

(Civil Jurisdiction)

**BETWEEN: VANUATU NATIONAL PROVIDENT FUND
BOARD**

Claimant

**AND: NORTHERN ISLAND STEVEDORING
COMPANY LIMITED**

Defendant

Mr Justice Oliver A. Saksak

Mrs Heather Lini-Leo for the Claimant/Applicant
No appearance by Defendant/Respondent

SUMMARY JUDGMENT

WHEREAS –

1. By formal application filed on 6th May 2011 the Applicant sought summary judgment on grounds of their belief that there is no real prospect of the defendant defending their claims successfully; and
2. That belief is based upon the evidence of Rinnie Ephraim filed on 6th May 2011 in support; and
3. The Court issued formal notice of hearing of the Application on 9th May 2011; and
4. The defendant has not attended the hearing; and
5. Upon having heard Counsel orally in respect of the application;



The Court being satisfied that –

- (a) The defendant has no real prospect of defending the Claimant's claims in its entirety; and
- (b) There being no need for a trial of the claim,

NOW THEREFORE IT IS DECIDED AND ORDERED THAT –

- 1. Judgment be entered summarily in favour of the Claimant against the Defendant for the following sums –

(i)	Outstanding contributions not paid –	VT5,322,180
(ii)	Sucharges	- VT2,326,671
(iii)	Costs & Filing Fees	- <u>VT 220,000</u>
	Total	<u>VT7,868,851</u>

- 2. There be an Enforcement Conference Hearing held on Monday 27th June 2011 at 0900 hours.

DATED at Luganville this 23rd day of May 2011.

BY THE COURT


OLIVER A. SAKSAK
Judge

