



DEPARTMENT OF PERSONNEL MANAGEMENT  
*Office of the Secretary*

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## CIRCULAR INSTRUCTION NO. 17 OF 2024

**DATE** : 19 August 2024  
**FILE** : HRACA-1-8A  
**TO** : NATIONAL DEPARTMENTAL HEADS  
: PROVINCIAL ADMINISTRATORS  
: HEADS OF PUBLIC FUNDED AUTHORITIES  
: ALL PUBLIC SERVANTS

**SUBJECT:** ORGANISATION DELEGATE, SECTION 41 DELEGATE & TECHNICAL ADVISORY ROLES

This Circular Instruction serves to advise respective government agencies of the "Re issuance of Administrative HR Powers & Functions" to all eligible government agencies effective as of 02 January 2024 with focus on the roles of the **Organisation Delegate, Section 41 Delegate.**, and Technical Advisory Roles for Recruitment & Selection, Contract Review, and Disciplinary Committees.

### 1. Organisation Delegate

The Secretary, Department of Personnel Management will devolve his/her powers bestowed by **Section 33: Creation/Abolition of Permanent Offices** and **Section 34: Creation & Abolition of Temporary Offices** of the Act, by way of an **Instrument of Delegation as prescribed in OD2.1**, subject to the conditions set by General Order 2.

**Note that in the event that either does not devolve the powers detailed hereunder, or at any time withdraws the powers then a Departmental Head shall seek approval from the Secretary, Department of Personnel**

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**Management for all accountable decisions which are recorded in Forms OD2.3 to Form OD2.6.**

A Departmental Head will exercise his/her delegated powers, subject to verification and authentication by an **Organisational Delegate of the Secretary, Department of Personnel Management** who shall witness and sign all accountable decisions made by a Departmental Head on organisational matters.

A Departmental Head shall formally nominate a competent officer, either the Head of HR Management Branch or more senior officer within the Department, or a person recommended by the Department of Personnel Management for that purpose in **Form OD2.2 – Organisation Delegate**.

The authorized Organisation Delegate shall be responsible for advising the Departmental Head on matters and shall liaise with and consult the officers of the Department of Personnel Management on organizational and job evaluation policy.

**2. Section 41 Delegate**

By way of Section 23 of the Public Service *Management* Act (1995) (as amended), the Secretary of the Department of Personnel Management will devolve the powers bestowed by Section 41: (Senior Officers) Contracts of the Act by way of an Instrument of Delegation as prescribed in Form OD 2.1, subject to the conditions set by General Order 9.

A Departmental Head will exercise his/her delegated powers, subject to verification and authentication by a **Section 41 Senior Officer Contracts** as Delegate of the Secretary, Department of Personnel Management, who shall witness and sign all accountable decisions made by a Departmental Head on senior officer contracts.

A Departmental Head shall formally nominate a competent officer, either the Head of the HR Management Unit or more senior officer within the Department, or a person recommended by the Department of Personnel Management for that purpose, who may also be the Departmental Legal Officer, in **Form OD 2.2 – Section 41 Senior Officer Contracts Delegate**.

The authorized Delegate shall be responsible for advising the Departmental Head on all contractual matters and shall liaise with and consult the officers of the Department of Personnel Management on senior officer contract policy.

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### **3. Competency Requirements**

DPM understands that since the revocation of the Devolved HR Powers & Functions in 2019, all agencies had to seek approval from the Office of the Secretary, Department of Personnel Management. And in that period of time to the date of the 're-issuance of HR Powers and Functions', agencies may have faced issues/challenges of **1. HR Staff turn-over, 2. Upskilling gaps, etc** leading to incompetent HR Personnel who have not undertaken competency-based training at the Somare Institute of Leadership & Governance (SILAG).

Agency Heads are advised that all nominees for Organisation Delegate & Section 41 Delegate must undergo the Competency Based Business Process Course requirements offered at the Somare Institute of Leadership & Governance as a requirement for their nominees to be considered.

Nominees that have already been received by my department will undergo this assessment to ensure they meet this requirement.

Information on this course can be obtained through my department's **Capacity Building Division** on telephone numbers **327 6358, 327 6407, and 327 6382.**

### **4. Recommendation**

All eligible agencies' Departmental Heads who have been issued an Instrument of Delegation for the devolved HR Powers, are now encouraged to submit to DPM their nominees for Organisation Delegate & Section 41 Delegate to undergo due diligence for Secretary DPM approval.

### **5. Selection & Recruitment Committee - DPM Technical Advisory Role**

DPM will continue to be a compulsory member on the Recruitment & Selection Hearing Committee. Composition of the Selection Committee shall comprise the Chairperson who is the Agency Head or his/her delegate, relevant divisional heads, HR, DPM Technical Advisor, and other relevant agency representatives (Provincial Affairs and Health). Refer to General Order 3.

### **6. Contract Review Committee for Review of Expiring Contracts for the Purpose of Renewal or Non-Renewal**

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DPM will also continue to be a compulsory member on the Contract Review Committee.

A "Contract Review Committee", must now convene, Chaired by the Departmental Head or his/her delegate. Compulsory members will include relevant divisional heads, HR, Section 41 Delegate, and DPM Technical Advisor. Refer to General Order 9 on the process requirements.

### **7. Disciplinary Committee Technical Advisory Role**

DPM shall be a compulsory member as technical advisor to any internal disciplinary committee established for purposes of deliberating on disciplinary matters of serious nature where recommendations based on assessment of the offence(s) warrants severe punishments leading to termination of employment and or service in the public service.

The Disciplinary Committee shall comprise the Chairperson who shall be a competent delegate of the agency head, the HR representative, any relevant divisional heads as recommended by the agency head and a DPM technical advisor. The recommended chairmanship level is so as to allow final decision making to be reached at the departmental head level.

For Non - Contract Public Servants delegated authority rests with the Agency Head (General Order 15) PS(M)A (1995) Sections 50, 51, 52 (4)(b)(ii) and 53.

And for Contract Officers (Public Servants) delegated authority rests with the Agency Head, and the DPM approved Section 41 Delegate (agency nominee) (General Order 9), PS(M)A (1995) Sections 41 Subsection 3.

Queries concerning the application and enforcement of this Circular Instruction can be made to the following persons:

No.	Name	Designation	Directorate	Contact
1	Mrs. Rhympi Kokiva	Acting Director	National Agencies	327 6355
2	Mr. William Hapipai	Acting Director	New Guinea Islands Region	327 6494

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3	Mr. Yetrus Buka	Director	Southern Region	327 6352
4	Ms. Josephine Konjib	Acting Director	Momase Region	327 6369
5	Ms. Christine Rupen	Acting Director	Highlands Region	327 6348

**TAIES SANSAN (MS)**  
Secretary



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