

NEW HEBRIDES CONDOMINIUM

JOINT REGULATION

No. 36 of 1975

TO AMEND the Joint Local Government Regulation No. 1 of 1975 and to provide for the transfer of the functions of the Vila and Santo Town Planning Commissions.

MADE by the Resident Commissioners under the provisions of Article 2:2, 7, 8 and 62 of the Anglo-French Protocol of 1914.

Proviso
added to
s.17 (3) of
J.R. No. 1
of 1975

1. Subsection (3) of section 17 of the Joint Local Government Regulation No. 1 of 1975, as amended, (hereinafter referred to as "the principal Regulation") is hereby amended by substituting a colon for the fullstop at the end thereof and adding thereafter the following proviso -

"Provided that where any municipality or rural community shall be established after the 30th day of June in any year, the foregoing provisions of this subsection shall be construed as meaning that the Resident Commissioners shall prepare such budget and scheme of taxation for the remainder of that year as well as the full financial year commencing on the first day of January next thereafter; in the case of any municipality or rural community established prior to the first day of July in any year, the foregoing provisions of this subsection shall be construed as meaning that the Resident Commissioners shall prepare such budget and scheme of taxation for the remainder of that financial year only. " .

Amendment
to s.18 of
principal
Regulation

2. Section 18 of the principal Regulation is hereby amended by renumbering the existing section as section 18 (1) and adding the following new subsection -

"(2) The Resident Commissioners shall consult all Municipal and Community Councils affected in every case where they intend to make any legislation, commission any study, prepare any public works or development project, increase any fees or charges or enter into any contract relating to any of the matters contained in the Schedule where executive powers relating to such matters have not been

transferred to the Mayor or Chairman of the Municipal or Community Council concerned. " .

Subsection (2A) added to section 27 of principal Regulation

3. Section 27 of the principal Regulation is hereby amended by adding immediately after subsection (2) the following new subsection -

"(2A) The Mayors of the municipalities of Vila and Santo shall exercise within their respective municipalities the powers conferred on the Resident Commissioners by section 18 of the Joint Control of Traffic Regulation No. 4 of 1962 (as amended) and the said section 18 shall be read and construed accordingly:

Provided always that before exercising such powers the Mayor of Vila shall seek the advice of the Commandants of both divisions of the New Hebrides Constabulary and the Mayor of Santo shall seek the advice of the District Agents for the Northern District and that after exercising such powers the decision of the Mayors shall be published in the Condominium Gazette as an official notice. " .

Amendment of s.27 (6) of principal Regulation

4. Subsection (6) of section 27 of the principal Regulation is hereby amended by adding the following further proviso -

"And provided further that the penalty prescribed in any by-laws for breach thereof shall, before such by-laws be made by the Mayors or Chairman, be approved in writing by the Resident Commissioners. " .

Transfer of functions of Town Planning Commissions

5. (1) The powers and duties at present exercised by the Vila and Santo Town Planning Commissions shall from the first day of November 1975 be exercised within their boundaries by the Municipal Councils of Vila and Santo respectively. The Municipal Councils may each delegate to a committee the powers and duties hereby transferred to them, provided that the Mayor shall be ex officio the chairman of such committee.

(2) When the respective municipal council or committee thereof has reached a decision on any matter such decision shall be put into effect by the Mayor, who may sign all documents necessary to authorise works of construction and the provisions of Section 1 of the New Hebrides Dwellinghouse

Construction and Town Conservancy Regulation No. 6 of 1931 shall be read and construed accordingly:

Provided that, in the case of any construction with an internal floor area exceeding 150 square metres, the decision of the municipal council or committee thereof shall before signature by the Mayor, be forwarded to the Local Government Supervisory Commission for its approval.

(3) The following Joint Regulations relating to the Santo (Luganville) Town Council are hereby repealed -

The Joint Luganville Advisory Town Council Regulation No. 16 of 1966

The Joint Luganville Advisory Town Council (Amendment) Regulation No. 10 of 1968

The Joint Luganville Advisory Town Council (Amendment) Regulation No. 6 of 1969

The Joint Luganville Advisory Town Council (Amendment) Regulation No. 4 of 1972

The Joint Town Planning (Luganville) Regulation No. 44 of 1973

Citation and commencement

6. This Regulation may be cited as the Joint Local Government (Amendment No. 2) Regulation No. 36 of 1975 and shall come into operation on the date of its publication in the Condominium Gazette.

MADE at Vila this twenty-fourth day of October 1975.

The Resident Commissioner for the French Republic Her Britannic Majesty's Acting Resident Commissioner

R. GAUGER

J.A. BURGESS