

IN THE COURT OF APPEAL
THE REPUBLIC OF VANUATU

APPEAL CASE NO 6 of 1996

BETWEEN GILLES ISMAEL CLENEWERCK

First Appellant

AND BRIGITTE FRANCOISE MARIE
DELERY

Second Appellant

AND PATRICK PIERRE PAUL PETT

Third Appellant

AND LUCIENNE MARIE FRANCINE
HARBULOT

Respondent

JUDGMENT OF THE COURT

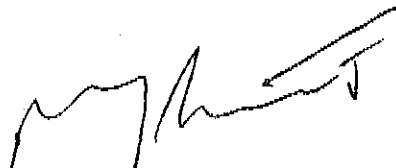
The Court has requested and has been given a solemn undertaking from the three Appellants that pending the rehearing of Mrs Harbulot's case against them they will not by any means remove any of their assets from the jurisdiction of the Republic of Vanuatu. They understand that if they do they are liable to be held in contempt and may be imprisoned for their breach.

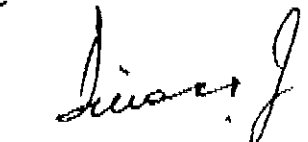
An issue does arise Mr Blake, and that is the question of whether Judge Lunabek should be seen as being unable to hear the case. The comments we made about this matter being heard by someone who was not previously been involved should not be interpreted as including Judge Lunabeck. His involvement was only on a stay application. He is


in no way disqualified. In fact because of his ability in French he may be the appropriate person to hear the case.

The issue of costs in respect of the first hearing and on this appeal are reserved. They can be considered after the matter has been heard again on its merits.

DATED AT PORT VILA this 1st day of November 1996


Justice ROBERTSON
Judge of Court of Appeal


Justice DILLON
Judge of Court of Appeal


Justice MUHAMMAD
Judge of Court of Appeal