

**REPUBLIQUE
DE
VANUATU**
JOURNAL OFFICIEL



**REPUBLIC
OF
VANUATU**
OFFICIAL GAZETTE

20 AOUT 2012

NO. 28

20 AUGUST 2012

NOTIFICATION OF PUBLICATION

ORDER

MUNICIPALITIES ACT [CAP 126]

- INSTRUMENT OF APPOINTMENT OF PERSONS TO INQUIRE INTO CERTAIN MATTERS OF THE PORT VILA MUNICIPAL COUNCIL ORDER NO. 103 OF 2012.

GOVERNMENT ACT [CAP 243]

- ASSIGNMENT OF FUCTIONS ORDER NO. 104 OF 2012

LEGAL NOTICE

**VANUATU TOURISM OFFICE ACT
[CAP 142]**

- INSTRUMENT OF REMOVAL – MEMBERS OF THE TOURISM OFFICE NOTICE NO. 43 OF 2012
- INSTRUMENT OF APPOINTMENT – MEMBERS OF THE TOURISM OFFICE NOTICE NO. 44 OF 2012

**INTERNATIONAL COMPANIES ACT
[CAP 222]**

- STRUCK OFF NOTICE NO. 45 OF 2012
- STRUCK OFF NOTICE NO. 46 OF 2012



REPUBLIC OF VANUATU

MUNICIPALITIES ACT [CAP 126]

Instrument of appointment of persons to inquire into certain matters of the Port Vila Municipal Council Order No. 103 of 2012

In exercise of the powers conferred on me by paragraphs 61(1) (a), (b) and (c) of the Municipalities Act [Cap 126], I, the Honourable GEORGE ANDRE WELLS, Minister of Internal Affairs make the following appointment:

1 Appointment

The following persons are appointed to inquire into certain matters of the Port Vila Municipal Council:

(1) Mr. Pierro WILLIE.

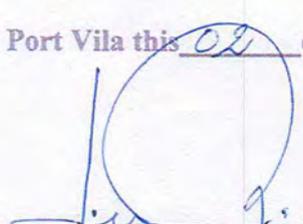
2 Terms of reference

The terms of reference of the persons appointed under clause 1 are as set out in the Annex attached to this Instrument.

3 Commencement

This Instrument of appointment commences on the day on which it is made.

Made at Port Vila this 02 day of August 2012.


Honourable GEORGE ANDRE WELLS
Minister of Internal Affairs



ANNEX

TERMS OF REFERENCE OF PERSONS WHO ARE TO INQUIRE INTO CERTAIN MATTERS OF THE PORT VILA MUNICIPAL COUNCIL

1 Objective

To inquire into and report and ascertain whether the financial transactions have been carried out in accordance with:

- (a) sections 42 to 58 of the Municipalities Act [CAP 126] with the Municipal Council's Financial Regulations;
- (b) Ministerial instructions;
- (c) relevant accounting standards.

2 Inquiry Report

The inquirers are to prepare a report of the results of this inquiry to the Minister of Internal Affairs on or before 31st August 2012.

3 Extension of inquiry

Where the results of the inquiry indicate that the inquiry should be expanded to areas other than financial transactions, the inquirers may request that the inquiry be extended into such areas.

4 Scope of inquiry

- (1) The inquiry is to be carried out in accordance with the relevant standards of accounting and will include such tests and controls as the inquirers consider necessary under the circumstances.
- (2) The inquiry is to cover the activities carried out in all of the Council's premises.

5 Procedure when conducting inquiry

While conducting the inquiry, special attention must be made to the following during Commissioner Alga Tari and Commissioner Cherol ALA term in Council:

- (a) whether expenditure, including procurement of goods and services, have the necessary supporting documentation and have been incurred in accordance within the provisions of the Financial Regulations during ;

- (b) whether goods and services procured by the Port Vila Municipal Council (the 'Council'), are supported by valid orders, receipts and invoices and are recorded correctly in the Books of Account;
- (c) whether payments to suppliers of goods and services are made in accordance with the Financial Regulations and relevant Accounting Standards and that they are recorded promptly and accurately in the books of account;
- (d) whether cheques drawn for payments are fully supported by the relevant documentation and are correctly checked and signed by the appointed signatories in accordance with the Financial Regulations;
- (e) whether payments of cash are fully supported by the relevant documentation and that the recipient has signed for the correct amount of the cash disbursed and that the amounts are promptly and correctly recorded in the Books of Account;
- (f) whether bank accounts opened and kept in the name of the Council are reconciled at least once per month against financial records in the Treasury section;
- (g) whether balance Sheet accounts are reconciled at least once per month;
- (h) whether financial records have been prepared in accordance with consistently applied relevant Accounting Standards and give a true and fair view of the financial position of the Council;
- (i) whether documentation is filed promptly in easily identifiable and accessible locations for accounts verification;
- (j) whether payroll records (which are records that also contain full information on conditions of service, position description, entitlements and leave records), are kept up to date in a safe and secure place that is in a location that affords confidentiality;
- (k) whether payments made to staff are in accordance with their conditions of service and are made against time sheets approved by their authorized manager or supervisor whose responsibility it is to check the entries for accuracy and applicability. Overtime, advances and other emoluments are recorded and calculated and conform to approval;
- (l) whether management accounts are produced for the Town Clerk and the Council Members on a monthly basis and represent a true position of the Council's financial position;
- (m) whether any payment made to any Suppliers is in accordance with the Financial Regulations guidelines and Ministerial instructions.

- (n) Combination and Analysis of Expense accrued during the term of the two commissioner term .

6 Coverage

The inquirers are to have free and uninhibited access to all documents within the Council including areas under the jurisdiction of the Council in order to assist the inquirers in verifying the following:

- (a) whether the necessary supporting documents, records, invoices etc. have been kept with Books of Accounts;
- (b) whether the Standard Books of Accounts such as Cash Book, Bank Book, Journal, Ledger, stock register, fixed assets register etc are Maintained;
- (c) whether the physical verification of Council assets has been carried out and reconciled at least once in each year;
- (d) whether the verification that the valuations of properties on which the Council levies Property Tax are regularly updated and that record keeping and invoicing of the Property Tax is carried out in an efficient and timely manner;
- (e) whether the cash and Bank payments to suppliers, contractors, various institutes etc. and receipt of funds from various sources are properly made and that discounts given are given with the appropriate authority and are correctly recorded;
- (f) whether the adjustment of suppliers part supply against their bills, if any have been correctly controlled and accounted for;
- (g) whether the expenditure limits are documented and adhered to at all times;
- (h) whether the process of tender evaluation and award of work to Contractors, Consultants or other parties are as per prescribed in the procedures.
- (i) whether the supervision of the work awarded to contractors, consultants or other parties is carried out and assessed on a continuing basis, and at the completion of the work an evaluation is carried out and recorded by the person responsible for overseeing the work;
- (j) Whether the recommendations to Treasury for payment of bills are on prescribed documents which clearly define the interim and period to date claims against the total expenditure to be incurred;
- (k) whether the interest accrued on loans and overdrafts received are accurately recorded on a monthly basis in the Accounts;

- (l) whether care is taken to ensure that information used for Financial Budgets, Forecasts, Cash Flow Forecasts or other Financial estimates is compiled after carefully assessing and assembling all of the known and calculated financial information required to produce the best information possible. Future potential or contingent liabilities are included as a notation.

7 Management Letter

- (1) In addition to the inquiry report provided in clause 2, the inquirers shall prepare a management letter in which they are to:
 - (a) provide comments and observations, if any, on the accounting records, systems and controls that were examined during the course of the inquiry;
 - (b) identify specific deficiencies and areas of weakness, if any, in systems and controls and make recommendations for their improvement;
 - (c) report on the degree of compliance with the financial or internal control procedures as documented in the Financial Regulations and Ministerial instructions;
 - (d) communicate matters that have come to attention during the inquiry which might have a significant impact on the financial functions of the Council including:
 - (i) the competency of the current Treasury section in terms of its ability to produce financial reports to the standard required by the Financial Regulations and relevant Accounting Standards; or
 - (ii) the current hardware used by the Treasury section; or
 - (iii) the current software systems used by the Treasury section.
 - (e) bring to attention any other matter that the Investigator considers pertinent.
- (2) The observations in the management letter must be accompanied by suggested recommendations from the inquirers and Management comments on the observations or recommendations from the Management.

8 Access

The inquirers are to be given access to all legal documents, correspondence, Financial Regulations, Ministerial instructions, notices and any other information deemed necessary by the inquirers.



REPUBLIC OF VANUATU

GOVERNMENT ACT [CAP 243]

Assignment of Functions Order No. 104 of 2012

In exercise of the powers conferred on me by subsection 9(2) of the Government Act [CAP 243], I, the Honourable MOANA CARCASSES KALOSIL, Acting Prime Minister make the following Order.

1 Exercise of Functions

The functions of the Minister responsible for Foreign Affairs under paragraph 2(2)(b) and section 17 of the Foreign Services Act No. 28 of 2008 are particularly hereupon exercisable by the Prime Minister as the Minister responsible for Foreign Affairs.

2 Duration

The functions referred to under clause 1 shall be exercised by the Prime Minister until further Order.

3 Commencement

This Order is taken to have commenced on the date it is made.

Made at Port Vila this 2nd day of August, 2012.


Honourable MOANA CARCASSES KALOSIL (MP)
Acting Prime Minister



REPUBLIC OF VANUATU

VANUATU TOURISM OFFICE ACT [CAP 142]

Instrument of Removal – Members of the Tourism Office Notice No. 43 of 2012

Pursuant to subsection 5(1A) of the Vanuatu Tourism Act [CAP 142] and section 21 of the Interpretation Act [CAP 132], the following persons have been removed from the Office by the board of their respective association and organization:

- (a) Mr Mal DAVIES, ESTA representative; and
- (b) Mr Joseph LALOYER, Air Vanuatu Representatives; and
- (c) Mr Fahad HAYAT, VHRA representative; and
- (d) Mr Louis KALNPEL, VCCI representatives.

STATE LAW OFFICE





REPUBLIC OF VANUATU

VANUATU TOURISM OFFICE ACT [CAP 142]

Instrument of Appointment – Members Of The Tourism Office Notice No.44 of 2012

Pursuant to subsection 5(1A) of the Vanuatu Tourism Office Act [CAP 142], the following persons are appointed by the Board of their respective association and organisation as their representatives in the Office:

- (a) Mr Tony PITTAR, representative of the Vanuatu Hotels and Resorts Association; and
- (b) Mr Tony HOULAHAN, representative of Vanuatu Tours Association; and
- (c) Mr Floyd SMITH representative of the Air Vanuatu (Operation) Ltd; and
- (d) Mrs Astride BOULEKONE representative of the Vanuatu Chamber of Commerce and Industry.

STATE LAW OFFICE



THE INTERNATIONAL COMPANIES ACT [CAP 222]

NOTICE NO. 45 OF 2012

TAKE NOTICE that pursuant to Section 113(2) of the International Companies Act [CAP. 222], the following Company:

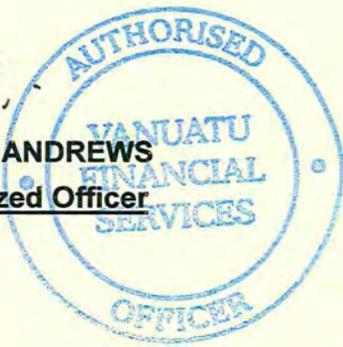
Company Name	: KRONOS HOLDINGS LIMITED
Registration No	: 037105
Date of Registration	: 30 May 2011
Company Type	: International Company limited by Shares

has been struck off the Register of Companies at Port Vila, Vanuatu

Dated this first day of August 2012.



George ANDREWS
Authorized Officer



AUTHORISED
VANUATU
FINANCIAL
SERVICES
OFFICER

THE INTERNATIONAL COMPANIES ACT [CAP 222]

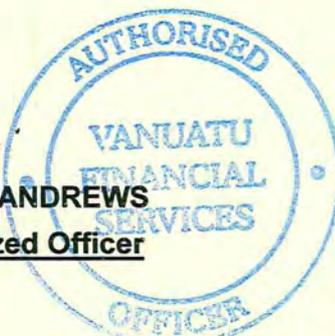
NOTICE NO. 46 OF 2012

TAKE NOTICE that pursuant to Section 113(2) of the International Companies Act [CAP. 222], the following Company:

Company Name	: MP3 MILLION LIMITED
Registration No	: 037133
Date of Registration	: 09 June 2011
Company Type	: International Company limited by Shares

has been struck off the Register of Companies at Port Vila, Vanuatu

Dated this first day of August 2012.



George ANDREWS
Authorized Officer