

**JUDICIARY OF THE REPUBLIC OF VANUATU**

**ANNUAL REPORT 2012**



***[Court House: Morua, Tongoa Island]***

MARCH 2013

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CHIEF JUSTICE'S CHAMBERS  
SUPREME COURT OF VANUATU  
PMB 9041  
PORT VILA  
EFATE

March 2013.

The Honourable Thomas Laken  
Minister of Justice & Community Services  
Ministry of Justice & Community Services  
Government of Vanuatu  
Port Vila  
Efate

Dear Minister,

I have the pleasure in submitting, in accordance with section 51 of the Judicial Services & Courts Act No. 54 of 2000, a report of the management and administrative affairs of the Judiciary during the year 2012 and the financial statements in respect of that financial year. The report includes information about the Court, its activities and workload.

Yours sincerely,

Vincent LUNABEK  
CHIEF JUSTICE

## A. Background

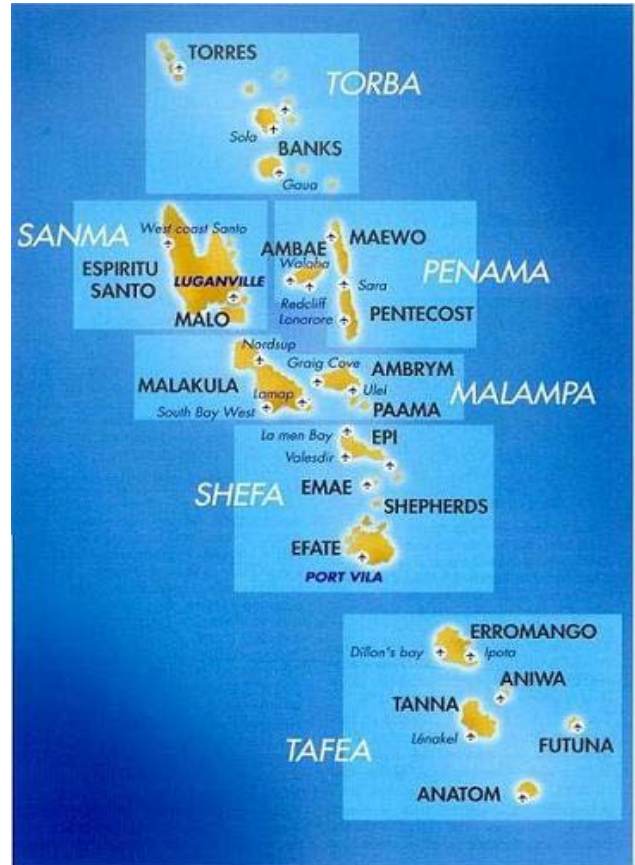
Vanuatu is a 900 kilometre-long, volcanic archipelago that consists of more than 80 islands. Most of these islands are inhabited, and around half are mountainous and densely forested with narrow strips of farming land on the coasts.

Five volcanoes are still active and volcanic eruptions are not uncommon. Vanuatu is the most cyclone prone nation in the South Pacific, with two to three cyclones entering its territory every year. The country also experiences earthquakes and resulting tsunamis. Vanuatu has a tropical climate with regular, sometimes heavy, rainfall. Temperatures average between 26°C and 34°C.

The majority of Vanuatu's population are Melanesian, known locally as ni-Vanuatu. There are small communities of French and British people, due to its colonial history, as well as some Australians, New Zealanders, Vietnamese, Chinese and people from other Pacific Islands.

There are over 100 indigenous languages with English, French and Bislama (the local form of Pidgin English) recognised as the official languages. All of Vanuatu's towns have both French and English names. Almost 80 percent of the population live on the twelve largest islands and the two main cities are Port Vila (30,000 people) and Luganville (11,000 people).

In 1774 Captain Cook named the islands "New Hebrides" and this name remained until independence. French and British missionaries, sandalwood traders and 'black birders', who took large numbers of people to work as virtual slaves on plantations in Australia and Fiji, changed life for Vanuatu's



indigenous population. These 'visitors' brought new diseases such as measles, influenza and the common cold which killed large numbers of indigenous people due to their lack of immunity.

In 1906 Britain and France agreed to jointly administer the New Hebrides. The move for independence began after occupation by the United States during World War II. When independence was eventually achieved in 1980, Vanuatu was born. However, through the 1990s the nation suffered a great deal of political instability.

Vanuatu is a Republic with a democratically elected government. The Non-Executive State President is elected for a 5-year term by an Electoral College comprised of all the MPs (52) plus the Presidents of the six Provincial Councils. Vanuatu has a unicameral parliament of 52 MPs elected for 4-year terms by universal suffrage with an element of proportional representation. The government elects a Speaker from among its own ranks. Twenty-seven MPs are therefore required to form a government.

The judiciary of the Republic of Vanuatu is created by Article 47[1] of the Constitution under Chapter 8 on Justice:

*"The administration of justice is vested in the judiciary, who are subject only to the Constitution and the law..."*

In the same Chapter, the Constitution goes on to provide for the Supreme Court in Article 49, the Court of Appeal in Article 50 and the Island Courts in Article 51.

In accordance with section 12[1] of the Judicial Services & Courts Act No. 54 of 2000, The Magistrates' Courts established by section 1 of the Courts Act [CAP 122] continue in existence on and after commencement of the Judicial Services & Courts Act No. 54 of 2000, as the Magistrates Court of Vanuatu.

The judicial year 2012 was officially opened on 27<sup>th</sup> January 2012. At this annual occasion, the Honorable Chief Justice reiterated the vision and mission of the Judiciary. The Judiciary is set on an ongoing path of reform and improvements.

B. .

## REPUBLIC OF VANUATU



### CHIEF JUSTICE'S CHAMBERS

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#### **INTRODUCTORY REMARKS FROM CHIEF JUSTICE**

This is 2012 Annual Report for the Courts. The Report provides information on the Courts, their Human Resources and Performances in the year under review. The focus is on Court Administration, in particular on the Management of the case load by the courts.

The objectives of Court Administration are Equity, Effectiveness and Efficiency. The review analyses the ways in and the extent to which the courts in their endeavour to perform their roles in the delivery of service of justice to the people of the country despite the huge difficulties/ challenges encountered by the courts in respect to shortage of man power, lack of Court spaces, equipment / facilities, systems and processes including budget constraints.

The court administration performances are evaluated by quantitative output indicators based on the registrations (filings), finalizations, pending case load and time taken between filing and finalization. Prior to 2009, the court's Annual Reviews has focused solely on those performances indicators. This year's review continues the practice adopted in the past years Annual Report Reviews of Reporting on an expanded range of quantitative indicators. Those indicators indicate that the courts have been successful in achieving results despite the challenges referred to earlier.

There are also other qualitative indicators that assist in gaining an appreciation of the court's performances. This year's review again includes qualitative output indicators of access to Justice, including in relation to the affordability of litigation in the courts, the accessibility of the court and the responsiveness of the courts to the needs of users where ever they are in the country.

Further, despite the challenges which are really critical to the delivery of justice by the courts, the material contribution of the courts to the community is still unevaluated. This material contribution is reflected to the volume of decisions made. In 2012, the courts

delivered a total of 3947 decisions. The Supreme Court and the Court of Appeal delivered 243 written judgments. These judgments are published in the Pacific Legal Information Institute website [www.paclii.org](http://www.paclii.org). They provide valuable information to land, civil, criminal, commercial, administrative and constitutional jurisprudence. They also enable transparency and accountability in the courts' decision making despite the difficulties still encountered by the court administration and the Judicial Services.

Throughout the year, the Judges, registrars of the courts and courts support staff have administered the courts and the rule of law with a high degree of independence, impartiality, equity, effectiveness and efficiency.

The Honourable Justice Vincent Lunabek  
Chief Justice

### C. Implementation of the Court's Strategic Plan or any new initiatives.

At the beginning of 2012, the Judiciary underwent a diagnostic assessment which culminated in a comprehensive report. The report provided the impetus for the 2012-2015 strategic plan for the Judiciary which was the subject of an organization-wide consultation. The strategic plan has 7 key result areas: Case Management & Enforcement, Governance, Institutional Services & Development, Asset Management & Infrastructure, Innovation & Technology, Communication, and Access to Justice. Under Case Management and Enforcement, the court embarked on a regime which focused on dealing with pending customary land cases in the Island Court jurisdiction. Out of the 82 pending customary land disputes, 16 were dealt with. Some efforts were made to deal with outstanding judgments in the Supreme Court, but there was no improvement of the situation. In terms of Enforcement, out of the 28 Enforcement Warrants that were on the books to be executed in 2012, 12 were executed or expired, leaving 16 carried over to 2013.

Working to improve the content of the annual reports is ongoing effort under Governance. This is ongoing so are Independence and Integrity strategic areas.

Under Institutional Services and Development, there was a start to collect and collate material for a court staff manual, but was not completed. There was considerable consultation and effort into effective legislative changes for the improvement of terms and conditions of the position of judge of the Supreme Court. A Bill was prepared and the Bill listed on the agenda for Parliament for the last session of the year, but was not tabled in Parliament. It is likely the Bill will be amongst Parliament business in the new year. An internal team of two has put together a court manual for the Island Court justices, and this draft is still to be proof read and undergo final edition. The training committee is revamped under the chairmanship of the Chief Justice.

In terms of Asset Management and Infrastructure, efforts to get the new Hall of Justice building project lacked momentum. There seem to be lack of political will to advance the project and despite it being the subject of approval by the Council of Ministers, it seems other infrastructure projects have overtaken it on the government's priority list. Negotiations were started with "Stretem Rod blong Jastis" project for funding assistance to fund solar systems for 5 court office sites in the rural areas. Prospects are hopeful.

Innovation and Technology and Communications are two key result areas which very little effort was made in the year under review.

Access to Justice underpins the annual court calendar which shows the courts program to travel to each of the six provinces four times during the course of the judicial year. Approximately 90% of all planned court circuits were executed and less than 5 court tours were implemented as dictated by the need to do so.



#### D. Summary of significant issues and developments.

The Supreme Court dealt with 11 cases of Constitutional nature. One of note was the Application by the Prime Minister seeking orders for the President to assent to the Bill for the Protocol of Accession of Vanuatu to the World Trade Organization. The President was invited by the Court to assent.

During the course of the year the Supreme Court was required to consider some cases involving the lucrative Northern Island Stevedoring company [NISCOL]. The three shareholding Provincial governments sought orders from the Supreme Court which were refused and which decision were upheld by the Court of Appeal.

There was ongoing management of the case involving disputes between factions of the Vanuaaku Pati political party. The other political party which experienced polarization of views and leadership struggle, forcing them to seek the court's assistance was the Vanuatu Republican Party [VRP] and the Union of Moderate Party [UMP].

A judge of the Supreme Court was recruited in September, with the assistance of the Commonwealth Secretariat. This has boosted the number of judges to 6 judges including the Chief Justice. The term of the New Zealand District Court Judge seconded to the Supreme Court was extended. The term of another overseas Judge who is serving on local terms and conditions was also extended.

The Judiciary, as an organization, has reached a stage where some of its judicial officers are reaching the age of retirement. One Senior Magistrate in the Magistrates Court submitted his intention of age retirement and one senior clerk of the island court has also done so.

#### E. Organizational review:

Overview of the Courts and their jurisdiction/ role and functions.

##### 1. Court of Appeal

The Court of Appeal is the highest court of the land. It is composed of at least 2 Judges of the Supreme Court sitting together. The Court of Appeal is the highest court of the land. It meets 3 times a year for 2 weeks each session. It hears civil and criminal appeals from the Supreme Court and has the same power, authority and jurisdiction of the Supreme Court. It may substitute its own judgment or opinion, but may not interfere with the exercise of a discretion of the Supreme Court unless it is manifestly wrong.

The Chief Justice of the Supreme Court is the president of the Court of Appeal and all the Judges of the Supreme Court are called upon by the Chief Justice to compose the Court of Appeal.

## 2. Supreme Court

The Supreme Court has unlimited jurisdiction to hear and determine civil and criminal proceedings. It has jurisdiction to hear questions concerning elections and similar matters; and it has jurisdiction to hear any grievances from citizens about emergency regulations made by the Council of Ministers. The Supreme Court has jurisdiction to hear civil and criminal appeals from a magistrate's court and to hear appeals from island courts as to ownership of customary land. Its decision in such cases is final.

The Supreme Court consists of the Chief Justice and Justices appointed on local terms and conditions. One Justice is seconded by the New Zealand District Court to the Supreme Court of Vanuatu for a period of 2 years. Different Judges of the New Zealand District Court have served on this scheme since 2004

## 3. Magistrates' Court

The Magistrates' Court has jurisdiction to hear cases where the amount claimed or the subject matter in dispute does not exceed vt1,000,000; disputes between landlord and tenant where the amount claimed does not exceed vt 2,000,000; and cases involving uncontested petitions for divorce or nullity of marriage.

In its criminal jurisdiction, the Magistrates' Court hears cases that concern any criminal proceedings for an offence for which the maximum penalty does not exceed 2 years imprisonment. It has jurisdiction to hear appeals from civil decisions from Island Courts, except decisions as to ownership of land, where appeal is to the Supreme Court.

The Magistrates' Court is specifically excluded from exercising jurisdiction in wardship, guardianship, interdiction, appointment of conseil judiciaire, adoption, civil status, succession, wills, bankruptcy, insolvency and liquidation.

## 4. Island Courts

The Island Court may only deal with civil matters in which the Defendant is ordinarily resident within their territorial jurisdiction or in which the cause of action is within their boundaries, customary land cases when the land is within their territorial boundaries.

In criminal matters, cases in which the defendant is ordinarily resident within their territorial jurisdiction or in which the cause of action is within their boundaries; claims in contracts or tort where the amount claimed or the subject does not exceed vt 50,000; claims for compensation under provincial by-laws not exceeding vt 50,000; and claims for maintenance not limited in amount.

The Island Courts are specifically empowered to administer the customary law prevailing within their territorial jurisdiction so far as it is not in conflict with any written law and is not contrary to justice, morality and good order

There are currently 10 operational Island Courts in the Republic. The Island Courts have full time clerks, appointed by the Chief Justice to administer the affairs of the Island Courts. There are about 240 lay justices appointed to decide small claims and minor criminal cases that are lodged in the Island Courts. The lay justices are members of the community.

#### 5. Vision Statement

“A JUDICIARY THAT IS INDEPENDENT, EFFECTIVE, EFFICIENT AND WORTHY OF PUBLIC TRUST AND CONFIDENCE, AND A LEGAL PROFESSION THAT PROVIDES QUALITY, ETHICAL, ACCESSIBLE AND COST-EFFECTIVE LEGAL SERVICE TO OUR PEOPLE AND IS WILLING AND ABLE TO ANSWER TO PUBLIC SERVICE.”

#### 6. Mission Statement

“TO DISPENSE JUSTICE SPEEDILY, FAIRLY, INDEPENDENTLY AND WITH IMPROVED QUALITY OF EXTERNAL INPUTS. TO IMPROVE ACCESS TO JUSTICE BY EFFECTIVE, EFFICIENT AND CONTINUOUS IMPROVEMENT OF JUDICIAL INSTITUTIONS. TO BE A JUDICIARY THAT CONDUCTS ITS BUSINESS WITH DIGNITY, INTEGRITY, ACCOUNTABILITY AND TRANSPARENCY”

## F. Court results

### 1. Court workload

	Type of cases	Registered in 2012	Pending from previous years	Total workload	Completed cases from 2012	Completed cases from previous years	Total completed cases	Pending as at 31 Dec 2012
Court of Appeal	Civil	54	0	54	42	0	42	12
	Criminal	9	0	9	6	0	6	3
Total for the Court of Appeal		63	0	63	48	0	48	15
Supreme Court	Civil	594	421	1015	151	0	151	443
	Criminal	222	58	280	175	0	175	47
Total for the Supreme Court		816	479	1295	326	127	453	842
Magistrate Court	Civil	302	506	808	107	0	107	195
	Criminal	1289	1001	2290	756	0	756	533
	DV	679	170	849	571	0	571	108
Total for the Magistrates Court		2270	1677	3947	1434	1876	3310	637
Island Court	Civil	537	355	892	349	80	429	463
	Criminal	0	0		0	0	0	0
	Customary Land	0	82	82	0	16	16	66
Total for the Island Courts		537	437	974	349	96	445	529
Grand Total		3686	2593	6279	2157	2099	4256	2023

#### Notes:

- i. DV – Applications for Domestic Violence Protection Orders
- ii. Island Court retains the jurisdiction to deal with customary land disputes that were pending in the Island Courts on the date of coming into force of the Customary Lands Tribunal Act.
- iii. The high clearance rate for the Island Courts below is driven by low number of cases registered in 2012 in the Island Courts.

2. The clearance rate is calculated by dividing the number of cases completed by the number of cases filed during the year in review.

- a. The Court of Appeal – 76%
- b. The Supreme Court – 55%
- c. The Magistrates Court – 146%

- d. The Island Courts – 82%
3. Some Breakdown of offences that were completed by the Supreme Court in 2012
    - a. Offences of sexual nature make up 33.9 % of all completed cases in the Supreme Court
    - b. Offences involving drugs make up 23.9 % of all completed cases in the Supreme Court
    - c. Offences of dishonestly (Misappropriation, Obtaining money by deception etc..) make up 12.4 % of all completed cases in the Supreme Court
    - d. Application for Domestic Violence Orders registered at Magistrate court in 2012 were 679 Making 30 % of all cases registered in Magistrate Court in 2012
  4. The average duration of a case from filing to finalisation is obtained by totalling the work days calculated for each case [work days from filing to judgment] and dividing this by the number of cases completed. A sampling approach is used in this report, the average duration of a case [in terms of work days] is recorded for the Supreme Court for Port Vila and Luganville for civil cases and criminal cases only. These two registries deal with the bulk of Supreme Court civil and criminal cases.
    - a. Total number of work days – 12075
    - b. Total number of cases completed – 187
    - c. The average duration of a case in this sample used is 65 workdays.
  5. The percentage of appeals is obtained by dividing the number of cases appealed by the number of cases registered.
    - a. Appeals from the Island Courts to the Magistrates Court – 0.3%
    - b. Appeals from the Magistrates Court to the Supreme Court – 3.2%
    - c. Appeals from the Supreme Court to the Court of Appeal – 7.7%
  6. The overturn rate on appeal at the Court of Appeal is obtained by dividing the number of appeal cases in which the lower court decision is overturned by the total number of appeals. Thirteen appeals were allowed out of the forty appeals completed by the Court of Appeal making the overturn rate on appeal, 27%.
  7. Percentage of cases that are granted a court fee waiver is obtained by dividing the number of cases that are granted a court fee waiver by the total number of cases filed.

There were no cases that were granted fee waiver in the mainstream civil registry, but less than 5 Applications for Letters of Administration were granted fee waivers. This represents a 12.5% of all the Probate and Letters of Administration cases registered in 2012.

8. The percentage of complaints received concerning a judicial officer is obtained by dividing the number of complaints received concerning a judicial office by the number of cases registered. However, in 2012, there was no complaint received concerning a judicial officer.
9. The percentage of complaints received concerning a court staff member is obtained by dividing the number of complaints received concerning a court staff member by the total number of cases registered.
  - a. The number of complaints received concerning a court staff – 11
  - b. The total number of cases registered 3687
  - c. The percentage of complaints received concerning a court staff is 0.29%
10. The average number of cases per judicial officer is obtained by dividing the total number of cases received by the number of judicial officers.

In the Supreme Court:

- a. The total number of cases registered – 817
- b. The total number of judicial officers – 5.5
- c. The average number of cases per judicial officer is 149

In the Magistrates' Court

- a. The total number of cases registered – 2270
- b. The total number of judicial officers – 8
- c. The average number of cases per judicial officer is 284

Overall, in the courts [Island Courts, Magistrates Court, the Supreme Court and the Court of Appeal] the average number of cases per judicial officer is 223

11. The average number of cases per member of court staff is obtained by dividing the total number of cases registered by the number of court staff.

In the Supreme Court:

- a. The total number of 2012 cases registered – 817
- b. The total number of court direct-support staff – 15
- c. Average number of 2012 cases per member of court direct-support staff is 54.5
- d. The total workload of cases in 2012 – 1296
- e. The average number of cases per member of court direct-support staff overall is 86.4

In the Magistrates Court:

- d. The total number of 2012 cases registered – 2270
- e. The total number of court direct-support staff – 15
- f. Average number of 2012 cases per member of court direct-support staff is 151.3
- g. The total workload of cases in 2012 – 3947
- h. The average number of cases per member of court direct-support staff overall is 263.1

Overall, in the courts [Island Courts, Magistrates Court, the Supreme Court and the Court of Appeal] the average number of cases per member of court-direct support staff is 174.4

12. The Court produces an Annual Report each year. Previous Annual Reports have not been too accessible to the public except the 2009 Annual Report which was published on [www.aclii.org](http://www.aclii.org)

13. The Court published Supreme judgments on the [www.paclii.org](http://www.paclii.org) as follows:

<b>Month of 2012</b>	<b>Supreme Court Judgments Published</b>	<b>Court of Appeal Judgments Published</b>
January	11	0
February	13	0
March	17	1
April	22	1
May	14	13
June	9	0
July	29	0
August	26	4
September	27	2
October	16	11
November	26	1
December	0	0
<b>Total</b>	<b>210</b>	<b>33</b>

#### G. Factors, events or trends influencing court results.

The Vanuatu Courts enjoy a good degree of independence from the executive branch of the Government. There are some national events or trends which may affect the court results and some systemic factors inherent to the operations of the courts which may also have some effect.

In 2012, the unilateral decision of the Department of Finance and Treasury to restrict the release of monthly warrants directly impacted on the court administration's financial capacity to support 2 court tours of the Supreme Court, a few for the Magistrates' Court and the Island Courts, which were planned on the court calendar. This, of course, impacted on the number of cases disposed during circuits.

#### H. Interaction with other agencies.

- i. The Judiciary has enjoyed a healthy working and professional relationship with the Ministry of Justice & Social Welfare throughout the year. It has supported the Ministry of Justice Sector Strategy and is in continuous dialogue with the Ministry on carrying the Strategy forward.
- ii. The courts welcome the professional relationship it has with the Vanuatu Correctional Services Department, which comprises of the Probation office. The provision of support in the form of required reports have improved the quality of sentences in criminal cases.
- iii. The Vanuatu Police Force has been a major partner in initiatives by the court.
- iv. The court's interaction with the non government organizations has been very limited except for the special focus of the Vanuatu Women's Crises Centre who have increased their capacity and are sending representation for women in Domestic Violence Protection Orders Applications to court.
- v. The Pacific Legal Information Institute [PacLII] who are hosted by the University of the South Pacific Emalus campus in Port Vila, have been a strong partner is assisting the Supreme Court and the Court of Appeal judgments to be published online. 2012 has seen an improvement so that court judgments are published as soon as they are delivered.



I. International interactions.

- i. Vanuatu gained from its association with the Pacific Judicial Development Program [PJDP], a regional cooperation in Judicial Developments, funded by NZaid and managed by the Federal Court of Australia.
- ii. The Judiciary has been in constant dialogue with the Federal Court of Australia's international cooperation unit to finalize a proposed Memorandum of Understanding between the two courts.

J. Management accountability

i. Annual Accounts for 2012:

1. Annual budget was VT185,905,746
2. Payroll budget was VT94,434,796 representing 50.8%
3. Operational budget was VT 91,470,950 representing 49.2%

A detailed financial report is found at Appendix iii at the end of this report

ii. Senior management committees and their roles

1. The Chief Justice meets with the Judges of the Supreme Court on an adhoc basis on matters in which he thinks fit for consultation.
2. The Chief Magistrate consults with the Chief Justice on matters relating to the operation of the Magistrates Court
3. A National Judicial Training and Development Committee is chaired by the Chief Justice driving the training and development of the judicial officers and court personnel
4. The Chief Registrar meets with the Accountant, the Sheriff, the Human Resource officer, the Training Coordinator, the Senior Administrator of Island Courts, and the Assistant Registrar of the Magistrates Court in Port Vila, on a regular basis for coordination of administrative efforts to implement policies announced by the Chief Justice, and for normal administration purposes.

iii. Training and development opportunities for court staff

1. The court staff were engaged in training and development, according to the year plan for 2012, three times during the year.
2. The first program is called "Professional Day Out" held in the first quarter of the year. This program focussed on administrative processes and procedures which can be improved

3. The Island Court clerks training and development also received a specific focus with emphasis on their roles and duties in administration of the Island Courts.
4. Several members of the court staff were identified who underwent basic training and instructions in the Microsoft Excel application. There was emphasis on the use of MS Excel to register cases and keep accurate data on case statistics.

#### iv. Management of court infrastructure

##### 1. Port Vila, Efate Island

2012 did not see any major changes to the plan to build a new Court House since the burning of the old courthouse in the capital city. The court administration and judicial Chambers are still housed in the temporary location which used to be a former government residential house. The following steps have been taken thus far:

- a. A designer is engaged to develop a concept design;
- b. A concept design has been arrived at and the project management committee has been briefed;
- c. Two further consultations between the designer and the Chief Justice took place in 2011;
- d. The project management committee has met numerous times;
- e. The Chief Justice consulted with the Prime Minister, the Minister for Justice and the Minister of Finance, with the result that assurances were given that the government unequivocally supports the project.

The current temporary accommodation that the Court is using is becoming fast inadequate. The extension added is used by the court administration and to house the office of the Sheriff of the Supreme Court. It will be a factor hampering further recruitments if nothing is done quickly to create more space. Plans for the recruitment of one Master of the Supreme Court has not yet been materialized. The present space is plainly inadequate to house judicial Chambers.

The Courtrooms and the retirement room rented at the Dumbea Hall complex is the bare minimum, and the condition of one Island Court courtroom there adjoining the judges' retirement room is deteriorating due to persistent leakage from the roof in wet weather.

The congested nature of these temporary locations also mean there is inadequate space of parking and protected customer or public waiting areas. There are also very limited provision of public toilet facilities while internal facilities are inadequate at best.

The Magistrates Court is housed in a separate building in Port Vila. However, it faces the same difficulties of congestion, inadequacy of space for offices and public waiting areas, parking space and public toilet facilities.

## 2. Luganville, Santo Island

The court office in Luganville, Santo was also destroyed by fire, on 25 September 2011. The court offices which were housed in this building and which were affected include:

- Supreme Court registry;
- Magistrates' Courts registry;
- Santo/Malo Island Court registry;
- Judge's office
- Magistrate's office
- 2 courtrooms;
- Toilet facilities; and
- Storage rooms

All these were relocated temporarily to a building located at the Sanma Provincial Head Quarters.

In December 2012, the court relocated back into the old property, after the completion of some repair after the fire of 2011. The property housing the court in Luganville is a privately-held leasehold property. A repeat call is raised here about the particular difficulty of court accommodation in Luganville, Santo, for the Ministry of Justice to progress its intention to secure land and build a purpose-built court house in Luganville.

## 3. Isangel, Tanna Island

The court house accommodating the registry, Magistrate's office, a clerk's office and a courtroom has not been renovated in any meaningful way since it was built more than 20 years ago.

The court house needs renovation to its structure as well as the furnishing of the courtroom. Some chain-link fencing material are off-loaded at the court house compound, but actual work is still to commence on building a fence around the court house compound.

## 4. Morua, Tongoa Island

The court house at Morua on Tongoa island, accommodates the court registry, an Island Court clerk office, a judicial officer's office and a courtroom. The design is the same as the court house at Isangel on Tanna island.

A proposal is discussed with the "Stretem Rod blong Jastis" project to fund solar power units to be installed in the courts' outer island offices including at Morua, Tongoa.

## 5. Ambore, Ambae Island

The Ambae Island Court is operating out of a building that originally belongs to the local government of Ambae whose assets are taken over by the more recently established Penama Provincial government. A water tank was sent there to collect drinking water,

but the long term plan is for the court to be located at Saratamata, on the eastern part of the island where the Provincial government has its headquarters and there is an array of other government services there as well.

#### 6. Sola, Bank Group of Islands

While the court office at Sola, Banks islands enjoys a reliable and constant source of power from the Solar power unit that was installed there early 2012, the need for structural repair and renovation to the building is the same as the other court centers. Internal and public toilet facilities need to be provided in the court office building. There is need for repair and maintenance of building and furniture of the court in this location as well.

Major repairs and maintenance of the residential house occupied by the Island Court clerk is also needed.

#### 7. Loltong, Pentecost Island

The Pentecost Island Court is accommodated in a building owned originally by the Penama Provincial government at Loltong. The Court administration maintains the lawn and the physical upkeep of the place but does not spend its budget on the building. The Court administration keeps a fiberglass boat at Loltong for transportation so the court can access other coastal parts of the island of Pentecost. The boat was donated by the French government, through the French Embassy in Port Vila.

#### 8. Lakatoro, Malekula Island

The court office at Lakatoro, Malekula is in a better condition than many other court offices around the country. There is a constant centrally provided power. However, facilities available for the public court users is non-existent. There is need to build public toilet facilities and upgrade the staff facilities. Telecommunication to and from this court office was a difficulty throughout 2012. However there was a small improvement when it acquired internet connection, through the help of the E-government project.

#### 9. Graig-cove, Ambrym Island

The court office on Ambrym was built concurrently with the one on Epi island. It is a simple design of two office spaces, one for the judicial officer and the other for the clerk or support staff. Then the rest of the building is an open-style courtroom not dissimilar to the ones at Morua, Isangel, and Sola.

## 10. Technology

Most of the court offices around the country have computers and some source of power supply to enable officers to operate the machines. The most basic technology in the outer islands consists of a computer with Windows XP and 2003 or 2007 version of the Microsoft package, a printer, a photocopier and a phone/fax machine. But the phone/fax machines are not really useful now since competition in the telecommunication industry intensified and most providers are targeting the mobile phone market. The court offices are left with under-maintained land lines which they depend on for the phone/fax machines.

2012 did not see any major change in the area of access to the internet and email. This is still confined to court offices in Port Vila town, Luganville town and Lakatoro, Malekula Island.

The desktop computers of the Judiciary across the country needs to be replaced since many of them are more than 5 years old.

## 11. Vehicles

The court has a fleet of 10 vehicles. The only acquisition in this area this year was one sedan type car purchased for the use of a Judge of the Supreme Court in Port Vila. Five vehicles in the current fleet need replacement. Despite budget submissions to this effort, the Ministerial Budget Committee has not been supportive. The need for replacement only compounds the need for new court vehicles for the Lakatoro court office and the Isangel court office. In the future this need will apply to other court offices around the country but for the moment, other court offices need motorbikes or quad-bikes to assist with the service of court documents. Out-sourcing transport for servicing of court documents is becoming extremely expensive and simply unsustainable.

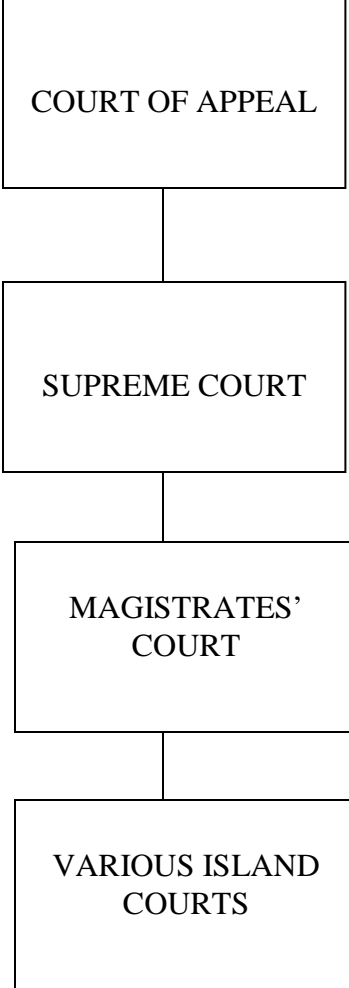
## 12. Boats and accessories

There is one operating boat at Lolong, Pentecost island. This was donated by the French Government. There is currently a 15hp outboard engine on the boat which is inadequate considering that the boat is about 7 meters long.

An aluminium boat which is located at Sola in the Banks group of islands is planned to be relocated to the court office on Epi island. A new engine and safety equipment and accessories will need to be purchased to make the boat sea worthy. The plan to move the boat from the Banks islands to Epi island is underlined by the need for a bigger and heavier boat for the Banks islands where the islands are scattered far and wide, and the high swells and rough seas is not uncommon in this part of the country.

**K. Appendices**

i. Organisational Chart



ii. List of Judicial Officers and Court Personnel

Post N0	Names	Post Title	Payroll N0	Emp.Status
14001	Vincent Lunabek	Chief Justice	430397	Permanent
14002	Nevin Dawson replaced by Robert Spear	Judge	999995	Term of 2 yrs
14003	Daniel Fatiaki	Judge	153643	Term extended
14004	Oliver Saksak	Judge	153601	Permanent
14005	John Obed Alilee	Chief Registrar	468330	Permanent
14006	Rita Bill Naviti	Senior Magistrate	153742	Permanent
14007	Jimmy Garae	Senior Magistrate	153817	Permanent
14008	Edwin Macreveth Ambuse	Senior Magistrate	802660	Resigned
14011	Nesbeth Wilson	Senior Magistrate	215038	Permanent
14012	Steve Bani	Senior Magistrate	491282	Resigned
14013	Stephen Felix	Chief Magistrate	119818	Permanent
14014	Patrick george	Island Court Clerk	1069727	Permanent
14015	Wilson Andrew Nasawa	Island Court Clerk	808261	Permanent
14016	Wendy Raptigh W.	Island Court Clerk	741843	Permanent
14017	Nicholas Kollan	Island Court Clerk	153882	Permanent
14018	Evelyn Hopkins	Island Court Clerk	153767	Permanent
14019	Blandine Tepi Konmawi	Island Court Clerk	149054	Permanent
14020	Jonah Mesau	Island Court Clerk	122051	Permanent
14021	Denise Kuse	Receptionist	434779	Deceased
14022	Veronique Teitoka	Secretary, Registry Office	639393	Permanent
14023	Cynthia Thomas Csiba	Secretary, Registry Office	442848	Permanent
14025	Marilyne Sese	Secretary, Chief Justice	162990	Permanent
14026	Evelyne Sawia	Secretary, Supreme Court	552810	Permanent
14027	Anita Vunabit Buletare	Secretary, Supreme Court	411710	Permanent
14028	Naomi Hinge	Secretary, Supreme Court	782755	Permanent
14029	Evelyn Kaltapau	Secretary, Magistrate Court	806927	Permanent
14030	Malia Nupupo	Secretary, Magistrate Court	741868	Permanent
14032	Anita Simon Isabelle	Secretary, Magistrate Court	129882	Permanent
14033	Florina Toran Singanbo	Secretary, Magistrate Court	726596	Permanent
14034	Rodrice Mulonturala	Secretary, Magistrate Court	1070115	Permanent
14035	John Daniel	Assistant Sheriff Luganville	167668	Permanent
14036	Malachai George	Sheriff of the Supreme Court	176180	Permanent
14037	Jean Noel Kutty	Driver/Messenger	425777	Permanent
14038	Tarsong Tarosa	Driver, Chief Justice	585372	Permanent
14039	Cleris Kalo	Cleaner, Port Vila	565523	Permanent
14040	Pauline Kalo	Librarian	741413	Permanent
14041	Wilma Manmelin	Secretary to sheriff office	118141	Permanent
14042	Albano Lolten	Accountant	644286	Permanent
14043	Joel Shem	Senior Administrator of Island Court	706028	Permanent
14044	Madeng John M.	Assistant Registrar Supreme Court	219709	Permanent
14045	Shirley George	Assistant Registrar Magistrate Court	118059	Permanent
14046	Dudley Aru	Judge		Permanent
14047	Vacant	Secretary, Supreme Court		
14048	Vacant	Secretary, Magistrate Court		
14050	Katherine Abel	Finance Officer	1066364	Permanent
14051	Belinda Garae	Human Resource Officer	0764225	Permanent

iii. Financial Report for 2012



SUPREME COURT OF THE REPUBLIC OF VANUATU

PMB 041, Port Vila,  
Republic of Vanuatu  
Tel: (678) 224 20  
Fax: (678) 226 92



Sac Postal Privé 041, Port Vila  
République de Vanuatu  
Tel: (678) 224 20  
Fax: (678) 226 92

Thursday 7<sup>th</sup> February 2013

Mr. John PATH,  
Auditor General,  
The Auditor Generals Office  
Port Vila  
Vanuatu,

**Re: Annual Financial Statement of the Accounts of the Judiciary.**

Dear Auditor General,

I am pleased to submit to your office the annual accounts for the Judiciary for 2012.

These statements have been compiled to be in conformance with Section 51 of the Judicial Services and Courts Act of 2000.

  
**Hon. Vincent LUNABEK**  
**CHIEF JUSTICE**



## SUPREME COURT OF THE REPUBLIC OF VANUATU

PMB 9041, Port Vila,  
Republic of Vanuatu  
Tel: (678) 26715  
Fax: (678) 22692



Sac Postal Privé 9041,  
Port Vila  
République de Vanuatu  
Tel: (678) 26715  
Fax: (678) 22692


7<sup>th</sup> February 2013

### FINANCIAL STATEMENTS FOR THE YEAR ENDED 31 DECEMBER 2012

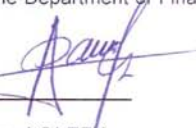
#### STATEMENT OF REPRESENTATION FOR THE JUDICIARY

We provide herewith the Statement of Financial Performance and the Statement of Appropriations for the Judiciary for the year ended 31 December 2012 and provides the required schedules. These are copies of statements contained in the Judiciary Annual Financial Statement for 2012 as approved by the Honorable Chief Justice.

1. The Statement of Financial Performance and Statement of Appropriations fairly reflect the Department financial activities for the period 1 January to 31 December 2012.
2. All LPOs were verified as being valid as at 31 December 2012 and any duplicate, invalid or erroneous LPOs have been cancelled.
3. All Standing and Accountable imprests due before 31 December 2012 have been retired and fully accounted for.
4. The asset register has been updated to the best of our ability and includes all known assets with a value of more than 100,000 vatu as at 31 December 2012.
5. Employee leave transactions have been updated and the list of outstanding annual leave balances provided is valid and complete.
6. All known commitments, contingent liabilities and contingent assets have been identified and information submitted.
7. All adjustment journals have been made and passed onto the Department of Finance for approval.

  
**John Obed ALILEE**  
Registrar of the Supreme Court  
Judiciary  
Date 7<sup>th</sup> February 2013



  
**Albano LOLTEN**  
Accountant  
Judiciary  
Date 7<sup>th</sup> February 2013

## **Consolidated Financial Statements for the Judiciary for 2012**

The financial statements are broken down into 3 sections. Section 1 is the expenditure and revenue report detailing the expenditure and revenue of the Judiciary in 2012 by chart of account. Section 2 highlights the commitments, contingencies and leave balances for all employees. Section 3 is the asset register of the Judiciary.

### **Section 1 – Expenditure and Revenue Report**

This report is produced by the VG Dept financial report using the Ministry of Finance FMIS system.



## Vanuatu Judiciary - Financial Summary

### 14 Judiciary - December 2012

Code	Description	----- This Month ----->			<----- Year To Date ----->			Total Budget
		Actual Exp.	Budget	Variation	Actual Exp.	Budget	Variation	
<b>Personnel</b>								
8AAF	Family Allowance	151,984	187,669	35,685	-6,343,339	1,959,000	8,302,339	1,959,000
8AAG	Gratuitie Allowances	1,814,359	3,316,320	1,501,961	1,814,359	3,316,320	1,501,961	3,316,320
8AAH	Housing Allowances	500,624	676,611	175,987	5,394,690	7,063,700	1,669,010	7,063,700
8AAO	Other Allowances	3,151,515	0	-3,151,515	3,467,691	0	-3,467,691	0
8AAP	Home Island Passage Allowances	0	155,169	155,169	557,710	1,620,000	1,062,290	1,620,000
8AAS	Special Allowances	73,540	0	-73,540	934,547	0	-934,547	0
8ASP	Provident Fund	334,941	378,956	44,015	3,381,699	3,956,157	574,458	3,956,157
8AWC	Contract Wages	-44,100	0	44,100	-44,100	0	44,100	0
8AWO	Overtime Wages	0	6,326	6,326	0	66,000	66,000	66,000
8AWP	Permanent Wages	8,775,419	9,279,761	504,342	86,085,631	96,879,060	10,793,429	96,879,060
PAYR	Payroll expenses	0	0	0	0	-20,425,441	-20,425,441	-20,425,441
<b>Total</b>		<b>14,758,282</b>	<b>14,000,812</b>	<b>-757,470</b>	<b>95,248,888</b>	<b>94,434,796</b>	<b>-814,092</b>	<b>94,434,796</b>
<b>Goods and services</b>								
8CAB	Subsistence Allowances	-126,000	1,172,098	1,298,098	7,036,506	8,565,000	1,528,494	8,565,000
8CAS	Sitting Allowances	-124,200	221,685	345,885	14,690,044	13,475,000	-1,215,044	13,475,000
8CBI	International Accommodation	-12,977	0	12,977	565,103	0	-565,103	0
8CBL	Local Accommodation	58,667	605,771	547,104	2,836,830	3,260,000	423,170	3,260,000
8CCL	Local Courses	66,667	4,163	-62,504	120,001	50,000	-70,001	50,000
8CEC	Consultants Fees	0	0	0	0	0	0	0
8CES	Security Services	53,334	0	-53,334	213,336	0	-213,336	0
8CET	Other Fees	0	8,337	8,337	105,598	100,000	-5,598	100,000
8CFV	Vehicles Fuel	187,467	74,141	-113,326	2,248,273	940,000	-1,308,273	940,000
8CGM	Mail Carriage Freight	0	4,163	4,163	0	50,000	50,000	50,000
8CGO	Other Charges - Freight	0	4,163	4,163	0	50,000	50,000	50,000
8CGR	Transport - Freight	-264	31,228	31,492	316,887	375,000	58,113	375,000
8CGS	Storage - Freight	0	9,587	9,587	34,179	115,000	80,821	115,000
8CHL	Local Medical Treatment	2,400	29,174	26,774	154,986	350,000	195,014	350,000
8CIE	Equipment Hire	0	9,989	9,989	0	120,000	120,000	120,000
8CIF	Facilities Hire	0	4,163	4,163	418,537	50,000	-368,537	50,000
8CIV	Vehicles Hire	493,297	0	-493,297	1,272,367	500,000	-772,367	500,000
8CJO	Office Cleaning	35,000	115,826	80,826	874,851	1,390,000	515,149	1,390,000
8CKD	Advertising - Communications	0	28,750	28,750	239,810	345,000	105,190	345,000
8CKL	Translation Communications	37,125	32,500	-4,625	195,126	440,000	244,874	440,000
8CKP	Postage - Communications	524	39,152	38,628	19,122	470,000	450,878	470,000
8CKR	Printing - Communications	0	0	0	64,444	0	-64,444	0
8CKS	Stationery - Communications	3,250,538	240,347	-3,010,191	4,890,624	2,985,000	-1,905,624	2,985,000
8CKT	Telephone / Fax - Communications	1,886,166	69,076	-1,817,090	3,191,090	878,868	-2,312,222	878,868
8CMG	General - Materials	0	33,337	33,337	40,000	400,000	360,000	400,000
8CMO	Office - Materials	154,667	40,000	-114,667	167,632	480,000	312,368	480,000
8CNO	Office Rental	133,334	7,878,941	7,745,607	1,272,219	8,520,604	7,248,385	8,520,604
8CNT	Other Rental	344,444	31,663	-312,781	9,432,758	380,000	-9,052,758	380,000
8COD	Research & Development	0	4,163	4,163	0	50,000	50,000	50,000
8COF	Refunds	0	0	0	260,311	300,000	39,689	300,000
8COI	Incidentals	2,222	1,026,826	1,024,604	301,548	4,072,000	3,770,452	4,072,000
8COP	Official Entertainment	273,058	119,535	-153,523	2,189,326	1,634,706	-554,620	1,634,706
8COS	Insurance	0	155,302	155,302	37,702	213,580	175,878	213,580
8COT	Termination Payment	2,647,084	0	-2,647,084	8,217,359	0	-8,217,359	0
8COU	Uniforms	0	0	0	26,667	0	-26,667	0
8CRB	Buildings Repairs & Maintenance	147,911	133,337	-14,574	802,435	1,600,000	797,565	1,600,000
8CRE	Equipment Repairs & Maintenance	54,662	115,413	60,751	551,331	1,385,000	833,669	1,385,000



## Vanuatu Judiciary - Financial Summary

### 14 Judiciary - December 2012

Code	Description	----- This Month ----->			----- Year To Date ----->			Total
		Actual Exp.	Budget	Variation	Actual Exp.	Budget	Variation	Budget
8CRH	Houses Repairs & Maintenance	0	20,837	20,837	4,307	250,000	245,693	250,000
8CRM	Maintenance Contrac	0	0	0	179,112	0	-179,112	0
8CRV	Vehicles Repairs & Maintenance	150,298	50,000	-100,298	1,734,705	600,000	-1,134,705	600,000
8CTI	International Travel	-223,864	608,337	832,201	2,167,832	2,150,000	-17,832	2,150,000
8CTL	Local Travel	213,592	340,457	126,865	4,799,832	4,208,000	-591,832	4,208,000
8CUC	Gas - Cooking Utilitites	0	18,337	18,337	69,919	220,000	150,081	220,000
8CUE	Electricity Utilities	1,557,025	185,848	-1,371,177	6,612,683	2,230,000	-4,382,683	2,230,000
8CUL	Lighting Utilities	19,689	116,250	96,561	211,308	1,395,000	1,183,692	1,395,000
8CUW	Water Utilities	166,163	57,739	-108,424	605,103	693,000	87,897	693,000
8CWL	Local Workshops	0	8,337	8,337	42,666	100,000	57,334	100,000
8CZV	Value Addeded Tax	1,548,828	278,704	-1,270,124	5,655,889	3,454,751	-2,201,138	3,454,751
8EBN	Buildings - New	0	0	0	1,000,000	0	-1,000,000	0
8EEA	Equipment - Aditonal General	249,733	33,337	-216,396	1,205,371	400,000	-805,371	400,000
8EEC	Equipment - Computer	0	33,337	33,337	170,137	400,000	229,863	400,000
8EEP	Equipment - Photocopiers	0	33,337	33,337	0	400,000	400,000	400,000
8EFO	Furniture - Office Furniture	0	83,337	83,337	0	1,000,000	1,000,000	1,000,000
8EVA	Vehicle - Additional Vehicle	3,370,371	0	-3,370,371	4,000,000	0	-4,000,000	0
8EVR	Vehicle - Replacement	0	0	0	0	0	0	0
8FCB	Bank Charges	2,500	0	-2,500	17,500	0	-17,500	0
OVER	Overhead expenses	0	0	0	0	20,425,441	20,425,441	20,425,441
<b>Total</b>		<b>16,619,461</b>	<b>14,111,024</b>	<b>-2,508,437</b>	<b>91,263,366</b>	<b>91,470,950</b>	<b>207,584</b>	<b>91,470,950</b>
<b>Total Expenditure</b>		<b>31,377,743</b>	<b>28,111,836</b>	<b>-3,265,907</b>	<b>186,512,254</b>	<b>185,905,746</b>	<b>-606,508</b>	<b>185,905,746</b>





**GOVERNMENT OF VANUATU  
2012 MONTHLY REVENUE REPORT Actual Amounts**

Description	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	1
<b>1401</b> <b>Judiciary</b>													
<b>1401</b> <b>Court Fines</b>													
V-2-1401-CIAB-7TFC--	6,050	1,650	400	0	0	100	0	300	1,350	0	0	2,250	
TOTAL Court Fines	6,050	1,650	400	0	0	100	0	300	1,350	0	0	2,250	
TOTAL Judiciary	6,050	1,650	400	0	0	100	0	300	1,350	0	0	2,250	
<b>1410</b> <b>Judiciary</b>													
<b>1410</b> <b>Court Fines</b>													
V-2-1410-CIAB-7TFC--	948,050	950	70,000	75,000	162,100	2,000	0	25,000	390,000	75,000	98,000	0	50,000
TOTAL Court Fines	948,050	950	70,000	75,000	162,100	2,000	0	25,000	390,000	75,000	98,000	0	50,000
TOTAL Judiciary	948,050	950	70,000	75,000	162,100	2,000	0	25,000	390,000	75,000	98,000	0	50,000
<b>1420</b> <b>Judiciary</b>													
<b>1420</b> <b>Court Fines</b>													
V-2-1420-CIAB-7TFC--	20,000	0	0	20,000	0	0	0	0	0	0	0	0	0
TOTAL Court Fines	20,000	0	0	20,000	0	0	0	0	0	0	0	0	0
TOTAL Judiciary	20,000	0	0	20,000	0	0	0	0	0	0	0	0	0
<b>1421</b> <b>Judiciary</b>													
<b>1421</b> <b>Court Fines</b>													
V-2-1421-CIAC-7TFC--	1,150	0	0	0	0	0	0	0	150	0	0	0	1,150
TOTAL Court Fines	1,150	0	0	0	0	0	0	0	150	0	0	0	1,150
TOTAL Judiciary	1,150	0	0	0	0	0	0	0	150	0	0	0	1,150
<b>1422</b> <b>Judiciary</b>													
<b>1422</b> <b>Court Fines</b>													
V-2-1422-CIAB-7TFC--	75,000	0	0	50,000	0	0	0	0	0	0	25,000	0	0
V-2-1422-CIAC-7TFC--	15,996,845	537,528	1,670,150	1,283,528	963,100	1,583,150	2,106,700	1,614,522	1,335,883	1,143,778	1,234,300	1,298,200	1,228,000
V-2-1422-CIAC-7TFC--	150	0	0	0	0	0	0	0	150	0	0	0	0
TOTAL Court Fines	16,071,995	537,528	1,670,150	1,333,528	963,100	1,583,150	2,106,700	1,614,522	1,335,833	1,143,778	1,259,300	1,298,200	1,228,000
TOTAL Judiciary	16,071,995	537,528	1,670,150	1,333,528	963,100	1,583,150	2,106,700	1,614,522	1,335,833	1,143,778	1,259,300	1,298,200	1,228,000
<b>1424</b> <b>Judiciary</b>													
<b>1424</b> <b>Court Fines</b>													
V-2-1424-CIAC-7TFC--	19,400	0	19,400	0	0	0	0	0	0	0	0	0	0
TOTAL Court Fines	19,400	0	19,400	0	0	0	0	0	0	0	0	0	0
TOTAL Judiciary	19,400	0	19,400	0	0	0	0	0	0	0	0	0	0
<b>1427</b> <b>Judiciary</b>													
<b>1427</b> <b>Court Fines</b>													
V-2-1427-CIAC-7TFC--	17,778	0	0	0	0	0	0	0	0	0	17,778	0	0
TOTAL Court Fines	17,778	0	0	0	0	0	0	0	0	0	17,778	0	0

Thursday, 7 February 2013



**GOVERNMENT OF VANUATU**  
**2012 MONTHLY REVENUE REPORT**      **Actual Amounts**

Description	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
TOTAL Judiciary	17,778	0	0	0	0	0	0	0	0	0	17,778	0	0
<b>1431      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1431-CIAD-7TFC--	7,641,268	243,500	346,766	367,278	417,445	605,806	441,611	448,888	1,963,111	494,111	633,372	1,249,825	429,429
TOTAL Court Fines	7,641,268	243,500	346,766	367,278	417,445	605,806	441,611	448,888	1,963,111	494,111	633,372	1,249,825	429,429
TOTAL Judiciary	7,641,268	243,500	346,766	367,278	417,445	605,806	441,611	448,888	1,963,111	494,111	633,372	1,249,825	429,429
<b>1432      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1432-CIAD-7TFC--	213,620	0	0	21,977	34,666	112,888	9,422	0	34,667	0	0	0	0
TOTAL Court Fines	213,620	0	0	21,977	34,666	112,888	9,422	0	34,667	0	0	0	0
TOTAL Judiciary	213,620	0	0	21,977	34,666	112,888	9,422	0	34,667	0	0	0	0
<b>1433      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1433-CIAD-7TFC--	97,950	0	97,950	0	0	0	0	0	0	0	0	0	0
TOTAL Court Fines	97,950	0	97,950	0	0	0	0	0	0	0	0	0	0
TOTAL Judiciary	97,950	0	97,950	0	0	0	0	0	0	0	0	0	0
<b>1434      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1434-CIAD-7TFC--	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL Court Fines	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL Judiciary	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>1441      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1441-CIAD-7TFC--	214,450	53,000	5,000	3,000	4,750	63,000	11,000	38,350	8,000	6,000	17,350	5,000	0
TOTAL Court Fines	214,450	53,000	5,000	3,000	4,750	63,000	11,000	38,350	8,000	6,000	17,350	5,000	0
TOTAL Judiciary	214,450	53,000	5,000	3,000	4,750	63,000	11,000	38,350	8,000	6,000	17,350	5,000	0
<b>1444      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1444-CIAD-7TFC--	100,442	0	0	0	0	8,000	2,750	31,250	0	22,442	36,000	0	0
TOTAL Court Fines	100,442	0	0	0	0	8,000	2,750	31,250	0	22,442	36,000	0	0
TOTAL Judiciary	100,442	0	0	0	0	8,000	2,750	31,250	0	22,442	36,000	0	0
<b>1446      Judiciary</b>													
<b>7TFC Court Fines</b>													
V-2-1446-CIAD-7TFC--	69,939	7,000	3,250	0	0	0	0	0	5,022	54,667	0	0	0
TOTAL Court Fines	69,939	7,000	3,250	0	0	0	0	0	5,022	54,667	0	0	0
TOTAL Judiciary	69,939	7,000	3,250	0	0	0	0	0	5,022	54,667	0	0	0

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**GOVERNMENT OF VANUATU  
2012 MONTHLY REVENUE REPORT Actual Amounts**

Description	YTD	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	C
<b>1448</b> Judiciary													
7TFC Court Fines													
V-2-1448-CIAE-7TFC--	17,500	0	0	17,500	0	0	0	0	0	0	0	0	
TOTAL Court Fines	17,500	0	0	17,500	0	0	0	0	0	0	0	0	
TOTAL Judiciary	17,500	0	0	17,500	0	0	0	0	0	0	0	0	
<b>1449</b> 7TFC Court Fines													
V-2-1449-CIAE-7TFC--	38,500	0	0	0	0	5,000	0	9,500	0	0	0	10,500	13.5
TOTAL Court Fines	38,500	0	0	0	0	5,000	0	9,500	0	0	0	10,500	13.5
TOTAL Judiciary	38,500	0	0	0	0	5,000	0	9,500	0	0	0	10,500	13.5
<b>1450</b> 7TFC Court Fines													
V-2-1450-CIAE-7TFC--	52,500	0	0	1,000	3,000	1,000	12,000	19,500	0	4,000	1,000	6,000	5.0
V-2-1450-CIAF-7TFC--	-30,000	0	0	0	0	0	-30,000	0	0	0	0	0	
TOTAL Court Fines	22,500	0	0	1,000	3,000	1,000	-18,000	19,500	0	4,000	1,000	6,000	5.0
TOTAL Judiciary	22,500	0	0	1,000	3,000	1,000	-18,000	19,500	0	4,000	1,000	6,000	5.0
<b>1480</b> 7TFC Court Fines													
V-2-1480-CIAG-7TFC--	250,000	0	0	0	0	0	0	0	0	0	250,000	0	
TOTAL Court Fines	250,000	0	0	0	0	0	0	0	0	0	250,000	0	
TOTAL Judiciary	250,000	0	0	0	0	0	0	0	0	0	250,000	0	
<b>GRAND TOTAL</b>	<b>25,750,592</b>	<b>843,628</b>	<b>2,212,916</b>	<b>1,839,283</b>	<b>1,585,061</b>	<b>2,380,944</b>	<b>2,553,483</b>	<b>2,187,310</b>	<b>3,738,133</b>	<b>1,799,998</b>	<b>2,312,800</b>	<b>2,589,775</b>	<b>1,727.2</b>



## **Section 2 – Commitments, contingencies and Leave Balances**

This report is produced by the Human Resource Officer of the Supreme Court.

## Judiciary Department

### Judiciary Leave Balance year Ended 31<sup>st</sup> December 2012

Post Title	Name	NPF No	Organization Unit	Employment Status	Annual Leave Balance
Chief Justice	Lunabek Vincent	0430397	140	Permanent	308 days
Judge	Robert Spear	-	140	-	10 days
Judge	Saksak Oliver	0153643	140	Permanent	104days
Judge	Fatiaki Daniel	-	140	Permanent	55days
Chief Registrar	John Obed Alilee	0468330	140	Permanent	74 days
Chief Magistrates	Felix Stephen	0119818	140	Permanent	48days
Senior Magistrates	Bill Rita Naviti	0153742	140	Permanent	255days
Senior Magistrates Santo	Vacant	-	140	Permanent	-
Magistrates Vila	Nesbeth Wilson	0215038	140	Permanent	41 days
Penticost Island courts Clerk	George Patrick	1069727	140	Permanent	7days
Ambae Island courts Clerk	Nasawa W Andrew	0808261	140	Permanent	0 days
Malekula Island courts Clerk	Joel Jacob	-	140	Permanent	0days
Santo Island courts Clerk	Nicholas Kollan	0153882	140	Permanent	0day
Island courts Clerk	Fredintong Aru	-	140	Permanent	2 days
Island courts Clerk	Konmawi Blandine Tepi	0149054	140	Permanent	20 days
Efate Island courts Clerk	Jacky Manu	1076299	140	Permanent	1day
Island courts Clerk	Collyne Tete	1063923	140	Permanent	3 days
Island courts Clerk	Enuma Basil	1074771	140	Permanent	0 days
Island courts Clerk	Dimas Aru	1077952	140	Permanent	15 days
Receptionist( Vila)	Gloria Kalotiti	-	140	Permanent	20 days
Assist Registrar Magistrate courts	Shirley George	0118059	140	Permanent	24 days
Secretary	T Veronique	0639393	140	Permanent	58 days
Secretary	Thomas Cynthia	0442848	140	Permanent	61.5days
Secretary to CJ	Merelyne sese	0162990	140	Permanent	7 days
Secretary to Judge	Evelyne Sawia	0552810	140	Permanent	38 days
Secretary to Judge	Anita Vinabit	0411710	140	Permanent	9 days
Secretary to Magistrates	Evelyne Kaltapau	0806927	140	Permanent	21 days
Secretary	Nupupo Malia	0741868	140	Permanent	21 days
Secretary to Magistrate	Anita I Simon	0129882	140	Permanent	0 days
Secretary to Magistrates	Florina S Toran	0726596	140	Permanent	41days
Sheriff of the Supreme court	George Malakai	0176180	140	Permanent	12 days
Driver to Chief Justice	Jimmy Wovan	-	140	Permanent	0 days
Cleaner	Cleris Kalo	0565523	140	Permanent	0 days
Secretary to Sheriff	Manmelin Wilma	0118141	140	Permanent	5 days
Accountant	Albano Iolten	0644286	140	Permanent	46.5 days
Finance Officer	Kathrine Abel	1066364	140	Permanent	13 day
Island Court Administrator	Shem Joel	0706028	140	Permanent	0 days
Assistance Registrar	Mandeng John	0219709	140	Permanent	55 days
Assistance Sheriff	John Daniel	0167668	140	Permanent	12 days
Human Resource Officer	Belinda Garae	0764225	140	Permanent	8 day

Librian	Pauline Kalo	0741413	140	Permanent	18 days
Training Coordinator	Ambuse Edwin Macreveth	0802660	140	Permanent	19 days
Magistrate	Peterson Moses( Vila )	-	140	Permanent	20 Days
Magistrate	Waltersai A( Tanna)	-	140	Permanent	0days
Magistrate( Malekula)	Anna B Laloyer	-	140	Permanent	21 days
Magistrate( vila)	Hannaline I Nalau	-	140	Permanent	76 days

### **Section 3 – Asset Register of the Judiciary**

This report is produced by the Smart Stream reported using the Ministry of Finance FMIS system



# GOVERNMENT OF VANUATU ASSET REGISTER

Asset No	Asset Description	Est Useful Life	LPO/Invoice	Donor	Cost	Depcn	NBV	Resp Officer	Date Purchd	Serial No	Condition
<b>140</b>	<b>Judiciary</b>										
	Judiciary Dept - Port Vila										
<b>275</b>	<b>Plant &amp; Equipment</b>										
	MECURY 15ML SUPER Beat Engine	10Yrs	140-008669		245,000	0	245,000	Patrick Geor	10/08/2012		Excellent
	<b>Total Plant &amp; Equipment</b>				<b>245,000</b>	<b>0</b>	<b>245,000</b>				
<b>275O</b>	<b>Office Equipment</b>										
	Security Alarm	10Yrs	140-007892		500,000	0	500,000	Judiciary Ser	22/02/2012		Excellent
	Hot Water Heater	10Yrs	140-008114		6,800	0	6,800		25/04/2012		
	<b>Total Office Equipment</b>				<b>506,800</b>	<b>0</b>	<b>506,800</b>				
<b>276</b>	<b>Motor Vehicles</b>										
	MAZDA CX7 RV10	10Yrs	140-008703		4,500,000	0	4,500,000	Supreme Co	16/10/2012		Excellent
	<b>Total Motor Vehicles</b>				<b>4,500,000</b>	<b>0</b>	<b>4,500,000</b>				
<b>278</b>	<b>Computer Hardware</b>										
	Computer set Processor Intel	3Yrs	140-007863		150,581	0	150,581	Chief Justice	06/02/2012		Excellent
	<b>Total Computer Hardware</b>				<b>150,581</b>	<b>0</b>	<b>150,581</b>				
<b>278CS</b>	<b>Computer Equipment - Screens</b>										
	Aver 19" LCD Screen	3Yrs	140-008052		22,000	0	22,000	Veronic Lelito	12/04/2012		Excellent
	<b>Total Computer Equipment - Screens</b>				<b>22,000</b>	<b>0</b>	<b>22,000</b>				

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GOVERNMENT OF VANUATU ASSET REGISTER

Asset No	Asset Description	Est Useful Life	LPO/Invoice	Donor	Cost	Depen	NBR	Resp Officer	Date Purchd	Serial No	Condition
<i>ATTR Attractive items</i>											
14109800	HP P1102 Laser Printer	0Yrs	140-008278		19,950	0	19,950		13/06/2012		
14110100	Tiger Generator 2.5KW Genset	0Yrs	140-008184		41,499	0	41,499	Kathrine Abel	11/05/2012		Excellent
14110200	Tiger Generator 2.5KW Genset	0Yrs	140-008184		41,499	0	41,499	Kathrine Abel	11/05/2012		Excellent
14111500	Power UPS	0Yrs	140-008506		19,000	0	19,000	Judge	22/08/2012		Excellent
14111700	BRUSHCUTTER	0Yrs	140-007079		24,880	0	24,880	JOHN OBED	04/07/2012		Excellent
14111800	Tiger Generator	0Yrs			41,500	0	41,500	Enuma Basil	05/06/2012		Excellent
14112000	HP M1212NF Printer/Scanner/Copier	0Yrs	140-008688		48,980	0	48,980		12/10/2012	CNG9D5V16V	Excellent
14112300	HUSQVARNA 122C Bush Cutter	0Yrs	140-008723		28,000	0	28,000		22/10/2012	20121700239	Excellent
14112400	Plastic Green Tray Wheelbarrow	0Yrs	140-008723		5,700	0	5,700		19/10/2012		Excellent
Total Attractive items					271,008	0	271,008				
<i>Malampa Pro. Ambrym - Gralg Cove</i>											
<i>ATTR Attractive items</i>											
14111600	Tiger Generator TNG 3520	0Yrs	140-008243		41,500	0	41,500	Enuma Basil	06/05/2012		Excellent
Total Attractive items					41,500	0	41,500				
<i>Penama Pro. Pentecost - Clerk Island Court</i>											
<i>ATTR Attractive items</i>											
14111900	TIGER Generator 2500 2KW GENESET	0Yrs	140-008523		38,300	0	38,300	George Patri	30/08/2012		Excellent
Total Attractive items					38,300	0	38,300				
<i>Port Vila - Supreme Court</i>											
<i>2750 Office Equipment</i>											

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GOVERNMENT OF VANUATU ASSET REGISTER

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Asset No	Asset Description	Est Useful Life	LPO/Invoice	Donor	Cost	Depcn	NBV	Resp Officer	Date Purchd	Serial No	Condition
14112500	COLOUR PRINTER A10 26 PPM DN	10Yrs	140-008894		280,950	0	280,950	SUPREME C	27/12/2012		Good
				Total Office Equipment	280,950	0	280,950				
<i>ATR Attractive Items</i>											
14110300	SAMSUNG Multifunction MONO LASER	0Yrs	140-008493		33,365	0	33,365		13/08/2012	Z2WVBFDBA000	Excellent
				Total Attractive Items	33,365	0	33,365				
<i>Torba Pro. - Judiciary Dept</i>											
<i>2750 Office Equipment</i>											
14111400	Full Solar Power System	10Yrs	140-007761		855,550	0	855,550		23/12/2012		
				Total Office Equipment	855,550	0	855,550				
				Total Judiciary	6,945,054	0	6,945,054				