

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 9 de 1970

JOINT REGULATION 9 of 1970

JOINT REGULATION

No. 9 of 1970.

provide for the enforcement of maintenance orders by attachment of money.

lished: Condominium Gazette No. 293.]

by the Resident Commissioners under the provisions of paragraph 2 of Article 2 and Article 7 of the Anglo-French Protocol 1944.

Where any money payable under an order made under the provisions of section 5 of Joint Regulation No. 13 of 1966 remains unpaid for fourteen days from the date upon which it was payable, the President of the Native Court which made the said order may, upon information that any money is or is to become due or payable to the defendant by any person, firm or body, by notice in writing in the form prescribed in the Schedule to this Regulation, require such person, firm or body, to deduct such sum or sums as may be specified in such notice, in respect of the default and of other payments due under the said order, from any amount or amounts of money which may at any time and from time to time within twelve months from the date of such notice be or become due or payable to the defendant and requiring such person, firm or body, to pay such sum or sums specified to the Native Court to the credit of the person in whose favour the order was made within the time specified in such notice.

Notice may be issued requiring person holding money for defaulter under maintenance to pay it to Native Court.

All moneys paid to the Native Court in pursuance of a notice issued under the provisions of Section 1 shall be forthwith paid to the person in whose favour the order was made.

Native Court to pay money received to dependant.

Any amount or amounts lawfully deducted under the provisions of Section 1 shall be deemed to have been deducted with the consent of the defendant and no action shall lie against any person, firm or body merely by reason of the making of such deduction or deductions.

Person complying with notice to be indemnified.

All money deducted from any sum or sums due or payable to the defendant shall be deemed to be held for the person in whose favour the order was made and shall, without prejudice to any other provisions, be recoverable against the defendant or any other person, in the same manner in all respects as if it were money payable under an order by the defendant.

Money deducted deemed held for dependant.

5. Any person, firm or body, receiving such notice under the provisions of section 1 who is unable to comply therewith by reason of the fact that the money specified has not or will not come into the possession of such person, firm or body, within the period specified in such notice, shall notify the Native Court in writing, as soon as practicable and in any case not later than the expiration of fourteen days after such period, setting forth his or its true and full account of the facts giving rise to his or its inability to comply with the notice. If the person, firm or body receiving the notice is the employer of the defendant, he or it shall notify the Native Court within fourteen days if the defendant shall leave the employment during the currency of the notice.

Procedure when person is unable to comply with Notice and when defendant leaves his employment.

6. Any person, firm or body to whom a notice is issued under the provisions of section 1 and who without lawful excuse—

Offences and penalties.

- (a) fails to comply with the provisions thereof; or
- (b) fails to notify the Native Court within the period prescribed by section 5 that he or it is unable to comply therewith and to provide a full and true account of the reasons therefor; or
- (c) fails to notify the Native Court within fourteen days that a defendant has left his or its employment,

shall be guilty of an offence triable in the Court of First Instance and on conviction thereof be liable to a fine not exceeding one hundred Australian dollars.

In the case of persons employed in the Joint Administration, the French National Administration or the British National Administration, money due to them in respect of salary, other emoluments and allowances, shall for the purposes of this Regulation be deemed to be due to them by the chief accounting officer of the Administration concerned.

Regulation to bind chief accounting officers of Administrations.

This Regulation shall have effect in relation to every maintenance order made under the provisions of section 5 of the Maintenance Regulation No. 13 of 1966 whether made before or after the commencement of this Regulation.

Application.

This Regulation may be cited as the Joint Maintenance (Attachment) Regulation No. 9 of 1970 and shall come into force on the date of its publication in the Condominium Gazette.

Citation and commencement.

Made at Vila this fifth day of August, 1970.

ALY

COLIN H. ALLAN

Resident Commissioner
of the French Republic.

Her Britannic Majesty's
Resident Commissioner.

SCHEDULE

(Section 1)

NOTICE

(Joint Maintenance Orders (Attachment) Regulation, 1970)

WHEREAS by a judgment of the Native Court held at.....
the.....day of.....19....., an order was made
under section 5 of Joint Regulation No. 13 of 1966 against.....
in favour of.....for the payment of.....per

WHEREAS payments under the said order are in default for more than
seven days after the due date for the payment thereof, to the extent of.....

WHEREAS information has been received by the Presidents of the said Court
that moneys, namely.....
are due or are become due and payable by you
the said.....the defendant under the said order on the
following date or dates within the period of twelve months next following the
date of this Notice namely.....

NOTICE THAT YOU ARE HEREBY REQUIRED to deduct the following sum or
sums.....from the said moneys due or become due and payable
by the above named defendant.

to send them forthwith and in no case later than seven days from the date
of each such deduction to the said Native Court at.....
to the credit of the above named.....the beneficiary
of the said order.

(i) This Notice is issued to you under the powers conferred by section 1
of Joint Regulation No. 9 of 1970.

(ii) You are protected and indemnified in making the deduction or deduc-
tions by section 3 of the Joint Regulation.

(iii) If you claim to be unable to comply with this Notice by reason of the
fact that the moneys specified will not come into your possession or be due by
you to the defendant, you must notify the Native Court at.....
in writing within 14 days of the period named, setting out a true and full account
of the facts by reason of which you claim to be unable to comply with this

(iv) If the above named defendant is in your employment, you must notify
the said Native Court in writing if he shall leave the employment, during the
currency of this Notice, within fourteen days.

(v) The obligations set out herein are compulsory and breach thereof is
punishable in the Court of First Instance by a fine of up to One Hundred
Australian Dollars for each offence.

at.....this.....day of.....19....

Presidents of the Native Court at

each District Agent

British District Agent

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 12 de 1970

JOINT REGULATION 12 of 1970

JOINT REGULATION

No. 12 of
1970.

to control the use of motor-boats in the New Hebrides.

[Published: Condominium Gazette No. 295.]

MADE by the Resident Commissioners under the provisions of paragraph 2 of Article 2 and Article 7 of the Anglo-French Protocol of 1914.

1. The Resident Commissioners may make Joint Rules regulating the passage, speed and use of boats propelled by motor within any area defined in and subject to any conditions specified in such Rules.

Joint Rules
to regulate
the use of
motor-boats.

2. No person shall use or cause or permit to be used any motor-boat towing a water-skier unless there are not fewer than two persons in the motor-boat, of whom the person directing the motor-boat shall keep a constant look-out forward and another shall observe the skier or skiers.

Restrictions
on towing of
water skiers.

3. The Resident Commissioners may by Joint Rules exempt any person or classes of person from any of the provisions of this Regulation or any Rules made thereunder.

Exemptions.

4. Any person who shall contravene any of the provisions of this Regulation or of any Rules made thereunder shall commit an offence punishable upon conviction by a fine not exceeding two hundred Australian dollars.

Offences
and
penalties.

5. This Regulation may be cited as the Joint Control of Motor-Boats Regulation No. 12 of 1970 and shall come into operation on the date of its publication in the Condominium Gazette.

Citation
and com-
mencement.

Dated at Vila this fifth day of October, 1970.

ANGLOIS

COLIN H. ALLAN

Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.