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LOI

LOI NO. 40 DE 2013 SUR LES MARCHES PUBLICS
ET MARCHES PAR ADJUDICATION
(MODIFICATION)

NOTIFICATION OF PUBLICATION

ACT

GOVERNMENT CONTRACTS AND TENDERS
(AMENDMENT) ACT NO. 40 OF 2013

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**GOVERNMENT CONTRACTS AND TENDERS
(AMENDMENT)
ACT NO. 40 OF 2013**

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REPUBLIC OF VANUATU

Assent: 16/01/2014
Commencement: 31/03/2014

GOVERNMENT CONTRACTS AND TENDERS (AMENDMENT) ACT NO. 40 OF 2013

An Act to amend the Government Contracts and Tenders Act [CAP 245].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Government Contracts and Tenders Act [CAP 245] 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

AMENDMENTS OF GOVERNMENT CONTRACTS AND TENDERS ACT [CAP 245]

1 Section 2

Insert in their alphabetic positions:

““Chairperson” means the Chairperson of the Central Tenders Board appointed under subsection 11(1) or (9);

“Consultancy services” means activities of a professional, intellectual, and advisory nature;

“goods” means objects of every kind and description, including commodities, raw materials, products and equipment and objects in solid, liquid or gaseous form as well as services incidental to the supply of goods, if the value of these incidental services does not exceed that of the goods themselves;

“Government agency” means:

- (a) a Ministry; or
- (b) the office of a Government Minister; or
- (c) an office or body established by or under the Constitution; or
- (d) an office or body established by or under an Act of Parliament; or
- (e) a prescribed agency;

“public money” has the same meaning as in the Public Finance and Economic Management Act [CAP 244];

“services” means the supply of physical services, or other labour, time or effort, or stand-alone service type contracts (such as security services, catering services or geological services);

“written” or “in writing” means any expression consisting of words or figures which can be read, reproduced and subsequently communicated and includes information which is transmitted and stored by electronic means but only if such communication is authorised by a contracting agency;”

2 References to Tenders Board or Board

Delete “Tenders Board” or “Board” (wherever occurring in this Act), substitute “Central Tenders Board”

3 Subsection 2A(1)

- (a) Delete “subsections”, substitute “subsection”;
- (b) Delete “and (4)”

4 Paragraph 2A(1)(b)

After “Government”, insert “, including disposals of land, interests in land, buildings or infrastructure, regardless of value”

5 Subsection 2A(3)

Repeal the subsection.

6 Subsection 2A(4) and (5)

Renumber the subsections as (3) and (4).

7 Subsection 3(2)

After “Contract”, insert “where the consideration in relation to any contract, arrangement, franchise or concession exceeds VT 5,000,000”

8 Paragraph 3(3)(g)

Before “make”, insert “ensure that for contracts with a value exceeding VT 100,000,000 and based on the recommendation of the Central Tenders Board,”

9 At the end of section 3

Add

- “(4) Subject to subsection (5), a Director General or his or her authorised delegate, under this or any other Act authorizing him or her to do so, may enter into a Government Contract where the consideration in relation to any contract, arrangement, franchise or concession does not exceed VT 5,000,000.
- (5) Prior to entering into a Government Contract with a value of less than VT 5,000,000 a Director General must:

SCHEDULE
AMENDMENTS OF GOVERNMENT CONTRACTS AND TENDERS ACT [CAP 245]

- (a) ensure the contract is consistent with Government policy; and
 - (b) ensure the contract is fiscally responsible, prudent, cost effective, and is a necessary obligation for Government to assume; and
 - (c) consult with the Director of the Department of Finance and satisfy himself on reasonable grounds that the Government has or is likely to have the financial ability and resources to meet all of the obligations under the contract including future obligations; and
 - (d) ensure that no conflict of interest exists between a Director General and the other party; and
 - (e) use a competitive and transparent process when deciding who to award the contract to including where applicable, a request for quotations process as may be prescribed by this or any other Act or regulation; and
 - (f) obtain the concurrence of the Director of the Department of Finance that the procedures in accordance with this or any other applicable Act have been followed.
- (6) A Government Contract must not be awarded to a Public Servant, a Minister or a Member of Parliament or a leader as defined in the Leadership Code Act [CAP 240].”

10 Subsection 3A(1)

Delete “tender process”, substitute “procurement methods”

11 After subsection 3A(1)

Insert

“(1A) This section does not apply to any extension or variation executed in accordance with the terms of the original Government Contract, unless:

- (a) such extension is made only once; and
- (b) such extension does not have a value exceeding 50% of the original contract; and
- (c) such variation complies with subsection 4(2).

12 At the end of section 3A

Add

- (3) For the purpose of subsection (2), the invitation is to be made as follows:
- (a) the invitation must be made by way of a request for tender if the amount exceeds VT 5,000,000;
 - (b) the invitation must be made by way of a request for quotations if the amount does not exceed VT 5,000,000;
 - (c) for the procurement of consultancy services, the invitation must be made by way of a request for proposals.”

13 Subsection 4(1)

After “minister” (wherever occurring), insert “or Director General or his or her authorised delegate”

14 Subsection 4(2)

Delete “in the same way.”, insert

“:

- (a) by the contracting agency -where such variation does not lead to an increase of more than 10% in the price of the original terms; or
- (b) in all other cases- in the same manner as described in subsection (1).

15 After section 7

Insert

“7A. Potentially Excluded Contracts

A Government Contract which is funded by a foreign donor or another organisation is subject to the provisions of this Act or any regulations made under this or any other Act, unless it is inconsistent with any requirements of the funding agency.”

16 Part 3 (heading)

Repeal the heading, substitute “TENDERS, QUOTATIONS AND PROPOSALS”

17 Section 8

Repeal the section, substitute

“8 Requirement to obtain tenders, quotations and proposals

- (1) When entering into a Government Contract or a contract for the contracting out of a Government service or the purchasing of goods or services, a Minister, the Director General of a Ministry or any other person authorized by the Minister or the Director General to do so, must comply with the quotation, proposal or tendering process set out in this Act or in any regulation made under this or any other Act.
- (2) The Minister, the Director General of the Ministry, or any other person authorized by the Minister or the Director General to do so is responsible for the annual planning of its procurement and for:
 - (a) the preparation and drafting of its requirements through technical specifications; and
 - (b) the preparation of tender documents based on the Standard Tender Document issued by the Central Tenders Board; and
 - (c) the advertising of its procurement and the seeking of any approval from the Central Tenders Board required in accordance with this Act or any other Act.”

18 Section 9

- (a) Delete “(where applicable)”;
- (b) After “recommending” insert “(where applicable)”

19 Paragraph 10(1)(e)

Repeal the paragraph, substitute

- “(e) if the Government Contract is of a value of VT 10,000,000 or more or whenever the standard contract approved by the State Law Office are not used, a person with legal or other qualification or experience relating to contracts appointed by the Minister after consultation with the Chairperson of the Central Tenders Board.”

20 Subsection 10(2)

Delete “and where applicable the”, substitute “, excluding any”

21 Subsection 10(6)

Repeal the subsection, substitute

- “(6) A member of the Central Tenders Board who has a direct or indirect personal interest in a matter being considered or to be considered by the Central Tenders Board must, as soon as reasonably practicable after the relevant facts concerning the matter have come to his or her knowledge, disclose the nature of his or her interest to the Central Tenders Board.
- (6A) A disclosure of interest in a matter is to be recorded in the minutes of the meeting of the Central Tenders Board and the member must not be present while that matter is being dealt with and he or she must not take part in any deliberations or vote relating to the matter.”

22 Subsection 11(1)

Repeal the subsection, substitute

- “(1) The Minister is to appoint a Chairperson of the Central Tenders Board on merit following a fair and transparent selection process.”

23 Paragraph 11(2)(a)

Delete “a wide detailed knowledge”, substitute “qualification”

24 Paragraph 11(2)(d)

Delete “.”, substitute

“;

- (e) must not have a criminal record.”

25 Subsection 11(3)

Delete “, but will hold the appointment on a time basis”

26 Subsection 11(4)

Delete “the Prime Minister on the advice of”

27 Subsection 11(5)

- (a) Delete “Prime Minister”, substitute “Minister”;
- (b) Delete “upon a resolution of Parliament”

28 Subsection 11(6)

Delete "Prime Minister", substitute "Minister"

29 Subsection 11(9)

Repeal the subsection, substitute

- "(9) The Minister may appoint an Acting Chairperson from amongst the members of the Central Tenders Board for a specified period if:
- (a) the Chairperson is absent, incapacitated and unable to attend a schedule meeting of the Board; and
 - (b) the business of the Central Tenders Board cannot be pursued without the Chairperson's vote.
- (10) The Acting Chairperson appointed under subsection (9), in carrying out the functions and powers of the Chairperson, must:
- (a) meet the criteria for quorum set out under subsection (2); and
 - (b) act only during the period of appointment as an Acting Chairperson; and
 - (c) carry out his or her functions as specified under this Act."

30 After section 11

Insert

"11A. Functions of the Central Tenders Board

- (1) The Central Tenders Board has the following functions:
- (a) to prepare and issue Standard Tender Document in consultation with the State Law Office; and
 - (b) to develop and disseminate standard forms for use by government agencies in the planning of procurement, for recording and reporting on procurement processes, for advertisements to be placed in the appropriate media and procedures and forms to be used in contract management; and

SCHEDULE
AMENDMENTS OF GOVERNMENT CONTRACTS AND TENDERS ACT [CAP 245]

- (c) to establish and maintain the Central Tenders Board's website for the provision of procurement information and the publicity of Government Contracts; and
- (d) to develop, introduce and manage electronic information and procurement system for the procurement of works, goods and services in Vanuatu, including:
 - (i) electronic advertising, convening and receipt of bids; and
 - (ii) the development of framework agreements and contracts; and
 - (iii) the use of electronic reverse auctions; and
 - (iv) any or all procurement modalities leading to the optimal use of public resources; and
- (e) to monitor and ensure that any electronic system developed by one of more contracting agencies are done in compliance with this Act or any other Act; and
- (f) to develop guidelines and instructions regarding the interpretation and implementation of this Act or any other Act; and
- (g) to monitor compliance with this Act or any other Act and proposing any amendment to them regarding public procurement which appear necessary in the light of international practices and experience gained in the course of the public procurement process in Vanuatu; and
- (h) to present a quarterly report to the Council regarding contracts approved by the Board; and
- (i) to present an annual report to the Government regarding the overall functioning of the public procurement system; and
- (j) to develop, promote and support training and professional development of officials and other persons engaged in public procurement, including their adherence to the highest ethical standards; and

- (k) any other function imposed by this Act or any other Act.
- (2) In addition to subsection (1), the functions of the Central Tenders Board in respect of a tender process include:
- (a) the approval of all tender documents which do not conform to the Standard Tender Documents issued by the Central Tenders Board; and
 - (b) the approval of other tender processes not based on an open and competitive tender process; and
 - (c) the appointment of the tender evaluation committee; and
 - (d) the receipt and opening of tenders; and
 - (e) the assessment of tenders in compliance with the tender process under this Act or any other Act;
 - (f) the recommendation of an award to the Minister for submission to Council of all Government Contracts with a value exceeding VT 100,000,000;
 - (g) the notification of an award to the successful and unsuccessful tenderers;
 - (h) the management of complaints from tenderers;
- (3) If a function is imposed on the Chairperson under this Act or any other Act, such function may be exercised by the Central Tenders Board or by a person delegated in accordance with the provisions of subsection 11(9).”

31 Subsection 12(2)

Repeal the subsection, substitute

- “(2) The Central Tenders Board must not consider a tender or make a recommendation to the Council in respect of a tender:
- (a) that has not complied with this Act or any other Act; or

- (b) from a person, body corporate, company or entity who has not submitted the tender in accordance with, and followed the procedure prescribed under this Act or any other Act; or
 - (c) which has not been the subject of a report by the evaluation committee.
- (2A) In this subsection, evaluation committee means evaluation committee appointed by the Central Tenders Board under the regulation.”

32 Subsection 12(6)

- (a) Delete “is” (first occurring);
- (b) After “Tenders Board” (first occurring), insert “, together with the Minister referred to under subsection 3(2), are”

33 Section 13A

Repeal the section, substitute

“13A. Contract splitting

- (1) A government agency or the Central Tenders Board must not split a single procurement requirement into separate packages or award more than one contract or arrangement in relation to the same or substantially similar subject matter for the purpose of avoiding the requirements of the tender process provided for by this Act or any regulation made under this Act.
- (2) Despite subsection (1), a government agency may divide a procurement requirement, which could be procured as a single contract into a package consisting of several lots which are to be bid together, where it is anticipated that the award of several separate contracts may result in the best overall value for the government agency.
- (3) The provisions of section 13B apply if a single requirement is divided into lots.”

34 Paragraph 13B(1)(c)

Delete “.”, substitute

“;

- (d) a requirement is divided into lots in accordance with subsection 13A(2).”

35 At the end of section 13B

Add

- “(4) A person who fails to comply with this section commits an offence under this Act.”

36 Paragraph 13C(1)(a)

Repeal the paragraph, substitute

- “(a) the Chairperson of the Central Tenders Board;”

37 Paragraph 13C(1)(b)

Repeal the paragraph, substitute

- “(b) the Director of the Department of Finance; or
- (c) any other senior official within the Department of Finance or the Ministry of Finance and Economic Management; or
- (d) any senior official within the Office of, the Auditor-General, the Commissioner of Police or the Public Prosecutor.”

38 Subsection 13C(2)

Repeal the subsection, substitute

- “(2) If a person referred to under subsection (1) is a public servant, such person must make such a report.”

39 Subsection 13C(3)

Repeal the subsection, substitute

- “(3) A person referred to under subsections (1) and (2) may make such report under conditions of anonymity.”

40 After section 13C

Insert

“13D. Complaints Review Mechanism

- (1) A tenderer may lodge a complaint with the Central Tenders Board if the tenderer believes that a person has breached a provision of this Act.

- (2) Any complaint lodged in accordance with subsection (1) is to be heard by an independent expert in accordance with the procedures prescribed by the regulation.”

41 Subsection 14(1)

Delete “sections 3, 4, 8, 10(2), (3), (4), (7) or 12”, substitute “subsections 10(2), (3), (4), (7) or 13A(1), or sections 3, 4, 8, 12 or 13B”

42 Subsection 14(2)

Repeal the subsection, substitute

- “(2) The offences committed under subsection (1) may be mitigated in any proceedings if a person can satisfy the Court that the offence was not intentional, did not result in any personal gain for the offender and that the breach was minor, trivial, or technical.”

43 Section 18

Repeal the section, substitute

“18. Audit

The records, minutes and decisions of the Central Tenders Board are to be:

- (a) audited in accordance with the Audit Act [CAP 241]; and
- (b) reviewed at any time by the Public Accounts Committee and that Committee has the same powers and functions in a review under this Act as it has under any other enactment.

19. Act to prevail

If any provision of this Act or of any regulation made under this Act conflicts with a provision of any enactment other than the Constitution, the provision of this Act or of any regulations made under this Act prevails.”



RÉPUBLIQUE DE VANUATU

LOI N° 40 DE 2013 SUR LES MARCHES PUBLICS ET MARCHES PAR ADJUDICATION (MODIFICATION)

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RÉPUBLIQUE DE VANUATU

Promulguée: 16/01/2014

Entrée en vigueur: 31/03/2014

LOI N° 40 DE 2013 SUR LES MARCHÉS PUBLICS ET MARCHÉS PAR ADJUDICATION (MODIFICATION)

Loi portant modification de la Loi sur les marchés publics et marchés par adjudication [CAP 245]

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

1 Modification

La Loi sur les marchés publics et marchés par adjudication [CAP 245] est modifiée selon 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 SUR LES MARCHÉS PUBLICS ET MARCHÉS PAR ADJUDICATION [CAP 245]

1 Article 2

Insérer selon l'ordre alphabétique

““président” désigne une personne de la Commission centrale d’adjudication nommé conformément au paragraphe 11.1) ou 9) ;

“services de conseil” désigne des activités ayant une nature professionnelle, intellectuelle et de conseil ;

“biens” désigne tout objet de toute sorte et description, y compris des denrées, matières premières, produits, équipement et objet sous une forme solide, liquide ou gazeuse ainsi que des services accessoires à la fournitures des biens, si la valeur de ces services accessoires n’excède pas celle des biens eux-mêmes ;

“organisme administratif” désigne :

- a) un ministère ;
- b) le service d’un ministre
- c) un service ou un organe établi par ou en vertu de la Constitution ;
- d) un service ou un organe établi par ou en vertu d’un texte de loi ; et
- e) un organisme établi ou prescrit ;

“fonds publics” a le même sens que celui donné dans la Loi sur les finances publiques et gestion économique [CAP 245]

“services” désigne la fourniture des services physiques, ou autres travaux, temps ou l’effort, ou contrats de services type autonome (comme services de gardiennage, services de restauration ou services géologiques) ;

“écrit” ou “par écrit” désigne toute expression comportant des mots ou chiffres qui peut être lue, reproduite et par la suite communiquée et couvre des renseignements qui sont transmis et stockés par des moyens électroniques mais seulement si ces renseignements sont autorisés par un organisme contractant.”

2 Citations de la Commission d'adjudication ou Commission

Supprimer et remplacer "Commission d'adjudication " ou "Commission" (partout où il apparaît dans la présente Loi) par "Commission centrale d'adjudication"

3 Paragraphe 2A.1)

- a) Supprimer et remplacer "des paragraphes" par "du paragraphe"
- b) Supprimer "et 4)"

4 Alinéa 2A.1)b)

Après "de l'État" insérer ", y compris la possession de terres, d'intérêts dans le foncier, l'immobilier ou l'infrastructure, quelle que soit la valeur"

5 Paragraphe 2A.3)

Supprimer le paragraphe

6 Paragraphes 2A.4) et 5)

Renommer les paragraphes qui deviennent 3) et 4)

7 Paragraphe 3.2)

Après "marché public", insérer " au cas où la contrepartie concernant tout marché public, engagement, concession excède 5 000 000 VT"

8 Alinéa 3.3)g)

Avant "soumettre", insérer "s'assurer que pour un marché public dont la valeur excède 100 000 000 VT et selon la recommandation de la Commission centrale d'adjudication, "

9 Après le paragraphe 3.3)

Insérer

- "4) Sous réserve du paragraphe 5), un directeur général ou son représentant agréé, en vertu de la présente Loi ou toute autre Loi lui autorisant de le faire, peut conclure un marché public au cas où la contrepartie pour tout marché public, engagement, concession n'excède pas 5 000 000 VT.
- 5) Avant de conclure un marché public d'une valeur inférieure à 5 000 000 VT, un directeur général doit :
 - a) s'assurer que le marché public est conforme à la politique de l'État ; "
 - b) s'assurer que le marché public est responsable sur le plan financier, prudent, rentable et une obligation s'impose à l'État d'assumer ;

- c) consulter le directeur du service des Finances et avoir de la certitude pour des bonnes raisons que l'État a ou va probablement avoir la capacité et les ressources financières pour remplir toutes les obligations prévues dans le marché public, y compris les obligations à venir ;
 - d) s'assurer qu'il n'y a pas de conflit d'intérêt entre le directeur général et l'autre partie ;
 - e) adopter un processus compétitif et transparent pour choisir la personne susceptible d'obtenir le marché public, y compris, le cas échéant, une demande du processus d'estimation que peut prévoir la présente Loi ou toute autre Loi ou tout règlement connexe ; et
 - f) obtenir l'accord du directeur du service des Finances comme quoi les procédures selon la présente Loi ou toute autre Loi sont suivies.
- 6) Un marché public ne doit pas être attribué à un fonctionnaire, un ministre, un député ou une haute autorité comme le définit la Loi sur le code de conduite des hautes autorités [CAP 240].

10 Paragraphe 3A.1)

Supprimer et remplacer "modalités" par "méthodes d'obtention"

11 Après le paragraphe 3A.1)

Insérer

"1A) Le présent paragraphe ne s'applique à toute prolongation ou modification conformément aux dispositions du marché public initial que si :

- a) cette prolongation n'est effectuée qu'une seule fois ;
- b) cette prolongation n'a pas une valeur excédant 50% du marché public initial ; et
- c) cette modification est conforme au paragraphe 4.2)."

12 À la fin de l'article 3A

Ajouter

"3) Aux fins du paragraphe 2), l'invitation doit être faite de la façon suivante :

- a) l'invitation doit être formulée par voie d'appel d'offre si le montant excède 5 000 000 VT ;
- b) l'invitation doit être formulée par voie de demande de devis si le montant n'excède pas 5 000 000 VT ;
- c) pour l'obtention de services de conseil, l'invitation doit être formulée par voie d'appel d'offres."

13 Paragraphe 4.1)

Après "ministre responsable" (partout où il apparaît), insérer "ou le directeur général ou son représentant agréé"

14 Paragraphe 4.2)

Supprimer "conformément à la même procédure.", insérer

“ :

- a) par l'organisme contractant dans le cas où la modification n'entraîne aucune augmentation de plus de 10% dans le prix des dispositions initiales ; ou
- b) dans tout autre cas, de la même manière telle que décrite au paragraphe 2).

15 Après l'article 7

Insérer

“7A Marchés publics potentiellement exclus

Un marché public financé par un bailleur étranger ou toute autre organisation étrangère est soumise à la présente Loi ou à tout règlement pris en vertu de la présente ou de toute autre Loi, sauf s'il est contraire à toute condition de l'organisme bailleur.”

16 Titre 3 (Titre de la rubrique)

Supprimer et remplacer le titre de la rubrique par “APPELS D'OFFRES, DEVIS ET PROPOSITIONS”

17 Article 8

Supprimer et remplacer l'article par :

“8 Conditions pour obtenir des appels d'offre, devis et propositions

- 1) En concluant un marché public ou un contrat pour sous-traiter un service administratif ou l'achat de biens ou services, un ministre ou un directeur

général d'un ministère, ou toute autre personne autorisée par le directeur général pour le faire, doit, en vertu de la présente Loi, tout règlement qui en découle ou toute autre Loi, se conformer au processus de devis, proposition ou d'appels d'offre.

- 2) Le ministre, directeur général d'un ministère ou toute autre personne qu'il autorise à le faire se charge de la planification annuelle de ses approvisionnements pour :
- a) la préparation et la rédaction de ses conditions par des précisions techniques ;
 - b) la préparation des documents d'appels d'offre selon les documents normalisés émis par la Commission centrale d'adjudication ; et
 - c) l'annonce de ses approvisionnements et la recherche de toute approbation par la Commission centrale d'adjudication conformément à la présente Loi ou toute autre Loi."

18 Article 9

- a) Supprimer "(le cas échéant) "
- b) Après "de formuler des recommandations" insérer "(le cas échéant) "

19 Alinéa 10.1)e)

Supprimer et remplacer l'alinéa par

- "e) si le marché public a une valeur de 10 000 000 VT ou plus ou chaque fois que le marché public standard approuvé par le Cabinet juridique de l'État n'est pas adopté, une personne ayant des qualifications ou expérience dans le domaine juridique ou autre concernant les contrats nommée par le ministre après consultation du président de la Commission centrale d'adjudication.

20 Paragraphe 10.2)

Supprimer et remplacer " obligatoirement " par "à l'exclusion de"

21 À la fin de l'article 10.6)

Supprimer et remplacer le paragraphe par

- "6) Un membre de la Commission centrale d'adjudication qui a un intérêt personnel direct ou indirect dans une question en examen ou à examiner

par la Commission centrale d'adjudication, doit, dans un délai normal après avoir pris connaissance des faits pertinents sur la question, communiquer la nature de ses intérêts à la Commission.

- 6A) Une communication d'intérêts dans une question doit être enregistré dans les procès-verbaux de la réunion de la Commission centrale d'adjudication et le membre ne doit pas participer à la séance d'examen de la question et ne doit participer à aucune délibération ou aucun vote sur la question."

22 Paragraphe 11.1)

Supprimer et remplacer le paragraphe par :

- 1) Le ministre doit nommer un président de la Commission centrale d'adjudication au mérite suite à un processus transparent de sélection."

23 Alinéa 11.2)a)

Supprimer et remplacer "connaissances étendues et approfondies et une vaste" par

"qualifications et de l'"

24 Alinéa 11.2)d)

Supprimer et remplacer "." par

“ ;

- e) doit avoir un casier judiciaire vierge.”

25 Paragraphe 11.3)

Supprimer "et exerce ses fonctions à mi-temps"

26 Paragraphe 11.4)

Supprimer "le Premier Ministre sur avis de"

27 Paragraphe 11.5)

- a) Supprimer et remplacer "Premier ministre" par "ministre"

- b) Supprimer "à la suite d'une résolution du Parlement"

28 Paragraphe 11.6)

Supprimer et remplacer "Premier ministre" par "ministre"

29 Paragraphe 11.9)

Supprimer et remplacer le paragraphe par :

- “9) Le ministre peut nommer un président intérimaire parmi les membres de la Commission pour une période précise si :
- a) le président est absent, frappé d’incapacité et incapable de se présenter à une réunion prévue de la Commission ; et
 - b) les travaux de la Commission centrale d’adjudication ne peuvent pas se poursuivre sans la voix du président.
- 10) Le président par intérim nommé en vertu du paragraphe 9), dans l’exercice des fonctions et pouvoirs du président, doit :
- a) répondre aux critères de quorum prévus au paragraphe 2) ;
 - b) être président intérimaire uniquement pendant la période visée dans la nomination ; et
 - d) exécuter ses fonctions conformément à la présente Loi.”

30 Après l’article 11

Insérer

“11A Fonctions de la Commission centrale d’adjudication

- 1) La Commission centrale d’adjudication a pour fonctions :
- a) de préparer et d’émettre des documents d’appel d’offre normalisés après avis du Cabinet juridique de l’État ;”
 - b) de mettre au point et diffuser des formulaires normalisés pour usage par des organismes administratifs dans la planification des approvisionnements, pour l’enregistrement et le rapport sur les processus d’approvisionnements, pour les publications à placer dans les meilleurs médias, procédures et formulaires à adopter dans la gestion du marché public ;
 - c) de créer et maintenir le site internet de la Commission centrale d’adjudication pour la fourniture et l’obtention des renseignements et la publicité des marchés publics.
 - d) de développer, d’introduire et de gérer des renseignements électroniques et le système d’approvisionnement pour l’obtention des travaux, biens et services à Vanuatu, y compris :

- i) la publication électronique, appel et réception des offres ;
 - ii) le développement des accords et marchés publics cadres ;
 - iii) l'utilisation des enchères électroniques inversés ; et
 - iv) toute modalité d'approvisionnement préparatoire à l'utilisation optimale des ressources publiques ;
- e) de surveiller et de s'assurer que tout système électronique développé par un ou des organismes contractant sont conformes à la présente Loi ou à toute autre Loi ;
- f) de développer des lignes directives et directives eu égard à l'interprétation et l'application de la présente Loi ou de toute autre Loi ;
- g) de contrôler la conformité à la présente Loi ou à toute autre Loi et de proposer toute modification eu égard à l'approvisionnement public qui semble nécessaire aux vues des pratiques internationales et de l'expérience obtenue dans le processus de marché public à Vanuatu ;
- h) de soumettre un rapport trimestriel au Conseil concernant les marchés approuvés par la Commission ;
- i) de soumettre un rapport annuel au Gouvernement concernant le fonctionnement général du système des marchés approuvés ;
- j) de développer, de promouvoir et de soutenir la formation et le perfectionnement professionnel des représentants et autres personnes engagés dans le marché public, y compris leur observation des plus hautes normes de l'éthique ; et
- k) toute autre fonction qu'impose la présente Loi ou toute autre Loi.
- 2) En plus du paragraphe 1), la Commission centrale d'adjudication a pour fonctions dans le cadre du processus d'appel d'offre de :
- a) approuver tout document d'appel d'offre qui n'est pas conforme aux documents normalisés d'appel d'offre qu'elle a émis ;

- b) approuver d'autres processus d'appel d'offre non fondés sur un processus d'appel d'offre ouvert et compétitif ;
 - c) nommer un comité d'examen des appels d'offre ;
 - d) recevoir et ouvrir les offres ;
 - e) examiner la conformité au processus d'appel d'offre conformément à la présente Loi ou à toute autre Loi ;
 - f) recommander de le soumettre au ministre en vue de la présentation au Conseil des ministres de tout marché public d'une valeur excédant 100 000 000 VT ;
 - g) aviser de l'octroi aux offres à l'adjudicataire et au soumissionnaire dont l'offre n'a pas été retenu ;
 - h) gérer les plaintes des soumissionnaires ;
- 3) Lorsque que la présente Loi ou toute autre Loi impose au président une fonction, cette fonction peut être exercée par la Commission centrale d'adjudication ou par une personne déléguée en vertu des dispositions du paragraphe 11.9).”

31 Paragraphe 12.2)

Supprimer et remplacer le paragraphe par :

- “2) La Commission centrale d'adjudication ne doit étudier aucune soumission ou recommander au Conseil aucune soumission :
- a) qui n'est pas conforme à la présente Loi ou toute autre Loi;
 - b) d'une personne physique ou morale, une société ou entité qui ne l'a pas soumise conformément à, qui n'a pas suivi la procédure établie dans la présente Loi ou toute autre Loi ; ou
 - c) qui n'a pas fait l'objet d'un rapport du comité d'évaluation.
- 2A) Dans le présent article comité d'évaluation désigne le comité d'évaluation nommé par la Commission centrale d'adjudication.”

32 Paragraphe 12.6)

Supprimer et remplacer "Commission d'adjudication est également chargé" par "Commission d'adjudication et le ministre cité en vertu du paragraphe 3.2) sont également chargés"

33 Article 13A

Supprimer et remplacer l'article par :

"13A. Fractionnement d'un marché

- 1) Aucun organisme administratif ni la Commission centrale d'adjudication ne peut fractionner une condition unique d'approvisionnement en ensembles séparés ou attribuer plus d'un contrat ou accord ce qui concerne le même sujet ou un sujet en gros similaire aux fins d'éviter les conditions du processus de soumission prévues dans la présente Loi ou le règlement qui en découle.
- 2) Malgré le paragraphe 1), un organisme administratif peut fractionner une condition de passation de marché qui pourrait être obtenue comme seul marché public en un ensemble composé de plusieurs lots à offrir ensemble au cas où il est prévu que l'attribution de plusieurs contrats séparés peut engendrer la meilleure valeur d'ensemble pour l'organisme administratif.
- 3) Les dispositions de l'article 13B s'appliquent lorsqu'une seule condition est divisée en lots."

34 Alinéa 13B.1)c)

Supprimer et remplacer "." par

“ ;

- d) une condition est divisée en lots conformément au paragraphe 13A.2).”

35 À la fin de l'article 13B

Ajouter

- “4) Quiconque omet de se conformer au présent article commet une infraction à la présente Loi.”

36 Alinéa 13C.1)a)

Supprimer et remplacer l'alinéa par :

- “a) le président de la Commission centrale d'adjudication ;”

37 Alinéa 13C.1)b)

Supprimer et remplacer l'alinéa par :

- “ b) le directeur du service des Finances ;
- c) tout autre haut responsable dans le service ou du ministère des Finances ou ministère des Finances et de la Gestion économique ; ou
- d) tout haut responsable du Bureau du Vérificateur général, du commissaire de la police ou du parquet.”

38 Paragraphe 13C.2)

Supprimer et remplacer le paragraphe par :

- “2) Si une personne citée au paragraphe 1) est un fonctionnaire, elle doit établir un rapport.”

39 Paragraphe 13C.3)

Supprimer et remplacer le paragraphe par :

- “3) Une personne citée aux paragraphes 1) et 2) peut dénoncer sous condition d’anonymat.”

40 Après l’article 13C

Ajouter

“13D Mécanisme d’examen des plaintes

- 1) Un soumissionnaire estimant qu’une personne contrevient à la présente Loi peut déposer une plainte auprès de la Commission centrale d’adjudication.
- 2) Toute plainte déposée conformément au paragraphe 1) doit être entendue par un expert indépendant conformément aux procédures établies par le règlement.”

41 Paragraphe 14. 1)

Supprimer et remplacer “des articles 3, 4, 8 de l’article 10.2), 3), 4), 7), de l’article 12” par “des paragraphes 10.2), 3), 4), 7) ou du paragraphe 13A.1), ou des articles 3, 4, 8, 12 ou 13B”

42 Paragraphe 14.2)

Supprimer et remplacer le paragraphe par :

- “2) Une infraction visée au paragraphe 1) peut être minimisée dans toute procédure si une personne peut convaincre le tribunal qu’elle n’est pas intentionnelle, n’entraîne aucun gain personnel pour l’auteur et qu’elle est mineure, évidente ou technique.”

43 Article 18

Supprimer et remplacer l'article par :

"18 Vérification des comptes

Les registres, procès-verbaux et décisions de la Commission centrale d'adjudication doivent être :

- a) vérifiés conformément à la Loi sur l'examen des dépenses et contrôle des comptes [CAP 241] ;
- b) examinés à tout moment par la Commission des Comptes publics qui a les mêmes pouvoirs et fonctions dans un examen en vertu de la présente Loi qu'en vertu de tout texte législatif.

19 Application et maintien des dispositions

Si une disposition de la présente Loi ou de tout règlement qui en découle contredit une disposition de tout texte législatif autre que la Constitution, la disposition de la présente Loi ou de tout règlement qui en découle prévaut."



REPUBLIC OF VANUATU

CONSTITUTION OF THE REPUBLIC OF VANUATU

Appointment of Acting Citizenship Officer in Hong Kong for Capital Investment Immigration Plan Order No.56 of 2014

In exercise of the powers conferred on me by sub-article 57(4) of the Constitution of the Republic of Vanuatu, I, the Honourable MOANA KATOKAI KALOSIL CARCASSES, Prime Minister, make the following Order.

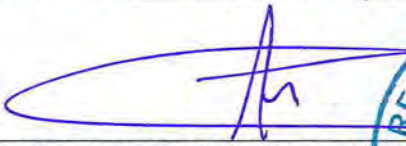
1 Appointment of Acting Citizenship Officer

Mr. John Stephens TOUGON is appointed as Acting Citizenship Officer in Hong Kong for the Capital Investment Immigration Plan from 1 March to 31 August 2014.

2 Commencement

This Order is taken to have commenced on 1 March 2014.

Made at Port Vila this 25th day of March, 2014.


Honourable MOANA KATOKAI KALOSIL CARCASSES
Prime Minister





REPUBLIC OF VANUATU

LAND REFORM ACT [CAP 123]

Instrument of Appointment - Chairman of the Land Management Planning Committee Order No. 57 of 2014

In exercise of the power conferred on me by subsection 8D(1) of the Land Reform Act [CAP 123], I, the Honourable RALPH REGENVANU, Minister of Lands, Geology, Mines, Energy and Water Resources, after consultation with the Malvatumauri Council of Chiefs, make the following Order.


1 Appointment

DON PATTERSON is appointed as Chairman of the Land Management Planning Committee.

2 Commencement

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

Made at Port Vila this 27th day of March, 2014.


Honourable RALPH REGENVANU
Minister of Lands, Geology, Mines, Energy
and Water Resources





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.630

Notice No. 106 Of 2014

Name: JCB Co. Ltd.

Address: 5-1-22 Minami Aoyama, Minato-Ku, Tokyo 107-8686, Japan

Description of Goods and/or services involved:

Class 09: Integrated circuit cards [smart cards], magnetic encoded cards, card readers and integrated circuit chips, all for credit cards, debit cards, electronic money and stored value cards; integrated circuit chips storing computer programs for processing electronic payments; computer programs, including downloadable software used for card payments, electronic payments and settlement, and/or user authentication; computer programs recorded on data media used for card payments, electronic payments and settlement, and/or user authentication; computer software used for electronic payments via a computer network; point-of-sale terminals.

Class 16: Magazines and periodicals for credit card members; newsletter in the nature of printed matters and/or publications and newspapers for credit card members; travel guide books for credit card members; catalogues of goods and services of credit card member shops, stores and merchants; booklets for advertising and introducing credit card member shops, stores and merchants; stickers.

Class 35: Advertising and publicity; advertising agencies; advertising by mail order; marketing research; providing information on marketing research; sales promotion for others; all of the aforesaid services related to credit card services or payment services, and/or related to the goods and services provided by credit card member shops, stores and merchants; agencies for conclusion of credit merchant agreements; providing information on commodity sales; mediation of contracts for purchase and sale of products for credit card members, member shops, stores and merchants.

Class 36: Credit card services; providing information of credit card statements; debit card services; issue of pre-paid cards; debt collection agencies; acquisition and transfer of monetary claims; money exchange, financing, electronic funds transfer, surety services, installment loans, hire-purchase financing and brokerage for hire-purchase relating to credit card services and/or the services provided in relation to credit card services; brokerage for issue of traveller's cheques; agencies for collecting gas and electric power utility charges, telephone charges and public utility charges, and providing information relating thereto; rent collection; lending against security for credit card members and/or holders as part of credit card business; financial analysis and providing financial information as well as company credit investigation relating to credit card business; saving banks; financial consultancy; issue of tokens of value; agencies of brokerage for trading of securities; providing stock market information; credit bureaux; rental of card-writers and payment processing machines and equipments used for credit cards or debit cards; agencies for recruitment and management of credit card members and merchants (member stores) on behalf of credit card issuers; insurance underwriting relating to credit cards and credit card services as well as insurance brokerage and providing insurance information relating to credit cards and credit card services.

Other information:

Representation of the Trademarks:



Made at Port Vila this 21st day of March 2014

A handwritten signature in blue ink, appearing to read 'Marilyn Leona Temakon'.

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.633

Notice No. 107 Of 2014

Name: Diageo Brands B.V.

Address: Molenwerf 10-12, 1014BG Amsterdam, the Netherlands

Local address for services: George Vasaris & Co., Second Floor, LawHouse, Lini Highway, PO Box 166, Port Vila, VANUATU

Description of Goods and/or services involved: Class 33:
Alcoholic Beverages (except beers)

Other information:

Representation of the Trademarks:

DOUBLE BLACK

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

**Publication of the details for applications for registering
trademarks**

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.635

Notice No. 108 Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

AFRICA'S BEST

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

**Publication of the details for applications for registering
trademarks**

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.636

Notice No. 109 Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

AUNT JACKIE'S

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

**Publication of the details for applications for registering
trademarks**

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.637

Notice No.110 Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

TREND'S NATURAL THERAPY

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.638

Notice No. III Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

TEXTURE MY WAY

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.639

Notice No.112 Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no.640

Notice No. 113 Of 2014

Name: House of Cheatham, Inc.

Address: 1550 Roadhaven Rd., Stone Mountain, GA 30083 USA

Description of Goods and/or services involved: Class 03:

Bleaching preparations and other substances for laundry use; cleaning, polishing, scouring and abrasive preparations; soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

Other information:

Representation of the Trademarks:

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of details of application to register trademark

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following application for registration of trademark

APPLICATION DETAILS

File no. 641

Notice No. ~~114~~ of 2014

Name: Pandora A/S

Address: Hovedvejen 2, 2600 Glostrup, Denmark

Address for Service: Pacific Islands Intellectual Property Services (PIIPS)
C/- Law Partners, P O Box 1312, Port Vila, Vanuatu

Description of Goods and/or services involved: Class 14

Jewellery; paste jewellery; goods in precious metals and their alloys or coated therewith; precious stones and semi-precious stones; ornaments of precious metals or coated therewith; cuff links; ornamental pins; cases for jewellery.

Other information:

Representation of the Trademarks:



Made at Port Vila this 21st day of March 2014


MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of details of application to register trademark

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following application for registration of trademark

APPLICATION DETAILS

File no. 643

Notice No. 115 of 2014

Name: British American Tobacco (Brands) Inc.

Address: 2711 Centerville Road, Suite 300, Wilmington, Delaware 19808, USA

Address for Service: C/- Buddle Findlay

Description of Goods and/or services involved: 34

Cigarettes; tobacco; tobacco products; lighters; matches; smokers' articles.

Other information:

Representation of the Trademarks:



Made at Port Vila this 12th day of February 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no. 648

Notice No. 116 Of 2014

Name: Keysight Technologies, Inc.

Address: 1400 Fountaingrove Parkway Santa Rosa, California 95403, U.S.A.

Description of goods and /or Services & Class: Class 09: Electronic test, signaling and measurement apparatus, systems, and equipment, and parts and components therefor; optical and imaging apparatus, instruments, and equipment, and parts and components therefor; scientific and laboratory apparatus, instruments, and equipment, and parts and components therefor; electronic and electrical apparatus, instruments, and equipment, and parts and components therefor; lasers; microscopes; monitoring apparatus; recording apparatus; processors; microprocessors; detectors; sensors; transmitters; receivers; remote control apparatus; motion control apparatus; computers; computer hardware; computer peripherals; computer software; computer programs; data storage device; data processing apparatus; power supplies and power systems; semiconductors; semiconductor devices;

Other information:

Representation of the Trademarks:

KEYSIGHT

Made at Port Vila this 21st day of March 2014



MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of details of application to register trademark

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following application for registration of trademark

APPLICATION DETAILS

File no. 657

Notice No. 117 of 2014

Name: Pandora A/S

Address: Hovedvejen 2, 2600 Glostrup, Denmark

Address for Service: Pacific Islands Intellectual Property Services (PIIPS)
C/- Law Partners, P O Box 1312, Port Vila, Vanuatu

Description of Goods and/or services involved: Class 35

Retail sales and operations, wholesale, sales promotion and online sales [internet] in relation to jewellery, goods made of precious metals, precious stones, watches, perfumery, cleaning and polishing preparations, spectacles, sunglasses, frames for spectacles and sunglasses, goods made of leather or imitations of leather, clothing, footwear and headgear, boxes and cases for the aforementioned goods, jewelry cases; consultancy and assistance in establishing retail points of sale; franchiser consultancy and assistance relating to the running of franchise establishments.

Other information:

Representation of the Trademarks:

PANDORA

Made at Port Vila this 21st day of March 2014


MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of details of application to register trademark

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following application for registration of trademark

APPLICATION DETAILS

File no. 663

Notice No. 118 of 2014

Name: PEGASUS HAVA TASIMACILIGI ANONIM SIRKETI

Address: Aeropark Yenisehir Mahallesi Osmanli Vulvari No: 11/A, Kurtkoy 34912
Pendik, Istanbul, Turkey

Address for Service: Lysaght & Co.

Description of Goods and/or services involved: Class 39

Land, sea and air transport services, rental services for land, sea and air vehicles, arranging of travel and tours, travel reservation and booking services, courier services.

Other information:

Representation of the Trademarks:

Pegasus Airlines

Made at Port Vila this 21st day of March 2014

MERILYN LEONA TEMAKON
Registrar of Trademarks





REPUBLIC OF VANUATU

TRADEMARKS ACT NO 1 OF 2003

Publication of the details for applications for registering trademarks

In accordance with section 18 of the Trademarks Act No 1 of 2003, I, MERILYN LEONA TEMAKON, Registrar of Trademarks, hereby publish the details of the following applications for registration of trademark

APPLICATION DETAILS

File no. 664

Notice No. 119 Of 2014

Name: Keysight Technologies, Inc.

Address: 1400 Fountaingrove Parkway Santa Rosa, California 95403, U.S.A.

Description of goods and /or Services & Class: Class 09: Electronic, opto-electronic, photonic, and nano-scale test, signaling, imaging, and measurement apparatus, instruments, systems, and equipment, and parts, components and accessories therefor; optical and imaging apparatus, instruments, and equipment, and parts, components and accessories therefor; monolithic optical assemblies and laser combiners for electronic and scientific apparatus, instruments, and systems; scientific and laboratory apparatus, instruments, and equipment, and parts, components and accessories therefor; electronic and electrical apparatus, instruments, and equipment, and parts, components and accessories therefor; lasers; microscopes; monitoring apparatus; recording apparatus; processors; microprocessors; detectors; sensors; transmitters; receivers; remote control apparatus; motion control apparatus; computers; computer hardware; computer peripherals; computer software; computer programs; software, namely, design automation software; software, namely, measurement application software; software, namely, electronic circuit design automation software for modeling, simulation and design of electronic parts, components, assemblies, and systems; software and software components for instrument control, analysis, and measurements; data storage devices; data processing apparatus; power supplies and power systems; source measure analyzers; power quality monitors for electronic and industrial apparatus, instruments, and systems

Other information:

Representation of the Trademarks:



Made at Port Vila this 21st day of March 2014

A handwritten signature in blue ink, appearing to read 'M. Leona Temakon', written over a horizontal line.

MERILYN LEONA TEMAKON
Registrar of Trademarks

