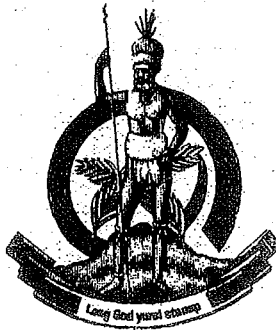


REPUBLIQUE

DE

VANUATU

JOURNAL OFFICIEL



REPUBLIC

OF

VANUATU

OFFICIAL GAZETTE

21 MARS 2005

No. 10

21 MARCH 2005

SONT PUBLIES LES TEXTES SUIVANTS

LOIS

LOI NO.3 DE 2005 SUR LA REMUNERATION
DES DIGNITAIRES DE L'ETAT
(MODIFICATION).

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NOTIFICATION OF PUBLICATION

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REPUBLIC OF VANUATU

THE OFFICIAL SALARIES (AMENDMENT) ACT

NO.3 OF 2005

Arrangement of Sections

- 1. Amendment**
- 2. Commencement**

REPUBLIC OF VANUATU

Assent: 08/03/2005
Commencement: 21/03/2005

THE OFFICIAL SALARIES (AMENDMENT) ACT

NO. 3 OF 2005

An Act to amend the Official Salaries Act [CAP 168].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Official Salaries Act [CAP 168] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENT OF THE OFFICIAL SALARIES ACT [CAP 168]

- 1. Subsection 3(3)**
Repeal the subsection.

RÉPUBLIQUE DE VANUATU

LOI N° 3 DE 2005 SUR LA RÉMUNÉRATION DES DIGNITAIRES DE L'ÉTAT (MODIFICATION)

Sommaire

1. **Modification**
2. **Entrée en vigueur**

RÉPUBLIQUE DE VANUATU

LOI N° 3 DE 2005 SUR LA RÉMUNÉRATION DES DIGNITAIRES DE L'ÉTAT (MODIFICATION)

Promulguée: Le 08/03/2005

Entrée en vigueur: Le 21/03/2005

Portant modification de la Loi N° 11 de 1983 sur la rémunération des dignitaires de l'État.

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

1. Modification

La Loi N° 11 de 1983 sur la rémunération des dignitaires de l'État est modifié tel que prévu à l'Annexe.

2. Entrée en vigueur

La présente Loi entre en vigueur à la date de sa publication au Journal officiel.

ANNEXE

**MODIFICATION DE LA LOI N° 11 DE 1983 SUR LA RÉMUNÉRATION DES
DIGNITAIRES DE L'ÉTAT**

- 1. Paragraphe 3.3)**
Abroger ce paragraphe.

REPUBLIC OF VANUATU

MINES AND MINERALS ACT [CAP 190]

Quarry Permit Regulation

Order No.8 of 2005

A Regulation to make provision for applications for the issue of Quarry Permits and for related matters.

In exercise of the powers conferred on me by section 88 of the Mines and Minerals Act [CAP 190], I, the Honorable Paul Telukluk, Minister of Lands, Geology, and Mines and Water Resources make the following Regulations.

1 Interpretation

In this Regulation, unless the contrary intention appears:

Act means the Mines and Minerals Act [CAP 190].

building minerals means minerals, rocks and other natural substances commonly used for building, road making or agricultural purposes.

Commissioner means the Commissioner for Mining and Minerals appointed under section 6(1) of the Act.

occasional Quarry Permit means a permit issued under clause 6.

person includes any statutory body, company or association or body of persons corporate or unincorporate.

quarry permit means a permit issued under clause 4.

quarrying means extracting building minerals by any mode or method.

quarter means the period ending on ending the 31st March, the 30th June, 30th September and 31st December of each year.

2 Custom Owners

- (1) Subject to subclause (2), a permit is not required for the extraction of building minerals on land by the custom owner of the land for customary purposes.
- (2) A permit is required if:

- (a) the custom owner of land sells, or intend to sell, any extracted building minerals for use outside the land from which they were extracted; or
- (b) in the opinion of the Commissioner, the extraction of the building mineral is:
 - (i) disproportionate to or a change from customary purposes; or
 - (ii) unsafe to any member of the Public; or
 - (iii) detrimental to the public interest

(3) Application

- (1) A person must apply to the Commissioner for the issue or renewal of a quarry permit.
- (2) A non-refundable fee of VT2,500 must accompany any application for the issue or renewal of a quarry permit.
- (3) An application for the issue or renewal of a quarry permit must include all of the following;
 - (a) full name, address and nationality of applicant
 - (b) if the applicant is a company, the full names, addresses and nationalities of the directors and details of where the company is registered;
 - (c) Details of the area to be covered by the permit which must not exceed 0.5 square kilometer illustrated by a sketch plan, at a scale of not less than 1:2000, whose boundaries must be straight lines, and whose coordinates must be fully defined in a manner acceptable to the commissioner;
 - (d) an occupational and health safety management plan outlining the occupational health and safety risks that may occur, and the steps to be taken to manage those risks;
 - (e) information on the number of persons to be employed, including citizens and non-citizens, and any employee training programs;
 - (f) an infrastructure plan, including expected requirements;
 - (g) an environment management plan consistent with guidelines (if any) determined by the Minister setting out:
 - (i) the environment risks which may occur and steps to be taken to reduce or manage those risks; and

- (ii) the measures to deal with overburden, water runoff and topsoil management; and
 - (iii) a proposed rehabilitation plan for ongoing rehabilitation and rehabilitation of the site after relinquishment;
- (h) details of the building minerals to be extracted, including an estimate of the quantity in cubic meters to be extracted, and the building materials to be made and the proposed program of work including information on blasting and drilling operations, transport, and the frequency, type and mode of spillage protection;
- (i) the term for which the permit is required
- (j) a copy of the signed contract between the applicant and the custom owner of the land and the lawful occupier of the land (if different to the custom owners) approving the quarry
- (4) The Commissioner may, by notice served on the applicant, require further information in respect of the application as the Commissioner considers relevant or necessary. The applicant must comply with the notice.
- (5) The Commissioner must not issue or renew any permit unless a copy of the application has been exhibited for a period of not less than 30 days at the headquarters of the area council of the local government council responsible for the land which is the subject of the application.

4 Form and conditions of quarry permit

- (1) A quarry permit is to be issued in a form approved by the Commissioner.
- (2) A quarry permit is to be issued subject to such conditions as are determined by the Commissioner and specified in the permit

5 Fee

The fee payable for a quarry permit is VT 50,000 per year payable annually in advance to the Commissioner

6 Occasional quarry permit

- (1) An application for an Occasional quarry permit is to be in writing and contain such information as the Commissioner specifies.
- (2) An occasional quarry permit is to be issued for a period determined by the Commissioner and specified in the permit, and the maximum amount of material to be extracted must not exceed 500 cubic meters. An Occasional quarry permit cannot be renewed.
- (3) An Occasional quarry permit is to be issued subject to such conditions as are determined by the Commissioner and specified in the permit.
- (4) An occasional quarry permit is to be issued in a form approved by the Commissioner

- (5) The fee payable for an occasional quarry permit is VT 10,000 per permit and is payable to the Commissioner on or before the issue of the permit.

7 Revocation and suspension

- (1) The Commissioner may revoke or suspend a quarry permit or an occasional quarry permit if the permit holder does not comply with all or any of the conditions
- (2) If the Commissioner intends to revoke a permit, the Commissioner must give notice in writing to the permit holder stating that the Commissioner intends to revoke the permit and the grounds upon which it intends to revoke the permit.
- (3) The Commissioner must give a permit holder written notice of any revocation and the revocation takes effect on the date specified by the Commissioner in the notice
- (4) If a permit is revoked, the permit holder must quarrying on and from the date of revocation of the permit.
- (5) The Commissioner may suspend a permit by notice in writing to the permit holder. The notice must specify the reasons for the suspension and the period of the suspension which must not exceed 14 days
- (6) If a permit is suspended, the permit holder must cease quarrying until the suspension ceases to be of effect.
- (7) The Commissioner may also revoke or suspend a permit if the Commissioner considers it to be in the public interest to do so, or if the Commissioner is satisfied that the quarrying operations are liable to disturb public order.

8 Returns

- (1) The holder of a quarry permit must forward to the Commissioner, within one month after the end of each quarter, a return showing the amount of material obtained from each quarry, the nature of the material, the saleable value of such material and such other information as the Commissioner may require.
- (2) The Commissioner or an officer of the department of Geology and Mines authorized by the Commissioner has the right of entry at all times to the quarry permit area and may take such steps as necessary to ensure true and accurate returns are submitted to the Commissioner.

9 Relinquishment

A quarry permit or an occasional quarry permit may be relinquished at any time by the permit holder by written notice to the Commissioner.

10 Restoration of Land

- (1) Unless the Commissioner otherwise specifies, the quarry permit holder must remove, within 60 days after the expiry or relinquishment of the permit, any camp, temporary buildings or machinery erected or installed by the permit holder and make safe the area covered by the permit, to the satisfaction of the Commissioner.
- (2) The permit area is to be rehabilitated to the level specified in the permit or, if this is not specified, the level determined by the Commissioner in consultation with the custom owners of the land

11 Penalty

If a person extracts building minerals from land and the person is not the holder of a valid quarry permit or occasional quarry permit, the person is guilty of an offence and is punishable on conviction;

- (a) if the person is an individual, to a fine not exceeding VT 50,000 or imprisonment for not more than 12 months, or both; and
- (b) in any other case to a fine not exceeding VT 100,000.

12 Recovery of fees

Any fees payable under this regulation is recoverable as a debt due to the state in a court of competent jurisdiction.

13 Repeal

The Quarry (permit) (Regulation) Order No. 17 of 1991 is repealed.

13 Commencement

This Regulation commences on the date of its publication in the Gazette

Made at Port Vila, this 18th day of JANUARY, 2005



The Honorable Paul Telukluk
Minister of Lands, Geology and Mines and Water Resources





REPUBLIC OF VANUATU

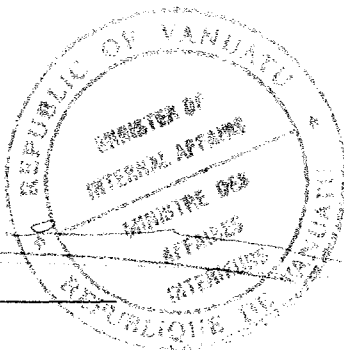
MUNICIPALITIES ACT [CAP 126]

SUSPENSION OF THE POWERS OF THE LUGANVILLE MUNICIPAL COUNCIL

In exercise of the powers conferred on me by section 61 of the Municipalities Act [CAP 126], I the Honourable **George Andre WELLS**, Minister of Internal Affairs and Minister responsible for Municipalities hereby suspend the powers of the Luganville Municipal council for a period of 12 months with effect from the date hereof

Made at Port Vila this 17th day of March 2005

A handwritten signature in black ink, appearing to read 'George Andre Wells', written over a horizontal line.



Honourable George Andre WELLS
Minister of Internal Affairs and
Minister responsible for Municipalities

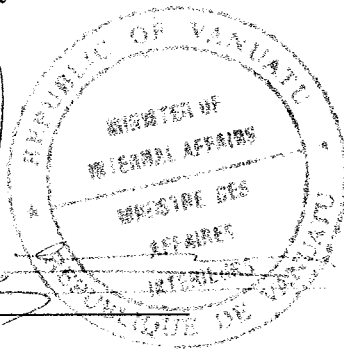


REPUBLIC OF VANUATU
MUNICIPALITIES ACT [CAP 126]

Conferral of Powers

In exercise of the powers conferred on me by section 61 of the Municipalities Act [CAP 126], I the Honourable **George Andre WELLS**, Minister of Internal Affairs and Municipalities, confer upon Mr. **PAUL HAKWA** all the powers of the Luganville Municipal Council for so long as the exercise of those powers by that Council remains suspended.

Made at Port Vila this 17th day of March 2005



Honourable George Andre WELLS
Minister of Internal Affairs



REPUBLIC OF VANUATU
MUNICIPALITIES ACT [CAP 126]

**Instrument of Appointment – Person to inquire into the affairs of the Luganville
Municipal Council**

In exercise of the powers conferred on me by section 61 of the Municipalities Act [CAP 126], I the Honourable **George Andre WELLS**, Minister of Internal Affairs and Minister responsible for Municipalities appoint:

Mr. LUKE SHEM to enquire into the affairs of the Luganville Municipal Council

This instrument of appointment commences on 17th March 2005 and ceases on 30th March 2005.

Made at Port Vila this 16th day of March 2005

A handwritten signature of George Andre Wells is written over a horizontal line. To the right of the signature is a circular official seal. The seal contains the text "REPUBLIC OF VANUATU" at the top, "MINISTER OF INTERNAL AFFAIRS" in the center, and "LE MINISTRE DES AFFAIRES INTERNES" at the bottom.

Honourable George Andre WELLS
Minister of Internal Affairs and
Minister responsible for Municipalities





REPUBLIC OF VANUATU

CITIZENSHIP ACT [CAP 112]


Instrument of Removal of Chairperson and Members of the Citizenship Commission

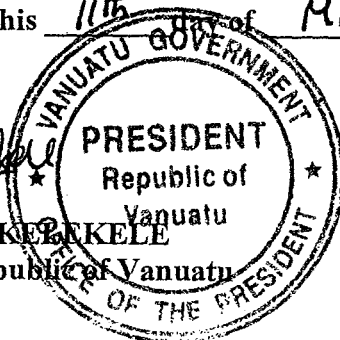
In exercise of the powers conferred on me by subsection 4(2) of the Citizenship Act [CAP 112], I, KALKOT MATASKELEKELE, President of the Republic of Vanuatu, on the advice of the Prime Minister, remove the following persons from the Citizenship Commission:

- (a) PASTOR SANDY ISHMAEL;
- (b) MR. TOM LORRY;
- (c) PASTOR ALLAN NAFUKI;
- (d) MR. NORMAN VAVA;
- (e) MR. SOLOMON MANGOU;
- (f) MR. JOSEPH SAKARI;
- (g) METETAKE SELWYN.

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

Made at Port Vila this 11th day of March 2005


His Excellency
KALKOT MATASKELEKELE
President of the Republic of Vanuatu



REPUBLIC OF VANUATU

CITIZENSHIP ACT [CAP 112]

Instrument of Appointment of Chairperson and Members of the Citizenship Commission

In exercise of the powers conferred on me by subsection 3(1) of the Citizenship Act [CAP 112], I, KALKOT MATASKELEKELE, President of the Republic of Vanuatu, on the advice of the Prime Minister, appoint the following persons to the Commission:

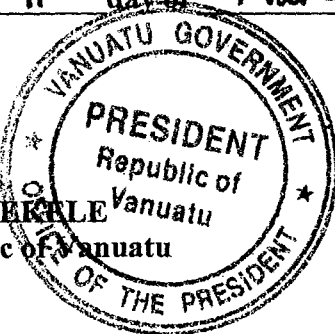
- (a) ISHMAEL KALSAKAU as Chairman;
- (b) TAITUS TARIPU as Member;
- (c) DAVID ESROM as Member;
- (d) SOLOMON MANGO as Member;
- (e) PECHOU METETAMATE as Member;
- (f) OBI MIAL as Member; and
- (g) RUBEN SERU as Member;

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

Made at Port Vila this 11th day of March, 2005



His Excellency
KALKOT MATASKELEKELE
President of the Republic of Vanuatu





REPUBLIC OF VANUATU

EMPLOYMENT ACT [CAP 160]

Instrument of Appointment Members of the Labour Advisory Board

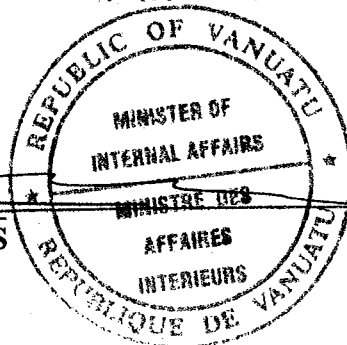
In exercise of the powers conferred on me by subsections 1(2) and (3) of the Employment Act [CAP 160], I, Honourable GEORGE WELLS, Minister of Internal Affairs, appoint the following persons as members of the Labour Advisory Board for a period of two years from the date of commencement of this Instrument:

Mr. JAMES TOA
Mr. FRAZER BULE
Mrs. MATORIN TARI
Mr. JEAN BAPTISTE LEONG
Mr. JOHN ARUHURI
Mr. HENRY JOEWANGEH
Mr. LAURENT LEINGKONE
Mrs. MARIE ALEXIS LIATMAL
Mr. HENRY KANAS

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

Made at Port Vila this 18th day of March 2005.


Honourable GEORGE WELLS
Minister of Internal Affairs





REPUBLIC OF VANUATU

EMPLOYMENT ACT [CAP 160]

Instrument of Sitting Allowances for Chairman, Members and Secretary of the Labour Advisory Board

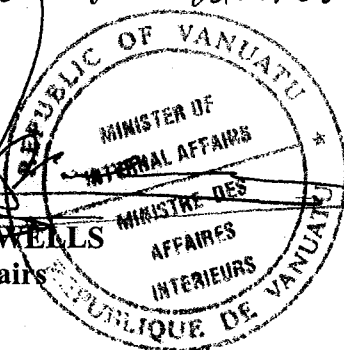
In exercise of the powers conferred on me by subsection 1(3) of the Employment Act [CAP 160], I, Honourable GEORGE WELLS, Minister of Internal Affairs, authorise the Sitting Allowances for the following persons in the Labour Advisory Board:

1. Chairman – VT 6,000 per sitting;
2. Members – VT 5,000 per sitting;
3. Secretary – VT 3,000 per sitting.

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

Made at Port Vila this *18th* day of *March*, 2005.


Honourable GEORGE WELLS
Minister of Internal Affairs





REPUBLIC OF VANUATU

MINIMUM WAGE AND MINIMUM WAGES BOARD ACT [CAP 182]

Instrument of Appointment of Members of the Minimum Wages Board

In exercise of the powers conferred on me by subsections 5(1)(a),(b), and (c) of the Minimum Wage and Minimum Wages Board Act [CAP 182], I, Honourable GEORGE WELLS, Minister of Internal Affairs, after receiving nominations from the representative associations of employees and representative association of employers respectively, appoint the following persons as members of the Minimum Wages Board:

Mr. MAKI SIMELUM
Mr. THOMAS ALIEL FELIX
Mrs. JULIAN ROVO
Mr. ROBERT GILBERT MOVOISON
Mr. WILLIE KARIE
Mr. SOANE JOSEPH
Mr. EPHRAIM KALSAKAU
Mr. STEVEN HOSEA
Mrs. DOROTHY BELL

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

Made at Port Vila this 18th day of



Honourable GEORGE WELLS
Minister for Internal Affairs



REPUBLIC OF VANUATU

**MINIMUM WAGE AND MINIMUM WAGES BOARD ACT
[CAP 182]**

**Instrument of Appointment of Chairman and Vice-Chairman
of the Minimum Wages Board**

In exercise of the powers conferred on me by subsection 6(1) of the Minimum Wage and Minimum Wages Board Act [CAP 182], I, Honourable GEORGE WELLS, Minister of Internal Affairs, appoint the following persons as Chairman and Vice-Chairman of the Minimum Wages Board:

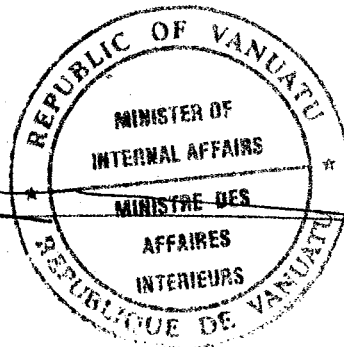
Mr. MAKI SIMELUM; and

Mr. SOANE JOSEPH

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

Made at Port Vila this 18th day of *march* 2005.


Honourable **GEORGE WELLS**
Minister of Internal Affairs





REPUBLIC OF VANUATU

MINIMUM WAGE AND MINIMUM WAGES BOARD ACT [CAP 182]

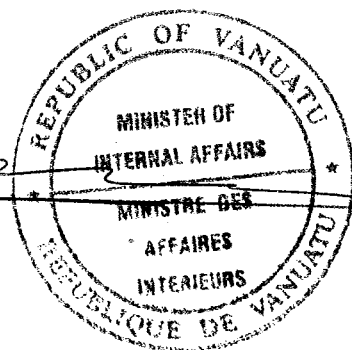
Instrument of Appointment of Secretary to the Minimum Wages Board

In exercise of the powers conferred on me by subsection 6(2) of the Minimum Wage and Minimum Wages Board Act [CAP 182], I, Honourable GEORGE WELLS, Minister of Internal Affairs, appoint Mr. LIONEL KALUAT as Secretary of the Minimum Wages Board.

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

Made at Port Vila this 18th day of March 2005.

Honourable GEORGE WELLS
Minister of Internal Affairs





REPUBLIC OF VANUATU

MINIMUM WAGE AND MINIMUM WAGES BOARD ACT [CAP 182]

Instrument of Sitting Allowances for Chairman, Members and Secretary for the Minimum Wages Board

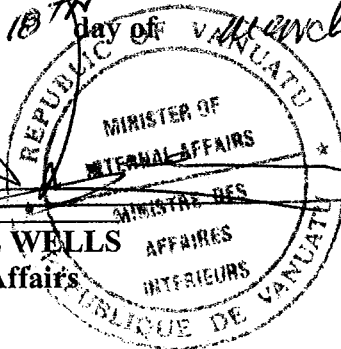
In exercise of the powers conferred on me by subsection 6(5) of the Minimum Wage and Minimum Wages Board Act [CAP 182], I, Honourable GEORGE WELLS, Minister of Internal Affairs, authorise the Sitting Allowances for the following members of the Minimum Wages Board:

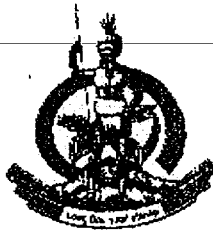
1. Chairman – VT 6,000 per sitting;
2. Members – VT 5,000 per sitting;
3. Secretary – VT 3,000 per sitting.

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

Made at Port Vila this *10th* day of *March* 2005.


Honourable **GEORGE WELLS**
Minister for Internal Affairs





REPUBLIC OF VANUATU

VANUATU FINANCIAL SERVICES COMMISSION

THE COMPANIES ACT [CAP. 191]

NOTICE OF RESTORATION OF COMPANY NAME TO
THE REGISTER OF COMPANIES

Company Number:	3897
Company Name:	HENGER LIMITED
Date of Incorporation:	6 th September 1989
Company Type:	Private local company limited by shares


NOTICE IS HEREBY GIVEN that in accordance with the provisions of Section 335(4) of the Companies Act [CAP. 191] against:-

HENGER LIMITED

is restored to the company register. The company had been struck off the register pursuant to Section 335(1) of the said Act.

The aforementioned restoration shall be deemed to be effective as from the 18th day of February 2005.

Dated at Port Vila this sixteenth day of February 2004


George Andrews

REGISTRAR OF COMPANIES

