

18 SEP 2013

Draft of  
12/09/2013



No. of 2013.

***Mining (Ok Tedi Mine Continuation)(Ninth Supplemental Agreement)  
(Amendment) Bill 2013.***

**ARRANGEMENT OF CLAUSES.**

1. Effect in relation to laws of Papua New Guinea.
2. Repeal of Section 5.

of 12/09/2013.



A BILL

For

AN ACT

Entitled

***Mining (Ok Tedi Mine Continuation)(Ninth Supplemental Agreement)  
(Amendment) Bill 2013.***

Being an Act to amend the *Mining (Ok Tedi Mine Continuation)(Ninth Supplemental Agreement) Act 2001* and for related purposes,

MADE by the National Parliament to come into operation upon certification.

**1. EFFECT IN RELATION TO LAWS OF PAPUA NEW GUINEA  
(AMENDMENT OF SECTION 4).**

Section 4 of the Principal Act is amended in Subsection (2) by repealing Paragraph (a) and replacing it with the following:

“(a) anything to the contrary in any other law in force in the country, other than the *Mining (Ok Tedi Mine) Tenth Supplemental Act 2013*; or”.

**2. REPEAL OF SECTION 5.**

Section 5 of the Principal Act is repealed.

***Explanatory memorandum for the Mining (OK Tedi Ninth Supplemental Agreement) (Amendment) Bill 2013***

- Since the commencement of the OK Tedi mine in 1967, the operation of the Ok Tedi mine has been regulated in accordance with an agreement which is then given effect in an Act of Parliament.
- Parliament has recently passed a new tenth Supplemental Agreement that resulted in the cancellation of the PNG Sustainable Development Programs share in OTML and the issue of new shares to the State. That Act also provided that any person who has any choice in action or right to pursue or enforce legal proceedings against or in relation to BHP in connection with the operation of the Ok Tedi mine will now have their full rights restored to them. The effect of this is that individuals will have all their legal rights restored and are free to pursue any new or former actions against BHP.
- Clause 1 and 2 of the Act will ensure that individuals will have all their legal rights restored and are free to pursue any new or former actions against BHP.