

**IN THE SUPREME COURT
OF THE REPUBLIC OF VANUATU**
(Civil Jurisdiction)

**Constitutional
Case No. 19/3258 SC/CNST**

BETWEEN: Gracia Shadrack

Applicant

AND: Seoule Simeon

First Respondent

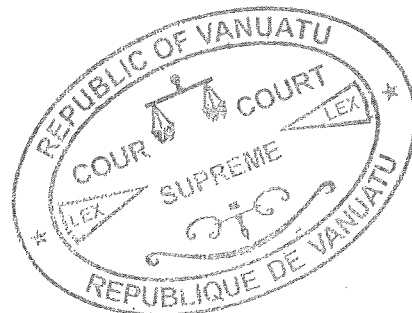
AND: Republic of Vanuatu

Second Respondent

Date of Hearing : 6th December 2019 @ 9:30am
Date of Oral Decision: 6th December 2019 @ 3:30pm
Before: Justice Oliver.A.Saksak
In Attendance: Robin Tom Kapapa for the Claimant
Nigel Morrison for the First Respondent
Frederick Gilu and Hardison Tabi for Second Respondent

ORAL DECISION

1. The Constitutional Application filed by Mr Kapapa on behalf of the Claimant alleging breaches of the Claimant's constitutional rights under Articles 5(1), 17(1) and 22 of the Constitution by the Speaker of Parliament when he declared the claimant's seat vacant on Wednesday 27th November 2019 pursuant to section 2 (d) of the Parliament (Vacation of Seats) Act, fails and is hereby dismissed.
2. The clamant will pay the First Respondent costs of the proceeding on the standard basis as agreed or taxed.
3. There will be no costs to the Second Respondent.
4. Reasons are reserved and will be published.



DATED at Port Vila this 6th day of December, 2019

BY THE COURT


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**Oliver.A.Saksak
Judge**

