



Ministry of Information and Communications Technology

Office of the Minister

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STATUTORY NOTICES ANNOUNCING OFFENCES UNDER THE DIGITAL GOVERNMENT ACT 2022 RELEASED ONLINE

Media Release – 10th October 2022

It is now a summary offence under the *Digital Government Act 2022* for a public body acting through a public servant or a body corporate in Papua New Guinea to adopt or purchase an information and communication technologies (ICT) project design or submit an ICT project design for Public Investment Program (PIP) and State Guaranteed funding in Papua New Guinea without a Certificate of Compliance. If convicted at the District Court, a person will pay a fine of not more than five thousand kina, or serve a prison term of not more than 12 months, or both.

It is also a criminal offence for a person conducting ICT business with a public body under a contract or agreement that does not comply with the Digital Government Act 2022 by 8 August 2025.

This was confirmed by the Papua New Guinea Minister for Information and Communications Technology, Timothy Masiu.

“To the public bodies and public servants out there in Papua New Guinea including those of us at the provincial and district administrations, whether you are in Port Moresby or at the province and district; the days of each public body or public servant making their own information and communication technologies (ICT) project designs and rushing to the Department of National Planning and competing for PIP or State Guaranteed funding, or listing these ICT project designs for public tender are now gone, since 8 August 2022 when the Digital Government Act 2022 came into force.”

“The same message goes out to actual or potential suppliers of ICT goods and services to the government. Please know that a person conducting ICT business with a public body under a contract or agreement in place prior to 8 August 2022 has until 8 August 2025 to comply with the other provisions of the Digital Government Act 2022. A person conducting ICT business with a public body under a contract or agreement that is in breach of the Digital Government Act 2022 will pay a fine not exceeding K1 million or serve a prison term not exceeding seven years, or both, after their conviction by the National Court.”

“The Marape-Rosso government is continuing the ICT reform of the public sector it started in 2020 under the digital transformation policy by coordinating government procurement and funding of ICT through the Papua New Guinea Department of Information and Communications Technology as of 8 August 2022.”

Minister Masiu said that parliament had added a new layer of compliance for all public bodies, public servants and providers of ICT goods and services to follow as part of the government’s vision to standardize government ICT use, procurement and budgeting.

Minister Masiu said that government had to do this to stop unnecessary public expenditure and wasteful duplication of ICT resources, and to enforce standard ICT practice throughout public bodies at the national, provincial and district levels of government administration.

Minister Masiu has directed the Department of Information and Communications Technology legal team to prosecute summary offenders under the Digital Government Act 2022 as soon as possible. He said that criminal offences are prosecuted by the Public Prosecutor and he has directed his departmental head to ensure that a working relationship is established immediately with the Office of Public Prosecutor for enforcement support.

Statutory notices informing public bodies, public servants and our ICT service providers can be found online. Please visit <https://www.ict.gov.pg/notices/> to download an official copy of:

- Notice 01/2022 – Notice in Relation to Certificate of Compliance for Public Investment Program and State Guaranteed Funding for an ICT Project Design; and
- Notice 02/2022 – Notice in Relation to the Approval of an ICT Project Design for Adoption or Purchase.

The Digital Government Act 2022 is also available online for download. Please visit https://www.parliament.gov.pg/uploads/acts/22A_41.pdf for a certified copy.

Authorized for immediate release


HON. TIMOTHY MASIU, MP
Minister for Information & Communication Technology
And Member for South Bougainville

