

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 1 de 1961

JOINT REGULATION 1 of 1961

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No. 1 of
1961.

To provide for the establishment of Local Council Funds.

[Joint Regulation No. 1 of 1961 was published in Condominium Gazette No. 210. See also Joint Regulation No. 9 of 1957.]

MADE by the Resident Commissioners under the provisions of Article 8, Paragraph 3, of the Anglo-French Protocol, 1914.

1. In this Joint Regulation, unless the context otherwise requires—

Definitions.

"Fund" means a Local Council Fund established under the provisions of Section 3 hereof;

"Council" means a Local Council created under the provisions of Section 3 of Joint Regulation No. 9 of 1957;

"District Agents" means the British and French District Agents of the administrative district in which the Council is situated acting jointly;

"Secretary" means the Secretary of a Local Council for the time being appointed under the provisions of Section 5 of Joint Regulation No. 9 of 1957.

2. A Local Council may, with the approval of the Resident Commissioners acting jointly, establish a Fund to be known as the Local Council Fund into which shall be paid any moneys received by the Local Council for whatever purpose and from whatever source and in particular—

Establishment of the Fund.

(a) Any rates for general or special purposes imposed by rules of the Council made under the provisions of Section 7 of Joint Regulation No. 9 of 1957, and approved by the Resident Commissioners;

(b) Moneys subscribed, with the approval of the District Agents, by the inhabitants of the Council area;

(c) Moneys which may be granted for any purpose by the Resident Commissioners;

(d) Any other moneys which may be received by the Council with the approval of the District Agents.

3. (1) (a) Moneys payable to the Council shall only be received by the Chairman or, with the prior written approval of the Chairman, by the Secretary.

Receipt of Money for the Fund.

(b) The person receiving the money shall issue a receipt showing the amount paid and the purpose of the payment.

(c) Whenever the Secretary is authorised to receive moneys

for the Council he shall as soon as possible pay such money to the Chairman who shall issue a receipt.

(2) (a) The Chairman shall be responsible for the safe custody of all moneys received by him directly or for which he has given a receipt to the Secretary.

(b) The maximum cash balance which the Chairman shall keep shall be prescribed by the District Agents, and any amount in excess shall be deposited with the Condominium Treasury as soon as may be practicable.

(3) Notwithstanding, the Chairman may, with the approval of a majority of the Council, otherwise invest all or any of the moneys of the Fund subject to the prior joint approval of the Resident Commissioners.

4. (1) (a) Before the 15th of October of each year Local Councils shall by resolution of the Council approve estimates of revenue and expenditure for the following financial year.

Expenditure
out of Fund.

(b) The "financial year" to which the estimates shall apply shall run from 1st January to 31st December of each year, and only one set of estimates shall be prepared for each financial year;

(c) The estimates shall be submitted by the Council to the District Agents whose approval shall allow execution of the budgetary provisions.

(d) In the event of disagreement between the District Agents the estimates shall be submitted to the Resident Commissioners and their joint approval required before execution.

(2) The expenditure in the estimates shall be met exclusively from the Fund.

(3) Estimates of expenditure may only make provision for—

- (a) the construction and maintenance of Local Council buildings;
- (b) the salaries and wages of officials employed by Local Councils;
- (c) the payment of allowances to or the reimbursement of expenses incurred by members of Local Councils in connection with their duties as council members;
- (d) any project designed to further the welfare of the inhabitants of the area covered by a Local Council.

5. The Resident Commissioners may make rules for the better carrying out of the provisions of this Joint Regulation and in particular for any of the following purposes—

Power to
make rules.

- (a) the proper control and custody of the Fund;
- (b) the form of accounts;
- (c) the preparation of the estimates;
- (d) the imposition of penalties for breaches of such rules.

6. (1) No Council, Chairman, employee or member of a Council, or any other person, shall levy, demand or accept in the name of a Council any tax or contribution of any kind from the inhabitants of the Council area, the collection of which has not been authorised under this Joint Regulation.

Unauthorised levies.

(2) Every person who wilfully contravenes the provisions of this Section shall be liable, on conviction, to a fine not exceeding fifty pounds sterling or its equivalent in francs at the current rate of exchange or imprisonment not exceeding six months or to both such penalties.

7. Section 10 (2) of Joint Regulation No. 9 of 1957 as amended by Joint Regulation No. 4 of 1959 is hereby repealed.

Repeal of Section 10 (2) of Joint Regulation No. 9 of 1957.

8. This Joint Regulation may be cited as the Local Council (Municipal) Joint Regulation No. 1 of 1961.

Short Title.

Made at Vila this fourth day of February, 1961.

DELAUNEY

J. S. RENNIE

Resident Commissioner for the French Republic.

Her Britannic Majesty's Resident Commissioner.