

CONDOMINIUM DES NOUVELLES-HEBRIDES
NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 7 de 1955
JOINT REGULATION 7 of 1955

JOINT REGULATION

No. 7 of
1955.**To prohibit encroachment on the public road.**

Joint Regulation No. 7 of 1955 was published in Condominium Gazette No. 188 and is reprinted as amended by the following Joint Regulations:

3 of 1960 Condominium Gazette No. 208

7 of 1961 Condominium Gazette No. 212

22 of 1972 Condominium Gazette No. 318

MADE by the Resident Commissioners under the provisions of Article 7 of the Anglo-French Protocol, 1914.

1. No person shall encroach upon the public road either by placing there materials or movable objects of any sort or by erecting there buildings or permanent constructions.

[1A. For the purposes of this Regulation, the expression "public road" shall mean any road open to public use whether or not it forms part of the public domain and shall include not only the road-way but also the sides of the road within the limits of the ground occupied by such road.]

J.R. 22 of
1972.

2. Where any building encroaches on a public road either Resident Commissioner may issue a notice in writing to the owner thereof ordering the removal of such building, or of that part of such building, which encroaches on the said public road, and within one month of receipt the owner of the said building shall comply with the said notice.

3. The clearing of materials or buildings encroaching on the public road may be undertaken by instruction in writing of the Resident Commissioners jointly, the cost being recoverable from the owner.

[4. Authority may be given to the owners of land bordering a public road to construct cattle grids thereon provided that—

J.R. 3 of
1960.

- (a) such cattle grids conform to the type plan drawn up by the Public Works Department, which may be viewed at the office of that Department;
- (b) the work is done at the expense and risk of the owner of the adjoining land and that no grid shall be deemed to have been authorised until inspected and approved by the Superintendent of Public Works or an officer appointed by him or by the British or French District Agent of the District for the islands other than Efate and Santo;

- (c) a gateway of a minimum width of 4 metres 20 cms. shall be placed alongside the cattle grid to permit the passage of heavy machines such as bulldozers, rollers, etc.; J.R. 3 of 1960.
- (d) the cattle grid and gate shall be constantly maintained in perfect condition by the owner of the adjoining land, who will be deemed to have guaranteed the Joint Administration against any claim for damages resulting from any defect in the construction or maintenance of the cattle grid, gateway or approach to the latter;
- (e) any modification to a cattle grid or the adjoining gateway, or their complete removal, if deemed necessary by the Superintendent of Public Works, shall be carried out by the owner of the adjoining land within the time fixed by the Superintendent of Public Works, and if the owner fails to carry out the work within the time allowed, it may be undertaken by the Joint Administration and the cost thereof increased by a penalty of 50% shall be reimbursed by the owner;
- (f) The Joint Administration shall not be responsible for any damage caused to cattle grids or the adjoining gateways by traffic using them, or through any other cause.

For islands other than those of Efate and Santo, departures from the provisions of this section may be approved by the Superintendent of Public Works.

5. Any offence against this Joint Regulation shall be punishable by a fine of £20 Sterling, or the equivalent in francs at the current rate of the day, and for imprisonment not exceeding one month or by one or the other of these punishments.]

[6. The District Agents, the Commandants of Police and any officer of the Joint Services who may be so authorised in writing by the Resident Commissioners shall have power to institute proceedings in respect of offences against this Joint Regulation.] J.R. 7 of 1961.

Dated at Vila this Twentysecond day of July, 1955.

A. TRAMIER

J. S. RENNIE

For the Resident Commissioner Her Britannic Majesty's
for the French Republic. Resident Commissioner.