

20 April 2020

CIRCULAR NO.26/2020

TO : ALL MEMBERS

STATE OF EMERGENCY ORDERS 17, 18, 19 & 20

Attached for your information and update are **Emergency Order Numbers 17, 18, 19 and 20** as issued by the Emergency Controller and Commissioner of Police David Manning for the nationwide State of Emergency due to COVID-19.

The Federation will continue to update members on essential information as it becomes available.

Yours Sincerely,



Florence Willie
Executive Director



National Emergency Order No.17

AMENDMENT NATIONAL CAPITAL DISTRICT & WESTERN PROVINCE – CONFIRMED PROVINCIAL COVID-19 CASE

I, Commissioner David Manning, Emergency Controller, by virtue of the *Emergency (General Provisions) (COVID 19) Regulation 2020* (Regulation) and other Emergency Laws, hereby amend Order 16:

1. Paragraph 2 of the original Order is amended by repealing the section and replacing it with:

"Between the hours of 9pm and 6am daily, no person shall be allowed outside of their dwelling place, unless:

- a. to seek urgent medical assistance;
- b. in case of an emergency (including but not limited to a fire); and
- c. an exempted person listed in Schedule 1"

**David Manning MBE, DPS, QPM
Emergency Controller**





National Emergency Order No.18

Seizure of Goods Critical to the National Emergency Covid-19 Response

I, Commissioner David Manning, Emergency Controller, by virtue of the *Emergency (General Provisions) (COVID 19) Regulation 2020* (Regulation) and other Emergency Laws, hereby issue the following emergency orders for immediate implementation:

1. The Controller may direct the seizure of goods listed in Schedule 1 of this Order – Goods Critical to the National Emergency Covid-19 Response – from any person, company or organisation within Papua New Guinea.
2. The Government of Papua New Guinea shall be liable at the end of the National Emergency to pay for the seized goods.
3. The liability of the Government for the cost of the goods shall be limited to the following:
 - a. the price paid to procure the goods;
 - b. the price paid to transport the goods to Papua New Guinea (including but not limited to freight handling and port costs);
 - c. reasonable cost for storage of the goods (as agreed by the Department of Treasury at its sole discretion);
 - d. other reasonable costs as agreed by the Department of Treasury at its sole discretion.
4. A person, organisation or company whose goods were seized must produce copies of all documents as requested by the Department of Treasury to prove the price paid to procure the goods and the price paid to transport the goods, failure to produce documents shall result in no payment being made.



National Emergency Order No.18

Seizure of Goods Critical to the National Emergency Covid-19 Response

5. No interest for non-payment by the Government of Papua New Guinea shall be payable to any person, company or organisation.
6. Any Authorised Officer(s) appointed by the Emergency Controller pursuant to the Regulation, shall carry out and enforce the Emergency Orders accordingly.
7. This Emergency Order comes into effect on 17 April 2020 and shall apply for the duration of the National Emergency.

David Manning MBE, DPS, QPM
Emergency Controller



DATED 17/4/20

Schedule 1 - Goods Critical to the National Emergency Covid-19 Response

- Personal Protective Equipment;
- Medical Supplies; and
- Medicine.



National Emergency Order No.19

PRICE REGULATION

I, Commissioner David Manning, Emergency Controller, by virtue of the *Emergency (General Provisions) (COVID 19) Regulation 2020* (Regulation) and other Emergency Laws, hereby issue the following emergency orders for immediate implementation:

1. Businesses shall not, at wholesale or retail, increase the prices of goods listed in Schedule 1 in excess of 5% during the National Emergency.
2. A business that increases the prices of goods in excess of what is allowed under Paragraph 1 commits an offence, unless prior approval of the Independent Consumer and Competition Commission (ICCC) has been obtained.
3. Approval under Paragraph 2 may only be given if the business has demonstrated to the satisfaction of the ICCC that the price increase:
 - a. does not reflect the taking of an unfair advantage of the National Emergency;
 - b. does not unconscionably exceed the average price at which the good was offered for sale prior to the National Emergency;
 - c. does not unconscionably exceed the price at which the same or similar goods was readily obtainable in PNG from other competing sellers;
 - d. reasonably reflects additional costs, not within the control of that seller, that were paid, incurred, or reasonably anticipated, or reflects additional risks taken to produce, distribute, obtain, or sell the relevant good under the circumstances; and
 - e. was substantially attributable to local, national or international market conditions.
4. Businesses shall not increase the prices of services listed in Schedule 2 in excess of 5% during the National Emergency.
5. A business that increases the prices of services in excess of what is allowed under Paragraph 4 commits an offence, unless prior approval of the ICCC has been obtained.
6. Approval under Paragraph 5 may only be given if the business has demonstrated to the satisfaction of the ICCC that the price increase:



National Emergency Order No.19

PRICE REGULATION

- a. does not reflect the taking of an unfair advantage of the National Emergency;
 - b. does not unconscionably exceed the average price at which the service was offered for sale prior to the National Emergency;
 - c. does not unconscionably exceed the price at which the same or similar services was readily obtainable in PNG from other competing service providers;
 - d. reasonably reflects additional costs, not within the control of the service provider, that were paid, incurred, or reasonably anticipated, or reflects additional risks taken to provide the relevant service under the circumstances; and
 - e. was substantially attributable to local, national or international market conditions.
7. A business that commits an offence under paragraphs 2 or 5 shall be fined K5,000.00, and for repeat offenders, an additional fine of K10,000.00 and/or a penalty under the Emergency Laws.
 8. Subject to paragraph 9, this Emergency Order shall be in force for a period of 30 days but may be renewed at the direction of the Emergency Controller for such consecutive periods, each not exceeding 30 days, as the Emergency Controller determines appropriate.
 9. This Emergency Order shall cease upon the end of the National Emergency.
 10. The public is encouraged to report non-compliance with this Emergency Order to the ICCC.
 11. Non-compliance with this Emergency Order is unlawful and may be penalized under the Regulation and Emergency Laws or other applicable laws.
 12. Any Authorised Officer(s) appointed by the Emergency Controller pursuant to the Regulation and other Emergency Laws, shall carry out and enforce the Emergency Orders accordingly.

~~David Manning MBE, DPS, QPM
Emergency Controller~~





National Emergency Order No.19

PRICE REGULATION

Schedule 1 Goods

- I. Rice
- II. Flour
- III. Sugar
- IV. Fresh produce (animal products, fruits and vegetables both import and local)
- V. Baby Formula
- VI. Milk and milk products
- VII. Soap (both bar and liquid)
- VIII. Fuel (those not price controlled such as, liquefied petroleum gas (LPG), zoom, and aviation fuel)
- IX. Household battery
- X. Matches and gas lighters
- XI. Hand sanitizer
- XII. Latex gloves
- XIII. Bottled water
- XIV. Cooking oil
- XV. Tinned Fish
- XVI. Tinned Meat
- XVII. Noodles
- XVIII. Biscuits
- XIX. Tea, coffee
- XX. Household Bleach, disinfectants, and detergents
- XXI. Toilet rolls/tissues
- XXII. Frozen chicken products
- XXIII. Frozen meat products
- XXIV. Frozen sausages
- XXV. Eggs; and
- XXVI. Wipes (both adult and baby wipes, all brands)

Schedule 2 Services

- I. Air fares (domestic and international)
- II. Medical and health services
- III. Telecommunication products
- IV. Water, sewerage and garbage Rates
- V. Electricity Rates
- VI. Banking and Financial Service Fees



National Emergency Order No.20

Burial of Deceased Persons

I, Commissioner David Manning, Emergency Controller, by virtue of the *Emergency (General Provisions) (COVID 19) Act 2020 (Act)* and other Emergency Laws, hereby issue the following emergency orders for immediate implementation:

1. The Controller, may upon request of Port Moresby General Hospital or a Provincial Health Authority, direct a mass grave to be dug for the internment of deceased persons and designate the location of this mass grave.
2. The Controller, may upon request of Port Moresby General Hospital or a Provincial Health Authority, direct deceased persons to be buried in a designated mass grave.
3. Bodies buried according to paragraph 2 of this order will be buried at the Government's expense.
4. Port Moresby General Hospital or the relevant Provincial Health Authority shall keep a record of the persons interned in a designated grave, taken from a morgue they are responsible for.
5. Upon request of Port Moresby General Hospital and Provincial Health Authority the Controller may requisition refrigerated shipping containers for the purpose of temporary internment of deceased persons.
6. Upon request of Port Moresby General Hospital and Provincial Health Authority the Controller may direct deceased persons to be interned temporarily in refrigerated shipping containers until such time as they are interned in a grave.



National Emergency Order No.20

Burial of Deceased Persons

7. Port Moresby General Hospital or the relevant Provincial Health Authority shall keep a record of the persons interned in a designated refrigerated shipping container taken from a morgue they are responsible for.
8. Bodies interned temporarily according to paragraph 6 of this order will be interned at the Government's expense.
9. Any Authorised Officer(s) appointed by the Emergency Controller pursuant to the Regulation, shall carry out and enforce the Emergency Orders accordingly.
10. This Emergency Order comes into effect on 21 April 2020 and shall apply for the duration of the National Emergency.

David Manning MBE, DPS, QPM
Emergency Controller



DATED 18/4/20