

No. 9 of 2024.

*Protected Areas Act 2024.*

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No. 9 of 2024.

AN ACT

entitled

***Protected Areas Act 2024,***

Being an Act to -

- (a) manage the Protected Area Network, Protected Areas and the Protected Area policy; and
  - (b) conserve and replenish the biodiversity of -
    - (i) the environment, plant and animal life; and
    - (ii) land and its sacred, scenic and historical qualities in Papua New Guinea for the benefit of ourselves and future generations; and
  - (c) conserve the natural environments and cultural heritage subject to any zoning, declaration or registration of a Protected Area; and
  - (d) repeal the *Conservation Areas Act* (Chapter 362) and *Fauna (Protection and Control)* (Chapter 154),
- and for other related purposes,

MADE by the National Parliament to come into operation in accordance with a notice published in the National Gazette, by the Head of State, acting with, and in accordance with, the advice of the Minister.

**PART I. - PRELIMINARY.**

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS, ETC.**

(1) This Act, to the extent that it regulates or restricts a right or freedom referred to in Subdivision III.3.C (*qualified rights*) of the *Constitution*, namely -

- (a) the right to liberty of the person conferred by Section 42; and
- (b) the right to freedom from arbitrary search and entry conferred by Section 44; and
- (c) the right to peacefully assemble and associate and to form or belong to or not belong to associations conferred by Section 47; and
- (d) the right to freedom of employment conferred by Section 48; and
- (e) the right to privacy conferred by Section 49; and
- (f) the right to freedom of information conferred by Section 51; and
- (g) the right to freedom of movement conferred by Section 52; and
- (h) the right to protection from unjust deprivation of property conferred by Section 53,

of the *Constitution*, is a law made for the purpose of complying with Section 38 of the *Constitution*, and taking into account the National Goals and Directive Principles (including, in particular, the goal that Papua New Guinea should amongst other things, be economically self-reliant) and to achieve the Basic Social Obligations for the purposes of giving effect to the public interest including, in particular, the promotion of public welfare, public health (including animal and plant health) and the development of under privileged or less advance groups or areas); and

- (i) in order to protect the rights and freedoms of others; and

- (j) to make provision for cases where the exercise of one such right may conflict with the exercise of another, to the extent that the law is reasonably justifiable in a democratic society having proper respect or regard for the rights and dignity of mankind.

(2) For the purposes of Section 41 of the ***Organic Law on Provincial Governments and Local-level Governments***, it is declared that this Act relates to a matter of national interest.

(3) This Act to the extent that it causes or permits the compulsory taking of any property or of any interest in or right over property referred to in Section 53 of the ***Constitution***, is a law to which the property is required for the public purpose of, or the reason of facilitating or regulating all matters relating to protected areas and any acquisition of such property is for a public purpose and reasonably justified in a democratic society that has proper regard for the rights and dignity of mankind.

(4) This Act to the extent that it provides for consultation between persons or bodies, is a law made to give effect to Section 255 of the ***Constitution*** to ensure that all consultations are meaningful and allow for a genuine interchange and consideration of views.

## **2. INTERPRETATION.**

In this Act, unless the contrary intention appears -

“Aggravated offence” means an offence under Section 74;

“benefits agreement” means the conservation benefits sharing agreement under Section 61;

“biodiversity” means any variety of organic plant, animal life and the variability among living organisms from all sources including -

- (a) terrestrial, marine and other aquatic ecosystems; and
- (b) bacteria; and
- (c) fungi or protists; and
- (d) ecological complexes of which they are part; and
- (e) diversity within species and ecosystems;

“Biodiversity and Climate Fund” means the fund established under Section 59;

“biodiversity offsets” means the environment compensation mechanism under Section 25;

“Business and Biodiversity Offsets Standards” means -

- (a) the standard on biodiversity offsets that enables clear and transparent assessment and reporting of progress in the application of the mitigation hierarchy; and
- (b) the design and implementation of biodiversity offsets consistent with the Business and Biodiversity Offset Programme principles;

“Committee” means the Committee established under Section 16;

“Comprehensive Adequate Relevant Representative Principles” means the network of Protected Area systems that is comprehensive, adequate and developed with an emphasis on the relevance to the community, resilience to climate change and future viability;

“conservation value assessment” means the assessments conducted as part of high conservation value to identify important environmental and social values, the value worth of sparing or preserving objects, including natural resources;

“Conservator of Fauna and Flora” means the person appointed to be a Conservator of Fauna and Flora under Section 14 of the ***Fauna (Protection and Control) Act*** (Chapter 154);

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- “Council” means the National Conservation Council established under Section 14; and
- “cultural heritage” means all aspects of indigenous cultures both tangible and intangible including an object or place of aesthetic, historical, scientific, social, spiritual or other value;
- “designated officer” means an officer appointed in accordance with Section 71;
- “eco-system services” means a natural process and part of the environment that supports and includes the ability of trees and forests to photosynthesise and secure fresh water;
- “free prior informed consent” means the consent under Section 11;
- “general order” means a written instruction by the Managing Director consistent with this Act;
- “Guide to Protected Area Types in Papua New Guinea 2019” means the Guideline developed by Conservation Environment and Protection Authority in 2019;
- “Incorporated Land Group” means an Incorporated Land Group under the *Land Groups Incorporation Act* (Chapter 147);
- “land” means land as defined under the *Land Act 1996*;
- “Local-level Government Protected Area” means a Protected Area authorised by a Local-level government law in accordance with Section 52;
- “management zones” means a geographic area in a Protected Area detailed in the management plan and signed by landowners and the Authority;
- “Managing Director” means the Managing Director of Conservation and Environment Protection Authority;
- “National Heritage Area” means a site, place or region of outstanding natural or cultural significance that conforms to the International Union for the Conservation of Nature Category III;
- “national interest” means an interest consistent with this Act, the laws of Papua New Guinea and Papua New Guinea’s obligations under an international law;
- “National Protected Area” means a National Protected Area in Section 50;
- “non-avoidable adverse biodiversity impact” means any biodiversity impact that causes adverse impact to the biodiversity;
- “non-monetary” means not relating to money or consisting of money;
- “owner” means the person who holds the title to a Protected Area;
- “Particularly Sensitive Sea Area” means an area that needs special protection through action by International Maritime Organisation because of its significance for recognised ecological, socio-economic and scientific reasons which may be vulnerable to damage by international maritime activities;
- “precautionary principle” means the principle used to provide precautionary measures when scientific evidence on an environment or human health harm is uncertain and may prove disastrous;
- “Private Protected Area” means a Protected Area under Section 9;
- “Proportionate precautionary measures” means the concept of balance that is maintained between economic development and environmental protection;
- “Protected Area” means a Protected Area under Section 22(1);
- “Protected Area Network” means the network described in Section 37;
- “REDD+” means efforts to reduce emissions from deforestation and forest degradation, and foster conservation, sustainable management of forests, and enhancement of forest carbon stocks;
- “Regional hub” means an agreement, procedure or physical office established under Section 26(2);
- “Regional Protected Area” means a Regional Protected Area established under Section 51;



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- “scientific uncertainty” means when there is uncertainty in the scientific process, it relates to statistical uncertainty, natural variability, or true uncertainty;
- “stakeholder” means any person or agency that has interest in the work on protected areas or related;
- “Temporary Protected Area” means a Temporary Protected Area under Section 23;
- “Tentative List” means a list of properties submitted by the Independent State of Papua New Guinea to the UNESCO World Heritage Committee, in accordance with the World Heritage Convention and its Operational Guidelines;
- “the Act” means this Act and includes the Regulations;
- “the Authority” means the Conservation and Environment Protection Authority established under the *Conservation and Environment Protection Authority Act 2014*;
- “the Policy on Protected Areas” means the government publication cited as Independent State of Papua New Guinea (2014) Policy on Protected Areas, Conservation and Environment Protection Authority, October 2014, National Capital District Papua New Guinea;
- “Title” means title as defined under the *Land Act 1996*;
- “World Heritage Convention” means the Convention which protects the World Cultural and Natural Heritage adopted by the General Conference of UNESCO on 16 November 1972.

### **3. ACT BINDS THE STATE.**

This Act binds the State.

### **4. APPLICATION OF THIS ACT.**

(1) The interpretation and application of this Act, as far as lies in the respective powers of all government bodies, shall apply and give effect to -

- (a) the fourth National Goals Directive Principles; and
- (b) the Five Pillars of the Protected Area Network in Schedule 1; and
- (c) the *Maritime Zones Act 2015*; and
- (d) the *Paris Agreement (Implementation) Act 2016*; and
- (e) the treaties and agreements on Protected Areas that are given force of law in Papua New Guinea by virtue of this Act, including -
  - (i) the Convention on Biological Diversity 1992, additional amendments and protocols thereto that have been ratified by Papua New Guinea; and
  - (ii) the World Heritage Convention; and
  - (iii) the Torres Strait Treaty; and
  - (iv) international conservation principles and management standards set out in the Regulations and listed in the Schedules including, but not limited to the International Union for the Conservation of Nature Protected Areas Management Categories; and
- (f) the principle of inter-generational equity; and
- (g) any other law of Papua New Guinea which provide for such principles.

(2) This Act shall be interpreted and implemented in accordance with the *United Nations Paris Agreement (Implementation) Act 2016* and the *Climate Change (Management) Act 2015*.

## **PART II. - PROTECTED AREAS.**

### **5. DEVELOPMENT IN PROTECTED AREAS.**

(1) The Authority may allow a development within a Protected Area in special circumstances if the development -

- (a) is for community benefit; and
- (b) shall cause minimal changes to the Protected Area.

(2) An economic return from the developments within a Protected Area must be of a higher economic value than the economic value of the natural and cultural heritage which would be lost.

### **6. LOGGING AND CARBON TRADE IN PROTECTED AREAS.**

(1) A development in a forested area of a Protected Area shall not commence unless the Authority grants approval in consultation with -

- (a) the Papua New Guinea National Forest Authority, if development is related to logging; or
- (b) the Climate Change and Development Authority if development is related to carbon trade or a REDD+ project.

(2) A development in Subsection (1) shall commence through a written agreement between the owner of a Protected Area and the relevant state authority.

### **7. PROPERTY RIGHTS.**

(1) A property owner shall not surrender any property rights over a Protected Area without the owner's free prior informed consent.

(2) Where a property right has been seized, the developer shall pay adequate compensation to property owners upon seizure.

(3) The owner's rights include property rights under customary law or an act of Parliament including but not limited to -

- (i) the *Mining Act 1992*; and
- (ii) the *Oil and Gas Act 1998*; and
- (iii) the *Forestry Act 1991*; and
- (iv) the *Fisheries Management Act 1998*; and
- (v) the *Climate Change (Management) Act 2015*; and
- (vi) the *Paris Agreement (Implementation) Act 2016*.

(4) Nothing in this Act affects any property right acquired before the coming into force of this Act.

### **8. TRADITIONAL SACRED SITE.**

(1) The Local-level Government shall, in consultation with -

- (a) Ward Committee; or
- (b) District Development Committee,

identify a traditional sacred site and declare the traditional sacred site, as a Protected Area.

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(2) The landowning clan and chief must, in consultation with the Village Court Magistrate, identify the boundaries and description of a traditional sacred site.

### **9. PROTECTED AREA ON PRIVATE LAND.**

(1) A Protected Area on private freehold land shall be established through a written agreement between the land title holder and the relevant state agency.

(2) Nothing in this section invalidates any written agreement to conserve private land.

### **10. PROTECTED AREA ON STATE LAND.**

(1) Subject to Section 39 of the *Conservation and Environment Protection Act 2014*, the Authority -

- (a) has exclusive control of a National Protected Area; and
- (b) may hold land in trust for a Regional Protected Area; and
- (c) may transfer land title held in trust to an authorised person or body to manage a Protected Area.

(2) The Authority holds indefeasible title rights over Protected Areas on State Land.

(3) A Protected Area under the exclusive control of the Authority may not be transferred to any person without the consent of the National Executive Council.

(4) The Authority shall transfer a Protected Area to another person consistent with the consent under Subsection (3) by way of an agreement which shall be -

- (a) in writing; and
- (b) made with free prior informed consent; and
- (c) made with advice or representation from a qualified legal practitioner.

### **11. FREE PRIOR INFORMED CONSENT.**

A person is deemed to give free prior informed consent when -

- (a) information is provided before an independent decision is made; and
- (b) the person can adequately understand the information provided; and
- (c) the person's consent is written in simple layman's words; and
- (d) the person has capacity to understand the information provided; and
- (e) the person has ability to form a reasonable judgment based on the information provided; and
- (f) the person makes a decision without coercion, manipulation or undue influence; and
- (g) professional advice is provided especially the advice of a qualified legal practitioner where legal issues are involved.

### **12. COOPERATION AND DISPUTE RESOLUTION.**

(1) Disputing parties shall resolve a dispute over a Protected Area through a dispute resolution.

(2) A dispute resolution shall be conducted as a mediation under the *Arbitration Act* (Chapter 46) and the mediator shall ensure that -

- (a) all aggrieved parties cooperate to resolve the dispute amicably; and
- (b) all parties are notified of the mediation in a timely manner; and

(c) the science-base of priority Protected Areas with economic value is safeguarded.

(3) Where a dispute arises as to interests in customary land or customary land boundaries, the dispute shall be settled in accordance with the *Land Disputes Settlement Act* (Chapter 45).

**13. RESTRAINT ON TRADE.**

The common law rule of unreasonable restraints on trade does not apply to Protected Areas.

**PART III. - PROTECTED AREAS GOVERNANCE AND MANAGEMENT.**

*Division 1. - Institutional Arrangements.*

**14. NATIONAL CONSERVATION COUNCIL.**

(1) A National Conservation Council is established.

(2) The Council shall consist of the following members:

- (a) the Conservator of Fauna and Flora *ex-officio*, or his nominee, who shall be the Chairperson and head of the sustainable environment programs of the Authority, or his nominee; and
- (b) the Director or Acting Director of the National Museum and Art Gallery *ex-officio*, or his nominee; and
- (c) the Managing Director or Deputy Managing Director of the Climate Change and Development Authority *ex-officio*, or his nominee; and
- (d) the departmental head or the Physical Planner of the department responsible for lands and physical planning matters, *ex-officio*, or his nominee; and
- (e) an expert in conservation, biology (marine and terrestrial) and maintenance of the eco-system with good standing in the local community; and
- (f) an expert in environmental policy or law with good standing in the community; and
- (g) an expert in forestry with good standing in the community; and
- (h) an expert in fisheries and marine resource management with good standing in the community; and
- (i) a nominee of the Papua New Guinea Chamber of Mines and Petroleum who is an expert in mining and petroleum with good standing in the community.

**15. APPOINTMENT OF MEMBERS OF THE COUNCIL.**

(1) The National Executive Council shall appoint the members referred to in Section 14(2)(e), (f), (g), (h) and (i) and the appointment shall be published in the National Gazette.

(2) The Committee under Section 16 shall submit a list of not less than 10 persons to the National Executive Council to make an appointment under Subsection (1).

**16. COMMITTEE.**

There shall be a Committee comprising of the following members:

- (a) the departmental head of the department responsible for justice matters; and
- (b) the Conservator of Fauna and Flora; and
- (c) the President of the Papua New Guinea Council of Churches; and

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- (d) the President of the Business Council of Papua New Guinea; and
- (e) a person nominated by the National Alliance of Non-Governmental Organisation.

### **17. OBJECTIVE OF THE COUNCIL.**

The Council shall exercise its powers and perform its functions under this Act to achieve the following objectives:

- (a) to manage, develop and protect the Protected Area; and
- (b) to conserve, restore and enhance the environment; and
- (c) to increase Papua New Guinea's participation in the wise use and development of the environment for present and future generations.

### **18. POWERS AND FUNCTIONS OF THE COUNCIL.**

The Council shall have the following powers and functions:

- (a) to provide recommendations and advice to the Minister on matters referred to by the Minister; and
- (b) to provide recommendations and advice to the Managing Director on matters referred to by the Managing Director; and
- (c) to provide advice to the Minister on the making of conservation policies; and
- (d) to report to the Minister on any matter relating to -
  - (i) the administration of this Act; and
  - (ii) the administration of the Protected Areas Network; and
- (e) to endorse the criteria for areas to be recommended as Protected Areas; and
- (f) to consider and endorse proposals for the establishment of National Protected Areas prior to the Minister's approval; and
- (g) to advise the Minister on the formulation of legal instruments necessary to implement the National Protected Area policy; and
- (h) endorse the annual report of the Authority concerning the implementation outcomes.

### **19. ENVIRONMENT AND TIMBER PERMITS.**

(1) An environment permit issued under the *Environment Act 2014* or a timber permit issued under the *Forestry Act 1991* shall not be issued unless -

- (a) the Managing Director acting on the advice of the Council, decides otherwise; or
- (b) at least 10 percent of the area to be harvested shall be excluded from harvesting and set aside for conservation.

(2) Any area set aside under Subsection (1)(b) shall be -

- (a) outlined in a map; and
- (b) administered by the Authority,

as a Protected Area.

(3) Unless the Managing Director acting on the advice of the Council decides otherwise, any land conversion for -

- (a) agriculture using a high conservation value assessment; or
- (b) forest clearance in excess of one thousand hectares, shall -
  - (i) set aside at least 10 percent of its total logging area as a biodiversity corridor; and

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- (ii) be delineated in a map; and
- (iii) be administered by the Authority.

### **20. MANAGING DIRECTOR OF THE AUTHORITY.**

- (1) The Managing Director of the Authority is responsible for the Protected Area Network.
- (2) The Managing Director has the power to approve a proposal for a Protected Area.

### **21. DESIGNATED OFFICER.**

- (1) The Managing Director shall appoint a designated officer under Section 71 to monitor a Protected Area.
- (2) The Managing Director or the head of the Conservation Division shall be a designated officer in the absence of an appointment under Subsection (1).

## *Division 2. - Categories of Protected Areas.*

### **22. CATEGORIES OF PROTECTED AREAS.**

- (1) The types of Protected Areas are as follows:
  - (a) National Protected Areas -
    - (i) National Parks; and
    - (ii) National Heritage sites; and
    - (iii) Special Management areas; and
    - (iv) National Maritime sanctuaries; and
  - (b) Regional Protected Areas -
    - (i) Community Conservation Area; and
    - (ii) Local Managed Marine Area; and
    - (iii) Local Managed Conservation Areas; and
    - (iv) Private terrestrial and marine Protected Areas; and
  - (c) Protected Areas with sustainable forest management; and
  - (d) Special Management Areas specified by the Managing Director in accordance with Section 24.

(2) A Regional Protected Area geographically located between two or more Provinces shall be managed as a National Protected Area unless the Authority enters into an agreement with the respective provincial governments.

### **23. TEMPORARY PROTECTED AREAS.**

- (1) Subject to Section 22, the Managing Director may establish a Temporary Protected Area of no less than 10 percent of the total area designated as very high-priority terrestrial wetlands or marine environment in consultation with the Conservator of Fauna and Flora.
- (2) The Managing Director may make general orders for annual budgets and management plans for Temporary Protected Areas.

### **24. SPECIAL MANAGEMENT AREAS.**

- (1) The Managing Director shall, with the advice of the Council, establish a Special Management Area to protect -
  - (a) specific species; or
  - (b) endangered species; or

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- (c) eco-systems; or
- (d) terrestrial landscapes; or
- (e) marine landscapes; or
- (f) Temporary Protected Areas; or
- (g) an area protected as a biodiversity offset.

(2) The Authority shall, acting on the advice of the Council in cooperation with the relevant person or agency, provide immediate protection of a special management area for a period of five years, unless renewed in accordance with this Act.

### **25. BIODIVERSITY OFFSETS.**

(1) The Authority shall provide a system of biodiversity offsets consistent with the *Environment Act 2000* -

- (a) to measure conservation outcomes in Papua New Guinea; and
- (b) to compensate any significant non-avoidable adverse biodiversity impact, arising from an existing or proposed industrial development project; and
- (c) address the residual impact of a project; and
- (d) set a target to achieve -
  - (i) no net loss of biodiversity; and
  - (ii) a net gain of biodiversity; and
- (e) shall be achieved with the free prior informed consent of the customary landowners, where customary land is concerned.

(2) Subject to Subsection (1), the Managing Director may, on the advice of the Council, establish a special management area as a biodiversity offset for a period of 10 years.

(3) A special management area biodiversity offset shall be established -

- (a) through the prescribed form under Schedule 3; and
- (b) in compliance with the Business and Biodiversity Offset Standards.

(4) Where the Managing Director requires a Protected Area to be established as a biodiversity offset -

- (a) adequate notice shall be given to all stakeholders; and
- (b) consultations shall be held with all stakeholders agreeing on an offset broker to assist in the consultation process; and
- (c) where the consultation process does not reach an agreement the Managing Director may appoint a mediator to resolve the disagreement; and
- (d) the mediator shall be appointed as an arbitrator under the *Arbitration Act* (Chapter 46); or
- (e) if there is no agreement between the stakeholders on the appointment of an arbitrator, an arbitrator shall be appointed by the President of the Law Society of Papua New Guinea.

### **26. REGIONAL PROTECTED AREAS.**

(1) Subject to Sections 40 and 50 of the *Maritime Zones Act 2015*, a Provincial Government may, in consultation with the Authority, establish a Protected Area over a provincial

- (a) park; and
- (b) reserve; and
- (c) scenic; and
- (d) scientific centre; and
- (e) marine cultural heritage area.

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(2) The Authority shall, in consultation with Provincial Governments, establish four Regional Hubs in the Highlands, New Guinea Islands, Momase and Southern Regions to assess proposals for Protected Areas.

(3) Proposals for a Regional Protected Area described under Section 22(1)(b) shall be approved in accordance with provincial laws and published in a provincial gazette.

### **27. LOCAL-LEVEL GOVERNMENT PROTECTED AREAS.**

Subject to Sections 40 and 50 of the *Maritime Zones Act 2015*, a Local-level Government may, in consultation with the Authority, establish a Protected Area for the protection -

- (a) of the local environment; and
- (b) of cultural heritage places; and
- (c) of traditional sacred sites.

### *Division 3. - Management of Protected Areas.*

### **28. MANAGEMENT OF PROTECTED AREAS.**

(1) The Authority shall manage the National Protected Areas.

(2) A Regional Protected Area such as -

- (a) a Community Conservation Area; and
- (b) a Local Marine Area; and
- (c) a Local Terrestrial Area; and
- (d) a Private Protected Area,

may be managed by -

- (e) a Provincial Government; or
- (f) a Local-level Government; or
- (g) a corporation; or
- (h) a person; or
- (i) an Incorporated Land Group; or
- (j) a customary landowning group.

### **29. REPORTING FOR REGIONAL PROTECTED AREA.**

(1) The Managing Director shall, in agreement with stakeholders, determine and designate the obligation and level of reporting appropriate -

- (a) for Community Conservation Areas; and
- (b) for Locally Managed Marine Areas; and
- (c) for Locally Managed Conservation Areas; and
- (d) for Protected Areas on private land.

(2) The Authority may inspect any Regional Protected Area for the purposes of compliance with the obligation to report.

(3) The Authority may assume such powers of control over a Regional Protected Area as are necessary to ensure compliance with the obligation to report.

### **30. PROTECTED AREA NETWORK REGISTER.**

(1) The Authority shall keep a Register of all declared Protected Areas including an online Register that is accessible to the public.

(2) The Authority shall without delay register any document that establishes a Protected Area in accordance with this Act.



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- (3) The Authority shall register a -
- (a) National Park Protected Area previously established under the ***National Parks Act*** (Chapter 157) as a National Park; and
  - (b) Marine Protected Area previously established under the ***Fisheries Management Act 1998*** as a National Marine Protected Area; and
  - (c) National Heritage Protected Area previously established under the ***National Parks Act*** (Chapter 157) as a Memorial Park; and
  - (d) Community Conservation Area previously established under the ***National Parks Act*** (Chapter 157) as a Provincial Park; and
  - (e) Community Conservation Area previously established under the ***Conservation Areas Act 1978*** as a Conservation Area; and
  - (f) Community Conservation Area previously established under the ***Fauna (Protection and Control) Act 1966*** as a Wild Life Management Area; and

(4) Subject to Section 47, a Locally Managed Marine Area previously established under the ***Organic Law on Provincial and Local-level Governments*** may be registered as a Locally Managed Marine Protected Area.

- (5) The Managing Director may publish a -
- (a) National Protected Area in the Protected Area Network in the National Gazette; and
  - (b) Regional Protected Area in the Provincial Gazette.

## **PART IV. - SUSTAINABLE LIVELIHOODS FOR COMMUNITIES.**

### **31. SUSTAINABLE LIVELIHOODS FOR COMMUNITIES.**

The Authority and all contractual parties to a Protected Area shall have a shared responsibility to facilitate capacity-building training and infrastructure developments for the sustainable livelihood of communities in the Protected Area.

### **32. DUTY OF THE MANAGING DIRECTOR.**

Notwithstanding Part VI, the Managing Director shall, in consultation with the Council and all contractual parties, ensure that adequate financial arrangements are made for the management of a Protected Area.

### **33. FAIR AND SUSTAINABLE MANAGEMENT ARRANGEMENTS.**

All local management arrangements for the use and benefit of natural resources or eco-system services regarding distributions of surpluses -

- (a) shall be fair and sustainable; and
- (b) must include all persons of gender, race and age.

### **34. PROTECTED AREAS LIVELIHOODS COMMITTEE.**

- (1) A Protected Areas Livelihoods Committee is established.
- (2) The Committee shall consist of -
- (a) the Departmental Head responsible for treasury matters, or his nominee; and
  - (b) the Departmental Head responsible for national planning and monitoring matters, or his nominee; and
  - (c) the Managing Director who shall be the Chairperson of the Committee, or his nominee; and
  - (d) the Managing Director of Papua New Guinea Forest Authority, or his nominee; and

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- (e) the Managing Director of National Fisheries Authority, or his nominee; and
- (e) the Managing Director of Climate Change and Development Authority, or his nominee.

### **35. OBJECTIVE OF THE LIVELIHOODS COMMITTEE.**

The objective of the Committee is to assist the Authority to facilitate funding and human resources for the sustainable livelihood of communities in Protected Areas.

### **36. FUNCTIONS OF THE LIVELIHOODS COMMITTEE.**

- (1) The Committee shall have the following functions:
  - (a) to oversee, coordinate and facilitate funding for the effective implementation of Pillar 2 of the livelihoods policy; and
  - (b) to coordinate the procurement of finance and resources; and
  - (c) to coordinate arrangements for Conservation Benefit Sharing Agreements.
- (2) The procurement of finances and resources shall be for residents in the Protected Areas for the following purposes:
  - (a) employment and training; or
  - (b) education; or
  - (c) awareness; or
  - (d) small and medium local businesses; or
  - (e) compensation benefits for eco-services; or
  - (f) agriculture-based activities.
- (3) The funds of the Committee shall be held in the Biodiversity and Climate Fund for its intended use in accordance with this Act.

## **PART V. - EFFECTIVE AND ADAPTIVE BIODIVERSITY MANAGEMENT.**

### **37. PROTECTED AREA NETWORK.**

- (1) The Authority shall provide for -
  - (a) Standard Operating Procedures for Protected Area management to be -
    - (i) transparent; and
    - (ii) accountable; and
    - (iii) adaptive; and
    - (iv) responsive to owners needs; and
    - (v) responsive to occupational health and safety; and
  - (b) Standard Operating Procedures for adaptive and effective biodiversity and cultural heritage management; and
  - (c) a management cycle.
- (2) The Authority shall review existing Standard Operating Procedures considering -
  - (a) the effects of climate change on eco-systems within or adjacent to a Protected Area; and
  - (b) other cultural activities.

### **38. MANAGEMENT PLAN.**

- (1) A developer, a Management Committee or any other relevant persons in all Protected Areas shall submit a Management Plan to the Authority for approval.
- (2) The Managing Director shall allow a 90 days objection period from the date a Management Plan is submitted for any objections from the public.

(3) The Management Plan shall be deemed approved by the Managing Director if no objection is raised within the objection period.

**39. MANAGEMENT PLANNING.**

The Authority shall establish a Protected Area Management Committee -

- (a) to oversee and monitor Management Plans; and
- (b) to facilitate a dynamic planning process amongst stakeholders regarding -
  - (i) adequate public notification of plans; and
  - (ii) inclusion of women's voices; and
  - (iii) consensus amongst all stakeholders; and
- (c) to develop and oversee a conflict resolution process; and
- (d) to initiate reviews of plans when due; and
- (e) to develop guidelines for the sustainable use of resources in Protected Areas; and
- (f) to develop guidelines for the establishment of the names and types of management zones.

**40. REVIEW OF MANAGEMENT PLAN.**

The Authority shall conduct a public review on a Protected Area's Management Plan under Section 38 and other plans every five years.

**41. REVIEW OF BUSINESS PLAN.**

The Authority shall review its business plans annually.

**42. DEVELOPMENT OF GUIDELINES.**

The Authority shall develop -

- (a) guidelines for the sustainable use of resources in a Protected Area; and
- (b) zoning guidelines in accordance with the *Land Act 1996*.

**43. MANAGEMENT ZONES.**

(1) The Authority shall provide -

- (a) for a system of permanent or temporary management zones to come into effect on date of publication in either the National and Provincial Gazette following the approval of a management plan; and
- (b) for social mapping before zoning; and
- (c) for the consent of customary landowning groups.

(2) The management zones shall be conducted in accordance with the -

- (a) *Land Act 1996* for Protected Areas on land; and
- (b) *Maritime Zones Act 2015* for Protected Areas on sea.

**44. MANAGING NATURAL INTEGRITY, CULTURAL HERITAGE, INFRASTRUCTURE AND EQUIPMENT.**

The Authority shall manage Protected areas -

- (a) to maintain a full range of natural biological diversity across the Protected Area Network; and
- (b) to maintain natural ecological processes and dynamic nature in the landscape and seascape; and
- (c) to analyse risks, threats to biological diversity and natural ecological processes across the Protected Area Network; and
- (d) to maintain an asset register of all equipment, facilities and infrastructure for Protected Areas; and

- (e) to fund equipment and infrastructure for Protected Areas; and
- (f) to audit equipment and infrastructure; and
- (g) to protect cultural sites located within or without a National Heritage Area; and
- (h) to address social values and education opportunities for residents of a Protected Area.

## **PART VI. - MANAGING THE PROTECTED AREA NETWORK.**

### **45. MANAGEMENT GUIDELINES.**

The Authority shall provide management guidelines for the Protected Area Network including

- (a) guiding principles; and
- (b) categories of Protected Areas specified in Section 22; and
- (c) Comprehensive Adequate Relevant Representative Principles Care for building the Protected Area Network; and
- (d) future feasibility studies.

### **46. TARGETS FOR PROTECTED AREA NETWORK.**

The Authority shall, in consultation with the Council, establish annual targets in compliance with the Convention on Biological Diversity for development plans within a Protected Area.

### **47. EXISTING PROTECTED AREA.**

(1) Existing Protected Area shall be registered in the Papua New Guinea Protected Area Network Register within the first five years of this Act coming into force in accordance with Section 29.

(2) An existing Protected Area declared under a law repealed by this Act shall be listed in Schedule 2.

(3) The Managing Director shall, upon advice from the Council -  
(a) cancel an existing Protected Area; or  
(b) alter its environmental biodiversity values,  
to conform with this Act.

(4) The Managing Director shall notify relevant parties affected before cancelling or altering an existing Protected Area so that the parties shall be given a reasonable time to object.

(5) A person aggrieved by the cancelation or alteration of an existing Protected Area shall -

- (a) request the Authority to review the decision; and
- (b) appeal to the National Court if aggrieved by the review.

### **48. NEW PROTECTED AREAS.**

The Managing Director shall, in consultation with the Council, establish the selection and assessment criteria for establishing a new Protected Area which shall be in accordance with the Guide to Protected Area Types in Papua New Guinea 2019.

### **49. PROPOSALS FOR NEW PROTECTED AREAS.**

(1) The Managing Director shall, in consultation with the Council, establish a Standard Protected Area Proposal for new Protected Areas.

(2) The Regulation shall prescribe Standard Protected Area Proposal form.

**50. NATIONAL PROTECTED AREAS.**

The Authority may, in accordance with Section 22(1), establish a National Protected Area following the set guidelines for establishing Protected Areas.

**51. REGIONAL PROTECTED AREAS.**

A Provincial Government may establish a Protected Area following the set guidelines for establishing Protected Areas.

**52. LOCAL-LEVEL GOVERNMENT PROTECTED AREAS.**

A Local-level Government may establish a Protected Area following the set guidelines for establishing Protected Areas.

**53. CUSTOMARY LANDOWNER PROTECTED AREAS.**

(1) An Incorporated Land Group may establish a Protected Area following the set guidelines for establishing Protected Areas on incorporated customary land.

(2) A customary landowner may, in consultation with the landowning clan, establish a Protected Area following the set guidelines for establishing Protected Areas on unincorporated customary land.

**54. REGISTRATION OF PROTECTED AREAS.**

An entry of a Protected Area in the Papua New Guinea Protected Area Network Register is evidence of the lawful existence and recognition of the Protected Area.

**55. DEREGISTRATION OF PROTECTED AREAS.**

(1) Where there is an inconsistency with this Act and the use or likely use of a Protected Area or a part of a Protected Area, the National Executive Council shall, acting on the advice of the Authority, publish in the National Gazette the deregistration of a Protected Area.

(2) The deregistration under Subsection (1) shall -  
(a) permanently remove a Protected Area; or  
(b) temporarily remove a Protected Area,  
from the Papua New Guinea Protected Area Network Register.

**56. APPEAL PROCEDURE.**

(1) A person or corporation aggrieved by the deregistration of a Protected Area shall appeal to the Managing Director and then to the National Court if no response is given from the Managing Director.

(2) The procedures for the appeal made under Subsection (1) shall be prescribed in the Regulations.

**57. REVIEW OF PROTECTED AREAS.**

(1) A public review of all Protected Areas shall be conducted every five years to assess the progress and social well-being of communities within the Protected Areas.

(2) A public review for all Protected Area in existence at the time this Act comes into effect shall be conducted within five years after this Act comes into effect.

(3) The Managing Director shall review a Protected Area, six months before the times referred to in Subsection (1) and (2) if a review has not been conducted within three months before the times stipulated.

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- (4) The review shall comprise of -
- (a) public consultations in the Protected Area; and
  - (b) an inquiry into all aspects of the Protected Area; and
  - (c) a record of the consultation and inquiry; and
  - (d) the records that shall be made available online.

(5) The Council shall record the review and take appropriate action to address issues identified in the review.

## **PART VII. - FINANCE FOR PROTECTED AREAS.**

### **58. FINANCE.**

(1) The Authority shall receive funds, goods and services for the Protected Area Network from any lawful source including but not limited to appropriations from -

- (a) the National Budget; and
- (b) the Biodiversity and Climate Fund; and
- (c) biodiversity offsets; and
- (d) eco-system services; and
- (e) international agencies.

(2) The Authority shall provide an annual budget for a Protected Area which shall be appropriated according to each Protected Area.

### **59. BIODIVERSITY AND CLIMATE FUND.**

(1) The Authority shall, in consultation with stakeholders, establish a Biodiversity and Climate Fund to be managed by its Board of Trustees.

- (2) The Biodiversity and Climate Fund Board of Trustees shall -
- (a) function independently from government interference; and
  - (b) have a process for the selection and self-perpetuation of a board of trustees; and
  - (c) have its purpose and objectives defined through a multi stakeholder consultative process; and
  - (d) ensure the Fund supports the effective management of Protected Areas; and
  - (e) ensure the Fund is sustainably and equitably funded through -
    - (i) payments for biodiversity; and
    - (ii) eco-system services; and
    - (iii) biodiversity offsets; and
    - (iv) green taxes; and
    - (v) levies; and
    - (vi) fines; and
    - (vii) donations; and
    - (viii) other sources of government and non-governmental revenue.

### **60. SMALL GRANTS.**

(1) The Protected Areas Small Grants Program is established.

(2) The Authority shall donate grants directly to a local community as the Managing Director thinks fit for the establishment and management of a Protected Area.

(3) The Small Grants Program shall be funded from the Biodiversity and Climate Fund and any other lawful source of funding in accordance with this Act.

(4) The Regulations shall prescribe the form and conditions for the Protected Areas Small Grants Program.

**61. CONSERVATION BENEFIT SHARING AGREEMENTS.**

(1) A Conservation Benefit Sharing Agreement shall provide for the fair and equitable sharing of benefits to utilise resources, in accordance with the *Fairness of Transactions Act 1993*.

(2) The resources shall be utilised in the following manner:

(a) research and development on -

(i) the genetic; or

(ii) the biochemical,

composition of genetic resources; and

(b) subsequent application and commercialisation, subject to mutually agreed terms and monetary or non-monetary benefits.

(3) Where a benefits agreement is signed by a clan leader or other person acting or purporting to act on behalf of clan members, the signatory is -

(a) deemed a trustee for clan members either residing in the Protected Area or not; and

(b) deemed a trustee for future generations.

(4) A failure to register a benefits agreement does not invalidate the agreement unless the affected landowners apply to the Managing Director or a court of law to -

(a) amend a benefits agreement; and

(b) backdate the benefits agreement; and

(c) ensure benefits are equally distributed.

**62. REQUEST TO REVIEW AGREED TERMS.**

(1) Owners of Protected Areas who are aggrieved by the terms of a Conservation Benefit Sharing Agreement shall request the Managing Director to review the terms of the Agreement.

(2) If an owner is still aggrieved by the response of the Managing Director to the review of the Conservation Benefit Sharing Agreement, he may commence proceedings in the National Court.

**63. ANNUAL REPORT.**

(1) The Authority shall submit an annual report to Parliament at the end of every business year for National Protected Areas including -

(a) National Parks; and

(b) National Heritage Areas; and

(c) Special Management Areas; and

(d) National Maritime Sanctuaries; and

(e) Protected Areas under any other Act.

(2) The Authority is obligated to report on its compliance to international agreements, standards and laws applicable to National Protected Areas.

**64. AUDIT.**

(1) The internal auditor of the Authority shall, subject to the *Auditors Act 1989*, conduct an annual audit on funding and donations given to Protected Areas.

(2) A Papua New Guinea registered auditor shall conduct an annual audit on funding to Protected Areas that are more than K250,000.00 Consumer Price Index adjusted from 2017.

(3) The auditor shall submit a certificate of audit to the Authority after conducting the annual audit.

(4) The Authority may make the audit report and certificate of audit accessible to the public.

**65. CERTIFICATE OF AUDIT.**

If an owner of a Protected Area fails to produce a certificate of audit, the Authority shall -

- (a) administer the Protected Area directly; or
- (b) deregister the Protected Area.

**PART VIII. - MISCELLANEOUS.**

***Division 1. - Power to Request for Information.***

**66. REQUEST FOR INFORMATION.**

(1) The Managing Director or his delegate may, through a written notice -

- (a) request the owner or occupier of any premises or site to immediately provide for inspection, any -
  - (i) document; or
  - (ii) report; or
  - (iii) book; or
  - (iv) plan; or
  - (v) map; or
  - (vi) monitoring records,

or any information within reasonable time.

(2) The Managing Director may request the information under Subsection (1) regarding -

- (a) information required to be kept in accordance with this Act; or
- (b) activity likely to cause -
  - (i) substantial environmental harm to a Protected Area; or
  - (ii) serious environmental risk to a Protected Area; or
  - (iii) release of contaminants from any premises or site.

(3) The Managing Director may issue a notice to any person he believes on reasonable grounds has knowledge of a matter or possession or control of a document dealing with a matter for which information is required.

(4) The notice shall be in a prescribed form in the Regulation with the review or appeal procedure of the notice.

(5) A person who fails to comply with the request within a reasonable time under Subsection (1) is guilty of an offence.

- Penalty:
- (a) In the case of a person, a fine not exceeding K50,000.00 or imprisonment for a term not exceeding two years, or both; and
  - (b) In the case of a corporate body, a fine not exceeding K100,00.00.

Default Penalty: A fine not exceeding K10,000.00.



***Division 2. - Remedies and Sanctions.***

**67. RIGHT TO COMMENCE LEGAL ACTION.**

A person with a genuine interest to protect the environment, acting on -

- (a) his own capacity; or
- (b) behalf of customary landowners; or
- (c) behalf of an Incorporated Land Group,

may commence legal proceedings in the National Court.

**68. PRECAUTIONARY PRINCIPLE.**

(1) When a Protected Area is affected, the Protected Area Management shall apply the precautionary principles for prudent measures to be taken -

- (a) to avoid harm to the environment or cultural heritage; and
- (b) against damage arising directly or indirectly from harm.

(2) A person has a duty to mitigate any environmental threat to a Protected Area arising from human activities leading to direct or indirect harm of irreversible damage that may be scientifically uncertain.

(3) A person who causes or attempts to cause an act of environmental harm is *prima facie* imprudent where there is -

- (a) evidence of a threat of irreversible damage to a Protected Area; or
- (b) scientific uncertainty as to the extent of damage or possible damage.

(4) An owner of a Protected Area shall take proportionate precautionary measures to avoid the anticipated threat of environmental damage by considering -

- (a) the degree of seriousness of the threat; and
- (b) the reversibility of the threat; and
- (c) any degree of uncertainty over the reversibility of the threat.

(5) The precautionary principle shall not be used to avoid all risks and measures but shall be adopted to avoid anticipated threat of environmental damage proportionate to the potential threats.

**69. DUTY NOT TO CAUSE DAMAGE.**

(1) A person who has control over a Protected Area shall take precautionary measures when dealing with species or nature that is living, non-living, moving or stationary.

(2) Where a person under Subsection (1) fails to take precautionary measures, the person shall be deemed to have caused a danger to the environment or cultural heritage value.

**70. PROTECTED AREA IN PERIL.**

(1) A person who, for his own purpose, allows on his land or the land of another, an activity that -

- (a) does or is likely to cause harm if it escapes into a Protected Area; or
- (b) directly or indirectly causes harm such as pollution, fire or flooding into a Protected Area,

does so at his peril, and is answerable for the damage in the affected Protected Area.

(2) The Managing Director or the landowners of a Protected Area may issue a written notice to the person regarding the harm caused by the activity if the mischief continues.

(3) Where a person continues to cause mischief or harm, the Managing Director or the owners of a Protected Area, shall initiate legal proceedings in the National Court for legal remedy.

**71. APPOINTMENT OF DESIGNATED OFFICER.**

(1) The Managing Director may, in accordance with Section 21, by notice in the National Gazette, appoint a qualified public servant with good community standing to be a designated officer.

(2) The list of qualifications of the designated officer shall be prescribed in the Regulations.

(3) An appointment under Subsection (1) may specify the powers of the designated officer with respect to particular classes of activity or provisions of this Act.

**72. EXPERTISE OF DESIGNATED OFFICER.**

(1) The Managing Director shall, in making an appointment under Section 71, ensure that a person has the expertise to conduct the duties of a designated officer.

(2) The Managing Director may, by notice in the National Gazette, revoke any appointment of a designated officer.

***Division 3. - Offences.***

**73. GENERAL OFFENCE.**

(1) A person who carries out an activity that contravenes this Act is guilty of an offence.

Penalty: (a) In the case of a person, a fine not exceeding K50,000.00 or imprisonment for a term not exceeding five years, or both; and  
(b) In the case of a corporation a fine not exceeding K100,000.00.

Default penalty: A fine not exceeding K10,000.00.

(2) A person who has powers to prevent any mischief or harm in a Protected Area in accordance with an order of the National Court, but fails to do so, is guilty of an offence and is liable to a fine in accordance with Subsection (1).

**74. AGGRAVATED OFFENCE IN A PROTECTED AREA.**

(1) A person commits an aggravated offence, if the person's conduct -

- (a) results in pollution to a Protected Area; or
- (b) has the potential to cause pollution to a Protected Area.

Penalty: A fine not exceeding K50,000.00 or a term of imprisonment not exceeding five years.

(2) The Court may, in determining if a person's conduct resulted in pollution in a Protected Area, consider the following:

- (a) the harm or potential harm to the environment or cultural heritage; and
- (b) the size of the affected environment; and
- (c) the sensitivity of the affected environment; and
- (d) the significance of the affected environment; and
- (e) the prohibition of certain activities; and
- (f) the harm is irreversible; and
- (g) the measures required to remedy the harm; and

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- (h) the carrying out of certain activities are subject to certain conditions; and
- (i) the precautionary principle; and
- (j) whether or not any harm or potential harm arose from any recklessness or negligence according to the law of standard of care of a reasonable person.

(3) A person charged with an aggravated offence shall have the relevant aggravated offence specified.

### **75. PROSPECTING.**

(1) A person who removes anything naturally occurring, living, inanimate or a cultural heritage object from a Protected Area, shall obtain written consent from the Managing Director or his delegate.

(2) A person who does not obtain written consent of the Managing Director under Subsection (1) before removing -

- (a) animate or biological matter; or
- (b) minerals and earths; or
- (c) cultural heritage and artifacts of value,

is guilty of an offence.

- Penalty:
- (a) In the case of a person, a fine not exceeding K125,000.00 or imprisonment for a term not exceeding five years; and
  - (b) In the case of a corporate body, a fine not exceeding K200,000.00.

(3) A Village Court has the jurisdiction to grant appropriate fines if the person in breach of Subsection (1) is a customary landowner and the damage caused is of minimal impact on the biological integrity or cultural heritage value.

- Penalty: A fine not exceeding K1,000.00 or imprisonment for a term not exceeding one year.

### **76. DESTRUCTION AND POLLUTION.**

(1) A person who directly or indirectly pollutes or causes the destruction of an area of land, nature or species in a Protected Area is guilty of an offence.

- Penalty:
- (a) In the case of person, a fine not exceeding K50,000.00 or imprisonment for a term not exceeding five years; and
  - (b) In the case of a corporate body, a fine not exceeding K200,000.00.

(2) A person who directly or indirectly aids, abets or procures the destruction, degrading or lessening of a Protected Area or areas protected by this Act is guilty of an offence.

- Penalty:
- (a) In the case of person, a fine not exceeding K50,000.00 or imprisonment for a term not exceeding five years; and
  - (b) In the case of a corporate body, a fine not exceeding K200,000.00.

(3) Where a person contravenes Subsection (1), the Authority or a person with the right to commence an action pursuant to Section 67, may apply to the Court for relief.

**77. ENVIRONMENTAL DAMAGE.**

Any person, corporation or government entity that is in charge or has control over living, inanimate, moving or stationary objects or species in a Protected Area that -

- (a) fails to exercise care and precaution in the use or management of the Area; or
  - (b) is reckless and negligent in taking reasonable care and precaution,
- to avoid danger, is guilty of an aggravated offence.

**78. MARITIME OFFENCE.**

A ship master who fails to be on the bridge of the ship one hour before approaching and during transit through a Particularly Sensitive Sea Area or a Marine Protected Area, is guilty of an offence.

Penalty: A fine not exceeding K100,000.00.

**79. MARINE POLLUTION OFFENCE.**

A person or corporate body who has the duty to ensure marine safety but fails to provide adequate clean-up equipment to prevent pollution from a marine accident -

- (a) in a Particularly Sensitive Sea Area; or
  - (b) in a Marine Protected Area,
- is guilty of an offence.

Penalty: A fine not exceeding K100,000.00.

**PART IX. - REPEAL AND TRANSITIONAL PROVISIONS.**

**80. REPEAL.**

The *Conservation Areas Act* (Chapter 362) and *Fauna (Protection and Control)* (Chapter 154) are hereby repealed in whole or in part.

**81. TRANSITIONAL AND SAVINGS PROVISIONS.**

A person who, immediately before the coming into operation of this Act, was appointed as -

- (a) a ranger under the *Conservation Areas Act* (Chapter 362); or
- (b) an analyst or authorised officer under the *Environment Act 2000*; or
- (c) a ranger under the *Fauna (Protection and Control) Act* (Chapter 155) and the *Crocodile (Trade Protection) Act* (Chapter 213),

shall, on the coming into operation of this Act, continue to hold that position, as nearly as may be, and perform the functions and exercise the powers of the position as if he were appointed and authorised to perform the functions and exercise the powers under this Act, until such time as the appointment is revoked or a new appointment is made under this Act.

**82. ACTIONS, ETC., NOT TO ABATE.**

Where, immediately before the coming into operation of this Act, any appeal, action, arbitration or proceeding, was pending, or any cause of action was pending or existed in respect of any licence, permit or approval granted, renewed or continued in existence under an Act repealed by Section 80, in whole or in part, such action, arbitration or proceeding or cause of action does not abate and is not affected by the coming into operation of this Act, but it may be prosecuted, continued and enforced as if this Act has not been made.

**83. REGULATION.**

The Head of State may, acting on advice, 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.

**SCHEDULE 1.**

**THE FIVE PILLARS OF THE PROTECTED AREA NETWORK.**

Sec. 4(1)(b).

Pillar 1	Protected Areas: Governance and Management Arrangements.
Pillar 2	Sustainable Livelihoods for Communities.
Pillar 3	Effective and Adaptive Biodiversity Management.
Pillar 4	Managing the Protected Areas Network.
Pillar 5	Sustainable and Equitable Financing for Protected Areas, whose principles are set out in detail in the Government Publication "Papua New Guinea Policy on Protected Area, 2014 especially but not exclusively, pp 11-16 of the Policy.

**SCHEDULE 2.**

**EXISTING PROTECTED AREAS.**

Sec. 47(2).

Protected Areas include the following:

	<b>Name.</b>	<b>Province.</b>	<b>Area.</b>	<b>Declaration Date.</b>
1	Bagiai WMA	Karkar Island, Madang Province	Wildlife Management Area 13,760 ha.	27 January 1977
2	Baiyer River Sanctuary	Baiyer, Western Highlands Province	National Park 741 ha.	13 January 1968
3	Balek Wildlife Sanctuary	Madang Province	Wildlife Management Area 470 ha.	4 August 1977
4	Baniara Island	Milne Bay Province	Wildlife Management Area 200 ha.	13 February 1975
5	Cape Wom Memorial Park	East Sepik Province	National Park 165.42 ha.	18 October 1973
6	Crown Island	Madang Province	Wildlife Management 58,969 ha.	24 November 1993
7	Crater Mountain	Eastern Highlands, Simbu, Gulf and Madang Provinces	Wildlife Management Area 27,000 ha.	25 November 1993
8	Garu	West New Britain Province	Wildlife Management Area 8,700 ha.	9 December 1976

**Protected Areas**

9	Hombareta	Oro Province	Wildlife Management Area 130 ha.	6 March 1997
10	Horseshoe Reef	Central Province	Wildlife Management Area 395.9 ha.	9 June 1981
11	Hunstien Ranges	East Sepik Province	Wildlife Management Area 220,000	13 November 1997
12	Iomare	Central Province	Wildlife Management Area 3,827.50 ha.	24 December 1987
13	Jimi (Ruti) Valley National Park	Jiwaka Province	National Park 4,189 ha.	31 October 1991
14	Kamiali	Morobe Province	Wildlife Management Area 47,413 ha.	19 September 1996
15	Kavakuna Caves	East New Britain Province	Wildlife Management Area	27 April 1997
16	Klampun	East New Britain Province	Wildlife Management Area 5,200 ha.	4 September 2003
17	Kokoda Memorial Park	Oro Province	Memorial Park	24 September 1981
18	Kokoda Historical Track	Central and Oro Provinces	Reserved under <b><i>Mining Act 1992</i></b>	10 September 2015
19	Lake Lavu	Milne Bay Province	Wildlife Management Area 2,640 ha.	5 March 1981
20	Lake Kutubu	Southern Highlands Province	Wildlife Management Area 4,924 ha.	25 June 1992
21	Laugum Marine	Madang Province	Wildlife Management Area 72.95 ha.	26 January 2006
22	Libano-Arisai	Southern Highlands Province	Wildlife Management Area 3,964 ha.	7 February 2008
23	Libano-Hose	Southern Highlands Province	Wildlife Management Area 7,736 ha.	7 February 2008
24	Lihir Island	New Ireland Province	Wildlife Management Area 1,980 ha.	6 June 1991
25	Lorko	West New Britain Province	National Park 100 ha.	10 October 1991
26	Maza	Western Province	Wildlife Management Area 184,230 ha.	21 December 1978

*Protected Areas*

27	McAdams	Morobe Province	National Park 2,081 ha.	22 February 1962
28	Moitaka Sanctuary	National Capital District	National Park 42 ha.	27 June 1989
29	Mojirau	East Sepik Province	Wildlife Management Area 5,079 ha.	22 June 1978
30	Mount Gahavisuka	Eastern Highlands Province	National Park 77.40 ha.	27 July 1989
31	Mount Kaindi	Morobe Province	Wildlife Management Area 1,502 ha.	15 March 1990
32	Mount Susu	Morobe Province	Reserve 260 ha.	-
33	Mount Wilhelm	Simbu Province	National Park 817 ha.	17 May 1990
34	Namanatabu	Central Province	Reserve 29 ha.	15 March 1979
35	Nanuk Island	East New Britain Province	National Park 12 ha.	9 December 1973
36	Ndolowa	Manus Province	Wildlife Management Area 5,850 ha.	28 March 1985
37	Neiru (Aird Hills)	Gulf Province	Wildlife Management Area 3,984 ha.	24 December 1987
38	Nuserang	Morobe Province	Wildlife Management Area	9 October 1986
39	Oia Mada Wara	Milne Bay Province	Wildlife Management Area 22,840 ha.	6 August 1981
40	Paga Hill Scenic Reserve	National Capital District	National Park 13.12 ha.	10 September 1987
41	Pirung	Autonomous Region of Bougainville	Wildlife Management Area 43,200 ha.	25 May 1989
42	Pokili	West New Britain Province	Wildlife Management Area 9,840 ha.	26 June 1975
43	Ranba	Madang Province	Wildlife Management Area 41,922 ha.	30 June 1977
44	Ranba Sanctuary	Madang Province	Wildlife Management Area 15,724 ha.	4 August 1977
45	Sawataetae	Milne Bay Province	Wildlife Management Area 700 ha.	30 June 1977
46	Sinum Island	Southern Highlands Province	Wildlife Management Area 11.80 ha.	26 June 2006

### *Protected Areas*

47	Siwiutame	Southern Highlands Province	Wildlife Management Area 12,540 ha.	27 January 1977
48	Sulamesi	Southern Highlands Province	Wildlife Management Area 864,451 ha.	7 February 2008
49	Tab Island	Madang Province	Wildlife Management Area 984.30 ha.	26 January 2006
50	Tabad Island	Madang Province	Wildlife Management Area 16.2 ha.	26 January 2006
51	Talele Islands Nature Reserve	East New Britain Province	Reserve 12 ha.	26 July 1977
52	Tavalo	West New Britain Province	Wildlife Management Area 20 ha.	-
53	Tondo	Western Province	Wildlife Management Area 590,000 ha.	6 February 1975
54	Variarata Natonal Park	Central Province	National Park 1,063 ha.	18 December 1969
55	Wewak War Memorial site	East Sepik Province	Reserve 1.09 ha.	24 April 1969
56	Zo-iomaga	Central Province	Wildlife Management Area 1,510 ha.	15 March 1981
57	YUS	Morobe Province	Conservation Area 75,000 ha.	9 January 2019

### SCHEDULE 3.

#### EXPRESSION OF INTEREST TO DECLARE A PROTECTED AREA.

Sec. 25(3).

#### **Part A. PNG Protected Area Management Form No. PA1: Expression of Interest to declare a Protected Area.**

*Note: This Form No. PA1 is to be completed by hand (print and complete) or complete Form No. PA2 electronically.*



**Section 1: Basic Information.**

<b>Question</b>	<b>Your answer</b>
<p>1. Name of the proposed Protected Area.</p> <p><i>Include the proposed name or the name of the general location of the proposed area.</i></p>	
<p>2. Date of this proposal.</p> <p><i>Enter the date of this proposal (dd/mm/yyyy).</i></p>	
<p>3. Name of person(s) or group(s) that are proposing this Protected Area.</p> <p><i>This may include one or many individuals or groups. Please enter all names or attach a list of names to this form and write 'list attached' as your answer.</i></p>	
<p>4. Contact person 1.</p> <p><i>Include details of a person who can send and receive information about the proposal.</i></p>	<p>Name:</p> <p>Email:</p> <p>Phone number:</p>
<p>5. Contact person 2.</p>	<p>Name:</p> <p>Email:</p> <p>Phone number:</p>

## Protected Areas

<p>6. Who has contributed to making this proposal?</p> <p><i>Tick all the boxes that apply. Include the main contributors who have helped to write the proposal. Add any details e.g.; name of the government department or NGO. You can include as many people or groups as you wish.</i></p>	<div style="display: flex; flex-direction: column; gap: 5px;"> <input type="checkbox"/> Customary landowners             <input type="checkbox"/> Civil society/non-government organisation             <input type="checkbox"/> Government officer/s             <input type="checkbox"/> Scientist             <input type="checkbox"/> Other people         </div> <p>Details:</p>
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### Section 2: Why is this proposed Protected Area important?

<b>Question</b>	<b>Your answer</b>
<p>7. In brief, why do you think this area should be a Protected Area?</p> <p><i>What are you trying to protect or lukautim? Include information that explains 'what you like about your protected area' e.g.; the cultural and traditional sites, plants and animals, scenery and any others.</i></p>	

*Protected Areas*

<p>8. Does the proposed Protected Area include any of the following?</p> <p><i>Tick all the landscapes and seascapes that are included in your proposal. More details can be provided in Q9.</i></p>	<p><input type="checkbox"/> Land (terrestrial)</p> <p><input type="checkbox"/> Freshwater areas (river, seasonal swamps and lakes)</p> <p><input type="checkbox"/> Mountains</p> <p><input type="checkbox"/> Marine deep-water areas (deep water far from the shore)</p> <p><input type="checkbox"/> Marine near-shore marine areas including reefs and seagrass beds</p> <p><input type="checkbox"/> Saltwater estuaries including mangrove areas</p> <p><input type="checkbox"/> Caves and other special land or sea features</p> <p>If you ticked any of the above boxes, please indicate the approximate size (e.g.; area in hectares and or length or height) of the feature and a description below).</p>
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## Protected Areas

<b>Question</b>	<b>Your answer</b>
<p>9. Describe the proposed Protected Area, such as the kinds of landscapes or sea country, plants and animals you see or know about. Also include anything of special cultural or historic importance.</p> <p><i>Attach a description to this form if necessary and write 'information attached'. You could also send some photographs, maps, drawings or recordings to show us better.</i></p>	

### Section 3: Where is the Protected Area?

<b>Question</b>	<b>Your answer</b>
10. In what Province(s) is the proposed Protected Area?	
11. In what District(s) is the proposed Protected Area?	
12. In what Local-level Government(s) is the proposed Protected Area?	
<p>13. Describe the general location of the proposed Protected Area.</p> <p><i>For example, 'the western side of xx island and the coral reef just offshore' or 'the hills and mountains behind x village'.</i></p>	

## Protected Areas

14. Name a big town that is near to the proposed Protected Area.	
15. What is the actual or estimated size of the proposed Protected Area (in hectares)?  <i>If you do not know this please enter 'don't know'</i>	
16. How can you access the proposed Protected Area?  <i>How can people get to the proposed Protected Area (e.g. by road, track, air, boat?). Mention if there are good roads or airstrips.</i>	

### Section 4: Protected Area purpose, types and proposal history.

Question	Your answer
17. What is the purpose of your proposal?  <i>Please tick one of the boxes. Attach more details if needed.</i>	<input type="checkbox"/> A new proposal for a new Protected Area <input type="checkbox"/> A change in type for an existing Protected Area <input type="checkbox"/> An expansion or joining of existing Protected Area/s <input type="checkbox"/> A reduction in the size of an existing Protected Area <input type="checkbox"/> A re-submission of a previous proposal Other (please explain below)

## *Protected Areas*

<p>18. If this proposed Protected Area has been formally protected, registered or gazetted in the past, please insert the name and type of protected area.</p> <p><i>Protected Areas in PNG have many names, including Wildlife Management Area, Locally Managed Marine Area, National Park, Conservation Area, Wildlife Sanctuary etc.; Indicate the 'type' of Protected Area. If it does not have a 'type' please insert 'not registered'.</i></p>	
<p>19. What type of Protected Area do you wish your proposed Protected Area to be registered as?</p> <p><i>The types of Protected Area included in the Protected Areas Act are listed. Please tick the box that indicates the type of Protected Area that you are proposing. If you are unsure you can tick more than one box, or enter 'not known' and this can be decided later.</i></p>	<p> <input type="checkbox"/> Not known  <input type="checkbox"/> National Park  <input type="checkbox"/> National Heritage Area  <input type="checkbox"/> Special Management Area  <input type="checkbox"/> National Marine Sanctuary  <input type="checkbox"/> Community Conservation Area  <input type="checkbox"/> Locally Managed Marine Area  <input type="checkbox"/> Locally Managed Conservation Area  <input type="checkbox"/> Private Protected Area  <input type="checkbox"/> Other (please provide details below)         </p>

## Protected Areas

<p>20. Why do you think this is the best type of Protected Area here?</p> <p><i>Please outline your reasons for selecting the type of Protected Area you have indicated in Q18. If you don't know, just leave this blank at this stage.</i></p>	
<p>21. If this area has been a proposal in the past, or has been identified in any land-use plan or prioritysetting studies, please provide details.</p> <p><i>If you don't know, leave this blank.</i></p>	

### Section 5: Landowners.

<b>Question</b>	<b>Your answer</b>
<p>22. Who owns the Protected Area?</p> <p><i>Please tick the relevant box.</i></p>	<p><input type="checkbox"/> Customary landowners</p> <p><input type="checkbox"/> Government</p> <p><input type="checkbox"/> Private owners</p> <p><input type="checkbox"/> Other (please explain below)</p>

## Protected Areas

Question	Your answer
<p>23. If owned by customary landowners, please provide names or names of the relevant clans.</p> <p><i>Enter the names of the customary landowners or the clans who own the proposed Protected Area. Attach a list to this form, if necessary and write 'information attached' in your answer.</i></p>	
<p>24. Is the ownership of the Protected Area clear?</p> <p><i>Please tick one of the boxes. If No - describe the key points of disagreement among the landowners.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If No (i.e. the ownership is not clear or is disputed), please explain what the issues are about.</p>
<p>25. Is there any documentation concerning land ownership?</p> <p><i>Please tick one of the boxes. If yes, indicate whether there has been any boundary mapping or social mapping. Please give details or attach a document to this form and insert 'information attached'.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please provide details of any documentation concerning the landownership of the Protected Area.</p>



## Protected Areas

<p>26. Indicate the level of support <b>by customary landowners</b> for this Protected Area.</p> <p><i>(Go to 'a' below) Note: Evidence that the identified customary landowners are entitled to speak on behalf of the land or sea will be required before a proposal is finalised.</i></p>	
<p>a) Customary landowners are making this proposal.</p> <p><i>Please tick one of the boxes.</i></p> <p>b) Customary landowners have been approached about this proposal.</p> <p><i>Please tick yes or no. Then explain your answer and provide more details. For example there may be disagreement among the landowners.</i></p>	<div style="border-top: 1px dashed black; margin-top: 0;"> <input type="checkbox"/> Yes (<i>Go to Q27</i>)  <input type="checkbox"/> No   <input type="checkbox"/> Yes  <input type="checkbox"/> No  <b>If yes, are they supportive?</b>  <input type="checkbox"/> Yes  <input type="checkbox"/> No  <input type="checkbox"/> Still unsure  Comments: </div> <div style="margin-top: 20px;"> <b>If no, why not?</b>  Comments: </div>

**Section 6: Support from government and stakeholders.**

Question	Your answer
27. Indicate the level of support by government for this proposal.  (Go to 'a' below)	
a) Local-level Government(s).  Please tick one of the boxes.	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low
b) Provincial Government(s).  Please tick one of the boxes.	<input type="checkbox"/> They support the proposal <input type="checkbox"/> They are unsure <input type="checkbox"/> They do not support the proposal <input type="checkbox"/> They have not yet been approached
c) National Government (CEPA).  Please tick one of the boxes.	<input type="checkbox"/> They support the proposal <input type="checkbox"/> They are unsure <input type="checkbox"/> They do not support the proposal <input type="checkbox"/> They have not yet been approached
28. Indicate the level of support by other stakeholders for this proposal.  This includes people with user rights in the Protected Area, non-government organisations, government agencies other than CEPA, scientists, etc.  Describe the support that has been provided.	<input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low  Comments (tell us about these stakeholders and the support they have provided):

**Section 7: Conclusion to Part A.**

<b><i>Question</i></b>	<b><i>Your answer</i></b>
29. Is there anything else you would like to tell us about this proposal?	

Please attach any relevant details or documents and provide a list of this information in the Summary Information (front page of this form).

This is the end of the Expression of Interest.

## Protected Areas

### Part B. PNG Protected Area Management Form No. PA2: Expression of Interest to declare a Protected Area.

*Note: This Form No. PA2 is to be completed electronically (digital version) or complete Form No. PA1 by hand (print and complete).*

#### Section 1: Basic Information.

Question	Your answer	Notes
1. Name of the proposed Protected Area	Enter name of Protected Area.	<i>Include the name of the proposed area.</i>
2. Date of this proposal	Click or tap to enter a date.	<i>Enter the date you made this proposal. Click on the calendar in 'your answer'.</i>
3. Name of person(s) or group(s) that are proposing this Protected Area	Enter names here	<i>This may include one or many individuals or groups. Please enter all names or attach a separate list (write 'list included' here).</i>
4. Contact person 1	Enter Name, Email address, Phone number.	<i>Include details of a person who can send and receive information about this proposal. Enter name, email address and phone number of the contact person for this proposal.</i>
5. Contact person 2	Enter Name, Email address, Phone number.	<i>See instructions above.</i>
6. Who has contributed to making this proposal?	<input type="checkbox"/> Customary landowners <input type="checkbox"/> Civil society/ Non-government organisation <input type="checkbox"/> Government officer(s) <input type="checkbox"/> Scientist <input type="checkbox"/> Other people  Comments: Insert details about contributors.	<i>Click on all the boxes that apply i.e. all the main contributors who have helped to write the proposal. Add details in the comment box, e.g., name of the government department or NGO. You can include as many people or groups as you wish.</i>
7. In brief, why do you think this area should be a Protected Area?	Click or tap here to enter text.	<i>What are you trying to protect or lukautim and why? Include information that explains 'what you like about your Protected Area' e.g., the cultural and traditional sites, plants and animals, scenery and any others.</i>

## Protected Areas

<p>8. Does the Protected Area include any of the following?</p> <p>a) Land (terrestrial)</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate size (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>For each part (a-g), check either Yes or No. Please attach any additional details about your Protected Area. If the answer is yes, include the size of the feature if you know this (don't worry if you don't- you can leave it blank). Then write a short description of the feature.</i></p>
<p>b) Freshwater areas (rivers, seasonal swamps and lakes)</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate size (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>The description may include the names of the rivers and lakes, their location and importance.</i></p>
<p>c) Mountains</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate height and area of the mountainous country (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>The description may include the name of any mountains, what vegetation they have, or habitat for particular species and their importance.</i></p>
<p>d) Marine deep-water areas</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate size (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>The description may include the name of the area and its importance for wildlife and the community.</i></p>
<p>e) Marine near shore areas including reefs, sea-grass beds</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate size (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>The description may include the extent of the near shore areas, whether there are coral reefs and fish, the importance of these areas and if there are any areas that are closed.</i></p>
<p>f) Saltwater estuaries including mangrove areas</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No</p> <p>If yes, include the approximate size (in hectares) and a description.</p> <p>Click or tap here to enter text.</p>	<p><i>The description may include the type of vegetation and the importance of the saltwater estuary to the community.</i></p>

### *Protected Areas*

<p>g) Caves and other special land or sea features</p>	<p><input type="checkbox"/> Yes  <input type="checkbox"/> No          If yes, include the approximate size (in hectares) and a description.  <input type="text" value="Click or tap here to enter text."/></p>	<p><i>The description may include the name of any caves or other features and why they are important.</i></p>
<p>9. Describe the proposed Protected Area, such as the kinds of landscapes or sea country and plants and the animals you see or know about. Also include anything of special cultural or historic importance</p>	<p><input type="text" value="Click or tap here to enter text."/></p>	<p><i>Include information on the physical environment, plants and animals, cultural and traditional sites and any others.          You can attach a more detailed description if you wish.</i></p>

## Protected Areas

### Section 2: Where is the Protected Area?

Question	Your answer	Notes
10. In what Province(s) is the proposed Protected Area?	<input type="text" value="Insert name of Province(s)."/>	
11. In what District(s) is the proposed Protected Area?	<input type="text" value="Insert names of District(s)."/>	
12. In what Local-level Government(s) is the proposed Protected Area?	<input type="text" value="Insert names of Local-level Government(s)."/>	
13. Describe the general location of the proposed Protected Area	<div>Click or tap here to enter text.</div> <hr/>	For example, 'the western side of xx island and the coral reef just offshore' or 'the hills and mountains behind x village'.
14. Name a big town that is near to the Protected Area	<div>Click or tap here to enter text.</div> <hr/>	
15. What is the size of the proposed Protected Area (in hectares)	<div>Click or tap here to enter text.</div>	Include the size of the Protected Area. If you do not know this please enter 'Don't know'.

## Protected Areas

16. How can you access the proposed Protected Area?	Click or tap here to enter text.  	<i>How can people get to the proposed Protected Area (e.g. by road, track, air, boat)? Mention if there are good roads or airstrips.</i>
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### Section 3: Protected Area purpose, types and proposal history.

<i>Question</i>	<i>Your answer</i>	<i>Notes</i>
17. What is the purpose of your proposal?	<input type="checkbox"/> A new proposal for a new Protected Area <input type="checkbox"/> A change in type for an existing Protected Area <input type="checkbox"/> An expansion or joining of existing Protected Area(s) <input type="checkbox"/> A reduction in the size of an existing Protected Area <input type="checkbox"/> A resubmission of a previous proposal <input type="checkbox"/> Other ( <i>please explain below</i> ) <div style="border: 1px solid black; padding: 2px;">Click or tap here to enter text.</div> If you selected 'other' in the list above, please provide details.	<i>Please tick one of the boxes. Attach more details, if needed and insert in the text box 'information attached'.</i>
18. If this proposed Protected Area has been formally protected, registered or gazetted in the past, please insert the name and type of Protected Area.	<div style="border: 1px solid black; padding: 2px;">Enter type of protected area.</div>	<i>Protected Areas in PNG have many names or types, including Wildlife Management Area, Locally Managed Marine Area, National Park, Conservation Area, Wildlife Sanctuary etc. Indicate the 'type' of Protected Area. If it does not have a 'type' please insert 'not registered'.</i>



## Protected Areas

Question	Your answer	Notes
19. What type of Protected Area do you wish your proposed Protected Area to be registered as?	<input type="checkbox"/> Not known <input type="checkbox"/> National Park <input type="checkbox"/> National Heritage Area <input type="checkbox"/> Special Management Area <input type="checkbox"/> National Marine Sanctuary <input type="checkbox"/> Community Conservation Area <input type="checkbox"/> Locally Managed Marine Area <input type="checkbox"/> Locally Managed Conservation Area <input type="checkbox"/> Private Protected Area <input type="checkbox"/> Other (please provide) If you selected 'other' in the list above, please provide details.	<i>In PNG there are many types of protected areas. These are listed in the check boxes. Please select the type of protected area that you are proposing. If you are unsure you can select more than one item, or enter 'not known' and this can be decided later.</i>
20. Why do you think this is the best type of Protected Area here?	<div>Write your reasons here.</div>	<i>Please outline your reasons for selecting the type of Protected Area you have indicated in Q18. If unknown, leave blank.</i>
21. If this area has been a proposal in the past, or has been identified in any land-use plan or priority-setting studies, please provide details.	<div>Click or tap here to enter text.</div>	<i>If you don't know, leave this blank.</i>

## Protected Areas

### Section 4: Landowners.

<i>Question</i>	<i>Your answer</i>	<i>Notes</i>
22. Who owns the Protected Area?	<input type="checkbox"/> Customary landowners <input type="checkbox"/> Government <input type="checkbox"/> Private owners <input type="checkbox"/> Other (please explain below) If you selected 'other' in the list above, please provide details.	<i>Please tick the relevant box and provide details, where necessary.</i>
23. If owned by customary landowners, please provide names of the relevant clans.	<div>Click or tap here to enter text.</div>	<i>Enter the names of the customary landowners or the clans who own this Protected Area. Attach a list to this form, if necessary and write 'information attached' in your answer.</i>
24. Is the ownership of the Protected Area clear?	<input type="checkbox"/> Yes <input type="checkbox"/> No If no (i.e. the ownership is not clear or disputed), please explain what the issues are about. <div>Click or tap here to enter text.</div>	<i>Please select one of the boxes.</i>
25. Is there any documentation concerning land ownership?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide details of any documentation concerning the land ownership. <div>Click or tap here to enter text.</div>	<i>Please select one of the boxes. If yes, indicate whether there has been any boundary mapping or social mapping. Please give details or attach a document to this form and insert 'information attached'.</i>

## Protected Areas

<p>26. Indicate the level of support by customary landowners for this Protected Area (refer to a) and b))</p> <p>a) Customary landowners are making this proposal</p>	<p><input type="checkbox"/> Yes (If Yes, go to Q27)</p> <p><input type="checkbox"/> No</p>	<p><i>Note: Evidence that the identified customary landowners are entitled to speak on behalf of the land or sea will be required before a proposal is finalised.</i></p> <p>Select Yes or No.</p>
<p>b) Customary landowners have been approached about this proposal</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><b>If Yes, are they supportive?</b></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Still unsure</p> <p>Include comments here.</p> <p><b>If not approached yet, explain why?</b></p> <p>Include comments here.</p>	<p>Select Yes or No. Then explain in the text box.</p>

### Section 5: Support from government and stakeholders.

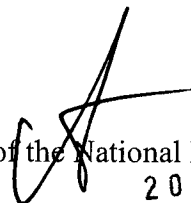
Question	Your answer	Notes
<p>27. Indicate the level of support by government for this proposal (refer to a), b) or c)</p> <p>a) Local-level Government(s)</p>	<p><input type="checkbox"/> High</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> Low</p>	<p>Include some information about the level of support for the Protected Area by each of the levels of government outlined in a-c below.</p> <p>Select one of the responses listed.</p>
<p>b) Provincial Government(s)</p>	<p>Choose an item.</p>	<p>Select one of the responses listed in the drop down list.</p>
<p>c) National Government (CEPA)</p>	<p>Choose an item.</p>	<p>Select one of the responses listed in the drop down list.</p>
<p>28. Indicate the level of support by other stakeholders for this proposal.</p>	<p><input type="checkbox"/> High</p> <p><input type="checkbox"/> Medium</p> <p><input type="checkbox"/> Low</p> <p><input type="checkbox"/> Mixed (some supportive, some not)</p> <p>Tell us about these stakeholders and the support they have provided.</p>	<p>This includes people with user rights in the Protected Area, non-government organisations (which ones), government agencies other than CEPA (which ones), scientists, etc. In the comment box describe the support that has been provided. You can include an attachment if needed.</p>

## *Protected Areas*

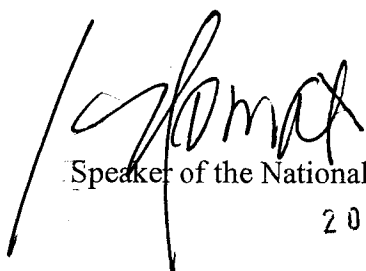
### **Section 6: Conclusion to Form B.**

<b><i>Question</i></b>	<b><i>Your answer</i></b>	<b><i>Notes</i></b>
29. Is there anything else you would like to tell us about this proposal?	Click or tap here to enter text.	<i>There may be something important about your Protected Area that you need to tell us, and which has not been covered in the questions above.</i>

I hereby certify that the above is a fair print of the *Protected Areas Act 2024* which has been made by the National Parliament.

  
Clerk of the National Parliament.  
20 NOV 2024

I hereby certify that the *Protected Areas Act 2024* was made by the National Parliament on 20 February 2024 by an absolute majority in accordance with the *Constitution*.

  
Speaker of the National Parliament.  
20 NOV 2024