

Chapter 4.  
***Cities Act 1971.***

Certified on: / /20 .



INDEPENDENT STATE OF PAPUA NEW GUINEA.



Chapter 4.

*Cities Act 1971.*

ARRANGEMENT OF SECTIONS.

1. Interpretation.
  - “city”
  - “City Council”
  - “the regulations”
  - “this Act”
2. Creation of cities.
3. Change of name of city.
4. Area of city.
5. City Councils.
6. Flag and emblem.
7. Status as towns.
8. References to cities.
9. Regulations.



INDEPENDENT STATE OF PAPUA NEW GUINEA.



AN ACT

entitled

*Cities Act 1971,*

Being an Act to allow for the creation of cities.

**1. INTERPRETATION.**

In this Act—

“**city**” means an area declared to be a city under Section 2;

“**City Council**” means the Local Government Council established for the area of, or for an area that includes the area of, a city;

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

“**this Act**” includes the regulations.

**2. CREATION OF CITIES.**

(1) The Head of State, acting on advice, may, by Warrant, declare an area to be a city under a name set out in the Warrant.

(2) An area shall not be declared a city unless a Local Government Council exists for, or for an area including, the area.

(3) In considering the question, whether an area should be declared to be a city, the Head of State, acting on advice, shall have regard to whether—

(a) the population of the area exceeds 15,000 persons; and

(b) the unimproved value of land within the area exceeds K10,000,000.00,

but otherwise this subsection does not limit his discretion.

**3. CHANGE OF NAME OF CITY.**

The Head of State, acting on advice, may, by Warrant, change the name of a city.

**4. AREA OF CITY.**

(1) Subject to Subsection (2), the boundaries of a city are as defined in the Warrant under Section 2.

(2) The Head of State, acting on advice, may, by notice in the National Gazette, vary the boundaries of a city.

**5. CITY COUNCILS.**

(1) The Local-level Government Council established for the area of, or for an area which includes the area of, a city shall be called a City Council and the constituent proclamation, within the meaning of the *Organic Law on Provincial Governments and Local-level Governments*, of that Council shall be deemed to be amended accordingly.

(2) Nothing in Subsection (1) prevents the changing of the name of a City Council in accordance with the *Organic Law on Provincial Governments and Local-level Governments*.

**6. FLAG AND EMBLEM.**

(1) The Head of State, acting on advice, may, by Warrant, confer on a city a flag or an emblem, or both.

(2) The Head of State, acting on advice, may make rules, not inconsistent with this Act or any rules made under Section 4 or 8 of the *National Identity Act 1971*, regulating the flying or use of a flag or symbol conferred under Subsection (1).

(3) Sections 75, 76 and 78 of the *Interpretation Act 1975* do not apply to or in relation to rules made under Subsection (2).

(4) A City Council may make rules, not inconsistent with any rules made under Section 4 or 8 of the *National Identity Act 1971* or with any rules made under Subsection (2), governing the flying or use of the flag or emblem conferred on the city under Subsection (1).

(5) Rules made under Subsection (4) shall be deemed to be Local-level Government laws made under the *Organic Law on Provincial Governments and Local-level Governments*, and the provisions of that Act apply accordingly.

**7. STATUS AS TOWNS.**

A reference in any law to a town shall be read as including a reference to a city.

**8. REFERENCES TO CITIES.**

(1) A city may be referred to for any purpose by the name set out in the Warrant under Section 2 establishing the city.

(2) In any law, a reference to a city shall be read as a reference to a city declared under this Act.

**9. REGULATIONS.**

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, and in particular for prescribing the style and precedence for official purposes of officers and functionaries of a city and other formal and ceremonial matters.

Office of Legislative Counsel, PNG