



DEPARTMENT OF INFORMATION AND COMMUNICATIONS TECHNOLOGY

Office of the Secretary

NOTICE 03/2022

8 August 2022

SUBJECT: NOTICE IN RELATION TO DIGITAL TRANSFORMATION OFFICERS

1.0 JURISDICTION

1.1 Authority

The Papua New Guinea Parliament enacted the *Digital Government Act 2022* (DGA) on 21 April 2022 and the DGA came into force on 8 August 2022. Pursuant to Section 5 of the DGA, the Departmental Head of the Department of Information and Communications Technology (DICT) is to administer the DGA.

1.2 Notice

This Notice is issued under Section 54 of the DGA whereby the Departmental Head of the DICT may issue Notices to support enforcement of the DGA.

2.0 APPLICATION

2.1 Public bodies

This Notice applies to a 'public body' within the meaning of the DGA. Under Section 2 of the DGA, a public body means:

- (a) any agency which is part of the state services established under Part VII and Part VIIA of the Constitution; and
- (b) any statutory body as defined under the Public Finances (Management) Act 1995; and
- (c) a Provincial Government or Local-level Government established under the Organic Law on Provincial Governments and Local-level Governments,

but does not include a majority owned state-owned enterprise.

3.0 PURPOSE

3.1 Designation of Digital Transformation Officers

Under Section 9(1) of the DGA, it is mandatory for a public body to designate a Digital Transformation Officer for the purposes of the DGA. A public body is required to designate their Digital Transformation Officer before 8 August 2025.

3.2 What is a Digital Transformation Officer required to do?

Section 9(2) of the DGA lists the statutory functions of a Digital Transformation Officer and these are to:

- co-ordinate with the DICT and digital transformation matters; and
- facilitate integration and interoperability of the systems of the public body; and
- facilitate delivery of digital services by the public body; and
- manage the electronic data in the public body; and
- provide ICT reports and feedback on a quarterly basis to the DICT or as requested by the DICT Secretary.

3.3 If a public body does not have a Digital Transformation Officer, how can they comply?

Section 9(3) of the DGA makes it mandatory for the head of a public body in this situation to nominate an officer of the public body to perform the statutory functions of a Digital Transformation Officer until such time as a Digital Transformation Officer has been designated.

3.4 I need help to perform my statutory functions. Will I receive support?

Yes. Section 9(4) of the DGA makes it mandatory for the DICT, in collaboration with other relevant agencies, to take all steps necessary to develop and ensure digital skills and digital government capacity building programs are available to Digital Transformation Officers.

4. ENFORCEMENT

Under Section 58(3) of the DGA, a person who fails to comply with a provision of the DGA for which no specific penalty is provided, is guilty of an offence. Upon conviction for the offence, a court may impose a penalty:

- (a) In the case of an offence by a natural person, a fine not exceeding K5,000.00, or imprisonment for a period not exceeding 12 months, or both; and
- (b) In the case of an offence by a body corporate, a fine not exceeding K10,000.00.

For the purpose of this Notice, Section 59 of the DGA also applies.

5.0 EFFECTIVE DATE

This Notice is deemed to have taken effect on 8 August 2022.

6.0 HELP DESK

Should you require further information, please send an email to helpdesk@ict.gov.pg

DocuSigned by:

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STEVEN MATAINAHO
Secretary of DICT
Date: 12 September 2022

