

ATTORNEY GENERAL'S
CHAMBERS
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NEW HEBRIDES CONDOMINIUM

JOINT REGULATION

No 25 of 19

TO PUT INTO EFFECT the Resolution of the Representative Assembly No. 9 of 1980, passed the 17th day of July 19 80, to provide for the office of Attorney General and for him to be assisted by a Deputy Attorney General and State Counsel.

MADE by the Resident Commissioners under the provisions of Article 2(2) of the Anglo-French Protocol of 1914 and Article 28(3) of the Schedule to the Exchange of Notes made at London the 15th day of September 1977 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic.

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| Scheduled Resolution put into effect. | 1. The Resolution of the Representative Assembly No. 9 of 1980, set forth in the Schedule is hereby put into effect. |
| Short title and commencement. | 2. This Joint Regulation may be cited as the Law Officers Regulation 19 80 and shall have effect from the date of signature. |

ENACTED at Vila this 23 day of July 1980 .

Delegate Extraordinary for the French Republic in the New Hebrides,

J.J. ROBERT
J.J. ROBERT

Her Britannic Majesty's Resident Commissioner,

A.C. STUART
A.C. STUART

Le Chancelier

J. PERES

RA3/D/80-9
17 July 1980

LAW OFFICERS REGULATION

ARRANGEMENT OF SECTIONS

1. Establishment of offices.
2. Appointment of Attorney General.
3. Rights of Attorney General, Deputy Attorney General and State Counsel.
4. Superintendance over Legal Practitioners.
5. Law Officers not entitled to private practice.
6. Existing appointments to continue.
7. Exercise of the Attorney General's functions and powers.

NEW HEBRIDES
REPRESENTATIVE ASSEMBLY

RESOLUTION NO 9 OF 1980

The Representative Assembly at its sitting on the 17th day of July 1980 hereby resolves and decides in accordance with Article 23 of the Schedule to the Exchange of Notes of 15th September 1977 to adopt the following measures :-

Establishment
of offices.

1. (1) There shall be an Attorney General of Vanuatu who shall be the Principal Legal Adviser to the Government.
- (2) The Attorney General may be assisted by a Deputy Attorney General and by State Counsel.
- (3) The Attorney General shall represent Vanuatu in all civil proceedings in the Courts and shall on behalf of Vanuatu exercise any of her rights, prerogatives, privileges or functions before any Court.

Appointment of
Attorney
General.

2. (1) The Attorney General shall be appointed by the President on the advice of the Prime Minister.
- (2) The office of Attorney General shall become vacant :-
 - (a) if the President acting on the advice of the Prime Minister so directs;
 - (b) upon the election of any person to the office of Prime Minister;
 - (c) upon the resignation in writing of the Attorney General delivered to the President.
- (3) Subject to subsection (4) the Deputy Attorney General and State Counsel shall be Public Officers.
- (4) When the Prime Minister considers the circumstances so require he may appoint a person to be Deputy Attorney General or State Counsel for a period fixed in the instrument of appointment.

Rights of
Attorney
General, Deputy
Attorney General
and State Counsel.

3. Every person holding the office of Attorney General, Deputy Attorney General and State Counsel, shall so long as he continues to hold such office be ex-officio a lawyer permitted to practise in Vanuatu.

Superintendance
over legal
practitioners.

4. The Attorney General is invested with general professional superintendance over all lawyers entitled to practice in Vanuatu. He may on behalf of the Law Council refer cases of professional misconduct to the Disciplinary Committee.

Law Officers not
entitled to
private
practice.

5. (1) The Attorney General shall not be entitled to private practice of any kind.
- (2) The Minister responsible for Justice may grant written permission to a private practitioner temporarily appointed to act as Attorney General to carry on private practice subject to such conditions as he may consider fit to impose, and may at any time cancel such permission, or vary or add to the conditions.

Existing
appointments
to continue.

6. Any person who immediately before the coming into operation of this Regulation has been appointed by the Chief Minister to the office of Attorney General shall be considered to have been appointed in accordance with its provisions.

Exercise of
the Attorney
General's
functions and
powers.

7. (1) The Attorney General may exercise his functions under section 1 through the Deputy Attorney General or State Counsel.
- (2) Any power or duty of the Attorney General provided in any Regulation may be exercised by the Deputy Attorney General or State Counsel nominated by the Attorney General -
- (a) when the Attorney General is unable to act owing to illness or absence or
- (b) in any case or class of cases when the Attorney General has authorised the Deputy Attorney General or State Counsel to do so.