres and institutions established under Section 62.

62. PRIVATELY ESTABLISHED CENTRES, ETC.

National Youth Development Authority shall authorise, register and assist centres and institutions established by any person or group or organisation other than the National Youth Development Authority.

63. YOUTH GROUPS.

(1) For the purposes of Subsection (2)(a), (b), (c) and (d) "youth" means a person not less than 12 years of age and not more than 38 years of age.

(2) Any of the following groupings constitute a youth group for the purpose of this Act:

- (a) an organised family based grouping of youth; or
- (b) an organised common interest grouping of youth; or
- (c) an organised church-based grouping of youth; or
- (d) an organised youth activity-based grouping of youth.

(3) The Authority shall set guidelines and conditions for youth group recognition in their respective area in line with Subsection (2).

PART VII. - FINANCES.

64. APPLICATION OF *PUBLIC FINANCES (MANAGEMENT) ACT 1995*.

Part VIII of the *Public Finances (Management) Act 1995* applies to and in relation to the Authority.

65. CHARGES FOR SERVICES.

(1) The Authority may charge for services provided by it at such rates as the Board, after consultation with the Director-General, may determine.

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(2) The charges referred to in Subsection (1) shall be collected in such manner as the Director-General may determine.

66. FUNDS OF THE AUTHORITY.

- (1) The funds of the Authority consist of -
 - (a) all monies appropriated by the Authority for the purpose of carrying out or giving effect to this Act; and
 - (b) all monies received by the Authority by way of grants and subscriptions; and
 - (c) all monies received by the Authority for services provided by the Authority; and
 - (d) all other monies received by the Authority in the exercise and performance of its powers, functions and duties; and
 - (e) such other activities that generate income for the Authority.
- (2) The monies of the Authority may be expended only -
 - (a) in payment or discharge of expenses, obligations and liabilities of the Authority; and
 - (b) in payment of the remuneration and allowances of members of the Board and of officers, employees and volunteer employees of the Authority; and
 - (c) for such other purposes that are consistent with the functions of the Authority as the Board, after consultation with the Director-General, may determine.
- (3) The Authority shall be funded by -
 - (a) grants from the National Government; and
 - (b) grants from the Provincial Government; and
 - (c) grants from donor agencies.

67. TAX REBATE FOR TRAINING PROGRAMS AND COMMUNITY SERVICES.

- (1) The Director-General may approve and fund training programs for youth groups in Papua New Guinea.
- (2) A youth training program approved and funded under Subsection (1) shall -
 - (a) be seen as a community service; and
 - (b) be entitled to tax rebate under the taxation laws of Papua New Guinea.

PART VIII. - MISCELLANEOUS.

68. PUBLIC SERVICE RIGHTS.

Where the Director-General or a person employed under Part II was, immediately before his employment, an officer in the Public Service, a State Service or other Governmental body, his service on the staff of the Authority shall be counted as service in the Public Service, the State Service or other governmental body, as the case may be, for the purpose of determining his rights (if any) in respect of -

- (a) leave of absence on the ground of illness; and
- (b) furlough or pay instead of furlough (including pay to dependents on the death of a person).

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69. REGULATION.

The Head of State, acting on advice, may make regulations not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed or that are necessary or convenient to be prescribed for carrying out or giving effect to this Act, in particular for prescribing fees or charges and for prescribing penalties of fines not exceeding K2,000.00 for offences against the regulations.

PART IX. - REPEAL, SAVINGS AND TRANSITIONAL.

70. REPEAL.

The *National Youth Commission Act 1999* is repealed.

71. INTERPRETATION.

In this Part -

“repealed Act” means the Act repealed by Section 70;

“Commission” means the National Youth Commission established under the repealed Act.

72. TRANSFER OF ASSETS, ETC.

All the assets, property, rights, obligations and liabilities which, immediately before the coming into operation of this Act, were vested in or imposed on the Commission, are, on that coming into operation, transferred to and become the assets, property, rights, obligations and liabilities of the Authority.

73. OFFICERS, EMPLOYEES AND VOLUNTEER EMPLOYEES.

A person who immediately before the coming into operation of this Act, held office as an officer, employee or volunteer employee of the Commission, is on that coming into operation, deemed to be an officer, employee or volunteer employee of the Authority in the same or equivalent position or category and on the same terms and conditions of employment as were applicable to him before that coming into operation.

74. SAVING OF CONTRACTS, ETC.

All contracts, agreements, conveyances, deeds, leases, licenses and other instruments and undertakings entered into by, made with, or addressed to the Commission, whether alone or with any other person, before and in effect immediately before, the coming into operation of this Act are, on that coming into operation, to the extent that they were previously binding on and enforceable against the Commission, binding on and of full force and effect in every respect against or in favour of the Authority as if, instead of the Commission, the Authority had been a party to them or bound by them or entitled to the benefit of them.

75. ACTIONS, ETC., NOT TO ABATE.

Where, immediately before the coming into operation of this Act, any action, arbitration or proceeding was pending or existing by, against or in favour of the Commission it does not, on that date, abate or discontinue or be in any way affected by the provisions of this Act, but it may be presented, continued and enforced by or against the Authority as and when it might have been continued or enforced by or against the Commission as if this Act had not been made.

76. APPLICATION OF ACTS, ETC.

Where -

(a) any enactment or subordinate enactment other than this Act; or

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- (b) any document or instrument wherever made or executed, contains a reference expressed or implied to the Commission, that reference shall, after the date of coming into operation of this Act, except where the context otherwise requires, be read and construed and has effect as a reference to the Authority.

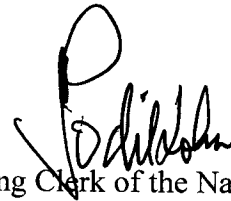
77. INTERIM NATIONAL YOUTH DEVELOPMENT AUTHORITY BOARD.

- (1) There is established an Interim Board consisting of -
- (a) the Director-General; and
 - (b) four persons, one from each region of the country to represent that region; and
 - (c) one person to represent the churches in the country.

(2) The persons referred to in Subsection (1)(b) and (c) shall be appointed by the Minister by notice in the National Gazette in accordance with the *Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004*.

- (3) The functions of the Interim Board are -
- (a) to arrange for the appointment of members of the Board in accordance with Part III; and
 - (b) pending the appointment of the National Youth Development Authority Board to perform the functions of the National Youth Development Authority Board.

I hereby certify that the above is a fair print of the *National Youth Development Authority Act 2014* which has been made by the National Parliament.



Acting Clerk of the National Parliament.

21 OCT 2014

I hereby certify that the *National Youth Development Authority Act 2014* was made by the National Parliament on 3 September, 2014.



Speaker of the National Parliament.

21 OCT 2014