

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 406.

*Offences (Overseas).*

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was not vested specifically in any Minister at the date of its preparation for inclusion. It seems, therefore, that under Constitution Section 148(2) the Prime Minister was politically responsible.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

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*Offences (Overseas) Act.*

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ARRANGEMENT OF SECTIONS.

1. Interpretation—
  - "diplomatic mission"
  - "offence"
  - "person to whom this Act applies".
2. Persons to whom this Act applies.
3. Offences committed overseas.
4. Evidence.

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*Offences (Overseas) Act.*

Being an Act relating to certain offences committed by certain persons outside Papua New Guinea.

**1. Interpretation.**

In this Act unless the contrary intention appears—

“diplomatic mission“ has the same meaning that it has in the Vienna Convention on Diplomatic Relations;

“offence“ means an indictable offence;

“person to whom this Act applies“ means a person specified in Section 2.

**2. Persons to whom this Act applies.**

This Act applies to—

(a) an officer of the Department responsible for foreign affairs and trade employed in a diplomatic mission; and

(b) a person appointed to a position (other than Honorary Consul) under the *Public Employment (Diplomatic Missions) Act 1984*<sup>1</sup>.

**3. Offences committed overseas.**

Where—

(a) a person to whom this Act applies does or omits to do an act in a country outside Papua New Guinea; and

(b) the act or omission, if it had taken place in Papua New Guinea, would have been an indictable offence against any law in force in Papua New Guinea,

that person is guilty of an offence against this Act and is punishable by the same penalty as that by which he would have been punishable if he had been guilty of the first-mentioned offence.

**4. Evidence.**

A certificate by the Secretary for Foreign Affairs and Trade that a person specified in the certificate is a person to whom this Act applies is evidence of the matter referred to.

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<sup>1</sup>Not in force at the time of this up-date.

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APPENDIX 1.

SOURCE OF THE OFFENCES (OVERSEAS) ACT.

Part A.—Previous Legislation.

*Offences (Overseas) Act* 1984 (No. 19 of 1984).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference <sup>1</sup> .
1	1
2	2
3	3
4	4

<sup>1</sup>Unless otherwise indicated, references are to the Act set out in Part A