



**OFFICE OF THE OMBUDSMAN**

**PUBLIC REPORT**

**ON THE  
ALLEGED BREACH OF  
SECTION 25  
OF THE LEADERSHIP CODE ACT  
NO.2 OF 1998  
BY MR PATRICK CROWBY MANAREWO**

**21 November 2008**



**REPUBLIC OF VANUATU**

**5167/2008/05**

**Top Floor, Pilioko House      PMB 9081 Port Vila, Vanuatu**  
**Tel: +678 27200    Fax: +678 27140      Email: [ombud.vt@vanuatu.com.vu](mailto:ombud.vt@vanuatu.com.vu)**

**PUBLIC REPORT  
ON THE  
ALLEGED BREACH OF SECTION 25  
OF THE LEADERSHIP CODE ACT NO.2 OF 1998  
BY MR PATRICK CROWBY MANAREWO**

The Ombudsman is issuing this report on Mr Patrick Crowby Manarewo's non-observance and non-compliance with section 25 of the Leadership Code Act [LCA] No.2 of 1998 when he was councillor of Port Vila Municipality.

The Ombudsman found during his investigation that

- when Mr Crowby was duly elected Councillor of Port Vila Municipality in October 2001, under section 5[c] of the LCA, he went ahead and entered into two separate employment contracts that were signed on 29 December 2004 [Appendix B] and on 31 March 2006 [Appendix F] between the Prime Minister Honourable Ham Lini Vanuaroroa and himself for the position of Public Relations Officer for the Prime Minister's Office. The position was remunerated at an annual salary of one million six hundred eighty four thousand five hundred and eighty four [VT1.684.584] vatu.
- furthermore, Mr Crowby was appointed as the Chairman of VBTC Board where he received travelling allowances.

Since Mr Crowby had accepted to hold two other public offices or positions for which he received a monthly salary and travelling allowances, he may have breached section 25 of the LCA which provides that:

*"a leader must not hold any other public office or position for which he or she receives a salary, payment or other benefit of any kind, whether financial or otherwise, from the government or a statutory body, if that other office or position conflicts with or interferes in any way with the ability of the leader to fulfil his or her principal tasks and duties as a leader."*

- the Lord Mayor of Port Vila Municipal Council [PVMC] organized a seminar for his councillors held at Bluewater Island Resort from 12 to 16 December 2005. As one of the councillors, he could not attend due to other commitments emerging from holding other positions. As such, Mr Crowby may have breached section 25 of the LCA due to the fact that not only the other office or position conflicted with or interfered with his ability to be present at the seminar but received an allowance of twenty five thousand [VT25.000] vatu for which he was not entitled to receive as he did not attend the seminar. His receipt of VT25.000 was not proper and is an act of being dishonest. Therefore, he may have breached section 25 of the Leadership Code Act.
- Mr Crowby had an obligation to comply with section 25 of the Leadership Code Act as stated above. His failure to do so has also caused him to be in breach of section 13 of the Leadership Code Act.

---

Mr Crowby knew perfectly well that as he has been elected a Councillor of Port Vila Municipal Council, he should not have accepted his appointment to the other two positions.

- despite concern expressed by various authorities over the way in which this issue was handled, Honourable Prime Minister Ham Lini Vanuarorua was silent and did not revoke Mr Crowby's appointments. The Prime Minister may have demeaned his office as well as allowing his integrity, as a leader, to be called into question. The Prime Minister may have breached Article 66 [1][2] of the Constitution by entering into a transaction or engaging in an enterprise or activity that might be expected to give rise to doubt in the public mind as to whether he was carrying out the duty being imposed by sub-article [1].

Due to the above findings, the Ombudsman recommends that:

- [a] the Government ensures that any other positions held by Mr Crowby be removed, thus holding only one position as Minister of Internal Affairs, in order to avoid breaching section 25 of the Leadership Code Act.
- [b] the PVMC's fund of VT25.000 be refunded by Mr Crowby.
- [c] government authorities legally empowered to appoint people into leadership position should refrain from entering into an employment contract with a leader who is already occupying a leadership role and function in any government institution or a statutory body.

## TABLE OF CONTENTS

1. JURISDICTION .....	5
2. PURPOSE, SCOPE OF INVESTIGATION AND METHODS USED .....	5
3. RELEVANT LAWS.....	5
4. OUTLINE OF EVENTS .....	6
5. RESPONSES BY THOSE WITH FINDINGS AGAINST THEM.....	9
6. FINDINGS .....	11
7. RECOMMENDATIONS .....	12
8. INDEX OF APPENDICES .....	14

## 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 leaders as prescribed in elected and nominated members of municipal councils, political advisors and members of statutory boards (s.5[c], [d] and [f] of the Leadership Code Act No.2 of 1998. The Ombudsman can also look into defects in laws or administrative practices, including the non-observance and non-compliance of section 25 of the Leadership Code Act [LCA] No.2 of 1998 by Mr Patrick Crowby Manarewo [Mr Crowby] as Port Vila Municipal Councillor, Chairman of the Vanuatu Broadcasting and Television Corporation [VBTC] Board of Directors and Public Relation Officer [PRO] of the Prime Minister.

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

- 2.1 The purpose of this public report is to provide the findings of the Ombudsman as provided under the Constitution, the Ombudsman Act and the Leadership Code Act [LCA].

A preliminary report was sent out to those mentioned in this report to provide them an opportunity to respond to its contents.

- 2.2 The scope of this investigation is to establish the facts about the alleged breach of section 25 of the Leadership Code Act by Mr Crowby and to determine:

[a] whether he had received any salary, payment or other benefit of any kind; whether financial or otherwise, from the government or a statutory body that he has been a member of; and

[b] if other public offices or positions held by him conflicted with or interfered in any way with the ability of Mr Crowby to fulfil his principal tasks and duties as a leader.

- 2.3 This Office collected information and documents by informal request, summons, letters, interviews and research.

## 3. RELEVANT LAWS

- 3.1 Relevant parts of the following laws are reproduced in **Appendix A** except for section 25 of the Leadership Code Act.

### 3.2 CONSTITUTION

The list of leaders as defined in Article 67 of the Constitution is expanded in section 5 of the Leadership Code Act No.2 of 1998.

### 3.3 LEADERSHIP CODE ACT

3.3.1 Section 3 of the Leadership Code Act No.2 of 1998 outlines how a leader should behave.

3.3.2 Section 25 of the Leadership Code Act provides that:

*a leader must not hold any other public office or position for which he or she receives a salary, payment or other benefit of any kind, whether financial or otherwise, from the government or a statutory body, if that other office or position conflicts with or interferes in any way with the ability of the leader to fulfil his or her principal tasks and duties as a leader.*

## 4. OUTLINE OF EVENTS

4.1 **On 3 November 2005**, the Ombudsman received a complaint on the decisions taken by the Government under the leadership of Prime Minister Ham Lini Vanuaroroa to appoint Mr Crowby as the Government Spokesman or Political Advisor - PRO to the Office of the Prime Minister and at the same time, Chairman of the VBTC Board while still being re-elected Councillor for the Port Vila Municipal Council [PVMC] on 31 October 2005.

- **On 24 September 2001**, the Port Vila Municipal Council [PVMC] election took place to elect new councillors.
- **On 28 September 2001**, the result of the PVMC election result was published in the Official Gazette No.5 dated 4 October 2001. Mr Crowby has been elected as a councillor of the PVMC.
- **On 29 December 2004**, an Employment Agreement was signed by the Prime Minister of the Government of the Republic of Vanuatu, the Honourable Ham Lini Vanuaroroa and Mr Crowby setting out the conditions of his appointment as PRO in the Office of the Prime Minister while Mr Crowby was a councillor in the PVMC. The Agreement is deemed to have come into force on 24 December 2004. [Appendix B]
- **On 22 February 2005**, an Instrument of Appointment was signed by the Prime Minister in which he appointed members of the VBTC Board. Mr Crowby was one of the newly appointed Board members of VBTC while he was a councillor in the PVMC. [Appendix C]
- **On 24 February 2005**, Mr. Crowby wrote to the VBTC Manager, Mr Jonas Cullwick, informing him of the names of the new board of VBTC. He asked the General Manager to arrange the first Board meeting to take place on 1 March 2005. [Appendix D]

**On 27 October 2005**, a complainant wrote to the Principal Electoral Officer. The complainant questions the decision of the Electoral Commission in allowing Mr Crowby to contest the PVMC election while he is being employed as the Government Spokesman and also as Chairman of VBTC with full salary and allowances. The

complainant went on to state that it is not fair that some people holding public offices should resign from their employment while Mr Crowby can contest the election at the expense of the Government.

- **On 31 October 2005**, the election of the PVMC took place.
- **On 7 November 2005**, the results of the PVMC election which was held on 31 October 2005 was published in the Official Gazette. Mr Crowby has been elected as one of the Port Vila Municipal Councillors. **[Appendix E]**
- **On 31 March 2006**, another contract [Employment Agreement] for the position of PRO was signed by the Prime Minister and Mr Crowby appointing him as PRO in the Prime Minister's Office and also setting out his condition of service. His appointment was effective as of 3 April 2006 while he was a councillor in the PVMC. **[Appendix F]**

Despite public outcries, Mr Crowby was already a leader, [a Councillor of PVMC] [refer to publication of results of the PVMC election in the Extraordinary Gazette No. 5 of 4 October 2001 - **Appendix G**] prior to being appointed to other positions, that is the Chairman of VBTC Board of Directors and as PRO in the Prime Minister's Office.

- 4.2 **On 28 November 2005**, the Ombudsman commenced an enquiry into the above allegations.
- 4.3 **On 3 January 2006**, another complaint was lodged with the Ombudsman concerning Mr Crowby. The complainant pointed out that Mr Crowby is holding several positions in the Government. That he is the Chairman of the VBTC Board and also the PRO in the Office of the Prime Minister. That as a leader he should carry out his roles and duties faithfully. The complainant also pointed out that Section 25 of the Leadership Code has been breached. The complainant alleged that the Lord Mayor of Port Vila had organised a seminar for the councillors to better equip and familiarize themselves on their future roles and functions at Bluewater Island Resort from 12 to 16 December 2005 however, Mr Crowby *"couldn't make it because he was to be present in the other position[s] he was occupying. This is only one evidence where a leader has clearly demonstrated conflict of interest"*. That Mr Crowby should resign from these other positions.
- 4.4 **On 5 January 2006**, the Ombudsman wrote to the General Manager of VBTC asking him to confirm if Mr Crowby has been receiving salary, allowances or other benefits since he is occupying the position of Chairman of VBTC Board.
- 4.5 **On 5 January 2006**, the Ombudsman wrote to the Director of Finance asking him to confirm the annual salary of Mr Crowby as well as other allowances and benefits.
- 4.6 **On 5 January 2008**, the Ombudsman sent a letter to the Acting Town Clerk of the PVMC to confirm if Mr Crowby is receiving salary, other benefits and allowances.

- 4.7 **On 6 January 2006**, the Ombudsman sent a letter to the Principal Electoral Officer, Mr Martin Tete, asking him if he had already responded to the complainant's concern that was raised and sent to him on 27 October 2005.
- 4.8 **On 9 January 2006**, Mr Tete responded to the Ombudsman's letter and attached several related and self-explanatory documents and advice that were received from the State Law Office on the same. On the matter in question, the State Law Office did advise in the following words [Appendix H].
- "As previously advised, at the time the Commission was considering whether candidates were qualified for election as a municipal councillor and even on the date of the election, these five councillors were not unqualified or disqualified for election under paragraph 8[1] of the Act because they were not in default of payment of any debts due to the Council for a period exceeding 2 months after the same became due".
- 4.9 **On 16 January 2006**, the Acting Town Clerk responded by confirming that:
- Mr Crowby was receiving allowances for the position of elected councillor;
  - his monthly allowance was VT40.000 as councillor of the PVMC;
  - Mr Crowby was receiving VT10.000 monthly for occupying the position of Chairman of the Finance Committee of the Council;
  - therefore, his total monthly allowance was VT50.000;
  - Mr Crowby has been receiving these allowances since November 2005 up to January 2006.
  - Mr Crowby also received a sitting allowance for the seminar [for which he did not attend] being held at Bluewater Island Resort from 12 to 16 December 2005 at twenty five thousand [VT25.000] vatu. [Appendix I].
- NOTE:** On 26 October 2005, the Supreme Court of Vanuatu published its decision on Civil Case No.75 of 2003 [copy enclosed [pages 1, 32, 33 and 34] – **Appendix J**]. The written judgment is self-explanatory but in essence, it revealed the following decisions that were taken by the former PVMC were unlawful: the payment of members' monthly allowances; the creation of the position of deputy mayors; the payment of Councillors' allocations; the payment of ex-gratia payments; and the approval of terms and conditions of Town Clerk.
- 4.10 In the Daily Post newspaper of **20 January 2006**, Issue 1629 [Appendix K] it was reported that the Minister responsible for the municipalities, Honourable George Wells, had raised his concern to the Prime Minister Ham Lini over Councillor Crowby holding onto two other positions in the Government, as PRO in the Prime Minister's Office and as Chairman of VBTC.
- 4.11 **On 20 January 2006**, the Acting Director of Finance responded by stating that the position of PRO is remunerated at an annual salary of one million six hundred eighty four thousand five hundred and eighty four [VT1,684,584] vatu - **Appendix L**. In addition to this, there are also other allowances as set out in the Official Salaries Order No. 19 of 1998 – [Appendix M]. For the months of September, October and November 2005, Mr Crowby's salaries were paid through the Vanuatu Government Financial System [Appendix N].

- 4.12 In the Daily Post newspaper of **21 January 2006**, Issue 1630, [**Appendix O**] the National United Party [**NUP**] Whip, MP Jack Eric also called on Mr Crowley to resign from his position. He made this call because he alleged that Section 25 of the Leadership Code Act has been breached.
- 4.13 **On 26 January 2006**, the General Manager of VBTC confirmed that Mr Crowley was neither receiving any salary nor Board allowances from VBTC for meetings except for travelling allowances. [Refer to letter dated 11 April 2005 in **Appendix P**]. Also attached are copies of documents relating to two trips made to Luganville by the Chairman of VBTC Board of Directors and his delegation. The documents show the cost of each of the trips made including the daily allowances being paid to them [**Appendix Q**].
- 4.14 While still carrying out this investigation and formally discussing the contravention of section 25 of the Leadership Code Act with the relevant authorities, the Government of Vanuatu through the Minister of Trade & Business Development Honourable James Bule went ahead to appoint Mr Crowley on 1 October 2007 to the position of Chairman of the Vanuatu Tourism Office Board of Directors [**Appendix R** - Refer to Official Gazette No. 32 of 15 October 2007]. Mr Crowley's appointment for a period of three months starting from 1 October 2007 to 31 December 2007.
- On 26 June 2008 at 8.15 am an Ombudsman Officer discussed the issue with a reliable source within the Vanuatu Tourism Office [**VTO**] who confirmed that the VTO Chairman is entitled to receive the subsequent benefits: a sitting allowance, a monthly allowance and travelling allowance. The anonymous source further confirmed that the VTO Chairman is currently serving his third term of appointment.
- 4.15 **On 13 October 2008**, a 3<sup>rd</sup> letter was issued by the Ombudsman to Honourable Ham Lini Vanuaroroa and Honourable Patrick Crowley Manarewo stating that if the Office of the Ombudsman does not receive their responses/comments **before or by 22<sup>nd</sup> October 2008**, he will assume that they agree with the contents of the working paper and a public report will be issued.
- 4.16 **On 27 October 2008**, the Office of the Ombudsman received a telephone call from Mr Manuel Ure, from the Deputy Prime Minister's Office, requesting a copy of the working paper which was delivered to them the next day.

## **5. RESPONSES BY THOSE WITH FINDINGS AGAINST THEM**

- 5.1 Before starting this enquiry, the Ombudsman notified all people or bodies complained of and gave them the right to reply whenever requested by the Ombudsman. Also, a working paper was provided on 18 August 2008 prior to preparation of this public report to give the individuals mentioned in this report another opportunity to respond.

5.2 Responses to the working paper were received from the following persons on the subsequent dates:

- **On 11 September 2008**, the Office of the Ombudsman received a telephone call from the First Political Adviser Mr Jonas Cullwick at the Ministry of Foreign Affairs saying that both the Minister, Honourable George A Wells and himself have no comments to make with regard to the content of the working paper.
- **On 3 October 2008**, the Ombudsman received a written response from Honourable James Bule stating that:

*"Mr Manarewo was appointed twice on an above basis for very specific task to be implemented to enhance the development of tourism in Vanuatu. The very specific task of which he was appointed to undertake is to help with the appointment of a new General Manager on merit following the applicants who have applied for the position of General Manager to Vanuatu Tourism Office [VTO].*

*Secondly, to assist the establishment of Vanuatu Tourism Office [VTO] branch in Brussels, Belgium to help attract tourism from twenty seven countries which are members of the European Union [EU].*

*Thirdly, to assist with the establishment of the Vanuatu Tourism Office [VTO] branch on Tanna to facilitate the development of tourism in Tafea Province.*

*The Chairman's term will end when the above tasks were all implemented."*

- **On 20 October 2008**, the Ombudsman received a letter by fax from the legal firm Ronald Kay Warsal & Co acting on behalf of Mr Crowby. The letter reads:

*"We have been instructed by our client that he had been very busy being a politician himself over the last 3 months campaigning for the September 2<sup>nd</sup>, 2008 elections and being involved in the Parliamentary session that had just been concluded.*

*As such, he was unable to provide a response to your office as requested. We are seeking instructions and will be providing a Response on behalf of our client within the next seven [7] days to your good office as required by law."*

However, the above seven [7] days as requested by Ronald Kay Warsal & Co have lapsed without the production of any response.

5.3 The Ombudsman did not receive any response to the Working Paper from the following people:

- Honourable Minister Patrick Crowby's legal representative Ronald Kay Warsal & Co
- Honourable Ham Lini Vanuaroroa, Deputy Prime Minister & Minister of Justice

- Mr Martin Tete, Principal Electoral Officer
- Mr Tony Arthur, Acting Town Clerk
- Mrs Betty Zinner-Toa, Acting Director of Finance
- Mr Jack Eric, NUP Whip

## 6. FINDINGS

### 6.1 Finding 1: PRIMA FACIE BREACH OF SECTION 25 OF THE LEADERSHIP CODE ACT NO.2 OF 1998 BY MR CROWBY

- 6.1.1 Being a Municipal Councillor under section 5[c] of the Leadership Code Act, Mr Crowby went ahead and entered into an employment contract that was signed on 29 December 2004 and on 31 March 2006 between the Prime Minister of the Government of the Republic of Vanuatu, Honourable Ham Lini Vanuaroroa and himself for the position of PRO in the Prime Minister's Office. That position was remunerated at an annual salary of one million six hundred eighty four thousand five hundred and eighty four [VT1.684.584] vatu.

Furthermore, Mr Crowby was appointed as the Chairman of VBTC Board [Appendix D] where he received travelling allowances [Appendix Q].

Since Mr Crowby had accepted to hold two other public offices or positions for which he received a monthly salary and travelling allowances, he may have breached Section 25 of the Leadership Code Act which provides that:

*"a leader must not hold any other public office or position for which he or she receives a salary, payment or other benefit of any kind, whether financial or otherwise, from the government or a statutory body, if that other office or position conflicts with or interferes in any way with the ability of the leader to fulfil his or her principal tasks and duties as a leader."*

- 6.1.2 During a seminar that was organized by the Lord Mayor of PVMC for his councillors held at Bluewater Island Resort from 12 to 16 December 2005, Mr Crowby, as one of the councillors, could not attend due to other commitments emerging from holding other positions. As such, Mr Crowby may have breached Section 25 of the Leadership Code Act due to the fact that not only the other office or position conflicted with or interfered with his ability to be present at the seminar but received an allowance of twenty five thousand [VT25.000] vatu for which he was not entitled to receive as he did not attend the seminar. His receipt of VT25.000 was not proper and is an act of being dishonest. Therefore, he may have breached section 25 of the Leadership Code Act.

### 6.2 Finding 2: PRIMA FACIE BREACH OF SECTION 13 OF THE LEADERSHIP CODE ACT BY MR CROWBY

- 6.2.1 Mr Crowby knew perfectly well that as he has been elected a Councillor of Port Vila Municipal Council, he should not have accepted his appointment to the other two positions.

Mr Crowby had an obligation to comply with section 25 of the Leadership Code Act as stated above.

His failure to do so has also caused him to be in breach of section 13 of the Leadership Code Act.

**6.3 Finding 3: PRIMA FACIE BREACH OF ARTICLE 66 OF THE CONSTITUTION BY PRIME MINISTER HAM LINI VANUAROROA**

- 6.3.1 The Minister responsible for municipalities Honourable George Wells, who is also affiliated to the Prime Minister's National United Party [NUP], had raised his concern in a letter to the Prime Minister Ham Lini Vanuarorua over the fact that Councillor Crowby was holding onto two other positions in the government. The Minister said that *"Pursuant to Article 67 of the Constitution of the Republic of Vanuatu and Section 5 of the Leadership Code Act, Mr Crowby has already breached section 25 of the Leadership Code Act when he was occupying more than one position"*.

The letter further reads that the Ministry was bombarded with correspondence from various authorities expressing concern over the way in which this matter was handled and how the Prime Minister's Office was silent over the issue.

Furthermore, the NUP Whip, MP Jack Eric has also called on Mr Crowby to resign from his position [Daily Post of Saturday, 21 January 2006] due to the clear breach of section 25 of the Leadership Code Act.

Despite such public outcries, the Prime Minister did not revoke Mr Crowby's appointments. The Prime Minister may have demeaned his office as well as allowing his integrity, as a leader, to be called into question. Indeed, the Prime Minister may have breached Article 66 [1][2] of the Constitution by entering into a transaction or engaging in an enterprise or activity that might be expected to give rise to doubt in the public mind as to whether he was carrying out the duty being imposed by sub-article [1].

**7. RECOMMENDATIONS**

Due to the above findings, the Ombudsman makes the following recommendations:

- 7.1 Since Mr Crowby is now a State Minister occupying the position of Minister of Internal Affairs, the positions of Chairman of VBTC and Chairman of the Vanuatu Tourism Office Board be removed immediately, thus holding only one position in order to avoid breaching section 25 of the Leadership Code Act.
- 7.2 Honourable Minister Crowby is to refund the PVMC's money of VT25.000 that he dishonestly obtained without attending a seminar organized by the Lord Mayor of PVMC when he was councillor of PVMC.
- 7.3 Government authorities legally empowered to appoint people into leadership position should refrain from entering into an employment contract with a leader who is already occupying a leadership role and function in any government institution or a statutory body.

- 7.4 Government authorities legally empowered to appoint people into leadership positions should familiarize themselves with the Leadership Code Act before making such appointments.

**Dated this 21<sup>st</sup> day of November 2008**



**Peter K TAURAKOTO**  
**OMBUDSMAN OF THE REPUBLIC OF VANUATU**

**8. INDEX OF APPENDICES**

- A. Relevant Laws
- B. Copy of Employment Agreement made on 29 December 2004
- C. Copy of Instrument of Appointment of VBTC Board members
- D. Copy of Mr Patrick Crowby's letter to VBTC Manager informing him of the names of the new board
- E. Copy of publication of results of the Municipal Council election held on 31 October 2005
- F. Copy of another contract [Employment Agreement] dated 31 March 2006
- G. Copy of publication of results of PVMC elections held on 24 September 2001 & gazetted in the Extraordinary Gazette No. 5 of 4 October 2001
- H. Copy of State Law Office's response to the Electoral Office
- I. Copy of letter from PVMC & payment vouchers
- J. Copy of Reserved Judgement of Civil Case No. 75 of 2003
- K. Copy of Daily Post Issue No.1629 dated 20 January 2006
- L. Copy of letter from Finance Department
- M. Copy of Official Salaries Order No.19 of 1998
- N. Copy of Mr Patrick Crowby's Government payrolls
- O. Copy of Daily Post Issue No.1630 dated 21 January 2006
- P. Copy of VBTC's letter to the Ombudsman
- Q. Copy of travelling allowances
- R. Copy of Official Gazette No.32 dated 15 October 2007

## Appendix A - Page 1 of 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.
- 66[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 sub article (1).

#### DEFINITION OF A LEADER

- 67 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.

### LEADERSHIP CODE ACT NO. 2 OF 1998

#### LEADER'S BEHAVIOUR

3. A leader holds a position of influence and authority in the community. A leader must behave fairly and honestly in all his or her official dealings with colleagues and other people, avoid personal gain, and avoid behaviour that is likely to bring his or her office into disrepute. *A leader must ensure that he or she is familiar with and understands the laws that affect the area or role of his or her leadership.*

#### LEADERS

5. In addition to the leaders referred to in Article 67 of the Constitution, the following are declared to be leaders:
- [a] members of the National Council of Chiefs;
  - [b] elected and nominated members of local government councils;
  - [c] **elected and nominated members of municipal councils;**
  - [d] **political advisors to a Minister;**
  - [e] directors-general of ministries and directors of departments;
  - [f] **members and the chief executive officers (however described) of the boards and statutory authorities;**
  - [g] chief executive officers or secretaries-general of local governments;
  - [h] the town clerks (or their equivalent in name) of municipal councils;
  - [i] persons who are:
    - [i] directors of companies or other bodies corporate wholly owned by the Government; and
    - [ii] appointed as directors by the Government;

## Appendix A - Page 2 of 2

- [j] the Attorney General;
- [k] the Commissioner and Deputy Commissioner of Police;
- [l] the Solicitor-General;
- [m] the Public Prosecutor;
- [n] the Public Solicitor;
- [o] the Ombudsman;
- [p] the Clerk of the Parliament;
- [q] the Principal Electoral Officer;
- [r] the Auditor-General;
- [s] the Chairperson of the Expenditure Review Committee;
- [t] the Chairperson when acting in that capacity of the Tenders Board;
- [u] members of the Public Service Commission;
- [v] members of the Teaching Service Commission;
- [w] members of the Police Service Commission;
- [x] members of the Electoral Commission;
- [y] the Commander of the Vanuatu Mobile Forces.

### DUTIES OF LEADERS

13. [1] A leader must:
- [a] comply with and observe the law;
  - [b] comply with and observe the fundamental principles of leadership contained in Article 66 of the Constitution;
  - [c] comply with and observe the duties obligations and responsibilities established by this Code or any other enactment that affects the leader; and
  - [d] not influence or attempt to influence or exert pressure on or threaten or abuse persons carrying out their lawful duty.

### LEADER NOT TO HOLD ANY OTHER PUBLIC OFFICE OR POSITION

25. A leader must not hold any other public office or position for which he or she receives a salary, payment or other benefit of any kind, whether financial or otherwise, from the government or a statutory body, if that other office or position conflicts with or interferes in any way with the ability of the leader to fulfil his or her principal tasks and duties as a leader.

EMPLOYMENT AGREEMENT

FOR

THE OFFICE OF THE PRIME MINISTER SUPPORT STAFF

OFFICE OF THE PRIME MINISTER.

AN AGREEMENT made the 29<sup>th</sup> day of December, 2004

**BETWEEN:** The Hon HAM LINI, Prime Minister of the Government of the Republic of Vanuatu, care of the Office of the Prime Minister PMB 9053 Port Vila, Republic of Vanuatu (hereinafter called "the Employer");

**AND:** PATRICK CROWBY, care of the Ministry of the Office of the Prime Minister, PMB 9053, Port Vila, Republic of Vanuatu (hereinafter called "the Employee")

**WHEREAS:**

- A. The Employer wishes to employ the Employee as the Prime Minister's PUBLIC RELATIONS OFFICER (PRO), office of the office of the Prime Minister (hereinafter called "the Office");
- B. The Employee is desirous of obtaining employment in the OFFICE as the PUBLIC RELATIONS OFFICER
- C. The parties agree that the employment of the Employee by the Employer shall be made subject to and in accordance with the terms and conditions set forth hereunder.

**NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:-**

- 1. **APPOINTMENT**
  - 1.1 The Employer agrees to employ and the Employee agrees to serve the Ministry as the PUBLIC RELATIONS OFFICER to the Minister for a period commencing from the 29<sup>th</sup> day of December 2004.
  - 1.2 This Agreement shall continue until terminated under clause 5.1 or 5.2.

AM

H-L<sup>1</sup>

There when

## 2. DUTIES AND RESPONSIBILITIES

- 2.1 The Employee shall punctually, diligently and to the best of his skill and ability perform, carry out and be responsible for all those duties, functions and responsibilities which the Employer from time to time issue by means of a Job Description to the Employee.
- 2.2 Without derogating from the generality of the provisions of Clause 2.1, the Employee
- (a) Shall attend punctually at the Office or at such other place or places as his duties may from time to time require;
  - (b) Shall devote his whole time and attention to and diligently and to the best of his skill and ability to perform his duties as the PUBLIC RELATIONS OFFICER between the hours of 0730 and 0430 (reasonable intervals being allowed for meals) on every workday;
  - (c) Shall not be absent at any time during the said hours from the said Office without the consent of the Employer or such other person authorized to give such consent on behalf of the Employer;
  - (d) Understands and accepts that in his position as the PUBLIC RELATIONS OFFICER in the office, he is personally responsible to the Employer for the due performance of his duties and responsibilities and he is obliged to carry out all lawful instructions which the Employer may from time to time give or issue to him.
- 2.3 Attendance at the said office referred to in Clause 2.1 shall not be required on public holidays.
- 2.4 If and whenever it may be necessary for the proper discharge of his duties, responsibilities or functions the Employee shall attend the Office or elsewhere including outside the Republic of Vanuatu as may be required on such day other than normal working days and at such early hour or for such longer period as may be required.
- 2.5 During the term of this Agreement the Employee: -
- (a) Shall devote the whole of his time to his employment by the Employer;
  - (b) Shall not engage himself or act as an employee, agent of principal of any other person, corporate body or any other similar organization;

AKL

2

JHMC

H.L



(c) Shall use his best endeavor and take all such proper steps or precautions as may be required, appropriate or necessary to prevent the loss, destruction, damage or waste of any deeds writings, papers, books, monies, assets or other property of the office or the Government; and

(d) At all times comply with the requirements of the laws of Vanuatu.

2.6 The Employee shall not at any time whether during his employment or at any time thereafter except so far as is necessary and proper in the ordinary course of his employment make public or disclose to any person any information as to any dealing or matter decided or attended to by the office or received by the office, which may come to his knowledge in the course of his employment by the Employer as the PUBLIC RELATIONS OFFICER.

### 3. REMUNERATION, ALLOWANCES AND BENEFITS

3.1 The remuneration of the Employee shall be:

(a) A fixed salary as prescribed under the Official Salaries Act (CAP. 168) ("the OSA"); and

(b) All those allowances and benefits as prescribed by the OSA.

3.2 Payment of salary, allowances or other benefits to the Employee shall be made in such manner and in accordance with such rules and procedures as the Government may from time to time prescribe.

3.3 The Employer may deduct a proportionate amount from the Employee's remuneration for every day of absence from his employment without previous permission unless, subject to the limitations set out in clause 4.2 below, the absence is the result of illness or injury.

### 4. ANNUAL LEAVE AND SICK LEAVE

4.1 The Employee is entitled to take annual leave upon approval by the Employer. Such leave shall be calculated and granted under the OSA.

4.2 The Employee is entitled to take sick leave at the rate of 21 days per 12 months of service. Where in any period of 12 months the Employee takes sick leave exceeding 21 days, such number of days taken in excess of the 21 days shall be taken as leave without pay

ATL

J.P.M.C.

H.L.



4.3 No sick leave is valid unless it is supported by a medical certificate issued by a registered and duly qualified medical practitioner.

## 5. TERMINATION OF AGREEMENT AND EMPLOYMENT

5.1 The Employee's employment under this Agreement may be terminated at any time in any of the following events, namely:

- (a) Either party may terminate this contract by the giving of notice or payment in lieu of notice in accordance with the provisions of the *Employment Act* [CAP 160];
- (b) If the Employee becomes permanently incapacitated by reason of injury or illness and is certified by a qualified and registered medical practitioner as medically unfit for service, the employment shall come to an end and terminate upon the Employer giving two (2) weeks notice in writing to the Employee. For the avoidance of doubt, "permanently incapacitated" includes incapacity requiring absence from work of two (2) consecutive months or more in any period of 12 months;
- (c) If the Employee persistently and willfully disobeys, disregards, neglects or refuses to carry out any lawful instructions or directions of the Employer, the employment may at the option of the Employer be terminated forthwith without notice or payment in lieu of notice or severance allowance;
- (d) If the Employee is convicted by a Court of any offence involving moral turpitude, or the Employee is convicted by a Court of any offence and is sentenced to prison, the employment may at the option of the Employer be determined forthwith and without any notice or payment in lieu of notice;
- (e) If the Employee becomes a member of a political party which is not the same as that of which the Employer is a member, the employment may at the option of the Employer be terminated forthwith without notice or payment in lieu of notice;
- (f) If the Employee shall be guilty of any misconduct or breach of the terms, conditions or stipulation on his part herein contained, the employment shall at the option of the Employer be terminated forthwith without notice or payment in lieu of notice.

5.2 Notwithstanding the provisions of Clause 5.1, the Employee's employment under this Agreement will automatically cease if the:

AKC

J.P. K.

4

H.L



- (a) Employer ceases to hold office as the Prime Minister of the State or,
- (b) The present Prime Minister ceases to hold office; or
- (c) The Office in which the Employee holds office is abolished

5.3 Notwithstanding the provisions of the *Official Salaries Act* [Cap 168] and any other clause of this contract, where the employee's employment ceases under clause 5.2 of this contract, the employee shall be paid his entitlements (if there is any) pursuant to the *Employment Act* [Cap 160].

## 6. SURRENDER OF GOVERNMENT PROPERTY

6.1 Upon termination of this Agreement, the Employee shall promptly deliver up to the Employer (whether or not demand therefore is given by the Employer) all stores, articles, property, motor vehicle or other assets belonging to the Government.

6.2 If upon termination of employment the Employee is occupying a Government House, he shall deliver up to the Government such house and vacate the same not more than 30 days after his employment has ceased. Any occupation of any Government house beyond the said period of time shall constitute trespass and render the Employee liable to be evicted from such house.

6.3 Where upon the surrender of any Government property, the property is found to have suffered damage and it is proven that the employee caused the damage, the employee shall be personally liable for the damage.

6.4 The employee's liability under clause 6.3 shall not be affected whether or not the damage was caused in the course of his employment and whether or not after the damage the employee is still employed under this contract.

## 7. AMENDMENTS TO THIS AGREEMENT

7.1 No amendment to this Agreement is valid unless such amendment is made in writing and executed by both parties.

7.2 Where as a result of amendments made by the Government to the OSA it is necessary to amend this Agreement to reflect such amendments, the parties shall enter into discussions with a view to including such changes in this Agreement.

JPAC  
AKL  
5  
H-L



**8. PROPER LAW**

8.1 This Agreement including any amendment thereto shall be governed and construed in accordance with the laws of the Republic of Vanuatu.

**9. ENTIRE AGREEMENT**

9.1 This Agreement constitutes the entire agreement reached between the Employer and the Employee and it shall supercede any previous understanding or agreements between the two parties.

**10. MISCELLANEOUS PROVISIONS**

10.1 The Headings included in this Agreement are for convenience only and shall not form part of this Agreement.

10.2 Any word importing the singular includes the plural and vice versa.

10.3 Any word importing the masculine gender includes the feminine gender.

10.4 Any notice require to be served by a party hereto shall be valid if it is made in writing and sent by registered post.

**11. COMMENCEMENT**

11.1 This Agreement shall be deemed to have come into force on the day of *December* 24<sup>th</sup> 2004.

**IN WITNESS WHEREOF** the parties hereto have hereunto set their respective seals and hands on the day and in the year hereinbefore mentioned.

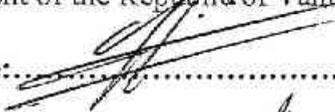
*JPMC ALL*

6

*H-L*

*[Signature]*

SIGNED BY: The Hon HAM LINI, Prime Minister on behalf of the Government of the Republic of Vanuatu.

Signature: .....)

In the presence of:

*fr* Sampson Endehipa  
Attorney General  
(Witness)

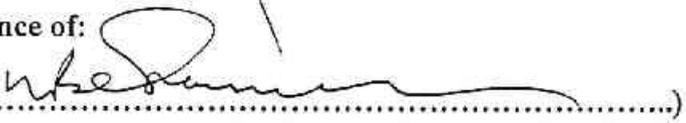


NAME OF EMPLOYEE PATRICK CROWBY

Signature: .....)

In the presence of:

(Witness)



*AKL*

7

*tl  
6*





REPUBLIC OF VANUATU

BROADCASTING AND TELEVISION ACT NO. 3 OF 1992

**Instrument of Appointment of Members of the  
Vanuatu Broadcasting and Television Corporation**

In exercise of the powers conferred on me by subsection 3(1) of the Broadcasting and Television Act No. 3 of 1992, I, Honourable VANUAROROA HAM LINI, Prime Minister, acting in accordance with the recommendation of the Council of Ministers, appoint the following persons as members of the Vanuatu Broadcasting and Television Corporation:

- (a) Patrick Crowby Manarewo;
- (b) Francis Aru;
- (c) David Tevi;
- (d) Petro Langa;
- (e) Leonard Carlot;
- (f) Allan Pama;
- (g) Christian Bihu.

This instrument comes into force on the day on which it is made.

Made at Port Vila this 22<sup>ND</sup> day of FEB 2005.

  
Honourable VANBAROROA HAM LINI  
Prime Minister

GOVERNMENT OF THE  
REPUBLIC OF VANUATU  
OFFICE OF THE PRIME MINISTER  
P. M. B. 9 053 Port Vila, Vanuatu  
Tel: (678) 22415 Fax: 22301



GOUVERNEMENT DE LA  
REPUBLIQUE DU VANUATU  
BUREAU DU PREMIER MINISTRE  
S.P. 9053 Port Vila, Vanuatu  
Tel: (678) 22415 Fax: 22301

Ref: 200/1/13/PCM/mm

24<sup>th</sup> February 2005

Mr Jonas CULLWICK  
General Manager  
VBTC  
PORT VILA

Dear Sir,

Re: Niu Board of Director VBTC

Mi stap informem yu, long leta ia, se Hon. Vanuaroroa Ham Lini, Praem Minista mo Minista blong VBTC hemi appointem officially long 22<sup>nd</sup> February 2005 niufala board of director. Hemia nao composition blong niufala Board.

Chairman	-	Crowby Patrick Manarewo
Vice Chairman	-	David Tevi
Member	-	Francis Aru
Member	-	Petro Langa
Member	-	Leonard Carlot
Member	-	Allan Pama
Member	-	Christian Bihu

Bambae yu arrangem blong fesfala board miting hemi tekem place long 1 march 2005 long VBTC premise long 12.0'clock am.

Please contactem mi blong yumitu lukluk long Agenda blong miting.

Prepare VBTC Act, Staff mannuel, chart or (organigramme) minit blong November and December 2004 blong delivrem long wan board of director wetem Agenda blong 1<sup>st</sup> March miting 2005.

Yours sincerely,

Patrick Crowby MANAREWO  
Public Relations Officer

CC: -1<sup>st</sup> PA, George Bogiri  
-Chrono

**REPUBLIQUE  
DE  
VANUATU**

**JOURNAL OFFICIEL**



**REPUBLIC  
OF  
VANUATU**

**OFFICIAL GAZETTE**



7 NOVEMBRE 2005

NO. 37

7 NOVEMBER 2005

**SONT PUBLIES LES TEXTES SUIVANTS**

**NOTIFICATION OF PUBLICATION**

**MUNICIPALITIES ACT [CAP.125]**

- PUBLICATION OF RESULTS OF THE MUNICIPAL COUNCIL ELECTION HELD ON 31<sup>ST</sup> OCTOBER 2005.

**CONTENTS**

**PAGE**

**LEGAL NOTICES**

- COMPANIES ACT [CAP.191] 1.
- INTERNATIONAL COMPANIES ACT NO. 4 OF 2002 2.

		24
FRANCKY TAVDEV	PEOPLES ACTION PARTY	28
		-----
		28
MALEPU ISSAC TOUQUEN ALLAN	NATIONAL COMMUNITY ASSOCIATION NCA	28 57
		-----
		85
ADAM DOUGLAS ALLAN ANDREW	NATIONAL UNITED PARTY (NUP) NUP	11 32
		-----
		43
PAKOA SANDY LUIS SERGE BASIL HERVE	VANUATU REPUBLICAN PARTY (VRP) VRP VRP	47 79 22
		-----
		148
TONY WRIGHT TAHUN ALI VANO TERRY	UNION MODERATE PARTY (UMP) UMP UMP	189 35 24
		-----
		248
KALO DICK KALKOA JOSEPH KALO DONALD JIMMY	MELANESIAN PROGRESSIVE PARTY (MPP) MPP MPP	19 27 8
		-----
		54
ELWELGEN ANDREW	LABOUR PARTY (LP)	20
		---
		20

Therefore THE ELECTORAL COMMISSION HEREBY PUBLISHES the official results of name of the candidates duly elected in accordance with the system of Proportional Representation in Rules 22, 23 and 24 of Schedule 3 of the Municipal Council Elections Regulations.

1. MALAPOA/TAGABE WARD: 3 SEATS –	AFFILIATION
1. DINI AMOS	GC

2. ROBERT SEULE
3. IAWAN JOHNSON

NUP  
NCA

2. ANABROU/MELCOFE/TASSIRIKI WARD: 4 SEATS

AFFILIATION

1. JOSELITO WOKON
2. AVOCK PAUL HUGAI
3. PAKOA WILLIE
4. CROWBY PATRICK

UMP  
VP  
GC  
NUP

3. CENTRAL WARD: 4 SEATS

AFFILIATION

1. MAKI VAI
2. PALAUD DONALD
3. SAKARIAH CHARLEY
4. WENJIO TAMAU

NUP  
UMP  
GC  
VP

4. SOUTH WARD 3 SEATS

AFFILIATION

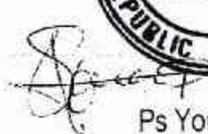
1. TONY WRIGHT
2. JAMES KALO
3. LUIS SERGE

UMP  
VP  
VRP

MADE at Port Vila this 2<sup>nd</sup> day of November 2005



  
Etienne KOMBE  
Chairman

  
Ps Youen ATNELO  
Member

  
Chero KALA  
Member

EMPLOYMENT AGREEMENT

FOR

OFFICE OF THE PRIME MINISTER

AN AGREEMENT made the... 31<sup>st</sup>.....day of... March....., 2006

**BETWEEN:** The Honorable **HAM LINI VANUAROROA**, PRIME MINISTER of the Government of the Republic of Vanuatu, care of the Office of the Prime Minister, PMB 053 Port Vila, Efate, Republic of Vanuatu (hereinafter called "the Employer");

**AND: PATRICK CROWBY MANAREWO**, care of Office of the Prime Minister, PMB 053, Port Vila, Republic of Vanuatu (hereinafter called "the Employee")

**WHEREAS:**

- A. The Employer wishes to employ the Employee as PUBLIC RELATIONS OFFICER to the Prime Minister's Office (hereinafter called "the Ministry");
- B. The Employee is desirous of obtaining employment in the Ministry as PUBLIC RELATIONS OFFICER ;
- C. The parties agree that the employment of the Employee by the Employer shall be made subject to and in accordance with the terms and conditions set forth hereunder.

**NOW THEREFORE IT IS HEREBY AGREED AS FOLLOWS:-**

**1. APPOINTMENT**

- 1.1 The Employer agrees to employ and the Employee agrees to serve the Ministry as PUBLIC RELATIONS OFFICER for a period commencing from the.....day of March 2006.
- 1.2 This Agreement shall continue until terminated under clause 5.1 or 5.2.

**2. DUTIES AND RESPONSIBILITIES**

- 2.1 The Employee shall punctually, diligently and to the best of his skill and ability perform, carry out and be responsible for all those duties, functions and responsibilities which the Employer from time to time issue by means of a Job Description to the Employee.

*Handwritten signatures: J.M.C. and H.L.*

2.2 Without derogating for the generality of the provisions of Clause 2.1, the Employee

- (a) shall attend punctually at the Ministerial Office or at such other place or places as his duties may from time to time require;
- (b) shall devote his whole time and attention to and diligently and to the best of his skill and ability to perform his duties as PUBLIC RELATIONS OFFICER to the Ministry between the hours of 0730 and 0430 (reasonable intervals being allowed for meals) on every workday;
- (c) shall not be absent at any time during the said hours from the said Ministerial Office without the consent of the Employer or such other person authorized to give such consent on behalf of the Employer;
- (d) understands and accepts that in his position as PUBLIC RELATIONS OFFICER in the Ministry, he is personally responsible to the Employer for the due performance of his duties and responsibilities and he is obliged to carry out all lawful instructions which the Employer may from time to time give or issue to him.

2.3 Attendance at the said Ministerial Office referred to in Clause 2.1 shall not be required on public holidays.

2.4 If and whenever it may be necessary for the proper discharge of his duties, responsibilities or functions the Employee shall attend the Ministerial Office or elsewhere including outside the Republic of Vanuatu as may be required on such day other than normal work days and at such earlier hour or for such longer period as may be required.

2.5 During the term of this Agreement the Employee :-

- (a) shall devote the whole of his time to his employment by the Employer;
- (b) shall not engage himself or act as an employee, agent of principal of any other person, corporate body or any other similar organization;
- (c) shall use his best endeavor and take all such proper steps or precautions as may be required, appropriate or necessary to prevent the loss, destruction, damage or waste of any deeds writings,

*Level H. 2*

papers, books, monies, assets or other property of the Ministry or the Government; and

---

(d) at all times comply with the requirements of the laws of Vanuatu .

2.6 The Employee shall not at any time whether during his employment or at any time thereafter except so far as is necessary and proper in the ordinary course of his employment make public or disclose to any person any information as to any dealing or matter decided or attended to by the Ministry or received by the Ministry, which may come to his knowledge in the course of his employment by the Employer as PUBLIC RELATIONS OFFICER.

### 3. REMUNERATION, ALLOWANCES AND BENEFITS

3.1 The remuneration of the Employee shall be:

- (a) a fixed salary as prescribed under the Official Salaries Act (CAP. 168) ("the OSA"); and
- (b) all those allowances and benefits as prescribed by the OSA.

3.2 Payment of salary, allowances or other benefits to the Employee shall be made in such manner and in accordance with such rules and procedures as the Government may from time to time prescribe.

3.3 The Employer may deduct a proportionate amount from the Employee's remuneration for every day of absence from his employment without previous permission unless, subject to the limitations set out in clause 4.2 below, the absence is the result of illness or injury.

### 4. ANNUAL LEAVE AND SICK LEAVE

4.1 The Employee is entitled to take annual leave upon approval by the Employer. Such leave shall be calculated and granted under the OSA.

4.2 The Employee is entitled to take sick leave at the rate of 21 days per 12 months of service. Where in any period of 12 months the Employee takes sick leave exceeding 21 days, such number of days taken in excess of the 21 days shall be taken as leave without pay

4.3 No sick leave is valid unless it is supported by a medical certificate issued by a registered and duly qualified medical practitioner.

*JMC* H.L

## 5. TERMINATION OF AGREEMENT AND EMPLOYMENT

5.1 The Employee's employment under this Agreement may be terminated at any time in any of the following events, namely:

- (a) Either party may terminate this contract by the giving of notice or payment in lieu of notice in accordance with the provisions of the Employment Act [CAP 160];
- (b) If the Employee becomes permanently incapacitated by reason of injury or illness and is certified by a qualified and registered medical practitioner as medically unfit for service, the employment shall come to an end and terminate upon the Employer giving two (2) weeks notice in writing to the Employee. For the avoidance of doubt, "permanently incapacitated" includes incapacity requiring absence from work of two (2) consecutive months or more in any period of 12 months;
- (c) If the Employee persistently and willfully disobeys, disregards, neglects or refuses to carry out any lawful instructions or directions of the Employer, the employment may at the option of the Employer be terminated forthwith without notice or payment in lieu of notice or severance allowance;
- (d) If the Employee is convicted by a Court of any offence involving morale turpitude, or the Employee is convicted by a Court of any offence and is sentenced to prison, the employment may at the option of the Employer be determined forthwith and without any notice or payment in lieu of notice;
- (e) If the Employee becomes a member of a political party which is not the same as that of which the Employer is a member, the employment may at the option of the Employer be terminated forthwith without notice or payment in lieu of notice;
- (f) If the Employee shall be guilty of any misconduct or breach of the terms, conditions or stipulation on his part herein contained, the employment may at the option of the Employer be terminated forthwith without notice or payment in lieu of notice.

5.2 Notwithstanding the provisions of Clause 5.1, the Employee's employment under this Agreement will automatically cease if the:

- (a) Employer ceases to hold office as a Minister of State;

*SPM H.L*

- (b) the present Prime Minister ceases to hold office; or  
(c) ~~the Ministerial Office in which the Employee holds office is~~  
abolished.

## 6. SURRENDER OF GOVERNMENT PROPERTY

- 6.1 Upon termination of this Agreement, the Employee shall promptly deliver up to the Employer (whether or not demand therefore is given by the Employer) all stores, articles, property, motor vehicle or other assets belonging to the Government.
- 6.2 If upon termination of employment the Employee is occupying a Government House, he shall deliver up to the Government such house and vacate the same not more than 30 days after his employment has ceased. Any occupation of any Government house beyond the said period of time shall constitute trespass and render the Employee liable to be evicted from such house.

## 7. AMENDMENTS TO THIS AGREEMENT

- 7.1 No amendment to this Agreement is valid unless such amendment is made in writing and executed by both parties.
- 7.2 Where as a result of amendments made by the Government to the OSA it is necessary to amend this Agreement to reflect such amendments, the parties shall enter into discussions with a view to including such changes in this Agreement.

## 8. PROPER LAW

- 8.1 This Agreement including any amendment thereto shall be governed and construed in accordance with the laws of the Republic of Vanuatu.

## 9. ENTIRE AGREEMENT

- 9.1 This Agreement constitutes the entire agreement reached between the Employer and Employee and it shall supersede any previous understandings or agreements between the two parties.

## 10. MISCELLANEOUS PROVISIONS

*TPUC* 14.2

10.1 The Heading included in this Agreement is for convenience only and shall not form part of this Agreement.

10.2 Any word importing the singular includes the plural and vice versa

10.3 Any word importing the masculine gender includes the feminine gender

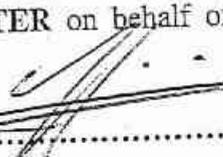
10.4 Any notice require to be served by party hereto shall be valid if it is made in writing and sent by registered post.

**11. COMMENCEMENT**

11.1 This Agreement shall be deemed to have come into force on the 3<sup>rd</sup> day of APRIL, 2006.

IN WITNESS WHEREOF the parties hereto have hereunto set their respective seals and hands on the day and in the year hereinbefore mentioned.

SIGNED BY: The Honorable HAM MANAREWO VANUATU  
PRIME MINISTER on behalf of the Government of the Republic of Vanuatu.

Signature: 

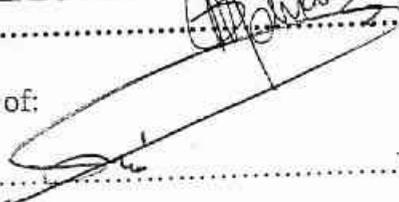


In the presence of: 

 Sampson Endehipa  
Attorney General  
(witness)

NAME OF EMPLOYEE: PATRICK CROWBY MANAREWO

Signature: 

In the presence of: 

(Witness)

**REPUBLIQUE  
DE  
VANUATU  
JOURNAL OFFICIEL**



**REPUBLIC  
OF  
VANUATU  
OFFICIAL GAZETTE**

**4 OCTOBRE 2001**      **EXTRAORDINARY GAZETTE**      **4 OCTOBER 2001**  
**NUMERO SPECIAL**  
**NO. 5**

**SONT PUBLIES LES TEXTES SUIVANTS**

**NOTIFICATION OF PUBLICATION**

**MUNICIPAL COUNCIL ELECTION ACT**  
**[CAP. 126] -**

- **PUBLICATION OF RESULTS OF PORT VILA MUNICIPAL COUNCIL ELECTIONS HELD ON THE 24<sup>TH</sup> SEPTEMBER 2001.**

**SOMMAIRE**      **PAGE**

**CONTENTS**      **PAGE**

**CRIMINAL PROCEDURE CODE**  
**ACT [CAP. 136] -**

- **INSTRUMENT OF APPOINTMENT - MR. ERIC A. CSIBA**      **1**

**THE COMPANIES ACT [CAP. 191] -**

- **PUBLIC NOTICE**      **2**

**THEREFORE THE ELECTORAL COMMISSION HEREBY PUBLISHES** the official results of the names of the Candidates duly elected in accordance with the Proportional Representation in Rule 23, 24 and 25 of the Schedule 3 of the Municipal (Procedure Rules) Orders No. 60 of 1982.

**MALAPOA/TAGABE WARD: 3 SEATS**

- |                            |     |
|----------------------------|-----|
| 1. PATRICK CROWBY MANAREWO | NUP |
| 2. RORIN MILLER            | MPP |
| 3. DANIEL BULE             | VP  |

**ANAMBURU/TASSIRIKI WARD: 4 SEATS**

- |                       |     |
|-----------------------|-----|
| 1. AMBROSIO MELTERES  | UMP |
| 2. AVOCK PAUL HUNGAI  | NUP |
| 3. SIMON SOLOMON      | VP  |
| 4. NALESABANG FLORENT | VRP |

**CENTRAL VILA/SEASIDE WARD: 4 SEATS**

- |                |     |
|----------------|-----|
| 1. TONG SEULE  | UMP |
| 2. MAURICE JOE | VP  |
| 3. LAMAI JOHN  | NCA |
| 4. JOSEPH ERON | NUP |

**SOUTH WARD: 3 SEATS**

- |                 |     |
|-----------------|-----|
| 1. JAMES KALO   | VP  |
| 2. JOHNSON YOAN | NCA |
| 3. TERRY VANO   | UMP |

Made at Port Vila this 28<sup>th</sup> day of September 2001.

  
 Charles Bice  
 Chairman  
 Electoral Commission

  
 Dorosday Kenneth  
 Member  
 Electoral Commission

  
 Stanley Moli  
 Member  
 Electoral Commission



GOVERNMENT OF THE REPUBLIC OF VANUATU

Private Mail Bag 9048  
Port Vila  
Vanuatu  
South West Pacific

Telephone: (678) 22362  
Facsimile: (678) 25473  
E-mail: att.gen@vanuatu.gov.vu



Our ref: AG.008/9/02/VMT

STATE LAW OFFICE

7 December 2005

Mr Martin J Tete  
Principal Electoral Officer  
Electoral Office  
PMB 033  
Port Vila

Dear Mr Tete,

**Vacation of Office**

Thank you for your letter dated 10 November 2005. You instruct in your letter that following the recent Port Vila Municipal Council (the "Council") election, four of the former councillors were re-elected plus a former Council employee. Prior to the election, the Council served these five councillors with invoices dated 30 September 2005 to pay the Council certain amounts. These invoices constituted the first notices given to the councillors of the amounts they owed the Council, therefore the earliest date it could be said that those amounts became due is 30 September 2005, the date of the invoices.

At the time the Electoral Commission (the "Commission") was considering whether candidates were qualified for election as a municipal councillor, these five councillors were not in default of payment of their debts for a period exceeding 2 months after those debts became due, therefore they were not unqualified or disqualified for election under paragraph 8(1) of the *Municipalities Act* [CAP. 126] (the "Act").

You requested my advice on whether paragraph 10(a) of the Act will automatically apply to the five councillors if they do not settle their debts with the Council by 30 November 2005.

Section 10 of the Act provides:

10. *If any councillor -*
- (a) *is found to have been unqualified or disqualified for election to a council;*
  - (b) *is by any circumstances arising so placed that if he were not a councillor would cause him to be disqualified from election as such;*
  - (c) *resigns from the council;*

- (d) *retires from the council in accordance with any terms and conditions that may be prescribed under the provisions of section 4;*
- (e) *fails to attend 3 consecutive meetings of the council or of any committee of the council of which he is a member, unless he has obtained the prior permission of the council to absent himself throughout such period,*

*he shall cease to hold office as a councillor.*

Paragraph 10(a) of the Act provides that if any councillor is found to have been unqualified or disqualified for election to a council, he shall cease to hold office as a councillor. This means that if a councillor is found to have been unqualified or disqualified for election to a council prior to or at the date of the election, he shall cease to hold office as a councillor at the time the finding is made that he was so unqualified or disqualified.

I am instructed that complaints have been put to the Election Disputes Committee (the "Committee") regarding the election of the five councillors. The five councillors shall cease to hold office as councillors under paragraph 10(a) of the Act only if the Committee can find that they were unqualified or disqualified for election to the Council prior to or at the date of the election.



As previously advised, at the time the Commission was considering whether candidates were qualified for election as a municipal councillor and even on the date of the election, these five councillors were not unqualified or disqualified for election under paragraph 8(l) of the Act because they were not in default of payment of any debts due to the Council for a period exceeding 2 months after the same became due. Two months after their debts became due is 30 November 2005 and that is after the election, whereas paragraph 10(a) addresses the situation where a councillor is unqualified or disqualified for election for whatever reason prior to or at the date of the election. The five councillors were not unqualified or disqualified for election under paragraph 8(l) of the Act prior to or on the date of the election therefore they cannot be found now under paragraph 10(a) of the Act to have been so unqualified or disqualified and thereby cease to hold office as councillors.

In conclusion, paragraph 10(a) of the Act does not automatically apply to the five councillors even if they do not settle their debts with the Council by 30 November 2005.

Please do not hesitate to contact Ms Viran Molisa Trief of this office with any queries that you may have.

Yours sincerely,



for Sampson Endehipa  
Attorney General



Cc: Hon. George Wells, Minister of Internal Affairs, Ministry of Internal Affairs.  
Chairman, Electoral Commission.

---

**MUNICIPALITÉ  
DE  
PORT - VILA**

*Boîte Postale 99  
Tél: 22113 / 24017  
Télécopie: 25002*

*Email: mairiepv@vanuatu.com.vu*

---



---

**MUNICIPALITY  
OF  
PORT VILA**

*PO Box 99  
Tel: 22113 / 24017  
Facsimile: 25002*

*Email: mairiepv@vanuatu.com.vu*

---

**January 16, 2006**

Peter Taurakoto  
Ombudsman  
PMB 9081  
Port Vila



Dear Ombudsman,

**Re: 5145/5167/L34/ta**

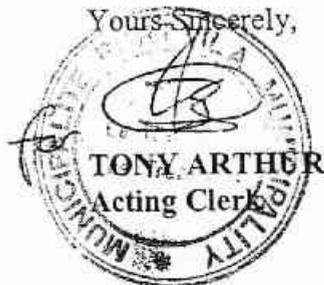
I would like to confirm the above referenced that the Counselor is receiving allowances for he post the post he occupies after the Council Election last Year.

His Monthly allowance is 40,000 and a monthly working committee as Chairman of Finance Committee is 10,000 vatu. Therefore, his total monthly allowance is 50,000. He has been receiving this amount since November last year 2005 till January.

He also received sitting allowance at Blue water in December 12 through 16 December at 25,000 vatu.

I have attached the salaries with this letter for your information.

Yours Sincerely,



# MUNICIPALITE DE PORT VILA MUNICIPALITY

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Chapitre : **B130**

Head :

Date : **30/11/05**

Montant du a : **CASH**

Amount due to

**(NE PAS DETACHER LES PIECES JOINTS / DO NOT DETACH DOCUMENTS)**

Veuillez trouver ci-joint .....**1**.....Cheque(s) No.....**001070**..... D'un montant  
Please find enclosed.....cheque No..... for the amount

De ...**785.000**.... **Vatu** tire (e) sur la banque .....**WBC**.....en règlement  
Of ..... **Vatu** drawn on the bank .....being  
De/For

NOM	OBJETS	MONTANT
COUNCILLORS	DUTY ALLOWANCES - NOV'05	785.000 VT
		785.000 VT

Préparé par/Prepared by:

\_\_\_\_\_

Verifié par/Calculation checked by:

\_\_\_\_\_

Approuvé par/  
Approved for payment:

\_\_\_\_\_

**estpac Banking Corporation**

Port Vila, Vanuatu

Chq. No. :1070

30/11/2005

or bearer  
ou au porteur

Pay

Payez a **CASH**

The Sum of

La somme de Sept cent quatre vingt cinq

mille vatu

785.000

\_\_\_\_\_

PORT VILA MUNICIPALITY

Cheque No.  
001070

Branch BSB No.  
039-033

Account No.  
01-198031-01

Nous vous en souhaitons bonne réception.

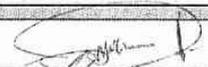
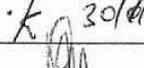
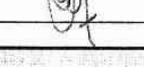
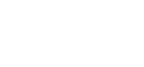
Yours Sincerely,

**Reception paiement par /Payment Receive by:**

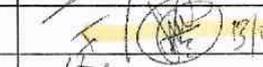
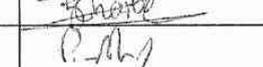
Print Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ and Date \_\_\_\_\_

## DUTY ALLOWANCE FOR 30 NOVEMBER 2005

NO.	NAME	MONTHLY DUTY ALLOWANCE	WORKING COMITEE CHAIRMAN ALLOWANCE	DEDUCTIONS	TOTAL PAID	WBC CHEQ.NO.	SIGNATURE + DATE
1	LORD MAYOR - PAUL AVOCK	170,000 VT	10,000 VT		180,000 VT	1070	
2	1ST DEPUTY MAYOR - ROBERT SEULE	95,000 VT	10,000 VT		105,000 VT		
3	2ND DEPUTY MAYOR - YOAN JOHNSON	40,000 VT	10,000 VT		50,000 VT		
4	3RD DEPUTY MAYOR - LUIS SERGE	40,000 VT	10,000 VT		50,000 VT		
5	COUNCILLOR PATRICK CROWBY	40,000 VT	10,000 VT		50,000 VT		 For 12/12/05
6	COUNCILLOR JAMES KALO	40,000 VT	10,000 VT		50,000 VT		
7	COUNCILLOR MAKI VAI	40,000 VT	10,000 VT		50,000 VT		
8	COUNCILLOR TAMAU WENJIO	40,000 VT	10,000 VT		50,000 VT		
9	COUNCILLOR DINI AMOS	40,000 VT			40,000 VT		
10	COUNCILLOR PALAUD DONALD	40,000 VT			40,000 VT		
11	COUNCILLOR CHARLEY SAKARIAH	40,000 VT			40,000 VT		
12	COUNCILLOR PAKOA WILLIE	40,000 VT			40,000 VT		
13	COUNCILLOR WOKON JOSELITO	40,000 VT			40,000 VT		
14	COUNCILLOR WRIGHT TONY	40,000 VT			40,000 VT	Coran du 25/11/04	
<b>TOTAL</b>		745,000 vt	80,000 vt	vt -	825,000 vt		

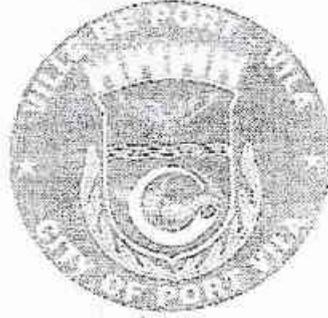
## DUTY ALLOWANCE 01-15 JANUARY 2006

NO.	NAME	MONTHLY DUTY ALLOWANCE	WORKING COMITEE CHAIRMAN ALLOWANCE	DEDUCTIONS	TOTAL PAID	WBC CHEQ.NO.	SIGNATURE + DATE
1	LORD MAYOR - PAUL AVOCK	85,000 VT	5,000 VT		90,000 VT		
2	1ST DEPUTY MAYOR - ROBERT SEULE	47,500 VT	5,000 VT		52,500 VT		
3	2ND DEPUTY MAYOR - YOAN JOHNSON	20,000 VT	10,000 VT		30,000 VT		
4	3RD DEPUTY MAYOR - LUIS SERGE	20,000 VT	5,000 VT		25,000 VT		
5	COUNCILLOR PATRICK CROWBY	20,000 VT	5,000 VT		25,000 VT		 13/1/06
6	COUNCILLOR JAMES KALO	20,000 VT	5,000 VT		25,000 VT		
7	COUNCILLOR MAKI VAI	20,000 VT	5,000 VT		25,000 VT		
8	COUNCILLOR TAMAU WENJIO	20,000 VT	5,000 VT		25,000 VT		
9	COUNCILLOR PALAUD DONALD	20,000 VT			20,000 VT		
10	COUNCILLOR CHARLEY SAKARIAH	20,000 VT			20,000 VT		
11	COUNCILLOR PAKOA WILLIE	20,000 VT		vt 5,625	14,375 VT		
12	COUNCILLOR WOKON JOSELITO	20,000 VT			20,000 VT		
13	COUNCILLOR WRIGHT TONY	20,000 VT		vt 6,000	14,000 VT		
<b>TOTAL</b>		<b>352,500 vt</b>	<b>45,000 vt</b>	<b>vt 11,625</b>	<b>385,875 vt</b>		

MUNICIPALITÉ  
DE  
PORT - VILA

Boîte Postale 99  
Tél: 22113 / 24017  
Télécopie: 25002

Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)



MUNICIPALITY  
OF  
PORT VILA

PO Box 99  
Tel: 22113 / 24017  
Facsimile: 25002  
Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)

13 January 2005

## Duty Allowance

(01-15 January 2005)

	Nom/Prenom	Duty Allowance	Chairmanship Working com.all	Deduction	Paiement
Councillor	CROWBY Patrick	20.000 vt	5.000 vt		25.000 vt
					25.000 vt

Service Comptabilité  
Mairie de Port-Vila

Date : 13/01/05 Signature :

# MUNICIPALITE DE PORT VILA MUNICIPALITY

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Chapitre : **B102**

Head :

Date : **14/12/05**

Montant du a : **CASH**

Amount due to

**(NE PAS DETACHER LES PIECES JOINTS / DO NOT DETACH DOCUMENTS)**

Veuillez trouver ci-joint .....**1**.....Cheque(s) No.....**001083** ..... D'un montant  
Please find enclosed.....cheque No..... for the amount

De **558.191**..... **Vatu** tire (e) sur la banque .....**WBC**.....en règlement  
Of ..... **Vatu** drawn on the bank .....being  
De/For

NOM	OBJETS	MONTANT
COUNCILLORS	12/13 DEC'05 SITTING ALLOW.	140.000 VT
COUNCILLORS	15/16 DEC'05 SITTING ALLOW.	210.000 VT
COUNCILLORS	GRATUITY ALLOWANCES	208.191 VT
		<b>558.191 VT</b>

Preparé par/Prepared by:

Verifié par/Calculation checked by:

Approuvé par/  
Approved for payment:

**Westpac Banking Corporation**

Port Vila, Vanuatu

Chq. No. :1083

Pay

Payez a **CASH**

The Sum of

La somme de **Five hundred fifty eight**

**thousand one hundred ninety one vatu.**

14/12/2005

or bearer  
ou au porteur

**558.191**

PORT VILA MUNICIPALITY

Cheque No.  
001083

Branch BSB No.  
039-033

Account No.  
01-198031-01

Reception paiement par/Payment Receive by:

Print Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ and Date \_\_\_\_\_

MUNICIPALITÉ  
DE  
PORT - VILA

Boîte Postale 99  
Tél: 22113 1 24017  
Télécopie: 25002  
Email: mairiepv@vanuatu.com.vu



MUNICIPALITY  
OF  
PORT VILA

PO Box 99  
Tel: 22113 1 24017  
Facsimile: 25002  
Email: mairiepv@vanuatu.com.vu

**COUNCIL ORIENTATION SITTING ALLOWANCE (BLUE WATER ISLAND RESORT)**

DATE : 12 DECEMBRE 05 - 13 DECEMBRE 05 - 14 DECEMBRE 05

<u>TO WHOM PAID</u>	<u>TOTAL AMOUNT</u>	<u>SIGNATURE</u>
LORD MAYOR - PAUL AVOCK	15,000 VUV	
1ST DEPUTY MAYOR - ROBERT SEULE	15,000 VUV	
2ND DEPUTY MAYOR - YOAN JOHNSON	15,000 VUV	
3RD DEPUTY MAYOR - LUIS SERGE	15,000 VUV	
COUNCILLOR PATRICK CROWBY	15,000 VUV	For  14/12/05
COUNCILLOR JAMES KALO	15,000 VUV	
COUNCILLOR MAKI VAI	15,000 VUV	
COUNCILLOR PAKOA WILLIE	15,000 VUV	P. M.
COUNCILLOR DINI AMOS	15,000 VUV	For
COUNCILLOR PALAUD DONALD	15,000 VUV	
COUNCILLOR CHARLEY SAKARIAH	15,000 VUV	
COUNCILLOR TAMAU WENJIO	15,000 VUV	
COUNCILLOR WOKON JOSELITO	15,000 VUV	14/12/05
COUNCILLOR WRIGHT TONY	15,000 VUV	For

**TOTAL (WBC CHQ 1083) + Cash 14/12/05**

**210,000 VUV**

Lord Mayor  
Wagapville

15,000  

---

225,000

Tony ATHUR  
Acting Town Clerk

**MUNICIPALITÉ  
DE  
PORT - VILA**

Boîte Postale 99  
Tél: 22113 / 24017  
Télécopie: 25002

Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)



**MUNICIPALITY  
OF  
PORT VILA**

PO Box 99  
Tel: 22113 / 24017  
Facsimile: 25002  
Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)

**COUNCIL ORIENTATION SITTING ALLOWANCE (BLUE WATER ISLAND RESORT)**

**DATE : 15 DECEMBRE 05 - 16 DECEMBRE 05**

<u>TO WHOM PAID</u>	<u>TOTAL AMOUNT</u>	<u>SIGNATURE</u>
LORD MAYOR - PAUL AVOCK	10,000 VUV	
DEPUTY MAYOR - ROBERT SEULE	10,000 VUV	
2ND DEPUTY MAYOR - YOAN JOHNSON	10,000 VUV	
3RD DEPUTY MAYOR - LUIS SERGE	10,000 VUV	
<b>COUNCILLOR PATRICK CROWBY</b>	<b>10,000 VUV</b>	
COUNCILLOR JAMES KALO	10,000 VUV	
COUNCILLOR MAKI VAI	10,000 VUV	
COUNCILLOR PAKOA WILLIE	10,000 VUV	
COUNCILLOR DINI AMOS	10,000 VUV	
COUNCILLOR PALAUD DONALD	10,000 VUV	
COUNCILLOR CHARLEY SAKARIAH	10,000 VUV	
COUNCILLOR TAMAU WENJIO	10,000 VUV	
COUNCILLOR WOKON JOSELITO	10,000 VUV	
COUNCILLOR WRIGHT TONY	10,000 VUV	
(LUGANVILLE MAYOR - BROWNHILL )	10,000 VUV	
<b><u>TOTAL (WBC CHQ 1083)</u></b>	<b><u>150,000 VUV</u></b>	

Tony ATHUR  
Acting Town Clerk

MUNICIPALITÉ  
DE  
PORT - VILA

Boîte Postale 99  
Tél: 22113 / 24017  
Télécopie: 25002

Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)



MUNICIPALITY  
OF  
PORT VILA

PO Box 99  
Tel: 22113 / 24017  
Facsimile: 25002  
Email: [mairiepv@vanuatu.com.vu](mailto:mairiepv@vanuatu.com.vu)

15 Décembre 2005

**Gratuity Allowance 2005**  
(November – December 2005)

	Nom/Prenom	Description	Paiement
COUNCILLOR	CROWBY Patrick	Gratuity payment 2005 (nov-Dec05)	11.178 vt
			11.178 vt

Service Comptabilité  
Mairie de Port-Vila

Date : 15/12/05

Signature :

For

# MUNICIPALITE DE PORT VILA MUNICIPALITY

## MANDAT DE PAIEMENT PAYMENT VOUCHER

Chapitre : **B102**  
Head :

Date : **22/12/05**

Montant du a : **CASH**  
Amount due to

**(NE PAS DETACHER LES PIECES JOINTS / DO NOT DETACH DOCUMENTS)**

Veuillez trouver ci-joint .....**1**.....Cheque(s) No.....**001098**..... D'un montant  
Please find enclosed.....cheque No..... for the amount

De .....**805.550**.... **Vatu** tire (e) sur la banque .....**WBC**.....en règlement  
Of ..... **Vatu** drawn on the bank .....being  
De/For

NOM	OBJETS	MONTANT
COUNCILLORS	DECEMBER DUTY ALLOWANCES	805.550 VT
		805.550 VT

Preparé par/Prepared by:

Approuvé par/  
Approved for payment:

Verifié par/Calculation checked by:

**estpac Banking Corporation**

Port Vila, Vanuatu

Chq. No. 1098

Pay  
Payez a **CASH**

22/12/2005

or bearer  
ou au porteur

The Sum of  
La somme de Huit cent sept mille cinq cent

cinquante vatu

807,550 -

PORT VILA MUNICIPALITY

Cheque No.  
001098

Branch BSB No.  
039-033

Account No.  
01-198031-01

Nous vous en souhaitons bonne réception.  
Yours Sincerely,

**Reception paiement par / Payment Receive by:**

Print Name \_\_\_\_\_ Position \_\_\_\_\_

Signature \_\_\_\_\_ and Date \_\_\_\_\_

## DUTY ALLOWANCE FOR 23 DECEMBER 2005

NO.	NAME	MONTHLY DUTY ALLOWANCE	WORKING COMITEE CHAIRMAN ALLOWANCE	DEDUCTIONS	TOTAL PAID	WBC CHEQ.NO.	SIGNATURE + DATE
1	LORD MAYOR - PAUL AVOCK	170 000 VT	10 000 VT		180 000 VT		
2	1ST DEPUTY MAYOR - ROBERT SEULE	95 000 VT	10 000 VT		105 000 VT		
3	2ND DEPUTY MAYOR - YOAN JOHNSON	40 000 VT	20 000 VT		60 000 VT		
4	3RD DEPUTY MAYOR - LUIS SERGE	40 000 VT	10 000 VT		50 000 VT		
5	COUNCILLOR PATRICK CROWBY	40 000 VT	10 000 VT		50 000 VT		
6	COUNCILLOR JAMES KALO	40 000 VT	10 000 VT		50 000 VT		
7	COUNCILLOR MAKI VAI	40 000 VT	10 000 VT	Vt 7 600	42 400 VT		
8	COUNCILLOR TAMAU WENJIO	40 000 VT	10 000 VT		50 000 VT		
9	COUNCILLOR DINI AMOS	40 000 VT			40 000 VT		
10	COUNCILLOR PALAUD DONALD	40 000 VT			40 000 VT		
11	COUNCILLOR CHARLEY SAKARIAH	40 000 VT			40 000 VT		
12	COUNCILLOR PAKOA WILLIE	40 000 VT			40 000 VT		
13	COUNCILLOR WOKON JOSELITO	40 000 VT			40 000 VT		
14	COUNCILLOR WRIGHT TONY	40 000 VT		Vt 19 850	20 150 VT		
<b>TOTAL:</b>		<b>745 000 Vt</b>	<b>90 000 Vt</b>	<b>Vt 27 450</b>	<b>807 550 Vt</b>		

**IN THE SUPREME COURT OF  
THE REPUBLIC OF VANUATU**  
(Civil Jurisdiction)

**CIVIL CASE No. 75 of 2003**

**BETWEEN: PORT-VILA MUNICIPAL  
COUNCIL**

Applicant

**AND: ATTORNEY GENERAL of State  
Law Office, PMB 9048, Port-Vila**

First Respondent

**AND: MINISTER OF INTERNAL  
AFFAIRS**

Second Respondent

**Coram:** Chief Justice Vincent LUNABEK

**Counsel:** Mr. Ishmael A. Kalsakau for the Appellant  
Mr. Michael Edward and Ms Viran Molisa for Respondents

**Date of Decision:** 22 August 2005

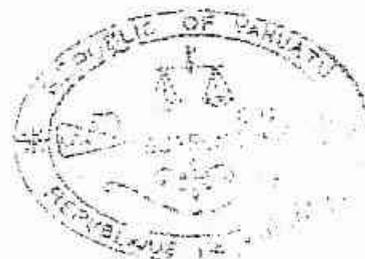
**Date of Publication of Reasons:** 26 October 2005

## **RESERVED JUDGMENT**

### **I - INTRODUCTION: NATURE AND RELIEF SOUGHT**

This is an amended application for Judicial Review dated 19 May 2003. The Applicant is the Municipal Council of Port-Vila, Vanuatu. The Respondents are the Attorney-General (First Respondent) and the Minister of Internal Affairs (Second Respondent).

---



1

In order to appreciate whether or not the directives are unreasonable we shall look at each direction individually and for that purpose, applying the law to the facts as found, the Court accepts the following submissions:-

- (a) That as from the date of [the second Respondent's] letter the Port-Vila Municipal Council must stop paying monthly allowances to the Councillors and the Mayor and Deputy Mayors.

The payment of these allowances was unlawful. It is reasonable to direct that the allowance not be paid. The council has no right to make illegal payments. This was conceded by the mayor in cross-examination.

- (b) That the Council's Treasurer must immediately cease to make payments of monthly allowances, councillors' allocation and ex-gratia payments to the Councillors and Mayor and Deputy Mayors.

Again, the Council has no right to make illegal payments so it is reasonable to direct the council not make such payments.

- (c) That the Council must put in place a system, within two weeks, to recover all monies it had illegally paid out since October 1999.

There is nothing unreasonable in asking for an extension of time or said the time was too short. Also, by the time the Claimant came to challenge the directions it had had over 2 months to put a system in place.

- (d) That within two weeks from the date of [the second Respondent's] letter the Council must meet and abolish the positions of 2<sup>nd</sup> Deputy Mayor and 3<sup>rd</sup> Deputy Mayor.

The appointments of the 2<sup>nd</sup> and 3<sup>rd</sup> Deputy Mayors were unauthorised then it is reasonable for the council to be directed to abolish the positions. The time allowed could not be considered unreasonable and there was no request to extend the period.

- (e) that as from the date of [the second Respondent's] letter the Council must stop paying councillors' allocation to the Councillors.

The allocations were unlawful so it is reasonable to direct that the Claimant stop paying them.

- (f) That the Council must put in place a system, within two weeks, to recover all monies it had illegally paid out as councillors' allocation.

It is not unreasonable in the circumstances to ask for a system to be put in place in two weeks. The Claimant has never asked for an extension of time or said the time was too short.

- (g) That as from the date of [the second Respondent's] letter the council may make ex-gratia [payments] but ONLY with the prior approval of the Minister.

This direction only reinforces the requirements of the Act.

- (h) that the Council must put in place a system, within two weeks, to recover all monies it had illegally paid out as ex-gratia payments.

Again, It is not unreasonable in the circumstances to ask for a system to be put in place in two weeks. The Claimant has never asked for an extension of time or said the time was too short.

- (i) That the Employment Contracts of the Town Clerk, First Deputy Clerk and Second Deputy Clerk must comply with the provision of section 19(4) of the Municipalities Act [CAP.126] and the Council is given two weeks to remedy this situation.

The Council is bound to comply with the Act. The contracts do not comply with the Act, so the direction is reasonable. There is no evidence to show that the



time for compliance was too short. Again, the effective time for compliance was in excess of two months.

- (j) That since section 19 of the [CAP.126] makes reference to "clerk", this also includes deputy clerks, therefore, their Employment Contracts are also subject to the approval of the Minister.

This direction is reasonable for the same reason as (i) above.

- (k) That the Treasurer of the Council must immediately cease from making payments to the Town Clerk, First Deputy Clerk and Second Deputy Town Clerk under the new Employment Agreements signed on 1<sup>st</sup> October 2002.

The payments were unlawful so this directive is reasonable.

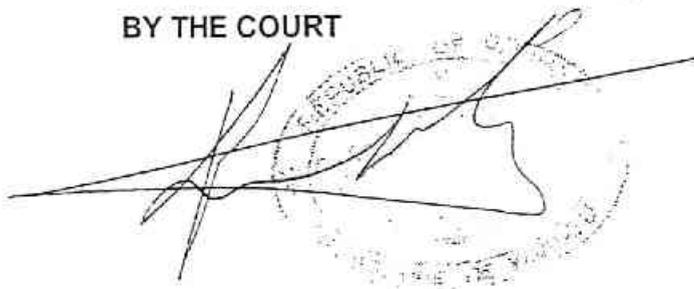
#### VIII - CONCLUSION

The Claimant has not established that the directives were either beyond the power of the Minister, unlawful or unreasonable, therefore the application is dismissed and the Respondents are entitled to their costs as ordered by the Court on 22 August 2005.

Those are the reasons for the Decision of this Court made on 22 August 2005.

**DATED at PORT-VILA this 26<sup>th</sup> of October 2005**

**BY THE COURT**



**Vincent LUNABEK**  
Chief Justice

# Minister Wells says Crowby breaching leadership code

By Royson Willie

**THE MINISTER RESPONSIBLE FOR** municipalities, Mr George Wells has raised his concern to Prime Minister Ham Lini over why Councillor Patrick Crowby Manarewo was holding onto two other positions of Government Public Relations Officer (PRO) and Chairman of VBTC.

In a letter to the Prime Minister, the Internal Affairs Minister said when Crowby holds more than one position this is already in breach of the Leadership Code under Section 25.

Wells said, "Pursuant to Article 67 of the Constitution of the Republic of Vanuatu and Article 5 of the Leadership Code, Mr Crowby is entitled as a leader and is already in breach of Section 25 of the Leadership Code when he holds more

than one position".

The letter further read, "The Ministry has been inundated with correspondence from various authorities expressing concern over the way in which this matter is handled and how your Office is silent over the issue.

"The Ministry is also concerned over Mr Crowby's arrogant manipulative attitude of causing division and interference among innocent elected councillors of the Port Vila Municipality present and past council for his benefit.

"We are aware of his involvement to destabilize the present council in order to recruit the former clerk who is implicated in the Aronboe Report.

"I leave the matter to you and trust that you will consider it seriously and

take necessary measures to sort the matter out."

Daily Post contacted the PM's Office and Mr Crowby yesterday for comment on the matter but no one was available to give any comment.

This latest inquiry on Crowby by minister Wells is an indication of the mounting pressure on the Councillor to back off in his attempts to re-instate former Town Clerk, Madeleine Tom.

Both Mr Crowby and Tom were implicated in the Aronboe report mentioned by the Internal Affairs Minister.

Crowby told Daily Post Wednesday this week that the much-talked-about Aronboe report was one-sided and never sought the other side of the story of those cited in the report.

VANUATU

# DAILY



# POST

V A N U A T U S O N L Y D A I L Y N E W S P A P E R

ISSUE 1629

FRIDAY, JANUARY 20, 2006

VT100

PO Box 1292, Port Vila, Vanuatu

Telephone 23111 Fax 24111

www.vanuatudaily.com

GOUVERNEMENT DE LA REPUBLIQUE DE  
VANUATU

MINISTRE DES FINANCES ET DE LA  
GESTION ECONOMIQUE (MFGE)

SERVICE DES FINANCES  
Rez-de-Chaussee et Deuxieme Etage,  
Batiment du MFGE  
Sac Postal Reservee 031, Port Vila, VANUATU  
Tel: (678) 24543 Fax: (678) 25533



GOVERNMENT OF THE REPUBLIC OF  
VANUATU

MINISTRY OF FINANCE AND ECONOMIC  
MANAGEMENT (MFEM)

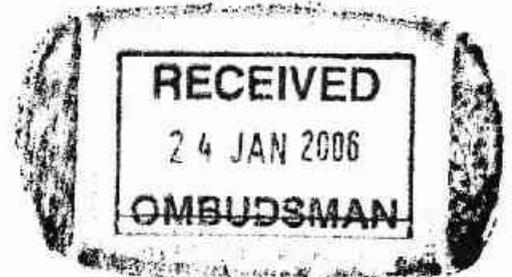
DEPARTMENT OF FINANCE  
Ground and Second Floors,  
MFEM Building  
Private Mail Bag 031, Port Vila, VANUATU  
Tel: (678) 24543 Fax: (678) 25533

20 January 2006

Our Ref: **EXSM/01/01/bs/jl/06**

Your Ref: **5144/5167/134/bs**

Peter K Taurakoto  
**Ombudsman of the Republic of Vanuatu**  
Ombudsman's Office  
Port Vila



Dear Mr. Taurakoto,

**Subject: Alleged Breach of Leadership Code By Patrick Crowby, Port Vila  
Municipal Councilor**

I thank you for your letter in relation to the above caption subject matter, dated 5 January 2006.

You have requested assistance from our office in providing relevant facts that may contribute to your investigation. Please note that the clarification stated in this letter relates to question 1, 2 and 3 of your letter.

**Question 1: What is his annual salary for the position at the Prime Minister's Office?**

Mr. Crowby is remunerated at an annual salary of One Million, Six Hundred Eighty Four Thousand, Five Hundred, and Eighty Four Vatu (VUV1, 684, 584). Please refer to Annex **A** of this letter detailing his base salary and assignment schedule. Furthermore Annex **A.1**, **A.2** and **A.3** are copies of his pay slips for the month of September, October and November 2005 as requested from your letter.

**Question 2: Does Mr. Crowby receive other allowances or any other benefits that you are aware of for these other positions?**

- (i) **Government Spokesman**
- (ii) **Councilor of the PVMC; and**
- (iii) **Chairman of VBTC Board of Directors**

Mr. Crowby is currently employed as a Political Advisor – Public Relations Office of the Prime Minister therefore pursuant to Official Salaries Act (Cap.168) Schedule, he is entitle to be paid with benefits applicable for this post. I believe these benefits are also appropriate to him as the current Government Spokesman. For ease of reference I have enclosed **Annex B** of this letter outlining benefits pertain to this

<p>SERVICE DES FINANCES  <i>Rez-de-Chaussee et Deuxieme Etage,  Batiment du MFGE  Sac Postal Reservee 031, Port Vila, VANUATU  Tel: (678) 24543 Fax: (678) 25533</i></p>		<p>DEPARTMENT OF FINANCE  <i>Ground and Second Floors,  MFEM Building  Private Mail Bag 031, Port Vila, VANUATU  Tel: (678) 24543 Fax: (678) 25533</i></p>
--	---	--

post. Moreover, no other allowances or benefits for Mr. Crowby were process through the Vanuatu Government Financial System when undertaking duties as the (ii) Councilor of the PVMC and as (iii) Chairman of VBTC Board of Directors.

**Question 3: Please provide any documents you consider relevant to this matter.**

We do apologize that besides other documents, the enclosed references are the only substantiating facts necessity for your investigation.

We thank you for enquiring with this office and hope the above finding will be of assistance to your investigation. Should you require further clarification in this regard, please do not hesitate to contact Mr. Jack Loughman via phone number 24543 or email: [jloughman@vanuatu.gov.vu](mailto:jloughman@vanuatu.gov.vu).

Sincerely,

  
Valentine N'guyen  
**Acting Director**  
Finance Department



Cc: Jack Loughman  
**Acting Manager**  
Exchequer Services  
Finance Department

Primrose Toro  
**Acting Chief Accountant**  
Finance Department

Winnie Malas  
**Payroll Supervisor**  
Payroll Section

# Appendix M



## REPUBLIC OF VANUATU

### CHAPTER 168

### OFFICIAL SALARIES ORDER NO. 19 OF 1998

To amend the Official Salaries Act [CAP. 168].

IN EXERCISE of the powers conferred upon me by section 3 of the Official Salaries Act [CAP. 168], I, DONALD KALPOKAS, Prime Minister and Minister responsible for the Public Service, with the prior approval of the Council of Ministers, hereby make the following Order :-

#### AMENDMENT OF PART 1 OF THE SCHEDULE TO CHAPTER 168

1. Part 1 of the Schedule to the Official Salaries Act [CAP. 168] in this Order referred to as "the Act" is amended -

- (a) in column 1 by deleting "First Political Secretary" and items corresponding to the "First Political Secretary" in columns 2 and 3 and substituting the following in columns 1, 2 and 3 respectively -

Political Advisor - Office Coordination 1,684,584 B(ii)-C-D-E-G-I-J;

Political Advisor - Parliament and  
Inter-Ministerial Liaison 1,509,384 B(iii)-D-E-G-I-J;

Political Advisor - Constituency Liaison 1,509,384 B(iii)-D-E-G-I-J;

Political Advisor - Public Relations  
Office of the Prime Minister 1,684,584 B(iii)-C-D-E-G-I-J;

Political Advisor - Public Relations  
Office of the Deputy Prime Minister 1,684,584 B(iii)-C-D-E-G-I-J;

- (b) in column 1 by deleting "Second Political Secretary" and the items corresponding to thereto in columns 2 and 3;
- (c) in column 1 by deleting "Third Political Secretary" and the items corresponding to thereto in columns 2 and 3;
- (d) in column 1 by deleting "Private Secretary to the Prime Minister" and the items corresponding thereto in columns 2 and 3;
- (e) in column 1 by deleting "Private Secretary to the Deputy Prime Minister" and the items corresponding thereto in columns 2 and 3;
- (f) in column 1 by deleting "Assistant Private Secretary to the Deputy Prime Minister" and the items corresponding thereto in columns 2 and 3;
- (g) in column 3 by deleting "-O" benefit accorded to all offices specified in column 1."

#### AMENDMENT OF PART 2 OF THE SCHEDULE TO THE ACT

- 2. Part 2 of the Schedule to the Act is amended by repealing "CLASS O" benefit.

#### COMMENCEMENT

- 3. This Order shall be deemed to have come into force on the 2<sup>nd</sup> day of April, 1998.

DATED the 2<sup>nd</sup> day of April, 1998.



Prime Minister and Minister of Public Service

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0520

Employee: **0413682** Name: **Crowby Patrick**

Payroll Run Type: **PAYROLL - Payroll**

Pay Period: **0520** Currency: **VUV - Vatu**

Basic

Payment Type: **Offline**

Status: **Completely Disbursed**

Advice Number: **875941**

Disbursal Date: **23/09/2005**

Pay Period

Begin Date: **12/09/2005**

End Date: **25/09/2005**

	Current Payment	Year-to-Date
Total Gross Pay	86,947	1,655,3
Total Taxes Withheld	0	
Total Deductions Withheld	12,895	302,8
Total NonCash	0	
Net Pay	74,052	1,352,4

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0520

Employee:  Name: Crowby Patrick

Payroll Run Type:

Pay Period:  Currency: VUV - Vatu



Statement

	Current Amount	Year-to-Date Amount	Current Hours
<b>Earnings</b>			
<input type="checkbox"/> A-CHILD	1,104	12,144	72.50
<input type="checkbox"/> A-COLA	1,955	23,460	72.50
<input type="checkbox"/> A-HOUSING	19,318	231,816	72.50
<input type="checkbox"/> ORD	64,570	1,162,260	72.50
<b>Taxes</b>			
<b>Deductions</b>			
<input type="checkbox"/> D-AMUL	10,150	167,400	
<input type="checkbox"/> D-NPFE	2,705	51,529	
<input type="checkbox"/> D-WEPC	40	720	

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0522

Employee: 0413682 Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0522 Currency: VUV - Vatu

Basic

Payment Type: Offline

Status: Completely Disbursed

Advice Number: 885048

Disbursal Date: 21/10/2005

Pay Period

Begin Date: 10/10/2005

End Date: 23/10/2005

	Current Payment	Year-to-Date
Total Gross Pay	86,947	1,829.1
Total Taxes Withheld	0	
Total Deductions Withheld	12,895	328.6
Total NonCash	0	
Net Pay	74,052	1,500.5

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0522

Employee: 0413682 Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0522 Currency: VUV - Vatu



Statement

	Current Amount	Year-to-Date Amount	Current Hours
<b>Earnings</b>			
A-CHILD	1,104	14,352	72.50
A-COLA	1,955	27,370	72.50
A-HOUSING	19,318	270,452	72.50
ORD	64,570	1,291,400	72.50
<b>Taxes</b>			
<b>Deductions</b>			
D-AMUL	10,150	187,700	
D-NPFE	2,705	56,939	
D-WEPC	40	800	

2/10

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0524

Employee: 0413682 Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0524 Currency: VUV - Vatu



Basic

Payment Type: Offline

Status: Completely Disbursed

Advice Number: 894152

Disbursal Date: 18/11/2005

Pay Period

Begin Date: 07/11/2005

End Date: 20/11/2005

	Current Payment	Year-to-Date
Total Gross Pay	86,947	2,003,0
Total Taxes Withheld	0	
Total Deductions Withheld	12,895	354,4
Total NonCash	0	
Net Pay	74,052	1,648,6

# ANNEX A-1

3/10

## Activity Windows

File Edit Options Settings Window Help



### Employee Payment History - 0413682, PAYROLL, 0524

Employee:  Name: Crowby Patrick

Payroll Run Type:

Pay Period:  Currency: VUV - Vatu



#### Statement

	Current Amount	Year-to-Date Amount	Current Hours
<b>Earnings</b>			
<input type="checkbox"/> A-CHILD	1,104	16,560	72.50
<input type="checkbox"/> A-COLA	1,955	31,280	72.50
<input type="checkbox"/> A-HOUSING	19,318	309,088	72.50
<input type="checkbox"/> ORD	64,570	1,420,540	72.50
<b>Taxes</b>			
<b>Deductions</b>			
<input type="checkbox"/> D-AMUL	10,150	208,000	
<input type="checkbox"/> D-NPFE	2,705	62,349	
<input type="checkbox"/> D-WEPC	40	880	

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0525

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0525

Currency: VUV - Vatu

Basic

Payment Type: Offline

Status: Completely Disbursed

Advice Number: 898687

Disbursal Date: 02/12/2005

Pay Period

Begin Date: 21/11/2005

End Date: 04/12/2005

	Current Payment	Year-to-Date
Total Gross Pay	86,947	2,090,040
Total Taxes Withheld	0	0
Total Deductions Withheld	12,895	367,305
Total NonCash	0	0
Net Pay	74,052	1,722,735
Total Reimbursements	0	0

Printing....



2 SmartStr...



Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0525

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0525

Currency: VUV - Vatu

Disbursal Detail

Advice Number: 898687

Pay Element: BANKNET

Bank Net Pay

Payment Method: PAYD

Payroll Direct Deposit

Status: Issued

Status Change Date: 29/11/2005

Issue Date: 29/11/2005

Amount: 74,052

Deposit

Bank: WBC-VS

Westpac

Account Number: 2000124814

Account Type: Checking

Issued

Issue Date:

Printing ...



2 SmartSt...

Inbox - Mic...

Perlanent

Microsoft E...

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0526

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0526

Currency: VUV - Vatu

Basic

Payment Type: Offline

Status: Completely Disbursed

Advice Number: 903218

Disbursal Date: 16/12/2005

Pay Period

Begin Date: 05/12/2005

End Date: 18/12/2005

	Current Payment	Year-to-Date
Total Gross Pay	373,865	2,463,905
Total Taxes Withheld	0	0
Total Deductions Withheld	12,895	380,200
Total NonCash	0	0
Net Pay	360,970	2,083,705
Total Reimbursements	0	0

Printing ...



Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0526

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0526

Currency: VIIV - Vatu

Disbursal Detail

Advice Number: 903218

Pay Element: BANKNET

Bank Net Pay

Payment Method: PAYD

Payroll Direct Deposit

Status: Issued

Status Change Date: 13/12/2005

Issue Date: 13/12/2005

Amount: 360,970

Deposit

Bank: WBC-VS

Westpac

Account Number: 2000124814

Account Type: Checking

Issued

Issue Date:

Printing ...

start



2 SmartSt...

Inbox - Mc...

Exclamation

Maximal

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0527

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0527

Currency: VUV - Vatu

Basic

Payment Type: Offline

Status: Completely Disbursed

Advice Number: 907766

Disbursal Date: 30/12/2005

Pay Period

Begin Date: 19/12/2005

End Date: 01/01/2006

	Current Payment	Year-to-Date
Total Gross Pay	86,947	2,550,852
Total Taxes Withheld	0	0
Total Deductions Withheld	12,895	393,095
Total NonCash	0	0
Net Pay	74,052	2,157,757
Total Reimbursements	0	0

Printing ...

start



2 SmartSt...

Inbox - Mic...

Mail - ...

Microsoft E...

Activity Windows

File Edit Options Settings Window Help



Employee Payment History - 0413682, PAYROLL, 0527

Employee: 0413682

Name: Crowby Patrick

Payroll Run Type: PAYROLL - Payroll

Pay Period: 0527

Currency: VUV - Vatu

Disbursal Detail

Advice Number: 907766

Pay Element: BANKNET

Bank Net Pay

Payment Method: PAYD

Payroll Direct Deposit

Status: Issued

Status Change Date: 23/12/2005

Issue Date: 23/12/2005

Amount: 74,052

Deposit

Bank: WBC-VS

Westpac

Account Number: 2000124814

Account Type: Checking

Issued

Issue Date:

Printing ....

start

2 SmartStr

Print

Print

Print

Print

Local News

# SANTO NEWS

Santo office hotline — Tel. 37908 Mobile, 44250 email. [santo@vanuatudaily.com](mailto:santo@vanuatudaily.com)

## NUP Whip calls on Crowby to resign from one of his position

By Esther Tinning

**NATIONAL UNITED PARTY WHIP, MP**

Jack Eric has called on the Public Relations Officer and Chairman of the Vanuatu Broadcasting Corporation and Port Vila municipal Councillor, Mr Patrick Crowby to immediately resign from one of these positions.

The NUP politician who was recently given the powerful position of chairman of the people's congress is making this statement in support of Minister George Wells' concern

over Crowby's positions published on Daily Post Friday issue.

In the article, the Minister responsible for Internal Affairs raised concern that as a leader, Crowby is in breach of the leadership code under section 25 when he holds more than one position in the government.

The Member of Parliament for Luganville questions why the Port Vila Councillor still hangs on to two positions.

"This is certainly in breach of the

leadership code and Crowby should take a decision to resign as PRO of the Prime Minister's office on the reason that he is elected by the people for the people, for the betterment of Port Vila," said the concerned NUP Whip.

MP Eric is urgently requesting the president of NUP who is also the Prime Minister of Vanuatu and the NUP executive members to seriously consider Crowby's case.

Meanwhile, on the VCMB case, the

member of parliament for Luganville is calling on the Management of this statutory body to seriously deal with matters that may be seen as obstacles in having VCMB buy copra from farmers as the first term of this academic year is approaching.

He said any delays will affect parents who rely on copra money to pay for their children's school fees.

In the Sanma Province, more than 80 percent of the population depend on Copra for a living.

S  
HS,  
t in  
ear  
nds  
ith  
en,  
ow  
ith  
her  
but  
the  
ity  
ags  
key  
ake  
in  
the  
the  
lon  
out  
rey  
the  
has

Appendix 0

THE WEEK EN

# VANUATU DAILY POST



VANUATU'S ONLY DAILY NEWS PAPER

ISSUE 1630

SATURDAY, JANUARY 21, 2006

VT100

PO Box 1292, Port Vila, Vanuatu

Telephone 23111 | Fax 24111

www.vanuatudaily.com

RECEIVED  
23

Appendix D Appendix P

**VANUATU BROADCASTING AND TELEVISION CORPORATION**  
SOCIETE DE RADIODIFFUSION ET DE TELEVISION DE VANUATU  
(INCORPORATING: RADIO VANUATU, TELEVISION BLONG VANUATU & NAMBAWAN FM98)  
P M B 049, PORT VILA, VANUATU  
TELEPHONE: (678) 22999 – FAX: (678) 22026

---

April 11, 2005

The Ombudsman  
Office of the Ombudsman  
PMB 9081  
PORT VILA



ATTN: Mr. Alfred MAHO, Director of Leadership Code

Dear Sir

**APPOINTMENT OF POLITICAL PERSONS BY THE PRIME MINISTER TO TWO POSITIONS INSIDE THE GOVERNMENT INSTITUTIONS**

We acknowledge receipt of your letter ref 2726/5029/L14/jc dated March 31, 2005 concerning the above captioned subject matter.

In answer to your questions I confirm that

1. Mr. Crowby Patrick MANAREWO is the Chairman of the VBTC Board of Directors.
2. Mr. Crowby Manarewo does not receive any allowance from VBTC for meetings **except for any traveling allowances.**

If you need any further clarification, we will be happy to assist.

Yours faithfully

Jonas CULLWICK  
General Manager

Cc: file



# Appendix Q

## VANUATU BROADCASTING AND TELEVISION CORPORATION SOCIETE DE RADIODIFFUSION ET DE TELEVISION DE VANUATU

### INTERNAL MEMO

February 22, 2006

TO: Fred Vurobaravu

FROM: Mere Tastuki

Re: Traveling expenses during the MW Transmitter

Please find below traveling expenses during the MW Transmitter, Luganville, Santo, from 23<sup>rd</sup> February, 2006.

#### Board Members

Chairman	-	10,000 (allowance)
Ernest Aru	-	10,000
Leonard Carlot	-	10,000

Table & Chairs 2,000

Lace (salusalu) 2,250

Tap (10 yrd) 1,500

Transport 10,000

Gift ~~10,000~~ 12,000

Soft drinks 10,000

Shelter preparation 10,000

Cost 20,000

Transport (lunch) 3,000  
~~98,750 vatu~~  
100,750

Total

  
Mere TASTUKI  
Secretary/Admin. Supervisor

Approved  
General Manager  
22/02/06.

# VBTC PURCHASE REQUISITION

**Originating Section:** PRODUCTION

**PR No:** \_\_\_\_\_

**PO No:** \_\_\_\_\_

Procurement of goods/services set out below is required for:

**Recommended Supplier:**

Name: CASH

Address: \_\_\_\_\_

Basis of price stated: Verbal quote / Written quote / Tender

Description of Goods / services	QTY	Unit Price Vatu	Total Value Vatu
Accommodation / Transport /			Vt 94,000
Allowances for Bruno / Fred and chairman of Board			

Note: In case where the actual value cannot be determined in advance (repairs/services etc), indicate the reason and estimate in cage below:

Reason:	Estimate amount (Vatu)
---------	------------------------

**Expenditure Code**

--	--	--	--	--

6006-52 — vt 74,000  
6006-58 — vt 20,000

I certify that the information set out above is correct and that sufficient funds to meet the expenditure are available under the stated cost centre.

Date: 5/1/06

Requisition Officer: 

**EXPENDITURE VERIFICATION**

Expenditure Approved / Issue Purchase Order / Arrange Payment after commitment of funds

Financial Delegate: Stani Designation: Finance Manager

Approval Limit: Vt 94,000 Date: 5/1/06

**EXPENDITURE AUTHORISATION**

  
General Manager  
NEED WIREBARTON

5/1/06 Date

**FOR FINANCE USE**

PR Received	Code Verified	Amount Committed	Expenditure Code	PO No.	PO Date	Purchasing Officer

# PAID

CHEQUE. No... 858640 .....  
DATE..... 5/1/06 .....

**VANUATU BROADCASTING AND TELEVISION CORPORATION**  
**SOCIETE DE RADIODIFFUSION ET DE TELEVISION DE VANUATU**

(INCORPORATING: RADIO VANUATU, TBV, FM 98)  
P.M.B 9049, PORT VILA, VANUATU  
TELEPHONE: (678) 22999 - FAX: (678) 22026

FROM: Acting General Manager

TO: [REDACTED]

DATE: Tuesday 3 January, 2005

**SUBJECT: OFFICIAL TRIP TO LUGANVILLE**

On recommendations of the Chairman of the Board of Directors Mr Patrick Crowby Manarewo, the Management is planning an official trip for three VBTC officials to visit the Studio 5 North in Luganville.

The team will include the Chairman Mr Crowby, the Manager Radio Programs and myself

The purpose of the trip is to attend the official end of year function of the Studio 5 North staffs, the overview of the strengthening project of the studio, staffs matters including transfers and the relocation of the studio to another site.

Visits to the transmitters' site are also part of the trip's mission.

The three-men team is expected to leave Thursday afternoon for Luganville and return on Saturday evening.

The costs involved are as follow:

-Airfare: .....	27 000 x 3	=	83 400	- Mr Vanuatu
-Accommodation:.....	4 000 x 3 x 2	=	24 000	} 94,000
-Transportation:.....		=	10 000	
-Allowances:.....	10 000 x 2	=	20 000	
-Allowances for Chairman.....		=	20 000	
-Special allocation for function.....		=	20 000	

.....  
Total 177 400  
.....

CHEQUE NO. 358631  
DATE 3/1/05

Please arrangement impress to be ready before the mission leaves Thursday afternoon.

Thank you

  
Fred VUROBARAVU  
Acting General Manager

**REPUBLIQUE  
DE  
VANUATU**  
*JOURNAL OFFICIEL*



**REPUBLIC  
OF  
VANUATU**  
*OFFICIAL GAZETTE*

15 OCTOBRE 2007

NO. 32

15 OCTOBER 2007

SONT PUBLIES LES TEXTES SUIVANTS

ARRETES

NOTIFICATION OF PUBLICATION

ORDERS

ANIMAL IMPORTATION AND QUARANTINE  
ACT [CAP.201]

- ANIMAL IMPORTATION AND QUARANTINE REGULATIONS (AMENDMENT) ORDER NO. 36 OF 2007.

GOVERNMENT ACT NO. 5 OF 1998

- INSTRUMENT OF WITHDRAWAL OF FUNCTIONS FROM THE MINISTRY OF FINANCE AND THE MINISTRY OF FOREIGN AFFAIRS AND ASSIGNMENT OF SUCH FUNCTIONS TO THE PRIME MINISTER'S OFFICE

CONTENTS

PAGE

NURSES ACT NO. 20 OF 2000

- APPOINTMENT OF MEMBERS OF THE VANUATU NURSING COUNCIL 1.

CIVIL STATUS (REGULATIONS) ACT  
[CAP.61]

- APPOINTMENT OF DISTRICT REGISTRARS 2.

MARRIAGE ACT [CAP.60]

- REGISTRATION OF PASTORS FOR CELEBRATING MARRIAGES 3.



REPUBLIC OF VANUATU

VANUATU TOURISM OFFICE ACT [CAP 142]

INSTRUMENT OF APPOINTMENT - CHAIRPERSON VANUATU  
TOURISM OFFICE

In exercise of the powers conferred on me by subsection 5(3) of the Vanuatu Tourism Office Act [CAP 142], I, Honourable JAMES BULE, Minister of Trade, Industry and Tourism, appoint Mr **Patrick Crowby Manarewo** as Chairperson of the Vanuatu Tourism Office for a period of 3 months commencing from 1<sup>st</sup> October 2007 - 31<sup>st</sup> December 2007.

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

Made at Port Vila this 9<sup>th</sup> day of October 2007

---

Honourable JAMES BULE  
Minister of Trade, Industry and Tourism