

**REPUBLIQUE  
DE  
VANUATU**



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OF  
VANUATU**

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LOI NO. 11 DE 1984 RELATIVE AU  
CORPS DES GEOMETRES

NOTIFICATION OF PUBLICATION

ACT

THE LAND SURVEYORS ACT NO. 11  
OF 1984

ORDER

THE LAND SURVEYORS (REGULATIONS)  
ORDER NO. 3 OF 1985

SOMMAIRES

PAGE

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2

AVIS D'INSCRIPTION  
MODIFICATION

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REPUBLIC OF VANUATU

THE LAND SURVEYORS ACT NO. 11 OF 1984

Assent: 24/5/84

Commencement: 11/2/85

An Act to provide for the setting up of a Land Surveyors Board, for registration and regulation of professional conduct of land surveyors and for matters incidental thereto.

BE IT ENACTED by the President and Parliament as follows:-

PART 1 - PRELIMINARY

INTERPRETATION

1. In this Act, unless the context otherwise requires -

"the Board" means the Land Surveyors Board set up under section 4;

"Director" means the Director of the Department of Land Surveys;

"Government surveyor" means a surveyor employed by the Department of Land Surveys;

"Minister" means the Minister responsible for land matters;

"public surveys" means surveys conducted by the Department of Land Surveys;

"register" means the register of surveyors kept under the provisions of this Act;

"registration" means registration under this Act and "registered" has a corresponding meaning;

"secretary" means the secretary to the Board;

"surveyor" means a person registered as a land surveyor under the provisions of this Act.

PART 2 - THE DIRECTOR AND HIS DUTIES

THE DIRECTOR

2. There shall be a Director of Land Surveys who shall be a public servant.

DUTIES OF THE DIRECTOR

3. (1) The duties of the Director shall be to -

(a) direct and control all public surveys;

(b) supervise and control all other surveys;

- (c) examine all general and particular plans of surveys made in respect of leases of land and approve such plans if satisfied that such surveys have been carried out and the plans prepared in accordance with the provisions of this Act;
  - (d) take charge of and preserve all survey records;
  - (e) cancel or amend any survey plan or diagram found to be incorrect, out-dated or inadequate;
  - (f) prepare, certify and issue at the request of any person upon payment of the prescribed fees, copies of diagrams and documents filed within his department which are available to the public;
  - (g) require any surveyor to correct any errors in a survey carried out by him.
- (2) The Director shall be the authority for the preparation and publication of the official maps of Vanuatu, and no person shall, without the approval in writing from the Director and payment of the prescribed fees make use for publication of any map or any material prepared by the Department of Land Surveys.
- (3) The Director shall charge the prescribed fees for public surveys and for all documents issued or services rendered by the Department of Land Surveys.

### PART 3 - THE LAND SURVEYORS BOARD

#### **THE BOARD**

4. (1) There shall be a board to be known as the Land Surveyors Board consisting of -
- (a) the Director who shall be chairman; and
  - (b) two surveyors appointed by the Minister, one of whom shall be a surveyor not employed by the Department of Land Surveys.
- (2) The appointed members shall hold office for a term of two years but may be re-appointed; their appointment may be terminated for cause by the Minister at any time.
- (3) The first two surveyors appointed by the minister under subsection (1)(b) shall be deemed to be Surveyors registered under the provisions of this Act.
- (4) The Board shall appoint a public servant to be Secretary.

#### **PROCEEDINGS OF THE BOARD**

5. (1) All members of the Board shall constitute the quorum.

- (2) The Board shall meet at such times and places as the Chairman shall direct.
- (3) The decisions of the Board shall be made by a majority of votes of the members.
- (4) Subject to the provisions of this section the Board shall regulate its own procedure.

#### **DUTIES OF THE BOARD**

6. The duties of the Board shall be -

- (a) to maintain a register of surveyors;
- (b) to determine the qualifications and experience of persons entitled to be registered as surveyors;
- (c) to hear and determine disciplinary proceedings against surveyors in accordance with the provisions of this Act; and
- (d) to carry out such other functions as may be prescribed by this Act or any other law.

#### **PART 4 - REGISTRATION OF SURVEYORS**

#### **QUALIFICATION FOR REGISTRATION**

7. (1) A person shall be entitled to be registered under this Act if he proves to the satisfaction of the Board that he is the holder of a certificate, diploma or degree granted by a recognized university, technical institute or professional institution in land survey and that he is entitled to practice as a land surveyor in the country in which the certificate, diploma or degree was granted.
- (2) The Board may require an applicant for registration to produce such documents or other evidence relating to his qualifications or submit to such examination for registration as the Board shall prescribe.
- (3) A person applying for registration shall pay the prescribed fee in respect of the application.

#### **CERTIFICATE OF REGISTRATION**

8. (1) Where a person is registered he shall be granted a certificate of registration on payment of the prescribed fees.
- (2) If the registration is cancelled or suspended the holder of the certificate of registration shall forthwith deliver it up to the Director.

#### **BOARD TO MAINTAIN REGISTER**

9. The Board shall maintain a register of surveyors in which shall be recorded the names, addresses and qualifications of all registered surveyors.

**CANCELLATION OF REGISTRATION**

10. (1) The Board shall cancel the registration of a surveyor if it is satisfied that he -
- (a) has obtained his registration by fraud, misrepresentation or mistake, or
  - (b) has been convicted of an offence punishable by imprisonment without the option of a fine, or
  - (c) is in the opinion of the Board by reason of a physical or mental incapacity, unable satisfactorily to exercise his profession.
- (2) A person whose registration has been cancelled may apply for re-instatement and upon receipt of satisfactory evidence of proper reasons for his re-instatement the Board may reinstate his registration.

**APPEALS AGAINST DECISIONS OF THE BOARD**

11. Any person aggrieved -
- (a) by the refusal of the Board of his application for registration; or
  - (b) by the cancellation of his registration under section 10; or
  - (c) by the refusal of the Board to re-instate his registration,
- may appeal to the Supreme Court.

**PART 5 - PROFESSIONAL DISCIPLINE**

**COMPLAINTS OF UNPROFESSIONAL CONDUCT**

12. (1) Any complaint of the conduct of a surveyor in his professional capacity must be made in writing to the Board and must contain specific allegations of acts or omissions on which the complaint is based.
- (2) The Board shall deal with all disciplinary matters in accordance with the provisions of this Act.

**CONDUCT OF DISCIPLINARY PROCEEDINGS**

13. (1) The Board may invite the Attorney General or a law officer nominated by him to be a member of the Board for the purpose of the disciplinary proceedings but without the right to vote.
- (2) In any disciplinary proceedings before the Board the following rules shall apply -
- (a) a sufficient notice of the time and place of the hearing together with particulars of the complaint shall be given to the person against whom the complaint has been made and to the complainant;
  - (b) any party to the proceedings shall, if he so requires, be entitled to be heard by the Board and to be represented or assisted by a legal practitioner or a surveyor;
  - (c) unless the Board otherwise directs, the proceedings shall be held in public.

**EVIDENCE IN DISCIPLINARY PROCEEDINGS**

14. (1) The Board, by notice in writing signed by the Chairman or the secretary, may require any person to attend and give evidence before it at the hearing of any complaint under this Part, and to produce any documents in that person's custody or under his control relating to the subject matter of the complaint.
- (2) The Board may require evidence to be given on oath, and either orally or in writing, and for that purpose the Chairman may administer any oath.
- (3) Witnesses and legal practitioners and surveyors referred to in section 13(2)(b) shall have the same immunities and privileges in relation to proceedings before the Board as in proceedings in a court of law.
- (4) The secretary shall keep the minutes of the proceedings and record the evidence in such manner as the Board shall direct.
- (5) Any person who without lawful justification refuses or fails to attend and give evidence when required to do so by the Board, or to answer truly any question put to him or to produce any document required of him, shall be guilty of an offence.

Penalty: Imprisonment for 3 months or fine of 20,000 VT or both.

**DISCIPLINARY POWERS OF THE BOARD**

15. (1) If the Board finds that the acts or omissions alleged in the complaint -
- (a) have not been proved to the satisfaction of the Board; or



- (b) do not constitute misconduct of the surveyor in his professional capacity; or
- (c) are of trivial nature;

the Board shall dismiss the complaint, and may order the complainant to pay such sums, if any, as the Board shall determine, by way of the costs of the proceedings, or a part thereof, to the Revenue Fund and to the surveyor against whom the complaint had been made.

- (2) If the Board finds a surveyor guilty of misconduct in his professional capacity, it may, having regard to the gravity of the allegations proved in the proceedings -
  - (a) order that his registration be cancelled or suspended for such period not exceeding two years as the Board shall think fit;
  - (b) reprimand him;
  - (c) order him to pay such sum to the Revenue Fund, as the Board shall determine, by way of the costs of the proceedings or a part thereof.
- (3) Any sum ordered to be paid under this section may be recovered in a like manner as a civil debt.

#### **APPEAL TO THE SUPREME COURT**

16. Any person found guilty of misconduct under section 15 may appeal to the Supreme Court.

### **PART 6 - THE CONDUCT OF SURVEYS**

#### **DUTIES OF LAND SURVEYORS**

17. (1) Every surveyor shall -

- (a) carry out every survey undertaken by him in such manner as will ensure accurate results and in accordance with the provisions of this Act;
- (b) be responsible for the correctness of every survey carried out by him and of every general plan and diagram which bears his signature;
- (c) sign and date all survey documentation made by him;
- (d) deposit with the Director, for the purpose of being permanently filed in the office of the Director all plans, field notes and computations made by the surveyor;

- (e) when required by the Director, without delay correct any errors made in any survey made by him, as may be necessary to ensure the amendment of any diagram or plan based on an incorrect survey and to adjust the position of any survey mark placed in accordance with such incorrect survey.
- (2) Neither the Government nor any officer thereof shall be liable in respect of any defective survey or work appertaining thereto, performed by a surveyor not being a Government surveyor notwithstanding that a plan or diagram relating to such survey or work has been approved.

**SURVEYS FOR PURPOSES OF ACT NO. 4 OF 1983**

18. Every survey of land for the purposes of the Land Leases Act No. 4 of 1983 shall be carried out under and in accordance with the directions of the Director.

**RECOGNITION BY COURTS**

19. No surveys, plans of survey or diagrams shall be recognised by any court unless the same shall have been prepared and signed by a surveyor.

**POWER TO ENTER LAND, ERECT TRIGONOMETRICAL STATIONS AND SURVEY MARKS**

20. (1) The Director or any surveyor, with or without assistants may -
- (a) enter upon or pass over any land for the purpose of any survey and may affix and set up trigonometrical stations, survey marks, beacons, poles, stones or blocks, or for the purpose of inspecting any such land or stations or altering, repairing, moving or removing any trigonometrical station, survey mark, beacon, pole, stone or block;
  - (b) do all things necessary for survey or for any inspection, alteration, repair, move or removal as aforesaid;
  - (c) clear and keep clear of any growth of land within a radius of twenty (20) metres of any trigonometrical station.
- (2) Where the owner or occupier of any land has refused or is unwilling to consent to the entry upon, or passing over, the land by the Director or any surveyor, the Director or the surveyor may apply to the Magistrates Court for an order to authorize such entry or passing over.
- (3) In the exercise of the powers under by this section, neither the Director nor any surveyor shall acquire any right other than that of the user only in or over the soil of any land.
- (4) The powers conferred by this section may also be exercised in relation to any trigonometrical station, survey marks, beacon etc, fixed, placed or erected by a surveyor, or his agent prior to the date of commencement of this Act and existing at that date.

- (5) Every surveyor shall, when practicable, give reasonable notice to the owner or occupier of the land of his intention to enter thereon. Where the owner or occupier cannot be found notice may be placed in a conspicuous place on the land.
- (6) In the exercise of the powers under this section, the Director and the surveyor shall do as little damage as may be practicable and in any case shall pay full compensation to any person entitled thereto for all damage sustained by any person by reason or in consequence of the exercise of such powers.  
  
Provided that no compensation shall be payable in respect of any right of user acquired under this section.
- (7) In the case of damage caused by the Director or by any Government surveyor or any person acting on his instructions, the compensation shall be payable from the Revenue Fund, and in the case of damage caused by a surveyor other than a Government surveyor or his agent the compensation shall be paid by the surveyor. In the event of any disagreement arising as to whether or not compensation is payable or as to the amount payable, the matter shall be referred to a competent court.
- (8) Nothing in this section shall be deemed to authorise any person, except with the authority of the Director to alter, move or remove any trigonometrical station or standard survey mark erected or set up by a Government surveyor.

#### **SURVEYOR'S POWER TO SEEK INFORMATION**

21. (1) When any surveyor is in doubt as to the true boundary or limit of any land or is not familiar with any locality which he is employed to survey or as to any other matter affecting survey, he may question any person whom he thinks capable of giving him any relevant information.
- (2) Where any person being questioned refuses to answer the questions of the surveyor, the surveyor may apply to a Magistrates Court to have such person examined on oath.
- (3) Any person who disobeys an order made under sub-section (2) or knowingly gives information which is false in any material particular shall be guilty of an offence.

Penalty: Imprisonment for 3 months or fine of 20,000 VT or both.

#### **PART 7 - PRESERVATION OF SURVEY MARKS**

##### **REMOVING OR DEFACING SURVEY MARKS**

22. Any person other than a surveyor or a person working under the instructions of a surveyor who wilfully and unlawfully interferes with, removes, destroys, displaces, replaces or alters the position of any trigonometrical station, survey mark, beacon, pole, stone or block which has been fixed, placed or set up under the provisions of section 20 shall be guilty of an offence.

Penalty: Imprisonment for 6 months or fine of 50,000 VT. or both.

**OBSTRUCTING SURVEYORS**

23. Any person who wilfully obstructs or hinders the Director or any surveyor or their assistants in the exercise of their functions under this Act shall be guilty of an offence.

Penalty: Imprisonment for 3 months or fine of 20,000 VT. or both.

**PART 8 - AUTHENTICATION OF PLANS**

**AUTHENTICATION OF PLANS**

24. (1) For the purposes of registration under the Land Leases Act No. 4 of 1983 no land or tract of land shall be deemed to have been surveyed until the survey plan thereof has been authenticated by the signature of the Director.

(2) Every plan authenticated by the Director shall be conclusive evidence of the survey information comprised therein.

(3) Every plan purporting to bear the signature of the Director shall be deemed to be properly authenticated unless the contrary is proved.

**CANCELLATION OF AUTHENTICATION**

25. (1) Authentication of a plan shall be cancelled by the Director if -

(a) the plan is found to be inaccurate by reason of any error or omission in the survey; or

(b) the plan does not conform with the terms and conditions subject to which permission was granted for the survey of the land to which the plan relates.

(2) The Director shall upon the cancellation of authentication of any plan notify in writing the following -

(a) the owner of the land to which the plan relates;

(b) the surveyor who carried out the survey work; and

(c) the Director of Land Records.

**PART 9 - AERIAL SURVEYS**

**AERIAL SURVEY**

26. (1) Any person who intends to carry out any aerial photography of Vanuatu or any part of Vanuatu for use in mapping or similar purposes shall apply to the Director for approval.

(2) An application for aerial survey shall be submitted to the Director not less than one month before the date of the intended commencement of survey, or such shorter period as the Director may allow.

(3) Any person who has carried out any aerial photography for the purposes mentioned in subsection (1) shall furnish the Director with copies of all photographs taken for his inspection.

(4) The Director may retain copies of diagrams and photographs made from an aerial survey on payment of the cost thereof.

PART 10 - GENERAL

**MINISTER'S POWER TO MAKE REGULATIONS.**

27. (1) The Minister may make regulations not inconsistent with this Act for the implementation of its purpose and provisions, and may prescribe anything that may be prescribed.
- (2) Without derogating from the generality of subsection (1), the Minister in such regulations may -
- (a) prescribe the manner in which surveys are to be made, the records to be kept by surveyors and the manner of keeping the same;
  - (b) prescribe the terms and conditions to which subdivisional surveys shall conform;
  - (c) prescribe the manner in which survey marks shall be constructed, maintained and preserved;
  - (d) provide for the readjustment of boundaries, areas, shapes and positions of any parcels of land surveyed before the commencement of this Act;
  - (e) prescribe the procedure for preparation, submission, amendment and addition to plans;
  - (f) provide for the forms and procedure for application and registration of surveyors;
  - (g) provide for the regulation of aerial surveys.

**COMMENCEMENT**

28. This Act shall come into force on the date of its publication in the Gazette.

REPUBLIQUE DE VANUATU

LOI NO. 11 DE 1984 RELATIVE AU CORPS DES GEOMETRES

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REPUBLIQUE DE VANUATU

Promulguée: 24/5/84

Entrée en vigueur: 11/2/85

LOI NO. 11 DE 1984 RELATIVE AU CORPS DES GEOMETRES

instituant un conseil des géomètres, fixant les conditions de leur inscription au registre définissant leurs règles professionnelles et afférente à d'autres questions connexes.

Le président de la République et le Parlement promulguent le texte suivant :

TITRE 1 - DISPOSITIONS PRELIMINAIRES

DEFINITIONS

1. Dans le présent texte, sous réserve du contexte :

a) "conseil" désigne le conseil des géomètres institué en vertu de l'article 4 ;

"directeur" désigne le directeur du service topographique ;

"géomètre" désigne toute personne inscrite en qualité de géomètre conformément aux dispositions de la présente loi ;

"géomètre de l'Etat" désigne un géomètre employé par le service topographique ;

"inscription" désigne l'inscription prévue au présent texte ; le terme "inscrit" revêt la signification correspondante ;

"levés topographiques publics" désignent les levés effectués par le service topographique ;

"Ministre" désigne le ministre responsable des questions foncières ;

"registre" désigne le registre des géomètres établi en vertu des dispositions de la présente loi ;

"secrétaire" désigne le secrétaire du conseil.



TITRE 2 - ATTRIBUTIONS DU DIRECTEUR

NOMINATION DU DIRECTEUR

2. Il est institué la charge de directeur du service topographique, dont le titulaire doit avoir qualité de fonctionnaire.

ATTRIBUTIONS DU DIRECTEUR

3. 1) Le directeur est chargé de :
- a) diriger et contrôler tous les levés topographiques publics ;
  - b) inspecter et contrôler les autres levés topographiques ;
  - c) étudier les cartes cadastrales et les plans topographiques établis en vue de l'enregistrement des baux fonciers et les approuver s'il constate que levés et plans ont été exécutés dans les formes prescrites au présent texte ;
  - d) assurer la tenue et la conservation des archives topographiques ;
  - e) annuler ou modifier, conformément aux dispositions de tout texte législatif ou réglementaire, les plans ou schémas qui s'avèrent inexacts, caducs ou insatisfaisants ;
  - f) dresser, certifier et délivrer, sur requête et après paiement des droits prescrits, copie des plans et schémas conservés par son service et pouvant être consultés ;
  - g) demander à tout géomètre de redresser les erreurs relevées dans tous levés topographiques effectués par ses soins.
- 2) L'établissement et la publication de la cartographie officielle relèvent de la compétence du directeur ; l'utilisation aux fins de publication des cartes et de la documentation établies par le service topographique est soumise à son autorisation écrite et au paiement des droits prescrits.

- 3) Le directeur fixe les droits exigibles au titre des levés topographiques publics et des documents ou travaux exécutés par le service topographique.

### TITRE 3 - CONSEIL DES GEOMETRES

#### LE CONSEIL

4. 1) Il est institué un conseil dénommé "conseil des géomètres", qui est composé :
  - a) du directeur, qui en est le président, et
  - b) de deux géomètres nommés par le Ministre, dont l'un est extérieur au service topographique.
- 2) Le mandat des membres nommés est de deux ans et est reconductible ; le Ministre peut à tout moment y mettre fin pour des motifs valables.
- 3) Les deux premiers géomètres nommés par le Ministre conformément aux dispositions de l'alinéa b) du paragraphe 1) sont réputés inscrits au registre des géomètres en vertu de la présente loi.
- 4) Le conseil nomme un fonctionnaire en qualité de secrétaire.

#### PROCEDURES DU CONSEIL

5. 1) Le quorum est atteint en présence de tous les membres.
- 2) Le président du conseil fixe les lieux et dates de ses réunions.
- 3) Les décisions du conseil sont prises à la majorité des voix.
- 4) Sous réserve des dispositions du présent article, le conseil élabore son propre règlement intérieur.

#### ATTRIBUTIONS DU CONSEIL

6. Le conseil est chargé de :
  - a) tenir un registre des géomètres ;
  - b) définir les qualifications et l'expérience requises en vue de l'inscription au registre des géomètres ;

- c) connaître de toutes les procédures disciplinaires intentées contre les géomètres conformément aux dispositions du présent texte ;
- d) exercer toutes autres fonctions pouvant être prescrites par la présente loi ou par tout autre texte législatif ou réglementaire.

#### TITRE 4 - INSCRIPTION AU REGISTRE DES GEOMETRES

##### QUALIFICATIONS REQUISES

- 7. 1) Nul ne peut être inscrit au registre des géomètres en vertu de la présente loi s'il ne peut établir auprès du conseil qu'il est titulaire de brevets, diplômes ou licences accordés par une université, un institut technique ou un établissement spécialisé reconnu en matière topographique et qu'il est habilité à exercer la profession de géomètre dans le pays où a été délivré le titre dont s'agit.
- 2) Le conseil peut exiger de toute personne sollicitant son inscription qu'elle présente les pièces ou autres justificatifs attestant ses qualifications ou qu'elle se soumette aux examens que le conseil peut prescrire en vue de son inscription.
- 3) L'inscription au registre des géomètres donne lieu au paiement des droits prescrits à cet effet.

##### CERTIFICAT D'INSCRIPTION

- 8. 1) Les géomètres inscrits reçoivent, après paiement des droits prescrits, un certificat d'inscription.
- 2) En cas d'annulation ou de suspension du certificat d'enregistrement, son titulaire doit le remettre sur-le-champ au directeur.

##### TENUE DU REGISTRE

- 9. Le conseil tient un registre des géomètres dans lequel sont consignés les noms, adresses et titres des géomètres inscrits.

## RADIATION

10. 1) Le conseil radie un géomètre du registre s'il constate que celui-ci -
- a) a obtenu son inscription par erreur, par des manoeuvres frauduleuses ou de fausses déclarations ;
  - b) a été déclaré coupable d'une infraction emportant une peine d'emprisonnement, sans peine d'amende alternative ;
  - c) ne peut exercer sa profession de façon satisfaisante, en raison de toute incapacité physique ou mentale.
- 2) Un géomètre radié du registre peut solliciter sa réhabilitation ; pour des motifs valables, attestés de façon satisfaisante, le conseil peut le réinscrire au registre.

## APPEL DES DECISIONS DU CONSEIL

11. Peut interjeter appel devant la Cour suprême toute personne s'estimant lésée :
- a) par le rejet apposé par le conseil à sa demande d'inscription ;
  - b) par sa radiation, prononcée en vertu de l'article 10 ;
  - c) par le refus du conseil à la réhabiliter.

## TITRE 5 - DISCIPLINE PROFESSIONNELLE

### PLAINTÉ POUR MANQUEMENT AUX REGLES PROFESSIONNELLES

12. 1) Toute plainte formée contre la conduite professionnelle d'un géomètre est adressée au conseil par écrit ; elle comporte un exposé détaillé des actes ou omissions qui la motive.
- 2) Le conseil connaît de toutes les questions disciplinaires conformément aux dispositions de la présente loi.

#### PROCEDURE DISCIPLINAIRE

13. 1) Le conseil peut inviter l'attorney général ou tout officier de justice qu'il désigne à siéger avec lui lors d'une procédure disciplinaire, sans toutefois lui accorder le droit de vote.
- 2) Les règles suivantes sont applicables aux procédures disciplinaires dont connaît le conseil :
  - a) le plaignant ainsi que le géomètre incriminé sont avisés en temps utile des lieu et date de l'audience ainsi que de l'objet de la plainte ;
  - b) sur leur demande, les parties peuvent témoigner devant le conseil, s'y faire représenter ou assister par un auxiliaire de justice ou par un géomètre ;
  - c) sauf décision contraire du conseil, les débats sont publics.

#### ADMINISTRATION DE LA PREUVE EN MATIERE DISCIPLINAIRE

14. 1) Par avis écrit signé du président ou du secrétaire, le conseil peut citer toute personne à comparaître en qualité de témoin à l'audience d'une plainte formée en vertu du présent titre et lui enjoindre de présenter tout document pertinent en sa possession ou sous son contrôle.
- 2) Le conseil peut exiger que la preuve, littérale ou testimoniale, soit administrée sous serment ; à cet effet, le président est habilité à faire prêter serment.
- 3) Les témoins, auxiliaires de justice et géomètres visés à l'alinéa 2) b), de l'article 13 jouissent, lors des procédures introduites devant le conseil, des privilèges et immunités dont ils bénéficieraient devant toute juridiction.
- 4) Le secrétaire dresse le procès-verbal des débats et consigne les preuves administrées de la façon arrêtée par le conseil.

- 5) Se rend coupable d'une infraction toute personne qui, sans excuse valable, refuse ou manque de comparaître ou de témoigner à la requête du conseil, fait de fausses déclarations en réponse aux questions qui lui sont posées ou ne présente pas un document requis.

Peine : emprisonnement de 3 mois ou amende de 20.000 VT ou les deux peines à la fois.

#### POUVOIRS DU CONSEIL EN MATIERE DISCIPLINAIRE

15. 1) Si le conseil constate que les actes ou omissions allégués dans la plainte :
- a) n'ont pas été prouvés,
  - b) ne constituent pas une faute professionnelle de la part du géomètre, ou
  - c) ne portent pas à conséquence,
- il déboute le plaignant et peut le condamner à payer tout ou partie des frais occasionnés, dont le conseil fixe souverainement le montant ; ces frais sont remboursables soit au compte général du Trésor, soit au géomètre contre lequel la plainte a été déposée.
- 2) Si le conseil déclare un géomètre coupable de manquement aux règles professionnelles, il peut, selon la gravité de la faute commise :
- a) ordonner sa radiation ou sa suspension pour une période n'excédant pas deux ans et dont le conseil fixe la durée ;
  - b) lui infliger un blâme ;
  - c) le condamner à verser au compte général du Trésor, tout ou partie des frais occasionnés, dont le conseil fixe souverainement le montant.

- 3) Les sommes exigibles au titre du présent article peuvent être recouvrées au moyen d'une procédure civile.

#### APPEL DEVANT LA COUR SUPREME

16. Toute personne déclarée coupable de faute professionnelle en vertu de l'article 15 dispose d'un droit d'appel devant la Cour suprême.

### TITRE 6 - CONDUITE DES TRAVAUX TOPOGRAPHIQUES

#### ATTRIBUTIONS DES GEOMETRES

17. 1) Un géomètre inscrit est tenu de :
  - a) effectuer les levés topographiques qui lui sont confiés de façon à obtenir des résultats exacts, et de se conformer aux dispositions du présent texte ;
  - b) assumer la responsabilité de tous levés topographiques effectués par ses soins et de tous plans ou schémas portant sa signature ;
  - c) signer et dater les documents topographiques qu'il établit ;
  - d) déposer auprès du directeur, aux fins d'archivage, tous les plans, carnets de terrain et calculs effectués par ses soins ;
  - e) redresser immédiatement, à la demande du directeur, toute erreur survenue lors de levés topographiques effectués par ses soins pour permettre la correction de tous schémas ou plans établis à partir des levés inexacts et de modifier en conséquence l'emplacement de toute borne ou marque topographique initialement installée en fonction de données erronées.
- 2) L'Etat et ses agents ne peuvent être tenus responsables de levés topographiques inexacts et des travaux effectués sur cette base par un géomètre de l'Etat et ce, lors même que les plans ou schémas établis à partir de ces levés ou travaux ont été approuvés.

DIRECTION GENERALE DES LEVES TOPOGRAPHIQUES

18. Les levés topographiques exécutés aux fins d'application de la loi n° 4 de 1983 sur les baux fonciers se déroulent sous le contrôle et conformément aux directives du directeur.

RECONNAISSANCE JUDICIAIRE

19. Les levés, plans et schémas topographiques ne sont recevables devant les juridictions vanuatuanes que s'ils ont été établis et certifiés par un géomètre.

POUVOIRS DES GEOMETRES

20. 1) Le directeur et les géomètres, accompagnés ou non de leurs assistants, peuvent :
- a) pénétrer sur toute terre ou la traverser pour y effectuer des levés topographiques, poser et installer des stations trigonométriques, des bornes ou marques topographiques, des balises, poteaux, pierres ou autres marques, pour inspecter ces terres ou les stations qui y sont installées, pour modifier, réparer, déplacer ou enlever lesdites bornes ou marques ;
  - b) prendre toutes dispositions utiles en vue des levés, inspections, modifications, réparations, déplacements ou enlèvements susdits ;
  - c) défricher des terres dans un rayon de vingt (20) mètres autour de toute station trigonométrique et maintenir cette surface dégagée.
- 2) Lorsque le propriétaire ou l'occupant d'une terre a refusé d'autoriser l'entrée ou le passage du directeur ou des géomètres sur sa terre ou s'y est opposé, ces derniers peuvent solliciter du tribunal de première instance compétent une ordonnance les autorisant à y pénétrer ou à la traverser.
- 3) Dans l'exercice des pouvoirs définis au présent article, le directeur et les géomètres ne sont qu'usagers du sol des terres dont s'agit et ne disposent d'aucun autre droit.



- 4) Les pouvoirs conférés au présent titre s'exercent en outre sur les stations trigonométriques, les bornes ou marques topographiques, balises, et autres marques fixées, installées ou érigées par un géomètre ou par son représentant avant la date d'entrée en vigueur du présent texte et encore en place à cette date.
- 5) Lorsque faire se peut, le géomètre est tenu d'aviser le propriétaire ou l'occupant des terres en temps utile de son intention d'y pénétrer. En l'absence du propriétaire ou du locataire, un avis à cet effet peut être affiché dans un lieu bien en vue de ces terres.
- 6) Dans l'exercice des pouvoirs conférés au présent article, le directeur et les géomètres commettent le moins de dommages possibles ; en tout état de cause, ils indemnisent les personnes ayant subi préjudice à raison de tout dommage causé par ou du fait de l'exercice desdits pouvoirs.

L'exercice du droit d'usage acquis au directeur et aux géomètres en vertu du présent article ne donne lieu à aucune indemnisation.

- 7) En cas de dommages causés par le directeur, par les géomètres de l'Etat ou par les personnes agissant sur leurs instructions, l'indemnisation est imputée sur le compte général du Trésor ; la réparation des dommages causés par un géomètre n'ayant pas qualité de géomètre de l'Etat ou par son représentant est à la charge de ce géomètre. La juridiction compétente est saisie de tout litige survenant quant à l'opportunité d'une indemnisation et à son montant.
- 8) Les dispositions du présent article ne peuvent être interprétées de façon à autoriser un géomètre, sauf s'il dispose de l'autorisation du directeur, à modifier, déplacer ou enlever les stations trigonométriques, les bornes ou marques topographiques types érigées ou installées par un géomètre de l'Etat.

#### INTERROGATOIRE SOUS SERMENT

21. 1) Lorsqu'un géomètre entretient des doutes quant aux limites de certaines terres, qu'il connaît mal la région dont il doit effectuer le levé ou

qu'il est confronté à toute autre question pouvant avoir une incidence sur ces travaux, il peut interroger toute personne qui, selon lui, est susceptible de lui fournir les renseignements requis.

- 2) Lorsqu'une personne refuse de répondre aux questions d'un géomètre, celui-ci peut solliciter du Tribunal de première instance compétent qu'il questionne cette personne sous serment.
- 3) Se rend coupable d'une infraction toute personne qui ne se conforme pas à une ordonnance rendue en vertu du paragraphe 2 ou qui fait sciemment une fausse déclaration.

Peine : emprisonnement de 3 mois ou amende de 20.000 VT ou les deux peines à la fois.

#### TITRE 7 - PROTECTION DES BORNES ET MARQUES TOPOGRAPHIQUES

##### ENLEVEMENT ET DETERIORATION DES BORNES ET MARQUES

22. Se rend coupable d'une infraction toute personne (hormis les géomètres et les personnes travaillant sous leur contrôle) qui, volontairement et en violation de la loi, détériore, enlève, détruit, déplace, remplace ou modifie toute station trigonométrique, borne ou marque topographique, balise, poteau, pierre ou autre marque installée, fixée ou érigée en vertu de l'article 20.

Peine : emprisonnement de 6 mois ou amende de 50.000 VT ou les deux peines à la fois.

##### ENTRAVE AUX FONCTIONS DES GEOMETRES

23. Se rend coupable d'une infraction toute personne qui entrave volontairement le directeur, les géomètres ou leurs assistants dans l'exercice des fonctions définies à l'article 20.

Peine : emprisonnement de 3 mois ou amende de 20.000 VT ou les deux peines à la fois.

## TITRE 8 - AUTHENTIFICATION DES PLANS

### AUTHENTIFICATION DES PLANS

24. 1) Aux fins de l'enregistrement prévu à la loi n° 4 de 1983 sur les baux fonciers, une terre ou une parcelle de terrain n'est réputée avoir fait l'objet d'un levé topographique que lorsque le plan topographique y afférent a été authentifié par la signature du directeur.
- 2) Un plan authentifié par le directeur constitue une preuve des données topographiques y figurant.
- 3) Tout plan censé être revêtu de la signature du directeur est réputé dûment authentifié, jusqu'à preuve du contraire.

### ANNULATION DE L'AUTHENTIFICATION

25. 1) Le directeur annule l'authentification d'un plan si :
  - a) le plan s'avère inexact par suite d'une erreur ou d'une omission survenue à l'occasion des levés topographiques, ou
  - b) le plan ne respecte pas les termes et conditions régissant l'autorisation d'exécuter le levé topographique des terres dont s'agit.
- 2) Lorsqu'il annule l'authentification d'un plan, le directeur en avise par écrit les personnes suivantes :
  - a) le propriétaire des terres dont s'agit ;
  - b) le géomètre responsable du levé topographique, et
  - c) le conservateur du bureau de l'enregistrement et des hypothèques.

## TITRE 9 - LEVES PHOTOGRAMMETRIQUES

### LEVES PHOTOGRAMMETRIQUES

26. 1) Toute personne qui souhaite prendre des photographies aériennes de tout

ou partie du territoire national en vue de l'établissement de cartes ou à des fins similaires est tenue de solliciter l'autorisation du directeur.

- 2) La demande d'autorisation en vue d'un levé photogrammétrique est soumise au directeur au moins un mois avant la date prévue pour le début de l'opération ou sous tout délai plus court fixé par le directeur.
- 3) Toute personne ayant pris des photographies aériennes aux fins visées au paragraphe 1 est tenue de soumettre à l'examen du directeur copies de toutes les photographies prises.
- 4) Après en avoir acquitté le coût, le directeur peut conserver copies de tous les schémas et photographies pris lors d'un levé photogrammétrique.

#### TITRE 10 - DISPOSITIONS GENERALES

##### POUVOIRS DU MINISTRE

27. 1) Le Ministre peut prendre tout règlement compatible avec le présent texte en vue de la mise en oeuvre de son objet et de l'exécution de ses dispositions ; il peut en outre édicter toute prescription.
- 2) Sans déroger au caractère général du paragraphe 1 le Ministre peut, au règlement sus-visé :
  - a) prescrire la façon dont se déroulent les levés topographiques et la nature et la forme des archives conservées par les géomètres ;
  - b) prescrire les termes et conditions régissant les levés topographiques de lotissement ;
  - c) prescrire le mode de construction, d'entretien et de protection des bornes et marques topographiques ;

- d) permettre le réaligement des limites, zones, contours et emplacements de toute parcelle de terrain dont le levé est antérieur à l'entrée en vigueur du présent texte ;
- e) prescrire les règles applicable à la préparation, soumission et modification des plans ;
- f) arrêter les procédures et les formules pour les demandes d'inscription et l'inscription des géomètres ;
- g) régler les levés photogrammétriques.

ENTREE EN VIGUEUR

28. La présente loi entrera en vigueur le jour de sa publication au Journal officiel.

THE LAND SURVEYORS (REGULATIONS) ORDER No. 3 OF 1985

To provide for the Land Surveyors Regulations and for matters connected therewith.

IN EXERCISE of the powers contained in section 27 of the Land Surveyors Act No. 11 of 1984 I hereby make the following regulations:-

PART 1 - INTERPRETATION

1. In this Order, unless the context otherwise requires -  
"Act" means the Land Surveyors Act No. 11 of 1984;  
"Board" "Director", "plan", "public survey", "survey", and "surveyor" shall have the meaning ascribed to them in the Act.

PART 2 - REGULATIONS AFFECTING ALL LAND SURVEYS  
MADE UNDER SECTION 18 OF THE ACT

**DISPUTES**

2. If a dispute arises between a surveyor who is not employed in the public service and the Director over the application of the regulations, either party may refer the matter to the Board. The Board shall hear and determine such dispute, and its decision shall be final.

**UNITS OF MEASUREMENT**

3. (1) All distances shown on plans shall be in metres and decimals of a metre.  
(2) All angular measurements shall be in degrees, minutes and seconds of arc.  
(3) For purposes of conversion the following standards have and shall be used:

Epi and Islands to the South

1 metre = 4.971058 links  
1 link = 0.20116442 metre  
1 hectare = 247114.176 links<sup>2</sup>

Malekula and Islands to the North

1 metre = 4.97097373 links  
1 link = 0.20116783 metre  
1 hectare = 247105,798 links<sup>2</sup>

#### SYSTEMS OF CO-ORDINATES AND PROJECTIONS

4. The figure of the earth and the projection to be used in the computation of co-ordinates of any survey shall be the International (Hayford) (1924) figure having elements: semi-major axis 6378388 international metres, flattening 1/297.0, and the Transverse Mercator Projection for the island on which the survey is carried out. Details are obtainable from the Director for the Transverse Mercator Projection which are currently authorised.

#### MAINTENANCE OF MEASURING INSTRUMENTS

5. (1) Every surveyor shall maintain his theodolite and EDM equipment along with all other equipment in good order, and the Director may refuse to authenticate any survey which has been made with defective equipment.
- (2) Every measuring band, tape, thermometer and spring balance shall be submitted to the Director before use and thereafter not less than once in every twelve months for comparison with the official bases.
- (3) The Director may at any time require any surveyor to submit any measuring equipment for his inspection.

#### PRESENTATION OF SURVEYS

6. (1) Every surveyor shall be personally responsible for the accuracy, fidelity, and completeness of every survey presented by him for the approval of the Director.
- (2) It shall be the duty of every surveyor making any survey under these regulations to record all the relevant information that may aid in securing the accuracy and completeness of every such survey.
- (3) Every surveyor shall perform sufficient work to enable him to apply a thorough check to every part of his survey.
- (4) Every surveyor shall present his plan, computations and connected documents of every survey in such a manner as the Director may require, and if any surveyor forwards to the Director any plan computation or connected document which does not conform substantially with the appropriate requirements, the Director may, at his discretion, return the plan, computation and connected documents to the surveyor and may refuse to authenticate such plan, computation or connected document until it has been made to conform with the appropriate requirements.
- (5) All surveys returned to a surveyor shall be resubmitted to the Director without undue delay.

**PERMISSIBLE ERRORS OF MEASUREMENT**

7. All measurements must be made in accordance with regulations 32, 33 and 36 and the Director may refuse to authenticate any survey which contains errors in excess of those that can be expected from measurements properly carried out in the manner specified.

**CHECKING OF SURVEYS**

8. The Director may at any time direct any surveyor to check in the field any survey made by any other surveyor, and such check may include the verification of any information recorded in connection with such survey mark established under the Act or any regulations made thereunder.

**INFORMATION PRIOR TO SURVEY**

9. (1) Before carrying out any survey, every surveyor shall be provided, or shall provide himself with all available information in respect of any previous survey of the parcel of land to be surveyed and of any adjoining parcel.
- (2) The Director shall make available to any surveyor all technical information under his control or in his possession.
- (3) There shall be paid in respect of information received under this regulation the appropriate fee.

**PRIOR APPROVAL OF STATUTORY AUTHORITIES**

10. Before submitting any survey to the Director a surveyor shall ensure that approval has been obtained for a subdivision or other transaction of any parcel of land in any case where such approval is required by a law and that the survey submitted conforms with such approval.

**AUTHORITY FOR ENTRY UPON LAND**

11. (1) In pursuance of section 20 of the Act the Director shall furnish every surveyor with an official letter of authority which shall be in the form as set out in Form B of Schedule II.
- (2) Every surveyor shall present his letter of authority to any owner or occupier of land who demands proof that such surveyor is fully authorised to enter upon his land.



**EMPLOYMENT OF UNQUALIFIED ASSISTANTS**

12. (1) No surveyor shall employ an unqualified survey assistant without the written approval of the Board:

Provided that the Director may give provisional approval pending the decision by the Board.

(2) When such approval is given it shall be for a period of not more than two years in the first instance and may thereafter be renewed for further periods at the discretion of the Board.

(3) The work done by any such assistant shall be under the direct personal control of the surveyor, who shall himself carry out a sufficient check to ensure that the work done by his assistant is correct. The surveyor shall accept full personal responsibility for all work performed by his unqualified survey assistant.

(4) The surveyor shall furnish the Director or the Board with a certificate which shall be in the form as set out in Form A in Schedule II.

**FEES**

13. There shall be paid in respect of the several matters specified in Schedule III the several fees specified therein.

**FEES CHARGEABLE BY PRIVATE SURVEYORS**

14. The fees in respect of private surveys shall be recommended by the Board and shall serve merely for guideline purposes.

**PART III - SURVEY MARKS, BOUNDARY MONUMENTS AND BOUNDARIES**

**DESIGN AND SPECIFICATION OF SURVEY MARKS**

15. (1) The design of survey marks shall be as specified by the Director, except in special circumstances which shall be set out in the report on the survey.

(2) Every new triangulation or trilateration station other than a purely auxiliary station shall be permanently marked.

(3) In third order traverses as defined in regulation 36 all traverse stations shall whenever possible be permanent points.

**PLACEMENT OF SURVEY MARKS**

16. (1) Monuments placed to define accurately the boundaries of a parcel shall be of such type as the Director may require.
- (2) Where a boundary is inadequately defined and it is necessary to place a monument to define the approximate position of the boundary such monuments shall conform to the requirements of paragraph (1) of this regulation.
- (3) With a view to facilitating the location of isolated boundary monuments, such monuments shall be referenced to any nearby telephone pole, suitable tree or other prominent physical feature.

**LINE MONUMENTS AND RIVER BEACONS**

17. (1) (a) Where a rectilinear boundary intersects a curvilinear boundary and a monument as required by regulation 16 cannot be placed at the intersection, a monument shall be placed on the rectilinear boundary as near as possible to the intersection. Such monument shall be known as a line monument.
- (b) Where the rectilinear boundary continues on both sides of the curvilinear boundary, line monuments shall be placed on both sections of the rectilinear boundary.
- (c) Where the curvilinear boundary falls within a river or swamp the line monument shall be placed above flood level and shall be known as a river monument.
- (2) When a line or river monument has been placed in accordance with regulation 16 (1) the distance from the line or river monument to the actual boundary shall be measured to the precision required by regulation 71 (2).
- (3) All subdivisions of a parcel, the boundaries of which have been fixed, which is situated across a road reserve shall be fully monumented as self contained units.
- (4) Where a curvilinear feature is adopted as a subdivisional boundary of a parcel, the boundaries of which have been fixed, the several subdivisions and any remainder shall be fully monumented as self contained units.

**PLACING MONUMENT ON BOUNDARY**

18. Where a monument is placed on a boundary line that has been fixed, it shall be proved to be on line by establishing either directly or indirectly its relationship with the terminal monuments of the line.

**MONUMENTS PLACED FROM COMPUTED DATA**

19. Where a monument is placed from computed data, its position shall be proved by an independent field check and calculation.

**WHEN MONUMENTS CANNOT BE PLACED**

20. When the corner of a parcel, the boundaries of which are required to be fixed, falls within inaccessible ground where a monument cannot be placed, the position of such corner shall be permanently referenced by at least one indicatory monument placed on a boundary line as near as possible to the corner. The details of the situation shall be indicated on the plan.

**DAMAGED MONUMENTS TO BE REPAIRED**

21. Where an old monument of the parcel under survey is found to be damaged, the surveyor shall repair or renew the monument, and make a record of the repairs in his field notes and notify the Director.

**TRIGONOMETRICAL STATIONS TO BE REPAIRED**

22. (1) Every surveyor engaged on a public survey who discovers any trigonometrical or traverse station to be damaged and in need of repair shall carry out such repair as may be necessary.
- (2) A surveyor not engaged on a public survey is not required to repair any damaged trigonometrical or traverse station, but he shall report in writing to the Director the name, number and position of such station and the nature of the damage he has observed.

**MISSING MONUMENTS**

23. Missing monuments shall be noted in the surveyor's report and in order to demonstrate that he has searched in the right place the surveyor shall provide such measurement and observations as may be necessary.

**RE-ESTABLISHMENT OF MISSING MONUMENTS**

24. If a surveyor is required to re-establish a missing monument, he shall submit his field notes, computations and report to the Director.

**REDUNDANT MONUMENTS**

25. Where the existence of a visible redundant monument is likely to lead to confusion, it shall be removed and replaced by an underground witness mark.

**SURVEYS AND RE-ESTABLISHMENT OF BOUNDARIES**

26. In every survey of land where the position of a feature or monument defining the boundary of a parcel is found to differ from that indicated by the relevant previous survey, the surveyor shall exercise the greatest care -
- (a) in establishing that the discrepancy actually exists;
- (b) in collecting all evidence which may have a bearing on the eventual action to be taken.
- (2) A careful search shall be made in the position indicated by the previous survey to ascertain whether or not any evidence of the old boundary feature or monument still exists and the position of any building or other development in the immediate vicinity of the boundary shall be recorded.

**PART IV - SURVEYS PERFORMED BY TRIANGULATION, TRILATERATION,  
TRAVERSE AND AIR SURVEYS**

**GUIDING PRINCIPLE**

27. Every surveyor shall assist, as far as is consonant with efficient and economical survey, in the establishment and increase of permanent control marks of all types throughout the Republic of Vanuatu.

**Triangulation And Trilateration**

**GEODETIC AND SECONDARY TRIANGULATION**

28. All geodetic and secondary triangulation and trilateration shall be carried out under the control of the Director, and shall normally be performed by Government surveyors.

**LOWER ORDER TRIANGULATION**

29. (1) All new triangulation and trilateration of a lower order than geodetic or secondary required to provide general control for cadastral surveys shall be brought into harmony with existing control by methods conforming with current survey practice.
- (2) When issuing survey data for such work to a surveyor, the Director may recommend either a particular sequence in the computation of new work or any special computations which the circumstances may require, and it shall be the duty of a surveyor so informed not to depart from the Director's recommendation without reasonable cause.

**TERTIARY AND MINOR TRIANGULATION**

30. For the purpose of regulation 31 and 32, tertiary triangulation or trilateration means triangulation or trilateration established to an accuracy which makes it suitable for use as a basis of further triangulation or trilateration; minor triangulation or trilateration means triangulation or trilateration established to a lower accuracy and suitable only as a basis for fixing local traverses and monuments.

**INSTRUMENTS USED FOR TRIANGULATION AND TRILATERATION**

- 31 (1) A micrometer or electronic theodolite of an approved pattern reading directly to one second of arc, or better, shall be used for tertiary triangulation.
- (2) A micrometer or electronic theodolite of an approved pattern reading directly to twenty seconds of arc, or better, shall be used for minor triangulation.
- (3) Electronic distance measuring equipment of an approved pattern shall be used for trilateration distance measurement.

**METHOD OF TAKING TRIANGULATION OBSERVATIONS**

32. (1) The minimum requirement for tertiary and minor triangulation shall be two arcs observed on different zeros:

Provided that two rounds observed on different faces and different zeros may be sufficient for observations to points situated at a distance of not more than two kilometres.

- (2) An arc of angular observations for triangulation shall consist of two rounds observed in opposite directions on the same zero, one round being on face left and the other on face right.
- (3) For each arc a suitable reference station shall be selected and both rounds of the arc shall be closed on to it, and the misclosure of each round shall be appropriate to the class of theodolite used.
- (4) The difference between measurements of any angle on different arcs shall be appropriate to the class of theodolite used.
- (5) Where electronic distance measuring equipment is used sufficient observations shall be taken to eliminate any ambiguities and achieve the accuracy required by regulation 7.

**FIXING OF MONUMENTS**

33. (1) Triangulation, trilateration, or a combination of these techniques for determining the position of monuments shall be carried out in accordance with the procedure laid down in regulations 29 to 32 and the method of computation shall conform with current survey practice.
- (2) Survey Marks may also be fixed by -
- (a) intersection, provided at least three suitable rays are observed on to the point to be fixed;
  - (b) resection, provided at least four points in favourable positions for such fixing are observed;
  - (c) any other method which is capable of fixing a point with no less accuracy than that of the methods of intersection and resection:

Provided that no point fixed by any of the methods specified in subparagraphs (a), (b) and (c) of this paragraph shall be used to form the basis of further triangulation or trilateration.

**ISOLATED SURVEYS**

34. In areas where no triangulation exists a surveyor shall request instructions from the Director as to the datum and method of survey to be used.

Traverse Surveys

**GEODETTIC AND SECONDARY TRAVERSES**

35. All geodetic and secondary traverses shall be carried out under the control of the Director and shall normally be performed by Government surveyors.

**LOWER ORDER TRAVERSES**

36. (1) (a) All main control traverses shall be observed to third order standard;
- (b) where such lines are measured by means of a measuring band all such lines shall be double-chained;

- (c) where such lines are measured by means of electronic distance measuring equipment sufficient observations shall be taken to eliminate any ambiguities;
  - (d) all such field operations shall be appropriate to a standard of accuracy of not less than 1:20,000.
- (2) (a) All other control traverses for the survey of rectilinear boundaries shall be observed to fourth order standard;
- (b) field operations for such surveys shall be appropriate to a standard of accuracy of 1:10,000, but computational misclosures shall be allowed to the same degree of accuracy as the datum supplied by the Director;
  - (c) no surveyor shall use a loop traverse closing on his starting point if it is practicable to traverse between two previously fixed stations;
  - (d) when a surveyor is unable to close his work within the limits prescribed by the Director, the Director may at his discretion authorise or instruct the surveyor, to accept a lower order of misclosure, otherwise the surveyor shall close his new work by a loop traverse, orientation being confirmed in a satisfactory manner.
- (3) (a) The survey of curvilinear boundaries such as roads, rivers, mean high water marks, etc., shall be made by subsidiary traverse or by air-survey methods. Provided that this regulation shall not preclude any more accurate method.
- (b) Such surveys of curvilinear boundaries shall be carried out to a standard of accuracy appropriate to the plotting scale of the plan of the survey.
- (4) Where traverses are very short, a reasonable misclosure shall be allowed irrespective of the minimum requirements under these regulations.

**ANGULAR MEASUREMENT OF TRAVERSES**

37. (1) A theodolite permitted by regulation 31 (1) shall be used for all third order traverses where the distances are measured with electronic distance measuring equipment.
- (2) A theodolite permitted by regulation 31 (2) shall be used for all other third and fourth order traverses.
- (3) At every traverse station of third and fourth order traverses; not less than two rounds of angular measurements on different faces and different zeros shall be measured.
- (4) Angular measurements for subsidiary traverses, may be made either with a theodolite or a compass of approved pattern, subject to the necessity to achieve the standard of accuracy required by regulation 36 (3) (b). If a compass is used, both forward and back observations must be observed at each station.
- (5) It is not necessary to close rounds of traverse observations onto a reference station.

**LINEAR MEASUREMENT OF TRAVERSES**

38. (1) (a) All linear measurements of third and fourth order traverses shall be measured using equipment and methods appropriate to the standards of accuracy specified in regulation 36 (1) and (2).
- (b) Slopes shall be determined by a theodolite, with a degree of precision appropriate to the standards specified in regulation 36 (1) and (2), and where the slope is in excess of 10° the theodolite shall be read on both faces.
- (c) All measurements shall be reduced to the horizontal at mean sea level. In addition measurements made with a measuring band shall be corrected for temperature and, where appropriate, sag.
- (2) (a) All linear measurements of subsidiary traverses shall be measured using equipment and methods appropriate to the standards of accuracy specified in regulation 36 (3).
- (b) Slopes shall be determined by a theodolite or abney level with a degree of precision appropriate to the standards specified in regulation 36 (3).
- (c) All measurements shall be reduced to the horizontal.

**SURVEYS OF CURVILINEAR BOUNDARIES**

- 39 (1) In every survey of curvilinear boundaries by the tacheometric method, distances determined by staff readings shall not normally exceed 150 metres and all three stadia readings on the staff shall be read.
- (2) Offsets to curvilinear boundaries from a traverse line which substantially exceed 50 metres shall be set out instrumentally or geometrically and the method shall be recorded in the field notes.

**SWINGING OR HANGING TRAVERSES**

40. Swinging or hanging traverses unsupported by independent checks shall not be used.

**VERIFICATION OF TERMINALS OF TRAVERSE**

41. Where the means exist, every point of departure of a new traverse and every terminating point shall be verified by observations and/or measurements, which shall be recorded in the field notes.

**VERIFICATION OF DATUM**

42. Where a previously co-ordinated traverse station is converted for use as a boundary monument or where such traverse station is used to place or fix a boundary monument the surveyor shall verify the station by observations and /or measurements which shall be recorded in the field notes.

**Air Surveys**

**AIR SURVEYS**

43. (1) Air survey methods may be employed in special cases with prior written approval of the Director.

- (2) All applications for aerial surveys shall be submitted to the Director and shall be in the form as set out in Form B of Schedule I.
- (3) All aerial photography shall be submitted to the Director for his inspection.

#### PART V - SUBDIVISIONAL SURVEYS

##### **SURVEYOR'S ROLE**

44. A surveyor may survey land that is the subject of an application to subdivide but must adhere to the terms and conditions stated in these regulations concerning such applications.

##### **APPLICATION FOR CONSENT TO SUBDIVIDE**

45. (1) An application made to the Director in accordance with section 12 (2) (a) of the Land Leases Act No. 4 of 1983 shall be in the form as set out in Form A of Schedule I and shall state whether the subdivision is for -
- (a) agricultural purposes; or
  - (b) the purpose of construction of dwelling houses, industrial or commercial buildings or of any other non-agricultural use.
- (2) There shall be attached a statement of intended usage and a plan on durable paper or other stable medium showing -
- (a) existing boundaries of the land, the subject of the subdivisions;
  - (b) the position of existing buildings erected on the land or less than three metres from the boundaries of the land; and
  - (c) where and as appropriate, the proposed position and width of the principal, secondary and residential roads, lanes, footpaths, gutters and drains and the proposed position of houses, septic tanks, water pipes, telephone and electricity supply lines, vehicle parking spaces, pedestrian pavements and green spaces.

##### **MINIMUM ROAD FRONTAGES AND AREAS**

46. (1) In an application submitted for the purposes of regulation 45 (1) (b) of these Regulations in respect of urban land, the minimum road frontage of any lot in a subdivision made in each zone classified in the Port Vila Municipal By-Law No. 9 of 1979 and any amendment thereto, or designated by Luganville Municipality shall be -

for zone A - 25 metres,  
for zone B - 20 metres,  
for zone C - 15 metres,  
for zone D - 15 metres,

and the minimum area shall be -

for zone A - 1,000 square metres,  
for zone B - 800 square metres,  
for zone C - Residential - 600 square metres,  
for zone C - Commercial - 500 square metres,  
for zone D - 500 square metres.



- (2) In an application submitted for the purposes of regulation 45 (1) (b) in respect of rural land, the minimum road frontage of any lot in a subdivision shall be 20 metres and the minimum area shall be 1,000 square metres.

**MINIMUM ROAD WIDTHS**

47. The minimum widths of roads in any land comprising a lease to be subdivided shall be as follows -

- (a) principal roads - 15 metres,
- (b) secondary roads - 10 metres,
- (c) residential roads, being roads primarily used for access to residences - 8 metres,
- (d) lanes, being throughfares, primarily used for access to back premises - 4 metres,
- (e) pathways, being thoroughfares primarily for the use of pedestrians - 2 metres.

Provided that the Director, in his discretion may approve roads, lanes and pathways of less than minimum width where it appears to the Director that the land under subdivision cannot otherwise be fully or properly utilised or that such approval will not unreasonably prejudice future development of adjacent land.

**RECLAIMED LAND**

48. Where an application is in respect of a lease of land including reclaimed land, it shall be subject to the following additional requirements:-

- (a) the land shall be adequately compacted and drained;
- (b) the land shall have a minimum height above mean high water mark of 1.5 metres; and
- (c) all lots in the subdivision shall have vehicular access including access for refuse collection vehicles.

**AMENDMENTS, CORRECTIONS, CONDITIONS**

49. (1) The Director may require the applicant to amend his application and /or plan to fulfil such requirements as he may consider necessary and may approve the application subject to the completion of such amendments and the fulfilment by the applicant of any condition imposed by him pursuant to these Regulations.

- (2) If the Director is of the opinion that any building or further development is undesirable on the land which is the subject of the application or having regard to the health, amenity or convenience of the neighbourhood, that any subdivision shown on the plan is unsuitable he may refuse the application or he may, in approving the application in whole or in part, impose such conditions as are necessary to give effect to such decision.

PART VI - FIELD NOTES

**FIELD NOTES TO BE ON SPECIAL FORMS**

50. (1) Field notes shall be made on such forms or books as the Director may from time to time specify.
- (2) Every surveyor shall pay to the Director the cost price of any blank forms or books supplied to him by the Director pursuant to this regulation.

**RECORDING OF TRIANGULATION OBSERVATION**

51. (1) At each triangulation and trilateration station every surveyor shall, when taking observations, record in his field notes the date, time, weather conditions and degree of visibility.
- (2) When it is necessary, for any reason, for a surveyor to divide his observations at any station into two sets, the second set shall incorporate at least two stations which have been observed in the first set.

**RECORDING OF TRAVERSE OBSERVATIONS**

52. All traverse observations and measurements shall be recorded in the field notes in the sequence in which they are observed or measured.

**DESCRIPTION OF MONUMENTS**

56. A full description of every monument and other mark used in the course of the survey, whether placed, found and used or adopted shall be recorded in the field notes.

**METHOD OF ENTERING FIELD NOTES**

54. (1) All observations and measurements made in the field shall be recorded clearly and legibly in black ink or hard pencil and shall be in such manner as the Director may from time to time specify.
- (2) All entries in field notes, which are not made in the field shall be written in red ink.
- (3) All entries in field notes shall be indexed and referenced in such a way that any competent person may be able to prepare a true plan therefrom and the entries shall be in such form that they have only one reasonable and correct interpretation.

**ERASURES AND CORRECTIONS**

55. (1) In no circumstances shall any erasure be made in field notes.
- (2) Corrections shall be made by drawing a thin line through the erroneous entry so as to have the original entry legible; the correct entry shall be written outside the erroneous entry and not across it.
- (3) Corrections to field notes shall be made in the field and shall be a true record of actual measurements or reobservation and shall be initialled by the surveyor.

#### **NOMENCLATURE**

56. (1) The letters, names or numerals, by which any monument or survey mark is described in field notes shall be written in Roman script.
- (2) In choosing suitable descriptions, every surveyor shall take care to avoid nomenclature which is likely to lead to confusion and the letters I, O, S and Z shall not be used except in pronouncable words.

#### **COVER PAGE AND INDEX**

57. (1) The cover page of field note forms or the cover of field note books shall contain such information as the Director may from time to time specify.
- (2) This information shall include the standard temperature and tension for the measuring band used in the survey and where measurements have been made in catenary the weight per 100 M of the measuring band.
- (3) The pages of field notes shall be numbered and an index in alphabetical and numerical order of all observations and measurements in the field notes shall be given on the reverse of the cover or cover page.

#### **UNORTHODOX METHODS**

58. When any surveyor is compelled to use unorthodox methods of survey owing to obstructions or difficulties in the field, he shall give explanatory notes and, where necessary, diagrams in the field notes to explain clearly the method he has used and recorded.

#### **TOPOGRAPHICAL FEATURES**

59. (1) Sketched topographical features in the vicinity of a monument shall be recorded, where possible, to facilitate its location.
- (2) All developments on any plot such as buildings, wells, boreholes etc., shall be surveyed. Any other development such as pipelines, which in the surveyor's opinion may involve a question of easement, right of way or any prescriptive rights shall also be surveyed.

### **PART VII - COMPUTATIONS**

#### **COMPUTATIONS TO BE ON SPECIAL FORMS**

60. (1) Computations shall be made on such forms or computer print-outs as the Director may from time to time specify.
- (2) Every surveyor shall pay to the Director the cost price of any blank forms supplied to him by the Director pursuant to this regulation.

#### **METHOD OF ENTERING COMPUTATIONS**

61. Computations shall be clearly and legibly set out in black ink, and the entry of numbers or words to indicate checks on the computatons shall be made in red ink. Green ink will be reserved for the use of the checking staff of the Department of Land Surveys.

**TRIANGULATION AND TRILATERATION**

62. Every survey carried out by triangulation or trilateration shall be set out and computed by the Direction Method, or in conformity with any other current standard survey method.

**TRAVERSES**

63. (1) In surveys carried out by traverse methods, each separate traverse shall normally be set out in suitable form so as to demonstrate the initial datum bearing or bearings, the bearing misclosure and the consequent adjustment of bearings.

(2) The positional misclosure, its distribution through the traverse, and the finally adjusted values of all traverse points shall be demonstrated in conformity with current standard survey practice.

**INDEPENDENT CHECKS TO BE MADE**

64. Before any surveyor forwards any computations to the Director for authentication he shall make an independent and complete check of all his calculations, and such checks shall accompany the computations and be clearly demonstrated.

**METHOD OF COMPUTING AREA**

65. (1) The rectilinear areas of parcels, the boundaries of which have been fixed, shall be computed mathematically.

(2) When a portion of the boundary of a parcel, the boundaries of which have been fixed, is a curvilinear boundary, the area of the parcel shall be determined partly by computing from co-ordinates and partly by planimeter determination from a drawing of the curvilinear boundary which has been drawn in conformity with regulation 71.

(3) If necessary, the co-ordinates of accurately scaled points on the drawing of the curvilinear boundary shall be used in the computation, in order to reduce to a minimum the area to be determined by the planimeter.

**METHOD OF MEASURING AREAS**

66. The areas of parcels, the boundaries of which are approximate only, shall be determined by planimeter measurement.

**DEGREE OF ACCURACY OF CALCULATING AREAS**

67. Areas shall normally be calculated to the nearest square metre and presented in the form of .... ha .... a .... ca.

**PRESENTATION OF COMPUTATION**

68. The computations of every survey submitted for authentication shall be preceded by -

(a) a report; and

(b) a general index to the computations; and

- (c) a complete list of final co-ordinates of every point adopted or calculated in the survey; this list shall be arranged in groups comprising datum points, new triangulation, trilateration, and traverse stations, old or re-established boundary monuments and new boundary monuments, arranged in alphabetical and numerical order; and on this co-ordinate list a description of every point shall be given, and reference shall be made to the source of co-ordinates including datum plans or pages of computations.

#### PART VIII - PLANS

##### **PLANS TO BE DRAWN ON SPECIAL FORMS**

69. (1) All plans shall be drawn in waterproof inks on such plan forms as the Director may from time to time specify.
- (2) Every surveyor shall pay to the Director the cost price of any plan forms supplied to him by the Director pursuant to this regulation.

##### **SCALES TO BE USED**

70. Plans shall be plotted at the same scale as the cadastral plan of the area in which the parcel is situated:

Provided that in special circumstances plans shall be plotted at such scale as the Director may from time to time specify.

##### **PLOTTING OF CURVILINEAR BOUNDARIES**

71. (1) Where the consent of the Director has been obtained for the adoption of an existing survey of a curvilinear boundary, the surveyor shall -
- (a) make an accurate reduction of the larger scale plan for use at a smaller scale; or
- (b) make an accurate transfer for use at the same scale; or
- (c) replot from the original field notes and computations for use at a larger scale.
- (2) Where a rectilinear boundary intersects a curvilinear boundary and the provision of regulation 17 is applicable, the distance from each line or river monument to the intersection shall be shown to the nearest decimetre, but the distances between successive monuments along the rectilinear boundary shall be shown to the degree of precision required by regulation 75 (3).
- (3) Where a curvilinear boundary of a parcel has been fixed, such curvilinear boundary shall be distinctively described.

**PLOTTING BY CO-ORDINATES**

72. All plans shall be plotted by rectangular co-ordinates.

**GENERAL RULES**

73. (1) All details shown on the plan shall be distinct and the cramping of figures shall be avoided.

(2) The north point on every plan shall be upwards and parallel to the sides of the plan form.

**ABUTTING BOUNDARIES**

74. All boundaries abutting on any parcel which has been surveyed shall be shown on the plan.

**CO-ORDINATES AND NUMERICAL DATA**

75. (1) In every survey the co-ordinates of permanent control stations shall be tabulated on the plan.

(2) Where boundaries of parcels have been fixed, the following additional information shall be given on the plan -

(a) the co-ordinates of block corners of regular shaped figures and of all monuments of irregular shaped parcels shall be tabulated;

(b) the length and bearing of every boundary shall, when possible, be inscribed along the line to which they refer and such lengths and bearings shall be deduced from the final co-ordinates tabulated on the plan.

(3) Co-ordinates, and lengths when required by paragraph (2) of this regulation, shall be shown to nearest centimetre.

(4) (a) The area of every parcel shall be inscribed where possible within the figure to which it refers to the degree of accuracy prescribed by regulation 67;

(b) sufficient space shall be left for the title number to be inserted by the Director;

(c) no title number shall be inserted by any surveyor.

(5) All other data which may serve to clarify or complete any survey plan, shall be shown on the plan.

#### TRIANGULATION PLANS

76. When surveys have been made by triangulation or trilateration or a combination of these techniques, a plan shall be made showing all rays observed or measured or both. Such plans shall show a tabulated list of final co-ordinates of all permanent control points:

Provided that it shall not be necessary to draw a separate plan where the control points have been surveyed by methods permitted in regulation 33 (2).

#### COLOURS AND STYLE OF PRINTING

77. Every survey plan shall be drawn in accordance with the requirements of the Director, in respect of colours, style of printing and other details.

#### TOPOGRAPHICAL FEATURES

78. (1) All topographical features that have been accurately fixed by survey, or have been sketched with reasonable precision, in accordance with regulation 59 (1), shall be shown in their correct plotted positions on the plan.

(2) When form lines add nothing of significant value to the plan, they shall not be shown.

(3) Topographical information may be taken from any official map published by the Director or any authority approved by him with due caution in regard to the limitations enjoined by the scale of the map.

(4) Where topographical information is taken from aerial photographs, the source shall be shown on the plan.

#### ERASURES OR CORRECTIONS

79. (1) No erasures shall be made after a plan has been drawn in ink.

(2) Necessary corrections shall be made by scoring through the incorrect work, letter, or numeral in ink and writing the correct work, letter, or numeral. Every such correction shall be initialled by the surveyor.

#### CERTIFICATE

80. Every plan shall have on it a certificate as set out on Form C of Schedule II.

**AUTHENTICATION BY THE DIRECTOR**

81. The Director may refuse to authenticate any plan submitted by a surveyor which, in his opinion, has been drawn carelessly and untidily, or is received by him in a dilapidated or damaged condition.

**PART IX - READJUSTMENTS OF BOUNDARIES OF LAND SURVEYED BEFORE THE COMMENCEMENT OF THE ACT**

**READJUSTMENTS**

82. Any boundaries, areas, shapes and positions of any parcels of land surveyed before the commencement of the Act may be readjusted wholly or in part as the Director may specify.

**PART X - MISCELLANEOUS**

**PUBLIC ACCESS TO MAPS AND PLANS**

83. (1) Any person shall have access, free of charge, to every map and plan in the possession of the Director.

Provided that the Director or his representative may refuse access as he may deem necessary in the public interest.

- (2) A search fee of 200 vatu per plan shall be paid in advance by any person who is not a surveyor or not on official duty, for access to any unpublished plan and the search fee shall be credited against the price of any print of the plan purchased at the time of the search.

**COMMENCEMENT**

84. This Order shall come into force on the date of its publication in the Gazette.

MADE at Port Vila this 29th day of January, 1985.



**D KALPOKAS**

Minister of Lands, Energy and  
Rural Water Supply



**SCHEDULE I**

**Prescribed Forms (regulation 45)**

**FORM A**

**APPLICATION FOR SUBDIVISIONAL SURVEYS**

To: Director of Land Surveys

I, ..... of ..... being registered Land Surveyor No. .... hereby make application to subdivide a parcel or parcels of land situated at ..... for -

(The purpose and use of the land on which sub-divisional survey is intended to be carried out and the development conditions, if any, in addition to those set out in regulation 45 must be set out herein.)

Date .....

Singature .....

SCHEDULE I

FORM B

(regulation 43)

APPLICATION FOR AERIAL SURVEYS

To: Director of Land Surveys

I, ..... of ..... being registered Land Surveyor No. ... hereby make application to carry out aerial survey of -

(Any part or parts, or island or islands of Vanuatu intended to be air surveyed and the purpose or purposes of the air survey, must be set out herein).

Date .....

Signature .....

**SCHEDULE II**

**FORM A**

(regulation 12)

**CERTIFICATE FOR UNQUALIFIED SURVEY ASSISTANTS**

I hereby certify that all the work performed in the field and in the office by my assistant, Mr ..... has been carried out under my personal direction, and I take full responsibility for all the work so performed.

Made at ....., this ..... day of ....., 19 ....

.....  
Registered Surveyor

.../23.

SCHEDULE II

FORM B

(regulation 11)

REPUBLIC OF VANUATU

**AUTHORITY TO ENTER LAND**

I hereby duly authorise Mr ..... being a registered land Surveyor under and in accordance with the Land Surveyors Act No. 11 of 1984 to enter upon any land to perform any duty which he is required to perform thereon under the said Act.

Made at ..... this ..... day of ....., 1984.

.....  
Director of Land Surveys.

SCHEDULE II

FORM C

(regulation 80)

**CERTIFICATE FOR PLANS SURVEYED**

I, ..... of ..... being a registered Land Surveyor No. .... hereby certify that the attached plan/plans/ has/have been drawn as a result of a survey carried out by me or under my direction at ..... on ..... (date).

Made at ..... this ..... day of ....., 19 .....

.....  
Registered Surveyor

SCHEDULE III

Prescribed Fees

(regulation 13)

1. For Surveys And Other Services Carried Out By  
The Department of Land Surveys

OFFICIAL CHARGES

VATU PER MAN HOUR

Field Survey	-	900
Labour	-	300
Computing	-	800
Draughting	-	700
Materials	-	At cost or by prescribed charges for photo-copying or printing.

2.

Survey Charges

1.

Cadastral extract, copy of official plans

- |  |   |     |    |
|--|---|-----|----|
| (a) Certified cadastral map extract, official plan, each | - | 400 | VT |
| (b) Uncertified cadastral map extract                    | - | 200 | VT |
| (c) Photocopy (A4) of Official A3 plan                   | - | 100 | VT |

2.

Prints

- |   |   |       |    |
|---|---|-------|----|
| (a) Paper print of map or cadastral plan, each                      | - | 1,000 | VT |
| (b) Other paper print from the Department's documents, per metre    | - | 900   | VT |
| (c) As (b) above but on special heavy duty paper, per metre         | - | 1,200 | VT |
| (d) Paper print from a tracing supplied by the applicant, per metre | - | 400   | VT |
| (e) Paper print of the aerial photography diagram                   | - | 600   | VT |
| (f) Film positive of a tracing supplied by the applicant, per metre | - | 1,000 | VT |
| (g) Photocopy of map extract - A4 size each                         | - | 50    | VT |
| (h) Minimum fee per order   | - | 200   | VT |

3.

Survey Points

- |   |   |     |    |
|---|---|-----|----|
| (a) Co-ordinates with station description, per point    | - | 100 | VT |
| (b) Co-ordinates without station description, per point | - | 50  | VT |

(c) Co-ordinate lists, each list of at least four points, price of the list per point	-	50	VT
(d) Height of bench marks (each)	-	50	VT
(e) Minimum fee	-	50	VT

4. Mapping

(a) 1:2500 maps of Port Vila and Luganville	-	300	VT
(b) 1:50,000 or 1:100,000 maps of Vanuatu per sheet	-	300	VT
(c) 1:1,000,000 maps of Vanuatu (coloured) per sheet	-	500	VT
(d) 1:10,000 maps of Port Vila and Luganville (coloured) per sheet	-	500	VT
(e) 1:10,000 map of Mere Lava (coloured) per sheet	-	300	VT

5. Search Fees

(a) To locate details of plans, aerial photographs, valuations computations or mapping details, per sheet	-	700	VT
(b) Minimum fee	-	200	VT

[NOTE: The Department of Land Surveys may demand advanced costs, payment or deposit for all the services rendered.]



REPUBLIC OF VANUATU

THE NEW HEBRIDES JOINT NATIVE PRISONS  
ADMINISTRATION JOINT REGULATION No. 6 OF 1945

APPOINTMENT

In accordance with Section 4 of the New Hebrides Joint Native Prisons Administration Joint Regulation No. 6 of 1945, I hereby appoint JOHN PATRICK HOLLOWAY as Superintendent of all Prisons in Vanuatu.

MADE at Port Vila the *1st* day of *February* 1985.



*[Signature]*  
JOHN S REGENVANU

DEPUTY PRIME MINISTER AND  
MINISTER OF HOME AFFAIRS

REPUBLIQUE DE VANUATU

RÈGLEMENT CONJOINT NO. 6 DE 1945 RELATIF A  
L'ADMINISTRATION DES PRISONS INDIGÈNES DES NOUVELLES-HÉBRIDES

VU les dispositions de l'article 4 du Règlement conjoint No. 6 de 1945 relatif à l'administration des prisons indigènes des Nouvelles-Hébrides,

LE MINISTRE DE L'INTERIEUR

N O M M E

John Patrick Holloway régisseur de toutes les prisons de Vanuatu.

FAIT à Port-Vila le 1er février 1985.

John S. Regenvanu  
Vice-premier ministre et  
ministre de l'Intérieur

OR/EGN.

THE COMPANIES REGULATION 1971

NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: ART ENTERPRISES LIMITED


ADDRESS OF REGISTERED OFFICE: c/- Messrs Coopers & Lybrand, Cassio Building, Kumul Highway, P.O. Box 240, Port Vila, Vanuatu.

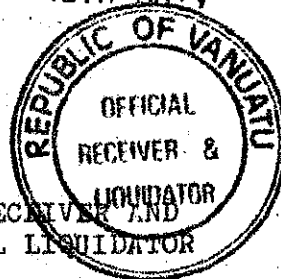
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 76 OF 19 84

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 18TH MAY, 19 84

  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GGN

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: BAILDON DEVELOPMENTS LIMITED


ADDRESS OF REGISTERED OFFICE: c/- Messrs Turner Hopkins Coombe & Partners,  
Suite 11, Hong Kong & New Zealand House,  
Rue Emile Mercet, P.O. Box 225, Port Vila.

COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 151 OF 1984

DATE OF ORDER: 6TH FEBRUARY, 1985

DATE OF PRESENTATION OF PETITION: 27TH FEBRUARY, 1984

  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GBN.

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: ELECTRONIC ENTERTAINMENT EQUIPMENT LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Pacific International Trust Company Limited, International Building, Kumul Highway, P.O. Box 45, Port Vila, Vanuatu.

COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 197 OF 19 84

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 21ST NOVEMBER, 1984

*S. Uren*  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 1985.

OR/GEN.

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: SHIPPING SERVICES VANUATU LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Asiatic Trust Company Limited,  
3rd Floor, LoLam House, Kumul Highway  
P.O. Box 300, Port Vila, Vanuatu.

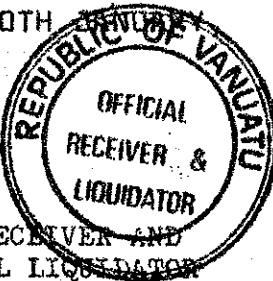
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 1 OF 19 85

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 10TH FEBRUARY, 19 85

*S. Uren*  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GGN.

THE COMPANIES REGULATION 1971

NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: UNIVERSAL BANK LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Melanesian International Trust Company Limited, MELITCO House, Rue Pasteur, P.O. Box 213, Port Vila, Vanuatu.

COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 2 OF 19 85

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 19 85

*S. Uren*  
S. Uren

OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GGN.

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: SWISS CAPITAL LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Melanesian International Trust Company Limited, MELITCO House, Rue Pasteur, P.O. Box 213, Port Vila, Vanuatu.

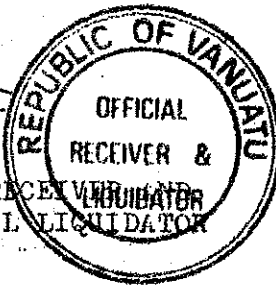
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 4 OF 1985

DATE OF ORDER: 6TH FEBRUARY, 1985

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 1985

*S. Uten*  
S. Uten  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 1985.



OR/GGN.

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: BELGIAN INVESTMENTS LIMITED


ADDRESS OF REGISTERED OFFICE: c/- Melanesian International Trust Company Limited, Suite 11, MELITCO House, Rue Pasteur, P.O. Box 213, Port Vila, Vanuatu.

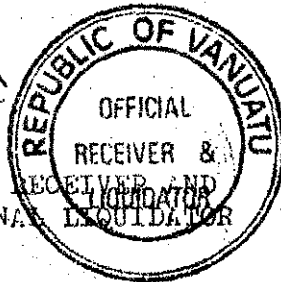
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 5 OF 19 85

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 19 85

  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GGN.

THE COMPANIES REGULATION 1971

NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: OMEGA DEVELOPMENT LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Asiatic Trust Company Limited, 3rd Floor, Lolam House, Kumul Highway, P.O. Box 300, Port Vila.

COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 6 OF 19 85

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 19 85

*S. Uren*  
S. Uren  
OFFICIAL RECEIVER &  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

OR/GGN.

THE COMPANIES REGULATION 1971  
NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: PORT VILA LEISURE LIMITED

ADDRESS OF REGISTERED OFFICE: P.O. Box 476, c/- Cabinet d'Affaires du Vanuatu, Port Vila, Vanuatu.

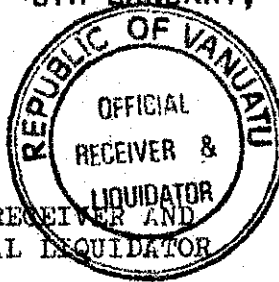
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 7 OF 1985

DATE OF ORDER: 6TH FEBRUARY, 1985

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 1985

*S. Uren*  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 1985.

OR/GEN.

THE COMPANIES REGULATION 1971

NOTICE FOR "VANUATU GAZETTE" (RULE 42)

NOTICE OF WINDING-UP ORDER

NAME OF COMPANY: JAVEL CRUISES LIMITED

ADDRESS OF REGISTERED OFFICE: c/- Investors Trust Limited, LoLam House,  
Kumul Highway, P.O. Box 211, Port Vila.

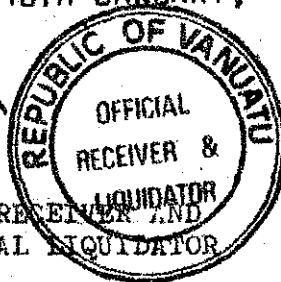
COURT: THE SUPREME COURT OF VANUATU

NUMBER OF MATTER: No. 8 OF 19 85

DATE OF ORDER: 6TH FEBRUARY, 19 85

DATE OF PRESENTATION OF PETITION: 10TH JANUARY, 19 85

*S. Uren*  
S. Uren  
OFFICIAL RECEIVER AND  
PROVISIONAL LIQUIDATOR



DATED THIS 7TH DAY OF FEBRUARY 19 85.

NOTICE OF SECOND & FINAL INTENDED  
DIVIDEND

Name of Company: Prouds (New Hebrides) Limited

Address of Registered Office: c/- Asiatic Trust Co Ltd., 3rd Floor,  
LoLam House, P.O. Box 300, Port Vila.

Nature of Business: Retail Jewellery & Gift Shop


Court: The Supreme Court of Vanuatu

Number of Matter: No 70 of 1980

Last Day for Receiving Proofs: 1st April, 1985

Name of Liquidator: Stanley Uren

Address: The Office of the Official Receiver  
P.O. Box 92  
Port Vila.  
VANUATU

  
S. Uren  
Official Receiver & Liquidator

Dated this thirty-first day of January, 1985.



REPUBLIC OF VANUATU

COMPANIES REGULATION (CAP.9)

TAKE NOTICE pursuant to section 369 of the Companies Regulation (Cap.9), unless cause be shown to the contrary, the name of:

CONSULTING ENGINEERS (INTERNATIONAL) LIMITED

will be struck off the Register of Companies at Vila, Vanuatu and the Company dissolved at the expiration of three months from the date of this notice.

Dated at Vila this thirtieth day of J

S. Uren  
REGISTRAR





REPUBLIC OF VANUATU

COMPANIES REGULATION (CAP.9)

TAKE NOTICE pursuant to section 369 of the Companies Regulation (Cap.9), unless cause be shown to the contrary, the name of:-

BIOCELLULAR REVITALIZATION CENTRE (VANUATU) LIMITED

will be struck off the Register of Companies at Vila, Vanuatu and the Company dissolved at the expiration of three months from the date of this notice.

Dated at Vila this twenty-eighth day of January, 1985.



COUR SUPREME DE VANUATU

AVIS D'INSCRIPTION MODIFICATIVE

D'une déclaration déposée le 26 novembre 1984, aux fins d'inscription modificative à l'immatriculation effectuée au Greffe de la Cour Suprême de Vanuatu à Port-Vila concernant la Société dénommée "COMPAGNY VANUATUANE OF INTERNATIONAL TRADE", par abréviation "C.V.I.T.", Société à responsabilité limitée au capital de 500.000 Vatu dont le siège social est à Port-Vila, Rue COLARDEAU, B.P. 91 (VANUATU) et immatriculée au registre du commerce de cette ville sous le N° 79 B 316, il résulte que :

Aux termes d'un Acte sous seings privés, en date du 1 septembre 1984 à Port-Vila, et portant cession de Parts de la Société, Monsieur Roger Rosario GUTTADAURO, demeurant à Port-Vila, B.P. 91, a été nommé aux fonctions du nouveau Gérant avec les pouvoirs les plus étendus, pour une durée illimitée en remplacement de Madame Marie-France LAURENT.

Port-Vila, le 26 novembre 1984.



Le Greffier en chef de la  
Cour suprême,



D.V. CAIN