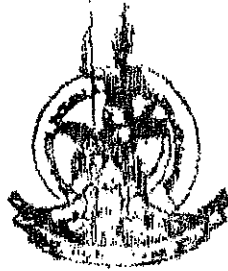


REPUBLIQUE
DE
VANUATU



REPUBLIC
OF
VANUATU

JOURNAL OFFICIEL

OFFICIAL GAZETTE

23 JANVIER 1989

No. 3

23 JANUARY 1989

SONT PUBLIES LES TEXTES SUIVANTS

LISTE DES CANDIDATS A LA PRESIDENCE
DE LA REPUBLIQUE

ARRETES

NOTIFICATION OF PUBLICATION

LIST OF PRESIDENTIAL
CANDIDATES

ORDERS

THE PORT VILA MUNICIPAL
COUNCIL (STAFF REGULATIONS)
ORDER No. 4 OF 1989,

THE LUGANVILLE MUNICIPAL
COUNCIL (STAFF REGULATIONS)
ORDER No. 5 OF 1989,

THE PORT VILA MUNICIPAL
COUNCIL (STANDING ORDERS)
ORDER No. 6 OF 1989.

THE LUGANVILLE MUNICIPAL
COUNCIL (STANDING ORDERS)
ORDER No. 7 OF 1989.

THE NATIONAL COUNCIL OF CHIEFS
(ELECTION PROCEDURE) (RULES)
ORDER No. 8 OF 1989.

SOMMAIRES

PAGE

NOMINATIONS

1-7

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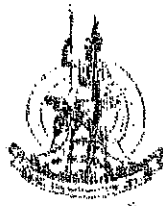
APPOINTMENT

8

REPUBLIQUE DE VANUATU

REPUBLIC OF VANUATU

CONSEIL DES ELECTIONS



ELECTORAL COMMISSION

P.O. BOX 227
VILA
TELEPHONE 2610

Reference. ELC 12/22/rn

Date. 21 January 1989

REPUBLIC OF VANUATU

PUBLICATION OF LIST OF PRESIDENTIAL CANDIDATES
PURSUANT TO THE ELECTION OF THE PRESIDENT
REGULATION NO. 4 OF 1980 SECTION 7

IN EXERCISE of the power contained in section 7 of the Election of the President Regulation No. 4 of 1980, THE ELECTORAL COMMISSION HEREBY PUBLISHES the list of Presidential candidates:

BILL KALSRAP KALPOI

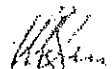
GEORGE KALTOI KALSAKAU

FRED KARLO TIMAKATA

DATED at Port Vila this 23 day of January 1989.


MARCEL SAM

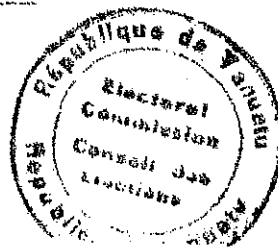
Member


MASING R. LAURU

Chairman


JAMES MORRISON

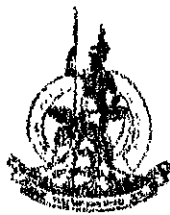
Member



REPUBLIQUE DE VANUATU

REPUBLIC OF VANUATU

CONSEIL DES ELECTIONS



ELECTORAL COMMISSION

P.O. BOX 227
VILA
TELEPHONE 2610

Reference. ELC 12/22/rn

Date. 21 Janvier 1989

REPUBLIQUE DE VANUATU

LISTE DES CANDIDATS A LA PRESIDENCE DE LA REPUBLIQUE
PUBLIEE PAR LE CONSEIL DES ELECTIONS CONFORMEMENT
A L'ARTICLE 7 DU REGLEMENT NO. 4 DE 1980

VU les dispositions de l'article 7 du règlement No. 4 de 1980, le conseil des élections publie l'avis dont la teneur suit :


La liste des candidats à la présidence de la République est composée des personnes dont les noms sont énoncés ci-après :

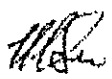
BILL KALSRAP KALPOI

GEORGE KALTOI KALSAKAU

FRED KARLO TIMAKATA

FAIT à Port-Vila le 23 Janvier 1989


MARCEL SAM
Membre


MASING R. LAGA
Président


JAMES MORRISON
Membre



REPUBLIC OF VANUATU

THE PORT VILA MUNICIPAL COUNCIL (STAFF REGULATIONS)

ORDER NO. 4 OF 1989

Arrangement of Chapters

1. Validity and application.
2. Appointments - Eligibility.
3. Salaries - Allowances - (Days and Hours of Work).
4. Council vehicles - Transportation Allowances.
5. General Conduct.
6. Discipline.
7. Status and Leave.
8. Training and Courses.
9. Termination of Service (Death in service).
10. Superannuation.
11. Repeal and Savings.
12. Commencement.

REPUBLIC OF VANUATU

THE PORT VILA MUNICIPAL COUNCIL (STAFF REGULATIONS)
ORDER NO. 4 OF 1989

IN EXERCISE of the powers conferred by section 22(1) of the Municipalities Act No. 5 of 1980, the Port Vila Municipal Council hereby makes the following Staff Regulations:

CHAPTER 1
VALIDITY AND APPLICATION

- 1.1 These Staff Regulations contain the rules of conditions of service for all staff employed by the Council.
- 1.2 Authority for the administration of these Staff Regulations vests with the Council, which authority may be exercised by the Clerk pursuant to section 18(3) of the Act.
- 1.3 (i) These Staff Regulations shall apply to all officers and employees of the Council except in so far as:
- (a) may otherwise stated in these Staff Regulations;
or
 - (b) an officer or an employee is excluded by any law or by the terms of his appointment from the operation of these Staff Regulations.
- (ii) These Staff Regulations shall form part of the terms and conditions of the officers and employees.
- (iii) It is the duty of every officer and employee to be acquainted with these Regulations as ignorance of the provisions of these Regulations shall not be a defence to any disciplinary action.
- 1.4 In these Staff Regulations, unless the context otherwise requires:

"Act" means the Municipalities Act No. 5 of 1980;

"Clerk" means the Town Clerk of the Council appointed in accordance with section 18 of the Act or any one acting on his behalf;

"Council" means the Port Vila Municipal Council;

"employee" includes those members of Staff engaged by the Council pursuant to section 21 of the Act.

"Officer" includes those members of staff appointed by the Council pursuant to section 19 of the Act.

CHAPTER 2
APPOINTMENTS - ELIGIBILITY

- 2.1 (i) Subject to the Act only citizens of Vanuatu shall be appointed to posts in the service of the Council.
- (ii) Notwithstanding paragraph 2.1(i), until a Ni-Vanuatu officer is qualified for appointment to a post in the service of the Council, a non-citizen officer may be appointed to that post for a limited period.
- 2.2 (i) The Council may on the advice of the Committee responsible for recruitment and appointment appoint temporary officer to a post in the service of the Council.
- (ii) Any temporary appointment shall be for a specific purpose and shall contain the period of appointment and the level of salary to be drawn by the temporary officer.
- (iii) Temporary appointment shall not be made for a period exceeding twelve months.
- 2.3 (1) Subject to section 21 of the Act, the Council may from time to time employ such employees as may be necessary for the proper performance of the functions of the Council.
- (2) Employees appointed under this section may be exempted from the conditions governing necessary qualifications for employment in the service of the Council.
- 2.4 Any recruitment notice for any post in the service of the Council including temporary employment or any other employment shall be advertised publicly on the Council's notice board and also on the Government's news media.
- 2.5 Application for appointments to posts in the service of the Council shall be addressed to the Council. Each application shall be in duplicate and shall be accompanied by the following:
- a birth certificate or a statutory declaration in lieu,
 - a certified copy of any certificate or references,
 - a medical certificate,
 - where appropriate, a marriage certificate and children's birth certificates,
 - an official statement of police record or equivalent document.
- 2.6 (i) The appointment of every officer including temporary officer and employee shall be on probation for a period of six months commencing from the date on which

(ii) During the probationary period a contract of employment may be terminated by either party without notice any time.

2.7 Where an officer or employee is recruited outside the boundaries of the Council that officer or employee shall make his own way to report for duty at his own expenses.

CHAPTER 3
SALARIES, ALLOWANCES, ETC

A - SALARIES

3.1 Each officer or employee shall be entitled to receive in arrears, remuneration comprising the salary corresponding to his index number and child allowances.

3.2 Salary increments may be granted in accordance with the officers or employee's categories.

3.3 On promotion, an officer or employee shall receive the minimum salary of his new category.

3.4 Annex I to these Regulations shows the indexed salary scales.

B - ACTING AND RESPONSIBILITY ALLOWANCES

3.5 (i) Where the Council considers that it is necessary that a post should continue to be filled at a time when no officer or employee of corresponding substantive rank is available thereto, some other officer or employee may be appointed by the Council to act in the post and to assume either fully or in part the duties and responsibilities thereof.

(ii) Acting Allowances shall be payable to an officer or employee which shall be set out by the Committee responsible for recruitment and appointment.

C - OVERTIME ALLOWANCES

3.6 (i) In respect of work carried out in excess of the normal hours of work an employee shall be paid overtime at the following rates:

(a) for work carried out in excess of the normal weekly hours of work -

(i) for the first one and half hours: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;

(ii) in excess of one and half hours: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;

(b) for work on public holidays or Sundays: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;

(c) for work (other than work as a night watchman) carried out at night between 6.00 pm to 6 am in excess of the normal weekly hours of work: a minimum rate equal to $1\frac{3}{4}$ times the normal hourly rate.

(ii) Payment in respect of work carried out during 6.00 pm to 6 am shall not include any extra payment.

3.7 The following officers shall not be eligible for overtime allowances in respect of work carried out in excess of the normal hours of work:

(a) Town Clerk;

(b) Deputy Town Clerk;

(c) Senior Health and Environmental Officer; and

(d) Senior Town Planning Officer.

D - DAYS AND HOURS OF WORK

3.8 (1) The weekly working hours shall be as follows:

(a) officer - Monday to Friday ($36\frac{1}{2}$ Hours)

(b) employee - Monday to Saturday morning (39 Hours)

(2) The daily working hours shall be as follows:

(a) 7.30 am to 11.30 am,

(b) 1.15 pm to 4.30 pm.

(3) The limit of hours of work provided for above may be exceeded -

(a) in cases of urgent work to be done or in cases of emergency (including funeral services).

3.9 The Council may approve flexible working hours according to the number of hours required per week.

CHAPTER 4
COUNCIL VEHICLES - TRANSPORTATION ALLOWANCES

- 4.1 The Council shall not be responsible for the transportation of its officers or employees to and from their homes and the place of work.
- 4.2 No transportation allowance shall be paid by the Council for such travelling to and from work.
- 4.3 Any officer or employee who uses his private vehicle regularly and frequently on official Council's duty shall be entitled to a commuted mileage allowance which shall be approved by the Council.
- 4.4 (1) All Council's vehicles, other than the Mayor and Town Clerk's official Council's vehicles, may not be parked at the homes of the officers or employees or used for transportation to their homes.
- (2) The keys of all vehicles shall be returned to an officer or employee appointed by the Council for this purpose for safe keeping at nights and during weekends and public holidays and shall not be entrusted to any one else unless so ordered by the Council for official purposes.
- 4.5 Official Council's vehicles shall not be used for transporting private individuals without the consent of the Council.
- 4.6 Official vehicles, other than those of the Mayor and the Town Clerk, shall be available for the transportation of any officer or employee for official council duties and such officer or employee is authorized by the Council to use the vehicle.
- 4.7 The unauthorized use of official council's vehicles shall give rise to disciplinary action and the Council shall not accept any liability whatsoever for any damage or injury suffered or inflicted by any officer or employee whilst using the vehicle without authorization for private uses.
- 4.8 Any officer or employee involved in an accident whilst driving an official Council vehicle shall report the matter to the Council.

CHAPTER 5
GENERAL CONDUCT

- 5.1 Officers and employees may be employed on such suitable duties as the Council may decide according to their abilities and are liable to be posted to any duty station within the urban area of the Council.

- 5.2 Officers and employees are prohibited from engaging in private work for gain, or running commercial undertakings themselves, or owning an interest in such undertakings unless permission is granted by the Council.
- 5.3 Officers and employees are not allowed to conduct private business in official time.
- 5.4 An Officer or employee shall attend work at the official times and shall not absent himself during working hours without permission from the Town Clerk or relevant Head of Section.
- 5.5 Frequent short absences amount to inefficiency and misconduct and persistence in such behaviour may lead to disciplinary action.
- 5.6 All unjustified absences from duty of more than half a day shall be without salary.
- 5.7 An Officer or employee absenting himself from his duties without leave for one week or more without giving a satisfactory explanation to the Town Clerk renders himself liable to dismissal.
- 5.8 An Officer or employee who fails to return to duty after leave without giving a satisfactory explanation within one week is also liable to dismissal.
- 5.9 All Officers and employees are prohibited from giving or receiving gifts or presents in the course, or as a result, of their duties or by virtue of their official position, whether such gifts or presents are in the shape of money, goods, services, free passages or other benefits. This regulation applies to members of officers' and employees' families but does not apply to gifts of personal friends not received in the course or as a result of officers' and employees' duties or by virtue of their official position and does not apply to promotional goods.
- ~~5.10~~ ~~The consumption of alcoholic beverages on duty or on the Council's premises is prohibited.~~
- 5.11 All Officers and employees are forbidden to disclose without authority to any private person or organisation any information which comes into their possession in the course of the performance of their duties, whether such information is confidential or not.
- 5.12 All Municipal Officers and employees have a duty to protect the security of the Council's premises and to ensure that documents, offices and Council's property are all properly looked after and protected.

- 5.13 All Municipal Officers and employees are prohibited from public speaking, broadcasting, or engaging in public controversy on political or Council matters. They should not seek to use their public office or status for political or sectional purposes. They should not in any manner whatsoever conduct themselves in such a way as to bring their office or the Council into disrepute.
- 5.14 Council premises shall not be used for political activities, eg. meetings, or the display of posters or notices, or distribution of pamphlets, etc. without the express permission of the Council.
- 5.15 All Officers and employees shall not engage in any political or trade union activities during official working hours without the express permission of the Council. An authorization of absence may be granted each year to a representative of the Municipal Trade Union for attending a general meeting of the "Vanuatu Trade Union Congress", providing this absence does not exceed five (5) working days.
- 5.16 (i) If an Officer or employee wishes to stand for election to Parliament or to a Local Government Council or to the Council, the Council may grant him leave of absence without pay for up to two months before the date set for the elections. Such leave may be regarded as vacation leave in order to cover all or part of the absence of the officer or employee concerned. If the officer or employee fails to be elected, he shall be required to resume duty at the first opportunity after the date of the declaration of the results of the election.
- (ii) If the Officer or employee is elected, his post becomes vacant, and the Council may advertise under the normal procedures to fill such vacancy.
- 5.17 The Town Clerk is responsible for reporting to the Council any cases of an officer or employee's serious pecuniary embarrassment which could jeopardise the reputation of the Council.
- 5.18 An Officer or employee who has been charged with a criminal offence shall be suspended from duty until acquitted by the Court.
- 5.19 A personal file shall be kept on every Officer and employee and shall include an annual report by the Town Clerk on the quality of service of the officer or employee concerned.

CHAPTER 6
DISCIPLINE

- 6.1 Any Officer or employee of the Council who fails to comply with the provisions of Chapter 5 of these Staff Regulations shall be guilty of a disciplinary offence.

6.2 Notwithstanding the previous paragraph every officer or employee of the Council commits a disciplinary offence for the purposes of disciplinary proceedings who -

- (a) by any wilful act or omission fails to comply with the requirements of the Act or of any order hereunder or of any official instrument made under the authority of the Council or of the head of the section in which the officer or employee is employed;
- (b) in the course of his duties disobeys, disregards or makes wilful default in carrying out any lawful order or instruction given by any person having authority to give the order or instruction or by word or conduct displays insubordination;
- (c) is negligent, careless, indolent, inefficient, or incompetent in the discharge of his duties;
- (d) behaves in a manner calculated to cause unreasonable distress to other officers or to affect adversely the performance of their duties;
- (e) uses intoxicating liquors or drugs to excess or in such manner as to affect adversely the performance of his duties;
- (f) improperly uses or removes property, stores, monies, stamps, securities or negotiable instruments for the time being in his official custody or under his control, or fails to take reasonable care of any such property, stores, monies, stamps, securities or negotiable instruments;
- (g) otherwise than in the proper discharge of his duties directly or indirectly discloses or for private purposes uses any information acquired by him either in the course of his duties or in his capacity as an officer or employee;
- (h) absents himself from his office or from his official duties during hours of duty without leave or valid excuse, or is habitually irregular in the time of his arrival or departure from his place of employment;
- (i) is guilty of any improper conduct in his official capacity, or of any other improper conduct which is likely to affect adversely the performance of his duties or is likely to bring the Council into disrepute;
- (j) is guilty of any other offence prescribed from time to time by orders or regulations made under the Act.

- 6.3 Where the Clerk receives a report that an officer or employee has committed a disciplinary offence and such disciplinary offence warrants his immediate suspension from carrying out his official duties, the Clerk may suspend the officer on half salary and shall immediately report the suspension to the Council.
- (i) The Council shall either reject or confirm the suspension.
 - (ii) Where the Council rejects the suspension the officer or employee shall resume his duties.
 - (iii) Where the Council confirms the suspension the Council shall give the officer or employee adequate opportunity to answer any charges made against him.
- 6.4 If the Council finds that the charges do not result in any disciplinary punishment or if the punishment is a warning, the officer or employee shall receive the salary withheld during his suspension.
- 6.5 The Council may impose any one or more of the following punishments as it shall think fit:
- (a) warning;
 - (b) reprimand;
 - (c) suspension of increment;
 - (d) demotion;
 - (e) temporary suspension from employment for a period not exceeding six months with any consequential loss of retirement benefits or a part thereof;
 - (f) dismissal and loss of retirement benefits in whole or in part.

CHAPTER 7
STATUS AND LEAVE

- 7.1 (i) The status of officers or employees may be one of the following:
- on active duty
 - on annual vacation leave
 - on leave without pay
 - on sick leave
 - on temporary secondment
 - on leave for sporting or other purposes

- (ii) An Officer or employee elected in a representative capacity shall be allowed the necessary time in which to carry out the functions of his office.

ANNUAL LEAVE

- 7.2
- (i) Serving Officers and employees shall be entitled to annual leave with salary of 21 working days in each complete year of service.
 - (ii) Leave may be accumulated only over a period of two years and may be taken in whole or in several parts according to the needs of the Council.
 - (iii) An Officer or employee leaving the Council without completing a full year of service shall be entitled to leave proportional to the service completed.
 - (iv) The value of any leave taken but not earned shall be deducted from monies due to the officer or employee if he leaves the service of the Council before completing the year.

LEAVE WITHOUT SALARY

- 7.3
- (i) Leave without salary of not more than 6 months may be granted by the Council on grounds of urgent matters, family affairs, etc..
 - (ii) Leave without salary shall not constitute a break in service for the purposes of continuity of service, but shall not count as qualifying service (promotion).
 - (iii) An Officer or employee on leave without salary may be replaced by a temporary appointment.
 - (iv) Leave without salary may be granted to cover extended sickness.

SICK LEAVE

- 7.4
- (i) An Officer or employee is entitled to sick leave of 27 working days per year.
 - (ii) An absence of more than 24 hours for health reasons shall be covered by a medical certificate submitted within three working days.
 - (iii) Periods of absence of more than 24 hours which are not covered by a medical certificate shall be treated as absence without leave and shall be without pay.

(iv) Sick leave as set forth hereinabove shall be treated as effective service and shall be leave - earning, unless otherwise provided hereinafter.

(v) An Officer or employee who is absent due to sickness lasting more than 54 working days shall be examined by a doctor of the Health Department who may recommend an extension of the officer or employee's leave without salary not exceeding 27 working days. At the end of such extended sick leave, the officer or employee concerned shall provide a medical certificate stating that he is fit to resume duty. An officer or employee who is on extended sick leave may, subject to approval by the Council, be released for a period of one year.

MATERNITY LEAVE

7.5 Maternity leave on full salary of up to six weeks before and exactly six weeks after the estimated date of confinement will be granted to female officers or employees on presentation of a medical certificate indicating the date of confinement. Maternity leave shall count as effective service. Any extension of maternity leave will be treated under the same rules as for sick leave.

COMPASSIONATE LEAVE

7.6 Leave of two days on full salary shall be granted to officers and employees on the occasion of their marriage and four days on the death of a parent or a child. Leave of 1 day on full salary shall be granted to a father on the occasion of the birth of his child.

OCCUPATIONAL ACCIDENT

7.7 Compensation for occupational accidents shall be subject to the conditions of the insurance policy taken out by the Council and specified in the terms of employment.

MEDICAL EXPENSES

7.8 (i) The Council shall take out health insurance policy cover for the officers and employees which shall enable them to get refund for medical expenses incurred in Vanuatu, during periods of sick leave with salary.

(ii) In excess of such sick leave period given, the Council may grant to an officer or employee a loan to cover medical expenses which loan shall be repayable from deducting the salary of the officer or employee concerned.

- (iii) An Officer or employee may with the approval of the Council be granted assistance for medical treatment overseas.

SPECIAL LEAVE FOR INTERNATIONAL SPORTING,
CULTURAL AND OTHER EVENTS

7.9

- (i) When an Officer or employee of the Council is selected as a member of a cultural body or sports team (which team for the purpose of these rules may include not more than one official and one trainer), to represent Vanuatu, with the approval of the appropriate governing authority for the sport or activity in Vanuatu, at meetings of international status, he may, with the approval of the Council be granted special leave with full pay in accordance with the following table. Such leave shall not be deductible from normal leave entitlement, and shall count as effective service, i.e. will be leave-earning.

TABLE

(a) Major international meetings involving more than one other country. Examples: South Pacific Games, International Scout Jamboree, etc.	Leave for the duration of the meeting.
(b) Meetings of lesser importance Example: events involving one other country.	Leave for up to 5 calendar days
(c) Local selection or training event in Vanuatu to form a team for an international meeting.	Leave for the duration of the event, or for 5 days as applicable according to whether the meeting is in (a) or (b) above.

- (ii) For an international meeting in which the officer or employee is selected to represent, not Vanuatu, but a sporting or other association he may, with the approval of the Council be granted leave to be counted against his normal leave entitlement.

CHAPTER 8
TRAINING AND COURSES

8.1

- (i) The Council is responsible for the selection of those to undergo training course in Vanuatu or overseas.

- (ii) Where an officer or employee is required to undertake a course of training outside Vanuatu lasting for two months or less, it shall be regarded as duty.
- (iii) An Officer or employee wishing to undertake a correspondence course in a subject related to his official work may apply to the Council for approval to undertake such course.
- (iv) Any approved absences from duty to take examinations will be deducted from leave.
- (v) An Officer or employee who successfully completes a course of training and/or examination shall not have an automatic right to promotion or advancement of any kind but, his training and qualifications will be taken into account when he is under consideration for promotion.
- (vi) On successful completion of an approved course and the examination thereof, the officer or employee may claim reimbursement of the tuition and examination fees, and the cost of necessary books and materials specified by the course authorities.

CHAPTER 9 TERMINATION OF SERVICE

- 9.1 The normal retiring age is 55 years.
- 9.2 Disciplinary procedure is prescribed under Chapter 6 of these Staff Regulations.
- 9.3 Retirement on medical grounds may be granted by the Council on the production of a report by a medical officer that an officer or employee is unfit on medical grounds to continue working.
- 9.4 The service of an officer or employee may be terminated by giving due notice in accordance with the terms of his engagement, and if no period of notice is specified therein, by giving three months notice or three month's salary in lieu of notice.
- 9.5 An officer or employee wishing to leave the service of the Council shall give three month's notice or three month's salary in lieu of notice to the Council.

DEATH IN SERVICE

- 9.6 In the event of the death of an officer or employee during the course of his service the Council shall pay to his legal personal representative a sum equivalent to twelve month's salary.

CHAPTER 10
SUPERANNUATION

10.1 The Council shall ensure that all officers and employees in the service of the Council shall register to be members of the Vanuatu National Provident Fund.

CHAPTER 11
REPEAL AND SAVINGS

11.1 (i) All previous staff Orders, Regulations or instructions are hereby repealed.

(ii) Officers and employees appointed to posts in the service of the Council shall from the coming into operation of these Staff Regulations continue in such posts.

CHAPTER 12
COMMENCEMENT

12.1 These Staff Regulations shall come into force on the date of approval by the Minister responsible for Municipalities.

MADE at Port Vila the 30th day of December, 1988.

.....
TOWN CLERK

.....
MAYOR

.....
COUNCILLOR

Approved on the 30th day of December , 1988.

.....
IOLU J. ABBIL
MINISTER OF HOME AFFAIRS
AND MINISTER RESPONSIBLE FOR MUNICIPALITIES

ANNEX I

INDEXED SALARY SCALES
(CHAPTER 3 Paragraph 3.4)

STAFF	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
Messengers, Telephonists, Cleaner	A	1	15.000	180.000	1 Year
		2	16.000	192.000	
		3	17.000	204.000	
		4	18.000	216.000	
		5	19.000	228.000	
		6	20.000	240.000	
		7	21.000	252.000	
		8	22.000	264.000	
		9	23.000	276.000	
		10	24.000	288.000	
		11	25.000	300.000	
		12	26.000	312.000	
		13	27.000	324.000	
		14	28.000	336.000	
		15	29.000	348.000	
		16	30.000	360.000	
		17	31.000	372.000	
		18	32.000	384.000	
		19	33.000	396.000	
		20	34.000	408.000	
		21	35.000	420.000	
		22	36.000	432.000	
Office Clerk, Warden	B	1	22.000	264.000	1 Year
		2			
		3			
		4			
		5			
		6	45.000	540.000	
Assistant Account, Typist, Assistant Head of Department,	C	1	33.000	396.000	1½ Year
		2			
		3			
		4			
		5			
		6	55.000	660.000	

STAFF	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
Secretary Typist, Mechanic, Accountant	D	1	44.000	528.000	1½ Year
		2			
		3			
		4			
		5			
		6	67.000	804.000	
Head of Department Technician, Treasurer	E	1	55.000	660.000	1½ Year
		2			
		3			
		4			
		5			
		6	78.000	936.000	
Assistant Town Clerk Engineer	F	1	65.000	780.000	2 Year
		2			
		3			
		4			
		5			
		6	93.000	1.116.000	
Town Clerk	G	1	100.000	1.200.000	2 Year
		2			
		3			
		4			
		5			
		6	120.000	1.440.000	

LABOURERS	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
		<u>Year</u>			
		1	15.000	180.000	
		2	16.000	192.000	
		3	17.000	204.000	
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		22	36.000	432.000	

REPUBLIC OF VANUATU

THE LUGANVILLE MUNICIPAL COUNCIL (STAFF REGULATIONS)
ORDER NO. 5 OF 1989

Arrangement of Chapters

1. Validity and application.

2. Appointments - Eligibility.

3. Salaries - Allowances - (Days and Hours of Work).

4. Council vehicles - Transportation Allowances.

5. General Conduct.

6. Discipline.

7. Status and Leave.

8. Training and Courses.

9. Termination of Service (Death in service).

10. Superannuation.

11. Repeal and Savings.

12. Commencement.

REPUBLIC OF VANUATU

THE LUGANVILLE MUNICIPAL COUNCIL (STAFF REGULATIONS)
ORDER NO. 5 OF 1989

IN EXERCISE of the powers conferred by section 22(1) of the Municipalities Act No. 5 of 1980, the Luganville Municipal Council hereby makes the following Staff Regulations:

CHAPTER 1
VALIDITY AND APPLICATION

- 1.1 These Staff Regulations contain the rules of conditions of service for all staff employed by the Council.
- 1.2 Authority for the administration of these Staff Regulations vests with the Council, which authority may be exercised by the Clerk pursuant to section 18(3) of the Act.
- 1.3 (i) These Staff Regulations shall apply to all officers and employees of the Council except in so far as:
- (a) may otherwise stated in these Staff Regulations;
or
 - (b) an officer or an employee is excluded by any law or by the terms of his appointment from the operation of these Staff Regulations.
- (ii) These Staff Regulations shall form part of the terms and conditions of the officers and employees.
- (iii) It is the duty of every officer and employee to be acquainted with these Regulations as ignorance of the provisions of these Regulations shall not be a defence to any disciplinary action.
- 1.4 In these Staff Regulations, unless the context otherwise requires:

"Act" means the Municipalities Act No. 5 of 1980;

"Clerk" means the Town Clerk of the Council appointed in accordance with section 18 of the Act or any one acting on his behalf;

"Council" means the Luganville Municipal Council;

"employee" includes those members of Staff engaged by the Council pursuant to section 21 of the Act.

"Officer" includes those members of staff appointed by the Council pursuant to section 19 of the Act.

CHAPTER 2
APPOINTMENTS - ELIGIBILITY

- 2.1 (i) Subject to the Act only citizens of Vanuatu shall be appointed to posts in the service of the Council.
- (ii) Notwithstanding paragraph 2.1(i), until a Ni-Vanuatu officer is qualified for appointment to a post in the service of the Council, a non-citizen officer may be appointed to that post for a limited period.
- 2.2 (i) The Council may on the advice of the Committee responsible for recruitment and appointment appoint temporary officer to a post in the service of the Council.
- (ii) Any temporary appointment shall be for a specific purpose and shall contain the period of appointment and the level of salary to be drawn by the temporary officer.
- (iii) Temporary appointment shall not be made for a period exceeding twelve months.
- 2.3 (1) Subject to section 21 of the Act, the Council may from time to time employ such employees as may be necessary for the proper performance of the functions of the Council.
- (2) Employees appointed under this section may be exempted from the conditions governing necessary qualifications for employment in the service of the Council.
- 2.4 Any recruitment notice for any post in the service of the Council including temporary employment or any other employment shall be advertised publicly on the Council's notice board and also on the Government's news media.
- 2.5 Application for appointments to posts in the service of the Council shall be addressed to the Council. Each application shall be in duplicate and shall be accompanied by the following:
- a birth certificate or a statutory declaration in lieu,
 - a certified copy of any certificate or references,
 - a medical certificate,
 - where appropriate, a marriage certificate and children's birth certificates,
 - an official statement of police record or equivalent document.
- 2.6 (i) The appointment of every officer including temporary officer and employee shall be on probation for a period of six months commencing from the date on which

(ii) During the probationary period a contract of employment may be terminated by either party without notice any time.

2.7 Where an officer or employee is recruited outside the boundaries of the Council that officer or employee shall make his own way to report for duty at his own expenses.

CHAPTER 3
SALARIES, ALLOWANCES, ETC

A - SALARIES

3.1 Each officer or employee shall be entitled to receive in arrears, remuneration comprising the salary corresponding to his index number and child allowances.

3.2 Salary increments may be granted in accordance with the officers or employee's categories.

3.3 On promotion, an officer or employee shall receive the minimum salary of his new category.

3.4 Annex I to these Regulations shows the indexed salary scales.

B - ACTING AND RESPONSIBILITY ALLOWANCES

3.5 (i) Where the Council considers that it is necessary that a post should continue to be filled at a time when no officer or employee of corresponding substantive rank is available thereto, some other officer or employee may be appointed by the Council to act in the post and to assume either fully or in part the duties and responsibilities thereof.

(ii) Acting Allowances shall be payable to an officer or employee which shall be set out by the Committee responsible for recruitment and appointment.

C - OVERTIME ALLOWANCES

3.6 (i) In respect of work carried out in excess of the normal hours of work an employee shall be paid overtime at the following rates:

(a) for work carried out in excess of the normal weekly hours of work -

(i) for the first one and half hours: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;

- (ii) in excess of one and half hours: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;
 - (b) for work on public holidays or Sundays: at a minimum rate equal to $1\frac{1}{2}$ times the normal hourly rate;
 - (c) for work (other than work as a night watchman) carried out at night between 6.00 pm to 6 am in excess of the normal weekly hours of work: a minimum rate equal to $1\frac{3}{4}$ times the normal hourly rate.
- (ii) Payment in respect of work carried out during 6.00 pm to 6 am shall not include any extra payment.
- 3.7 The following officers shall not be eligible for overtime allowances in respect of work carried out in excess of the normal hours of work:
- (a) Town Clerk;
 - (b) Deputy Town Clerk;
 - (c) Senior Health and Environmental Officer; and
 - (d) Senior Town Planning Officer.

D - DAYS AND HOURS OF WORK

- 3.8 (1) The weekly working hours shall be as follows:
- (a) officer - Monday to Friday (36 $\frac{1}{2}$ Hours)
 - (b) employee - Monday to Saturday morning (39 Hours)
- (2) The daily working hours shall be as follows:
- (a) 7.30 am to 11.30 am,
 - (b) 1.15 pm to 4.30 pm.
- (3) The limit of hours of work provided for above may be exceeded -
- (a) in cases of urgent work to be done or in cases of emergency (including funeral services).
- 3.9 The Council may approve flexible working hours according to the number of hours required per week.

CHAPTER 4
COUNCIL VEHICLES - TRANSPORTATION ALLOWANCES

- 4.1 The Council shall not be responsible for the transportation of its officers or employees to and from their homes and the place of work.
- 4.2 No transportation allowance shall be paid by the Council for such travelling to and from work.
- 4.3 Any officer or employee who uses his private vehicle regularly and frequently on official Council's duty shall be entitled to a commuted mileage allowance which shall be approved by the Council.
- 4.4 (1) All Council's vehicles, other than the Mayor and Town Clerk's official Council's vehicles, may not be parked at the homes of the officers or employees or used for transportation to their homes.
- (2) The keys of all vehicles shall be returned to an officer or employee appointed by the Council for this purpose for safe keeping at nights and during weekends and public holidays and shall not be entrusted to any one else unless so ordered by the Council for official purposes.
- 4.5 Official Council's vehicles shall not be used for transporting private individuals without the consent of the Council.
- 4.6 Official vehicles, other than those of the Mayor and the Town Clerk, shall be available for the transportation of any officer or employee for official council duties and such officer or employee is authorized by the Council to use the vehicle.
- 4.7 The unauthorized use of official council's vehicles shall give rise to disciplinary action and the Council shall not accept any liability whatsoever for any damage or injury suffered or inflicted by any officer or employee whilst using the vehicle without authorization for private uses.
- 4.8 Any officer or employee involved in an accident whilst driving an official Council vehicle shall report the matter to the Council.

CHAPTER 5
GENERAL CONDUCT

- 5.1 Officers and employees may be employed on such suitable duties as the Council may decide according to their abilities and are liable to be posted to any duty station within the urban area of the Council.

- 5.2 Officers and employees are prohibited from engaging in private work for gain, or running commercial undertakings themselves, or owning an interest in such undertakings unless permission is granted by the Council.
- 5.3 Officers and employees are not allowed to conduct private business in official time.
- 5.4 An Officer or employee shall attend work at the official times and shall not absent himself during working hours without permission from the Town Clerk or relevant Head of Section.
- 5.5 Frequent short absences amount to inefficiency and misconduct and persistence in such behaviour may lead to disciplinary action.
- 5.6 All unjustified absences from duty of more than half a day shall be without salary.
- 5.7 An Officer or employee absenting himself from his duties without leave for one week or more without giving a satisfactory explanation to the Town Clerk renders himself liable to dismissal.
- 5.8 An Officer or employee who fails to return to duty after leave without giving a satisfactory explanation within one week is also liable to dismissal.
- 5.9 All Officers and employees are prohibited from giving or receiving gifts or presents in the course, or as a result, of their duties or by virtue of their official position, whether such gifts or presents are in the shape of money, goods, services, free passages or other benefits. This regulation applies to members of officers' and employees' families but does not apply to gifts of personal friends not received in the course or as a result of officers' and employees' duties or by virtue of their official position and does not apply to promotional goods.
- 5.10 The consumption of alcoholic beverages on duty or on the Council's premises is prohibited.
- 5.11 All Officers and employees are forbidden to disclose without authority to any private person or organisation any information which comes into their possession in the course of the performance of their duties, whether such information is confidential or not.
- 5.12 All Municipal Officers and employees have a duty to protect the security of the Council's premises and to ensure that documents, offices and Council's property are all properly looked after and protected.

- 5.13 All Municipal Officers and employees are prohibited from public speaking, broadcasting, or engaging in public controversy on political or Council matters. They should not seek to use their public office or status for political or sectional purposes. They should not in any manner whatsoever conduct themselves in such a way as to bring their office or the Council into disrepute.
- 5.14 Council premises shall not be used for political activities, eg. meetings, or the display of posters or notices, or distribution of pamphlets, etc. without the express permission of the Council.
- 5.15 All Officers and employees shall not engage in any political or trade union activities during official working hours without the express permission of the Council. An authorization of absence may be granted each year to a representative of the Municipal Trade Union for attending a general meeting of the "Vanuatu Trade Union Congress", providing this absence does not exceed five (5) working days.
- 5.16 (i) If an Officer or employee wishes to stand for election to Parliament or to a Local Government Council or to the Council, the Council may grant him leave of absence without pay for up to two months before the date set for the elections. Such leave may be regarded as vacation leave in order to cover all or part of the absence of the officer or employee concerned. If the officer or employee fails to be elected, he shall be required to resume duty at the first opportunity after the date of the declaration of the results of the election.
- (ii) If the Officer or employee is elected, his post becomes vacant, and the Council may advertise under the normal procedures to fill such vacancy.
- 5.17 The Town Clerk is responsible for reporting to the Council any cases of an officer or employee's serious pecuniary embarrassment which could jeopardise the reputation of the Council.
- 5.18 An Officer or employee who has been charged with a criminal offence shall be suspended from duty until acquitted by the Court.
- 5.19 A personal file shall be kept on every Officer and employee and shall include an annual report by the Town Clerk on the quality of service of the officer or employee concerned.

CHAPTER 6
DISCIPLINE

- 6.1 Any Officer or employee of the Council who fails to comply with the provisions of Chapter 5 of these Staff Regulations shall be guilty of a disciplinary offence.

6.2

Notwithstanding the previous paragraph every officer or employee of the Council commits a disciplinary offence for the purposes of disciplinary proceedings who -

- (a) by any wilful act or omission fails to comply with the requirements of the Act or of any order hereunder or of any official instrument made under the authority of the Council or of the head of the section in which the officer or employee is employed;
- (b) in the course of his duties disobeys, disregards or makes wilful default in carrying out any lawful order or instruction given by any person having authority to give the order or instruction or by word or conduct displays insubordination;
- (c) is negligent, careless, indolent, inefficient, or incompetent in the discharge of his duties;
- (d) behaves in a manner calculated to cause unreasonable distress to other officers or to affect adversely the performance of their duties;
- (e) uses intoxicating liquors or drugs to excess or in such manner as to affect adversely the performance of his duties;
- (f) improperly uses or removes property, stores, monies, stamps, securities or negotiable instruments for the time being in his official custody or under his control, or fails to take reasonable care of any such property, stores, monies, stamps, securities or negotiable instruments;
- (g) otherwise than in the proper discharge of his duties directly or indirectly discloses or for private purposes uses any information acquired by him either in the course of his duties or in his capacity as an officer or employee;
- (h) absents himself from his office or from his official duties during hours of duty without leave or valid excuse, or is habitually irregular in the time of his arrival or departure from his place of employment;
- (i) is guilty of any improper conduct in his official capacity, or of any other improper conduct which is likely to affect adversely the performance of his duties or is likely to bring the Council into disrepute;
- (j) is guilty of any other offence prescribed from time to time by orders or regulations made under the Act.

- 6.3 Where the Clerk receives a report that an officer or employee has committed a disciplinary offence and such disciplinary offence warrants his immediate suspension from carrying out his official duties, the Clerk may suspend the officer on half salary and shall immediately report the suspension to the Council.
- (i) The Council shall either reject or confirm the suspension.
 - (ii) Where the Council rejects the suspension the officer or employee shall resume his duties.
 - (iii) Where the Council confirms the suspension the Council shall give the officer or employee adequate opportunity to answer any charges made against him.
- 6.4 If the Council finds that the charges do not result in any disciplinary punishment or if the punishment is a warning, the officer or employee shall receive the salary withheld during his suspension.
- 6.5 The Council may impose any one or more of the following punishments as it shall think fit:
- (a) warning;
 - (b) reprimand;
 - (c) suspension of increment;
 - (d) demotion;
 - (e) temporary suspension from employment for a period not exceeding six months with any consequential loss of retirement benefits or a part thereof;
 - (f) dismissal and loss of retirement benefits in whole or in part.

CHAPTER 7
STATUS AND LEAVE

- 7.1 (i) The status of officers or employees may be one of the following:
- on active duty
 - on annual vacation leave
 - on leave without pay
 - on sick leave
 - on temporary secondment
 - on leave for sporting or other purposes

- (ii) An Officer or employee elected in a representative capacity shall be allowed the necessary time in which to carry out the functions of his office.

ANNUAL LEAVE

- 7.2 (i) Serving Officers and employees shall be entitled to annual leave with salary of 21 working days in each complete year of service.
- (ii) Leave may be accumulated only over a period of two years and may be taken in whole or in several parts according to the needs of the Council.
- (iii) An Officer or employee leaving the Council without completing a full year of service shall be entitled to leave proportional to the service completed.
- (iv) The value of any leave taken but not earned shall be deducted from monies due to the officer or employee if he leaves the service of the Council before completing the year.

LEAVE WITHOUT SALARY

- 7.3 (i) Leave without salary of not more than 6 months may be granted by the Council on grounds of urgent matters, family affairs, etc..
- (ii) Leave without salary shall not constitute a break in service for the purposes of continuity of service, but shall not count as qualifying service (promotion).
- (iii) An Officer or employee on leave without salary may be replaced by a temporary appointment.
- (iv) Leave without salary may be granted to cover extended sickness.

SICK LEAVE

- 7.4 (i) An Officer or employee is entitled to sick leave of 27 working days per year.
- (ii) An absence of more than 24 hours for health reasons shall be covered by a medical certificate submitted within three working days.
- (iii) Periods of absence of more than 24 hours which are not covered by a medical certificate shall be treated as absence without leave and shall be without pay.

(iv) Sick leave as set forth hereinabove shall be treated as effective service and shall be leave - earning, unless otherwise provided hereinafter.

(v) An Officer or employee who is absent due to sickness lasting more than 54 working days shall be examined by a doctor of the Health Department who may recommend an extension of the officer or employee's leave without salary not exceeding 27 working days. At the end of such extended sick leave, the officer or employee concerned shall provide a medical certificate stating that he is fit to resume duty. An officer or employee who is on extended sick leave may, subject to approval by the Council, be released for a period of one year.

MATERNITY LEAVE

7.5 Maternity leave on full salary of up to six weeks before and exactly six weeks after the estimated date of confinement will be granted to female officers or employees on presentation of a medical certificate indicating the date of confinement. Maternity leave shall count as effective service. Any extension of maternity leave will be treated under the same rules as for sick leave.

COMPASSIONATE LEAVE

7.6 Leave of two days on full salary shall be granted to officers and employees on the occasion of their marriage and four days on the death of a parent or a child. Leave of 1 day on full salary shall be granted to a father on the occasion of the birth of his child.

OCCUPATIONAL ACCIDENT

7.7 Compensation for occupational accidents shall be subject to the conditions of the insurance policy taken out by the Council and specified in the terms of employment.

MEDICAL EXPENSES

7.8 (i) The Council shall take out health insurance policy cover for the officers and employees which shall enable them to get refund for medical expenses incurred in Vanuatu, during periods of sick leave with salary.

(ii) In excess of such sick leave period given, the Council may grant to an officer or employee a loan to cover medical expenses which loan shall be repayable from deducting the salary of the officer or employee concerned.

- (iii) An Officer or employee may with the approval of the Council be granted assistance for medical treatment overseas.

SPECIAL LEAVE FOR INTERNATIONAL SPORTING,
CULTURAL AND OTHER EVENTS

- 7.9 (i) When an Officer or employee of the Council is selected as a member of a cultural body or sports team (which team for the purpose of these rules may include not more than one official and one trainer), to represent Vanuatu, with the approval of the appropriate governing authority for the sport or activity in Vanuatu, at meetings of international status, he may, with the approval of the Council be granted special leave with full pay in accordance with the following table. Such leave shall not be deductible from normal leave entitlement, and shall count as effective service, i.e. will be leave-earning.

TABLE

- | | |
|---|---|
| (a) Major international meetings involving more than one other country. Examples: South Pacific Games, International Scout Jamboree, etc. | Leave for the duration of the meeting. |
| (b) Meetings of lesser importance
Example: events involving one other country. | Leave for up to 5 calendar days |
| (c) Local selection or training event in Vanuatu to form a team for an international meeting. | Leave for the duration of the event, or for 5 days as applicable according to whether the meeting is in (a) or (b) above. |
- (ii) For an international meeting in which the officer or employee is selected to represent, not Vanuatu, but a sporting or other association he may, with the approval of the Council be granted leave to be counted against his normal leave entitlement.

CHAPTER 8
TRAINING AND COURSES

- 8.1 (i) The Council is responsible for the selection of those to undergo training course in Vanuatu or overseas.

- (ii) Where an officer or employee is required to undertake a course of training outside Vanuatu lasting for two months or less, it shall be regarded as duty.
- (iii) An Officer or employee wishing to undertake a correspondence course in a subject related to his official work may apply to the Council for approval to undertake such course.
- (iv) Any approved absences from duty to take examinations will be deducted from leave.
- (v) An Officer or employee who successfully completes a course of training and/or examination shall not have an automatic right to promotion or advancement of any kind but, his training and qualifications will be taken into account when he is under consideration for promotion.
- (vi) On successful completion of an approved course and the examination thereof, the officer or employee may claim reimbursement of the tuition and examination fees, and the cost of necessary books and materials specified by the course authorities.

CHAPTER 9 TERMINATION OF SERVICE

- 9.1 The normal retiring age is 55 years.
- 9.2 Disciplinary procedure is prescribed under Chapter 6 of these Staff Regulations.
- 9.3 Retirement on medical grounds may be granted by the Council on the production of a report by a medical officer that an officer or employee is unfit on medical grounds to continue working.
- 9.4 The service of an officer or employee may be terminated by giving due notice in accordance with the terms of his engagement, and if no period of notice is specified therein, by giving three months notice or three month's salary in lieu of notice.
- 9.5 An officer or employee wishing to leave the service of the Council shall give three month's notice or three month's salary in lieu of notice to the Council.

DEATH IN SERVICE

- 9.6 In the event of the death of an officer or employee during the course of his service the Council shall pay to his legal personal representative a sum equivalent to twelve month's salary.

CHAPTER 10
SUPERANNUATION

10.1 The Council shall ensure that all officers and employees in the service of the Council shall register to be members of the Vanuatu National Provident Fund.

CHAPTER 11
REPEAL AND SAVINGS

- 11.1 (i) All previous staff Orders, Regulations or instructions are hereby repealed.
- (ii) Officers and employees appointed to posts in the service of the Council shall from the coming into operation of these Staff Regulations continue in such posts.

CHAPTER 12
COMMENCEMENT

12.1 These Staff Regulations shall come into force on the date of approval by the Minister responsible for Municipalities.

MADE at Luganville the seventh day of June, 1988.

.....
TOWN CLERK

.....
MAYOR

.....
COUNCILLOR

Approved on the 30th day of December , 1988.

.....
IOLU J. ABBIL
MINISTER OF HOME AFFAIRS
AND MINISTER RESPONSIBLE FOR MUNICIPALITIES

ANNEX I

INDEXED SALARY SCALES
(CHAPTER 3 Paragraph 3.4)

STAFF	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
Messengers, Telephonists, Cleaner	A	1	15.000	180.000	1 Year
		2	16.000	192.000	
		3	17.000	204.000	
		4	18.000	216.000	
		5	19.000	228.000	
		6	20.000	240.000	
		7	21.000	252.000	
		8	22.000	264.000	
		9	23.000	276.000	
		10	24.000	288.000	
		11	25.000	300.000	
		12	26.000	312.000	
		13	27.000	324.000	
		14	28.000	336.000	
		15	29.000	348.000	
		16	30.000	360.000	
		17	31.000	372.000	
		18	32.000	384.000	
		19	33.000	396.000	
		20	34.000	408.000	
		21	35.000	420.000	
		22	36.000	432.000	
Office Clerk, Warden	B	1	22.000	264.000	1 Year
		2			
		3			
		4			
		5			
		6	45.000	540.000	
Assistant Account, Typist, Assistant Head of Department,	C	1	33.000	396.000	1½ Year
		2			
		3			
		4			
		5			
		6	55.000	660.000	

STAFF	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
Secretary Typist, Mechanic, Accountant	D	1	44.000	528.000	1½ Year
		2			
		3			
		4			
		5			
		6	67.000	804.000	
Head of Department Technician, Treasurer	E	1	55.000	660.000	1½ Year
		2			
		3			
		4			
		5			
		6	78.000	936.000	
Assistant Town Clerk Engineer	F	1	65.000	780.000	2 Year
		2			
		3			
		4			
		5			
		6	93.000	1.116.000	
Town Clerk	G	1	100.000	1.200.000	2 Year
		2			
		3			
		4			
		5			
		6	120.000	1.440.000	

LABOURERS	CAT.	SCALE	MONTHLY SALARY	ANNUAL SALARY	PERIOD OF INCREASE
Year					
1			15.000	180.000	
2			16.000	192.000	
3			17.000	204.000	
4			18.000	216.000	
5			19.000	228.000	
6			20.000	240.000	
7			21.000	252.000	
8			22.000	264.000	
9			23.000	276.000	
10			24.000	288.000	
11			25.000	300.000	1 Year
12			26.000	312.000	
13			27.000	324.000	
14			28.000	336.000	
15			29.000	348.000	
16			30.000	360.000	
17			31.000	372.000	
18			32.000	384.000	
19			33.000	396.000	
20			34.000	408.000	
21			35.000	420.000	
22			36.000	432.000	

REPUBLIC OF VANUATU

THE PORT VILA MUNICIPAL COUNCIL
(STANDING ORDERS) ORDER No. 6 OF 1989

IN EXERCISE of the powers conferred by Section 11 of the Municipalities Act No.5 of 1980, the Port Vila Municipal Council hereby makes the following Standing Orders:

PART I
PRELIMINARY

INTERPRETATION

1. In these Standing Orders, unless the context otherwise requires:-
 - "Act" means the Municipalities Act No.5 of 1980;
 - "Council" means the Port Vila Municipal Council;
 - "Councillor" means an elected member of the Council;
 - "Clerk" means the Town Clerk of the Council appointed in accordance with Section 18 of the Act or anyone acting on his behalf;

PART II
COMMITTEES

FINANCE COMMITTEE

2. (1) There shall be a finance committee of the Council which shall consist of the Mayor, Deputy Mayor and three other Councillors.
- (2) One of the members of the finance committee shall be appointed by the Council to be the Chairman of the finance committee.

TOWN PLANNING COMMITTEE

3. (1) There shall be a town planning committee which shall make examination of building permit applications, approve building permits and deal with town planning matters on behalf of the Council.
- (2) The town planning committee shall consist of the Mayor and five other members, and may include not more than two persons who are not Councillors.

- (3) One of the members of the town planning committee who shall be a Councillor shall be appointed by the Council to be the Chairman of the committee.

TERM OF OFFICE OF COMMITTEE MEMBERS

4. (1) A member of a committee of the Council appointed under these Standing Orders, shall hold office for such period not exceeding one year as maybe specified in the instrument of appointment of the member unless the committee is dissolved before the expiry of that period.

- (2) Where a committee member:-

- (a) dies;
- (b) resigns; or
- (c) ceases to be a Councillor,

another member shall be appointed to serve for the remainder of the term of office.

PART III **COUNCIL MEETINGS**

MEETINGS

5. (1) One meeting of the Council shall be convened in the month of April of each year to debate and approve the annual estimates of the Council for the coming year.
- (2) Extraordinary meetings may be convened at the request of two thirds of the Councillors by giving notice in writing to the Clerk not less than three weeks before the date of such meeting.
- (3) Before a Council meeting ends, the Council shall approve the date for the next meeting of the Council.

CALLING OF MEETINGS

6. (1) The Mayor shall in writing issue notice of Council meetings to each Councillor stating the place and time of meeting therein.
- (2) The notice issued under subparagraph (1), shall be given not less than three clear days in advance of the day of the meeting and shall be recorded in the minute book.
- (3) Where the agenda has not been exhausted at one session and it becomes necessary for the Council to meet the following day or on subsequent days, the Mayor shall, at that session verbally obtain the consent of the majority of Councillors to attend meetings on the following day or subsequent days, as the case may be.
- (4) Notices of Council meetings shall be displayed on the notice board at the door of the Town Hall, and shall be publicized as much as possible, particularly in the press and over the radio.

INVITATIONS TO NON-COUNCILLORS TO ATTEND MEETINGS

7. (1) The Council may invite to its meetings any person having special knowledge of matters which the Council is concerned with, and whose advice may be of use.
- (2) Any person invited to attend a Council meeting under subparagraph (1) shall not have a right to vote.

PLACE OF MEETINGS

8. (1) All meetings of the Council shall be held at the Town Hall, except as the Mayor may decide.
- (2) When a meeting is to be held at a place, other than the Town Hall, the Mayor shall in the notice of the meeting give reasons for holding the meeting in that place.

PRECEDENCE

9. (1) Councillors in office take precedence in alphabetic order, except that the Mayor followed by the Deputy Mayor shall take precedence in the order of their appointment.
- (2) The Mayor shall keep a list of Councillors in this order at the Town Hall for the information of the public and shall ensure that the list is kept up-to-date.

AGENDA

10. (1) The agenda for all ordinary meetings shall be drawn up by the Mayor in conjunction with the Clerk and shall be issued with notices convening such meetings. It shall list items in the following order:
 - (a) approval of minutes of the previous meeting;
 - (b) Clerk's report to the Council;
 - (c) committee's reports to the Council;
 - (d) examination of listed business;
 - (e) any other business;
 - (f) date of next Council meeting.
- (2) (a) If a Councillor wishes a subject to be included on the agenda he shall give the Clerk written notice of the item not less than eight days before the date of the meeting.
- (b) If an item does not appear on the agenda the Councillor shall obtain the approval of the majority of members before it may be discussed.

Division 1 - Procedure of Council Meetings

OPENING OF MEETINGS

11. (1) The Mayor shall open meetings at the time specified in notices issued under paragraph 6(1), and shall call the roll of Councillors in office to ascertain that a quorum is reached.

- (2) If one hour after the time specified a quorum is still not reached the Mayor shall adjourn the meeting for eight days.
- (3) On adjournment of a meeting under subparagraph (2), new notices shall be issued to Councillors who were absent from the meeting.
- (4) The Council shall meet after the eight days adjournment declared under subparagraph (2) and shall proceed with its normal business whatever the number of Councillors present.

MINUTES AND REPORTS

12. (1) After the opening of the meeting the Mayor shall direct -
 - (a) the Clerk to read out minutes of the previous meeting; and
 - (b) the Chairman of the -
 - (i) finance committee;
 - (ii) town planning committee; and
 - (iii) any other committee that has been established,to give a report on the activities of those committees.
- (2) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of Council meetings.
- (3) The minutes shall be written in English, French and Bislama.
- (4) Copies of the minutes shall be issued to Councillors with notices of Council meetings issued under paragraph 6(1) of these Standing Orders.

VOTING

13. (1) A vote shall be taken on all matters discussed by the Council.
- (2) Every vote shall be moved and seconded by Councillors whose names shall be recorded in the minutes.
- (3) Subject to the Act and these Standing Orders, all members of the Council may vote in a Council meeting.
- (4) Except as provided for in subparagraph (6), voting shall be by show of hands and shall be by the majority of Councillors voting.
- (5) Councillors who abstain shall not be considered to be voters.
- (6) A secret ballot may be held in the case of any nomination or appointment, and whenever a majority of elected members present so wishes.
- (7) A secret ballot shall be taken by means of blank slips handed out to members, who shall write "FOR", "AGAINST", or "ABSTENTION" on the slip and return it to the Clerk for counting.
- (8) Municipal bye-laws and annual estimates shall be voted on section by section.

Division 2 - Discipline and Order at Council Meetings

MAYOR TO BE RESPONSIBLE FOR DISCIPLINE AND ORDER

14. The Mayor shall be responsible for discipline and order in the Council Chamber and all remarks and observations shall be addressed to him.

MEMBERS TO OBEY AND OBSERVE ORDERS BY MAYOR

15. (1) All members shall obey and observe all orders by the Mayor.
- (2) (a) The Mayor may call to order any Councillor whose dress, speech or behaviour is contrary to the rules of decency or propriety or for failure to observe these Standing Orders.
- (b) A second call to order to the same Councillor during the same meeting shall cause him to be excluded from the Council Chambers.
- (c) Calls to order shall be recorded in the minutes.

NON-COUNCILLORS TO ADDRESS COUNCIL UPON REQUEST

16. (1) Officers or employees of the Council may only address the Council at the request of the Mayor.
- (2) No person, other than a Councillor, may address the Council without prior written invitation of the Council in accordance with paragraph 7 of these Standing Orders.

PART IV
COMMITTEE MEETINGS

CALLING OF COMMITTEE MEETINGS

17. A meeting of a Committee of the Council shall be convened whenever necessary at the request of the Chairman or at least four members, provided that not less than six meetings of any committee shall be held in any one year.

CHAIRMANSHIP OF COMMITTEE MEETINGS

18. Working sessions of committees of the Council shall be chaired by the Chairman or in his absence by a member of the committee elected to act as Chairman for that meeting only.

QUORUM OF COMMITTEE MEETINGS

19. (1) The quorum for any meeting of the committee of the Council shall be two thirds of the total membership.
- (2) If at a first meeting the quorum is not reached, the Chairman shall convene the meeting 24 hours later and the committee's deliberations shall be valid if two members including the Chairman are present.

AGENDA OF COMMITTEE MEETINGS

20. (1) The agenda shall be drawn up by the Clerk after consultation with the Chairman, and shall be given in notices notifying members of meetings.
- (2) If a member of a committee of the Council wishes to add any items to the agenda he may do so at the meeting without prior notice.

VOTING

21. (1) A vote shall be taken on all matters discussed by a committee of the Council.
- (2) Only members of a committee of the Council may vote.
- (3) Unless all members of a committee of the Council present in a committee meeting decide otherwise, voting shall be by show of hands.

MINUTES OF COMMITTEE MEETINGS

22. (1) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of a committee of the Council meetings and shall circulate the minutes to the members of the committee within reasonable time before its next meeting.
- (2) The minutes may be written in English, French and Bislama.
- (3) Minutes of Committee Meetings must be approved by subsequent meeting of the Committee.

PART V
MISCELLANEOUS

ATTENDANCE ALLOWANCE

23. (1) Each Councillor shall be entitled to a maximum allowance of 5,000 vatu for each meeting of a committee of the Council that he attends.
- (2) Each Councillor shall be entitled to a maximum allowance of 5,000 vatu for each meeting of the Council that he attends.
- (3) A person attending a meeting of the Council in accordance with paragraph 7(1) shall be entitled to the same allowance as Councillors if the meeting is taking place after working hours.
- (4) For the purpose of this paragraph "meeting" shall mean one day's sitting of the Council.

.../7.

COMMENCEMENT

24. These Standing Orders shall come into force on the date of approval by the Minister responsible for Municipalities.

MADE at Port Vila the 30th day of December, 1988.

.....
MAYOR

.....
CLERK

.....
COUNCILLOR

Approved on the 30th day of December, 1988.

.....
IOLU J. ABBIL
Minister of Home Affairs and Minister
responsible for Municipalities

REPUBLIC OF VANUATU

THE LUGANVILLE MUNICIPAL COUNCIL
(STANDING ORDERS) ORDER No. 7 OF 1989

IN EXERCISE of the powers conferred by Section 11 of the Municipalities Act No. 5 of 1980, the Luganville Municipal Council hereby makes the following Standing Orders:

PART I
PRELIMINARY

INTERPRETATION

1. In these Standing Orders, unless the context otherwise requires:-

"Act" means the Municipalities Act No. 5 of 1980;

"Council" means the Luganville Municipal Council;

"Councillor" means an elected member of the Council;

"Clerk" means the Town Clerk of the Council appointed in accordance with Section 18 of the Act or anyone acting on his behalf;

PART II
COMMITTEES

FINANCE COMMITTEE

2. (1) There shall be a finance committee of the Council which shall consist of the Mayor, Deputy Mayor and three other Councillors.

(2) One of the members of the finance committee shall be appointed by the Council to be the Chairman of the finance committee.

TOWN PLANNING COMMITTEE

3. (1) There shall be a town planning committee which shall make examination of building permit applications, approve building permits and deal with town planning matters on behalf of the Council.

(2) The town planning committee shall consist of the Mayor and five other members, and may include not more than two persons who are not Councillors.

- (3) One of the members of the town planning committee who shall be a Councillor shall be appointed by the Council to be the Chairman of the committee.

TERM OF OFFICE OF COMMITTEE MEMBERS

4. (1) A member of a committee of the Council appointed under these Standing Orders, shall hold office for such period not exceeding one year as maybe specified in the instrument of appointment of the member unless the committee is dissolved before the expiry of that period.

- (2) Where a committee member:-

- (a) dies;
- (b) resigns; or
- (c) ceases to be a Councillor,

another member shall be appointed to serve for the remainder of the term of office.

PART III COUNCIL MEETINGS

MEETINGS

5. (1) One meeting of the Council shall be convened in the month of April of each year to debate and approve the annual estimates of the Council for the coming year.
- (2) Extraordinary meetings may be convened at the request of two thirds of the Councillors by giving notice in writing to the Clerk not less than three weeks before the date of such meeting.
- (3) Before a Council meeting ends, the Council shall approve the date for the next meeting of the Council.

CALLING OF MEETINGS

6. (1) The Mayor shall in writing issue notice of Council meetings to each Councillor stating the place and time of meeting therein.
- (2) The notice issued under subparagraph (1), shall be given not less than ~~three clear days in advance of the day of the meeting and shall be recorded in the minute book.~~
- (3) Where the agenda has not been exhausted at one session and it becomes necessary for the Council to meet the following day or on subsequent days, the Mayor shall, at that session verbally obtain the consent of the majority of Councillors to attend meetings on the following day or subsequent days, as the case may be.
- (4) Notices of Council meetings shall be displayed on the notice board at the door of the Town Hall, and shall be publicized as much as possible, particularly in the press and over the radio.

INVITATIONS TO NON-COUNCILLORS TO ATTEND MEETINGS

7. (1) The Council may invite to its meetings any person having special knowledge of matters which the Council is concerned with, and whose advice may be of use.
- (2) Any person invited to attend a Council meeting under subparagraph (1) shall not have a right to vote.

PLACE OF MEETINGS

8. (1) All meetings of the Council shall be held at the Town Hall, except as the Mayor may decide.
- (2) When a meeting is to be held at a place, other than the Town Hall, the Mayor shall in the notice of the meeting give reasons for holding the meeting in that place.

PRECEDENCE

9. (1) Councillors in office take precedence in alphabetic order, except that the Mayor followed by the Deputy Mayor shall take precedence in the order of their appointment.
- (2) The Mayor shall keep a list of Councillors in this order at the Town Hall for the information of the public and shall ensure that the list is kept up-to-date.

AGENDA

10. (1) The agenda for all ordinary meetings shall be drawn up by the Mayor in conjunction with the Clerk and shall be issued with notices convening such meetings. It shall list items in the following order:
 - (a) approval of minutes of the previous meeting;
 - (b) Clerk's report to the Council;
 - (c) committee's reports to the Council;
 - (d) examination of listed business;
 - (e) any other business;
 - (f) date of next Council meeting.
- (2) (a) If a Councillor wishes a subject to be included on the agenda he shall give the Clerk written notice of the item not less than eight days before the date of the meeting.
- (b) If an item does not appear on the agenda the Councillor shall obtain the approval of the majority of members before it may be discussed.

Division I - Procedure of Council Meetings

OPENING OF MEETINGS

11. (1) The Mayor shall open meetings at the time specified in notices issued under paragraph 6(1), and shall call the roll of Councillors in office to ascertain that a quorum is reached.

- (2) If one hour after the time specified a quorum is still not reached the Mayor shall adjourn the meeting for eight days.
- (3) On adjournment of a meeting under subparagraph (2), new notices shall be issued to Councillors who were absent from the meeting.
- (4) The Council shall meet after the eight days adjournment declared under subparagraph (2) and shall proceed with its normal business whatever the number of Councillors present.

MINUTES AND REPORTS

12. (1) After the opening of the meeting the Mayor shall direct -
 - (a) the Clerk to read out minutes of the previous meeting; and
 - (b) the Chairman of the -
 - (i) finance committee;
 - (ii) town planning committee; and
 - (iii) any other committee that has been established,to give a report on the activities of those committees.
- (2) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of Council meetings.
- (3) The minutes shall be written in English, French and Bislama.
- (4) Copies of the minutes shall be issued to Councillors with notices of Council meetings issued under paragraph 6(1) of these Standing Orders.

VOTING

13. (1) A vote shall be taken on all matters discussed by the Council.
- (2) Every vote shall be moved and seconded by Councillors whose names shall be recorded in the minutes.
- (3) Subject to the Act and these Standing Orders, all members of the Council may vote in a Council meeting.
- ~~(4) Except as provided for in subparagraph (6), voting shall be by show of hands and shall be by the majority of Councillors voting.~~
- (5) Councillors who abstain shall not be considered to be voters.
- (6) A secret ballot may be held in the case of any nomination or appointment, and whenever a majority of elected members present so wishes.
- (7) A secret ballot shall be taken by means of blank slips handed out to members, who shall write "FOR", "AGAINST", or "ABSTENTION" on the slip and return it to the Clerk for counting.
- (8) Municipal bye-laws and annual estimates shall be voted on section by section.

Division 2 - Discipline and Order at Council Meetings

MAYOR TO BE RESPONSIBLE FOR DISCIPLINE AND ORDER

14. The Mayor shall be responsible for discipline and order in the Council Chamber and all remarks and observations shall be addressed to him.

MEMBERS TO OBEY AND OBSERVE ORDERS BY MAYOR

15. (1) All members shall obey and observe all orders by the Mayor.
- (2) (a) The Mayor may call to order any Councillor whose dress, speech or behaviour is contrary to the rules of decency or propriety or for failure to observe these Standing Orders.
- (b) A second call to order to the same Councillor during the same meeting shall cause him to be excluded from the Council Chambers.
- (c) Calls to order shall be recorded in the minutes.

NON-COUNCILLORS TO ADDRESS COUNCIL UPON REQUEST

16. (1) Officers or employees of the Council may only address the Council at the request of the Mayor.
- (2) No person, other than a Councillor, may address the Council without prior written invitation of the Council in accordance with paragraph 7 of these Standing Orders.

PART IV
COMMITTEE MEETINGS

CALLING OF COMMITTEE MEETINGS

17. A meeting of a Committee of the Council shall be convened whenever necessary at the request of the Chairman or at least four members, provided that not less than six meetings of any committee shall be held in any one year.

CHAIRMANSHIP OF COMMITTEE MEETINGS

18. Working sessions of committees of the Council shall be chaired by the Chairman or in his absence by a member of the committee elected to act as Chairman for that meeting only.

QUORUM OF COMMITTEE MEETINGS

19. (1) The quorum for any meeting of the committee of the Council shall be two thirds of the total membership.
- (2) If at a first meeting the quorum is not reached, the Chairman shall convene the meeting 24 hours later and the committee's deliberations shall be valid if two members including the Chairman are present.

AGENDA OF COMMITTEE MEETINGS

20. (1) The agenda shall be drawn up by the Clerk after consultation with the Chairman, and shall be given in notices notifying members of meetings.
- (2) If a member of a committee of the Council wishes to add any items to the agenda he may do so at the meeting without prior notice.

VOTING

21. (1) A vote shall be taken on all matters discussed by a committee of the Council.
- (2) Only members of a committee of the Council may vote.
- (3) Unless all members of a committee of the Council present in a committee meeting decide otherwise, voting shall be by show of hands.

MINUTES OF COMMITTEE MEETINGS

22. (1) The Clerk shall take minutes of all proceedings, discussions, decisions and votes of a committee of the Council meetings and shall circulate the minutes to the members of the committee within reasonable time before its next meeting.
- (2) The minutes may be written in English, French and Bislama.
- (3) Minutes of Committee Meetings must be approved by subsequent meeting of the Committee.

PART V
MISCELLANEOUS

ATTENDANCE ALLOWANCE

23. (1) Each Councillor shall be entitled to a maximum allowance of 5,000 vatu for each meeting of a committee of the Council that he attends.
- (2) Each Councillor shall be entitled to a maximum allowance of 5,000 vatu for each meeting of the Council that he attends.
- (3) A person attending a meeting of the Council in accordance with paragraph 7(1) shall be entitled to the same allowance as Councillors if the meeting is taking place after working hours.
- (4) For the purpose of this paragraph "meeting" shall mean one day's sitting of the Council.

COMMITMENT

24. These Standing Orders shall come into force on the date of approval by the Minister responsible for Municipalities.

MADE at Luganville the seventh day of June, 1988.

.....
MAYOR

.....
CLERK

.....
COUNCILLOR

Approved on the 30th day of December, 1988.

.....
IOLU J. ABIL
Minister of Home Affairs and Minister
responsible for Municipalities

REPUBLIC OF VANUATU

THE NATIONAL COUNCIL OF CHIEFS (ELECTION PROCEDURE)
(RULES) ORDER No. 8 OF 1989

To provide for the election of the members of the National Council of Chiefs.

IN EXERCISE of the powers conferred by section 4 of the National Council of Chiefs (Organization) Act No. 13 of 1985, the Electoral Commission hereby make the following rules:-

INTERPRETATION

1. In these Rules, unless the context otherwise requires:-

"Council" means the National Council of Chiefs provided for under Article 27 of the Constitution of the Republic of Vanuatu;

"Section" means a section of the electoral college of chiefs as specified in rule 2.

CONSTITUTION OF ELECTORAL COLLEGE

2. (1) The members of the Council shall be elected by an electoral college of chiefs.
- (2) The electoral college of chiefs shall be divided into eleven sections, that is to say, one section for each Local Government Council region.
- (3) Subject to subrule (4), members of each section of the electoral college of chiefs shall be appointed by area council of chiefs on the basis of one member per Area Council of the Local Government region within which a member resides.
- (4) The following sections of the electoral college of chiefs shall be as follows:-
- (a) Pentecost region shall comprise six members. Two members each shall be chosen from each Area Council of that region by each area council of chiefs;
 - (b) Paama region shall comprise four members. Two members each shall be chosen from each Area Council of that region by each area council of chiefs;

- (c) Ambrym region shall comprise six members. Two members each shall be chosen from each Area Council of that region by each area council of chiefs.

ELECTION OF MEMBERS OF COUNCIL

3. (1) The election of the members of the Council shall be in accordance with Article 27 of the Constitution and the provisions of these Rules.

- (2) Each section shall elect members of the Council from amongst its own number as follows:-

- | | |
|------------------------------|------------------|
| (a) Banks and Torress region | 2 custom chiefs; |
| (b) Santo and Malo region | 2 custom chiefs; |
| (c) Ambae and Maewo region | 2 custom chiefs; |
| (d) Pentecost region | 2 custom chiefs; |
| (e) Paama region | 1 custom chief; |
| (f) Ambrym region | 2 custom chiefs; |
| (g) Malekula region | 2 custom chiefs; |
| (h) Epi region | 1 custom chief; |
| (i) Shepherds region | 2 custom chiefs; |
| (j) Efate region | 2 custom chiefs; |
| (k) TAFEA region | 4 custom chiefs. |

ELIGIBILITY FOR ELECTION

4. Any person duly recognised by or under local custom as a chief shall be eligible for election to the Council by the section of the the region within which he resides:

Provided that members of the Parliament, Municipal Councils and Local Government Councils shall not be eligible for election to the Council.

RETURNING OFFICERS

5. The secretaries of each Local Government Council shall be ex officio the returning officers for each section:

Provided that they may be replaced by any other person duly appointed by the Principal Electoral Officer for this purpose.

NOTICE OF ELECTION

6. Each section shall meet for the purpose of electing members of the Council at such date, time and place as the Electoral Commission shall appoint.

QUORUM

7. (1) The quorum shall be two thirds of the members of each section.

- (2) If at the time and place fixed for the election fewer than two-thirds of the members of the section shall be present, the returning officers shall adjourn the election from time to time and for such time not exceeding in the aggregate forty-eight hours to allow absent members to arrive.
- (3) Upon the expiry of such period, the returning officers shall -
 - (a) if not fewer than one-half of the members are present forthwith proceed to hold the election; or
 - (b) if fewer than one-half of the members of the section are present, forthwith countermand the election and report thereon to the Electoral Commission.
- (4) Upon receipt of such report, the Electoral Commission in its discretion may -
 - (a) appoint a date, time and place for the section to meet again to proceed with the election. The section meeting in pursuance of such directions shall be deemed to have been duly adjourned and to have duly met under and in accordance with the provisions of section 6;
 - (b) proceed de novo under the provisions of section 6:

Provided that in the exercise of its powers under paragraph (a) of this subsection, the Electoral Commission shall not appoint any date later than the tenth day next following the date appointed for the holder of the election under section 6.

METHOD OF ELECTION

8. (1) Each section shall meet at the appointed time and place in the presence of the returning officers in order to discuss the election of the members of the Council and if possible to agree unanimously thereon. The returning officers shall take no part in such discussions.
- (2) If a section shall after a reasonable period reach a unanimous decision upon the election of any one or more of the members to be elected; the members of the section shall inform the returning officers of their decision.
- (3) In such case, the returning officers shall in the presence of all members of the section call upon each member individually to confirm the election of the member or members named.
- (4) If the returning officers are satisfied that any one or more members have been elected by unanimous decision, such member or members shall be thereby elected.

- (5) If the section is unable to reach a unanimous agreement within a reasonable period upon the election of all members in each respective section, a secret ballot shall forthwith be held under the supervision of the returning officers for the election of the members remaining to be elected:

Provided that if the number of candidates for election is equal to the number of members remaining to be elected, such candidates shall be deemed to be elected by unanimous agreement.

ELECTION BY SECRET BALLOT

9. (1) For the purpose of holding an election by secret ballot under subrule (5) of rule 8, the returning officers shall provide a ballot box, a polling booth, ballot papers of white colour for the respective candidates and such other equipment as may be necessary. The returning officers shall write the respective names of the candidates on the ballot papers.
- (2) Every ballot box shall be so constructed that the envelopes containing ballot papers can be placed therein but cannot be withdrawn save as provided in rule 11.

VOTING

10. (1) Each member of a section on receiving a ballot paper containing the names of all candidates and one envelope shall go into the polling booth and there place a symbol "X" against the candidate or candidates of his choice inside the envelope. He shall leave the polling booth and place the envelope in the ballot box in the presence of the other members of the section.
- (2) The elector shall not place -
- (a) any mark, writing or symbol other than the symbol specified in subrule (1) on the ballot paper;
 - (b) any mark, writing or symbol on the envelope.

COUNTING OF VOTES

11. After the voting is completed, the returning officers shall in the presence of the members of the section open the ballot box, withdraw the envelopes and count the votes in such manner as to preserve the secrecy of the vote of each elector.

INVALID VOTES

12. Any ballot paper which -
- (a) reveals the name of the elector;
 - (b) is found in the ballot box without an envelope or in a non-official envelope;

- (c) bears any marks enabling identification of the elector;
- (d) bears any remarks about a candidate or any other person;
- (e) is found in an envelope with the symbol "X" placed against more candidates than required;
- (f) bears any mark, writing or symbol other than that symbol specified in rule 10(1);

shall be considered to be a void ballot paper.

DETERMINATION OF POLL

13. (1) The candidates equal in number to the number of members required to be elected who have obtained the highest number of votes shall be declared to have been elected.
- (2) If after the ballot held in accordance with the provisions of subrule (1), any one or more members remain to be elected, a further secret ballot shall be held, under the same conditions as the first, among the candidates who were not elected. Such further ballots shall be held as may be necessary to complete the election.
- (3) In the case of an equality of votes between two or more candidates, the result shall be decided by seniority of age, according to the number of members required to be elected.

REPORT OF RETURNING OFFICERS

14. (1) The returning officers shall upon completion of the counting and after the result has been declared by them make out an official report on the election to which the ballot papers and any other relevant documents shall be annexed. The report shall include a statement of any objection made to the regularity of the poll. The report shall be signed by the returning officers and countersigned by at least three members of the section present. The report shall be forwarded to the Electoral Commission who shall retain it for not less than twelve months.

NOTIFICATION AND PUBLICATION OF RESULTS

15. As soon as practicable after the conclusion of the elections in all the sections of the electoral college of chiefs, the Electoral Commission shall cause the results to be published in the Gazette.

CALCULATION OF PROPORTIONS

16. For the purpose of calculating a proportion of members or votes under the foregoing provisions of this Rules if the exact proportion is not a whole number the proportion shall be deemed to be the next highest whole number above such exact proportion.

ELECTORAL DISPUTES

17. (1) Every elector shall have the right to challenge the regularity of the poll in the section in which he is a member by petitions to the Supreme Court within a period of twenty-one clear days from the date of publication in the Gazette of the results of the poll.
- (2) Petitions made under subrule (1) shall specify each of the grounds giving rise to the petition and shall clearly express as its object either -
- (a) that the election of a candidate declared elected be declared void; or
 - (b) that the election of a candidate declared elected be declared void and that another candidate be declared elected in his place.
- (3) The Supreme Court may make rules of procedure to be observed in relation to election petitions under this rule.
- (4) For the purposes of this rule, "elector" means a member of a section of the electoral college of chiefs as specified in rule 2.

COMMENCEMENT

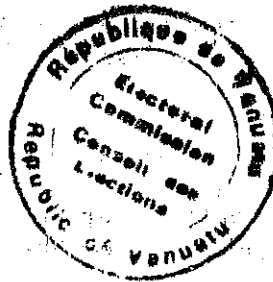
18. This Order shall be deemed to have come into force on the 19th day of January, 1989.

MADE at Vila this 19th day of January, 1989.

MASING R LAURU
Chairman

MARCEL SAM
Member

JAMES MORRISON
Member



REPUBLIQUE DE VANUATU

AVIS DE NOMINATION

LE MINISTRE DES FINANCES ET DU LOGEMENT

Avisé les destinataires que RICHARD CARPENTER a été nommé

CONSERVATEUR ET RECEVEUR GENERAL

à compter du 19 décembre 1988,

FAIT à Port-Vila, le 6 janvier 1989.

S. NOLISA

Ministres des Finances et du Logement.

REPUBLIQUE DE VANUATU

LOI NO. 32 DE 1981 SUR LES ASSOCIATIONS
A VOCATION SOCIALE (ENREGISTREMENT)

N O M I N A T I O N

LE MINISTRE DE L'INTERIEUR

En vertu des pouvoirs qui lui sont conférés par l'article 1 de la loi n°. 32 de 1981 sur les associations à vocation sociale (enregistrement), nomme par les présentes

LE CONSERVATEUR ET RECEVEUR GENERAL

afin d'exercer les fonctions de Conservateur aux fins d'application de ladite loi. La présente nomination est réputée être entrée en vigueur le 28 décembre 1988.

EAIL à Port-Vile le 11 janvier 1989.

IOLU ABBIL
Ministre de l'Intérieur.

REPUBLIQUE DE VANUATU

DEPOT DU REGLEMENT DE 1973 SUR LES PATENTES AU ROYAUME-UNI
(United Kingdom Patents Regulation)
(Queen's Regulation n°. 7 of 1973)

N O M I N A T I O N

LE MINISTRE DES FINANCES ET DU LOGEMENT

En vertu des pouvoirs qui lui sont conférés par l'article 3 du Dépôt du règlement de 1973 sur les patentes au Royaume-Uni, nommé par les présentes

CONSERVATEUR ET RECEVEUR GENERAL

afin d'exercer les fonctions de Conservateur du Registre des Patentes du Royaume-Uni. La présente nomination est réputée être entrée en vigueur le 28 décembre 1988.

FAIT à Port-Vila, le 6 janvier 1989.

S. HOLIBA

Ministre des Finances et du Logement.

REPUBLIQUE DE VANUATU

RÈGLEMENT PORTANT SUR LES SOCIÉTÉS DE GESTION DE PORTEFEUILLE
(CHAPITRE 10)

N O M I N A T I O N

LE MINISTRE DES FINANCES ET DU LOGEMENT

En vertu des pouvoirs qui lui sont conférés par l'article 8, alinéa (1) du Règlement portant sur les sociétés de gestion de portefeuille (Chapitre 10), nommé par les présentes le

CONSERVATEUR ET RECEVEUR GÉNÉRAL

afin d'exercer les fonctions d'Inspecteur des Sociétés de Gestion de Portefeuille. La présente nomination est réputée être entrée en vigueur le 28 décembre 1988.

FAIT à Port-Vila, le 6 janvier 1989.

S. MOLISA
Ministre des Finances et du Logement.

REPUBLIQUE DE VANUATU

DEPOT DU REGLEMENT DE 1973 SUR LES MARGUES DE FABRIQUE
AU ROYAUME-UNI
(United Kingdom Trade Marks Regulation)
(Queen's Regulation n°. 8 of 1973)

N O M I N A T I O N

LE MINISTRE DES FINANCES ET DU LOGEMENT

En vertu des pouvoirs qui lui sont conférés par l'article 2 du Dépôt du règlement de 1973 au Royaume-Uni sur les marques de fabrique, nommé par les présentes le

CONSERVATEUR ET RECEVEUR GENERAL

afin d'exercer les fonctions de Conservateur du Registre des Marques de Fabrique au Royaume-Uni. La présente nomination est réputée être entrée en vigueur le 28 décembre 1988.

FAIT à Port-Vila, le 6 janvier 1989.

S. MOLISA
Ministre des Finances et du Logement.

REPUBLIQUE DE VANUATU

LOI NO. 8 DE 1981 INSTITUANT LE CODE MARITIME

N O M I N A T I O N

LE MINISTRE DES FINANCES ET DU LOGEMENT

En vertu des pouvoirs qui lui sont conférés par l'article 2 de la loi n°. 8 de 1981 instituant le Code maritime, et en accord avec le Premier Ministre, nomme par les présentes le

CONSERVATEUR ET RECEVEUR GENERAL

afin d'exercer les fonctions de Conservateur aux fins d'application de ladite loi. La présente nomination est réputée être entrée en vigueur le 28 décembre 1980.

FAIT à Port-Vila, le 6 janvier 1989.

S. MCLISA

Ministre des Finances et du Logement.

REPUBLIQUE DE VANUATU

LOI DE 1973 SUR LES ASSURANCES
(Queen's Regulation n°. 18 de 1973)

N O M I N A T I O N

LE MINISTRE DES FINANCES ET DU LOGEMENT

En vertu des pouvoirs qui lui sont conférés par l'article 2 de la loi de 1973 sur les assurances, nomme par les présentes le

CONSERVATEUR ET RECEVEUR GENERAL

afin d'exercer les fonctions de Conservateur attaché à l'administration de la loi de 1973 sur les assurances. La présente nomination est réputée être entrée en vigueur le 26 décembre 1988.

FAIT à Port-Vila, le 6 janvier 1989.

S. MOLISA

Ministre des Finances et du Logement.



ELECTION OF PRESIDENT REGULATION

In exercise of the power conferred by section 8 (2) of the Election of President Regulation, I, **FREDERICK G. COOKE**, Chief Justice, hereby appoint you:-

ROY B YOSEF

as an assistant returning officer to assist me in supervising the poll and the counting of votes in the election of President of the Republic on the 30th and thereafter should the same be necessary.

Dated at Vila this 23rd day of January, 1989.

Frederick G. Cooke

Frederick G. Cooke
CHIEF JUSTICE

