

GOLD BILL KILLS PNG!



Gold Police – What is the role of Gold Police?

The bill will introduce a new police force called the "Gold Police" with extraordinary powers and unrestricted access to firearms, thereby undermining the Police Act and the Firearms Act.

Gold Policing

- a.** Gold Police will be vested with sweeping powers to search, seize, and detain any Papua New Guineans at the request of the foreign company. This raises alarm over potential overreach and abuse of power (**Section 555, Section 556, and Section 557**).

555. POLICE MAY DETAIN, SEARCH AND ARREST SUSPECTS.

A member of the Police Force or the Gold Police may detain, in the premises of a Corporation or elsewhere, for a reasonable time, any person suspected of committing or attempting to commit an offence to which Section 553 applies, and, where satisfied that there are reasonable grounds for suspecting that an offence has been attempted or committed, may -

- (a) search that person and the possessions of that person; and
- (b) seize anything found, as a result of the search or otherwise, that may afford evidence of the attempt or commission of an offence to which Section 553 applies; and
- (c) use such force as is reasonably necessary for the purpose of detention and search; and
- (d) arrest the person without warrant.

556. DETENTION OF SUSPECTS.

A person who refuses to be detained or searched under Section 553 and, after having been warned he commits an offence in so doing, persists in its commission, may be detained by an Authorised officer, or any person assisting an Authorised officer and, where the Authorised officer or person assisting is not a member of the Police Force or the Gold Police, the detained person shall be delivered as soon as may be practicable to a member of the Police Force or the Gold Police.

557. ARREST OF SUSPECTS.

A member of the Police Force or the Gold Police shall accept delivery of a person under Section 553 and may forthwith arrest the detained person.

- b.** The Gold Police and individuals who are not members of the Royal Papua New Guinea Constabulary will have the authority to detain, search, and arrest any suspects they believe have committed an offense (**Section 553, Section 556, and Section 557**).

577. PROCEEDINGS FOR LACK OF COMPLIANCE.

- (i) Where Section 576 does not apply, proceedings -
 - (a) must be commenced within six months of the date of the search, seizure,

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- c. Gold Police or authorized officers can access, enter, search, seize, or remove material properties, including gold, goods, or information, without a formal search warrant (**Sections 561 and 562**).

Firearms

- a. Gold Police personnel and exempted persons in PNG avoid penalties for possessing firearms, including firearm ownership (**Section 948**).
- b. Weakens the authority of PNG state ministers outlined in Section 5(1)(b) of the Firearms Act by limiting the issuance of firearm permits through the national gazette (**Section 948**).
- c. Unlimited Access to Weapons and High-powered Guns. The gold police, exempted persons, or any employee of the National Gold Corporation as authorized by the Director – National Gold Corporation are provided the powers of ownership, possession, to carry, or use firearms (pistol or hire-powered), whether the weapon is owned by the Company, any Subsidiary, or other Exempt Person, the member or person, or the State. This undermines Sections 7, 27, and 6 of PNG's Firearms Act (**Section 948**).

Subdivision J. – Firearms Act.

948. APPLICATION OF FIREARMS ACT.

(1) For the purposes of the *Firearms Act*, Sections 5(1)(b), 7, 27 and 61 of that Act shall not apply to -

- (a) the Company, any Subsidiary or other Exempt Person; or
- (b) any member of the Gold Police; or
- (c) any employee of the Company or any Subsidiary authorised by the Director-National Gold Corporation and the Commissioner to own or possess a weapon for the purposes of this Act,

in respect to the ownership, possession, carrying or use of any such weapon, whether the weapon is owned by the Company, any Subsidiary, or other Exempt Person, the member or person, or the State.

(2) Subsection (1)(b) and (c) applies for the period the person is a member of the Gold Police or is authorised under Subsection (1)(b).

(3) A person to whom Subsection (1) applies, shall be entitled to buy any weapon or weapons or ammunition, possess and carry any weapons or any ammunition for any weapons, as the case may be, without the need for a permit or licence under the *Firearms Act*.

(4) The production by -

- (a) the Director-National Gold Corporation of an authority issued by him in respect to the Company or any Subsidiary; or
- (b) a member of the Gold Police of his identification for that purpose; or
- (c) any other person to whom Subsection (1)(a) or (c) applies of their authorisation under that subsection,

shall be sufficient evidence of its or their, as the case may be, entitlement to buy, own, possess, carry or use any weapon or ammunition for all purposes under the *Firearms Act*.

(5) Section 73A of the *Firearms Act* shall not under any circumstances apply to any conveyance, including any vehicle, of the Company, any Subsidiary or other Exempt Person.

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