



CERTIFICATE

I hereby certify that the *Public Money Management Regularisation (Amendment) Bill 2019* (Draft of 27/11/2019) is in accordance with the National Executive Council Decision No. NG144/2019, and the drafting instructions (Draft Bill).


JOHNNY BOGOMBARI

First Legislative Counsel



27th November, 2019.



No. of 2019.

Public Money Management Regularisation (Amendment) Bill 2019.

ARRANGEMENT OF CLAUSES.

PART I. - PRELIMINARY.

1. Compliance with constitutional requirements.
2. Interpretation.
3. Act binds the State.
4. Savings of actions.
5. New Section 14.

“14. TERMINATION OF REVENUE SHARING ARRANGEMENTS.



A Bill

for

An Act

entitled,

Public Money Management Regularisation (Amendment) Bill 2019,

Being an Act to amend the ***Public Money Management Regularisation Act 2017*** and for related purposes,

MADE by the National Parliament to come into operation in accordance with a notice 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.

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

- (a) the right to freedom from arbitrary search and entry conferred by Section 44; and
- (b) the right to freedom of expression and publication conferred by Section 46; and
- (c) the right peacefully to assemble and associate and to form or belong to, or not to belong to, political parties, industrial organisations or other associations conferred by Section 47; and
- (d) the right to freedom of choice of employment in any calling for which a person has the qualifications (if any) lawfully required conferred by Section 48; and
- (e) the right to reasonable privacy conferred by Section 49; and
- (f) the right of reasonable access to official documents conferred by Section 51; and
- (g) the right of freedom of movement conferred by Section 52, of the ***Constitution***,

is a law that is made under Section 38 of the ***Constitution***, taking account of the National Goals and Directive Principles and the Basic Social Obligations, for the purpose of giving effect to the public interest in public order and public welfare.

(2) For the purposes of Section 53(2) of the ***Constitution***, this Act is expressed to be made in the national interest.

(3) 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.

Public Money Management Regularisation

2. INTERPRETATION.

A reference in this Act to this Act or any other Act includes -

- (a) any regulations or lawfully made administrative arrangements made under this Act or any other Act; and
- (b) any Act that is substituted for or that replaces that other Act; and
- (c) any regulations made under any such substitute or replacement Act.

3. ACT BINDS THE STATE.

This Act binds the State.

4. SAVINGS OF ACTIONS.

All acts, matters or things done or suffered or deemed to have been done or suffered or taken, or procedural steps taken under or for the purposes of a provision of the Principal Act and having effect immediately before the coming into operation of this Act, shall, after that coming into operation, be deemed to have been lawfully done or suffered or taken under the Principal Act and any action taken by the State from the date of commencement of the Principal Act under the terms of the Principal Act are declared valid and legally enforceable.

5. NEW SECTION 14.

Section 14 of the Principal Act is repealed and the following section substituted -

“14. TERMINATION OF REVENUE SHARING ARRANGEMENTS.

(1) Sections 6(4) and 8 of this Act shall cease to operate on 31 December 2020 or such other or later date to be fixed and approved by the National Executive Council by a notice published in the National Gazette under the signature of the Minister responsible for treasury matters.

(2) For the avoidance of doubt, as and from the date referred to in Subsection (1), public and statutory bodies shall receive public money solely by appropriations made by or under the National Budget.”.