

**REPUBLIQUE
DE
VANUATU**

JOURNAL OFFICIEL



**REPUBLIC
OF
VANUATU**

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LOIS

LOI NO. 2 DE 1987 RELATIF AUX ACCIDENTS
DU TRAVAIL.

ARRETES

**LOI NO. 2 DE 1987 RELATIVE AUX
ACCIDENTS DE TRAVAIL**

- ARRETE NO. 6 DE 2004 SUR LA MISE
EN APPLICATION DE LA LOI NO. 2 DE
1987 RELATIVE AUX ACCIDENTS DE
TRAVAIL

NOTIFICATION OF PUBLICATION

ACTS

**THE WORKMEN'S COMPENSATION ACT
NO. 2 OF 1987.**

ORDERS

**THE WORKMEN'S COMPENSATION ACT
NO. 2 OF 1987**

- COMMENCEMENT ORDER NO. 6 OF 2004.

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REPUBLIC OF VANUATU

THE WORKMEN'S COMPENSATION ACT NO. 2 OF 1987

Arrangement of Sections

1. Employers to pay compensation.
2. Amount of compensation.
3. Insurance.
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5. Application.
6. Commencement.

SCHEDULE

REPUBLIC OF VANUATU

Assent: **11th June, 1987**
Commencement: **1st January, 2004**

THE WORKMEN'S COMPENSATION ACT NO. 2 OF 1987

An Act to provide for compensation for injuries and death suffered by workmen in the course of their employment.

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

EMPLOYERS TO PAY COMPENSATION

1. (1) An employer shall pay compensation to any of his employees who suffers injury from any accident arising out of and in the course of his employment.
- (2) An employer shall pay compensation to the person or persons entitled to the estate of any of his employees who dies as a result of any accident arising out of and in the course of his employment.

AMOUNT OF COMPENSATION

2. The amount of compensation payable under section 1 shall be in accordance with the Schedule to this Act.

INSURANCE

3. (1) Every employer shall insure, and maintain insurance, against liability for payment under this Act, and shall display a copy of such insurance at his principal place of business.
- (2) Any person not complying with sub-section (1) shall be guilty of an offence, and liable on conviction to a fine not exceeding VT. 100,000.
- (3) This section shall not apply to:
 - (a) the government;
 - (b) any person who employs only his spouse, parent, child or grandchildren;
 - (c) employment in a fishing vessel where the crew are remunerated wholly by shares in the profits of such vessel;
 - (d) employment exclusively in domestic premises;
 - (e) any other person or class of persons whom the Minister may by Regulation specify.

BANKRUPTCY

4. All rights of an employer against an insurer under section 3 shall vest in the employee in the event of the employer becoming bankrupt, or having winding-up proceedings commenced, or any other similar circumstance whatsoever.

APPLICATION

5. This Act shall apply -

- (a) to all contracts of employment (which in this Act includes any apprenticeship or similar legal relationship) in Vanuatu or in the Greater Economic Zone as from time to time defined;
- (b) any ship or aircraft registered in Vanuatu.

COMMENCEMENT

6. This Act shall come into operation on such date as the Minister shall by Order decide, and different sections may be brought into operation on different dates.

SCHEDULE

AMOUNT OF COMPENSATION

1. The amount payable for death or total disability shall be three times the annual wages of the employee, subject to a maximum limit of two million vatu.
2. For the purposes of this Schedule -
 - (a) "total disability" means an injury, whether of a temporary or permanent nature, which incapacitates an employee for any employment which he was capable of undertaking at the time of the accident;
 - (b) "annual wages" include gross wages and any allowance paid to an employee by the employer and the value of any food, fuel or quarters supplied to an employee by the employer; and any overtime payments or other special remuneration for work done, whether by way of bonus or otherwise, if of constant character or for work habitually performed; but shall not include remuneration for intermittent overtime, or casual payments of a non-recurrent nature, any ex gratia payment whether given by the employer or other person, or the value of a travelling allowance, or the value of any travelling concession or a contribution paid by the employer towards any pension or provident fund, or a sum paid to an employee to cover any special expenses entailed on him by the nature of his employment.
3. The amount payable for any of the following injuries shall be calculated as a percentage of the amount payable for total disability in accordance with the following scale, except that in no case shall the total amount payable exceed the amount payable for total disability:

	<u>Percentage of Incapacity</u>
Loss of two limbs)
Loss of both feet)
Loss of both hands or of all fingers and thumbs)
Total loss of sight)
Total paralysis)
Injuries resulting in being bedridden permanently)
Any other injury causing permanent total disablement)
Loss of remaining eye by one-eyed workman)
Loss of remaining arm by one armed workman)
Loss of remaining leg by one legged workman)
Very severe facial disfigurement)
Loss of arm at shoulder	90
Loss of arm between elbow and shoulder	80
Loss of arm at elbow	70
Loss of arm between wrist and elbow	65
Loss of hand at wrist	60

Loss of thumb (including part of a bone)	20
The pulp of the thumb	6
Loss of a finger (including part of a bone)	10
The pulp of a finger	2
Loss of metacarpals -	
first or second (additional)	3
third, fourth or fifth (additional)	2
Loss of leg above knee resulting in a stump less than 6 inches long	90
Loss of leg above knee resulting in a stump more than 6 inches long	70
Loss of leg below knee	45
Loss of foot	40
) Loss of toes -	
all of one foot	15
great, both phalanges	8
great, one phalanx	4
other than great, each part with some loss of bone	1
Loss of eye -	
eye out	40
loss of sight of eye	40
loss of lens of eye	30
loss of sight of, except perception of light	40
Loss of hearing -	
both ears	70
one ear	30
Total loss of natural Permanent Teeth -	
Loss of 1, 2, or 3 teeth	4
Loss of 4, 5 or 6 teeth	5
Loss of 7 or more teeth	6

Total permanent loss of use of member shall be treated as loss of member.

The percentage of incapacity for ankylosis of any joint shall be reckoned as from twenty-five to one hundred per cent of the incapacity for loss of the part at that joint, according to whether the joint is ankylosed in a favourable or unfavourable position.

Where there is a loss of two or more parts of the hand, the percentage of incapacity shall not be more than for the whole hand.

For the purpose of this Schedule a "one-eyed employee" means an employee who has lost the sight of one eye.

4. The amount payable in the case of an injury not specified in paragraph 3 shall be such percentage of 208 weeks wages as is proportionate to the loss of earning capacity permanently caused by the injury, subject to a maximum limit of two million vatu.

REPUBLIQUE DE VANUATU

LOI NO. 2 DE 1987 RELATIF AUX ACCIDENTS DU TRAVAIL

Sommaire

1. Dédommagement à payer par les employeurs.
2. Montant du dédommagement.
3. Assurance.
4. Faillite.
5. Application.
6. Entrée en vigueur.

REPUBLIQUE DE VANUATU

Promulguée: 11/06/1987
Entrée en vigueur: 01/01/2004

LOI NO 2 DE 1987 RELATIF AUX ACCIDENTS DU TRAVAIL

Portant sur le dédommagement prévu pour les travailleurs victimes d'accidents ou décédés pendant leurs heures de travail.

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

DEDOMMAGEMENT A PAYER PAR LES EMPLOYEURS

1. (1) Un employeur doit payer un dédommagement à tout employé victime de tout accident résultant de et survenu au cours de son travail.

(2) Un employeur doit payer un dédommagement à l'héritier ou aux héritiers d'un employé décédé à la suite d'un accident résultant du travail et survenu au cours de celui-ci.

MONTANT DU DEDOMMAGEMENT

2. En vertu de l'article 1, le montant du dédommagement à payer doit être conforme à l'annexe de la présente loi.

ASSURANCE

3. (1) Tout employeur doit prendre une assurance de responsabilité civile, et la garder en vertu de cette loi, et doit en afficher une copie à son principal lieu de travail.

(2) Toute personne ne se conformant pas au paragraphe 1) sera coupable d'une infraction, et passible, sur condamnation, d'une amende n'excédant pas 100 000 VT.

(3) L'article 1 de la présente loi ne s'applique pas :
 - (a) à l'Etat ;
 - (b) à toute personne qui emploie uniquement sa femme, un parent, des enfants ou petits-enfants ;
 - (c) à l'emploi sur un bateau de pêche à bord duquel l'équipage est totalement rémunéré en fonction du partage des bénéfices de la pêche ;
 - (d) à l'emploi exclusivement chez soi ;

(e) à toute autre personne ou catégorie de personnes pouvant être désignées par arrêté ministériel.

FAILLITE

4. En vertu de l'article 3, tous les droits d'un employeur sur un assureur sont dévolus à l'employé au cas où l'employeur ferait faillite, entreprendrait des opérations de liquidation, ou dans toute autre circonstance semblable.

APPLICATION

5. La présente loi s'applique à :

- (a) tous les contrats d'emploi (incluant tout apprentissage ou collaboration légale du même genre) à Vanuatu ou dans sa zone économique telle qu'elle est définie périodiquement ;
- (b) tout navire ou aéronef enregistré à Vanuatu.

ENTREE EN VIGUEUR

6. La présente loi entrera en vigueur à la date fixée par arrêté ministériel, et les divers articles peuvent entrer en vigueur à des dates différentes.

ANNEXE

MONTANT DE DEDOMMAGEMENT

1. Le montant à payer pour un décès ou l'incapacité totale de travail est égal à trois fois le salaire annuel de l'employé, jusqu'à un maximum de deux millions de Vatu.
2. Pour les besoins de cette annexe :
 - (a) "incapacité totale de travail" désigne un préjudice corporel, de nature temporaire ou permanente, qui rend un employé incapable d'assumer l'emploi qu'il occupait au moment de l'accident ;
 - (b) "salaire annuel" englobe le salaire brut, plus toute indemnité payée à un employé par l'employeur, la valeur de tous frais de nourriture, essence ou logement fournis par l'employeur, tout paiement d'heures supplémentaires ou autre rémunération spéciale pour un travail effectué, soit par prime ou autrement, s'il s'agit d'un travail constant ou exécuté habituellement ; cependant il n'inclut pas les rémunérations pour des heures supplémentaires occasionnelles, les paiements imprévus et irréguliers, tout paiement bénéfique venant soit de l'employeur soit d'une tierce personne, la valeur d'une indemnité de voyage, la valeur de toute concession de voyage ou d'une cotisation payée par l'employeur pour toute retraite ou caisse de prévoyance, ou une somme payée pour un employé pour toutes dépenses que nécessitait son emploi.
3. Le montant payable pour chacun des accidents suivants doit être calculé comme pourcentage du montant à payer pour incapacité totale conformément au barème suivant, excepté qu'en aucun cas le montant total à payer doit excéder le montant payable pour incapacité totale :

	<u>Pourcentage d'incapacité</u>
- Perte de deux membres)
- Perte des deux pieds)
- Perte des deux mains ou de tous les doigts et des pouces)
- Perte totale de la vue)
- Paralysie totale)
- Accident entraînant un alitement permanent)
- Autre accident causant l'invalidité totale permanente)
- Perte de l'autre œil par un travailleur borgne)
- Perte de l'autre bras par un travailleur manchot)
	100

- Perte de l'autre jambe par un travailleur unijambiste))
- Très sérieuse défiguration du visage))
- Perte du bras au niveau de l'épaule	90	
- Perte du bras entre le coude et l'épaule	80	
- Perte du bras au niveau du coude	70	
- Perte du bras entre le poignet et le coude	65	
- Perte d'une main au niveau du poignet	60	
- Perte du pouce (y compris une partie d'os)	20	
- La chair du pouce	6	
- Perte d'un doigt (y compris une partie d'os)	10	
- La chair d'un doigt	2	
- Perte des métacarpiens		
premier ou second (additionnel)	3	
troisième, quatrième ou cinquième (additionnel)	2	
- Perte d'une jambe au-dessus du genou se terminant par un moignon de moins de 15 cm de long (6 inches)	90	
- Perte d'une jambe au-dessous du genou se terminant par un moignon de plus de 15 cm de long (6 inches)	70	
- Perte d'une jambe au-dessous du genou	45	
- Perte d'un pied	40	
- Perte des orteils -		
- tous les orteils du pied	15	
- le gros orteil avec les deux phalanges	8	
- le gros orteil avec une phalange	4	
- autre que le gros orteil, chacun ayant des os endommagés	1	
- Perte de l'œil -		
- œil arraché	40	
- perte de la vue (d'un œil)	40	
- perte du cristallin de l'œil	30	
- perte de la vue, avec seulement perception de la lumière	40	
- Perte de l'ouïe -		
- des deux oreilles	70	
- d'une oreille	30	
- Perte totale des dents permanentes -		
- Perte d'une, deux ou trois dents	4	
- Perte de quatre, cinq ou six dents	5	
- Perte de sept dents ou plus	7	

La perte totale et permanente de l'usage d'un membre doit être considérée comme perte d'un membre.

Le pourcentage d'incapacité dû à une articulation ankylosée sera calculé à partir de 25% à 100% de l'incapacité pour la perte d'une partie de cette articulation, selon que l'ankylose de l'articulation se trouve située favorablement ou non.

Pour la perte de deux ou plusieurs parties de la main, le pourcentage d'incapacité ne doit pas être plus fort que pour la main entière.

Pour les besoins de cette annexe, un "employé borgne" désigne un employé qui a perdu la vue d'un œil.

4. Le montant payable dans le cas d'un préjudice corporel non défini dans l'alinéa 3 doit être un pourcentage de 208 semaines de salaires, proportionnel au manque à gagner permanent du à l'accident, sous réserve d'un maximum de deux millions de Vatu.



REPUBLIC OF VANUATU

THE WORKMEN'S COMPENSATION ACT NO. 2 OF 1987

Commencement Order No. 6 of 2004

In exercise of the power conferred on me by section 6 of the Workmen's Compensation Act No. 2 of 1987, I, the Honourable George Wells, Minister for Internal Affairs, make the following Order:

1 Commencement date for the Workmen's Compensation Act No.2 of 1987
The Workmen's Compensation Act No.2 of 1987 is taken to have commenced on 01 January 2004.

2 Commencement

This Order is taken to have commenced on 01 January 2004.

Made this 26th day of April 2004.

Honourable George Wells
Minister of Internal Affairs





RÉPUBLIQUE DE VANUATU

LOI NO. 2 DE 1987 RELATIVE AUX ACCIDENTS DE TRAVAIL

**Arrêté No. 6 de 2004 sur la mise en application de la Loi No. 2 de 1987
relative aux accidents de travail**

Portant mise en application de la Loi No. 2 de 1987 relative aux accidents de travail

LE MINISTRE DE L'INTÉRIEUR

VU les pouvoirs que lui confère l'article 6 de la Loi No. 2 de 1987 relative aux accidents de travail

A R R È T E

1 Entrée en vigueur de la Loi No. 2 de 1987 relative aux accidents de travail

La Loi No. 2 de 1987 relative aux accidents de travail est censée être entrée en vigueur le 1^{er} janvier 2004.

2 Entrée en vigueur

Le présent Arrêté est censé être entré en vigueur le 1^{er} janvier 2004.

FAIT à Port-Vila, le 26 avril 2004.

Le ministre de l'Intérieur

George Wells

REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION ACT NO. 35 OF 1993

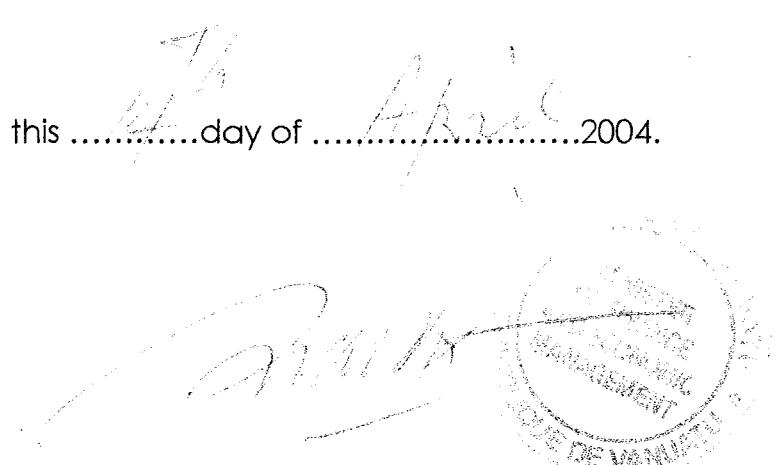
APPOINTMENT

) IN EXERCISE of the powers conferred upon me by section 3(1)(d) of the Vanuatu Financial Services Commission Act No. 35 of 1993, I, Jimmy Nicklam, Minister of Finance and Economic Management hereby appoint

SIMEON MALACHI ATHY

a member of the Vanuatu Financial Services Commission Board for a term not exceeding three years with effect from the date thereof.

Made at Port Vila this day of 2004.


Jimmy Nicklam
Minister of Finance and Economic Management



REPUBLIC OF VANUATU

VANUATU MARITIME AUTHORITY ACT NO. 29 OF 1998

Instrument of Approval

Chairperson and Deputy Chairperson of the Vanuatu Maritime Authority

In exercise of the powers conferred on me by subsection 28 (1) of the Vanuatu Maritime Authority Act No. 29 of 1998, I, the Honourable Willie Jimmy, Acting Deputy Prime Minister and Minister of Infrastructure and Public Utilities approve the nominations by the Vanuatu Maritime Authority of:

- (a) Mr. Lenox Vuti as the Chairperson of the Vanuatu Maritime Authority; and
- (b) Mr. Pakoa Kaltonga as the Deputy Chairperson of the Vanuatu Maritime Authority.

This instrument comes into force on the day on which it is made.

Made at Port Vila this

26th

day of

April

2004.

Honourable Willie Jimmy
Acting Deputy Prime Minister and Minister of Infrastructure
and Public Utilities



REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION THE COMPANIES ACT [CAP. 191]

) TAKE NOTICE that pursuant to Section 335 of the Companies Act [CAP. 191],
the following company has been struck off the Register of Companies at Vila,
Vanuatu.

Company Name	: INTER PACIFIC TRUST COMPANY LIMITED
Registration No	: 3209
Date of Registration	: 15 April 1987
Company Type	: Private Local Company limited by Shares

) Dated at Port Vila this twenty fifth day of March 2004.

George Andrews
REGISTRAR OF COMPANIES

EQUITY INVESTMENT 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 **EQUITY INVESTMENT BANK LIMITED** held on 2nd April 2004, it was **RESOLVED** as a special resolution, that the company be wound up voluntarily.

Dated this 2nd day of April 2004.

EIB MANAGEMENT LIMITED (Secretary)
by its authorized officer



Clarence Marae

EQUITY INVESTMENT BANK LIMITED
(In voluntary liquidation)

NOTICE IS HEREBY GIVEN THAT:

At a meeting of members of **EQUITY INVESTMENT BANK LIMITED** held on 2nd April 2004, Ms. Narelle Isobelle Jeanette Crawford was appointed liquidator of the company for the purpose of winding up the affairs and distributing the assets of the company.

EIB MANAGEMENT LIMITED (Secretary)
by its authorized officer



Clarence Marae

THE REPUBLIC OF VANUATU

Companies Act (CAP 191)

MEMBERS' VOLUNTARY WINDING-UP

Notice of appointment of Liquidator pursuant to Section 301

EQUITY INVESTMENT BANK LIMITED

Nature of Business:

Banking

Registered Office:

Equity Investment Group House, Rue Captain Bligh, Port Vila,
Vanuatu

Liquidator's name
and address:

Narelle Isobelle Jeanette Crawford
P O Box 1401
Port Vila
Vanuatu

Date of appointment:

2nd April 2004

By whom appointed:

Appointment by the members at an Extraordinary General Meeting
held at Level 2, Equity Investment Group House, Rue Captain Bligh,
Port Vila, Vanuatu on 2nd April 2004.

Company N0. 5293



REPUBLIC OF VANUATU

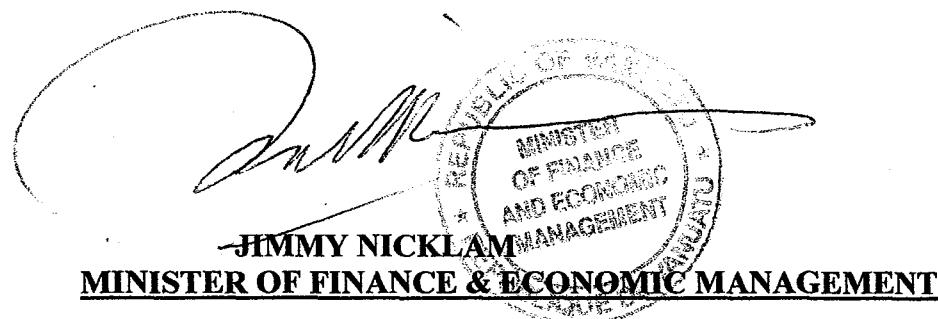
THE INSURANCE ACT [CAP. 82]

IN EXCERCISE of the powers conferred upon me by Section 9(a) of the Insurance Act [CAP.82], I hereby order the license to carry on insurance business as a broker of

POE-MA INSURANCE BROKERS LIMITED

Granted on 7 December 1995 shall be and the same is hereby cancelled.

Given under my hand and seal at Port Vila this twenty-third day of April 2004.

A large, handwritten signature of Jimmy Nicklam is overlaid on a circular official seal. The seal contains the text "SEAL OF THE GOVERNMENT OF VANUATU", "MINISTER OF FINANCE AND ECONOMIC MANAGEMENT", and "JIMMY NICKLAM". Below the seal, the text "MINISTER OF FINANCE & ECONOMIC MANAGEMENT" is printed in a bold, underlined font.



REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION

THE TRUST COMPANIES ACT [CAP.69]

I, Jimmy Nicklam, Minister of Finance and Economic Management, in exercise of the powers conferred by Section 3(1) of the Trust Companies Act [CAP.69], hereby grant to

ASIA CREDIT INTERNATIONAL TRUST COMPANY LIMITED

a licence authorizing it to carry on the business of a trust company from within Vanuatu.

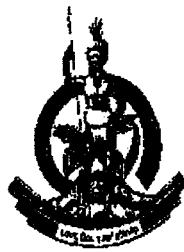
This licence is issued subject to any and all other requirements, conditions, rights and obligations contained in PART XI of the Companies Act [CAP.191] in so far as is required of a company with an exempted status.

Given under my hand and seal at Port Vila this 16th day of April 2004.

Jimmy Nicklam

MINISTER OF FINANCE AND ECONOMIC MANAGEMENT





REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION

THE TRUST COMPANIES ACT [CAP.69]

I, Jimmy Nicklam, Minister of Finance and Economic Management, in exercise of the powers conferred by Section 3(1) of the Trust Companies Act [CAP.69], hereby grant to

TOURELLE TRUST COMPANY LIMITED

a licence authorizing it to carry on the business of a trust company from within Vanuatu.

This licence is issued subject to any and all other requirements, conditions, rights and obligations contained in PART XI of the Companies Act [CAP.191] in so far as is required of a company with an exempted status.

Given under my hand and seal at Port Vila this 13th day of April 2004.

Jimmy Nicklam

MINISTER OF FINANCE AND ECONOMIC MANAGEMENT



REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION

THE INTERNATIONAL COMPANIES ACT NO. 32 OF 1992

TAKE NOTICE pursuant to Section 106 of the International Companies Act, unless cause is shown to the contrary, the name of

SEALINK HOLDINGS LTD
MUTUAL FINANCE LTD
FAIRFIELD LTD
FIVE STAR CONSULTANT LTD
PACIFIC WEB CONSULTING INC.
EIBIA LIMITED
TRACTORS PACIFIC LTD
SECOPA LEASING LIMITED
VICTOR FINANCE & ENGINEERING LIMITED
ENLIGHTENED LTD
PLATYPUS INVESTMENTS LTD
GENERAL TRADE & INVESTMENTS LIMITED
RMB INTERNATIONAL LTD
BOKISSA HOLDINGS LIMITED
CANALA INVESTMENTS LIMITED
PANKER NOMINEES (VANUATU) LIMITED
RATHLA LTD
CAPE COD FISHING CO., LTD
TERALORE INTERNATIONAL PTY. LIMITED
TATRAY INTERNATIONAL LTD.
WORLDWIDE DEVELOPMENTS LTD
PAULOWNIA PLANTATIONS DE PANAMA CORPORATION
PONTUNA CO. LTD
S&A LENDING LIMITED
FAIRFIELD LTD
FEDERATED INVESTMENTS & FINANCE LIMITED
CAMBRIDGE LEARNING & EDUCATION LIMITED
KALIN INVESTMENTS LIMITED
XATON LIMITED
HI-TORQUE LIMITED
SEAKING TRADING INTERNATIONAL LIMITED

EIBHY LIMITED
EIBTF LIMITED
EIBPP LIMITED
EIBIB LIMITED
EIBIP LIMITED
ZENITH CORPORATION LIMITED
AGGUIDE INC.
TRANSEEDS LIMITED
SAMPSON FOODS INTERNATIONAL LIMITED
GO DOT INC.
ITC HOLDINGS LIMITED
Q-CORPORATION LIMITED
PACIFIC SURVEY CONSULTANTS LIMITED
STRATEGIC CORPORATE HOLDINGS INC.
CASTOR DEVELOPMENT LTD
BRIGHT STAR HOLDINGS INC.
YOUR HEALTH INC.
GLOBAL WEALTH EDUCATION LTD
GLOBAL HAZARDS RESEARCH LIMITED
MARKETECH LIMITED
SUNSET PACIFIC HOTELS LIMITED
SWIFTPAGES. COM INC.
DENMORE, LTD
OCEAN INVESTMENT (VANUATU) LIMITED
AUSTRACO PTE LIMITED
FAR PAVILION LTD.
INDONESIAN COAL HOLDINGS LIMITED
SUNSHINE TRADING LTD
SUSTAINABLE INVESTMENTS LTD
MOMENTUM INVESTMENTS LIMITED
HAWK HOLDINGS LTD.
MAYFIELD INTERNATIONAL SECURITIES & FINANCE LTD

Will 90 days following the date of the publication of this notice be struck off the International Companies at Vila, Vanuatu

Given under the Official Seal of the Commission at Vila this seventeenth day of March 2003.

