

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 248.

Transport (Collection of Information).

GENERAL ANNOTATION.

ADMINISTRATION.

As at 13 February 1976 (the date of gazettal of the most comprehensive allocation of responsibilities to Ministers and Departments at about the effective date), while the administration of this Chapter was not vested specifically in any Minister it seems from the text of the Act and the determination of responsibilities of Departments that it was vested in the Minister for Transport, Works and Supply.

Accordingly, as at that date, unless some other intention is clearly indicated, by note or in the text, references in and in relation to this Chapter to—

“the Minister”—should be read as references to the Minister for Transport, Works and Supply;

“the Departmental Head”—should be read as references to the Secretary, for Transport Works and Supply¹;

“the Department”—should be read as references to the Department of Transport, Works and Supply².

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¹ Previously the Secretary, Department of Transport.

² Previously the Department of Transport.

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Transport (Collection of Information) Act.

ARRANGEMENT OF SECTIONS.

1. Interpretation—
 - "the regulations"
 - "road transport"
 - "this Act"
 - "water transport".
2. Supply of information.
3. Collection of information.
4. Release of information.
5. Offences generally.
6. Regulations.

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CHAPTER NO. 248.

Transport (Collection of Information) Act.

Being an Act to provide for the collection of information concerning road and water transport.

1. Interpretation.

In this Act, unless the contrary intention appears—

“the regulations” means any regulations made under this Act;

“road transport” means any kind of vehicular transport of persons or goods, whether or not it is used or is being used on a public street or road;

“this Act” includes the regulations;

“water transport” means any kind of vessel used in navigation by water.

2. Supply of information.

(1) The Departmental Head¹ or a person authorized by him for the purpose may require any person to supply to him such information as to—

(a) road or water transport owned or operated by him; and

(b) his transport operations and the results of those operations,

as the Departmental Head¹ or authorized person, as the case may be, requires.

(2) The information required under Subsection (1) may include information as to—

(a) journeys made; and

(b) cargo carried; and

(c) passengers carried; and

(d) the description of the road or water transport involved; and

(e) financial matters connected with transport operations.

3. Collection of information.

For the purpose of acquiring any of the information referred to in Section 2, the Departmental Head¹ or authorized person may stop, enter or examine any road or water transport, and may require any person—

(a) to fill up and supply, in accordance with the instructions contained in it or accompanying it, the particulars specified in a form supplied by the Departmental Head¹ or authorized person; or

(b) to allow him to examine and take copies of any accounts, consignment notes, waybills, manifests and other documents; or

(c) to take the transport, together with its cargo (if any), to a place selected by the Departmental Head¹ or authorized person for the purpose of weighing or measuring it and its cargo, and allow it to be weighed or measured.

¹ As at 13 February 1976 (see *General Annotation*), the reference was to the Director, Office of Transport, Department of Transport, Works and Supply.

4. Release of information.

(1) Subject to this section, the Departmental Head¹ shall compile and tabulate the information collected under this Act, and may publish it or abstracts of it, with observations on it, to such persons, in such manner and to such extent as the Head of State, acting on advice, directs.

(2) Subject to Subsection (3), a person who, except to the extent required by his official duties or in accordance with this Act or some other law, discloses any information given to the Departmental Head¹ or an authorized person under this Act is guilty of an offence.

Penalty: A fine not exceeding K100.00.

(3) Subsection (2) does not apply where the information is disclosed—

- (a) to an officer of the Government or of the Government of Australia, for the performance of his official duties; or
- (b) to the Passenger Transport Control Board or the Harbours Board, or to a member, officer or employee of either of those Boards, for the exercise of the powers or the performance of the functions of that Board; or
- (c) with the consent of the person, firm or association by whom or on whose behalf the information was supplied.

5. Offences generally.

A person who—

- (a) refuses or fails to supply information in his possession or under his control when required to do so under this Act; or
- (b) knowingly supplies false information when so required; or
- (c) hinders or obstructs a person in the exercise of his powers or the performance of his functions under this Act,

is guilty of an offence.

Penalty: A fine not exceeding K100.00.

6. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that are necessary or convenient to be prescribed for carrying out or giving effect to this Act.

¹ See footnote on p. 5.

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APPENDIX.

SOURCE OF THE TRANSPORT (COLLECTION OF INFORMATION) ACT.

Part A.—Previous Legislation.

Transport (Collection of Information) Act 1969 (No. 91 of 1969)

as amended by—

Transport (Collection of Information by Authorized Persons) Act 1970 (No. 80 of 1970).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference ¹ .
1	3
2	4(1),(2)
3	4(3)
4	5
5	6
6	7

¹ Unless otherwise indicated, references are to the Act set out in Part A.

