

**IN THE COURT OF APPEAL OF
THE REPUBLIC OF VANUATU**
(Appellate Jurisdiction)

CIVIL APPEAL CASE NO. 09 OF 2015

**BETWEEN: RICKY TORO & TONY TORO
REPRESENTING FAMILY TORO**
Appellants

AND: REPUBLIC OF VANUATU
Respondent

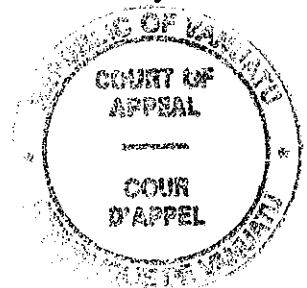
Hearing: 6 May 2015

Coram: Hon. Chief Justice Vincent Lunabek
Hon. Justice John von Doussa
Hon. Justice Ronald Young
Hon. Justice Oliver Saksak
Hon. Justice Daniel Fatiaki
Hon. Justice Mary Sey
Hon. Justice Stephen Harrop

Counsel: Mary Grace Nari for the Appellants
Christine Lahua for the Respondent

MEMORANDUM


1. This is an appeal against the decision made by the Supreme Court on 9 February 2015 striking out the appellants' claim for judicial review in Judicial Review Case No. 14 of 2014.
2. Upon perusal of the Appeal Book and counsel's submissions, it was immediately apparent to the Court of Appeal that to understand and determine the issues in this case much additional information was required.
3. In particular, counsel should obtain the Island Court decision dated 30 November 2005 which according to paragraph 18 of the sworn statement of Jean Marc Pierre dated 17 September 2014 contains a comprehensive description of the area covered by the decision.



4. The Court should also be provided with original documents of LAVISKONI custom land area described as land Title 57 I in the decision of Chief Mantoi Kalsakau III dated 24 November 1999.
5. Where maps have been prepared, and where maps are identified in documents in the Island Court records relating to its decision dated 30 November 2005, the original maps must be available for the Court's examination.
6. The Land Management Tribunal should provide all the documentation required in good time before July 2015.
7. Documents required by the Court of Appeal pursuant to this Memorandum may be filed in the Supreme Court Registry or entrusted to the care of the Respondent's lawyers if issues arise as to the safe keeping and preservation of public records.
8. In the circumstances, this matter is stood over to the July 2015 session of the Court of Appeal.

DATED at Port Vila, this 8th day of May, 2015.

BY THE COURT



Chief Justice Vincent Lunabek

