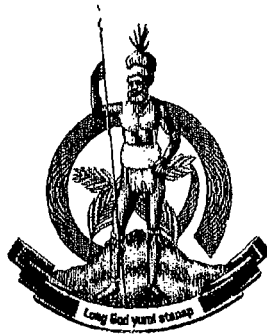


**REPUBLIQUE
DE
VANUATU
JOURNAL OFFICIEL**



**REPUBLIC
OF
VANUATU
OFFICIAL GAZETTE**

31 OCTOBRE 2011

NO. 44

31 OCTOBER 2011

SONT PUBLIES LES TEXTES SUIVANTS

LOI

LOI NO. 3 DE 2011 SUR LES FINANCES
PUBLIQUES ET GESTION ECONOMIQUE
(MODIFICATION)

NOTIFICATION OF PUBLICATION

ACT

PUBLIC FINANCE AND ECONOMIC MANAGEMENT
(AMENDMENT) ACT NO. 3 OF 2011

ORDER

EMPLOYMENT ACT [CAP 160]

- INSTRUMENT OF APPOINTMENT –
MEMBERS OF THE TRIPARTITE LABOUR
ADVISORY COUNCIL ORDER NO. 205 OF
2011

**VANUATU COMMODITIES MARKETING BOARD
ACT [CAP 133]**

- INSTRUMENT OF REMOVAL – MEMBERS
OF THE VANUATU COMMODITIES
MARKETING BOARD ORDER NO. 206 OF
2011
- INSTRUMENT OF APPOINTMENT –
MEMBERS OF THE VANUATU
COMMODITIES MARKETING BOARD
ORDER NO. 207 OF 2011

**LOI SUR LA CAISSE NATIONALE DE
PREVOYANCE DE VANUATU [CAP 189]**

- INSTRUMENT DE REVOCATION – MEMBRES DU CONSEIL DE LA CAISSE NATIONALE DE PREVOYANCE ARRETE NO. 208 DE 2011
- INSTRUMENT DE NOMINATION – MEMBRES DU CONSEIL DE LA CAISSE NATIONALE DE PREVOYANCE ARRETE NO. 209 DE 2011
- INSTRUMENT DE NOMINATION – PRESIDENT DU CONSEIL ARRETE NO. 210 DE 2011

**VANUATU NATIONAL PROVIDENT FUND ACT
[CAP 189]**

- INSTRUMENT OF REMOVAL – MEMBERS OF THE VANUATU NATIONAL PROVIDENT FUND BOARD ORDER NO. 208 OF 2011
- INSTRUMENT OF APPOINTMENT – MEMBERS OF THE VANUATU NATIONAL PROVIDENT FUND BOARD ORDER NO. 209 OF 2011
- INSTRUMENT OF APPOINTMENT – CHAIRMAN ORDER NO. 210 OF 2011
- INSTRUMENT OF REMOVAL – MEMBERS OF THE VANUATU NATIONAL PROVIDENT FUND BOARD ORDER NO. 211 OF 2011
- INSTRUMENT OF APPOINTMENT – MEMBERS OF THE VANUATU NATIONAL PROVIDENT FUND BOARD ORDER NO. 212 OF 2011

LEGAL NOTICE

DECENTRALIZATION ACT [CAP. 230]

- PUBLICATION OF THE APPROVED LIST OF CANDIDATES FOR THE 2011 SANMA PROVINCIAL GOVERNMENT ELECTIONS

OATHS ACT [CAP 37]

- OFFICIAL OATH OF KALFAU GEORGE KALORIS
- OATH OF ALLEGIANCE OF KALFAU GEORGE KALORIS



REPUBLIC OF VANUATU

**PUBLIC FINANCE AND ECONOMIC MANAGEMENT
(AMENDMENT) ACT
NO. 3 OF 2011**

Arrangement of Sections

1	Amendment.....	2
2	Commencement	2

REPUBLIC OF VANUATU

Assent: 23/08/2011
Commencement: 31/10/2011

PUBLIC FINANCE AND ECONOMIC MANAGEMENT (AMENDMENT) ACT NO. 3 OF 2011

An Act to amend the Public Finance and Economic Management Act [CAP 244].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Public Finance and Economic Management Act [CAP 244] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF PUBLIC FINANCE AND ECONOMIC MANAGEMENT ACT [CAP 244]

1 Section 2

Insert in its correct alphabetical position

“Release” means any deed, simple contract or other agreement or understanding by whatever description which has the effect of fully or partially comprising any litigation, claim or demand against the State in exchange for a payment or promised payment from public money or of the transfer of a public asset.”

2 After section 42

Insert

“42A Releases

- (1) A Minister, Director General, Director or an officer of an agency must seek:
 - (a) legal advice from the State Law Office; and
 - (b) advice from the Director General as to the availability of funds, for the preparation of a Release.
- (2) A Release may be approved in the following manner:
 - (a) for an amount less than VT 10, 000, 000- approval by the Director General; and
 - (b) for an amount of VT 10, 000, 000 or more- approval by the Council of Ministers.
- (3) To avoid doubt the process in subsection (1) must be complied with before an approval can be made under subsection (2).

3 After subsection 42A

Insert

42B Personal Liability

- “(1) A person and any other party who signs or contributes to conclude a Release on behalf of the State without complying with subsection 42A (1) and (2) is to be personally liable for any payment stated in the Release.
- (2) A Release made without complying with subsection 42A (1) and (2) has no effect.”



RÉPUBLIQUE DE VANUATU

LOI N° 3 DE 2011 SUR LES FINANCES PUBLIQUES ET GESTION ÉCONOMIQUE (MODIFICATION)

Sommaire

1	Modification	2
2	Entrée en vigueur	2

RÉPUBLIQUE DE VANUATU

Promulguée: 23/08/2011
Entrée en vigueur: 31/10/2011

LOI N° 3 DE 2011 SUR LES FINANCES PUBLIQUES ET GESTION ÉCONOMIQUE (MODIFICATION)

Portant modification de la Loi sur les finances publiques et la gestion économique [CAP 244].

Le Président de la République et le Parlement promulguent le texte suivant :

1 Modification

La Loi sur les finances publiques et la gestion économique [CAP 244] est modifiée tel que prévu à l'Annexe.

2 Entrée en vigueur

La présente Loi entre en vigueur à la date de sa publication au Journal officiel.

ANNEXE

MODIFICATION DE LA LOI SUR LES FINANCES PUBLIQUES ET LA GESTION ECONOMIQUE [CAP 244]

1 Article 2

Insérer dans l'ordre alphabétique

““déblocage” désigne tout acte formaliste, simple contrat ou autre accord ou entente qui a l'effet de couvrir tout ou partie de tout contentieux, plainte ou demande engagé contre l'État en contrepartie d'un paiement ou paiement promis sur des fonds publics ou de la cession d'un bien public.”

2 après l'article 42

Insérer

“42A Déblocages

- 1) Un ministre, un directeur général, un directeur ou un agent d'un organisme public doit :
 - a) obtenir des conseils juridiques auprès du cabinet juridique de l'État ; et
 - b) obtenir l'avis du directeur général sur la suffisance des fonds en vue de préparer un déblocage.
- 2) Un déblocage peut être approuvé comme suit :
 - a) pour un montant inférieur à 10,000,000VT, une approbation du directeur général ; et
 - b) pour un montant de 10,000,000VT ou plus, une approbation du Conseil des Ministre”
- 3) Pour éviter le doute, le processus visé au paragraphe 1) doit être respecté avant une approbation visée au paragraphe 2).

3 Après le paragraphe 42A

Insérer

“42B Charge personnelle

- 1) Une personne et toute autre personne qui signe ou participe à la conclusion d'un débloqué au nom de l'État sans se conformer aux paragraphes 42A.1) et 2) est personnellement responsable tout versement précisé dans le débloqué.
- 2) Un débloqué sans conformité aux paragraphes 42A.1) et 2) n'a aucun effet.



REPUBLIC OF VANUATU

EMPLOYMENT ACT [CAP 160]

Instrument of Appointment – Members of the Tripartite Labour Advisory Council Order No. 205 of 2011

In exercise of the powers conferred on me by subsection 1C(1) of the Employment Act [CAP 160], I, the Honourable GEORGE ANDREW WELLS, Minister of Internal Affairs, make the following Order.

1 Appointment of members

The following persons are appointed as members of the Council:

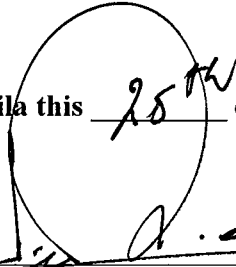
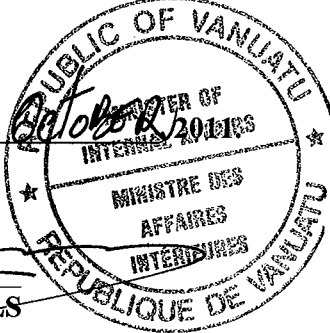
- (1) from the Government:
 - (a) Jimmy RANTES; and
 - (b) Judith MELSUL; and
 - (c) Bethuel SOLOMON; and
- (2) from the Vanuatu Council of Trade Unions:
 - (a) Ephraim KALSAKAU; and
 - (b) Loreen BANI; and
 - (c) Mathilda BUTAL; and
- (3) from the Chamber of Commerce and Industry:

- (a) Dick EADE; and
- (b) Robert BOHN; and
- (c) Astrid BOULEKONE.

2 Commencement

This Instrument of Appointment is taken to have commenced on 18th October 2011.

Made at Port Vila this 25th day of October 2011

Honourable GEORGE ANDREW WELLS
Minister of Internal Affairs



REPUBLIC OF VANUATU

VANUATU COMMODITIES MARKETING BOARD ACT [CAP 133]

Instrument of Removal – Members of the Vanuatu Commodities Marketing Board Order No. 26 of 2011

In exercise of the powers conferred on me by subsection 5 (5) of the Vanuatu Commodities Marketing Board Act [CAP 133], I, the Honourable MELTEK SATO KILMAN LIVTUVANU, Prime Minister of the Republic of Vanuatu, make the following Order.

1 Removal

KAMI METTA is removed as a member of the Vanuatu Commodities Marketing Board.

2 Commencement

This Instrument of Removal commences on the day on which it is made.

Made at Port Vila this 26th day of OCTOBER, 2011.



Honourable MELTEK SATO KILMAN LIVTUVANU
Prime Minister



REPUBLIC OF VANUATU

VANUATU COMMODITIES MARKETING BOARD ACT [CAP 133]

Instrument of Appointment – Members of the Vanuatu Commodities Marketing Board Order No. ~~207~~ of 2011

In exercise of the powers conferred on me by subsection 5 (1) of the Vanuatu Commodities Marketing Board Act [CAP 133], I, the Honourable MELTEK SATO KILMAN LIVTUVANU, Prime Minister of the Republic of Vanuatu, make the following Order.

1 Appointment

JONATHAN MAN is appointed as a member of the Vanuatu Commodities Marketing Board.

2 Commencement

This Instrument of Appointment commences on the day on which it is made.

Made at Port Vila this 26th day of OCTOBER, 2011.


Honourable MELTEK SATO KILMAN LIVTUVANU
Prime Minister

*Instrument of Appointment – Members of the Vanuatu Commodities Marketing Board Order No. ~~207~~
of 2011*



REPUBLIC OF VANUATU



**VANUATU NATIONAL PROVIDENT FUND ACT
[CAP 189]**

**Instrument of Removal – Members of the Vanuatu National
Provident Fund Board
Order No. 208 of 2011**

In exercise of the powers conferred on me by subparagraph 3(1)(a)(iii) of the Vanuatu National Provident Fund Act [CAP 189] and section 21 of the Interpretation Act [CAP 132], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management, remove **Benjamin SHING** as a member of the Vanuatu National Provident Fund Board, being a person representing the Government and nominated by the Minister after consultation with the Director General of the Ministry of Finance and Economic Management and the Director General of the Ministry of the Prime Minister.

This Instrument of Removal comes into force on the date on which it is made.

Made at Port Vila this 26th day of October, 2011



**Honourable MOANA KALOSIL CARCASSES (MP)
Minister of Finance and Economic Management**



REPUBLIQUE DE VANUATU

LOI SUR LA CAISSE NATIONAL DE PREVOYANCE DE VANUATU [CAP 189]

Instrument de Révocation – Membres du Conseil de la Caisse Nationale de Prévoyance Arrêté No. 208 de 2011

Dans l'exercice des pouvoirs que me confère l'alinéa 3(1)(a)(iii) de la loi sur la Caisse nationale de prévoyance de Vanuatu [CAP 189] et l'article 21 de la loi sur l'Interprétation [CAP 132], je, soussigné, l'honorable MOANA KALOSIL CARCASSES, Ministre des Finances et de la gestion économique, révoque **Benjamin Shing** comme membre du Conseil de la Caisse nationale de prévoyance de Vanuatu.

Cet instrument de révocation entre en vigueur à la date de sa signature.

Fait à Port Vila ce 26^{ème} jour d'octobre 2011.

Honorable MOANA KALOSIL CARCASSES (MP)
Ministre des Finances et de la gestion économique



REPUBLIC OF VANUATU

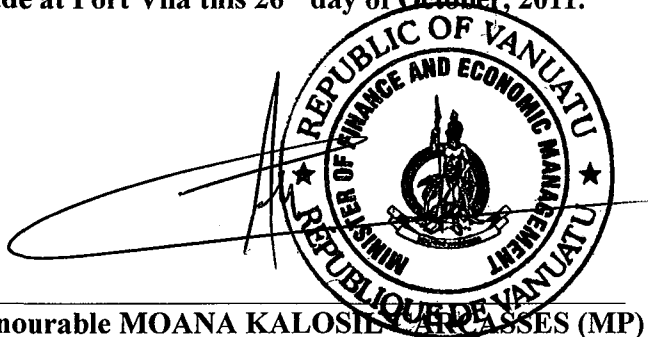
VANUATU NATIONAL PROVIDENT FUND ACT [CAP 189]

Instrument of Appointment – Members of the Vanuatu National Provident Fund Board Order No. 209 of 2011

In exercise of the powers conferred on me by subparagraph 3(1)(a)(iii) of the Vanuatu National Provident Fund Act [CAP 189], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management, appoint **Maurice Michel** as a member of the Vanuatu National Provident Fund Board, being a person representing the Government and nominated by the Minister after Consultation with the Director General of the Ministry of Finance and Economic Management and the Director General of the Ministry of the Prime Minister.

This Instrument of Appointment comes into force on the date on which it is made

Made at Port Vila this 26th day of October, 2011.



Honourable MOANA KALOSIL CARCASSES (MP)
Minister of Finance and Economic Management

Instrument of Appointment - Members of the Vanuatu National Provident Fund Board Order No. 209 of 2011



REPUBLIQUE DE VANUATU

LOI SUR LA CAISSE NATIONALE DE PREVOYANCE DE VANUATU [CAP 189]

Instrument de Nomination – Membres du Conseil de la Caisse Nationale de Prévoyance Arrêté No. 209 de 2011

Dans l'exercice des pouvoirs que me confère l'alinéa 3(1)(a)(iii) de la loi sur la Caisse nationale de prévoyance de Vanuatu [CAP 189], je, soussigné, l'honorable MOANA KALOSIL CARCASSES, Ministre des Finances et de la gestion économique, nomme de **Maurice Michel** membre du Conseil de la Caisse nationale de prévoyance de Vanuatu, étant une personne représentant le Gouvernement et désignée par le Ministre après consultation du Directeur Général du Ministère des Finances et de la gestion économique et du Directeur Général du Bureau du Premier Ministre.

Cet instrument de nomination entre en vigueur à la date de sa signature.

Fait à Port Vila ce 26^{ème} jour d'août 2011.

Honorable MOANA KALOSIL CARCASSES (MP)
Ministre des Finances et de la gestion économique



REPUBLIC OF VANUATU

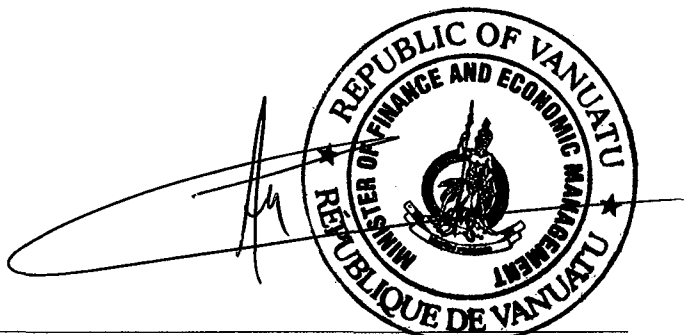
VANUATU NATIONAL PROVIDENT FUND ACT [CAP 189]

Instrument of Appointment – Chairman Order No. 210 of 2011

In exercise of the powers conferred on me by subsection 4(1) of the Vanuatu National Provident Fund Act [CAP 189], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management appoint **Maurice Michel** as the Chairman of the Board.

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

Made at Port Vila this 26th day of October, 2011.



Honourable MOANA KALOSIL CARCASSES (MP)
Minister of Finance and Economic Management



REPUBLIQUE DE VANUATU

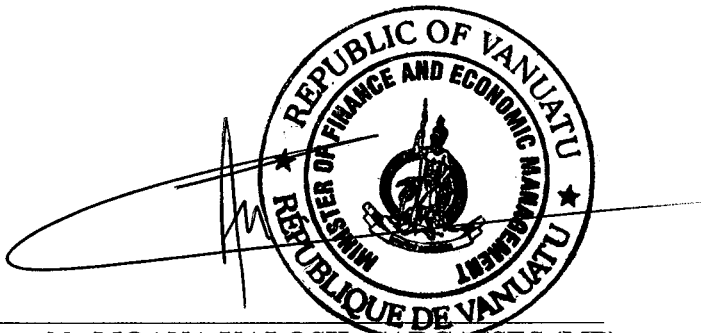
LOI SUR LA CAISSE NATIONALE DE PREVOYANCE DE VANUATU [CAP 189]

Instrument de Nomination – Président du Conseil Arrêté No. 210 de 2011

Dans l'exercice des pouvoirs que me confère le paragraphe 4(1) de la loi sur la Caisse nationale de prévoyance de Vanuatu [CAP 189], je, soussigné, l'honorable MOANA KALOSIL CARCASSES, ministre des finances et de la gestion économique nomme **Maurice Michel** président du Conseil.

Cet arrêté entre en vigueur à la date de sa signature.

Fait à Port Vila ce 26^{ème} jour d'octobre, 2011.



Honorable MOANA KALOSIL CARCASSES (MP)
Ministre des finances et de la gestion économique



REPUBLIC OF VANUATU

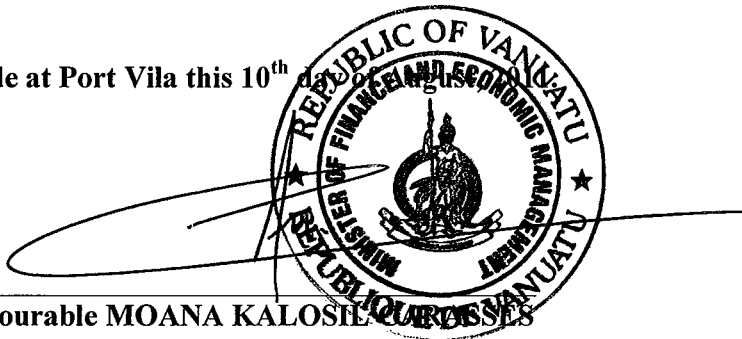
VANUATU NATIONAL PROVIDENT FUND ACT [CAP 189]

Instrument of Removal – Members of the Vanuatu National Provident Fund Board Order No. 211 of 2011

In exercise of the powers conferred on me by subparagraph 3(1)(a)(iii) of the Vanuatu National Provident Fund Act [CAP 189] and section 21 of the Interpretation Act [CAP 132], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management, remove **PAUL DE MONTGOLFIER** as a member of the Vanuatu National Provident Fund Board, being a person representing the Government and nominated by the Minister after consultation with the Director General of the Ministry of Finance and Economic Management and the Director General of the Ministry of the Prime Minister.

This Instrument of Removal comes into force on the date on which it is made.

Made at Port Vila this 10th



Honourable MOANA KALOSIL CARCASSES
Minister of Finance and Economic Management



REPUBLIC OF VANUATU

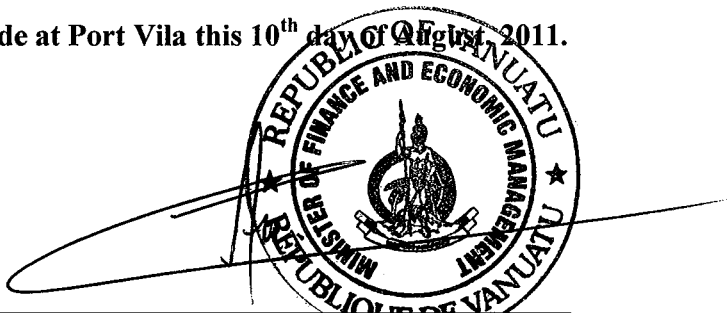
VANUATU NATIONAL PROVIDENT FUND ACT [CAP 189]

Instrument of Appointment – Members of the Vanuatu National Provident Fund Board Order No. 212 of 2011

In exercise of the powers conferred on me by subparagraph 3(1)(a)(i) of the Vanuatu National Provident Fund Act [CAP 189], I, the Honourable MOANA KALOSIL CARCASSES, Minister of Finance and Economic Management, appoint **PAUL DE MONTGOLFIER** as a member of the Vanuatu National Provident Fund Board, being a person nominated by the President of the Vanuatu Chamber of Commerce on the advice of the Council of the Vanuatu Chamber of Commerce.

This Instrument of Appointment comes into force on the date on which it is made

Made at Port Vila this 10th day of August 2011.



Honourable MOANA CARCASSES KALOSIL
Minister of Finance and Economic Management



DECENTRALIZATION ACT [CAP. 230]

**PUBLICATION OF THE APPROVED LIST OF CANDIDATES FOR THE 2011 SANMA
PROVINCIAL GOVERNMENT ELECTIONS**

Pursuant to Rule 7 of the Local Government Council Elections Subsidiary Regulations [CAP. 230]; **THE ELECTORAL COMMISSION HEREBY PUBLISHES** the list of candidates qualified to contest the Sanma Provincial Council Elections scheduled to be held on Thursday 10 November 2011 as follows:

NAMES OF CONTESTING CANDIDATES

NAME OF CONSTITUENCY

NUMBER OF CANDIDATES (73)

SANTO

15 SEATS

NAMES OF CANDIDATES

AFFILIATIONS

1. LANGI LANGI	UNION OF MODERATE PARTY (UMP)
2. MORIS PAULO	UMP
3. TITIPAIA EDWARD	UMP
4. BAPTIST MICHEL	UMP
5. SELER SIMEON	UMP
6. PETER JAMES	UMP
7. MASOA FREDERICK	UMP
8. WINO JACK	UMP
9. PAUL JOEL	UMP
10. ROCROC SILAS	UMP
11. SER WARLES	UMP
12. CEVUARD CALIXTO	UMP
13. RAVU BRETEN	UMP
14. PETER LOWRY	UMP
15. JOHN SANDE	VANUAAKU PARTY (VP)
16. BARRY MAX	VP
17. JAPHET STANLEY	VP
18. GREAM LAMPALUI	VP

19. LIVO LANGI OLSU	VP
20. PHILIP PASVU IERCET	VP
21. FRANK LENKI TAVUA	VP
22. NATHANIEL LIVO	NATIONAL UNITED PARTY (NUP)
23. VULA JACOB	NUP
24. WUS BEN KAVEN	NUP
25. FRANCO WARSAL	NUP
26. VIRAN WAJU	NUP
27. JOHN TIRIF	NUP
28. TIMOTHY MOLBARAV JOHN TARI	NUP
29. WILFRED TSIONE	NUP
30. BISTIL VOW	NAGRIAMEL (NAG)
31. JEAN PROPHET	NAG
32. SAUR MAXIME KARAI	NAG
33. SER SARKI	NAG
34. ROMARIC TIOME	NAG
35. JEAN CLAUDE KARAE	ALLIANCE
36. POPORO SAILAS	ALLIANCE
37. EVU VUDNAIA	ALLIANCE
38. ROLAND RITE	ALLIANCE
39. JENNY ARON	ALLIANCE
40. SORO ALIREVE	ALLIANCE
41. JERRY SOKARAI	ALLIANCE
42. SHEM KALO	ALLIANCE
43. TOM TAFTI	ALLIANCE
44. LOLOSO PEREI	ALLIANCE
45. LOKAI ISAAC	ALLIANCE
46. PHILEMON FALAPA	ALLIANCE
47. DAVID JOSES	ALLIANCE
48. JOSHUA NAVOHK	ALLIANCE
49. SUIL POPAUL	ALLIANCE
50. TASI EDMON	KRAON MO JASTIS PATI (KJP)
51. ABEL TANGIS POTAU	KJP
52. HARRY WINES KALO	KJP
53. MALIU VUSO	POPULAR MOVEMENT (PM)
54. MAURICE JACK	PM
55. HAROLD RAUPEPE	PM
56. JONNY JIMMY	PM
57. NALIUPIS JANIQUE	VANUATU REPUBLICAN PARTY (VRP)
58. PILO VUTI	VRP
59. PETATANIS TOMOSI	VANUATU PROGRESSIVE REPUBLICAN FARMER PARTY (VPRFP)

60. ARUTAPE JOHNATHAN	VPRFP
61. BOBOI ROBERT	VPRFP
62. JIOM JIMMY	FREN MELANESIAN PARTY (FMP)
63. MITA KAMMY	FMP
64. MACREVETH JEAN MARIE	FMP
65. PETER ANTILE	MELANESIAN PROGRESSIVE PARTY (MPP)
66. ANDI FARFAR	VEMARANA FEDERATION
67. LILI ALFRED	KASTOM MUVMMENT 15 ISLANDS
68. JEJEN KARISAUL	KASTOM MUVMMENT 15 ISLANDS
69. LI MANASEH	INDEPENDENT (IND)
70. VARAVAR CYRILLO	IND
71. JONAS JACOB	IND
72. HENRY TIOME	IND
73. MARO JONAS	IND

NAME OF CONSTITUENCY

NUMBER OF CANDIDATES (12)

MALO/AORE

3 SEATS

NAMES OF CANDIDATES

AFFILIATIONS

1. WILLIAM MALON	UNION OF MODERATE PARTY (UMP)
2. BANIVATOLE AMBOI BANI	UMP
3. HARRY ALICK	UMP
4. LIVO MOLI	VANUAAKU PATI (VP)
5. TOA LORENCE	ALLIANCE
6. JAMES ABEL	ALLIANCE
7. MOLITAVITI SAMSON	ALLIANCE
8. SALE SALE MATIAS	ALLIANCE
9. RASU TULAGI	NAGRIAMEL (NAG)
10. THOMAS VORA	NAG
11. TOATASI SOLOMON	INDEPENDENT

Made at Port Vila this 25th day of October 2011.



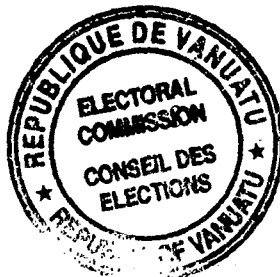
**JOHN KILLION TALEO
CHAIRMAN**



**MARTIN J TETE
MEMBER**



**LINNES TARIANGA
MEMBER**





REPUBLIC OF VANUATU


OATHS ACT [CAP 37]

OFFICIAL OATH

I, **KALFAU GEORGE KALORIS**, do swear that I will bear true faith and allegiance to the Republic of Vanuatu and will uphold the Constitution and the law and I will conscientiously, impartially and to the best of my ability discharge my duties as the **High Commissioner of the Republic of Vanuatu to the Commonwealth of Australia**, and do right to all manner of people without fear or favour, affection or ill-will.


So Help Me God.

SWORN at Port Vila]
This 19th day of]
October, 2011]



Before Me:





ALATOI ISHMAEL KALSAKAU
Attorney General
of the Republic of Vanuatu



REPUBLIC OF VANUATU


OATHS ACT [CAP 37]

OATH OF ALLEGIANCE

I, **KALFAU GEORGE KALORIS**, do swear that I will well and truly serve and bear true allegiance to the Republic of Vanuatu according to law.

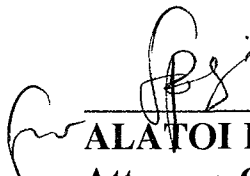
So Help Me God.

SWORN at Port Vila]
This 19th day of]
October, 2011]



Before Me:





ALATOI ISHMAEL KALSAKAU
Attorney General
of the Republic of Vanuatu