



## Lae Chamber of Commerce Inc. Weekly News Update

21 February 2014

VOLUME: 07 - 14

### LAE CHAMBER OF COMMERCE INC.

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*Thank you*

### FROM THE PRESIDENTS DESK

The Road Works continue to cause traffic chaos in Lae!

The Kamkumung Bridge was closed last weekend and as indicated in the FTM Construction Traffic Management Plan, which we published last week, and most of the traffic from the Taraka and UNITECH area, is now diverted along the Butibum Road, directly through Butibum Village.

The Road is now a mess as the large increase in vehicles especially the heavy vehicles, has severely damaged the already fragile bitumen road. The Villagers have taken offence at the speeding vehicles especially the PMV buses which seem to treat the road as a speed track. Also the dust has been a cause of concern to the occupants along the road.

For their part, FTM have continued to water the road to keep the dust down but the enormity of the number of vehicles just defeats the efforts to control it.

The traffic is reduced to a crawl at most times, with many stoppages. As expected petty criminals and larrikins have taken advantage of the situation and have opened doors of slow moving vehicles and stolen whatever goods they can set their hands on, especially mobile phones and bilums. The LCCI warns all drivers to ensure all vehicle doors are locked at all times and windows are wound up when driving along the Butibum Road. The Police are now patrolling the congested roads but earlier in the week they were limited due to a shortage of fuel.

The LCCI has become very important in relaying information to contractors working on different sections of roads, and as a result there is some coordination of the road works and some improvement of traffic flow.

Please keep the LCCI informed of your particular problem associated with the various road works around Lae, and we will see if we can get it addressed. We are currently addressing a flare up of problems associated with the Diversion of traffic through the residential Airways Avenue.

There has been a suggestion that the authorities consider opening the old road from Buimo Road past the jail to Taraka, which would provide an alternate route to the Butibum Road bypass. Currently the top Bumbu Bridge is blocked off with heaps of gravel at each end. The suggestion has been that the removal of these loads of gravel will allow the opening of this road. So far I have had responses from the experts that as this bridge will only stand light vehicles, it would be difficult to restrict the heavy vehicles. I am waiting for further advice from the relevant engineers dealing with supervising the Lae City Road Rehabilitation Project.

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**Business Advantage  
article of the week!**

**courtesy of**

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**More stories are  
available on the Business Advantage Web-site.**

[Business Advantage](#)

**New Made in PNG  
2014 Edition  
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Business Advantage International is proud to announce the third edition of **Made in PNG**, a publication dedicated to Papua New Guinea's productive sectors: manufacturing, agriculture, fisheries and forestry. It will be published in January 2014 in partnership with the Manufacturers Council of PNG.

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## Business Advantage PNG

YOUR GATEWAY TO PAPUA NEW GUINEA AND THE REGION

## Opinion: why Papua New Guinea and Fiji are expanding their friendship

19 Jun 2013 by [Jenny Hayward-Jones](#) 1 Comment

**A curious thing has been happening in the Pacific. Instead of running trade and investment road-shows in Australia, New Zealand or China, two Pacific Island countries have been courting investment from each other, observes Jenny Hayward-Jones.**



Lowy Institute's Jenny Hayward-Jones

*The confidence shown by NASFUND in Fiji's tourism market and by the FNPF in PNG's telecommunications market has more to do with the potential growth in these markets than with Melanesian solidarity.*

An even more curious development was Papua New Guinea's decision to provide K50 million (US\$22.1 million) in [aid for Fiji's 2014 election](#). Fiji does need assistance for its long-awaited elections but it has not escaped public attention in Papua New Guinea that the PNG Electoral Commission itself needed very significant Australian assistance to hold its own elections against a fraught political background in 2012.

Fijian Prime Minister Frank Bainimarama led a trade and investment delegation to Papua New Guinea for his [first state visit](#) to the country in April this year. Papua New Guinea's Prime Minister Peter O'Neill had led [a similar mission to Fiji](#) in October last year. Bainimarama's April visit took place against a background of increased [two-way investment](#).

Of particular note has been the investment from pension funds. PNG's NASFUND, along with Lamana Development Limited, has invested in the redevelopment of Suva's once iconic but long dormant [Grand Pacific Hotel](#). NASFUND has a 50% share of the project with its FJD\$90 million (K111 million/US\$48.73 million) investment. Fiji's National Provident Fund (FNPF) has invested in the newly partly-privatised [Bemobile](#) telecommunications group in Papua New Guinea. The FNPF has a 40% share in the new Vodafone Bemobile.

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**Objectives  
of the LCCI**

- To promote the business interests of the private sector;
- To further the economic development in Lae;
- To ensure the provision of services and utilities essential to such development;
- To provide a representative body for business people, which government can consult;
- To promote support or oppose legislation; or take any other measures to improve the business community;
- To provide a forum for discussion of private sector goals;
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## BUSINESS ADVANTAGE ARTICLE (Cont)

### Potential growth

Investment decisions by pension funds are made on a commercial basis. The confidence shown by NASFUND in Fiji's tourism market and by the FNPF in PNG's telecommunications market has more to do with the potential growth in these markets than with Melanesian solidarity. It also makes sense for PNG and Fiji companies to invest close to home because they can more easily develop good working relationships with counterparts in neighbouring countries than with those further afield. NASFUND's Ian Tarutia has also [commented](#) on the importance of working with the government in Fiji.

But these kinds of commercial decisions, even if based on a profit rather than political motive, cannot be divorced from the political sphere and can help to cement bilateral relationships.

### Regional ambitions

Prime Minister O'Neill has a vision for Papua New Guinea to be a regional leader, which he explained in this [Islands Business](#) article. As the Prime Minister told me in [this interview](#) at the Lowy Institute in November 2012, Papua New Guinea has an interest in contributing to the prosperity of Pacific Island countries. Papua New Guinea's [decision to remove import duties](#) under the Melanesian Spearhead Group Trade Agreement and its freeing up of restrictions on labour mobility are tangible indications of its commitment to regional prosperity.



Prime Minister Peter O'Neill speaking at the Lowy Institute last year

Prime Minister O'Neill also wants to see democracy returned to Fiji but is prepared to be more flexible in bilateral dealings with Fiji than Australia or New Zealand have been. His decision to commit funds to assist Fiji's elections is a clever move, as it puts more pressure on Bainimarama to hold elections as promised.

Bainimarama, for his part, needs friends and, since the political demise of Sir Michael Somare lost him potentially his greatest ally in the region, he needs to cultivate Prime Minister O'Neill and maintain his support. To guarantee this, however, he may end up ceding Fiji's historical role as regional policy setter and leader to a more ambitious Papua New Guinea.

*Jenny Hayward-Jones is Director of the Myer Foundation Melanesia Program at the Lowy Institute for International Policy in Sydney, Australia.*

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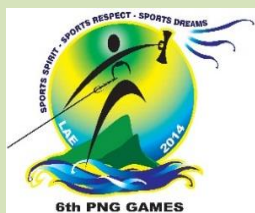
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### BUSINESS ADVANTAGE ARTICLE (Cont)

## Nautilus Minerals still keen on Solwara I project

19 Feb 2014 by [Business Advantage](#) [Leave a Comment](#)

### Nautilus Minerals intent on deep sea mining, despite cancelling government agreement, says its CEO.

During a conference call last night, the interim President and Chief Executive Officer of Nautilus Minerals, Mike Johnston, said the Canadian company still intends to develop the Solwara I deep sea bed mine project, despite terminating its agreement with the PNG Government.

Nautilus has announced the termination after the government failed to complete its purchase of 30% of the Solwara I Project, as ordered by an independent arbitrator last October.

The PNG Government signed an agreement in March 2011 to exercise its option to take a 30% shareholding in the world's first sea bed mining project in the Bismarck Sea, off the north coast of Papua New Guinea. However, it failed to complete the purchase and, in June 2012, took Nautilus to compulsory arbitration.

The binding ruling ordered the PNG government to pay US\$118 million by 23 October 2013, which it failed to do.

Johnson said terminating the agreement means that the PNG Government has forfeited its right to participate in the project, and to any equipment, intellectual property and licences.

There was too much uncertainty created by the state's continued non-performance and Nautilus could not continue to carry the share of development costs on behalf of the state, he said.

'The mining lease and environment permit remain valid in PNG and Nautilus remains committed to PNG and the local communities in which it operates.

'Nautilus' preference is still to achieve an amicable resolution of the issues with the state.

'We are now also free to look at other funding and development options ... an essential part of our plan going forward is look at securing additional funding.'

Given it instigated the arbitration last year, many in the mining industry are puzzled by the PNG Government's inaction. It had yet to respond to the Nautilus announcement at the time of writing.



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**PUBLIC NOTICE TO ALL AGENTS, IMPORTERS AND STAKEHOLDERS  
DECENTRALISATION OF EXEMPTIONS**

This is to inform you all that as of March 3, 2014 PNG Customs Service will be decentralising the function of Exemptions from Tariff & Trade from the head office in Port Moresby to the Regional Operations in the Southern, Northern and Islands regions. This means that all exemptions will now be addressed to the respective Assistant Commissioner and processed by Senior Tariff Officers at each regional office.

You can contact the respective Assistant Commissioner on the addresses shown below:

1. **Assistant Commissioner Southern Region**  
PO Box 1830 Port Moresby, National Capital District  
Phone: 312 7548
2. **Assistant Commissioner Northern Region**  
PO Box 421 Lae, Morobe Province  
Phone: 472 4899
3. **Assistant Commissioner Islands Region**  
PO Box 422 Kokopo, East New Britain Province  
Phone: 982 9021

Only the Exemptions for Project Agreements and International Trade Arrangements will be processed at the head office.

Please take note of the date of decentralisation of exemptions and contact addresses in your region for smooth transition of exemptions function transfer from headquarters to the regional operations.

All enquiries regarding the decentralisation of exemptions can be directed to the Tariff & Trade section on phone 312 7511/59/82 or email on [tariffntrade@customs.gov.pg](mailto:tariffntrade@customs.gov.pg)

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*Aspermont publishes the popular PNG Report Magazine as well as the PNG Industry News. This article is published as an extract from PNGIndustryNews.net*

*The latest February/March edition of the PNG Report has just been received at the Lae Chamber office. You are invited to collect your free copy.*

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## What's in an agreement in PNG? By Wantok

Wednesday, 19 February 2014

**TWO high-ranking United States officials visited PNG last week. One was a Member of the House of Representatives and the other a Brigadier General from the US Pacific Command based in Hawaii.**

Security issues surrounding the PNG LNG Project were top of the agenda, according to reports.

But what is the nature of such security concerns? These days there are fewer reports of security threats posed by local landowners. In fact, having seen the financial windfalls during the construction phase, many are very supportive of the project.

In light of this, perhaps the United States has other security concerns, such as whether PNG can respect agreements with foreign multi-nationals. The United States government through the US EXIM Bank provided \$US 3 billion to finance the PNG LNG project.

No doubt following the expropriation of Ok Tedi and the failure by the government to comply with the Nautilus arbitration, there are concerns about the security of investment agreements. Nautilus has come to realise that some agreements are not worth the ink and paper written on. It has since terminated its agreement with the state and will seek to pursue its offshore mining venture alone.

This however may be easier said than done, as one considers the complex nature of government relations that are needed to get regulatory approvals and support for projects.

This quagmire of government relations has certainly been a major obstacle in the conclusion of the Stanley Gas agreement between the state and developers. Led by Talisman and Horizon Energy, the Stanley gas project located in the Western Province, has experienced delays in regulatory approvals.

Sources close to the negotiations have revealed to Wantok that despite the conclusion of an agreement by the state's negotiating team, a different draft agreement was passed on by a Secretary of one government Department to the Office of the State Solicitor.

The State Solicitor, having had a colleague being part of the negotiations, was understandably furious when he saw a different draft being dropped on his table.

The negotiating teams will now have to go back to the drawing as they discuss, redefine and churn out a new legal agreement between the state and the developers of the Stanley gas field. And so the delays will continue on the Stanley side of things, but perhaps it is in the interest of all parties that the negotiations be a little bit more transparent. The more delays there are caused by the competing interests of influential parties, the more whispers there are about strange behaviour patterns.

Reaching an agreement in PNG can be a difficult task. However even when such agreements are reached, they aren't usually in the best interest of key stakeholders. The rent seeking behaviour of state and local representatives does not benefit both the developer and the people. The consequence of this is usually detrimental to doing business as a disenfranchised populace creates insecurity in project areas.

Time and time again there are disputes over project agreements both at the national and sub-national levels. Take Newcrest's Lihir mine for instance, where a group of landowners calling themselves the Lihir Mining Area Landowners Association have condemned the Lihir Mine Memorandum of Agreement signed early this month between the New Ireland Provincial Government and the Nimamar Rural Local Level Government. The dispute relates to portions of the MOA discussing distribution of royalties from Lihir's gold exports.

In a perfect world, when two parties have disputes over an agreement, a third party like the judiciary would be expected to maintain some semblance of order. That does not seem to be the case in PNG.

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## PNGINDUSTRY NEWS (Cont)

Investors can expect some strange court decisions that send their hearts to their throat. The most recent case has been the sensational court order to transfer \$A100 million in Ok Tedi compensation funds into a Court Trust account.

The funds are part of the Community Mine Continuation Agreement compensation payments to communities affected by dumping of mine wastes from the Ok Tedi mine into the Fly River catchment. The Attorney General has questioned why the judge made an ex parte order when the State was competent enough to defend itself against such an order.

Who benefits from such disagreements over agreements? Perhaps someone or some people do. Underlining this is the question of adherence to good governance practices by all stakeholders. As long as there are those in power wanting to take shortcuts, quick fixes and kickbacks, agreements will fall apart. There is a recurring pattern in all the conflicts over agreements in that once those who influenced the agreements are off the scene, new players make new rules.

This is the reality of contemporary PNG where a new breed of leaders is playing by new rules. The Morauta government's agreement with BHP has been undone and so has the Somare government's agreement with Nautilus. An important lesson about history is it tends to repeat itself. Francis Ona and Perpetua Seroro did the same in 1989 on the island of Bougainville.

Good students of history seeking to have long and fruitful relationships would do well in not just considering the short term value to shareholders but the long term durability of the agreements they reach with all stakeholders. It is difficult to predict the future but an agreement reached transparently and inclusively will surely hold water longer than one discussed exclusively along the corridors of power or at expensive hotels and resorts.

Papua New Guinea is a land of opportunity for those who do well to understand one of the most misunderstood countries on earth.

One of the benefits of the resource sector is that it provides a long window of opportunity from exploration to negotiations for project development, during which developers can build good relations and better understand the constantly changing investment environment. As such, there exist better chances of success for those who are willing to invest in the long run.

[Click here to read more.](#)



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## BAN ON VISA ON ARRIVAL FOR AUSTRALIAN PASSPORT HOLDERS

This notice details the ban on entry visas on arrival for Australians.

This will take effect on 1<sup>st</sup> March 2014

The notice mentions that the Visas will be obtainable at PNG Overseas Missions/Posts in Australian being - Canberra, Sydney, Brisbane and Cairns.

It is our understanding that the PNG Government intends to re-open the PNG Consulate in Cairns again, but that this has not yet taken place.

We have made enquiries on this matter and will advise when we get further advice.



### PAPUA NEW GUINEA IMMIGRATION AND CITIZENSHIP SERVICE AUTHORITY *Office of the Chief Migration Officer*

## PUBLIC NOTICE

### BAN OF VISA ON ARRIVAL FACILITY FOR AUSTRALIAN PASSPORT HOLDERS

The National Executive Council in December 2013 decided to ban Australian's from the PNG Visa on Arrival Facility.

This decision though taken in December last year, was not effected due to the Government's desire to give ample time to the Government of Australia to re-consider its response given to the PNG Ministers at the PNG/Australia Ministerial Forum in Canberra last year, and for Australian citizens who had already confirmed travel arrangements to PNG to undertake confirmed travels.

❖ Australian passport holder(s) means: An Australian citizen in possession of an Ordinary, Official, Diplomatic or other related Travel Document(s) for travel abroad.

After the visit by the Australian Minister for Foreign Affairs and Trade, Hon Julie Bishop, MP, during which the Prime Minister reiterated PNG's desire for Australia to reciprocate its Visa on Arrival Facility; and the response of maintaining the status quo, the Government's decision to Ban the Visa on Arrival Facility to Australian passport holders will now be enforced.

**The ban will come into effect on Saturday, 01 March 2014.** This means Australian passport holders will no longer be able to:-

- Obtain **Visitor (all Classes), Business – i) Short Term Single Entry & ii) Restricted Employment Facility (REF)** visas on arrival at any port of entry in PNG; and
- Be granted **Uplift Letters** for issuance of the aforementioned visas on arrival at any port of entry in PNG.

Australian passport holders:

- will be required to obtain these visas at the nearest PNG Overseas Mission/Post or the Australian Missions/Posts abroad where there is no PNG Government representation. PNG's current Missions/Posts in Australia are located in Canberra, Sydney, Brisbane and Cairns.
- visiting PNG on Cruise ships, including flying in to join a Cruise ship or leaving a Cruise ship to catch a flight out of PNG, will not be affected by this ban because they are granted visas electronically without the need for prior application.
- transiting through PNG for less than 8 hours do not require visas, and are to remain within the International Transit Lounges at the Airport(s).

All international operating airlines are instructed not to allow boarding of Australian passport holders to PNG who do not possess a valid visa. Australians uplifted without a valid visa will be repatriated on the next available flight at the expense of the uplifting airline, which may not necessarily be to the port of origin. For instance, an Australian uplifted without a visa from Cairns could be repatriated to Singapore if that was the next available flight at the cost of the uplifting airline.

For further clarification, please contact the PNG Immigration and Citizenship Service Authority on tel. 323 1500, fax. 3265206 or email: [clientservice@immigration.gov.pg](mailto:clientservice@immigration.gov.pg), and ask for Mrs Julie Maku, Assistant Manager – Client Services.

Authorized by:

  
**Metaio Rabura, ISO**  
**Chief Migration Officer**

18 February, 2014