

1540 COMMITTEE MATRIX OF PAPUA NEW GUINEA

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

PAPUA NEW GUINEA

Date of First Report

24 April 2008

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 13 January 1982	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	Treaty of Rarotonga 15 September 1989	
3	Convention for the Suppression of Acts of Nuclear Terrorism			
4	Convention on Physical Protection of Nuclear Material (CPPNM)			
5	2005 Amendment to the CPPNM			

6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	?	Signed 25 September 1996	
7	Chemical Weapons Convention (CWC)	X	Deposit 17 April 1996	
8	Biological Weapons Convention (BWC)	X	Deposit 27 October 1980	
9	Geneva Protocol of 1925	X	Deposit 11 December 1980	
10	Other Conventions/Treaties	X	State Party to 8 of the 19 universal legal instrument against terrorism, including the following relevant to resolution 1540 (2004): 1997 International Convention for the Suppression of Terrorist Bombings 1999 International Convention for the Suppression of the Financing of Terrorism Waigani Convention (Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region)"	
11	International Atomic Energy Agency (IAEA)	X	Since 2012	
12	Hague Code of Conduct (HCOC)	X	Subscribed 25 November 2002	
13	Other Arrangements	X	WCO SAFE Framework of Standards to secure and facilitate global trade Proliferation Security Initiative (PSI) Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and of the European Community and its Member States (Cotonou Agreement)	
14	General statement on non-possession of WMD	X	State reported that it does not...possess...nuclear, chemical or biological weapons and their means of delivery	
15	General statement on commitment to disarmament and non-proliferation	X	State reported that it is committed to disarmament and non-proliferation	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it is supportive of the objectives of UNSCR 1540 and does not support in any way or form, activities that may assist and/or encourage non-State actors to commit or attempt acts contrary to the objectives of the Resolution	
17	Other ¹	X	WCO WHO OIE INTERPOL IMO	

			Oceania Customs Organisation (OCO) Asia/Pacific Group of FATF. APEC, which issued its Elements of Effective Export Controls	
1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.				

OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	CW	BW		N W	CW	B W		
1	manufacture/produce		?	?	CW/BW: Firearms Act 1978, as amended, Section 7A [Section 2: "bomb" consists of...or contains...any ...noxious liquid, noxious gas or other noxious thing; "firearm" includes rifle or gun from which ...irritant liquid, gas or powder or other substance capable of causing bodily harm, can be discharged] Internal Security Act 1993, Section 3 [firearm and bomb as interpreted in Firearms Act 1978]		?	?	CW/BW: Firearms Act 1978, as amended, Section 7A penalty [listed separately from offense] Internal Security Act 1993, Section 3 [penalty listed separately from offense]	
2	acquire									
3	possess		?	?	CW/BW: Firearms Act 1978, as amended, Sections 7, 61 and 65 Internal Security Act 1993, Section 3		?	?	CW/BW: Firearms Act 1978, as amended, Sections 7, 61 and 65 Internal Security Act 1993, Section 3	
4	stockpile/store		?	?	CW/BW: Internal Security Act 1993, Section 3		?	?	CW/BW: Internal Security Act 1993, Section 3	
5	develop									
6	transport									
7	transfer		?	?	CW/BW: Firearms Act 1978, as amended, Section 5 and 65 Internal Security Act 1993, Section 3		?	?	CW/BW: Firearms Act 1978, as amended, Section 5 and 65 Internal Security Act 1993, Section 3	

8	use		X	X	CW/BW: Firearms Act 1978, as amended, Sections 62 (bomb includes noxious liquid, noxious gas or other noxious thing), Internal Security Act 1993, Section 3 Criminal Code 1974 (Consolidated to No. 12 of 1993), Section 186: (placing injurious substances in or against letter boxes)	X	X	CW/BW: Firearms Act 1978, as amended, Sections 5 and 7 Internal Security Act 1993, Section 3 Criminal Code 1974 (Consolidated to No. 12 of 1993), Section 186		
9	participate as an accomplice in abovementioned activities									
10	assist in abovementioned activities		?	?	CW/BW: Firearms Act 1978, as amended, Section 7A (2) Internal Security Act 1993, Section 3		?	?	CW/BW: Firearms Act 1978, as amended, Section 7A (2) Internal Security Act 1993, Section 3	
11	finance abovementioned activities		?	?	CW/BW: Internal Security Act 1974, Section 6 (1) Proceeds of Crime Act 2005, Sections 23, 24 and 25 (suspicious reporting)		?	?	NW/CW/BW: Internal Security Act 1974, Section 6 (1) Proceeds of Crime Act 2005, Section 13 and 14 (establishes a Financial Intelligence Unit), ; Sections 23 and 25 (each include penalties)	
12	abovementioned activities related to means of delivery ²									
13	involvement of non-State actors in abovementioned activities		?	?	CW/BW: Internal Security Act 1993		?	?	CW/BW: Internal Security Act 1993	
14	Other									

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ³

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	CW	BW *		N W	CW	BW		
1	Measures to account for production	X			NW: INFCIRC/312					
2	Measures to account for use	X			NW: INFCIRC/312					
3	Measures to account for storage	X			NW: INFCIRC/312					
4	Measures to account for transport									
5	Other measures for accounting									
6	Measures to secure production									
7	Measures to secure use									
8	Measures to secure storage									
9	Measures to secure transport	?	?	?	NW/CW/BW: Merchant Shipping Act 1975, Sections 82-84, 89 Merchant Shipping (Safety) Regulation 1976	?	?	?	NW/CW/BW: Merchant Shipping Act 1975, 85-86, as amended by the National Maritime Safety Authority Act 1993, Sections 7 and 48-49 Merchant Shipping (Safety) Regulation 1976	

10	Other measures for securing									
11	Regulations for physical protection of facilities/materials/ transports									
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials									
13	Reliability check of personnel									
14	Measures to account for/secure/ physically protect means of delivery									

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority					
2	IAEA Safeguards Agreements	X	Safeguards Agreement, in force 13 October 1983 and SQP	X	Safeguards Agreement, in force 13 October 1983 and SQP	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	Environmental Contaminants Act 1978	X	Environmental Contaminants Act 1978	

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	National Authority, Department of Foreign Affairs and Trade	X	National Authority, Department of Foreign Affairs and Trade	
2	Reporting Schedule I, II and III chemicals to OPCW					
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other	X	Environmental Control Act of 1978 Poisons and Dangerous Substances Act 1952	X	Environmental Control Act of 1978	

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other	X	Animal Disease and Control Act of 1952 Animal Disease and Control Regulations of 1955 Environmental Containment Act of 1978 Plant Disease and Control Act 1953 Plant Disease and Control Regulation 1956 Public Health (Infectious Diseases) Regulation 1973 Public Health Act 1973	X	Animal Disease and Control Act of 1952 Animal Disease and Control Regulations of 1955 Environmental Containment Act of 1978 Plant Disease and Control Act 1953 Plant Disease and Control Regulation 1956 Public Health Act 1973	

OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	CW	BW		N W	CW	BW		
1	Border control	X	X	X	NW/CW/BW: Customs Act 1951, as amended, Part IV, Sections 7 Customs Regulations 1951, as amended, Part IV, Section 15, National Maritime Safety Authority Act 2003, Section 4 and 5 BW: Quarantine Act 1953, Section 13 National Agriculture Quarantine and Inspection Authority Act 1997, Section 89	X	X	X	NW/CW/BW: Customs Act 1951, as amended, section 160-165 Customs Regulations 1951, as amended National Maritime Safety Authority Director of Customs BW: Quarantine Act 1953, Sections 81 and 82 National Agriculture Quarantine and Inspection Authority Act 1997, Sections 89	
2	Technical support of border control measures				NW/CW/BW: Customs Act 1951, as amended, Section 195	X	X	X	NW/CW/BW: Uses ASYCUDA system	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology									
4	Enforcement agencies/authorities	X	X	X	NW/CW/BW: Customs Act 1951, as amended BW: National Agriculture Quarantine and Inspection Authority Act 1997, Sections 3-7	X	X	X	NW/CW/BW: PNG Customs BW: National Agriculture Quarantine and Inspection Authority	
5	Export control legislation in place	X	X	X	NW/CW/BW: Customs Act 1951, as amended, Sections 16 and	X	X	X	NW/CW/BW: Customs Act 1951, as amended,	

					40 -52 National Agriculture Quarantine and Inspection Authority Act 1997, Section 5				Sections 16, 40-52, and 145-165 Criminal Code Section 68, 69, 77, 199 and 200	
6	Licensing provisions									
7	Individual licensing									
8	General licensing									
9	Exceptions from licensing									
10	Licensing of deemed export/visa									
11	National licensing authority		?	?	CW/BW: Firearms Act 1978, Section 3 and 9 BW: National Agriculture Quarantine and Inspection Authority, Section 3		?	?	CW/BW: Registrar of Firearms (Commissioner of Police) BW: National Agriculture Quarantine and Inspection Authority	
12	Interagency review for licenses									
13	Control lists									
14	Updating of lists									
15	Inclusion of technologies									
16	Inclusion of means of delivery									
17	End-user controls									
18	Catch all clause									
19	Intangible transfers									
20	Transit control									
21	Trans-shipment control									

22	Re-export control									
23	Control of providing funds									
24	Control of providing transport services									
25	Control of importation	X	X	X	NW/CW/BW: Customs Act 1951, Section 23 Customs (Prohibited Imports) Regulations 1973, Schedule 2: 96 - (Goods that, in the opinion of the Minister, are of a dangerous character and a menace to the community); 203 – (Radioactive substances or irradiating apparatus) CW: Environmental Contaminants (Pesticides) Regulation 1988 BW: Animal Disease and Control Act of 1952 Quarantine Act 1953, Sections 13-14 Quarantine Regulation 1953 National Agriculture Quarantine and Inspection Authority Act 1997, Section 33	X	X	X	NW/CW/BW: Customs Act 1951, Section 23 Customs (Prohibited Imports) Regulations 1973, Schedule 2: 96 - (Goods that, in the opinion of the Minister, are of a dangerous character and a menace to the community); 203 – (Radioactive substances or irradiating apparatus) CW: Environmental Contaminants (Pesticides) Regulation 1988 BW: Animal Disease and Control Act of 1952 Quarantine Act 1953, Sections 13-14 Quarantine Regulation 1953 National Agriculture Quarantine and Inspection Authority Act 1997, Section 33	
26	Extraterritorial applicability									
27	Other									

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)	X	Customs (Prohibited Imports) Regulations 1973, Schedule 2	
2	Control lists - other			
3	Assistance offered			
4	Assistance requested			
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)			
7	Work with and inform industry			
8	Work with and inform the public			
9	Point of Contact			
10	Other ⁴			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.