

29<sup>th</sup> June 2022

## NOTICE TO CLIENTS

### PNG IMMIGRATION & CITIZENSHIP AUTHORITY PUBLIC NOTICE – WORK PERMIT RENEWALS

**Vanguard International** brings to your attention the Public Notice in today's nation daily newspapers in Papua New Guinea, pertaining to the **renewal of work permits**.

As stated in the Notice (copies attached for your reference) in 2021, the Government of PNG transferred the work permits function from the Department of Labour & Industrial Relations (DLIR) to the PNG Immigration & Citizenship Authority (ICA). The work permit system has been in operation under ICA since December 2021.

The Public Notice is specifically focussing on the Renewal of Work Permits.

The ICA has determined that the constant and multiple renewals of work permits (for the same position) is a real concern for ICA in terms of the training and upskilling of PNG citizens who are supposed to understudy and be able to perform in those positions held by the non-citizens. ICA reminds employers that as per the condition set on the work permit under Section 15 of the "Employment of Non-Citizens (Amendment) Act 2021, every non-citizen must train their national counterparts.

Therefore, this advice to clients, highlights for your attention the stated requirement of ICA, that effective from the date of the notice (signed 15<sup>th</sup> June 2022) employers of non-citizen workers applying for renewal of their work permit must provide:

1. A letter from the employer justifying why they are applying for the renewal of that particular person
2. A **detailed training report** from the company and the non-citizen (please read the expanded notice to this point); **Note well the Training Report must be accompanied by the Succession Plan**. The Employer/Non-citizen must identify the successor to the position
3. The company or organisation's organisation structure. The employer must identify the number of citizens and non-citizens and national on the positions.

**Vanguard International** strongly recommends to all clients seeking to renew three-year work permits to *pay particular attention to the 3 points above and especially the detailed Training Report & Succession Plan*. A well-documented renewal application will likely be the most appropriate means to securing the desired outcome.

Authorised by:   
Chief Executive Officer



## PUBLIC NOTICE



**ICA**  
PAPUA NEW GUINEA  
PROTECTING BORDERS & PROMOTING PROSPERITY

## IMMIGRATION &amp; CITIZENSHIP AUTHORITY

## PUBLIC NOTICE

## NOTICE TO ALL STAKEHOLDERS REGARDING RENEWAL OF WORK PERMITS

The Immigration and Citizenship Authority (the Authority) is instituting control measures to ensure compliance to PNG laws governing employment of non-citizens in the country. We will focus on managing the issuance of new work permits and ensure that any request for renewal of existing work permit is subject to strict compliance to the conditions of the contract of employment and laws and regulations governing employment of non-citizens in the country.

### Background

In 2021, Parliament passed the amendment to the *Employment of Non-citizens Act 2007* which necessitated the transfer of the work permits function from the Department of Labour and Industrial Relations to the PNG Immigration and Citizenship Authority. The work permit system has been in operation under the Authority since December 2021.

In the last six months, the Authority has identified various governance and compliance issues that require immediate action. While measures are being implemented to improve management of the work permit system within, the Authority is simultaneously reaching out to employers of non-citizen workers to ensure compliance to the conditions of their work permits.

### Renewal of Work Permit Applications

In the process of screening and assessing renewal work permit applications, it has come to our attention that there are some non-citizen employees who are renewing their work permits multiple times. This means they have been employed in the same position for more than 3 years on a long term contract.

The constant and multiple renewals has become a concern for the Authority in terms of the training and up-skilling of nationals who are supposed to understudy and be able to perform on those positions held by the non-citizens. As per the condition set on work permit under Section 15 of the *Employment of Non-citizens (Amendment) Act 2021*, every non-citizens must train their national counterparts.

Consequently, as of the date of this Notice, employers of non-citizen workers applying for renewal of their work permit must provide the following documents:

1. A letter from the employer justifying why they are applying for renewal of the particular position.
2. A *detail Training Report* from the company and the non-citizen. The training report must identify the training provided to its national employees, the skills acquired, skills gap, the dates of trainings, the facilitators or the institute providing training and the list of nationals undergoing training. The training Report must be signed and dated with company stamp by the company Human Resources Managers or by the Managing Director where there are no HR department within the organisation. The training report must be accompanied by the Succession Plan. Employer/non-citizen must identify the successor to the position.
3. The company or organisation's *organisational structure*. Employer must identify the number of citizens and nationals on the positions.

The Authority understands that within certain industries that involves technical roles, it may take a longer period to train a national to be able to be competent and to replace non-citizen. The employer is encourage to seek the advice of the Authority in such cases.

It is paramount that all stakeholders adhere to this changes and the new requirements that are put in place. The Authority will work closely with all parties to ensure these changes are implemented smoothly.

STANIS HULAHAU  
Chief Migration Officer

15 June 2022





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**STANIS HULAHAU**  
Chief Migration Officer

15 June 2022