

REPUBLICQUE
DE
VANUATU



OK

REPUBLIC
OF
VANUATU

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L'ANNEXE DE LA LOI NO. 11 DE 1980
RELATIVE A LA DECENTRALISATION

NOTIFICATION OF PUBLICATION

SCHEDULE TO THE DECENTRALISATION
ACT NO. 11 OF 1980

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NOTICE

(Section 23)

ORDER OF BUSINESS AND POWER

PARLIAMENT OF THE REPUBLIC OF VANUATU

MOTION

Moved by Hon. Minister of Home Affairs

That the Schedule to the Bill for the
Decentralisation Act No. 11 of 1980 be replaced
by the Schedule Annexed to this Motion.

11 November 1980.

(4) Any person SCHEDULE (Section 23)

PART 1 - DUTIES AND POWERS

DIRECT DUTIES AND POWERS

- (a) Location, construction and maintenance of :-
 - (1) Schools
 - (2) Clinics, dispensaries, health and inoculation centres
 - (3) bridges
 - (4) roads not the responsibility of the Government or a Municipality
 - (5) water supplies
 - (6) wharves and jetties
 - (7) markets
 - (8) libraries, museums and cultural centres
- (b) Regulation and control of markets
- (c) Licensing of cinemas.
- (d) Licensing of premises for the sale of alcoholic liquor. Such power shall not extend to the licensing of the sale of alcoholic liquor at aerodromes, on board ships or boats or on board aircraft.
- (e) Except those Local Government Councils administering the Islands of Efate and Espiritu Santo the licensing of premises for the carrying on of businesses.
- (f) supervision and control of area and village councils.
- (g) control of dogs, pigs and other livestock.
- (h) subject to restriction on their number by the Minister the making of public holidays in the local government region.
- (i) Licensing of taxi boats and except for those Local Government Councils administering the Islands of Efate and Espiritu Santo the licensing of bus and taxi services which are established in and carry on business from the local government region.
- (j) Subject to any Act or Order made thereunder, the supervision and control of fishing within the Local Government region and seaward for 6 nautical miles from the low water line of any sea shore of the local government region.
- (k) the provision of information services.
- (l) the provision of clerical staff for village courts.

INDIRECT DUTIES AND POWERS

(a) The levying and collection of the following local taxes in accordance with orders made by local government councils after consultation with the Minister and subject to the limits and conditions contained in Part 2 of this Schedule and to Acts of Parliament.

- (1) Head tax
- (2) Liquor Licensing tax
- (3) Business Licence tax
- (4) Dog tax
- (5) Cinema tax
- (6) Entertainment tax other than cinema tax
- (7) Gaming and Lottery tax

(b) The preparation and implementation of regional development plans:

(c) Social development particularly of women and youth ;

(d) the organisation and encouragement of sport and other leisure time recreations;

(e) the provision of rural radio services;

(f) the allocation in co-operation with the Government of agricultural priority areas ;

(g) the provision of agricultural extension services ;

(h) the control of vehicular traffic;

(i) the registration of births, deaths and marriages;

(j) the maintenance of electoral rolls ;

(k) the supervision of co-operative societies ;

(l) public health ;

(m) the location and maintenance of secondary airfields.

PART 2 - LIMITS AND CONDITIONS

RELATING TO LOCAL TAXES

(a) HEAD TAX

- (1) Head tax shall not be more than FNH 2,500.
- (2) Head tax shall be payable annually.
- (3) Any person of or above the age of 18 years and not above the age of 60 years shall on the 1st July in every year become liable unless generally or specifically exempted to pay head tax imposed by the local government council of the local government region in which he is ordinarily resident on that date.

- (4) Any person liable to pay head tax in accordance with paragraph (3) and who fails to do so by October 31st in the year it is due shall be liable to pay the local government council in addition to the tax due a surcharge calculated at a maximum rate of fifty per cent of the tax due.
- (5) A person who produces to the Treasurer of a local government council or an officer acting on his behalf a valid receipt of another local government council in evidence of payment of head tax for the current year shall not be liable to pay head tax to the former local government council.
- (6) A local government council may exempt persons from payment of head tax or a part thereof by reason of poverty or for any other good reasons.
- (7) A head tax may be at a different rate for men and women.
- (8) Notices requiring payment of head tax shall be given by the 1st June in respect of tax for the 1st July next except in the case of a person who becomes ordinarily resident in a local government region between the 1st June and 1st July when the notice shall be given as soon as practicable but not later than the 31st July after the person liable has become ordinarily resident.
- (9) A local government council shall give every person who pays head tax a receipt showing the amount paid, the year in respect of which payment has been made and the date of payment.
- (10) If a person fails to pay head tax to which he is liable the local government council may recover the tax due including any surcharge as a civil debt together with costs and in addition the court may impose a penalty in accordance with Section 45.

LIQUOR LICENSING TAX

- (1) Until such time as a local government council makes a regional law for liquor licensing the licences provided for in the Joint Liquor Licensing Regulation No 18 of 1968 shall be issued in a local government region by the Treasurer of the local government council and the license fees payable in respect thereof shall be paid to the local government council in lieu of liquor licensing tax.
- (2) When a local government council has made a regional law replacing the Joint Liquor Licensing Regulation No 18 of 1968 the following limit and conditions shall apply to liquor licensing tax -
 - (a) Liquor Licensing Tax shall be a maximum of FNH 100,000 per annum.
 - (b) It shall be payable when licences for liquor trading are renewed.
 - (c) It shall be recoverable as a civil debt together with costs.

(c) Business Licence tax

(1) Local Government Councils shall issue the business licences provided for in the Business Licence Regulation No 18 of 1978. For that purpose the Local Government Council administering the local government region where premises, for which a licence is required, are situate shall be substituted for the Government in the Regulation.

(2) Licences shall be issued by the Treasurer of the local government council who shall receive on behalf of the local government council the fees provided for under the Business Licences Regulation No 18 of 1978.

(3) For the purpose of this Regulation the business licence fees shall be known as Business Licence Tax.

(d) DOG TAX

(1) Dog tax shall be a maximum of FNH 200 payable by the owner for each dog kept, and a maximum of FNH 500 for each unspeyed bitch kept.

(2) Dog tax shall be payable annually.

(3) Dog tax shall be recoverable as a civil debt together with costs.

(e) CINEMA TAX

(1) Cinema tax shall be payable by persons who show films for payment in respect of payments taken for the showing of such films.

(2) Cinema tax shall be at the maximum rate of 10 per cent of the charge made to each person.

(3) Provision may be made in an order made by a local government council for the production of receipt books and accounts of persons liable to pay the tax.

(4) Cinema tax shall be recoverable as a civil debt together with costs.

(f) ENTERTAINMENT TAX

(1) Entertainment tax shall be payable by persons who provide entertainment including dances, musical shows, boxing and other sports for payment, in respect of payments taken for the provision of such entertainment.

(2) Entertainment tax shall be at the maximum rate of 10 per cent of the charge made to each person.

(3) Provision may be made in an order made by a local government council for the production of receipt books and accounts of persons liable to pay the tax.

(g) GAMING AND LOTTERY TAX

- (1) The power to provide for a gaming and lottery tax shall be subject to any Act or Order made thereunder.
- (2) Gaming and lottery tax shall be either -
 - (i) a fixed rate tax of a maximum of FNH 5000 payable in respect of each lottery or raffle; or
 - (ii) an annual tax of a maximum of FNH 24,000 payable by the proprietor of premises used for games of chance or for gaming machines.
- (3) The annual tax shall be recoverable as a civil debt together with costs.
- (4) This tax will be in addition to any tax leviable by the Central Government under Act of Parliament on the takings or profits of any casino or other place where games of chance are played.

TITRE I - POUVOIRS ET ATTRIBUTIONS

POUVOIRS ET ATTRIBUTIONS DIRECTES

PARLEMENT DE LA REPUBLIQUE DE VANUATU

M O T I O N

présentée par le ministre de l'Intérieur

La présente motion vise à remplacer l'Annexe du projet de loi

N° 11 de 1980 relatif à la décentralisation par le texte ci-joint.

11 novembre 1980

POUVOIRS ET ATTRIBUTIONS INDIRECTES

ANNEXE

TITRE I -- POUVOIRS ET ATTRIBUTIONS

(Article 23)

POUVOIRS ET ATTRIBUTIONS DIRECTS

- a) Emplacement, construction et entretien des :
- 1) Ecoles.
 - 2) Dispensaires, centres sanitaires et médicaux et centres de vaccination.
 - 3) Ponts.
 - 4) Routes ne relevant pas de l'Administration centrale ou communale.
 - 5) Adductions d'eau.
 - 6) Appontements et jetées.
 - 7) Marchés.
 - 8) Bibliothèques, musées et centres culturels.
- b) Réglementation et contrôle des marchés.
- c) Octroi de licences de salle de cinéma.
- d) Octroi de licences de débit de boissons alcoolisées. Ce pouvoir ne s'applique pas à l'octroi des licences de vente de boissons alcoolisées dans les aéroports, à bord des navires et bateaux ou à bord des aéronefs.
- e) Octroi de patentes pour les établissements commerciaux, sauf pour les conseils provinciaux administrant les îles de Vaté et d'Espiritu Santo.
- f) Contrôle général des conseils départementaux et des conseils de village.
- g) Réglementation sur les chiens, sur les porcins et autre bétail.
- h) Déclaration de fêtes chômées dans la province à concurrence d'un nombre pouvant toutefois être limité par le Ministre.
- i) Octroi de licences de bateau-taxi et, sauf pour les conseils provinciaux administrant les îles de Vaté et d'Espiritu Santo, octroi de licences pour les services d'autobus et de taxis établis dans la province ou exerçant leurs activités à partir de celle-ci.
- j) Sous réserve des dispositions de toute loi ou arrêté d'application, contrôle général de la pêche dans une zone de six milles marins à partir de la ligne des plus basses eaux sur tout point du littoral de la province.
- k) Prestation de services d'information.
- l) Apport de personnel de bureau pour les tribunaux de village.

POUVOIRS ET ATTRIBUTIONS INDIRECTS

- a) Conformément aux arrêtés pris par le conseil provincial après avis du Ministre, levée et perception des taxes provinciales prévues ci-après, sous réserve des conditions et plafonds prescrits au Titre II de la présente Annexe ainsi que des lois votées par le Parlement :
- 1) Taxe sur les personnes physiques.
 - 2) Taxe sur les licences de vente de boissons alcoolisées.

.../...

- 3) Taxe sur les patentes commerciales.
- 4) Taxe sur les chiens.
- 5) Taxe sur le cinéma.
- 6) Taxe sur les spectacles autres que le cinéma.
- 7) Taxe sur les jeux et loteries.

- b) Elaboration et mise en oeuvre de plans de développement provincial.
- c) Développement social, notamment en faveur des femmes et de la jeunesse.
- d) Organisation et promotion des sports et autres activités de loisirs.
- e) Mise en place de services ruraux de radiodiffusion.
- f) Création de zones agricoles prioritaires en collaboration avec l'Administration centrale.
- g) Prestation de services de vulgarisation agricole.
- h) Contrôle de la circulation routière.
- i) Enregistrement de l'état civil.
- j) Etablissement et révision des listes électorales.
- k) Contrôle général des sociétés coopératives.
- l) Santé publique.
- m) Emplacement et entretien des pistes d'atterrissage secondaires.

TITRE II - PLAFONDS DES TAXES PROVINCIALES
ET CONDITIONS Y AFFERENTES

a) TAXE SUR LES PERSONNES PHYSIQUES :

- 1) La taxe sur les personnes physiques ne peut excéder 2.500 FNH.
- 2) Elle est exigible annuellement.
- 3) Toute personne âgée de 18 à 60 ans est, au 1er juillet de chaque année, redevable de la taxe imposée par le conseil de la province où elle a installé sa résidence normale à cette date, sauf si elle en est exemptée à titre général ou particulier.
- 4) Toute personne n'acquittant pas avant le 31 octobre la taxe dont elle est redevable conformément au paragraphe 3, est tenue de verser au conseil provincial une majoration de retard ne pouvant excéder 50% de la taxe exigible.
- 5) Toute personne produisant au trésorier du conseil, ou à un agent agissant en son nom, une quittance valide délivrée par un autre conseil provincial contre paiement de la taxe pour l'année en cours, n'est pas imposable une seconde fois.
- 6) Le conseil provincial peut exempter quiconque de tout ou partie du paiement de la taxe, pour cause d'indigence ou autre motif valable.

- 7) La taxe peut être fixée à un taux différent pour les hommes et pour les femmes.
- 8) Les avis d'échéance de la taxe sont remis avant le 1er juin pour le 1er juillet suivant, sauf pour les personnes ayant installé leur résidence normale dans la province entre ces deux dates ; dans ce cas, l'avis d'échéance est remis dès que possible et au plus tard le 31 juillet.
- 9) Une quittance indiquant le montant et la date de paiement ainsi que l'année à laquelle il correspond est délivrée par le conseil provincial à toute personne acquittant la taxe.
- 10) Si une personne n'acquitte pas la taxe dont elle est redevable, le conseil provincial peut intenter une action en recouvrement de la taxe exigible, de toute majoration de retard et des dépens. Le tribunal saisi peut en outre faire application des peines prévues par l'Article 45.

b) TAXE SUR LES LICENCES DE VENTE DE BOISSONS ALCOOLISEES

- 1) Jusqu'à ce que le conseil adopte un arrêté provincial réglementant l'octroi des licences de vente de boissons alcoolisées, les licences visées au Règlement Conjoint n° 18 de 1968 seront délivrées, dans le cadre de la province, par le trésorier du conseil. Les droits exigibles à cet effet doivent être versés au conseil et tiennent lieu de taxe sur les licences de vente de boissons alcoolisées.
- 2) Lorsque le conseil aura adopté un arrêté provincial remplaçant le Règlement Conjoint n° 18 de 1968, les conditions et plafonds suivants seront applicables à la taxe sur les licences de vente de boissons alcoolisées :
 - a) La taxe ne pourra excéder 100.000 FWH par an.
 - b) Elle sera exigible lors du renouvellement de la licence de vente de boissons alcoolisées.
 - c) Elle pourra être recouvrée, ainsi que tous dépens, au moyen d'une action en justice.

c) PATENTES COMMERCIALES

- 1) Les conseils provinciaux délivrent les patentes commerciales visées au Règlement Conjoint n° 18 de 1978. A cette fin, le conseil provincial administrant la province où sont situés des locaux pour lesquels une patente est requise, remplace le Gouvernement dans le texte du Règlement Conjoint.
- 2) Le trésorier du conseil provincial délivre les patentes et perçoit au nom du conseil les droits prévus au Règlement Conjoint n° 18 de 1978.
- 3) Aux fins d'interprétation de la présente loi, les droits de patente prévus au Règlement Conjoint n° 18 de 1978 sont désignés sous le nom de "taxes sur les patentes".

d) TAXE SUR LES CHIENS

- 1) Les propriétaires de chiens sont tenus d'acquitter une taxe dont le montant est fixé à un maximum de 200 FNH par chien et de 500 FNH par chienne non castrée.
- 2) Ladite taxe est payable annuellement.
- 3) Elle peut être recouvrée, ainsi que tous dépens, au moyen d'une action en justice.

e) TAXE SUR LE CINEMA

- 1) Toute personne percevant des recettes pour la projection de films, est tenue d'acquitter la taxe sur le cinéma.
- 2) La taxe est fixée à un taux maximum de 10% du droit d'admission payé par les spectateurs.
- 3) Les personnes assujetties à la taxe peuvent être tenues, par arrêté du conseil provincial, de présenter leur comptabilité et leur cahier de recettes.
- 4) Ladite taxe peut être recouvrée, ainsi que tous dépens, au moyen d'une action en justice.

f) TAXE SUR LES SPECTACLES

- 1) Toute personne percevant des recettes sur les spectacles qu'elle organise, y compris les soirées dansantes, spectacles musicaux, matches de boxe ou autres manifestations sportives, est tenue d'acquitter la taxe sur les spectacles.
- 2) La taxe est fixée à un taux maximum de 10% du droit d'admission payé par les spectateurs.
- 3) Les personnes assujetties à la taxe peuvent être tenues, par arrêté du conseil provincial, de présenter leur comptabilité et cahiers de recettes.

g) TAXE SUR LES JEUX ET LOTERIES

- 1) Les pouvoirs du conseil provincial en matière de taxe sur les jeux et loteries restent soumis aux dispositions de toute loi ou arrêté d'application.
- 2) La taxe sur les jeux et loteries est fixée comme suit :
 - I) soit une taxe ne pouvant excéder 5.000 FNH payable pour chaque tombola ou loterie organisée,
 - II) soit une taxe annuelle ne pouvant excéder 24.000 FNH payable par le propriétaire de tout établissement utilisé pour l'organisation de jeux de hasard ou pour l'exploitation de machines à sous.

3) Ladite taxe peut être recouvrée, ainsi que tous dépens, au moyen d'une action en justice.

4) Elle est perçue indépendamment de toute taxe qui, conformément à une loi, peut être levée par l'Administration centrale sur les recettes ou bénéfices réalisés par tous casinos ou autres établissements où se déroulent des jeux de hasard.



REPUBLIC OF VANUATU

NOTICE OF FORTHCOMING APPOINTMENTS AND DEPARTURES

IN THE OFFICE OF THE ATTORNEY GENERAL

NOTIFICATION

LAW OFFICERS REGULATION No. 25 OF 1980

NOMINATION

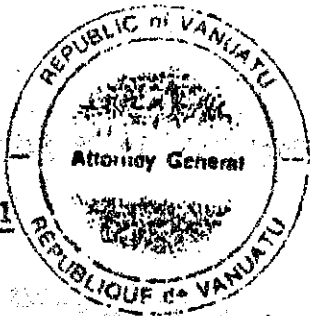
In accordance with section 7(2)(a) of the Law Officers Regulation No. 25 of 1980, I nominate -

SILAS CHARLES HAKWA

to exercise the powers and carry out the duties of the Attorney General from the departure of the Attorney General from the Republic on the 30th June, 1983 until his return to the Republic.
MADE at Port Vila the **28th** day of June, 1983.

W V Katten

W V Katten
Attorney General



TAKE NOTICE pursuant to Section 369 of the Companies Regulation (Cap. 9) unless cause be shown to the contrary, the name of :-

DELMAR HOLDINGS LIMITED

will be struck off the Register of Companies at Vila, Vanuatu, and the company dissolved at the expiration of three months from the date of this notice.

Dated at Vila this twenty-fourth day of June 1983.

S UREN
REGISTRAR OF COMPANIES

TAKE NOTICE pursuant to Section 369 of the Companies Regulation (Cap. 9) unless cause be shown to the contrary, the name :-

VALESDIR LIMITED

will be struck off the Register of Companies at Vila, Vanuatu, and the company dissolved at the expiration of three months from the date of this notice.

Dated at Vila this twenty-fourth day of June 1983.



S UREN
REGISTRAR OF COMPANIES



NOTICE (COMPANIES ACT) 1983

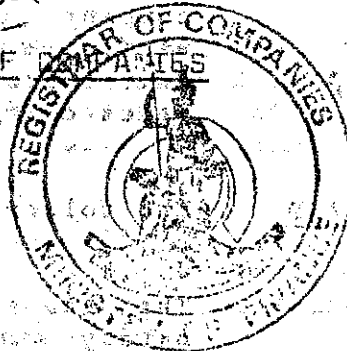
TAKE NOTICE pursuant to Section 369 of the Companies Regulation (Cap.9) unless cause be shown to the contrary, the name of:-

HARVARD LIMITED

will be struck off the Register of Companies at Vila, Vanuatu, and the company dissolved at the expiration of three months from the date of this notice.

Dated at Vila this twenty-fourth day of June 1983.

REGISTRAR OF COMPANIES



KELLETT (NEW HEBRIDES) LIMITED

notwithstanding anything to the contrary contained in the Memorandum of Association or the Articles of Association of the Company, the following special resolution was passed:-

IN THE MATTER of the Companies Regulation (Cap 9), and in the matter of Kellett (New Hebrides) Limited in voluntary Liquidation, members winding up.

AT an extraordinary general meeting of the abovenamed company duly convened and held at Vila on the 27th day of June 1983, the following special resolution was passed:-

- (a) That the company be wound up voluntarily;
- (b) That Andrew Murray and Paul Andrew Carlington both of Peat, Marwick, Mitchell & Co., of 8th Floor, Princes Building, Hong Kong be appointed liquidators of the company jointly and severally for the purposes of such winding up, and that they be entitled to charge and be remunerated as liquidators at the usual professional rates charged by their firm.

AND the following extraordinary resolution was passed:-

That the said Andrew Murray and Paul Andrew Carlington be hereby authorized jointly and severally to divide any part of the assets of the company as they think fit among the members of the company in specie or cash.

DATED this 27th day of June 1983.

Done at Vila on the 27th day of June 1983.

.....
 Peter A Coombe
 (Chairman)

THE COMPANIES REGULATION (CAP 9)

Members' Voluntary Winding Up

NOTICE OF APPOINTMENT OF LIQUIDATORS

Pursuant to Section 330)

Name of company :

Kellatt (New Hebrides) Limited

Nature of Business :

Investment

Address of Registered Office :

Hong Kong & New Zealand House
Rue Emile Mercet PORT VILA

Liquidator(s) name(s)
and address(es) :

Andrew Murray and Paul Andrew
Carllington both of Peat Marwick
Mitchell and Co., of 6th Floor,
Princes Building HONG KONG

Date of appointment :

27th June 1983

By whom appointed :

A Resolution of the Members of
the Company.

WAYHONG PROPERTIES LIMITED

IN THE MATTER of the Companies Regulation (Cap 9), and in the matter of Wayhong Properties Limited in voluntary liquidation, members winding up.

AT an extraordinary general meeting of the abovenamed company duly convened and held at Vila on the 27th day of June 1983, the following special resolution was passed:-

- (a) That the company be wound up voluntarily;
- (b) That Andrew Murray and Paul Andrew Carlington both of Peat, Marwick, Mitchell & Co., of 8th Floor, Princes Building, Hong Kong be appointed liquidators of the company jointly and severally for the purposes of such winding up, and that they be entitled to charge and be remunerated as liquidators at the usual professional rates charged by their firm.

AND the following extraordinary resolution was passed:-

That the said Andrew Murray and Paul Andrew Carlington be hereby authorised jointly and severally to divide any part of the assets of the company as they think fit among the members of the company in specie or cash.

DATED this 27th day of June 1983.

.....
Peter A Coombs
(Chairman)

THE COMPANIES REGULATION (CAP. 9)

Members' Voluntary Winding Up

NOTICE OF APPOINTMENT OF LIQUIDATORS

Pursuant to Section 330

Name of company : Wayhong Properties Limited

Nature of Business : Investment

Address of Registered Office : Hong Kong & New Zealand House
Rue Emile Mercat PORT VILA

**Liquidator(s) name(s)
and address(es) :** Andrew Murray and Paul Andrew
Carlington both of Peat Marwick
Mitchell and Co., of 8th Floor,
Princes Building HONG KONG

Date of appointment : 27th June 1983

By whom appointed : A Resolution of the Members of
the Company.

KELLETT HOLDINGS NH LIMITED

IN THE MATTER of the Companies Regulation (Cap 9), and in the matter of Kellett Holdings NH Limited in voluntary Liquidation, members winding up.

AT an extraordinary general meeting of the abovenamed company duly convened and held at Vila on the 27th day of June 1983, the following special resolution was passed:-

- (a) That the company be wound up voluntarily;
- (b) That Andrew Murray and Paul Andrew Carlington both of Peat, Marwick, Mitchell & Co., of 8th Floor, Princes Building, Hong Kong be appointed liquidators of the company jointly and severally for the purposes of such winding up, and that they be entitled to charge and be remunerated as liquidators at the usual professional rates charged by their firm.

AND the following extraordinary resolution was passed:-

That the said Andrew Murray and Paul Andrew Carlington be hereby authorised jointly and severally to divide any part of the assets of the company as they think fit among the members of the company in specie or cash.

DATED this 27th day of June 1983.

.....
Peter A Coombe
(Chairman)

REPUBLIQUE

REPUBLIC

THE COMPANIES REGULATION (CAP 9)

Members' Voluntary Winding Up

NOTICE OF APPOINTMENT OF LIQUIDATORS

Pursuant to Section 330)

Name of company :

Kaillett Holdings NH Limited

Nature of Business :

Investment

Address of Registered Office :

Hong Kong & New Zealand House
Rue Emile Mercet PORT VILA

Liquidator(s) name(s)
and address(es) :

Andrew Murray and Paul Andrew
Carlingtonen both of Peat Marwick
Mitchell and Co., of 6th Floor,
Princes Building HONG KONG

Date of appointment :

27th June 1981

By whom appointed :

A Resolution of the Members of
the Company.