

NEW HEBRIDES CONDOMINIUM

JOINT REGULATION

No. 2 of 1979

TO PUT INTO EFFECT the Resolution of the Representative Assembly No. 17 of 1978, passed the 13th day of December 1978, providing for the transfer of the functions of the Vila Housing Authority to the Municipality of Port Vila.

MADE by the Resident Commissioners under the provisions of Articles 2:2 and 7 of the Anglo-French Protocol of 1914 and Articles 28 (3) and 30 of the Exchange of Notes made at London the 15th day of September 1977 between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic.

Scheduled Resolution put into effect      1. The Resolution of the Representative Assembly No. 17 of 1978, set forth in the Schedule is hereby put into effect.

Short title and commencement      2. This Joint Regulation may be cited as the Vila Housing Authority (Transfer of Functions) Regulation 1979, and shall come into operation on the date of its publication in the New Hebrides Government Gazette.

ENACTED at Vila this 26th day of January 1979.

The Inspector-General  
on special duties,  
conferred with the powers  
of the Resident Commissioner  
for the French Republic  
in the New Hebrides

Her Britannic Majesty's  
Resident Commissioner

J.J. ROBERT

A.C. STUART

RESOLUTION No. 17 of 1978

relating to the transfer of the functions of the  
Vila Housing Authority to the Municipality of Port-Vila

The Representative Assembly of the New Hebrides, at its sitting on the 13th day of December, 1978, hereby resolves and decides, in accordance with Articles 23 and 25 of the Exchange of Notes of the fifteenth day of September 1977, to adopt the following measures:-

Dissolution  
of Vila  
Housing  
Authority.

1. The Vila Housing Authority (hereinafter referred to as "the former Authority") established by the Joint Vila Housing Authority Regulation No.23 of 1972, as from time to time amended, shall cease to exist with effect from the 27th day of May 1977.

Municipal  
Council to  
perform  
functions of  
former  
Authority.

2. (1) As from the 28th day of May 1977 the functions of the former Authority shall be performed and carried out by the Municipal Council in Port-Vila and, subject to the provisions of this Resolution, the said Council shall thereupon exercise all the powers formerly exercised by the former Authority under the provisions of the Joint Vila Housing Authority Regulation No.23 of 1972, as amended (hereinafter called "the Regulation"), and the Regulation shall be read and construed accordingly.

(2) In carrying out such functions the Municipal Council may act through a committee of the Council.

Transfer of  
assets etc.  
of former  
Authority.

3. (1) The assets and liabilities of the former Authority shall be hereby transferred to the Municipal Council of Port-Vila.

(2) The real property comprising part of Title No.1718, as described in the Schedule hereto and now held by the Joint Administration shall be hereby transferred to the Municipal Council of Port-Vila without further assurance.

(3) The Municipal Council shall, as far as circumstances permit, respect existing contracts of employment of the persons employed by the former Authority.

Power of Municipality to borrow money for housing purposes.

4. (1) The Municipal Council of Port-Vila may borrow money or raise loans for housing purposes and the repayment of any moneys borrowed or loans raised and the payment of interest thereon may be secured by mortgage debenture or other charge upon the assets of the Municipal Council of Port-Vila.

(2) The Municipal Council of Port-Vila may otherwise use such resources as were or would have been available to the former Authority under the provisions of section 9 of the Regulation.

(3) For the avoidance of doubt it is hereby declared that nothing contained in this Resolution shall affect the provisions of the Joint Loan (Caisse des Dépôts et Consignations) Regulation No.4 of 1976 regarding repayment of any sum or sums borrowed thereunder.

Records of financial transactions.

5. The transactions of any committee established by the Municipal Council to continue the functions exercised by the former Authority shall be subject to the financial rules and procedures of the Council as set forth in the Municipalities (Accounts) Rules No.7 of 1976.

Power of Mayor to make By-laws.

6. The Mayor of the Municipal Council of Port-Vila may make By-laws for all or any of the purposes specified in Section 23 of the Regulation.

Miscellaneous and transitional provisions.

7. (1) The Minister of Internal Affairs and Public Works may make Rules for the purpose of making any transitional or other provisions necessary for carrying into effect the provisions of this Resolution.

(2) The provisions of Sections 10, 11, 12, 14 and 15 of the Regulation shall be applicable to the Municipal Council of Port-Vila as if the said Council were the former Authority.

