



REPUBLIC OF VANUATU

STATE OF EMERGENCY
ORDER NO. 10 OF 1998

To provide for the restoration and maintenance of public order:

IN EXERCISE of the powers contained in Article 69 of the Constitution **WE, THE COUNCIL OF MINISTERS** hereby make the following Order:

STATE OF EMERGENCY

1. For the purpose of restoring public order a State of Emergency has been declared by Order dated 27th January, 1998 pursuant to Article 69 of the Constitution, and these regulations are made accordingly.

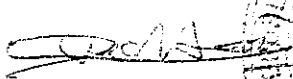
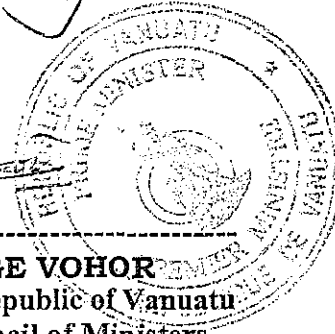
POLICE TO CARRY ARMS

2. (1) For the period of the State of Emergency (as fixed under Article 70 of the Constitution) the Commissioner of Police, in accordance with a direction from the Prime Minister may authorise members of the Vanuatu Police Force (not being special constables appointed under State of Emergency Order No. 8 of 1998) to carry and use firearms in accordance with the rules of engagement contained in the Schedule hereto.
- (2) For the avoidance of doubt members of the Vanuatu Police Force includes members of the Vanuatu Mobile Force.

COMMENCEMENT

6. This Order shall come into force on the ~~27~~th day of January 1998.

MADE at Port Vila this 28 day of January, 1998.

RIALUTH SERGE VOHOR
Prime Minister of the Republic of Vanuatu
On behalf of the Council of Ministers

SCHEDULE

Reg 2

RULES OF ENGAGEMENT FOR THE USE OF FIREARMS

GENERAL CONDITIONS

1. Your immediate commander on the spot will order any changes in the states of weapon readiness. While your commander will normally issue the order to open fire or increase the level of force, you will always have the right to use appropriate force to protect yourself and those it is your duty to protect.
2. The degree of force which may be used by a member of the Vanuatu Police Force ("VMF") to achieve an object is determined by the circumstances at the time. Any VMF member may use such Force as **may be reasonably necessary** in order to prevent crime or to effect or assist in effecting a lawful arrest. Whenever possible **a warning should be given** before opening fire.
3. Nothing shall justify the use of greater force than is reasonable in the particular circumstances in which it is employed or is necessary to prevent a crime from continuing or to effect an arrest.
4. **In all circumstances the rule of Minimum Force applies. Minimum Force includes in increasing order:**
 - (a) open display of weapons;
 - (b) verbal warning;
 - (c) barring access to the point being protected;
 - (d) physical restraint;
 - (e) pointing weapons; and
 - (f) firing of weapons.
5. If you have to fire your weapon: **Fire only enough rounds to achieve your purpose.**