

REPUBLIC OF VANUATU

Chapter 20

THE PRISONERS (RELEASE ON LICENCE) ORDER NO. 20 OF 1997

An Order to provide for the release of Prisoner **SAMUEL POSEN**.

IN EXERCISE of the powers conferred by section 30 of the Prisons (Administration) Act [CAP. 20], I, **FR. W. HAYDE LINI**, Minister of Justice and Minister responsible for prisons, **HEREBY MAKE** the following Order:-

RELEASE OF PRISONER ON LICENCE

1. **SAMUEL POSEN** who is currently being held in custody as a prisoner, shall be set free and be released from prison on the 9th day of April, 1997 **SUBJECT TO THE TERMS AND CONDITIONS** set out in sections 2 and 3 of this Order.

TERMS AND CONDITIONS OF RELEASE

2. The following terms and conditions shall apply -

- (a) **SAMUEL POSEN** shall keep the peace and be of good behaviour for a period commencing on the day of his release being 9th day of April, 1997 and ending on the 9th day of April, 2003, which period is hereinafter called "the relevant period".
- (b) In the event that **SAMUEL POSEN** should commit a criminal offence during the relevant period, whether or not the offence is of a similar nature as that for which **SAMUEL POSEN**'s original prison sentence was ordered by the Court or, the Court before which **SAMUEL POSEN** appears for such new offence orders a prison sentence, **SAMUEL POSEN** shall automatically be recalled and returned to prison.

PROCEDURES RELATING TO VIOLATIONS OF CONDITIONS OR RELEASE, RECALL TO PRISON, ETC.

3. In every case where the provisions of paragraph (b) of section 2 apply, the following procedures shall apply:
- (a) Where the Minister is satisfied that **SAMUEL POSEN** has violated the terms and conditions set out in section 2, the Minister shall issue a Notice in writing directing that **SAMUEL POSEN** be returned to custody forthwith.
 - (b) A Notice issued by the Minister shall be served on **SAMUEL POSEN** directing him to return to prison at such time and on such day as specified in the Notice.
 - (c) **SAMUEL POSEN** when returned to prison in accordance with this section shall be obliged to serve the unexpired term of his original sentence which he would have had to serve if he had not been released in accordance with this Order.
 - (d) **SAMUEL POSEN** when returned to prison in accordance with this section is not entitled to have part of his original unexpired term of sentence remitted.

COMMISSIONER OF POLICE AND SUPERINTENDENT OF PRISONS TO ENFORCE DIRECTIONS OF THE MINISTER

4. The Commissioner of Police and the Superintendent of Prisons shall take all lawful measures required or necessary to endorse every direction or notice issued by the Minister under this Order.

COMMENCEMENT

5. This Order shall come into force on the 9th day of April, 1997.

MADE at Port Vila, this *Wednesday* day of *9 April*, 1997.

Fr. W. Hayde Lint
FR. W. HAYDE LINT
Minister of Justice and
Minister Responsible For Prisons.

