



ppportunity

Issue #11 November, 2022

Business News, Reviews and Overviews from the IPA

MD's INBOX



CLARENCE M HOOT
Managing Director

Hello Readers and welcome to the eleventh (11th) edition of the IPA's monthly '**Opportunity Newsletter**'.

This year has been a very hectic year for the IPA. We had the National general elections and we managed to have a number of our key legislations passed in Parliament after a long wait.

We also celebrated our 30th anniversary and achieved a number of milestone outcomes including the signing of a number of MOUs with the PNG Customs and the National Cultural Commission.

A project profiling exercise was also conducted in a number of provinces as part of the IPA function of business match-making between local investment opportunities and foreign investors. The profiling exercise involves IPA working with the Provincial Administrations, sector organizations and other stakeholders to identify more projects/businesses to document and profile so that they can be promoted to potential investors within and outside of PNG.

This profiling exercise is executed under a project initiated by the United Nations Industrial Development Organization (UNIDO) and the European Union which is focused on institutional capacity building of investment promotion institutions

(IPAs) and more specifically, national - level Investment Promotion Agencies (IPAs).

Finally work is also progressing on further developing our online business registry to make it easier and more user friendly for businesses to register and conduct business in the country. By December 1st we will migrate into our new upgraded online registry system.

In encouraging clients to use the online registry system, we have introduced a kiosk to cater for walk-in clients who want to utilize the kiosk to do online registration and enquiries. Our staff will assist clients through the kiosk. A formal announcement on this service will be made soon.

Again, if you have any positive stories about your business, you can contact our Public Relations Unit as we will only be too happy to feature your story in our monthly newsletter.

Thank you and happy reading!!

Clarence M Hoot
Managing Director

IN THE NEWS



IPA's Managing Director, Clarence Hoot, third from Right, presenting the uniforms to the Heduru Brothers Rugby League Club-President, Jeremiah Pera.

IPA supports Sports Club

The Investment Promotion Authority (IPA) will continue to uphold its Corporate Social Responsibilities (CSR) by assisting communities within the nation's capital with good initiatives like supporting youths in sporting activities.

IPA's Managing Director, Clarence Hoot said this when presenting uniforms by IPA to a Rugby League sports club- "Heduru Brothers" who have been taking part in a number of Rugby League competitions in the nation's capital, Port Moresby.

Heduru Brothers received sports uniforms printed with numbers and the IPA logo.

Heduru Brothers Club President, Jeremiah Pera when receiving the uniforms, thanked IPA on behalf of his club for the support and highlighted that IPA's continued support to not only Heduru Brothers Rugby

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IPA supports Sports Club...

League club BUT other initiatives will go a long way.

The Heduru Brother Rugby League Club has been competing in the Governor’s Cup Rugby League competition and the Hohola Rugby League Off season competition over the years.

The club has a mixture of youths

from all back grounds residing in the Konedobu suburb. They have A and B grades and Junior under 20 categories.

Mr Pera said the club like any other clubs have the aim of keeping youths away from trouble and promoting good health.

Meanwhile Mr Hoot said this is

not the first time that IPA is supporting a sports club BUT has done that over the years.

“We’ve supported many sporting clubs especially those within the vicinity of the city” and we will continue to do so.

IPA rolls out awareness in New Ireland

The Investment Promotion Authority successfully conducted a weeklong awareness on its roles and responsibilities in Kavieng and Namatanai Districts in New Ireland Province this month.

The Awareness which was conducted from the 14th to the 18th of November, 2022 is part of the provincial outreach program initiated by the Authority. The awareness was conducted in the Namatanai District from the 14th and 15th of November and from the 17th and 18th in Kavieng District.

The team did general awareness on the functions of IPA and conducted online practical sessions and touched on the PSSR to see if there any interest in PSSR.

Most participants were interested in starting up businesses and therefore the focus was on the online services on creating a user account and taking them through the steps for online registration.

On the 16 November 2022, the team paid a courtesy call to the Acting Provincial Administrator (PA) Mr. Mark Taram

and Mr. John Tio, Manager for Commerce. The Team briefed the Acting PA on the purpose of the visit to New Ireland and focused discussions on the MoU and the IPA Help Desk. The intention of the meeting was to find out whether these arrangements were going well and to see if they faced some challenges and how IPA can assist further on these existing arrangements.

Mr Taram had just been appointed as Acting PA and he had not sighted the MoU but said that his team would review the MoU and inform us in writing if they desire to renew the MoU. On the IPA Help Desk, it was non-functional.

The Team discussed the consideration of setting up a kiosk with internet where public can use the kiosk to do online registration and they can charge a service fee for the use of the kiosk.

Mr. Taram informed us that the office is looking into improving its IT infrastructure and such considerations would be looked into. He also informed the team

that the New Ireland Provincial Government is now focusing on Agriculture as per the Governments direction on this.

The IPA team also took the opportunity to give the Acting PA the PNG Intellectual Property Strategy.

A total of one hundred plus (100+) participants attended the awareness.

The suggestion by a participant for IPA services to be decentralized is one IPA should consider going forward. IPA’s intention to is empower the Commerce Offices in each Province with signing MoUs and establishing IPA Help Desks but through the years, it has become obvious that these arrangements have not been working as expected and this is due to provincial commerce offices not working.

During the awareness the team talked about the efficiency of the online registration system and gave practical scenarios of cost and time for lodging at the counter compared to lodging online.



IPA officers who travelled to Kavieng, New Ireland Province for the awareness.



IPA officers conduct awareness in Lae

A team of officers from the Investment Promotion Authority led by the Acting Registrar of Companies, Harriet Kokiva were in Lae and Markham Districts in the Morobe Province respectively from the 3rd and 4th of November, 2022 to conduct awareness on different mandated functions of IPA. The promotional functions of IPA through the Investor Servicing and Promotion Division was made explaining how the Division facilitates investor and trade missions and providing investor related information, business match making and facilitating export promotion. This was an eye opener for the participants most who thought IPA only does business registrations. This was the same for the presentation of the Intellectual Property Office which enlightened the audience. Presentations were also done on the Personal Properties Securities Register (PPSR) and Reserved Activities List (RAL).



Why is it important for SMEs or businesses to protect their Intellectual Property Rights?

SMEs or businesses must dedicate time and resources to protecting their intellectual property assets. By doing that, they can increase their competitiveness in a variety of ways.

Intellectual property protection helps in:

- Preventing competitors from copying or closely imitating a company's products or services.
- Avoiding wasteful investments in research and development and marketing;
- Creating a corporate identity through a trademark and branding strategy;



- Negotiating licensing, franchising or other IP-based contractual agreements;
- Increasing the market value of the company;
- Acquiring venture capital and enhancing access to finance;
- Obtaining access to new Markets.

In addition, enterprises which search systematically for conflicting IP rights of others prior to seeking IP protection are able to avoid unnecessary litigation, thereby saving time and resources.

For more Information on Intellectual Property, Contact:

Tel: (675) 321 7311/308 4432/321 3900
 Email: registrar.ipopng@jpa.gov.pg
 Website: www.ipopng.gov.pg



IPA joins spot inspection team to curb the sales of illegal drugs

The concern on illegal sales of medical drugs in the country has prompted a joint spot inspection exercise to be conducted nationwide starting in West New Britain Province.

The Investment Promotion Authority (IPA) was part of that Spot Inspection team that conducted the first spot inspection in Kimbe, West New Britain Province.

This spot inspection operation was conducted in response to numerous reports of unlawful sales of pharmaceutical medicines and medical products sold in Kimbe and Bialla hotspot areas.

Locations identified are mainly in the supermarkets/shops, open market areas, street table markets sales and illegal street walkers and vendors (individuals).

The manufacture, importation and sales of medical products in Papua New Guinea are regulated by the Pharmaceutical Services Standards Branch of the National Department of Health (NDOH) and Pharmacy Board of PNG.

The regulation of Pharmaceutical In-

dustry in the country is one of the core functions of the NDOH to ensure that the public is protected from the risk associated with the use and consumption of medical products and medicines.

The Pharmaceutical Services Standards Branch was the lead agency in this joint spot inspection operation on illegal sales of medicines and medical products in Kimbe and Bialla towns respectively which was conducted from 21st of November to 1st of December 2022.

The inspection operation was conducted collaboratively with officers from the other government regulatory agencies.

These government regulatory agencies that participated in the spot inspection exercise include the Port Moresby based Regional pharmaceutical inspectors (POM HQ), WNB Provincial Health Authority, pharmaceutical inspectors, WNB Provincial Health Authority Environmental Health inspectors, Customs PNG, Investment Promotion Authority, WNB Provincial Government, District

Commerce Office and the Royal Constabulary.

The scope of Inspection includes the sales and transaction records of medical drugs, sampling of suspected poor-quality medicinal products, illegal sales in unlicensed shops, supermarkets, market areas and on the streets.

Some of the regulatory actions that took place include the seizure and sampling of medicines and medical products and the imposing of penalties like arrest, prosecution and imprisonment of offenders or shop owners.

For IPA, spot checks were done to confirm variations on business activities and physical locations if not certified as per the IPA records. Penalties were issued to companies and businesses that were non-compliant.

Other government stakeholder agencies used their regulatory laws and rules to inspect and maintain compliance.

Tips & Traps

Important to know the entity types before you register with IPA

Before coming to the IPA to register an entity, it is important to understand the suitable business or entity type that suits your business idea.

Given that company is a common entity type, people have the tendency to register a company to perform any business activity. Although it is still alright, it is important to understand the other entity types available that people can utilize when trying to do business.

There are four (4) entity types that are registered at the IPA. They are;

- 1- Business Names
- 2- Company
- 3- Business Group
- 4- Association

A **Business Name** allows the business to carry out only one type of business activity. For example, if a person registers a hire car business then the name is specifically for the hire car business. That person can't use the same Name to run a trade store. They will need to register a separate Business Name to operate a trade store. By law

Business Names expire after a year but can be renewed. It costs K200 to register a Business Name manually or K150 if you do it online.

A **Company** on the other hand can do more than one type of business activity. A company needs to have a director or directors and a shareholder or shareholders as a primary prerequisite. A director runs the day to day operations of the company and the shareholder is the owner of the company. Every year, a company is required by law to lodge annual returns or runs the risk of being deregistered. It costs K600 to register a company or K450 if you do it online.

A **Business Group** is usually rural based and can consist of many members from the same family, clan or tribe. This entity type is only allowed for Papua New Guineans. A Business Group is required by law to lodge a statement of assets and liability every year or runs the risk of being deregistered. The registration fee is K100.

An **Association** is a not for profit organisation and must NOT carry out business. It is registered for the purpose of achieving a common goal as agreed by the members in the association's constitution. However, the association can register a Business Name or company which will operate as a business to make money to fund the operations of the Association.

LET'S HEAR IT!

New air freight and logistics company enters domestic market



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GOROKA BRANCH
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Carpenter Agricultural & Manufacturing
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Madang 511, Madang Province
Direct Line: 422 0961
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Email: Mdulau@cal-png.com

Opening in May/June
Mt Hagen, Tabubil & Kimbe

Papua New Guineans, especially small businesses who wish to have their products air freighted and delivered to their clients on time have been given another option to consider with the introduction of a new player in the air freight and logistics industry.

Carpenters Air Logistics (CAL) is a subsidiary of W.R Carpenters and is a new cargo and freighting company currently operating in six major cities in the country. The company came into operation since June 2021 and has been expanding its services since then. The company became fully operational this year.

The company has its head office in Port Moresby with branches in Lae, Rabaul, Mt. Hagen, Goroka and Madang. CAL uses Air Niugini and PNG Air as its carriers for door-to-door shipments from major airports in Tabubil, Mt. Hagen, Goroka, Madang, Lae, Rabaul and Port Moresby.

PNG currently has three major freighting companies including DHL, Express Freight Management and FedEx.

Contact CAL for more information on Larissa Lee on LLee@cal-png.com.



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* Opening in May/June - Mt Hagen, Tabubil & Kimbe

REVISIONS TO PAPUA NEW GUINEA'S RESERVED ACTIVITIES LIST: WHAT YOU NEED TO KNOW



For 29 years, PNG has **reserved defined economic activities for citizen enterprises** through the *Investment Promotion Act 1992 (IP Act)*.

In 2021, PNG's Reserved Activities List (RAL) was updated for the first time since 2005, with the number of activities reserved for citizen enterprises **increased** from 32 to 39. The updated RAL came into effect on 3 January 2022 through the *Investment Promotion (Amendment) Regulation 2021*.

Any foreign investors with existing certification for activities that have been included in the updated RAL may continue to operate in the activity under section 27(5) of the IP Act.

For more information please contact:

INVESTMENT PROMOTION AUTHORITY

First Floor, IPA Haus,
Munidubu Street, Lawes Road, Konedobu
PO Box 5053, Boroko, NCD

Phone: (675) 308 4454, 308 4435,
308 4420 or 308 4405

Website: www.ipa.gov.pg

Email: online@ipa.gov.pg

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THE UPDATED RESERVED ACTIVITIES LIST:

Item	Activity
1	Growing of non-perennial crops with annual sales of K50,000 or less.
2	Animal production with annual sales of K50,000 or less.
3	Hunting, trapping and related service activities.
4	Gathering of non-wood forest products.
5	Sawmilling and planing of wood, when conducted using a walkabout (mobile) sawmill.
6	Marine fishing within three miles of the shoreline, excluding the activities of vessels engaged both in fishing and in processing and preserving of fish.
7	Freshwater fishing.
8	Mining of other non-ferrous metal ores in the form of alluvial gold mining.
9	Restaurants and mobile food service activities when sold from mobile food carts.
10	Retail sale via stalls and markets of food, beverages, and tobacco products.
11	Retail sale via stalls and markets of textiles, clothing, and footwear.
12	Retail sale via stalls and markets of other goods.
13	Wholesale of textiles, clothing, and footwear in the form of second-hand clothing and footwear.
14	Retail sale of second-hand goods in the form of clothing and footwear.
15	Other retail not in stores, stalls or markets when carried out from a motor vehicle or motorcycle.
16	Other retail sale of new goods in specialised stores in the form of handicrafts and artifacts.
17	Repair of footwear and leather goods in the form of repair of footwear when not done in combination with manufacture.
18	Weaving: this activity includes, but not limited to, weaving of cane products, textiles, baskets, nets, dishes, ropes, and bags that are saleable at home, street markets or retail outlets on a fee.
19	Bilum Making: Making of string bags (bilums) from traditional bush ropes and cottons taking traditional and contemporary designs that are saleable at home, street market or retail outlet on a fee.
20	Knitting: The activity includes knitting of textiles, wearing apparels, cloth, garment, designs, fabrics, and decorations that are saleable at home, street market or retail outlet on a fee.
21	Art and craft making: All sorts of handicrafts and artistic designs that are saleable at home, street market or retail outlet on a fee.
22	Carving: Wood carvings and sculptures on a fee (contract) or assorted carvings that are saleable at home, street market or retail outlet on a fee.
23	Pottery making: All sorts of pottery products including clay pots, cups, mugs, dishes, plates, sculptures, and other art forms that are saleable at home, street markets or retail outlet on a fee.
24	Painting: All sorts of paintings in any shape, type and form including portrait paintings, screen paintings, sand paintings, oil paintings, saleable at home, street markets or retail outlet on a fee.
25	Finishing of textiles in the form of screen printing on textiles and wearing apparel.
26	Sewing: Sewing of garments, textile materials, wearing apparels, cloths and fabrics that are saleable at home, street market or retail outlet on a fee.
27	Jewellery making: Making of simple jewellery products including necklaces, ear rings, rings, arm bands, primarily from sea shells, tasks, and beads for sale at home, street markets or retail outlet on a fee.
28	Baking: Baking of fresh bakery products including bread loaves, cakes, pies, cookies, and scones saleable at home, street market or retail outlet on a fee.
29	Manufacture of other food products n.e.c., in the form of coffee pulping using a manual pulping machine.
30	Hunting of crocodiles and processing of skins: Hunting and processing of crocodile skins for sale at established market outlets.
31	Maintenance and repair of motor vehicles in the form of tyre and tube repair, fitting, or maintenance where not done as incidental to the core business of maintenance and repairs.
32	Renting and leasing of other machinery, equipment, and tangible goods in the form of vending and amusement machines.
33	Advertising, when conducted as sign writing.
34	Child day care service activities, excluding those provided by schools or other educational institutions.
35	Wholesale of waste and scrap and other products n.e.c.
36	Retail sale of books, newspapers, and stationery in specialized stores, in the form of specialised retail sale of newspaper and magazines.
37	Repair of consumer electronics goods when not done in combination with manufacture or wholesale or retail sale of these goods.
38	Repair of household appliances and home and garden equipment when not done in combination with manufacture or wholesale or retail sale of these goods.
39	Repair of other personal and household goods, in the form of repair of watches, clocks and their parts, and the repair and alteration of jewellery when not done in combination with manufacture or wholesale or retail of these goods.



The Investment Promotion Authority (IPA) is working to promote entrepreneurship and foreign investment in Papua New Guinea, and foster simpler processes for small businesses.



Office of the Registrar of Companies

IMPORTANT CHANGES TO THE NEW ONLINE REGISTRY SYSTEM

The Office of the Registrar of Companies is pleased to announce the commencement of a new online registry system starting 1 December 2022. The new system will replace the current system which facilitates registration of companies, business names, associations, business groups and foreign enterprise certifications.

The new system will allow for ALL registry services to be performed online. It also offers enhanced mobile phone functionality, making it easy to conduct all registry business via an online method. This new system will be far more user friendly and presents a significant step forward for our PNG business community.

The following are important changes to this new system for you to keep in mind when planning your work with IPA:

1. The new system will only accept online filings. However, only the following paper filings will be accepted by the new system:
 - a. new applications to incorporate a company
 - b. new applications to register a business name
 - c. new applications to incorporate a business group
 - d. new applications seeking approval for notice of intent to incorporate an association

Persons filing these documents in paper form will receive instructions on how to use the online system to maintain their businesses. ALL other filings must be done online.

2. Since majority of filings must be done online, anyone wanting to submit filings must have an ORS User account. **To register an ORS User account, you must have a valid email account. There is no charge to register an ORS User account.** Once you have an account you will be able to submit all filings and pay all fees through the account. If you already have an ORS user account, your account information will be migrated to the new system.
3. To register an ORS User account, visit the IPA website at www.ipa.gov.pg and follow the instructions on the website.
4. Once you have registered an account you will need to obtain authority to submit filings for your business entity. Instructions are on the IPA website at www.ipa.gov.pg.
5. In the new system majority of notices from the Registrar to clients will be delivered via email so you must actively monitor your email. Companies may supply email addresses for all directors so that all directors receive these notices. Similarly, business names registration can provide emails for all owners so that they all receive Registrar notices.



6. The new system has greatly enhanced smart phone capabilities so that you will be able to conduct all business with the registry through your smart phone.
7. Basic information about each registered entity will be available for free for public searching. There will be a small fee to access details about an entity. However, a new feature of the system will allow searchers to obtain current director and shareholder information about each company, a significant improvement over the old registry.
8. **A new amendment to the Companies Act requires all companies to re-register within 1 year from the date the registry launches, the period from December 1, 2022 to November 30, 2023.** Re-registration is simple and free for all compliant companies. If your company is not currently in compliance with the annual return requirement, you must submit all outstanding annual returns when applying for re-registration. A minimal penalty fee will apply. Further details on re-registration can be found on the IPA website.
9. All other entities will be asked to complete a “transitional update” the first time their record is accessed online. IPA will migrate all current information about each entity to the new system, but data migration from one IT system to another is not always perfect. Therefore, IPA requires each entity to confirm that the data in the new registry is accurate. There is no charge for completing this update.

For further information, please do not hesitate to call our team on telephone numbers 308 4439 or 308 4443 or email ipaonline@ipa.gov.pg

Thank you

**HARRIET KOKIVA
ACTING REGISTRAR OF COMPANIES**



URAHIM ORGANIC HERBAL PRODUCTS

Herbal downstream processing project

The proponents of the above business entity are looking for a potential investor to partner in downstream processing and marketing of noni and coconut virgin oil herbal products

Project Proponent: URAHIM ORGANIC HERBAL PRODUCTS
Sector: Wellness and Health

Location: Maprik Urban Local Level Government, Maprik District, East Sepik Province

Projectsize/Investment Vaue: US \$ 20, 000

Description:

The project involves small scale processing or organic products derived from Noni fruit and Coconut grown locally within the project area

The project site is located on traditional land within the fringes of Maprik Town and has access to road and electricity infrastructure.

The project currently has a mini processing equipment

for grinding of organic products into finished herbal products such as herbal paste, tea, wine, and essential herbal oils.

The project owner has submitted project funding to the tune of K50, 000 to the Maprik District Development Authority for funding assistance to assist with their capacity in downstream processing. They are also looking at obtaining proper standards testing and conformance so as to bottle and package their products.

Documentation of project is with the IPA who have conducted a site visit to the project site.

Contact	Details
Mr Aaron Waranigi	(675) 7288 2205
IPA PNG	PO Box 5053, BOROKO, 111, NCD PNG investment@ipa.gov.pg



Company Compliance

Question:

I have registered a company but my company has not been operating. The company also has not made any commercial activities or earned revenue. Do I still need to submit an Annual Return?

Answer:

Yes

Explanation:

As stipulated under the Section 215 of the Companies Act, it is mandatory and compulsory that all companies must submit an annual return. The fee to lodge an Annual Return is K300 if you lodge it over the counters or K250 if you go online.

If you own a company then you need to lodge your company's Annual Return each year. It becomes an expensive exercise when you do not lodge your company's Annual Return on time and decide to do so after a while.

Here is an illustration of the above statement.

If you miss a year of lodging your Returns, you are liable of a fine of K1, 000. This means that when you're lodging your late Returns manually, you will pay a total penalty fee of K1, 000 plus the normal lodgment fee of K300, or if you go online it would be K1, 000 + K250. Also note that as long as IPA records or database shows that your company's status is active even if your company has not shown activity, you are still required to file an annual statement with a lodgment fee. Non operational or no financial record doesn't exempt you from filing your annual return. Failure to do so will result in the execution of the penalty fee of K1000.00. Companies can get deregistered if they do not file their Annual Returns as late as 6 months.

Do you have a general question about the regulatory side of running a business or have a query on investment promotion or Intellectual Property rights?

If so, email your question to: *click*

beverlyp@ipa.gov.pg

We will publish a selection of questions and our answers in each issue of *Opportunity*.

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Intellectual Property Office
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**“Your business,
Your Investment,
Our advice”**

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