

**REPUBLIC OF VANUATU  
OFFICE OF THE OMBUDSMAN**

**PUBLIC REPORT  
ON THE  
SEVERANCE PAYMENT  
AND  
THREE MONTHS SALARY  
IN LIEU OF NOTICE  
TO THE  
1996 SANMA PROVINCIAL COUNCILLORS**

20.07.2001

7122/2001/04

**PUBLIC REPORT  
ON THE  
SEVERANCE PAYMENT  
AND  
THREE MONTHS SALARY IN LIEU OF NOTICE TO THE  
1996 SANMA PROVINCIAL COUNCILLORS**

**SUMMARY**

During the Sanma Provincial Council sitting that took place from 21 May to 13 June 1996, the Sanma Provincial Council decided to dissolve itself and passed a motion to obtain (a) a monthly allowance; (b) severance pay and (c) 3 months payment in lieu of notice for the Councillors.

The Councillors decided to dissolve the Sanma Provincial Council without regard to section 14 of the Decentralization and Local Government Regions Act No.1 of 1994. Section 14 provides for the Minister to recommend to the Prime Minister that the Council be dissolved. The Prime Minister will then issue an order to dissolve the Council. By the decision of the Council to dissolve itself without consultation with the Minister, the Councillors may have acted in breach of section 14.

The amount of severance pay (Vt3,195,000) and three months salary in lieu of notice (Vt 2,204,616) received by the nominated and elected members amounted to a total of five million three hundred ninety nine thousand six hundred sixteen vatu (Vt 5,399,616).

The Principal Finance Officer of the Department of Provincial Affairs, Mr Martin Tete stated that they had informed the members of their entitlements during the Full Council sitting. The President, the Secretary General and the Accountant of the Provincial Government were also advised accordingly both in writing and through phone calls. In fact, the Councillors were well aware that the severance pay and the payment of three months salary in lieu of notice they were receiving was contrary to the Decentralization and Local Government Regions Act No.1 of 1994. Furthermore, despite the advice given, the councillors allegedly threatened and forced the Secretary General and the Accountant of the Sanma Province to pay them these claims.

Under the Employment Act the Councillors should not have been considered employees of the Council as they were elected or appointed members. Even if they considered themselves employees, their employment was not terminated by their employer, the Minister, as there was no formal dissolution of the Council as required under the Decentralization Act. Arguably, they were not entitled to severance pay under the Employment Act.

Section 24 of the Decentralization and Local Government Regions Act No.1 of 1994 provides that at the end of their term of office, the elected and appointed members of Local Government Councils shall receive a payment of gratuity and the rate of that gratuity shall be determined by the by-laws made by the Local Government Councils. By the Council's decision to allocate itself severance pay and three months salary in lieu of notice, the Councillors may be in breach of section 24, which specifically provides only for a gratuity payment not exceeding 15% of all monthly allowances received by a member.

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## **1. JURISDICTION**

- 1.1 The Constitution, the Ombudsman Act and the Leadership Code Act allow the Ombudsman to look into the conduct of government, related bodies, and Leaders. This includes the conduct of elected and nominated members of local government Councils. The Ombudsman can also look into defects in laws or administrative practices, including the Decentralization and Local Government Regions Act No. 1 of 1994 and the Employment Act [CAP 160].

## **2. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED**

- 2.1 The purpose of this report is to present my findings as required by the Constitution and the Ombudsman Act and the Leadership Code Act.
- 2.2 The scope of this investigation is to establish the facts about the payments of severance allowance and three months notice to SANMA Provincial Councillors and to determine whether or not such payments were legal.
- 2.3 This Office collects information and documents by informal request, summons, letters, interviews and research.

## **3. RELEVANT LAWS, REGULATIONS AND RULES**

- 3.1 The relevant Constitutional and statutory provisions are mentioned in **Appendix M** at the end of this report.
- 3.2 The Constitution and the Leadership Code Act provide that a leader has a duty to conduct himself in such a way both in his public and private life, so as not to demean his office or position.
- 3.3 The Leadership Code Act provides for a code of conduct governing the leaders of the people of Vanuatu.
- 3.4 The Decentralization and Local Government Regions Act No.1 of 1994 provides for the payment of gratuities to elected and appointed members of Local Government Councils.
- 3.5 The Employment Act provides for the payment of severance allowance.
- 3.6 Standing Order No.1 of 1994 SANMA Local Government Region, which is approved by SANMA Provincial Council in exercise of the powers contained in section 10(1) of the Decentralization and Local Government Regions Act No.1 of 1994, provides for a sitting allowance for every member of the Local Government Council.

## **4. OUTLINE OF EVENTS**

- 4.1 On 21 May to 13 June 1996 the SANMA Provincial Councillors, both elected and nominated, passed a motion (**see Appendix A: Council's minutes**) to obtain their:
- (a) monthly allowance (elected member Vt35,000 and Vt10,000 for nominated member);
  - (b) severance payment (1 year and 6 months); and
  - (c) 3 months payment in lieu of notice (July, August, September, 1996) (See Tables below).

# SEVERANCE PAY

DECEMBER 1995 - JUNE 1996

NAMES	DATE OF SITTING					SEVERANCE PAY
	9.12.94	03.05.95	01.11.95	17.04.96	17.05.096	
SAMUEL TERCET	40.000	40.000	40.000	40.000	40.000	200.000
KALMER VOCCOR	35.000	35.000	35.000	35.000	35.000	175.000
DANIEL DICK	35.000	35.000	35.000	35.000	35.000	175.000
LEON OVA	35.000	35.000	35.000	35.000	35.000	175.000
JOHN LUM	35.000	35.000	35.000	35.000	35.000	175.000
GILVERT RURUVARI	35.000	35.000	35.000	35.000	35.000	175.000
BERNARD VIRA	35.000	35.000	35.000	35.000	35.000	175.000
MAKALI BANI BANIURI	35.000	35.000	35.000	35.000	35.000	175.000
CHRISTIAN MALIU	35.000	35.000	35.000	35.000	35.000	175.000
REMY PACKET	35.000	35.000	35.000	35.000	35.000	175.000
AMOS RAU	35.000	35.000	35.000	35.000	35.000	175.000
STEVEN NAKATO	35.000	35.000	35.000	35.000	35.000	175.000
HAVO MOLI MATAIKOLE		35.000	35.000	35.000	35.000	140.000
BANIBANI UA	35.000	35.000	35.000	35.000	35.000	175.000
PETER NATU.	35.000	35.000	35.000	35.000	35.000	175.000
AKI PERELINI	35.000	35.000	35.000	35.000	35.000	175.000
KAMI MITA	35.000	35.000	35.000	35.000	35.000	175.000
SALE RANI			10.000	10.000	10.000	30.000
KELEB SER			10.000	10.000	10.000	30.000
VUTI TAKASI			10.000	10.000	10.000	30.000
PS JIMMY ANDREW			10.000	10.000	10.000	30.000
ARMAR RITE			10.000		10.000	20.000
FR CYRIAQUE BERG			10.000	10.000	10.000	30.000
JEROLINE SIMEON			10.000	10.000	10.000	30.000
KETURA SAUL			10.000	10.000	10.000	30.000
<b>TOTAL</b>						<b>3.195.000</b>

### THREE MONTHS NOTICE

**JULY 1996 - SEPTEMBER 1995**

<b>NAMES</b>	<b>JULY</b>	<b>AUGUST</b>	<b>SEPTEMBER</b>	<b>AMOUNT</b>
SAMUEL TERCET	114.072	114.072	114.072	342.216
KALMER VOCCOR	33.950	33.950	33.950	101.850
DANIEL DICK	33.950	33.950	33.950	101.850
LEON OVA	33.950	33.950	33.950	101.850
JOHN LUM	33.950	33.950	33.950	101.850
GILBERT RURUVARI	33.950	33.950	33.950	101.850
BERNARD VIRA	33.950	33.950	33.950	101.850
MAKALI BANI BANIURI	33.950	33.950	33.950	101.850
CHRISTIAN MALIU	33.950	33.950	33.950	101.850
REMY MPACKET	33.950	33.950	33.950	101.850
AMOS RAU	33.950	33.950	33.950	101.850
STEVEN NAKATO	33.950	33.950	33.950	101.850
HAVO MOLI MATAIKOLE	33.950	33.950	33.950	101.850
BANIBANI UA	33.950	33.950	33.950	101.850
PETER NATU	33.950	33.950	33.950	101.850
AKI PERELINI	33.950	33.950	33.950	101.850
KAMI MITA	33.950	33.950	33.950	101.850
SALE RANI	9.700	9.700	9.700	29.100
KELEB SER	9.700	9.700	9.700	29.100
VUTI TAKASI	9.700	9.700	9.700	29.100
Ps JIMMY ANDREW	9.700	9.700	9.700	29.100
FR CYRIAQYE BERG	9.700	9.700	9.700	29.100
JEROLINE SIMEON	9.700	9.700	9.700	29.100
KETURA SAUL	9.700	9.700	9.700	29.100
ARMAR RITE	9.700	9.700	9.700	29.100
<b>TOTAL</b>				<b>2.204.616VT</b>

The total amount of severance pay and three months salary in lieu of notice received by the nominated and elected members amounted to Vt5,399,616.00 (**Appendix B: payment vouchers**).

- 4.2 On 17 June 1996, the Secretary General, Willie Malon, wrote to the Acting Director of Provincial Affairs to say that there was a Council meeting from 21 May 1996 to 13 May 1996 during which a decision was made for the payment of severance pay and three months notice to Councillors. The Council made this decision even though they were advised that this was contrary to the Decentralization Act. Furthermore, the Office of SANMA Province had not received any letter confirming the dissolution of the Council.

Upon seeking advice from the Department of Provincial Affairs on the matter, the Department advised that the Office of SANMA Province should not execute the payment until the Council of Ministers gave its assessment of the issue (**Appendix C: letter dated 30.08.96**).

- 4.3 On 2 August 1996, the Acting Director of the Department of Provincial Affairs, Mr Tinsley Lulu, reported to the Commissioner of Police that SANMA Councillors were paid severance pay and three months salary in lieu of notice when this was against the Decentralization Act. Mr Lulu requested that the police investigate the matter in order for the Councillors to return the money or be prosecuted.



- 4.4 On 9 August 1996, the Principal Finance Officer, Mr Martin Tete, lodged a complaint to the Ombudsman on the over-payment of the three months notice. These Councillors should only be paid a total amount of Vt628,500 to comply with the provisions regarding gratuities under the law. Instead they were paid a total amount of Vt5,399,616.
- 4.5 On 23 July 1999, the Secretary General of SANMA Province, Mr Havo Moli, informed the Ombudsman that of the elected and nominated members of the Council, Mrs Ketura Saul was the only person who had reimbursed the Council with an amount of seventeen thousand two hundred vatu (Vt17,200). In fact, this amount represented an over-payment to Mrs Ketura (**Appendix D: Receipt and Table on over-payment to each Council's member**).
- 4.6 On 11 June 2001, the Principal Finance Officer of the Department of Provincial Affairs, Mr Martin Tete, reiterated that they had informed the members of their entitlements during the Full Council sitting. The President, the Secretary General and the Accountant of the Provincial Government were also advised accordingly both in writing and by talking directly to them through phone calls. The Councillors were aware that the severance pay and the payment of three months salary in lieu of notice they were receiving was contrary to the Decentralization and Local Government Regions Act No. 1 of 1994. Despite advice to the contrary, they coerced the Secretary General and the Accountant of Sanma Province to pay them these claims. (**Appendix E: letter dated 11.06.01**).

## 5. RESPONSES FROM THOSE WHO RECEIVED A PRELIMINARY REPORT

- 5.1 Upon commencing this enquiry, the Ombudsman notified all people or bodies complained of and gave them the right to reply. Also a working paper was provided prior to this public report to give them another opportunity to respond. Responses were received from:

- (a) Mr. John Lum, President of Sanma Provincial Government responded by telephone. Mr. Lum said the decision was made by the full Council to pay the severance pay and three months salary in lieu of notice to the 1996 Sanma Provincial Councillors.
- (b) Mr. Makali Bani Baniuri acknowledged that everything mentioned in the preliminary report is true. He did receive the money in good faith. The Secretary General of the day, Mr. Willie Malon, told the Councillors that what were to be passed by the Council would be approved by the Minister concerned. Unfortunately, that was not the case and to-date, he does not understand how and why he got the money without a proper approval.
- (c) Mr Turcet Samuel said that he accepted the content of the report on the unlawful payment of severance pay and three months salary in lieu of notice because it was correct.

- 5.2 No responses were received from:

Kalmer Voccor	Peter Natu
Daniel Dick	Aki Perelini
Leon Ova	Kami Mita
Gilbert Ruruvari	Sale Rani
Bernard Vira	Keleb Ser
Christian Maliu	Vuti Takasi
Remy Packet	Ps Jimmy Andrew
Amos Rau	Arma Rite
Steven Nakato	Fr. Cyriaque Bert (deceased)
Havo Moli Mataikole	Jeroline Simeon
Banibani Ua	Ketura Saul

## **6. FINDINGS**

- 6.1 Finding 1: The Councillors decided to dissolve the SANMA Provincial Council without due regard to section 14 of the Decentralization and Local Government Regions Act No.1 of 1994.**

Section 14 provides for the Minister to recommend to the Prime Minister that the Council be dissolved. The Prime Minister will then issue an order to dissolve the Council. By the decision of the Council to dissolve itself without consultation with the Minister, the Councillors acted in breach of section 14.

- 6.2 Finding 2: After dissolving the Council, the Councillors decided to pass a motion to allocate themselves severance pay and three months salary in lieu of notice.**

Section 24 of the Decentralization and Local Government Regions Act No.1 of 1994 provides that at the end of their term of office, the elected and appointed members of Local Government Councils shall receive a payment of gratuity and the rate of that gratuity shall be determined by the by-laws made by the Local Government Councils. By the Council's decision to award themselves severance pay and three months salary in lieu of notice, the Councillors are in breach of section 24, which specifically provides only for a gratuity payment not exceeding 15% of all monthly allowances received by a member.

In fact, pursuant to s24, the Councillors were only legally entitled to a gratuity under the Decentralization and Local Government Regions Act No.1 of 1994 and a sitting allowance as provided under section 46 of the Standing Orders No.1 of 1994 SANMA Local Government Region.

- 6.3 Finding 3: The Councillors were not entitled to severance pay under the Employment Act [CAP 160] as they did not fall within section 54 of that same Act.**

Under the Employment Act, the Councillors could not be considered employees of the Council as they were elected and, or appointed members. Even if they considered themselves employees, their employment was not terminated by their employer, the Minister, as there was no formal dissolution of the Council as required under the Decentralization Act. Therefore, it could be argued they were legally not entitled to severance pay under the Employment Act.



## **7. RECOMMENDATIONS**

### **Recommendation 1:**

- 7.1 The Secretary General of SANMA Provincial Government should calculate the exact amount of gratuity payment that would have been paid to each Councillor. By law, that is 15% of all monthly allowances received by a member, to be deducted from the total amount of severance payment and three (3) months salary in lieu of notice. In so doing, the Secretary General of SANMA Provincial Government can find out the exact amount to be refunded by each Councillor.
- 7.2 The Secretary General needs to recover funds owing to the Sanma Province by vigorously pursuing each Councillor and nominated member concerned accordingly.
- 7.3 In the absence of any voluntary commitment to refund the difference between both the severance pay and three (3) months notice and the gratuity payment, then the Council should instigate a civil claim in order to recover the public funds being misappropriated.
- 7.4 The Department of Provincial Affairs should review the Provincial Council by-laws with respect to remuneration so as to limit possible abuse of such entitlements in future.

Dated the 20<sup>th</sup> day of July of 2001.



**Hannington G. ALATOA**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**

**8. INDEX OF APPENDICES**

- A** Copy of Council's minutes for the dissolution and passing a motion for severance pay and three months notice
- B** Copies of payment vouchers
- C** Letter dated 30.08.96 from the Principal Finance Officer, Mr. Martin Tete to the Executive Officer of Sanma Province, Mr. Havo Moli
- D** Copies of Mrs. Ketura 's receipt of reimbursement and table on the over-payment to each Council's member.
- E** Copy of letter dated 11.06.01 from the Principal Finance Officer, Mr. Martin Tete.
- M** Relevant laws, regulations and rules

# Appendix A

DAY 10

After long motion blong ol Councillors Office i explain se hemi no possible forom motion we oli passem ino folem Law, hemi illegally wrong. Then Councillor John Lum i decide blong withdraw motion blong hem wetem seconder blong hem. After long withdrawal blong Councillor John, Council i mekem nara Motion.

Motion:

Councillor John Lum i move mo Councillor Makali i secondem motion se, folem announcement blong Director blong Provincial Affairs about dissolution blong SANMA Province, Office imas pem severance pay blong mifala before closing blong Council meeting, hemia 1 year 6 months severance pay (35,000Vt per month) plus 3 manis notis olsem advance. Sapos i no kat disolution bae ol Councillors wetem ol nominated members bae oli no mas kasem allowance blong 3 manis. Motion i approve enoumously.

Information

Office i wantem talem long ol Councillors se sapos i happen blong no kat disolution be ikat wan very important issue blong Council i tok about, Council imas kam bak blong tok about be bae ol Councillors and nominated member INO MAS tekem allowance be bae oli kakai nomo.

## 6. OTHER BUSINESS

### 1. Formation blong nara Committees

After long report blong Secretary blong review long Staff mo recruit committee, Council i decide blong setemap more working committees we bae involvem every Councillors and representatives. Ol Committees ia igo olsem:

\* Council Minute of  
21<sup>st</sup> May - 13<sup>th</sup> June 1996

A xibn99A

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\* 51st May - 13th June 1991  
to summit / summit of

46/48

THREE MANIS NOTICE  
JULY 1996 - SEPTEMBER 1996

NAMES	JULY	AUGUST	SEPTEMBER	AMOUNT	SIGNATURE
SAMUEL T.	114.072	114.072	114.072	342.216	<i>[Signature]</i>
KALMER	33.950	33.950	33.950	101.850	<i>[Signature]</i>
DANIEL	33.950	33.950	33.950	101.850	<i>[Signature]</i>
LEON OVA	33.950	33.950	33.950	101.850	<i>[Signature]</i>
JOHN LUM	33.950	33.950	33.950	101.850	<i>[Signature]</i>
GILBERT	33.950	33.950	33.950	101.850	<i>[Signature]</i>
BERNARD	33.950	33.950	33.950	101.850	<i>[Signature]</i>
MAKALI	33.950	33.950	33.950	101.850	<i>[Signature]</i>
CHRISTION	33.950	33.950	33.950	101.850	<i>[Signature]</i>
REMY M.	33.950	33.950	33.950	101.850	<i>[Signature]</i>
AMOS R.	33.950	33.950	33.950	101.850	<i>[Signature]</i>
STEVEN N.	33.950	33.950	33.950	101.850	<i>[Signature]</i>
HAVO M	33.950	33.950	33.950	101.850	<i>[Signature]</i>
BANIBANI U.	33.950	33.950	33.950	101.850	<i>[Signature]</i>
PETER	33.950	33.950	33.950	101.850	<i>[Signature]</i>
AKI	33.950	33.950	33.950	101.850	<i>[Signature]</i>
KAMI M	33.950	33.950	33.950	101.850	<i>[Signature]</i>
SALE R.	9.700	9.700	9.700	29.100	<i>[Signature]</i>
CELEB S.	9.700	9.700	9.700	29.100	<i>[Signature]</i>
VUTI T.	9.700	9.700	9.700	29.100	<i>[Signature]</i>
Ps. ADNREW	9.700	9.700	9.700	29.100	<i>[Signature]</i>
CYRIAQUE	9.700	9.700	9.700	29.100	<i>[Signature]</i>
JEROLINE	9.700	9.700	9.700	29.100	<i>[Signature]</i>
KETURA	9.700	9.700	9.700	29.100	<i>[Signature]</i>
ARMAD R.	9.700	9.700	9.700	29.100	<i>[Signature]</i>
				2.204.616VT	

Appendix B

Appendix B



1. This report i tekem one full day Officer James i tok about how blong statem wan Project mo go kasem funding blong hem mo how blong apply for Loan. After Project i down hemi talem se yumi mas go back blong luk fit back blong Project. Hemi tok about who blong askem money and how yumi pem back. Naolia i kat wan National Plan blong folem go kasem yu fainem funding blong hem.

Ol Councillors oli klad mo President i talem thank-you long ol toktok blong hem. More advice askem long Planner mo Economist. Councillor Matai i move mo Councillor Raymi i second blong acceptem report blong NPO Office Motion approve enoumously.

#### DAY 9 MONDAY

#### Disolution

Councillor Kalmer i move mo Councillor Matai blong Council i agend till 2.00pm blong Commission i sidaon blong lukluk long matter blong disolution mo ol allowance blong ol Councillors and nominated. Motion i pass enoumously.

Meeting i agend till 2.00pm

After long meeting blong Committee (Commission) i sitdaon mo agree blong ol Councillors we oli stap long Government saet oli mas raetem wan letter blong saportem any motion we Council bae i considerem.

After full Council discussion long matter ia Council i mekem wan motion.

#### Motion:

Councillor John Lum i move mo Councillor Leon Ova i seconded se Office i mas pem ol Councillor 1 year 6 months severance pay (Hemi 30,000vt long 1 month) plus 3 months notis mo 45 days blong November Council sitting. Motion i pass enoumously.

#### Notis

{ Nominated members bae oli tekem 10,000vt nomo long wan months, hemi blong 1 year 6 months.

## Appendix A

\* Council minute of 21<sup>st</sup> May -  
13<sup>th</sup> June 1996

}

A xibnagga

- pam<sup>te</sup> 15 fo etunin 13mo2 \*  
dpp1 anuL 451

# 9.91A Appendix B

101

CONSEIL PROVINCIAL DE Samoa LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N° 100 CHAPITRE 200.30.04  
HEAD

ETAT des sommes dues à  
Amount payable to Samuel T.

LGC 10

Being payment of  
Severance Pay + 3 months  
Notice.

542.216

Sev. P : 200.000 VT  
3 months  
Notice : 342.216 VT  
542.216 VT

Total VT 542216

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date 12.06.96

Treasurer / Trésorier

Vérifié  
Checked 

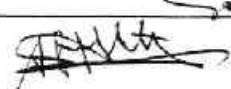
Chèque No.  
217136

Approuvé :  
Passed for Payment



Reçu du Conseil la somme de : Five Hundred Forty Two  
Received from the Council, the sum of : Thousand Two Hundred  
Seventy Six.

Les Témoins :  
Witness :



216099A App. B

CONSEIL PROVINCIAL DE Sanma LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N° 101

CHAPITRE  
HEAD

200-30-04

ETAT des sommes dues à  
Amount payable to

KALMER V.

LGC 10

Being payment of  
Severance Pay (1 year +  
6 months) + 3 months  
Notice.

Sev. Pay : 175.000 VT  
3 months Notice: 101.850 VT  
276.850

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct: that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date 12.06.96

Treasurer Trésorier

Vérifié

Chèque No.

Approuvé :

Passed for Payment

Checked

21737

Recu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred Seventy Six  
Thousand eight Hundred  
Fifty Vatu

Les Témoins :  
Witness :

Hewer

# Appendix B

SEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Je ne pas détacher les  
pièces jointes

Do not detach documents

## MANDAT DE PAIEMENT PAYMENT VOUCHER

N°

102.

CHAPITRE  
HEAD

200.20.04

ETAT des sommes dues à  
Amount payable to

Daniel Dick

LGC10

Being payment of  
Serv. Pay + 3 months  
Notice.

276.850

Serv. Pay : 175.000  
3 months  
Notice : 101.850  
276.850

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217138

Approuvé :

Passed for Payment

Recu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred ~~Sixty~~  
Seventy Six Thousand  
eight Hundred Fifty  
Nine.

Les Témoins :

Witness :



2 x 12.000000

App. B

39/46

CONSEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N°

121.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

LEON OUA

type LGC10

Being payment of  
Severance Pay + 3 months  
Notice.

276.850

Sev. Pay : 175.000 VT  
3 months  
Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217139

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred Seventy Six  
Thousand Eight Hundred  
Fifty Vatu.

Les Témoins :  
Witness :



A. xibwngA

App. B 29/46

PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

des détacher les  
pièces jointes

Do not detach documents

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

N°

110

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Gilbert R.

LGC10

Being payment of  
Severance pay + 3 months  
Notice.

Sev. pay : 175.000<sup>VT</sup>  
3 months  
Notice : 101.850<sup>VT</sup>  
276.850<sup>VT</sup>

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217141

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two hundred seventy  
six thousand eight  
hundred fifty Vatu.

Les Témoins :  
Witness :

# Appendix B

25/46

LEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Ne pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N° 106

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

John Lum

LGC10

Being payment of  
Severance pay + 3 months  
Notice

276.850

Sev. pay : 175.000 VT  
3 Months Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct: that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Chèque No.

Approuvé :

Checked

Passed for Payment

*[Signature]*

217140

*[Signature]*

Recu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy six  
thousand eight hundred  
fifty vatu.

Les Témoins :  
Witness :

*[Signature]*

# 97A Appendix B

4/46

R.L. PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N°

123

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

BERNARD V.

type LGC10

Being payment of  
Severance Pay + 3 months  
Notice.

Sev. Pay : 175.000 VT  
3 months  
Notice : 101.850 VT  
276.850 VT

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217142

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy six  
Thousand eight hundred  
fifty value.

Les Témoins :  
Witness :



9 xibn3q77A

App. B

30/4

JEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N° 116.

CHAPITRE  
HEAD

200. 30. 04

ETAT des sommes dues à  
Amount payable to

MAKALI B.

LGC 10

Being payment of  
Severance Pay + 3 manis  
Notice.

276.850

Sev. Pay : 175.000 VT  
3 manis  
Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12. 06. 96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217143

Approuvé :

Passed for Payment

Recu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy six  
thousand eight hundred  
fifty vatu.

Les Témoins :  
Witness :

*[Signature]*



9 x:2us99A

App B 33/46

SEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

N°

115.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Remy P.

LGC10

Being payment of  
Severance Pay A 3  
man's Notice.

Sev. Pay: 175.000<sup>VT</sup>

3 man's  
Notice: 101.850<sup>VT</sup>

276.850<sup>VT</sup>

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct: that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217145

Approuvé:

Passed for Payment

Reçu du Conseil la somme de:

Received from the Council, the sum of: :

Two Hundred seventy six  
Thousand eight Hundred  
fifty value.

Les Témoins:  
Witness:

Bim

# Appendix B

CONSEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N° 102

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Ch Bistion

m.

LGC10

Being payment of  
Severance pay + 3 months  
Notice.

Sev. Pay : 175.000<sup>vt</sup>  
3 months : 101.850<sup>vt</sup>  
Notice : 276.850<sup>vt</sup>

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217144

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of : :

Two Hundred Seventy Six  
Thousand eight Hundred  
Fifty Vatu.

Les Témoins :

Witness :



21 xibnsqqa

App. B. 22/46

SEIL PROVINCIAL DE Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N° 103. CHAPITRE 200.30.04  
HEAD

ETAT des sommes dues à  
Amount payable to

NAKATO S.

LGC10

Being payment of  
Severance Pay + 3 months  
Notice.

276.850

Sev. Pay : 175.000  
3 months : 101.850  
Notice : 276.850

Total VT 276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date 12.06.96

  
Treasurer / Trésorier

Vérifié  
Checked



Chèque No.

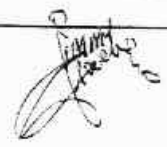
217107

Approuvé :  
Passed for Payment



Reçu du Conseil la somme de :  
Received from the Council, the sum of : Two Hundred Seventy Six  
eight Hundred Fifty francs.

Les Témoins :  
Witness :



99A

## Appendix B

23/46

SEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Ne pas détacher les  
pièces jointes

Do not detach documents

MANDAT DE PAIEMENT  
PAYMENT VOUCHER

N° 104

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Amos. Rau

LGC 10

Being payment of  
Severance Pay + 3 months  
Notice.Sev. P : 175.000<sup>VT</sup>3 months  
Notice : 101.850<sup>VT</sup>276.850<sup>VT</sup>

276.850

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217146

Approuvé :

Passed for Payment

Recu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy six  
thousand eight hundred  
fifty vatu.Les Témoins :  
Witness :

# Appendix B

30/46

EIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N°

M.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Haro m.

LGC10

Being payment of  
Severana pay + 3 manis  
Notice.

Sev. Pay : 1740.000<sup>VT</sup>  
3 manis  
Notice : 101.850<sup>VT</sup>  
241.850<sup>VT</sup>

~~276.850~~  
241.850

241.850

Total VT

~~276.850~~

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217148

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred Forty  
One Thousand eight  
Hundred fifty vatu.

Les Témoins :  
Witness :

Mohi HVO



2 x 11/11/11

App B 25/4/11

SEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT

Né pas détacher les  
pièces jointes

Do not detach documents

MANDAT DE PAIEMENT  
PAYMENT VOUCHER

N° 105.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

UA BANIBANII

LGC 10

Being payment of  
Severana pay + 3 manis  
Notre.

276.850

Sev. Pay : 175.000 VT  
3 Manis : 101.850 VT  
Notre : 276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217149

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy  
six thousand eight  
hundred fifty Vatu.

Les Témoins :  
Witness :

[Signature]

Alphix B

App B

34/46

ÉIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N°

112

CHAPITRE  
HEAD

200. 20.04

ÉTAT des sommes dues à  
Amount payable to

Aki P.

LGC10

Being payment of  
Severance pay + 3 months  
Notice.

276.850

Sev. Pay : 175.000 VT  
3 months  
Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217051

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred Seventy six  
Thousand eight Hundred  
fifty Vatu.

Les Témoins :  
Witness :



# Appendix B

35/46

CONSEIL PROVINCIAL DE

Saima

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N°

100

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

PETER NIATU

LGC10

Being payment of  
Severance Pay + 3 months  
Notice.

276.850

Sev. Pay : 175.000 VT  
3 months  
Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct: that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217150

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred Seventy six  
Thousand eight Hundred  
Fifty Vek.

Les Témoins :  
Witness :

Peter



# Appendix B

SEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N°

119

CHAPITRE  
HEAD

200. 30. 04

ETAT des sommes dues à  
Amount payable to

Kami mita

LGC10

Being payment of  
Severance Pay + Three  
months Notice.

276.850

Sev. Pay : 175.000 VT  
3 months  
Notice : 101.850 VT  
276.850 VT

Total VT

276.850

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12. 06. 96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217052

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Two Hundred seventy six  
Thousand eight Hundred  
fifty Vatu

Les Témoins :

Witness :

KAMI

8 2124071A

App-B 27/46

Sonma

SEIL PROVINCIAL DE

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

N° 108. CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

SALE RANI

LGC 10

Being payment of  
Severance pay + 3 manis  
Notice.

59.100

Sev. Pay : 30.000<sup>VT</sup>  
3 manis : 29.100<sup>VT</sup>  
Notice :  
59.100<sup>VT</sup>

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date 12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217053

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine thousand  
one hundred vatu.

Les Témoins :

Witness :

# Appendix B

36/46

SEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

## MANDAT DE PAIEMENT PAYMENT VOUCHER

N°

118

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

CHIEF KELEB S.

LGC10

Being payment of  
Severance Pay + 3 months  
Notice.

Sev. Pay : 30.000 VT  
3 months  
Notice : 29.100 VT  
59.100 VT

59.100

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasures / Trésorier

Vérifié

Checked

Chèque No.

217054

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of : :

Fifty Nine Thousand  
One Hundred Nats.

Les Témoins :  
Witness :

Chief Keleb Sar

43/46  
**APP. B**

CONSEIL PROVINCIAL DE

Samma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N°

105.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Vuti T.

LGC 10

\* Being payment of  
Severance pay + 3 months  
Notice.

Severance P : 30.000<sup>VT</sup>  
3 months : 29.100<sup>VT</sup>  
Notice : 59.100<sup>VT</sup>

59.100

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217055

Approuvé :

Passed for Payment

Recu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine Thousand  
one Hundred Vatu.

Les Témoins :

Witness :



Alphabetic B

42/46

CONSEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

Do not detach documents

N°

124.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

KETURA S.

LGC10

Being payment of  
Sev. pay + 3 months  
Notice.

59.100

Sev. pay : 30.000 VT  
3 months : 29.100 VT  
Notice :  
59.100 VT

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer Trésorier

Vérifié

Checked

Chèque No.

217060

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine Thousand  
One Hundred Vah.

Les Témoins :

Witness :

Ketura S.

# Appendix B

SEIL PROVINCIAL DE

Sanma

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

## MANDAT DE PAIEMENT PAYMENT VOUCHER

N°

109.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Teroline.

LGC10

Being payment of  
Severance pay + 3 manis  
Notice.

Sev. pay : 30.000 VT

3 manis  
Notice : 29.100 VT

59.100 VT

59.100

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217058

Approuvé :

Passed for Payment

Recu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine Thousand  
One Hundred Vatu.

Les Témoins :

Witness :



21-11-96

App B

3246

SEIL PROVINCIAL DE

Samoa

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

**MANDAT DE PAIEMENT  
PAYMENT VOUCHER**

N° 114.

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Pere Gyrieque

Après LGC10

Being payment of  
Severana Pay + 3  
manis Notice.

59.100

Sev. Pay : 30.000<sup>VT</sup>  
3 manis  
Notice : 29.100<sup>VT</sup>  
59.100<sup>VT</sup>

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217057

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine Thousand  
one Hundred Vatu.

Les Témoins :  
Witness :

Robey

# Appendix B

26/46

SEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Do not detach documents

N°

107

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

Andrew

LGC10

Being payment of  
Severance pay + 3 manis  
Notice.

59.100

Sever. Pay : 30.000<sup>vt</sup>  
3 manis  
Notice : 29.100<sup>vt</sup>  
59.100<sup>vt</sup>

Total VT

59.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12.06.96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217056

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Fifty Nine Thousand  
One Hundred vatu.

Les Témoins :  
Witness :



# Appendix B

35/46

SEIL PROVINCIAL DE

Sanna

LOCAL GOVERNMENT COUNCIL

Né pas détacher les  
pièces jointes

Do not detach documents

## MANDAT DE PAIEMENT PAYMENT VOUCHER

N°

17

CHAPITRE  
HEAD

200.30.04

ETAT des sommes dues à  
Amount payable to

ARMAND RITE

LGC10

Being payment of  
Severance Pay + 3 manih  
Notice.

49.100

Sev. pay : 20.000 VT  
3 manih : 29.100 VT  
Notice :  
49.100 VT

Total VT

49.100

I CERTIFY that the above particulars are correct : that the amounts charged are fair and reasonable and in accordance with contract or regulation and that the expenditure was necessary. / JE CERTIFIE que les détails ci-dessus sont corrects, que les dépenses étaient nécessaires et que les sommes sont équitables et raisonnables et en accord avec le contrat ou le règlement.

Date

12-06-96

Treasurer / Trésorier

Vérifié

Checked

Chèque No.

217059

Approuvé :

Passed for Payment

Reçu du Conseil la somme de :

Received from the Council, the sum of :

Forty Nine Thousand  
One Hundred Vatu.

Les Témoins :  
Witness :

Appendix B

## DEPARTMENT OF LOCAL GOVERNMENT

PRIVATE MAIL BAG 021

PORT VILA

VANUATU



Telephone : 22252

## SERVICE DES AUTORITÉS LOCALES

SAC POSTAL PRIVÉ 021

PORT VILA

VANUATU

30 August 1996

LG: 6/4/1

LG: 6/4/3

To: Mr Havo MOLI  
Executive Officer  
Sanma Province  
LUGANVILLE  
Santo

**Appendix C**

cc: Ombudsman of the Republic of Vanuatu.  
cc: Attorney General.  
cc: Auditor General.  
cc: First Secretary, Ministry of Home Affairs.  
cc: The General Secretary, Sanma Province  
cc: The Commissioner of Police.  
cc: The Police Officer In-Charge, Santo.

Dear Mr. MOLI,

**REPLENISHMENT OF OVER PAYMENT OF  
GRATUITY & 3 MONTHS NOTICE TO FORMER  
COUNCILLORS & APPOINTED MEMBERS OF  
SANMA PROVINCE**  
-----

I am in recipient of my even referenced letter addressed initially to you concerning this particular issue.

To be consistent always with the existing laws, for this particular case, especially Section 23 3 (1) & (2) and Section 24 1 & 2 of the Decentralisation And Local Government Regions Act No: 1 of 1994, I, hereby recommend that you serve the attached notices to each respective council members of the Sanma Province accordingly.

You may have already verbally been informed that the gratuity and the three (3) months notice paid and received by the council members are well over and above all monthly allowances received by each member during his/her term in office. An attachment attached to this letter shows exactly how much each elected or appointed member must reimburse to the Sanma Province.

Pursuant to such event, the Ministry of Home Affairs has directed me to advise and inform you to serve these notices to each elected and appointed members affected promptly.

Those directly affected should reimburse the total amount over paid to them to the Accountant of Sanma Province.

Thanking you in advance for initiatives taken at your end to try and resolve this particular matter.

Yours faithfully,



MJ.TETE  
PRINCIPAL FINANCE OFFICER  
DEPARTMENT OF PROVINCIAL AFFAIRS



PTG AWC 1/26

REPUBLIC OF VANUATU

RÉPUBLIQUE DE VANUATU

SANMA PROVINCIAL COUNCIL

CONSEIL PROVINCIAL DE SANMA

POST OFFICE BOX 239,  
LUGANVILLE, SANTO  
VANUATU

BOITE POSTALE 239,  
LUGANVILLE, SANTO,  
VANUATU

TEL: 36712 - 36308 - 36644  
FAX: 36396

TÉL : 36712 - 36308 - 36644  
FAX : 36396



SANMA Provincial Council  
P.O. Box 239  
LUGANVILLE

SP/10/4/HM/jl

23.07.99

Mrs. Marie Noelle PATERSON  
OMBUDSMAN Office  
Private Mail Bag 081  
PORT VILA

Appendix D

Dear Madam,

Severance Pay & Three (3) Month Notice Payment (July, August, September 96)

Thank you for your letter dated 8th July 1999, requiring more informations on the above matter.

These are answers for your three (3) questions.

1. I would like to confirm that the former Secretary General Mr. Malon William had a contact (by telephone) with the Attorney General at that time and the advice that he got from the Attorney General Chamber, that the Council must not make the payment to the Councillors and representatives, because that will be an illegal payment.
2. I can't give you any document concerning the first question because the contact was made by using telephone.
3. The Council had forced the Accountant and the Treasurer to make this payment.

The Council forced the Accountant and the Treasurer to make the payment because every Councillors said that they had powers and they had already made a resolution which was aproved unanimously that each Councillor was intitle to have this payment. (Please find attached herewith a Council minuits concerning this matter)

May I let you aware that only Mrs Ketura Saul, a representatif had reimburse this Council with an amount of Seventen Thousand two hundred Vanu, (17.200vt), plis find attached herewith a copie of her receipt, but other Representatif and Councillors didn't reimburse any amount.

I hope you get answers for your questions if not please do contact me on tel:36308 at  
SANMA Provincial Council Office.

Yours Truly,



HAVO MOLI  
Secretary General  
SANMA Province



Conseil Provincial de SANMA Local Government Council

287923

DATE:

16 / 7 / 96

RECEIVED FROM

RECEIVED FROM

MRS KAUUA S OF East Sand.

OF DE

SEX

SEX

F.

NÉE LE

DATE OF BIRTH

SOMME DE

SUM OF

Seventeen thousand & hundred

FOUR/FOR

ONE LAYMENT for covering  
water for 1 month work.

DU PÈRE

FATHER'S NAME

CHAPITRE

200.10.000.

(19)

17 200

SIGNATURE

REPUBLIC OF VANUATU

DEPARTMENT OF  
PROVINCIAL AFFAIRS

PRIVATE MAIL BAG 021  
PORT VILA  
VANUATU

# Appendix E



REPUBLIQUE DU VANUATU

SERVICES CHARGE DES  
AFFAIRES PROVINCIALES

SAC POSTALE PRIVE 021  
PORT VILA  
VANUATU

Telephone: (678) 22252 - 22561 - 25610 - 24659 - Fax: (678) 26405

LG: 2/12/35  
LG: 6/4/7

11 June 2001



To: Mr. Hamington G. ALATOA  
OMBUDSMAN OF THE REPUBLIC OF VANUATU

Dear Sir,

## UNLAWFUL PAYMENT OF SEVERANCE PAY & THREE MONTHS SALARY IN LIEU OF NOTICE TO THE 1996 SANMA COUNCILORS

I would like to make our position clear that these elected and appointed members of the Sanma Provincial Government Council affected have all been well informed of their entitlements. We had informed these members of their entitlements during the Full Council sitting debriefing at the Sanma Province chamber, in writing and by talking directly through phone calls to the General Secretary, the Accountant and of course the President.

They were well aware that the severance pay and the three months salary in lieu of notice payment they were receiving were not in order and of course contrary to the Decentralization Act.

Furthermore, despite our advice, they had threatened and forced the Secretary General and the Accountant of the Sanma Province to pay them these illegal claims as per the Council decision they had taken previously.

The former Acting Director, Mr. Johnny Tinsley LULU, had advice each and every one of them on the 9<sup>th</sup> of August 1996, on the correct and exact amount over paid to them which they were to refund the Council accordingly.

Despite our instructions, only one came forward and refunded the Council.

Finally, I do agree fully to your recommendation that the Sanma Provincial Government should instigate a civil claim against these council members in order to recover the public fund being misappropriated.

MJ Tete  
Principal Finance Officer  
Department of Provincial Affairs



# Appendix E

## **APPENDIX M RELEVANT LAWS, REGULATIONS AND RULES**

### **3.2 CONSTITUTION OF THE REPUBLIC OF VANUATU**

#### **CONDUCT OF LEADERS**

- 66 (1) Any person defined as a leader in Article 67 has a duty to conduct himself in such a way, both in his public and private life, so as not to-
- (a) place himself in a position in which he has or could have a conflict of interests or in which the fair exercise of his public or official duties might be compromised;
  - (b) demean his office or position;
  - (c) allow his integrity to be called into question; or
  - (d) endanger or diminish respect for and confidence in the integrity of the Government of the Republic of Vanuatu.
- (2) In particular, a leader shall not use his office for personal gain or enter into any transaction or engage in any enterprise or activity that might be expected to give rise to doubt in the public mind as to whether he is carrying out or has carried out the duty imposed by subarticle (1).

#### **DEFINITION OF A LEADER**

- 4 For the purposes of this Chapter, a leader means the President of the Republic, the Prime Minister and other Ministers, members of Parliament, and such public servants, officers of Government agencies and other officers as may be prescribed by law.

### **4.4 LEADERSHIP CODE ACT NO.2 OF 1998 LEADERS**

5. In addition to the leaders referred to in Article 67 of the Constitution, the following are declared to be leaders:

- (b) elected and nominated members of local government councils.

#### **DUTIES OF A LEADER**

13(1) A leader must:

- 4. comply with and observe the law;
- 5. comply with and observe the fundamental principles of leadership contained in Article 66 of the Constitution;
- 6. comply with and observe the duties, obligations and responsibilities established by this Code or any other enactment that affects the leader; and
- 7. not influence or attempt to influence or exert pressure on or threaten or abuse persons carrying out their lawful duty.



4.5 **DECENTRALIZATION AND LOCAL GOVERNMENT REGIONS ACT NO.1 OF 1994**

**PAYMENT OF GRATUITIES**

- 24(1) Elected and appointed members of Local Government Councils shall receive at the end of their term of office a payment of gratuity and the rate of that gratuity shall be determined by the by-laws made by the Local Government Councils.
- 4 The gratuity payable to each elected and appointed member under subsection (1) shall not exceed an amount equal to 15 per cent of all monthly allowances received by such member during his term in office.

4.6 **EMPLOYMENT (AMENDMENT) ACT NOL8 OF 1995  
SEVERANCE ALLOWANCE**

- 54(1) Subject to section 55, where an employee has been in the continuous employment of an employer for a period of not less than 12 months commencing before, on or after the date of commencement of this Act, and –
- 4 the employer terminates his appointment; or
- 5 the employee retires on or after reaching the age of 55 years; or
- 6 the employer retires the employee on or after reaching the age of 55 years; or
- 7 where the employee has been in continuous employment with the same employer for a continuous period of not less than 10 consecutive years, the employee resigns in good faith; or
- 8 the employee ceases to be employed by reason of illness or injury is certified by a registered medical practitioner to be unfit to continue to work, the employer shall pay severance allowance to the employee under section 56 of this Act.

4 **STANDING ORDERS NO.1 OF 1994 SANMA LOCAL GOVERNMENT REGION**

**SITTING ALLOWANCE**

- 4 (1) Every Member of the Local Government Council, and any Committee established by the Council, shall receive a sitting allowance, the amount of which shall be set by the Council within an upper limit of 2.500 Vatu per day of effective sitting.
- (2) The Chairman and all Members of the Local Government Council, whether elected or appointed, shall receive a monthly allowance of not more than 10.000 Vatu.
- (3) The Chairman of the Local Government Council shall, in addition to the allowance provided for in paragraph (2) hereinabove, receive a monthly allowance of 5.000 Vatu.