



REPUBLIC OF VANUATU

COMMISSIONS OF INQUIRY ACT [CAP 85]

APPOINTMENT OF COMMISSION OF INQUIRY ORDER NO. 15 OF 2011

In exercise of the powers conferred on me by section 1 and section 5 of the Commissions of Inquiry Act [CAP 85], I, the Honourable IOANE SIMON OMAWA Minister of Justice and Community Services, make the following Order.

1 Definition

In this Order unless the contrary intention appears:

“Commission” means the Commission of Inquiry established under this Order.

2 Appointment of Commissioner to the Commission

Dr. Christopher TARIANGA is appointed as the Commissioner to the Commission.

3 Appointment of Assessors of the Commission

The following persons are appointed as Assessors of the Commission:

- (a) Nigel MALOSU;

- (b) Leisongi OSCAR;
- (c) Yvana TAGA;
- (d) Andrew NAPUAT.

4 Appointment of Secretary to the Commission

Andrew NAPUAT is appointed as the Secretary of the Commission.

5 Terms of Reference

- (1) The Terms of Reference of the Commission are as set out in Schedule 1.
- (2) The Terms of Reference of the Commission may be amended or varied by the Minister in consultation with the Commission.

6 Location of Inquiry

The Inquiry is to be made in Port Vila and at such other place or places as the Commission may determine.

7 Public or Private Inquiry

The Inquiry is to be held in Public except in circumstances as directed by the Commission.

8 Reports

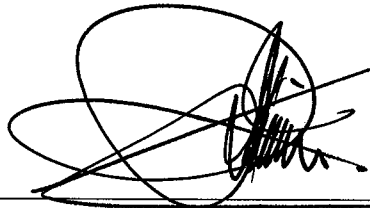
The Commission must prepare the following reports:

- (a) a report of the proceedings and of the result of his Inquiry to the Minister not later than 11 February 2011.
- (b) a report summarising his findings and his recommendations available to the Public not later than 14 days after submission of his report to the Minister.

9 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 31st day of January 2011.



Honourable IOANE SIMON OMAWA
Minister of Justice and Community Services

SCHEDULE 1

TERMS OF REFERENCE

1 Aims of the Commission

The aims of the Commission are to inquire into and investigate the Health Crises of 2010 by:

- (a) reviewing the internal administration system of the Ministry of Health and the Department of Health and assess their effectiveness;
- (b) reviewing the accounts and financial records to confirm validity and appropriateness of payments made;
- (c) comparing the actual expenditure against the approved annual budget;
- (d) obtaining any other information through interviews or correspondences or any other records the Commission consider necessary to supplement the inquiry.

2 Objectives of the Commission

The objectives of the Commission are to assess whether:

- (a) the Medical Department and the Ministry of Health has managed and distributed its medical supplies in accordance with the relevant Laws and Regulations;
- (b) the Medical Department and the Ministry of Health has managed its financial resources in accordance with the provisions of the Public Finance and Economic Management Act [CAP 244], the Public Financial Regulations or any other relevant laws;
- (c) the transactions recorded are within the Statutory Authority and are properly disclose the use of public monies and resources administered by the Ministry of Health and Medical Department;
- (d) the effective systems of internal control are in place in the spending and safeguarding of public monies and resources which conform to specific laws, regulations and rules;
- (e) the expenditure has been properly authorised and applied to the purposes for which the funds are appropriated for by the Parliament;

- (f) the revenue has been properly managed and accounted for;
- (g) any other administrative matters and issues of the Ministry of Health and the Department of Health are managed properly (For example – staffing, staff employment, organisational structure, assets register, vehicle log book, medical supplies logbook, medical stock register, disbursement Register of medical supplies to all wards, dispensaries, clinics and hospitals throughout the Republic of Vanuatu).

REPUBLIC OF VANUATU
COMMISSION OF INQUIRY

Schedule 1

**FORM OF OATH OR AFFIRMATION TO BE TAKEN BY A
COMMISSIONER**

Commissions of Inquiry Act, [CAP. 85]

I, (full name) **DR. CHRISTOPHER TARIANGA**, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the **31ST JANUARY**, 2011, to be a Commissioner (or do solemnly and sincerely affirm) that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at **PORT VILA** this **4TH** day of **FEBRUARY**, 2011


DR. CHRISTOPHER TARIANGA
Commissioner.

REPUBLIC OF VANUATU
COMMISSION OF INQUIRY

Schedule 1

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY AN ASSESSOR

Commissions of Inquiry Act, [CAP. 85]

I, (full name) *NIGEL MALOSU*, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the *31ST JANUARY*, 2011, to be an Assessor (*or do solemnly and sincerely affirm*) that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at *PORT VILA* this *4TH* day of *FEBRUARY*, 2011



NIGEL MALOSU

Assessor.

REPUBLIC OF VANUATU
COMMISSION OF INQUIRY

Schedule 1

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY AN ASSESSOR

Commissions of Inquiry Act, [CAP. 85]

I, (full name) *MRS YVANA TAGA*, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the *31ST JANUARY*, 2011, to be an Assessor (or do solemnly and sincerely affirm) that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at *PORT VILA* this *4TH* day of *FEBRUARY*, 2011



MRS YVANA TAGA

Assessor.

REPUBLIC OF VANUATU
COMMISSION OF INQUIRY

Schedule 1

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY AN ASSESSOR

Commissions of Inquiry Act, [CAP. 85]

I, (full name) *LEISONGI OSCAR*, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the _____, 2011, to be an Assessor (or do solemnly and sincerely affirm) that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at *PORT VILA* this *4TH* day of *FEBRLIARY*, 2011



LEISONGI OSCAR
Assessor.

REPUBLIC OF VANUATU
COMMISSION OF INQUIRY

Schedule 1

FORM OF OATH OR AFFIRMATION TO BE TAKEN BY AN ASSESSOR

Commissions of Inquiry Act, [CAP. 85]

I, (full name) *ANDREW NAPUAT*, having been appointed under an Order made by the Minister responsible for Justice and Community Services dated the *31ST JANUARY*, 2011, to be an Assessor (*or do solemnly and sincerely affirm*) that I will faithfully, fully, impartially and to the best of my ability discharge and perform the duties devolving upon me by virtue of the said Order.

So help me God.

Dated at *PORT VILA* this *4TH* day of *FEBRUARY*, 2011



ANDREW NAPUAT

Assessor.