

**IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU**
(Criminal Jurisdiction)

Criminal Case No. 26 of 2004.

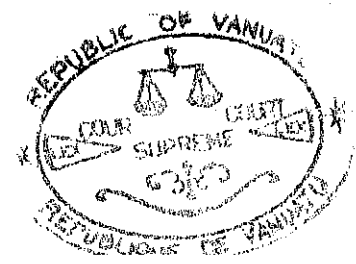
NOEL BULEWAK
-v-
PUBLIC PROSECUTOR

Ms. Collin Carey for the Appellant
Ms. Kayleen Tavoia for the Prosecution

ORDER

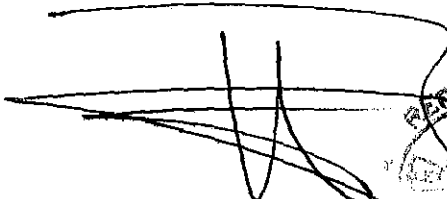
AFTER HAVING READ the Notice of Appeal and other documents relating to the appeal, **AND UPON HEARING** Ms. Collin Carey and Ms. Kayleen Tavoia , I am satisfied that the outstanding amount of VT64,000 in maintenance have been settled, the Court makes the following orders:-

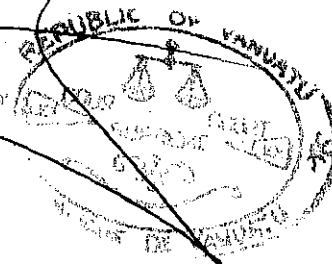
1. The warrant of commitment made by the Magistrate's Court on Lakatoro, Malekula on 21st July 2004 is quashed and the appellant is released from prison immediately.
2. Orders of 4 September 2001 is varied as follows:-
 - (a) The Appellant is to pay an amount of VT2,000 each month in maintenance until he resumes employment;
 - (b) Upon resuming employment, the appellant must provide this Honourable Court with proof of his monthly earnings within 60 days for the purpose of enabling the Court to identify an amount which the appellant ought to pay in maintenance each month to Mabontare Marie Reine, his wife, and Arnold Tabisu Bulewak, Noel Tabimal Bulewak, Cindy Mabonse Bulewak and Christopher Bulewak, his four children, taking into account the needs of the appellant's wife and children, and the appellant's own needs and financial means;



- (c) Parties are at liberty to apply to the Court for variation of any provision of these orders on reasonable notice to the other party;
- (d) Non-compliance with (a) or (b) above may constitute an offence punishable by a fine or imprisonment.

DATED at Port Vila, this 29th day of October 2004.


H. BULU
Judge.

The seal of the Republic of Vanuatu Court of Appeal is circular. It features a central emblem with a scale of justice and a book. The text "REPUBLIC OF VANUATU" is written along the top inner edge, and "COURT OF APPEAL" is written along the bottom inner edge. The outer ring of the seal contains the text "REPUBLIC OF VANUATU" at the top and "COURT OF APPEAL" at the bottom.