

NEW HEBRIDES
REPRESENTATIVE ASSEMBLY

RA3/D/28-P
18 July, 1980.
Original: English

CRIMINAL LAW (INTERIM PROVISIONS) REGULATION

1980

Explanatory Note

The purpose of this law is to apply the Native Code to all persons after Independence and terminate the operation of English and French Criminal Law in Vanuatu.

The Government has the draft Penal Code and Criminal Procedure Code well in hand but considers that the time available before Independence is not sufficient for the Assembly to consider the new laws. They will be put before Parliament as soon as possible after Independence.

JULY 1980

W.H. LINI
CHIEF MINISTER AND
MINISTER OF JUSTICE

Draftsmans Note

The Resident Commissioners Joint Regulation bringing this Resolution into force as a law will provide that this resolution will be cited as the Criminal Law (Interim Provisions) Regulation and that it will come into force on the Day of Independence.

CRIMINAL LAW (INTERIM PROVISIONS) REGULATION

1980

Arrangement of Sections

1. Amendment of JR 12/62.
2. Rules of Procedure to remain in force.
3. Repeals.
4. Transitional.

RESOLUTION No. OF 1980

To provide for the application of the Native Criminal Code to all persons in Vanuatu.

The Representative Assembly at its sitting on the day of 1980 hereby resolves and decides in accordance with Article 23 of the Schedule to the Exchange of Notes of 15th September 1977 to adopt the following measures :-

Amendment
of JR 12/62.

1. Section 4 of the Native Criminal Code shall be repealed and the following substituted therefor :-

"4 The Native Criminal Code applies to all persons in Vanuatu".

Rules of
Procedure
to remain
in force.

2. The Rules of Criminal Procedure Order dated the 15th January 1979 shall remain in force except that it shall apply to magistrates courts, the Supreme Court and the Court of Appeal.

Repeals.

3. The Criminal Procedure Code (Cap 3) and the Penal Code (QR 9 of 1973) are hereby repealed and the Code Pénal and the Code de Procédure Pénale of France shall no longer apply in Vanuatu.

Transitional.

4. This Regulation shall be subject to any directions that may be given by the Supreme Court pursuant to Article 92 of the Constitution.