

**IN THE EFATE ISLAND COURT
OF THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

Case No. 18/789 IC/DCLR

BETWEEN: JACKSON CHRISTOPHER WILLIAM
Applicant

AND: ROBERT LAMOUREUX
Respondent

Date of Hearing: Monday 14th day of May, 2018 at 9:35 AM
Date of Decision: Wednesday 30th day of May, 2018 at 2.00 PM
Before: Justice Metoloa Silou Poilapa (Presiding Justice)
Justice Lutu Sakita (Member)
Justice Roy Tining (Member)
Island Court Clerks: Alida Tchivi & Nailyn Abel
In Attendance: Jackson Christopher William (Applicant)
Robert Lamoureux (Respondent)

COURT DECISIONS

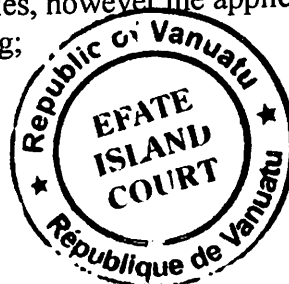
An Application was filed on Monday 19th March at 2:46 PM before this court by the Applicant Jackson Christopher William, seeking a declaration from the Court for a Customary Adoption.

Section 10 of the Island Court Act provides that " Customary matters and beliefs prevailing in a territorial Court area applicable in the Court, so far as they are not in conflict with the written law and is not contrary to Justice, morality and good order".

Both parties were noticed and served directly. This matter was supported in open court today the 14th day of May, 2018. Both parties appeared in Court at the time and date of hearing when called.

Upon hearing the Applications and the Respondent herein in persons and having read all the documents filed by them in support of the application, the Court found that:

1. The Applicant is the Australian National Citizen with the age of 34 years and owned a business named Stop Press and is still residing in Vanuatu;
2. There were no Issue's between both parties, however the applicant seeks a declaration on Customary Adoption to be legally binding;



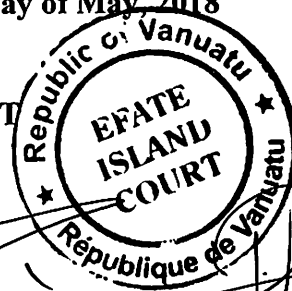
3. It was not the Respondent's intention to adopt the applicant as his brother, but he was convinced to do so after several attempts by the applicant;
4. There was a business activity relationship for the last twenty eight (28) years since 1989 but not a customary relationship as claimed by the Applicant;
5. The purported Customary Adoption was not in accordance with the custom and customary practice of Mele Village and without the knowledge of the Paramount chief of Mele Village based on the necessary consents attached to the application.


With the above findings the Court delivered its decision and rules as follows;

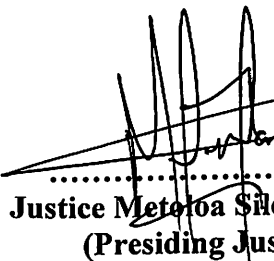
1. In accordance to the Joint Regulation Adoption Act, CAP 1958, Case no. 18/789 IC/DCLR is being withdrawn by the Efate Island Court;
2. Case be committed to the Supreme Court of the Republic of Vanuatu;
3. The Court thank both parties for their helpful submissions;
4. No order as to Cost.

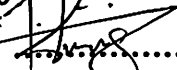
DATED at Port Vila this 30th day of May, 2018

BY THE COURT




.....
Justice Lutu Sakita
(Member)


.....
Justice Meteloa Silou Poilapa
(Presiding Justice)


.....
Justice Roy Tining
(Member)