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ACTING COMMISSIONER OF POLICE **ROYAL PAPUA NEW GUINEA CONSTABULARY**

News Release: 14th January 2024

SECURITY MEASURES FOR STATE OF EMERGENCY RELEASED **– WILL NOT INTERRUPT NORMAL DAILY LIFE**

Acting Police Commissioner, Donald Yamasombi, in his capacity as Controller of the National State of Emergency (SOE) 2024 (National Capital District), has issued the five security measures for immediate implementation.

Controller Yamasombi said the measures are ordered under powers conferred on by Section 228 of the Constitution for the duration of the declared fourteen-day State of Emergency.

“The State of Emergency has been declared by the Acting Governor-General, acting on the advice of the National Executive Council, as a safeguard to prevent further civil unrest,” the Controller said.

“Our security forces were able to bring the civil unrest under control, but until we can be sure that there is no chance of a resurgence in the violence we have the policing authority to act swiftly.

“The security measures that have been authorised should not inhibit the movements of normal law-abiding citizens, but will enable security forces to move quickly on troublemakers and their ringleaders.

PUBLIC GATHERING

“The looting and property damage last Wednesday came about as people formed in large groups and behaved as a large mob.

“To prevent large gatherings of looters security personnel have the powers to disperse a group and move them on, particularly if they are near commercial or government installations.

“This authority includes the powers to stop and search vehicles transporting people for public gathering.

“The intent of this measure is to break up small groups before they can join with other groups and form a mob. If people do not comply with these directions they will be detained and charged.

SEARCH AND SEIZURE

“An important part of the security operation is to identify the looters, and where practical, return the goods that were stolen last Wednesday to their rightful owners and to apprehend individuals posing a threat.

“In addition to the powers under the Search Act 1977, with authorisation from the controller, security personnel can conduct a search and inspection of properties without the need of a search warrant to neutralise a threat.

“Security personnel can further conduct searches of vehicles, including PMVs, and boats.

“Security personnel also have the power to command a person to momentarily stop, so that a member can conduct routine searches and rub-down searches for offensive weapons.

SALE AND CONSUMPTION OF ALCOHOL

“Alcohol typically plays a significant role in the bad judgement that leads to looting, property destruction and violence, so access will be limited during the SOE.

“During the SOE alcohol products can only be sold at licenced venues, but only between the hours of 10:00 am through to 10:00 pm from Monday to Saturday.

“Police will be even more strict than usual on arresting any person found to be consuming alcohol in vehicle, in a public place or at an unlicensed outlet.

PRICES OF GOODS & SERVICES

“Considering the significant theft of consumer goods, that includes basic essential items such as rice and cooking oil, as well as critical items including medicines, price increases on remaining items will not be tolerated.

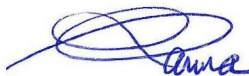
“Businesses providing goods and services will endeavour to maintain a fair price for all its services and products.

“The Independent Consumer and Competition Commission (ICCC) will ensure that providers maintain a fair price for all their services and continue its vigilant watch. The public is asked to report any attempts by any business to make additional profits from the crisis to the ICCC.

CURFEW

“With calm currently restored after the earlier violence, it is not deemed necessary to impose a curfew during this State of Emergency period. It would only be in the event that there was a resurgence of mob activity that this measure would be reconsidered.”

The full State of Emergency Security Measures are attached to this news release.



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Donald Yamasombi, DPS, QPM
Acting Commissioner of Police



INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

I, Acting Commissioner, Donald Yamasombi, DPS, QPM Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling hereby issue the following security measures for immediate implementation.

Signed:



Date:

A handwritten signature in blue ink, appearing to read "Donald Yamasombi".

13/01/24

DONALD YAMASOMBI, DPS, QPM
CONTROLLER



INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

OFFICE OF THE CONTROLLER
NO. 1 PUBLIC GATHERING

I, Acting Commissioner, Donald Yamasombi QPM, DPS, Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling issue the following security measures for immediate implementation.

1. Definition of 'Public Gathering' – A public gathering is when a group of people gathered in a public place for a common purpose. For the purpose of this security measure, only haus kraia and church related gathering are authorize.
2. For clarity purposes, a public gathering also includes street vendors.
3. A member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable are vested with powers to disperse group of people gathering in measure 2.
4. A member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable are vested with powers to disperse a group of people gathering at the vicinity of a shop or a ware house with the intention of stealing or breaking into the shops or ware house and or government installation.
5. A member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable are vested with powers to stop and search vehicles transporting group of people for public gathering.
6. A person or a group of people that does not comply with the direction of a member of the Constabulary or a Police Officer and or a member of the PNGDF executing

1.



Police duties as a Special Constable in the preceding paragraphs shall be deemed to have committed an offence under Criminal Code Act and NCDC Municipal Act.

7. These measures come into effect on 12th January through to 26th January 2024 until such time as the National Executive Council (NEC) so decides.



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INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

OFFICE OF THE CONTROLLER
NO. 2 STOP, SEARCH & SEIZURE

I, Acting Commissioner, Donald Yamasombi DPS, QPM, Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling hereby issue the following security measures:

1. In addition to the powers under the Search Act 1977, a member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable have the power to command a person to momentarily stop, so that a member can conduct search of persons, routine searches and rub-down searches for offensive weapons, if any.
2. A member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable have the power to conduct the following:
 - (a) routine searches at roadblocks and on a vessel at sea; or
 - (b) a rub down search of persons; or
 - (c) a search of a person upon reasonable suspicion of the persons intent to carry out an offence under this security measure of any other Act.
3. A member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable have the power to conduct routine searches on a person and the circumstances in which this will be conducted are the following:
 - (a) Requiring articles in the person's belongings to be searched, including the search of a bag; or



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- (b) Requiring a person to remove outer clothing worn by the person and searching the clothing including articles placed in the person's clothing; or
 - (c) Requiring accessories worn by a person including but not limited to spectacles, headwear, footwear, watches and jewellery to be searched; or
 - (d) Requiring the person or his or her belongings to be placed in an X-Ray scanner for persons, or X-Ray machine for property respectively; or
 - (e) The use of walk-through detectors and handheld detectors.
4. In conducting a routine search a member of the Constabulary, a Police Officer and or the member of the PNGDF shall take the reasonable and necessary measure required in conducting such a search taking to account the purpose of the search and having proper regard for the rights and dignity of mankind.
5. In preparation for a member of the Constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable to conduct searches on vessels out at sea, persons to be searched must comply with all directives issued by a member conducting the search. In addition, a member of the constabulary or a Police Officer and or a member of the PNGDF executing Police duties as a Special Constable must also take the reasonable and necessary measure required in conducting such a search taking to account the purpose of the search and having proper regard for the rights and dignity of mankind.
6. A member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable may conduct Rub-down searches on a person and the circumstances in which this will be conducted are the following:
 - (a) A search of a person carried out by quickly running the hands over a person's outer clothing; and
 - (b) A search of anything worn by the person that can be conveniently and voluntarily removed by the person, including headwear, gloves, footwear or accessories; and
 - (c) A search of anything carried by the person.
7. In conducting a rub-down search a member of the constabulary, Police Officer and a member of the PNGDF shall take the reasonable and necessary measure required in conducting such a search taking to account the purpose of the search and having proper regard for the rights and dignity of mankind.
8. A rub-down search shall be carried out by a member of the Constabulary, a Police Officer or a member of the PNGDF of the same gender being searched.
9. A search on a reasonable suspicion by a member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable may be conducted on a person's intent to carry out an offence under any Act.



10. Routine searches may be conducted on motor vehicles and PMV buses and other automobiles on the road and entering roadblocks.
11. A search and inspection of premises by a member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable may be conducted in circumstances where in the opinion of the Controller forms the view that for the purposes of the State of Emergency (SOE) a member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable must immediately enter and search a premises to clear, interdict or neutralise a threat, the Controller may authorise such immediate entry and search in that premises without the need of a search warrant.
12. 'Offensive Weapons' means any object that is made, adapted, or intended to be used to cause physical injury to a person.
13. 'Offensive Weapons' may include items that are reasonably suspected or having the potential of being dangerous or pose a threat shall be sized but not limited the following:
- (i) Machetes (Bush Knives)
 - (ii) Wire Catapult (Wire Katapel)
 - (iii) Knives
 - (iv) Screwdrivers
 - (v) Swords
14. In addition to paragraph one (1) and three (3) of this security measure, if offensive weapons are found on a person, then upon the finding of the offensive weapons on that person, a member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable may be have the right to seize the offensive instruments.
15. With regard to paragraph thirteen (13) of this security measure and in addition to 'house breaking implements' is defined as any object or tool use to pry open a lock, door, fence for the sole purpose of breaking and entering into a property, room, dwelling house, office, shops, warehouse and or government installations.
16. 'house breaking implements' may include the following items but not limited to:
- (a) Crowbar (pinchbar)
 - (b) Hoxie
 - (c) Bolt cutter
 - (d) aluminium cutter (fence cutter)
 - (e) Pliers
 - (f) Screwdrivers



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17. In carrying out a search under paragraphs four (4) five (5) and eleven (11) of this security measure respectively, items that are deemed not to be dangerous and pose a threat must be returned immediately to the person in which it was taken from within a reasonable period of time.

18. Where an item is seized:

- (a) cannot be returned; or
- (b) possession would otherwise be unlawful; or
- (c) is unclaimed after a reasonable period, it shall become the property of the State and may be disposed of by the direction of the controller, destruction or by other lawful means.

19. Powers of arrest and detention are in addition to and not in derogation of the powers of arrest and detention under the Arrest Act 1977 or any other Act.



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INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

OFFICE OF THE CONTROLLER
NO. 3 SALE AND CONSUMPTION OF ALCOHOL

I, Acting Commissioner, Donald Yamasombi, DPS, QPM Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling hereby issue the following security measures:

1. Alcohol must be consumed in a pub, nightclub, hotel, motels or similar establishments which are licensed between the hours of 10:00 a.m. through to 10:00 p.m. only.
2. The sale of any form of alcohol at unlicensed liquor outlets is prohibited. If, through a routine search that a member of the Constabulary, a Police Officer or a member of the PNGDF executing police powers as a Special Constable seize liquor then the process specified under measure No. 2, paragraph 18, will take effect.
3. Any person found to be consuming any form of alcohol in a moving vehicle or in a public place or an unlicensed alcohol outlet would be searched upon reasonable suspicion.



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INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

OFFICE OF THE CONTROLLER
NO. 4. PRICES OF GOODS & SERVICES

I, Acting Commissioner, Donald Yamasombi DPS, QPM Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling hereby issue the following security measures:

1. Service providers providing for the all goods and services will endeavour to maintain a fair price for all its services and products.
2. The Independent Consumer and Competition Commission (ICCC) shall ensure that service providers maintain a fair price for all their services and continue its vigilant watch.





INDEPENDENT STATE OF PAPUA NEW GUINEA
NATIONAL STATE OF EMERGENCY 2024 (NATIONAL CAPITAL DISTRICT)

OFFICE OF THE CONTROLLER
NO. 5. CURFEW

I, Acting Commissioner, Donald Yamasombi DPS, QPM Controller, by virtue of the powers conferred on by Section 228 of the Constitution of PNG and all powers enabling hereby issue the following security measures:

1. In relation to curfews, the Curfew Act 1987 does not apply to this National State of Emergency.
2. To be clear, there is no curfew imposed on this State of Emergency period.



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