

IN THE EFATE ISLAND COURT
HELD AT PORT VILA.
(Civil Jurisdiction)

Civil Case No.18/05

In the matter of: Civil Contempt of Court and:

BETWEEN: ERATAP CHIEFS COMMUNITY & AREA
COUNCIL
(on behave of Eratap Land Committee)
Plaintiff

AND: CHIEF ANDREW PAKOA KALPOELEP
MR JACK KALMETLAU
MR LAWA KALMETLAU
Defendant (s)

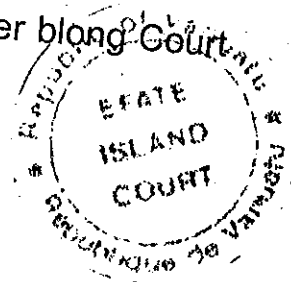
Coram: Justice Lucy Sandy
Justice Anne Carlot
Justice Raymond Morris

Clerk: Jona Mesao

Hearing Date: 5th June 2005
Judgment Date: 7th June 2005

JUDGMENT

Long 31st May 2005 ikat wan application we I filed long Court ia under long section 19 blong Island Courts Act namba 10 blong 1983 we olgeta defendants ia Chief Andrew Pakoa KALPOELEP, Jack KALMETLAU mo Lawa KALMETLAU oli breachim Order blong Court ia we I dated 22nd April 1994.

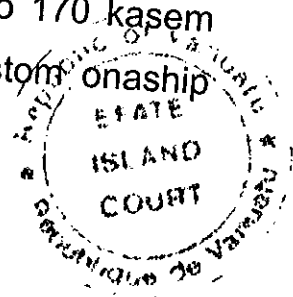


Long 22nd April 1994, Efate Island Court I ordarem Chief Andrew Pakoa KALPOELEP, Jack KALMETLAU mo Lawa KALMETLAU se oli:

1. Restrained from further development of any kind on land titles 168 and 170 until the Efate Island Court decides the true custom owner.
2. That there will be no selling of land within titles 168 and 170, until the Efate Island Court decides the true custom owner.
3. That there will be no receiving of royalties from any developers on land titles 168 and 170 until the Efate Island Court decides the true custom owner.
4. That the defendants not allow any people from other Islands to move into land titles 168 and 170, until the Efate Island Court decides the true custom owner.

Olgeta Orders we oli stap long interest blong proceedings ia oli Orders 1, 2, 3 mo 4 we Court ia hemi issuim long namba 22nd April 1994.

Orders 1, 2, 3 mo 4 blong 22nd April 1994 oli very clear mo oli very understandable. That Chief Andrew Pakoa KALPOELEP, Jack KALMETLAU mo Lawa KALEMTLAU oli restrained blong mekem any kinds of development olsem blong no salem any kraon iko long ol narafala man, no receiving any royalties of any kind mo no allowem ol narafala man Island iko insaed long ol titles ia 168 mo 170 kasesem taem we Efate Island Court I sitaon mo decidem kastom onaship blong ol titles ia.



Chief Andrew Pakoa KALPOELEP hemi mekem Civil plea blong hem mo talem long Court ia se hemi no true se hem mo ol narafala defendants oli breachim Orders 1, 2, 3 mo 4 we Court ia I issuim long namba 22nd April 1994.

PLAINTIFF'S CASE

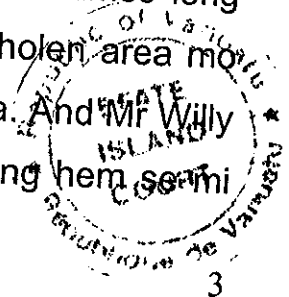
Mr Thomas TAU, Chairman blong Eratap Land Committee, representative long behave blong Eratap Chiefs & Area Council isubmitim olgeta grounds blong ia blong pruvum application blong hem.

(and I quote) "Mi olsem Chairman blong talem true mo mifala isave talemot tu long Court ia se mifala isave talem se Response blong olgeta defendants oli faulse everiwan."

Mo hem Mr Thomas TAU hemi further talem long Court tu se hemi kat 3 witnesses we oli present long Court ia blong oli save testify. Court hemi acceptem mo askem blong Plaintiff Mr Thomas TAU I sigaotem fes witness blong hem.

Witness 1

Mr Willy NUARI we hemi testify se hemi blong Tanna mo hemi stap live long Teouma. And hemi gohed blong talem se sometimes long 1991, Mr Jack KALMETLAU hemi kam luk hem long holo area mo talem long hem se hemi stap salem kraon long Teouma. And Mr Willy NUARI hemi talem se Mr Jack KALMETLAU italem long hem se mi

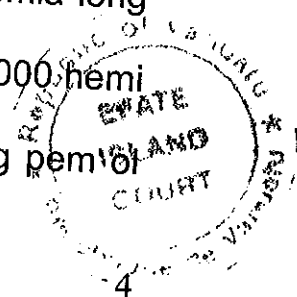


stap salem ol kraon ia long VT103.000. Thereafter Mr Willy NUARI italem se hemi agree mo hemi mekem fes payment blong hem long VT53.000 iko long Mr Jack KALMETLAU. Afta long hemia, hemi mekem nara payment olsem VT12.000 mo VT15.000. Motu Witness ia italem tu se hemi pem tu wan amount blong VT10.000 iko long Mr Carlot FIRIAM. Mr Willy NUARI hemi talem se amount blong VT10.000 ia hemi blong pem Chain we olgeta oli pulum ikrosem road blong olgeta. Hemi talem se amount ia oli mas pem bifo oli kamaot blong ko mekem market long taon.

Upon cross examination Mr Willy NUARI hemi confirmem bakegen se hemi pem kraon ia long year 1991 taem question iko long hem.

Witness 2.

Mr Numania IAKIS hem tu I testify mo talem se hem, hemi blong Tanna. Hemi talem long Court se hemi no save what taem brata blong hem Kalanga DAVID ipem kraon ia we hemi stap live long hem naowia. Hemi talem long statement blong hem se Kalanga DAVID hemi pem kraon ia long wan amount blong VT106.000 mo hemi pem long Chief Andrew Pakoa KALPOELEP mo narafala payment we witness ia italem se imekem, hemi wan amount blong VT7.000 mo ipem directly iko long Chief Andrew Pakoa KALPOELEP hemia long Court House. Witness hemi gohed blong explainem se VT7.000 hemi pem iko long Chief Andrew Pakoa KALPOELEP hemi blong pem ol



legal fees blong Court folem ol Cases we Chief Anderew Pakoa KALPOELEP istap putum long Court.

Long cross examination blong hem, Mr Numanian italem long Court se hemi no save wanem yia brata blong hem Kalanga ipem kraon ia mo hemi talem se hemi stap live long Teouma dark bush ova long 3 yia finis.

Witness 3.

Mr Iauko IARIS tu itestify long Court mo talem se hemi kam long Tanna mo hemi talem se hemi blong middle bush area. Hem tu iconfirmem long Court ia se hemi karem kraon ia somtaem long yia 1991. Motu hemi talem se hemi depositim VT10.000 mo taem hemi harem tumas toktok long kraon ia, hemi nomo pem. Mo hemi talem se, hemi pem VT10.000 iko long Jack KALMETLAU. Mo hemi talem long Court se total amount blong kraon ia we istap live long hem, hemi VT106.000. Hemi confirmem tu long Court se olgeta payment we hemi stap mekem, Mr Jack KALMETLAU ineva issuim wan receipt long hem.

Long cross examination blong hem, Mr Iauko italem long Court se itrue hemi pem kraon ia long Teouma dark bush long yia 1991. Witness ia I talem tu long cross examination blong hem se hemi no pem any money tu iko long Chief Andrew KALPOELEP mo Jack KALMETLAU kasem tedei.



DEFENDANT(S) CASE

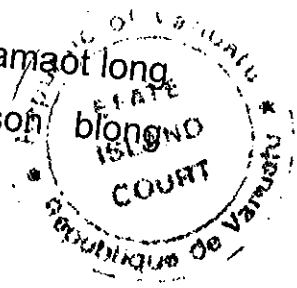
Long saed blong defence, Chief Andrew Pakoa KALPOELEP I
sigaotem fes witness blong hem.

Witness 1

Mr Noel TAKAU hemi talem se hemi blong Paama mo hemi stap live
long holen area hemia long Port Vila. Hemi talem se hemi ko insaed
long Teouma dark bush afta we hemi kasem right of entry long Chief
Andrew Pakoa KALPOELEP. Mo hemi talem se long understanding
blong hem right of entry ia hemi blong mekem Karen nomo. Witness
ia hemi talem tu se hemi bin stap antap long Teouma dark bush finis
taem hemi aware se ikat wan Court Order ikamaot long Court ia long
1994. Mo hemi adem tu long statement blong hem se I bin kat plante
development finis istap tekem ples long area ia long taem blong
Court order ia. Hemia witness istap confirmem se istap includim ol
land leases we igat trifala man blong Erakor itekem some long ol
areas ia kolosap long area we hemi stap long hem mo hemi talem se
matter ia oli putum finis iko long supreme Court.

And hemi continue blong talem se application we oli putum iko long
supreme Court hemi blong rectifyem olgeta land leases we Minister
isaenem long olgeta grounds ia:

1. Mr Takau italem se igat wan Court Order we ikamaot long
22nd April 1994 we I prohibitim any person
developem ol titles ia 168 mo 170.

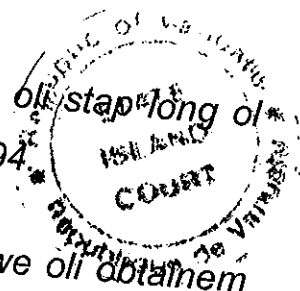


2. Hemi matter blong procedures blong folem blong man isave obtainem wan lease mo hemi further pointemaot se sapos procedures hemi no bin followed mbae Minister ino save grantem olgeta leases ia.

Mr Takau hemi continue blong talem long Court se from reason se hemi pass true long Chief Andrew Pakoa KALPOELEP blong karem kraon hemi from we Chief Andrew hemi Original Claimant long area mo kraon we istap long dispute hemia between Teouma river mo Rantapao river. Mo ol areas ia oli registarem finis istap long Efate Island Court. Mr Takau hemi further quotem Civil Case namba 87/98 we iko before long his lordship Judge Marum REGETT long supreme Court about how trifala ia Mr Alfred CARLOT, Mr Leon LALIE mo Mr Jone ROGARA oli obtainem leases long area ia. And witness italem se Judge icanselem olgeta leases ia long grounds blong fraud mo mistake. Witness italem se long ground blong mistake ol officers blong land oli no informem Minister se ikat wan Court Order we ikamaot long namba 22nd April 1994 we I prohibitim any person blong development ol titles ia 168 mo 170.

Mr Takau I quotem some long ol references ia blong pruvum statement blong hem se:

1. "Annexe B" hemi list blong ol person we oli stap long ol land ia bifo Court Order long 22nd April 1994.
2. "Annexe APK 3" hemi nem blong olgeta we oli obtainem lease afta long Cout Order long 22nd April 1994.



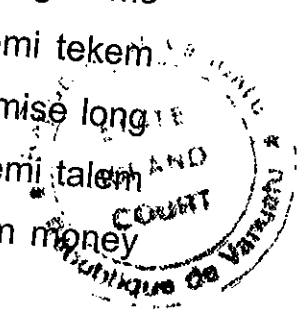
3. "Annexe APK 7" hemi letter we Director blong Geology and Mines and Water Resources I saenem.

Long cross examination blong hem Mr Takau I confirmem nomo Case No.87/98 mo deferences between fraud mo mistake. Motu iconfirmem se hemi bin ko long kraon long Teouma long 1992 mo hemi talem se taem we hemi kasem antap long Teouma ikat plante man finis oli stap long ples ia hemia long yia 1992, hemia afta long Court Order. Mo Mr Takau italem se from reason ia nao, hemi no save tekem wan kraon kolosap long rod. Hemi talem se hemi karem wan kraon ia we hemi about ten kilometer long rod.

Long re-cross examination blong witness ia, Mr Takau italem se hemi pem VT200.000 iko stret long Chief Andrew Pakoa. Mo hemi confirmem se kraon ia istap long dispute mo hemi stap insaed long titles 168 mo 170. Hemi talem tu se hemi nomo pem rent be oli kam long wan agreement mo stap colectem money blong pem ol legal fees blong Court taem oli kat wan case we Chief Andrew Pakoa iputum or filem bifo long Court.

Witness 2

Mr Kalo SANDY hemi talem long Court se hemi blong Tongoa mo hemi stap live long Teouma dark bush. Hemi talem se hemi tekem position blong treasurer blong wan committee we I compromise long ol Islanders we oli stap live long Teouma dark bush. Mo hemi talem se purpose blong committee ia iset up hemi blong colectem money



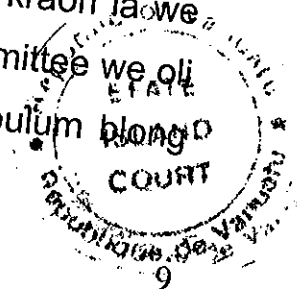
blong pemaot ol legal fees blong court from kraon we oli stap long hem. Mo hemi talem mo confirmem se hem nao olsem treasurer hemi pem ol lawyer mo hemi mekem receipt iko long Chief Andrew Pakoa KALPOELEP. Mo hemi statem tu se Eratap Council tu oli stap colectem ol fees mo colectem tu ol royalties antap long ples we oli stap live long hem. Mo hemi talem se hemi understandem tu se Eratap Council tu oli stap tekem quarie mo sand beach tu long ples ia mo hemi se ino save se oli stap tekem yet or nomo.

Witness Mr Sandy hemi confirmem bakegen se long 1991 hemi bin ko strart blong mekem Karen long Teouma mo long 1998 hemi jes ko mo stap live long ples ia. Hemi talem se hemi pem VT240.000 iko long Chief Andrew Pakoa. Mo hemi se payment ia ino blong kraon be hemi se hemi blong right of entry mo hemi pem long 1991.

Long cross examination blong hem Mr Sandy italem se committee we hemi headem I purposely blong colectem money long ol Islanders we oli live long kraon long Teouma mo pem ol legal fees blong ol lawyers from kraon we oli stap live long hem.

Witness 3

Mr Eddie SILAS italem se hemi blong Tongoa mo hemi stap live long Teouma dark bush. Hemi talem se hemi ko insaed long kraon ia long yia 1991 mo hemi talem se long taem ia hemi wan taem Chairman blong committee we istap lukaot long ol affairs blong ol kraon ia we istap long Teouma. And hemi talem tu se ikat plante committee we oli form long ples ia mo hemi confirmem se chain we oli pulum blong

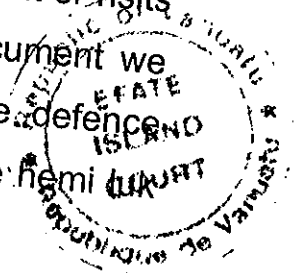


blokem ol man blong oli no pass long custom rod ia hemi long namba 7th August 1997. Hemi se long taem ia ino kat kolta iet ipas long area ia yet. Mo hemi talem se long taem ia treasurer hemi Carlot FIRIAM mo ol money we oli stap colectem hemi blong pem ol legal fees blong Court. Mo hemi talem tu se long understanding blong hem Eratap Council oli continue yet blong stap tekem quarie mo sand beach iet. Mo long last toktok blong witness hemi confirmem hem wan se hem tu istap mekem ol development long area ia olsem farming.

Long cross examination blong witness, Mr Silas I talem long Court se long taem ia hemi no save long any Court Order we istap mo hemi talem se sapos hemi save mbae ino save ko long area ia. Hemi talem tu long cross examination blong hem se hemi no save hamas money oli stap colectem long chain be hemi talem nomo se Court I talem long olgeta se oli mas pem VT102.000.000 iko long supreme Court blong relisim Chief Andrew Pakoa KALPOELEP long jail.

PLAINTIFF'S SUBMISSION

Mr Thomas TAU long submission blong hem, hemi talem se witness blong defense Mr Noel TAKAU hemi talem se hemi pem VT200.000 long kraon mo payment ia iko stret long Chief Andrew Pakoa KALPOELEP. Mo witness ia icontinue blong talem se hemi kasem right of entry ia long Chief Andrew long yia 1992. Plaintiff hemi talem se witness ia ino save pruvum long Court long any document or risits blong pruvum toktok ia. Plaintiff hemi refer long wan document we imarked ("Annexe B" Ewokaw land development list) we hemi defendencem ikivim long Mr Takau hemi identifiyem. Witness ia italem se hemi

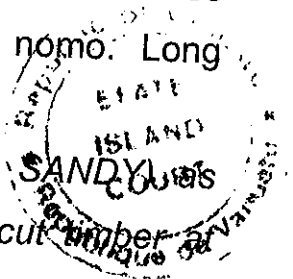


save list ia mo hemi talem tu se stamp we istap long pepa ia, hemi stamp blong Supreme Court.

Plaintiff long submission blong hem, hemi refer back nomo long *"(Annexe B Eworkau land development list)"*. Plaintiff hemi talem se witness ia ino save pruvum long Court ia list blong ol man we oli live insaed long land ia before long Order blong 22nd April 1994. Plaintiff hemi talem se hemi save talem long Court ia se toktok blong Noel TAKAU emi no klia mo ino save pruvum from long list ia Annexe pej (1) left laen, No. 22, 23 mo 31 daon ikat Peter FIRIAM, Abel FIRIAM mo Noel TAKAU. Pej (2) list No.(2) raet laen No.18 mo 29 daon ikat Bodiam mo Eddie SAILAS. Plaintiff hemi refer tu long *"Annexe C-payment of lands receipts"* osem evidence. Mi submit se refer long *Annexe C-payment of lands receipts* Mr Takau ino save pruvum se long annexe B everi man we oli stap live insaed long kraon ia long Teouma oli ko bifo 22nd April 1994. Mi submit se evidence we mi save shoem long Court ia se everi man we oli live insaed long Teouma oli ko afta long Court Order blong 22nd April 1994.

Narafala witness blong defence Mr Kalo SANDY hemi talem se hemi start live long Teouma long 1998 mo hemi talem se long 1991 hemi start blong mekem Karen long land ia. Mi stap submit long Court ia wan evidence blong jalengem toktok blong witness ia we italem se hemi stap long Teouma hemi stap mekem Karen nomo. Long evidence we mi save putum bifo long Court ia, refer:

"An arrangement was made by White KALO (Kalo SANDY, treasurer of Teouma dark bush and Chief Pakoa to cut timber on

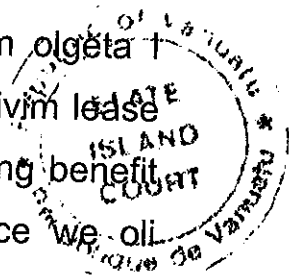


Teouma.”) (note rec'd 25/04/04 from Roy Cyrus) mo tu mi refer long (Annexe C-payments) olsem evidence. Witness ia italem tu se hemi luk mifala istap colectem sand beach long Teouma. Mi putum evidence long Court ia se Chief Andrew Pakoa emi bin colectem wan amount blong 90 Cubic meter sand long IGS long 22nd November 2002 we hemi VT90.000. Sand ia emi salem tru long wan permit No.VA22108 we Magistrate Court emi struckem aot long Civil Case No.84/03 dated 2nd September 2003. Refer to (Annexe-E).

Witness blong Plaintiff Mr Wille NUARI iconfrimem long Court se hemi pem wan amount blong VT10.000 iko long Chief Andrew Pakoa. Mo witness ia italem tu Mr Issac PETER ipem tu some money iko long olgeta mo hemi talem se olgeta risit ia ikat stamp blong Chief Pakoa Andrew istap long hem. Mo witness blong defence tu iconfirmem se oli pulum chain long namba 7th August 1997 mo oli continue blong pem ol money iko long Committee we iset up istap long kraon ia.

DEFENDANT'S SUBMISSION

Chief Andrew Pakoa KALPOELEP, Jack KALMETLAU mo Lawa KALMETLAU oli talem long submission blong olgeta se Plaintiff oli no save providem long Court ia evidence we I shoem se olgeta oli breachim Order blong Court long namba 22nd April 1994. Defense iconcontinue blong talem se in order blong Court ia ifaenem olgeta t guilty, Plaintiff hemi mas pruvum long Court ia se mifala igivim lease or transferem any lease or receivim money long graon blong benefit or own interest blong mifala. Defense italem se evidence we oli

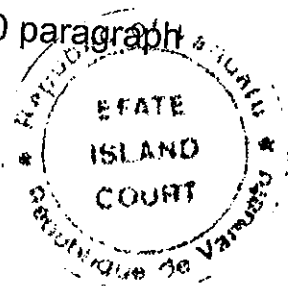


shoem long Court isoem se igat wan Committee iform by ol people we oli stap long land ia before order blong 22nd April 1994. Wetem assistance blong Paramount Chief blong Eratap Chief Andrew KALPOELEP, committee we hemi compromise long ol people we oli againstem interest mo right blong mifala ol true man Eratap mo ol original claimants long land ia. Mo oli talem tu se oli struggle blong protectem kraon blong olgeta ia seven years nao.

Defense italem tu long submission blong hem se two witness blong Plaintiff namely Numania IAKIS mo lauko IARIS tufala ibin confirmem long Court ia se money we oli stap colectem long right of entry mo land rents after 1994 Court Order hemi blong pem legal costs mo Court fees blong rectifyem olgeta land leases we Eratap Land Committee ikivim consent long hem. Mo Numanian italemaot long Court ia se hemi bin pem wan amount blong VT7.000 iko long Chief Andrew long Court house. Defense irefer long Civil Case No.87/98 page 4 paragraph 3 we iquotem olsem:

"In this case the second applicant had a right in the Court Order to protect his interest as to ownership of lands and therefore can take as in this case to protect his interest against the parties in that Order or any other person who involves himself with that land in dispute which may affect the applicant's right."

Motu defence oli refer long Civil Case No.25/2004 page 10 paragraph 3 hemi state: (and I quote)



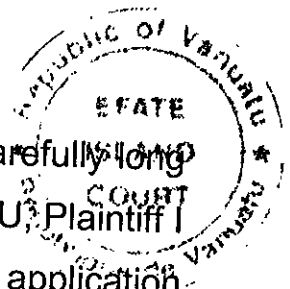
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"The evidences, including that of Mr Harry Kalsarei the Chairman of Eratap Lands Committee suggest that the land Committee it self was relying on the order of the Island court and for that reason was not giving consent to the grant of leases to the appellants.... The evidences from Mr Kalsarei was that as the Committee would not grant its consent and would not reply to the correspondence from the Ministry of lands he told the appellants to tell the Minister to go ahead. As Chairman Mr Kalsarei had authority on behave of the Eratap Land Committee to say that, nor would second hand advise transmitted through the applicants be sufficient to properly inform the Minister".

Wetem olgeta toktok ia, ol defendants oli submit se ol man we oli brekem order blong Court hemi ol applicants namely, Thomas TAU, Manfei, John TAU, Kolin TAU, Harry KALSONG, Harry KALPARAM mo Harry KALSAREI. Mo ol defendants oli talem se ol evidences we oli givim long Court long black and white isoem se ol applicants nao oli givim consent mo receivim payments long ol royalties blong sand beach mo ol leases. Mo defense italem se wanem we olgeta applicants ia oli mekem hemi clearly againsem Order blong Court blong 22nd April 1994.

FINDINGS BLONG COURT

Afta we Court hemi harem olgeta statements mo lukluk carefully long submission blong Plaintiff olsem Chairman Mr Thomas TAU, Plaintiff I satisfyem Court ia true long ol toktok blong hem long application blong hem we I putum bifo long Court ia, blong pruvum case blong



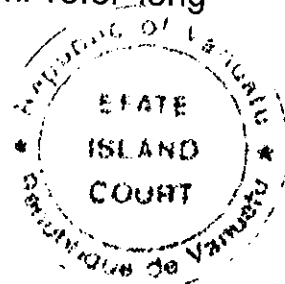
hem. Olgeta defendants ia, Chief Andrew Pakoa KALPOELEP mo Jack KALMETLAU tufala breachim Orders 1, 2, 3 mo 4 we Court ia I issuim long 22nd April 1994.

1. Witness Mr Willy NUARI long evidence blong hem, hemi talem se hemi pem VT53.000, VT12.000 mo VT15.000 sometimes long 1991 mo confirmem tu se hemi mekem payment ia iko stret long Mr Jack KALMETLAU. Witness italem tu se hemi mekem wan nara payment blong VT10.000 long yia 2000 iko stret long Carlot FIRIAM. Hemia hemi payment blong Chain block long rod. Statement ia defense ino disputum nating. Mr Thomas TAU iconfirmem bakegen statement ia long submission blong hem taem Mr Issac PETER imekem some payment long 1999. *(and I quote)*

"Kalmet Community risit No.02721 dated 14/08/1999 VT5.000"

"Kalmet Community risit No.02919 dated 01/02/2000 VT5.000"

Mo Plaintiff iconfirmem long Court ia tu se tufala receipts ia antap icontenem stamp blong Chief Pakoa Andrew KALPOELEP. Mo Court ia isatisfy tu long ol narafala evidences we Plaintiff hemi refer long hem long submission blong hem, *(and I quote)*



"Annexe C-Payment"

Receipts No.41 dated 02/04/02 VT47.000 we icontenem signature blong Chief Pakoa Andrew KALPOELEP.

Receipt No.49 dated 09/07/03 VT22.000 sign by Chief Andrew Pakoa.

Receipt No.60 dated 20/08/03 VT10.000

Receipt No.69 dated 24/09/03 VT10.000

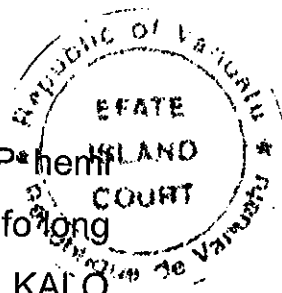
Receipt No.79 dated 24/11/03 VT15.000 everi receipts ia oli sign by Chief Andrew Pakoa KALPOELEP mo icontinue long list ia.

"Annexe K"

Hemi wan letter we Chief Andrew Pakoa KALPOELEP imekem blong authoraisem AOG blong buildim Church long Teouma mo katem log tru long 10 tree permit.

Mo Court isatisfy tu se Chief Andrew Pakoa emi colectem wan amount blong 90 Cubic Sand long IGS long 22nd November 2002 we hemi VT90.000. Sand ia emi salem tru long wan permit No.VA22108 we Magistrate Court emi struckem aot long Civil Case No.84/03 dated 2nd September 2003. *"Refer Annexe -E"*

Mo Court ia isatisfy tu se Chief Andrew Pakoa KALPOELEP hemi involvem hem wan blong developem area we idisputed istap bifo long Court ia taem hemi reachim wan agreement wetem White KALO

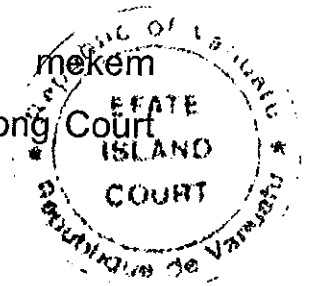


(Sandy KALO) as treasurer blong Teouma dark bush blong cuttem timber long Teouma. *"(Refer note received on 25/04/04 from Roy CYRUS)"*.

Mo Court ia isatisfy tu se Mr Thomas TAU, Chairman blong Eratap Land Committee, representative long behave blong Eratap Chiefs Community & Area Council ibreachim tu Order 3 blong namba 22nd April 1994 taem hemi stap issuim olgeta receipts mo stap collectem ol royalties long ol people we oli stap live insaed long Teouma land. *"(Refer Annexe C and Annexe B)"* long statement blong defense. Wetem ol evidences we istap bifo long Court ia issue blong leases we Eratap Land Committee istap issuem hemi determine finis bifo long Supreme Court mo Court of Appeal. *"(refer Civil Case No.87/98, annexe APK 4 and Civil Appeal Case No.25/04 annexe APK 5)"*

Issue we istap before long Court ia blong Plaintiff i mas pruvum long Court ia hemi whether or not:

1. Olgeta defendants oli still receivim money afta long Court Order we I dated 22nd April 1994.
2. Olgeta defendants oli still continue blong mekem development long land titles 168 mo 170 afta long Court Order.



3. Olgeta defendants oli still stap receivim yet ol royalties long ol developers afta long Court Order.
4. Olgeta defendants oli still allowem ol man yet blong ko live long ol kraon ia afta long Court Order.

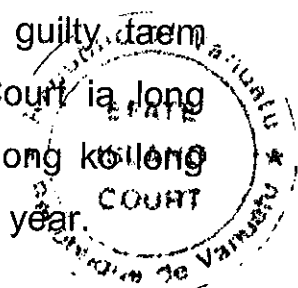
We istap long Order blong Court ia long namba 22nd April 1994.

Afta we Court ia isatisfy wetem olgeta evidences ia we tufala Parties iputum bifo long Court, iqualifyem hem nao blong mekem wan decision long matter ia.

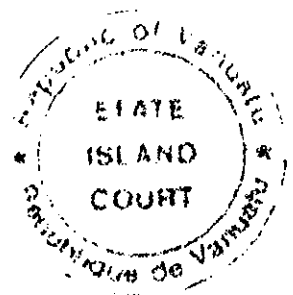
Court I harem olgeta toktok mo ol statements blong tufala Parties mo ol evidences we istap bifo long Court ia hemi decide se Plaintiff mo ol Defendants oli breachim Orders blong 22nd April 1994. Long tingting ya nao, Court I stap luk se weight blong evidences blong Plaintiff blong case ya hemi more strong bitim case blong Defendant. Forom reason ya nao Court imakem ol orders olsem.

ORDERS

1. Olgeta defendants ia Chief Andrew Pakoa KALPOELEP mo Jack KALMETLAU Court ifaenem yutufala I guilty, daem tufuala ibreachim Orders 2, 3 mo 4 blong Court ia long namba 22nd April 1994 mo panisim yutufala blong ko long Kalabus blong 6 months mo suspendem blong 1 year.



2. Eratap Chiefs Community & Area Council represented by Chairman Thomas TAU Court ifaenem yu guilty taem yu breachim Order 3 blong Court Order blong namba 22nd April 1994 mo ordarem yu blong pem wan fine blong VT24.000 bifo 15th July 2005.
3. Start long today ol people we oli stap live long ol titles ia 168 mo 170 oli stop blong mekem any payments long any form blong money directly or indirectly iko long any Committees we iform long ol areas blong Teouma mo stop blong mekem payment tu iko long Chief Andrew Pakoa KALPOELEP, Jack KALMETLAU mo ol relatives mo families blong hem motu long Eratap Chiefs Community & Area Council until such time we Efate Island Court idecide long custom ownership blong kraon ia.
4. Order blong Court ia long namba 22nd April 1994 hemi still Effective until such time we Efate Island Court idecide long Customary ownership blong kraon ia.
5. Ino kat any Cost blong Court ia iawardem.
6. Right blong appeal hemi 30 days.



Dated at Port Vila, this 7th day of July 2005.



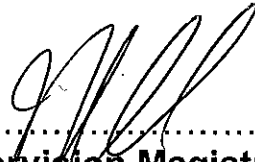
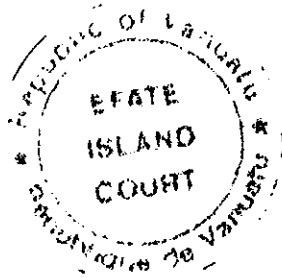
Justice Anne Carlot



Justice Lucy Sandy



Justice Raymond Morris



Supervision Magistrate

Counter signed 8th July 2005