REPUBLIC OF VANUATU OFFICE OF THE OMBUDSMAN

PUBLIC REPORT

ON

IMPROPER PURCHASE OF PUBLIC WORKS DEPARTMENT LORRIES IN 1994

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PREAMBLE

"The thoughts of the righteous are right, but the counsels of the wicked are deceit" Proverbs 12 v 5

This report illustrates yet again how any or very law can be made ineffective and useless if personal advantage or maladministration are allowed to take priority over justice. All the Comprehensive Reform Program has ever devised can be brought to nothing if there is no determination to act uprightly, and if friends are given priority over fairness.

SUMMARY

This is a report issued by the office of the Ombudsman based on the conduct of the former Director of Public Works Department, Mr Benoît Saint Omer ("St Omer") and the former Minister of Transport, Mr Amos Bangabiti ("Mr Bangabiti"). The report focuses on the purchase of Public Works Department vehicles without using proper tender procedures.

On 18 July 1994, the Director of Public Works Department, Mr Saint Omer, requested the Ministry to buy 2- 3 lorries for the Tanna PWD subdivision. He submitted the request with a list of quotations obtained from various companies. The Council of Ministers sat on 18 August 1994 and decided to award the contract to a company (Company "A") for 3 Hyundai trucks for Vt.14,177,940. After informing Company "A" of their decision, the Council of Ministers met again on 27 September 1994 and revoked their decision of 18 August 1994. They decided to offer the contract to another company (Company "B") for 3 Toyota trucks for Vt.16.500,000.

The normal procedure is:

- Minister of Transport must approve the project
- Then the tender board handles the procedure and recommend to whom the contract is to be awarded in according in precise procedures (advertisement, etc...) outlined in the Financial Regulations.

The Ombudsman's investigation revealed that procedures outlined in the Finance Regulations were ignored by the Director of PWD, Mr Omer and the Minister of Transport, Mr Bangabiti, the Central Tender Board was not contacted to handle the matter for both the first and the second contracts. The Council of Ministers failed on both occasions to ensure that all required tender procedures were completed before they approved the contracts.

We therefore found serious breaches of laws and procedures which could have led the contract to be considered as null and void as stated in a recent Magistrate judgment: Rolland v Director General of Finance (Civil Case 25 of 1998).

In her report the Ombudsman recommended that:

- all government departments, ministries and other public institutions be required to observe and follow the Finance Regulations when purchasing public vehicles. The Director Generals ensure that all ministries and departments have got a copy of the Finance Regulations
- 2) the current Director of Public Works Department familiarise himself with the relevant laws and provide training to his staff to ensure that similar breaches do not occur in the future.

1. JURISDICTION

- 1.1 The Constitution and the Ombudsman Act No 14 of 1995 allow me to look into the actions of the government and other organisations that the government has interests in. I can also look into defects in the law or the administration of the law, discrimination and breaches of the Leadership Code. This includes defects of procedures set out in the Finance Regulations.
- 1.2 The Ombudsman Act still applies to this case even though it has been repealed recently as the investigation began while the Act was in force. (Interpretation Act [CAP 132] s. 11).

2. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED

- 2.1 The purpose of this report is to present my findings as required by Article 63 of the Constitution and Section 24 of the Ombudsman Act.
- 2.2 The scope of this investigation is to establish whether the approach taken to purchase trucks by Mr Saint Omer and Mr Bangabiti was in accordance with the requirements of the Finance Regulations. It is also to determine whether the conduct of Mr. Saint Omer and Mr. Bangabiti in arranging for the purchase of the trucks without the Tender Board was proper.
- 2.3 This Office collects information and documents by informal request, summons, letters, interviews and research.

3. OUTLINE OF EVENTS

Date	Event			
14.06.94	The Public Works Department (PWD) requested different companies to supply quotations for the PWD to purchase 2 - 3 lorries for Tanna. PWD did not contact the Tender Board and did not follow any formal tender procedures.			
18.07.94	The Director of PWD, Mr Benoît Saint Omer, wrote to the Minister of Transport, Mr Amos Bangabiti, requesting the purchase of 2-3 lorries. His letter included quotations received from four companies:			
18.08.94 The Council of Ministers (COM) met and approved the contract offer ma Company "A" for Vt.14,177,940. (see appendix A). The COM comprised				
	Mr John Sethy Regenvanu Mr Willie Jimmy Mr Thomas Broti Faratia M	Mr Paul Telukluk Mr Cecil Sinker Mr Romain Batick Mr Edward Tambisari Mr Serge Vohor		
26.08.94	The Director of PWD informed Compaccept its tender.	cany "A" of the decision of the COM to		
31.08.94	Mr Bangabiti, informed Mr Saint Omer that he would like to change the COM decision to purchase 3 Hyundai Lorries to 3 Toyota Lorries. He instructed him to postpone the ordering of the lorries from Company "A".			

01.09.94 The Director of PWD advised Company "A" in writing of the postponement of the ordering of the 3 lorries. This same day, the sales Manager of Company "B" resubmitted the proforma 01.09.94 invoice to the Director of PWD for VT 16,500,000 5.09.94 In a letter from Director of PWD to the Minister of Transport, Mr. Saint Omer confirmed the Minister's order to PWD postponing the purchase of Lorries from Company "A". (see Appendix B) 27.09.94 The COM sat again, revoked their decision of 18 September 1994 and decided to offer the contract for the lorries to Company "B". (See appendix C) 27.09.94 The Secretary General of the COM, wrote to the Minister of Transport advising him that the COM had revoked their decision of 18 August 1994 and that the contract for the supply of lorries was to be awarded to Company "B" for VT.16,500,000.

4. RESPONSES TO THE PRELIMINARY REPORT

- 4.1 The preliminary report in this matter was issued on 23 July 1998 to enable persons complained of an opportunity to reply to the preliminary findings.
- 4.2 Responses were received from:

Mr. Amos Bangabiti

Mr. Cecil Sinker

Mr. Charley Nako

Mr. Thomas Broti Faratia

Mr. Benoît Saint Omer

- 4.3 Mr. Bangabiti acknowledged that proper procedures may not have been followed. He stated his decision purchase the vehicles from Company "B" was a benefit to the people on the island because the vehicles are well maintained until today.
- 4.4 Mr. Cecil Sinker and Mr. Charley Nako said that they were part of the Council of Ministers so they voted along with the other members just to endorse what Minister Bangabiti and his technical officers had decided on. Mr Sinker said that it was the Minister's responsibility to ensure that the law was followed.
- 4.5 Mr. Thomas Broti Faratia said that the Attorney General was present at the Council of Ministers' meetings and he should have advised them of the proper procedures
- 4.6 Mr. Saint Omer said that he did not think that government money was misused in this matter and that whatever procedure was to be followed, the technical and financial choices were satisfactory.
- 4.7 The above answers did not contradict our statement that Financial Regulations had been breached. As stated recently in a Magistrate Court case, the unlawfulness of a contract with a Government can made that contract null and void and this judgment stated that Ministers must comply with Financial Regulations.

5. RELEVANT LAWS AND REGULATIONS

5.1 PUBLIC FINANCE ACT (CAP 117)

POWER AND DUTIES OF THE MINISTER AND ACCOUNTING OFFICERS

POWERS OF MINISTER

- 2(1) The Minister shall so supervise the expenditure and finances of the Government as to ensure that a full account thereof is made to Parliament and that control by Parliament is upheld and for such purpose, shall, subject to the provisions of this Act, have the management of the Revenue Fund and the supervision, control and direction of all matters relating to the financial affairs of the Government which are not assigned to any other person by or under any Act.
- (2) The powers, duties and functions of the Minister under this Act may be exercised by any officer, agent or trustee, authorised by him in writing to the extent of the authority contained in such writing.

DUTIES OF ACCOUNTING OFFICERS

With or responsible for the collection, receipt, custody, issue or payment of public or other monies, stores, stamps, investment, securities or negotiable instruments whether the property of the Government or entrusted to the Government or to any public officer in his official capacity either alone or jointly with any public officer or any other person, shall be subject to this Act and any order made hereunder and shall perform such duties, keep such books and render such accounts as may be prescribed by or under this Act or by instructions issued by order of the Minister in matters of accounting or financial procedures not inconsistent therewith.

FINANCE REGULATIONS

PURCHASE OF GOODS AND SERVICES

PROCUREMENT PROCEDURES

- 361 (3) Where the cost of a specific work or service exceeds 1 Million vatu, at least three (3) written tenders must be obtained. These tenders must be submitted to the Central Tender Board for its evaluation and for the awarding of the contract.
- 5.3 Finance Regulations 361 to 367 require that formal tender procedures must be followed where more that 1 million vatu is involved. Tenders should be called by open competitive bidding, sealed in envelopes. Tender notice should be given out within two weeks by radio announcement, press advertisement and also the Government Gazette for tenders over Vt.500,000. Tenders should be submitted to the tender board's secretary. The formal tender procedure also emphasises the tender notice requirements, procedures for opening tender submissions and procedures for evaluating and awarding of the tenders

- 5.4 The members of the Tender Board should comprise of the Director of PWD or his representative, the Director General of Finance or his representative and a representative of the Ministry of Transport. Two thirds of the members can constitute a board meeting.
- The reason why the Tender Board is given the power to decide to whom a contract is awarded is because the Tender Board is made up of technical officers who know what they are dealing with. Technically detailed documents are submitted to the Tender Board and the members of the Board (technical officers) are therefore in a better position to make decision on the merits of each case and the best interest of the Government as a whole because they are specialists. Ministers of state are not qualified to do this. They are politicians.

Power of the Council of Ministers

- 5.6 Interim Financial Regulation 368 (1) and (2) Provides:
 - (1) Upon receipt of the technical officer's report, the Board shall reconvene and accept the lowest, evaluated tender. If this is not done, the minutes of the Board meeting shall include a full explanation of the reasons why this did not happen.
 - (2) All tenders exceeding 3 million vatu must be approved by the Council of Ministers before they are awarded.
- 5.7 The COM does not have the power to make a decision purporting to award a contract to any particular contractor. The power given to the Council of Ministers in relation to tender procedures is the power merely to approve or disapprove the award of the contract to that particular contractor whom the Tender Board has already decided on. This COM's power is more or less a procedural requirement requiring the COM to give their final "blessing", when the contract concerned particularly involves an amount of money which is excess of VT3 million.

6. FINDINGS

The conduct of the Director of PWD, Mr Benoît Saint Omer, the Minister of Transport, Mr Amos Bangabiti and the Council of Ministers was contrary to law.

Council of Ministers

Mr Maxime Carlot Korman Mr Paul Telukluk
Mr John Sethy Regenvanu Mr Cecil Sinker
Mr Willie Jimmy Mr Romain Batick
Mr Thomas Broti Faratia Mr Edward Tambisari
Mr Charley Nako Mr Serge Vohor
Mr Amos Bangabiti

The purchase of trucks for the Public Works Department without following formal tender procedures was in breach of 361(3) of the Finance Regulations and hence contrary to law. This purchase was undertaken by the Director of Public Works Department Mr Saint Omer, authorised by the Minister of Transport Mr Bangabiti and approved by the Council of Ministers. For both occasions, the first and the second contracts the central tender board was not contacted to handle the matter as required by regulation 361 of the Finance Regulation. Tenders were not called by open competitive bidding sealed in envelopes. Tender notices were not advertised.

7. RECOMMENDATIONS

- 7.1 Recommendation 1: All government departments, ministries and other public institutions observe and follow the requirements of the Finance Regulations when purchasing public vehicles. The Director Generals ensure that all ministries and departments have got a copy of the Finance Regulations.
- 7.2 Recommendation 2: The current Director of Public Works Department familiarise himself with the relevant laws and provide training to his staff to ensure that similar breaches do not occur in the future.

8. CONCLUSION

- 8.1 To comply with Article 63(2) of the Constitution and Section 22 of the Ombudsman Act, the Ombudsman requests the Prime Minister and his Director General, Minister of Transport and the Director of Finance to consider these recommendations and to put them into effect.
- 8.2 The Office of the Ombudsman must be notified of the decision and proposed steps to implement these recommendations within thirty (30) days of the date of this report.

Dated the 20th day of November 1998

Marie-Noëlle FERRIEUX PATTERSON OMBUDSMAN OF THE REPUBLIC OF VANUATU

9. INDEX OF APPENDICES

- A Council of Minister's decision of 18.08.94
- B Saint Omer's Letter to Bangabiti confirming the postponement
- C Council of Minister's decision of 27.09.94 cancelling the first contract

REPUBLIC OF VANUATU

PUBLIC WORKS DEPARTMENT

PRIVATE MAIL BAG 044 PORT VILA

SERVICE DES TRAVAUX PUBLICS SAC POSTAL PRIVE 044

REPUBLIQUE DE VANUATU

PORT VILA

Tel: (678) 22888

Fax: (678) 24495

PHOLPS

10	B DESCRIPT	ION		Ref gw/
PO	ST TITLE:			SALARY LEVE
Sul	odivisioner			
DE	PARTMENT:			DATE OF PREPARATION
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	27	Simeon Nixon	fancasa.	Benoit Saint-Omer
		Corporate Services N		Director
		Public Works Depart	ment	Public Works Department





The

GOVERNMENT OF THE REPUBLIC OF VANUATU

OFFICE OF THE PRIME MINISTER

BUREAU DU PREMIER MINISTRE

Our Ref. PSD W.LOP/08/92/PPF MK

20 March 1992

Mr Willie Lop C/- Public Works Department TANNA

Dear Mr Lop,

LETTER OF TEMPORARY APPOINTMENT

I am pleased to approve your appointment on temporary terms as an Assistant Foreman in the Public Works Department with effect from 23th March 1992.

Your temporary appointment is intended to last until further notice.

Your appointment may be terminated at any time by either party giving one month's notice.

The post is in grade P8 of the Public Service Salary Scales and your temporary appointment would be on an annual salary of VT: 502.704 plus a supplement of VT: 30.000 per annum. As a temporary officer you are not entitled to family allowance and housing allowance.

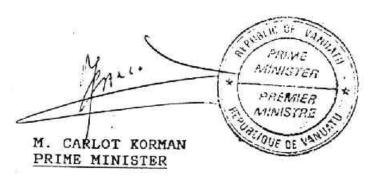
You are subject to regulations and instructions applicable to the Public Service, with the exceptions as detailed in the Staff Manual (extended sick leave, maternity leave and special leave). In addition temporary officers are not entitled to receive free medical treatment or to become a member of any future pension scheme.

*

- 2-

Any questions of interpretation should be referred to the Prime Minister for decision.

Yours sincerely,



Copies: Director of Public Service (2)

: Director General of Finance

: Director of Public Works

: Auditor General

: Prime Minister's Office (2)

: Management Services Unit



PSD file

REPUBLIC OF VANUATU PUBLIC WORKS DEPARTMENT PMB 044 PORT VILA

REPUBLIQUE DE VANUATU SERVICE DES TRAVAUX PUBLICS SAC PRIVE 044 PORT VILA

E M R U M Phone:

Port Vila 2888

iurvice

3:17

DATE

: 4 November 1993

OUR REF: /stf/rl/sj007.mem/

The Director

: Public Works Department

DU

:---Mrs Maria Crowby

TO

Director, Public Service Department

A RE

APPROVED CANDIDATE TO WORK WITH PUBLIC WORKS DEPARTMENT

Few months ago we have asked your Department to advertise the following positions for our Department and I would recommend that the following candidates who have been approved by myself for recruitment

Approved candidate	Title	Scale	Place
Mr Noah Bihu	One Foreman	(P10)	Santo
Mr Willie Lop	One Foreman	(P10)	Tanna
Miss Florida Bob	Personnel Officer	(P5)	Vila

Their applications have been sent direct to your office for consideration.

With these informations I hope you can proceed to appoint them without further delay.

Thankyou very much

BENOIT SAINT-OMER

Director \

Public Works Department

Imit -

: Andre Lesines D/Director PSD

Manager Corporate Services

DE LA
RÉPUBLIQUE DE VANUATU

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SERVICE DE LA PUBLIFE

FONCTION PUBLIQUE

Sac Postal Privé No. 017 Port Vila

PSD. 164/08/94/PM/mjm



GOVERNMENT
OF THE
REPUBLIC OF VANUATU

DEPARTMENT OF PUBLIC SERVICE

Private mail Bag 017 Port Vila

7th January 1994

Mr Willie LOP C/- Public Works Department PORT-VILA

Dear Mr Lop,

I am directed by the Public Service Commission to offer you a permanent appointment to the post of a Foreman (Tanna) in the Public Works of the Vanuatu Government Public Service subject to the production of a certificate of medical fitness given by a medical practitioner approved by the administration. This medical certificate should be submitted within 28 days from the date of this letter.

The post is in grade P13 of the Public Service Salary Scales and your appointment would be on an annual salary of VT. 769.896 per annum plus a supplement of VT. 51.000 per annum with effect from 29th December 1993.

The terms and condition of service applicable to the Vanuatu Public Service are contained in the Staff Manual for the Public Service and will apply to you. You should familiarise yourself with the contents of the conditions which have been issued so far to amend some of the sections of the Staff Manual which should be available in your Department.

You may be called upon to carry out your duties in any place in the Republic.

D

You will be required to serve on probation for Two years only and confirmation of your permanent appointment will be decided by the Public Service Commission only after the expiry of the probationary period and with the favourable recommendation of your Head of Department. The Commission may extend the probationary period or terminate your employment after giving one month's notice if your service, conduct or health are not satisfactory.

If you accept this offer of appointment, please confirm your acceptance in writing.

This letter cancells and replaces the letter Ref. PSD. 164/08/94/PM/m dated 5th January 1994.

Yours faithfully,

Putilic Service CAUGES

LETTINES OF PROJECT OF PROJECT SERVICE Department

Farst Secretary, Ministry of Transport

Public Works Department

Salary Section

Audit

MSU

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Chrono

GOVERNMENT OF THE

REPUBLIC OF VANUATU



DE LA

GOUVERNEMENT

RÉPUBLIQUE DE VANUATU

BUREAU DU PREMIER MINISTRE

OFFICE OF THE PRIME MINISTER

Our Ref. N. BIHU/08/92/er

20 October, 1992

Mr Noha BIHU, C/- Public Works Department, LUGANVILLE, Santo.

Dear Mr BIHU,

LETTER OF TEMPORARY APPOINTMENT

I am pleased to approve your appointment on temporary terms as Regional Manager (North) at the Public Works Department with effect from 1st November, 1992.

Your temporary appointment is intended to last until further notice.

Your appointment may be terminated at any time by either party giving one month's notice.

The post is in grade P.16 of the Public Service Salary Scales and your temporary appointment would be on an annual salary of VT: 970,966 plus a supplement of VT: 51.000 per annum. As a temporary officer you are not entitled to family allowance and housing allowance.

You are subject to regulations and instructions applicable to the Public Service, with the exceptions as detailed in the Staff Manual (extended sick leave and special leave). In addition temporary officers are not entitled to receive free medical treatment or to become a member of any future pension scheme.

Any questions of interpretation should be referred to the Prime Minister for decision.

> PRIME MINISTER

PREMIER

Yours sincerely,

Maxime Carlot KORMAN

PRIME MINISTER

Copies: Director of Public Service (2)

: Prime Minister's Office (2)

: Director General of Finance

: Auditor General

: Public Works Department

: Management Services Unit

: File

TELEPHONE hazaras

SAC POSTAL RÉSERVÉ 053

TELEX: 1040 VANGOV

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GOUVERNEMENT DE LA RÉPUBLIQUE DE VANUATU

SERVICE DE LA FONCTION PUBLIQUE

Sac Postal Privé No. 017 Port Vila

PSD. 164/08/94/PM/mjm



GOVERNMENT OF THE REPUBLIC OF VANUATU

DEPARTMENT OF PUBLIC SERVICE

Private mail Bag 017 Port Vila

7th January 1994

Mr Noah BIHU C/- Public Works Department PORT-VILA

Dear Mr Bihu,

I am directed by the Public Service Commission to offer you a permanent appointment to the post of a Foreman (Santo) in the Public Works Department of the Vanuatu Government Public Service subject to the production of a certificate of medical fitness given by a medical practitioner approved by the administration. This medical certificate should be submitted within 28 days from the date of this letter.

The post is in grade P13 of the Public Service Salary Scales and your appointment would be on an annual salary of VT. 769.896 per annum plus a supplement of VT. 51.000 per annum with effect from 29th December 1993.

The terms and condition of service applicable to the Vanuatu Public Service are contained in the Staff Manual for the Public Service and will apply to you. You should familiarise yourself with the contents of the conditions which have been issued so far to amend some of the sections of the Staff Manual which should be available in your Department.

You may be called upon to carry out your duties in any place in the Republic.

You will be required to serve on probation for Two years only and confirmation of your permanent appointment will be decided by the Public Service Commission only after the expiry of the probationary period and with the favourable recommendation of your Head of Department. The Commission may extend the probationary period or terminate your employment after giving one month's notice if your service, conduct or health are not satisfactory.

If you accept this offer of appointment, please confirm your acceptance in writing.

Yours faithfully,

Deputs Director/
Public Service Department

Copies : Secretary, Ministry of Transport

Public Works Department

Salary Section

Audit MSU

PF

Chrono

BUREAU DU PREMIER MINISTRE



GOVERNMENT OF THE REPUBLIC OF VANUATU

OFFICE OF THE PRIME MINISTER

N/Ref PM/301/1/1118/MCK/93



Port Vila , 10/12/93

Objet : Lettre de récrutement Temporaire

Monsieur.

Soyez avisé de votre récrutement temporaire au poste de "Senior Foreman" (Maiekula) Département des Travaux Publics, à compter du 10 Décembre 1993.

Cette affectation pourra cesser à l'initiative de l'une des deux parties concernées, suite à un mois de préavis.

Le grade de renumération est en P.14 dans l'échellle salariale de la Fonction Publique, dont le salaire annuel est à hauteur de VT 829 728 avec un supplement de VT. 51 000, par an. En tant qu' Agent temporaire, vous ne pouvez bénéficier d' allocations familiales ni d' indemnites de logement, etc.

Vous êtes sujet aux règles et usances de la Fonction Publique en matière d'emploi, ainsi stipulé dans le réglement intérieur de la Fonction Publique (Staff Manual).

Agréer Monsieur, l'expression de mes salutations distinguées.

Maxime Carlot KORMAN

Premier Ministre et

Ministre de la Fonction Publique

Copies : - Directrice , Département Fonction Publique

- Bureau du Premier Ministre
- Directeur Général des Finances
- Ministère des Transports
- Directeur des Travaux Publics
- Service Gestion de la Fonction Publique
- Auditor Général
- Attorney General's Chamber

TELEPHONE: 22 413 PRIVATE MAIL BAG 053 TELEX: 1040 VANGOV

hr. Ruru. File

MNF

H

Benoît SAINT-OMER former director of PWD of Vanuatu Direction of Equipment PO Box H4 98849 / NOUMEA CEDEX

Your ref.:
- 5708/7038/L20/bs0
appointment of PWD staff

Nouméa.

14 December 1998

By letter dated the 4 December 1998, you sent me the preliminary report on the alleged improper appointment of senior Public Works Department staff.

I would like to underline or comment some statements.

i) it was, and certainly still is, difficult for any expatriated or Ni-Vanuatu director, not to follow a Prime Minister's decision. In this particular case, the office of the Prime Minister decided to recruit these three people without requesting technical advise from PWD. It was certainly possible not to be « the puppets of politicians » but with the high risk of being ready to be suspended, dismissed or fired.

ii) This high level staff should have been recruited on technical basis only. Indeed they had to manage staff, works, contracts, money for benefit of whole vanuatu people. They had to know about roads, buildings, bridges, water and electricity supply. They had to solve technical issues, financial difficulties, management conflicts, train their own staff, when they were unable to do so because of lack of technical background.

From the technical point of view such appointments were certainly damageable for the efficiency of PWD. I am not able to comment about state interest, if any, due to my technical appointment...

Yours sincerely.

Benoît SAINT-OMER

REPUBLIC OF VANUATU

PUBLIC WORKS DEPARTMENT PMB 044, PORT VILA VANUATU Tel +678 22888



REPUBLIQUE DE VANUATU

SERVICE des TRAVAUX PUBLICS PMB 044, PORT VILA VANUATU Fax +678 24495

Our Ref:

Date:

January 22, 1999

Marie Noelle Ferrieux Patterson Ombudsman of the Republic of Vanuatu Port Vila



Subject:

Respond to Your Preliminary Report on Alleged improper appointment of 3 Public Works Department Staff

Thank you very much for your letter dated 4 December 1998 regarding the above topic. I have to say sorry because I could not responded within 15 days because I am taking my annual leave. The leave started on 6 November '98 and ends on 15th January '99. I resume duty again on Monday 18 January and this is when I read your letter. However I have nothing to hit from you because you are already very common with the details.

The whole issue arise during the 1993 November VPSA strike. During that period Mr. Saint Omer was taking his annual leave in France and Mr. Manasseh Tary his Deputy was acting during his absence. How I came to associate myself in the process is because Mr. Manasseh Tary had also gone on strike and our Minister Amos Bangabiti appointed me to be acting because there is no-one around to manage or direct the affairs of Public Works Department. A copy of minister's letter is attached. This is the only sole reason how I got involve and my acting appointment ceased when director Benoit Saint Omer returned to Vanuatu.

Regarding the recommendation made by me and Amos Bangabiti for G. Ruru to temporarily appointed to sub-divisioners post. Mr. Ruru was recommended by Prime Minister's office and we had no choice but to write and accepted his name. In fact he was already appointed on 10 December even though they had not received our recommendation. I think my participation to recommend Mr. Ruru base mainly on the strike situation and this is temporary appointment and should be stopped when strike ends. The outcome or the strike itself does not end as expected and this is his case. Stuke Keeps on delay until recently when he was terminated and Mr. Kensy Yosef has been appointed. I take his case as we need someone badly to manage the whole affairs of

Lakatoro because Mrs. Madeline Sewere cannot carry all responsibilities herself. This is my comment only.

VANUA

Thank you very much.

SÍMEON J. NIXON

Manager Corporate Services Public Works Department

Port Vila.

J

Bithe Noch. Luganille, Eguso.

17/12/98

Lugarille, 17/12/98.

Mme Marie-Noële FERRIEUX PATTERSON OHBORDS MAN of the Republic of Venuery. PMB 126 Pout-VILA.

lef: your ref nº 5/16/7038/120/n6.

folia fore liminary report blong que, regarding long ref. autap dated 4/12/98.

Mi like blong indicateur long office blong que, re mi finst Kasen enne befre ia long 15/12/98 by hend true long of Brien PeuD Signiro Mi wanten contribute long revain comments long concern How office Hong you blow, descripen pulsticly reputation bong mi, we mi victim, long of forecess, mi understand of similar commissioned long of precedent Gov one power i bin fokur same faces in some How John affication tra long wan politicle influence. Just achetty How office blong you i certifalm so mi no contraction aga long era ia, but bublishy of pipol blong strums mo Torsa of i regret blong luseum warm most valed redei tru long experience mina generation pro berlandance mi bin embrusion of almost libe. no performance mi bin emprevious of sanolard thong of existent rozal long compare long fact we i him Kal wan European man mo experience he apaliful of man as Engeneer ins him capable blong givin back seince long of fifes true long to me budget we gov i him allocatem but eur i bein pem of sin itale blong plane blong family

an jest brucket i buis over spend before year i finis. Jack mi think mi him pranum mi long of pipol How mi bin capable blong buildein mer fæder road beg raral eria water contribution Hong somme Province we of previous. Experience man aus big maken. Mi foroud blong Talan long office blong you me bin sevent blong suncen pipol water capacity we mi keet, tru of courses of management by training chair blong had, mi bin troom best long chety we mi responsable long and blong giving back suice long of pipol.

Eventuely sig differed of soard standard so rainen mi audicatand se raform policy i stap perform of skill bright long field maken se standard blong rozol i become more book. Mi thankem yn long era we office blong yn i step carry out long matter concern, mi hope weten of reports blong misconduct boong seiterin civil nevant 80 far long Avil i 8 hud carry out Too blong me kem dais waters maken Jain justice. Mi wanten remindem eria ia naison we objete toipolia i still remain yet long office, base of a continu blong committeen of fact.

thank yn long undertanding. BOHO NOAH.