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DE  
VANUATU**  
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NOTIFICATION OF PUBLICATION

COMMISSIONS OF INQUIRY ACT [CAP. 85]

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- OATH OF COMMISSIONER – DON PATTERSON
- OATH OF ASSESSOR – BEVERLEIGH KANAS
- OATH OF ASSESSOR – TERMAR SHEM

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- INSTRUMENT OF APPOINTMENT OF THE CHAIRMAN OF THE VANUATU NATIONAL CULTURAL COUNCIL ORDER NO. 57 OF 2008

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- INSTRUMENT OF REMOVAL OF THE MEMBERS OF LABOUR ADVISORY BOARD ORDER NO. 58 OF 2008
- INSTRUMENT OF APPOINTMENT OF THE MEMBERS OF THE LABOUR ADVISORY BOARD ORDER NO. 59 OF 2008



## REPUBLIC OF VANUATU

### COMMISSIONS OF INQUIRY ACT [CAP 85]

#### Appointment of Commission of Inquiry Order No. 56 of 2008

In exercise of the powers conferred on me by subsection 1(1) of the Commissions of Inquiry Act [CAP 85], I, the Honourable HAM LINI VANUAROROA, Minister of Justice and Social Welfare, make the following Order.

#### **1 Definition**

In this Order unless the contrary intention appears:

**Commission** means the Commission of Inquiry established under this Order.

#### **2 Appointment of Commissioner**

Professor DON PATTERSON is appointed as the Commissioner to the Commission.

#### **3 Appointment of Assessors to the Commission**

The following persons are to be appointed as Assessors of the Commission:

- (a) BEVERLEIGH KANAS;
- (b) PASTOR SHEM TEMAR.

#### **4 Appointment of Secretary to the Commission**

MARGARET PAMELA is appointed as the Secretary to the Commission.

#### **5 Remuneration of Commissioner, Assessors and Secretary**

- (1) The Commissioner shall receive a remuneration of VT 300,000.
- (2) The Assessors shall each receive a remuneration of VT150, 000.
- (3) The Secretary shall receive a remuneration of VT 80,000.
- (4) The remunerations referred to in this clause shall be payable to the Commissioner, the Assessors and the Secretary upon the completion of the report referred to in clause 9.

#### **6 Terms of Reference**

- (1) The terms of reference of the Commission are as set out in the Schedule of this Order.
- (2) The terms of reference for the Commission may be amended or varied by the Minister in consultation with the Commissioner.

#### **7 Location of Inquiry**

The Inquiry is to be made in Port Vila and at such other place or places as the Commission determines.

#### **8 Private Inquiry**

The Inquiry is to be held in private except in circumstances as directed by the Commission.

#### **9 Report**

- (1) The Commissioner must prepare a report of the proceedings and of the result of this Inquiry to the Minister of Justice and Social Welfare not later than 2 months from the date of his appointment as Commissioner.
- (2) The report must contain recommendations following the findings of the Commission.

#### **10 Commencement**

This Order commences on the date on which it is made.

Made at Port Vila this 20<sup>th</sup> day of December, 2008.



**Honourable Ham Lini VANUAROROA**  
**Deputy Prime Minister and Minister of Justice and Social Welfare**

## SCHEDULE

### TERMS OF REFERENCE

- 1 To inquire into the allegations of unlawful arrests and unlawful custody of detainees in the Stade Correctional Centre by members of the Vanuatu Police force.
- 2 To inquire into the procedures for admitting detainees into the Stade Correctional Centre.
- 3 To inquire into the physical condition of the Stade Correctional Centre building.
- 4 To inquire into the alleged inhuman treatment and abuse of detainees human rights by correctional officers and temporary correctional officers on the 51 detainees housed in the Stade Correctional Centre as claimed in the Prison Report 2008.
- 5 To inquire into whether the detainees are treated in accordance with the Constitution of the Republic of Vanuatu and the Correctional Services Act No. 10 of 2006.
- 6 To inquire into the alleged misappropriation of prison funds for the periods claimed in the Prison Report 2008.
- 7 To inquire into the irregularities in the parole process as claimed in the Prison Report 2008.
- 8 To inquire into the allegations that Prosecutors originating from Penama Province are causing offenders from Penama to avoid being detained for the duration of their sentences or to cause offenders from Penama from being detained in the Correctional Centres.



**REPUBLIC OF VANUATU**

**COMMISSIONS OF INQUIRY ACT [CAP 85]**

**OATH TO BE TAKEN BY  
THE COMMISSIONER**

I, **DON PATTERSON**, having been appointed under an Order made by the Minister responsible for Justice dated the 20th day of December, 2008, to be a Commissioner appointed to inquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at Port Vila this 22nd day of December, 2008.

**Commissioner**

**Alatoi Ishmael Kalsakau**  
**Attorney General**



**REPUBLIC OF VANUATU**

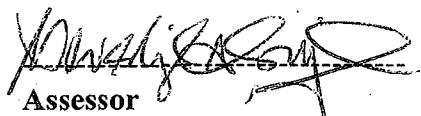
**COMMISSIONS OF INQUIRY ACT [CAP 85]**


**OATH TO BE TAKEN BY  
AN ASSESSOR**

I, **BEVERLEIGH KANAS**, having been appointed under an Order made by the Minister responsible for Justice dated the 20th day of December, 2008, to be an Assessor appointed to inquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at Port Vila this 22nd day of December, 2008.

  
Assessor

  
Alatoi Ishmael Kalsakau  
Attorney General



**REPUBLIC OF VANUATU**

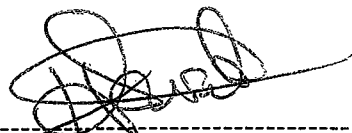
**COMMISSIONS OF INQUIRY ACT [CAP 85]**


**OATH TO BE TAKEN BY  
AN ASSESSOR**

I, **TERMAR SHEM**, having been appointed under an Order made by the Minister responsible for Justice dated the 20th day of December, 2008, to be an Assessor appointed to inquire into the matters specified in the said Order, do solemnly and sincerely affirm that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at Port Vila this 22nd day of December, 2008.

  
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Assessor

  
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**Alatoi Ishmael Kalsakau**  
Attorney General





**REPUBLIC OF VANUATU**

**VANUATU NATIONAL CULTURAL COUNCIL ACT  
[CAP 186]**

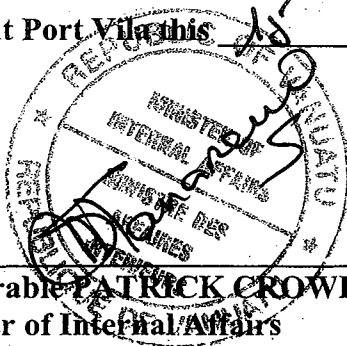
**Instrument of Appointment -  
Chairman of the Vanuatu National Cultural Council**

**Order No. 57 of 2008**

In exercise of the power conferred on me by paragraph 3(1)(v) and subsection 4(1) of the Vanuatu National Cultural Council Act [CAP 186], I, the Honourable PATRICK CROWBY MANAREWO, Minister of Internal Affairs, appoint Ian BALTOR as a member and Chairman of the Vanuatu National Cultural Council.

This Instrument of Appointment comes into force on the day on which it is made.

Made at Port Vila this 15 day of December 2008.



**Honourable PATRICK CROWBY MANAREWO**  
Minister of Internal Affairs



## REPUBLIC OF VANUATU

### EMPLOYMENT ACT [CAP 160]

#### INSTRUMENT OF REMOVAL OF THE MEMBERS OF LABOUR ADVISORY BOARD

Order No. **59** of 2008

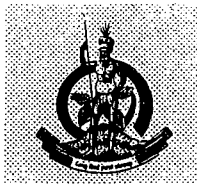
In exercise of the powers conferred on me by subsection 1 (2) of the Employment Act [CAP 160] and section 21 of the Interpretation Act, [CAP 132] I, Honourable, Partrick Crowby MANAREWO Minister of Internal Affairs, hereby remove the following persons as members of the Labour Advisory Board:

- a) Mr Laurent Leingkone
- b) Mr Gislam Kaltak
- c) Mrs Leias Cullwick

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

Made at Port Vila this *15* day of *December* 2008.

  
HON. PARTRICK CROWBY MANAREWO  
Minister of Internal Affairs



**REPUBLIC OF VANUATU**

**EMPLOYMENT ACT [CAP 160]**

**INSTRUMENT OF APPOINTMENT OF THE MEMBERS OF  
LABOUR ADVISORY BOARD**

**Order No. 59 of 2008**

In exercise of the powers conferred on me by subsection 1 (2) of the Employment Act [CAP 160] I, Honourable, Partrick Crowby MANAREWO Minister of Internal Affairs, hereby appoint the following persons as members of the Labour Advisory Board:

- a) Mr Joseph Niel Yeba
- b) Mrs Naomi Bahor
- c) Mrs Marguerite Firiam

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

Made at Port Vila this 5<sup>th</sup> day of December 2008.

  
HON. PARTRICK CROWBY MANAREWO  
Minister of Internal Affairs

