

IN EFATE ISLAND COURT
IN THE REPUBLIC OF VANUATU
(Civil Jurisdiction)

Debt Case No: 005 OF 2015

BETWEEN: **ABEL BANI**
Claimant

AND: **WENDY HIMFORD**
Defendant

Coram: **Hon. Justice Ann Carlo (Presiding Justice)**
Hon. Justice Eddie Karis
Hon. Justice Sam Borad Maripakoa

Court Clerk: **Alida Tchivi**

Date of Hearing: **Monday 24th day of August 2014**
Date of Judgment: **Monday 24th day of August 2014**

Court Venue : **Dumbea, Port-Vila, Efaté, VANUATU**

Plaintiff: **Appear in Court**
Defendant: **Appear in Court**

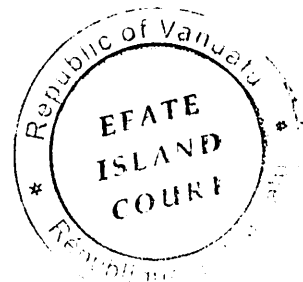
JUDGMENT

Abel Bani hemi faelem wan claim blong debt i kam long court ia againsem defendant ia Wendy Himford follem Rule 1(2) blong Island Court Procedure Rules blong yia 2005.

Bani hemi stap claim se hemi work blong defendant ia Wendy Himford since 1st June 2015 kasem 8th June 2015 but Mrs. Himford hemi no pemaot ol overtime mo public holiday blong hem.

From reason ia, Mr. Bani hemi stap seekim wan order i kam long court ia blong orderem Mrs. Himford blong mas pem hem 16'520 vatu olsem overtime long salary blong hem mo olgeta public holidays plus olgeta cost blong karem kes ia i kam long court ia blong deal wetem.

Plaintiff hemi talem se hemi no saenem any contract wetem Defendant ia Wendy Himford long saet blong work. Mr. Bani hemi confirm se hemi work blong Mrs. Himford long wan daily hourly rate nomo.



Issues:

1. Wether i true se 'Abel Bani' hemi work blong 'Wendy Himford';
2. Wether tufala party i gat mo saenem wan written work contract;
3. Wether Wendy Himford hemi fail blong pem overtime mo public holiday blong Mr. Bani;
4. Amas vatu nao bae Mrs. Himford bae hemi mas pem olsem overtime blong plaintiff.

Findings:

1. Yes, Abel Bani hemi work blong Wendy Himford;
2. Tufala parties i nogat mo no saenem any written contract blong work;
3. Yes, Defendant Wendy Himford hemi fail blong pem overtime mo public holiday blong Mr. Bani;
4. Wendy Himford hemi mas pem overtime mo public holiday blong Mr. Bani.
5. Wendy Himford hemi fail blong comply long letter blong Labor Department we hemi wan government body.

COURT ORDERS:

1. Defendant Wendy Himford hemi mas pem Mr. Abel Bani 16'520 vatu olsem overtime long salary, public holiday mo cost blong karem kes ia i kam long court;
2. Wendy Himford bae hemi mas mekem payment ia kam stret long office blong Efate Island Court before end blong manis September 2015;
3. Sapos anywan long tufala party hemi no akri wetem decision ia, party hemi gat rael blong save appeal i go long Magistrate Court within 30 days start from tedei.

Dated at Port-Vila, this 24th August 2015.

BY THE COURT


Justice Ann Carlo
[Presiding Justice]


Justice Sam Borad Maripakoa

