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No. 32

9 DECEMBER 1996

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NOTIFICATION OF PUBLICATION

ORDERS

LEGAL PRACTITIONERS
(QUALIFICATIONS) REGULATIONS
NO. 22 OF 1996.

SOMMAIRES

PAGE

CONTENTS

PAGE

APPOINTMENTS - VNSC	1 - 11
APPOINTMENTS - NHC	12 - 13
LEGAL NOTICES	14 - 15
APPOINTMENTS - MINIMUM WAGE BOARD	16 - 19
COMMUTATION OF SENTENCES	20

REPUBLIC OF VANUATU

LEGAL PRACTITIONERS ACT CHAPTER 119

LEGAL PRACTITIONERS (QUALIFICATIONS) REGULATIONS
NO. 22 OF 1996

To provide for the qualifications required for applicants for registration as legal practitioners.

IN EXERCISE of the powers conferred by section 15(2) of the Legal Practitioners Act [CAP. 119], the LAW COUNCIL makes the following regulations :-

DEFINITIONS

1. In these regulations, unless the context otherwise requires -
"practical legal experience" means working as a barrister, solicitor, advocate, legal advisor, government law officer, or judicial officer, in private practice, commerce, industry government or the courts or trainee of one of the above, doing work of a legal nature on a daily basis but may include a period spent undertaking a course in practical legal training provided that such course does not take up more than 50% or one year (whichever is the lesser) of the relevant period of practical legal experience required under these regulations;

"supervised practical legal experience" means practical legal experience undertaken as an employee, junior, colleague or other associate of an unconditionally registered legal practitioner who is substantially present on a daily basis in the same office or other premises with the person being supervised;

"practice on own account" means practicing as a legal practitioner in private practice without an employer or partner who is an unconditionally registered legal practitioner.

CONDITIONAL REGISTRATION

2. No person shall be qualified to be registered as a legal practitioner unless he or she -
 - (a) holds a law degree or similar qualification from a University or such other appropriate institution recognised by the law Council; and
 - (b) (i) is a Ni-Vanuatu citizen who is admitted as a barrister and/or solicitor in a Commonwealth jurisdiction; or

(ii) not being a Ni-Vanuatu citizen admitted in a Commonwealth jurisdiction, has at least two years post graduate supervised practical legal experience acceptable to the Law Council;

(c) is resident in Vanuatu.

MEMBERS OF THE JUDICIARY NOT ENTITLED TO PRACTICE

3. Persons who are serving or have served in the Judiciary as magistrates, registrars or judges in Vanuatu shall not be entitled to be registered as legal practitioners within a period of 12 months commencing on the last day of their service as such member of the Judiciary.

UNCONDITIONAL REGISTRATION

4. (1) Any registered legal practitioner shall be entitled to apply for unconditional registration: -

(a) on completion of one year of continuous supervised practical legal experience in Vanuatu provided that he or she has not less than two years continuous practical legal experience; or

(b) who is a Ni-Vanuatu citizen who has already undergone 2 years post graduate supervised practical legal experience acceptable to the Law Council.

(2) Such application shall be accompanied by a certificate of fitness in the form in Schedule 1 signed by his supervisor.

(3) The Law Council shall, on receiving an application for unconditional registration, grant the application unless it is satisfied that -

(a) the practitioner has not received appropriate supervision; or

(b) the practitioner is not a fit and proper person to be granted unconditional admission.

(4) If an application for unconditional admission is refused, the Law Council may, in its discretion, impose other or further conditions, including the undergoing of legal training and/or examination, precedent to the practitioner re-applying.

(5) The Law Council may, if it considers it in the interests of Vanuatu so to do, waive the requirement of one year continuous supervised practical legal experience in Vanuatu in individual cases and may, in those circumstances, substitute a requirement for the practitioner to undergo legal training and/or examination in aspects of Vanuatu Law approved by the Law Council.

LAPSING OF CONDITIONAL REGISTRATION

5. (1) If a legal practitioner who has been granted conditional registration fails to obtain unconditional registration within three years of the date of conditional registration his or her registration shall become void unless the Law Council has granted an extension of the period for conditional registration.
- (2) The Law Council shall grant an extension of the period if the practitioner has submitted an application for unconditional registration which has not yet been determined by the Law Council or if the practitioner is in the process of fulfilling further or other conditions imposed under regulation 4(4) and may grant an extension in any other circumstances in which the Council is of the view that an extension would be appropriate.

PRACTICE ON OWN ACCOUNT

6. (1) No legal practitioner or other person shall be entitled to practice on his or her own account unless -
- (a) he or she has unconditional registration as a legal practitioner; and
 - (b) subject to subparagraph (b) of this regulation he or she has not less than 5 years practical legal experience.
- (2) The Law Council may waive the requirement of 5 years practical legal experience in the case of a Ni-Vanuatu legal practitioner provided that it is in the public interest to do so.
- (3) Every legal practitioner practising on his own account or in partnership or otherwise must have suitable office premises in Vanuatu, staffed on a substantially full-time basis by himself or some other legal practitioner. However, any legal practitioner with an office in Vanuatu may establish a further office or office anywhere in Vanuatu other than Port Vila which are not staffed on a full-time basis by a legal practitioner.

PRACTICE OWNERSHIP

7. No firm or other organisation may describe itself as barrister(s), solicitors(s), advocate(s), lawyer(s) or other description holding itself out as a legal practitioner if any part of the proprietorship or equity in that firm is owned by a person who is -
- (a) not a legal practitioner unconditionally registered in Vanuatu; or
 - (b) not a legal practitioner registered in another jurisdiction who has at least one partner or employee practising in the firm in Vanuatu who is a legal practitioner unconditionally registered in Vanuatu.

FIRM NAME

8. A person, firm or other organisation may practice as legal practitioner(s) in Vanuatu under any business name which -
- (a) consists of the true surnames of any partner(s)/proprietor(s) without any addition other than the true first name(s); and/or
 - (b) consists of the names of any former partner(s) or proprietor(s) of the firm; and/or
 - (c) consists of the name(s) under which any of the proprietors/partners of the business who are legal practitioners admitted to practice in a foreign jurisdiction are permitted to practise in that jurisdiction; and/or
 - (d) adds the words "lawyers", "solicitors", "barristers" or "notary public" (where appropriate); and/or
 - (e) adds the words "and partners", "and company", "and associates" or some such similar expression (where appropriate).

NAMES OF PRACTITIONERS

9. No person who is not a legal practitioner registered in Vanuatu shall have their name printed on any stationery of a firm which practices as a legal practitioner unless it is also clearly stated that the person so named is not so registered.

TRANSITIONAL PROVISIONS

10. All persons admitted to practice as legal practitioners in Vanuatu prior to the date of this regulation shall be deemed to be unconditionally admitted.

REPEAL OF LEGAL PRACTITIONERS ORDER 1980

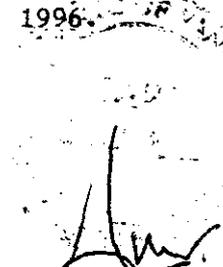
11. The Legal Practitioners Regulation Order 1980 is hereby repealed.

COMMENCEMENT

12. These Regulations shall come into force on the date of its publication in the Gazette.

MADE at Port Vila

day 26 September 1996



CHARLES VAUDIN d'IMECOURT
Chairman

OLIVER A SAKSAK
Member

DUDLEY ARU
Member

SCHEDULE 1

CERTIFICATE OF FITNESS

In the matter of the LEGAL PRACTITIONERS (QUALIFICATIONS) REGULATIONS
And in the matter of an application by for
unconditional registration as a legal practitioner in Vanuatu, I
..... of make oath as
follows:

1. I was on the day of 19, unconditionally registered to practice as a legal practitioner in Vanuatu, and I remain so registered.
2. On the day of 19, I commenced to continuously supervise the practical legal experience in Vanuatu of (hereinafter called the candidate) and I completed one year of such supervision on day of 19
3. To the best of my knowledge and belief:
 - (a) The candidate has never been convicted of any criminal offence.
 - (b) The candidate has never been found guilty of an offence by any Law Society, Law Council or law institute disciplinary body in any jurisdiction in which he/she has studied or practiced law.
 - (c) The candidate has not done anything that would render him/her liable to have his/her name struck off the roll of legal practitioners or be suspended from practice in Vanuatu.
4. I believe the candidate is a fit and proper person to be unconditionally registered as a legal practitioner.

SWORN by the deponent at this day of 19

Before me :



REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) and Section 3(2) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

LEONARD BULE

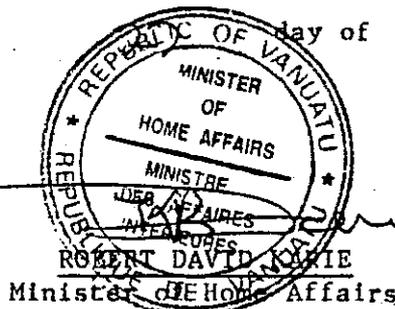
to be a member and Chairman of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this

day of

H

1996





REPUBLIC OF VANUATU

APPOINTMENT

IN EXERCISE of the powers conferred upon me by Section 3(1) and Section 3(2) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

LESTER ROY

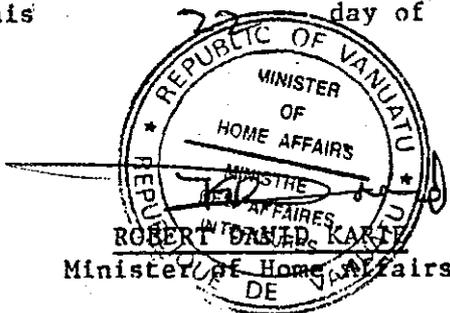
to be a member and Deputy Chairman of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this

day of

11

1996





REPUBLIC OF VANUATU

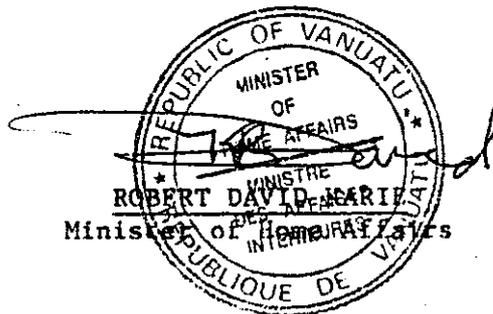
A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

PASTOR PAKOA MARAKI

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this 22 day of 11 1996





REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

CHARLES VATU

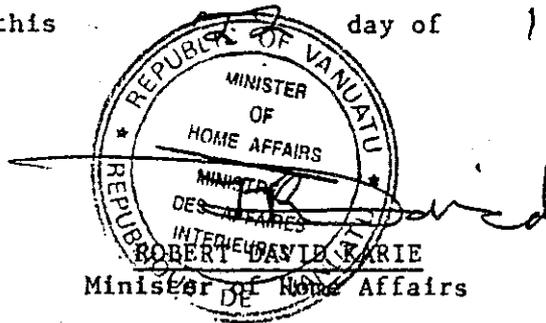
to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this

day of

11

1996





REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

STEPHEN GARAE

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this 22 day of 11 1996


ROBERT DAVID KARIO
Minister of Home Affairs





REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

LEISALE MANGAWAI

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

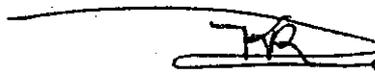
MADE at Port Vila this

72

day of

11

1996


ROBERT DAVID KARIE
Minister of Home Affairs





REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

ANSEL NALAU

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this

22

of 20

1996

MINISTRE
OF
HOME AFFAIRS
MINISTRE
DES AFFAIRES
INTERIEURES
ROBERT DAVID KARIE
Minister of Home Affairs



REPUBLIC OF VANUATU

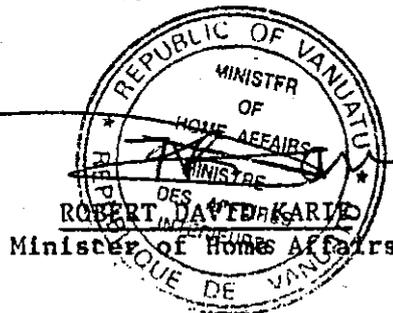
A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

NOEL LANGO

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this 22 day of 11 1996





REPUBLIC OF VANUATU

A P P O I N T M E N T S

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

JOHN STEPHEN YEAPENMAL

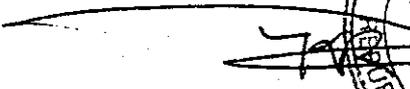
to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

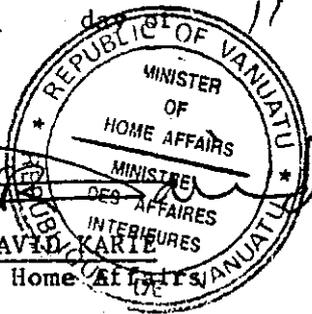
MADE at Port Vila this

22

day

11 1996


ROBERT DAVID KARIE
Minister of Home Affairs


REPUBLIC OF VANUATU
MINISTER OF HOME AFFAIRS
MINISTRE DES AFFAIRES INTERIEURES
VANUATU



REPUBLIC OF VANUATU

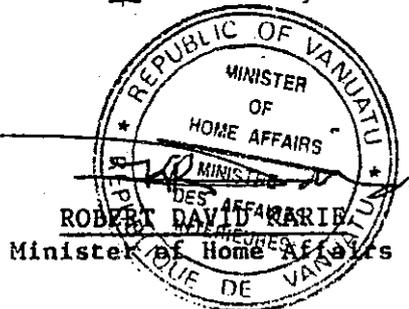
A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

FATHER BALDWIN LONSDALE

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this 22 day of 11 1996





REPUBLIC OF VANUATU

A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by Section 3(1) of the Vanuatu National Sports Council Act No. 43 of 1989, I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

SIMEON POILAPA

to be a member of The Vanuatu National Sports Council for a period of two years with effect from the date hereof.

MADE at Port Vila this

22

day of

11

1996





REPUBLIC OF VANUATU

NATIONAL HOUSING CORPORATION ACT [CAP. 188]

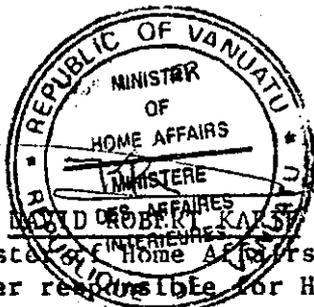
A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by section 2(5) of the National Housing Corporation Act [CAP. 188], I, DAVID ROBERT KARIE, Minister of Home Affairs and Minister responsible for Housing, hereby appoint -

TOM MARKI

as a member and Chairman of the National Housing Corporation for a period of three (3) years with effect from the date hereof.

MADE at Port Vila this 28th day of November 1996


Minister of Home Affairs and
Minister responsible for Housing



REPUBLIC OF VANUATU

NATIONAL HOUSING CORPORATION ACT [CAP. 188]

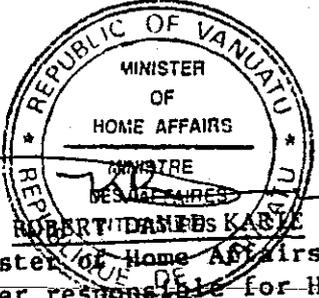
A P P O I N T M E N T

IN EXERCISE of the powers conferred upon me by section 2(3) of the National Housing Corporation Act [CAP. 188], I, ROBERT DAVID KARIE, Minister of Home Affairs and Minister responsible for Housing, hereby appoint -

WILLIAM ABRIMEN

as a member of the National Housing Corporation for a period of three years with effect from the date hereof.

MADE at Port Vila this 28th day of November, 1996.


MINISTER
OF
HOME AFFAIRS
MINISTRE
DES AFFAIRES
ROBERT DAVID KARIE
Minister of Home Affairs and
Minister responsible for Housing

THE REPUBLIC OF VANUATU

Companies Act [CAP 191]

Members' Voluntary Winding-Up

Notice of appointment of Liquidator pursuant to Section 301

DHARMALA PACIFIC BANK LIMITED

Nature of Business:	Banking
Registered Office:	1st Floor, International Building, Kumul Highway, Port Vila, Vanuatu
Liquidators' names and address:	Robert M. Bohn and David L. Outhred P O Box 45 Port Vila Vanuatu
Date of appointment:	2nd December, 1996
By whom appointed:	Appointed by the members at an Extraordinary General Meeting held at Wing On House, 71 Des Voeux Road, Central, Hong Kong on 2nd December 1996.

DHARMALA PACIFIC BANK LIMITED

(in voluntary liquidation)

pursuant to Section 275 of the Companies Act [CAP 191]

NOTICE IS HEREBY GIVEN THAT:

At a meeting of members of Dharmala Pacific Bank Limited on 2nd December 1996, it was RESOLVED as a special resolution, that the company be wound up voluntarily.

Dated this 9th day of December, 1996.

ZENITH INC. (Secretary)
by its authorised officer

Morrison Solomon

DHARMALA PACIFIC BANK LIMITED
(IN VOLUNTARY LIQUIDATION)

NOTICE IS HEREBY GIVEN THAT:

At a meeting of members of Winslow Bank Limited held on 2nd December 1996, Messrs Robert M. Bohn and David L. Outhred were appointed liquidators of the company for the purpose of winding up the affairs and distributing the assets of the company.

ZENITH INC. (Secretary)
by its authorised officer

Morrison Solomon

DPB473DO.lsk/plh



REPUBLIC OF VANUATU

MINIMUM WAGES AND MINIMUM WAGES BOARD [CAP. 182]

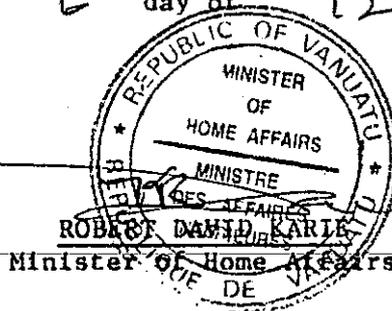
A P P O I N T M E N T S

IN EXERCISE of the powers conferred ^{by} section 5 and 6 of the Minimum Wages Board Act [CAP. 182], I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

SANDY BONG	a member;
DANIEL BULE	a member;
OBED MASING	a member;
SAM BABA	a member;
FRANK ABEL	a member;
JOSEPH JACOBE	a member; and
IOAN KALSAKAU	a member.

of the Minimum Wages Board for a period of two (2) years with effect from the date hereof.

MADE at Port Vila this 6 day of 12, 1996.





REPUBLIC OF VANUATU

MINIMUM WAGES AND MINIMUM WAGES BOARD [CAP. 182]

A P P O I N T M E N T

IN EXERCISE of the powers conferred by section 6(1) of the Minimum Wages Board Act [CAP. 182], I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

ALEX PALAVI

as a member and Chairman of the Minimum Wages Board for a period of two (2) years with effect from the date hereof.

MADE at Port Vila this 6 day of 12, 1996.





REPUBLIC OF VANUATU

MINIMUM WAGES AND MINIMUM WAGES BOARD [CAP: 182]

APPOINTMENT

IN EXERCISE of the powers conferred by sections 6(1) of the Minimum Wages Board Act [CAP. 182], I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

TIMOTHY MAKI

as a member and Vice-Chairman of the Minimum Wages Board for a period of two (2) years with effect from the date hereof.

MADE at Port Vila this 6 day of 12, 1996.


REPUBLIC OF VANUATU
MINISTER
OF
HOME AFFAIRS
MINISTRE
DES AFFAIRES
ROBERT DAVID KARIE
Minister of Home Affairs



REPUBLIC OF VANUATU

MINIMUM WAGES AND MINIMUM WAGES BOARD [CAP. 182]

A P P O I N T M E N T

IN EXERCISE of the powers conferred by section 6(2) of the Minimum Wages and Minimum Wages Board Act [CAP. 182], I, ROBERT DAVID KARIE, Minister of Home Affairs hereby appoint -

JOHN KALOTAP

as Secretary of the Minimum Wages Board for a period of two (2) years with effect from the date hereof.

MADE at Port Vila this

6



, 1996.

ROBERT DAVID KARIE
Minister of Home Affairs



IN THE MATTER OF THE CONSTITUTION OF THE REPUBLIC OF VANUATU

COMMUTATION OF SENTENCE

WHEREAS Article 38 of the Constitution provides, inter alia, for the President of the Republic to commute a sentence imposed on a person convicted of an offence.

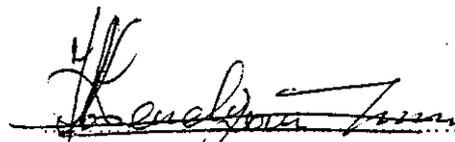
NOW THEREFORE in the exercise of the power conferred on me by Article 38 I, **JEAN MARIE LEYE LENELCAU MANTAWAI**, President of the Republic of Vanuatu hereby order:

1. The sentence of 14 years imprisonment imposed by the Court of Appeal on Friday 1st November 1996 in respect of **TUI GEORGE SAIPIR** and **BERRY MAX JIMMY** be commuted so as to give effect to their immediate release as of 4th December 1996.

MADE at PORT VILA this

5

day of December 1996


.....
JEAN MARIE LEYE LENELCAU MANATAWAI
President of the Republic of Vanuatu.

