

## CHAPTER 132

### INTERPRETATION

**To provide for the interpretation and construction of Acts of Parliament, subsidiary legislation, other laws and documents.**

#### PART 1 – PRELIMINARY

##### 1. Application

- (1) Subject to the provisions of this section, this Act shall apply for the construction and interpretation of –
  - (a) Acts of Parliament and statutory orders including this Act and Acts enacted before the commencement of this Act;
  - (b) for the construction and interpretation of orders or by-laws made by bodies or persons empowered by Parliament to make orders or by-laws;
  - (c) for the construction and interpretation of documents and writings purporting to give rights or impose obligations on any person; and
  - (d) in all other cases where its provisions are relevant and capable of being applied.
- (2) Where –
  - (a) it is expressly provided that the Act or any of its provisions shall not apply; or
  - (b) there is something in the subject or context inconsistent with the application of this Act or any provision hereof, this Act or the provision as the case may be shall not apply.

#### PART 2 – MEANING OF CERTAIN EXPRESSIONS AND REFERENCES

##### 2. Interpretation of words and expressions

The words and expressions in the Schedule shall have the meanings given to them.

##### 3. Grammatical variations

- (1) Where any word or expression is defined in an Act of Parliament, the definition shall extend to the grammatical variations of the word or expression.
- (2) Words and expressions importing the masculine gender shall include the feminine and vice versa.
- (3) Words and expressions in the singular, shall include the plural and vice versa.

##### 4. References to holder of office

A reference to the holder of an office by the terms designating his office shall be construed as meaning the person for the time being lawfully holding, acting in or performing the functions of that office.

##### 5. Service by post

Where any Act of Parliament authorises or requires any document to be served, given or sent by post, the service shall be considered effected by properly addressing, pre-paying and posting by registered post the document to the last known postal address of the person on or to whom the document is to be served, given or sent and, unless the contrary is proved, shall be considered to have been effected at the time at which the document would be delivered in the ordinary course of the post.

##### 6. References to the President

A reference to the President (however expressed) shall be construed as a reference to the President of the Republic for the time being.

##### 7. References to "the Minister" and the "Treasury"

- (1) A reference to "the Minister" shall be construed as a reference to the Minister for the time being responsible for the matter in connection with which the reference is made.
- (2) A reference to "the Treasury" shall be construed as a reference to the Minister for the time being responsible for finance and any public officer deputed by him to exercise powers or perform functions or duties in relation to the matter in connection with which the reference is made.

## PART 3 – ACTS OF PARLIAMENT AND STATUTORY ORDERS

### 8. General principles of interpretation

An Act shall be considered to be remedial and shall receive such fair and liberal construction and interpretation as will best ensure the attainment of the object of the Act according to its true intent, meaning and spirit.

### 9. Acts subordinate to the Constitution

- (1) Every Act shall be read and construed subject to the Constitution and where any provision of an Act conflicts with a provision of the Constitution the latter provision shall prevail.
- (2) Where a provision in an Act conflicts with a provision in the Constitution the Act shall nevertheless be valid to the extent that it is not in conflict with the Constitution.

### 10. Reference to Acts and orders

- (1) A general reference to Acts of Parliament shall be construed as including –
  - (a) a general reference to any Joint Regulation or any of those Joint Regulations included in a revised edition of the laws of Vanuatu and redesignated as an Act when so included; and
  - (b) except in Part 3 of this Act and the Acts of Parliament Act [CAP. 116], a general reference to statutory orders.
- (2) A general reference to statutory orders shall be construed as including a general reference to any proclamations, rules, regulations, by-laws, orders or other instruments having legislative effect which were made before the commencement of this Act and also any of them included in a revised edition of the laws of Vanuatu and redesignated as statutory orders when so included.
- (3) A reference to a particular Act of Parliament shall be construed as including a reference to that Act as amended from time to time and to any statutory orders made thereunder.
- (4) A reference to a particular statutory order shall be construed as including a reference to that order as amended from time to time.
- (5) In this section the expression "general reference" used in relation to Acts of Parliament and statutory orders means any reference to Acts of Parliament or statutory orders (either in the singular or the plural and however expressed) except a reference to a particular Act or order or to particular Acts or orders.

### 11. Effect of repeal

- (1) Where any Act of Parliament repeals any Act, the repeal shall not –
  - (a) revive anything not in force or existing at the time at which the repeal takes effect; or
  - (b) affect the previous operation of the enactment so repealed or anything duly done or suffered under it; or
  - (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any enactment so repealed; or
  - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any enactment so repealed;
  - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment, and any such investigation, legal proceeding or remedy may be continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed.
- (2) Upon the expiry of an Act of Parliament this section shall apply as if the Act had been repealed.
- (3) Where an Act of Parliament that has been amended by another Act is repealed the repeal shall include all the provisions in the other Act that amended the repealed Act.

### 12. Definition of statutory orders

Where an Act of Parliament confers on the President, a Minister or any other authority a power to make or a power exercisable by making proclamations, rules, regulations, by-laws, orders or statutory orders, any document by which that power is exercised shall be known as a statutory order and the provisions of this Act shall apply thereto accordingly.

### 13. Publication of statutory orders

Every statutory order shall be published in the Gazette and shall be judicially noticed.

### 14. Commencement of statutory orders

- (1) Subject to the provisions of this section –
  - (a) the commencement of a statutory order shall be such date as is provided in or under the order or where no date is so provided the date of its publication as notified in the Gazette;
  - (b) every statutory order shall come into force immediately on the expiration of the day next preceding its commencement.

- (2) A statutory order may be made to operate retrospectively to any date that is not earlier than the commencement of the Act under which the order is made except that no person shall be made or shall become liable to any penalty in respect of any act committed or the failure to do anything before the date on which such order was published in the Gazette.
- (3) A statutory order made and published on the date of commencement of the Act under which the order is made shall come into force simultaneously with that Act unless the order gives a later date or time of commencement.
- (4) Reference in this section to the commencement of the Act under which a statutory order is made shall, where different provisions of that Act come into force on different dates, be construed as reference to the commencement of the particular provision under which the instrument is made.
- (5) The provisions of this section shall be without prejudice to the operation of section 18.

#### **15. General provisions relating to statutory orders**

- (1) Any reference in a statutory order to "the Act" shall be construed as a reference to the Act under which the order is made.
- (2) Unless otherwise provided terms and expressions used in a statutory order shall have the same meaning as in the Act under which the order is made.
- (3) A statutory order may at any time be amended by the authority by which it was made, or by any other authority lawfully replacing that authority.
- (4) Any provision of a statutory order which is inconsistent with any provision of any Act of Parliament (including the Act under which the order was made) shall be void to the extent of the inconsistency.
- (5) Unless the enabling Act otherwise provides, a statutory order may provide in respect of any contravention thereof that the offender shall be liable to a fine not exceeding VT 20,000 or to a term of imprisonment not exceeding 1 year or to both such fine and imprisonment.
- (6) An act done under or by virtue of or in pursuance of a statutory order shall be deemed to be done under or by virtue of or in pursuance of the Act conferring power to make the order.
- (7) Every statutory order shall be considered to be made under all powers thereunto enabling, whether or not it purports to be made in exercise of a particular power or particular powers.
- (8) Section 11 of this Act shall apply on the revocation of a statutory order as it applies on the repeal of an Act of Parliament.

#### **16. Publication of orders, etc. made under Constitution**

- (1) All Constitutional Orders shall be published in the Gazette and shall be judicially noticed.
- (2) In this section "Constitutional Orders" means any orders or declarations made in exercise of a power conferred by the Constitution on the President, the Council of Ministers or any other person or body except a court.

#### **17. Authentic version**

- (1) In construing an enactment, all its versions in the official languages of Vanuatu shall be equally authentic.
- (2) Where there is a difference between two or more versions of an enactment, preference in construing such enactment shall be given to the version which, according to the true spirit, intent and meaning of the enactment, best ensures the attainment of its objects.
- (3) In this section –
 

"enactment" means any provision in an Act of Parliament or in any order, rule, regulation, notice, proclamation or other instrument made or issued under the authority of any Act of Parliament;

"version" means a version published by, or under the authority of, the Government or any public authority of Vanuatu.

### **PART 4 – POWERS AND DUTIES**

#### **18. Exercise of power between publication and commencement of acts**

Where by an Act of Parliament which is not to come into force immediately on the publication thereof there is conferred –

- (a) a power to make or a power exercisable by making statutory orders;
- (b) a power to make appointments; or
- (c) a power to do any other thing for the purposes of the Act;

such power may be exercised at any time, on or after the date of publication of the Act but no order, appointment or thing made or done under such power shall have effect until the commencement of the Act unless it is necessary to bring the Act into operation.

**19. Time for exercise of powers**

Where an Act of Parliament confers any power or imposes any duty, the power may be exercised and the duty shall be performed from time to time as occasion requires.

**20. Implied power**

Where an Act of Parliament confers a power on any person to do or enforce the doing of any act or thing all such powers shall be understood to be also given as are reasonably necessary to enable the person to do or enforce the doing of the act or thing.

**21. Power to appoint includes power to remove**

Where an Act of Parliament confers power on any authority to make any appointment that authority shall also have power (subject to any limitations or qualifications which affect the power of appointment) to remove, suspend, reappoint or reinstate any person appointed in the exercise of the power.

**22. Power to appoint member of board etc. temporarily**

Where by an Act of Parliament a power is conferred on any authority to appoint any person to be a member of any board, commission, committee or similar body, that authority may, if during any period owing to absence or inability to act from illness or any other cause any member so appointed is unable to act as such appoint some other person to act temporarily for such member during the period of absence or inability.

**23. Power to appoint chairman etc.**

Where by an Act of Parliament a power is conferred on any authority to appoint the members of any board, commission, committee or similar body, that authority may appoint a chairman and a secretary of such board, commission, committee or similar body.

**24. Power to appoint members includes power to appoint alternates or temporary members**

Where any board, tribunal, commission, committee or similar body is established by or under any Act, any person who is empowered by such Act to appoint any or all of the members thereof may –

- (a) appoint one or more duly qualified persons to be alternate members of the same, and any one such alternate member may attend any meeting of the same when a substantive member is temporarily unable to attend for any reason;
- (b) appoint a duly qualified person to be a temporary member of the same in the place of any substantive member who is precluded by illness, absence from Vanuatu or any other cause from exercising his functions as such,

and when attending any meeting of such board, tribunal, commission, committee or similar body such alternate or temporary member shall be considered for all purposes to be a member of the same.

**25. Appointment by name or office**

Where by an Act of Parliament any authority is empowered to appoint a person –

- (a) to exercise any power or perform any duty;
- (b) to be a member of any board, commission, committee or similar body; or
- (c) to be or to do any other thing,

that authority may make the appointment either by appointing a person by name or by appointing the holder of an office by the term designating his office and any such appointment of the holder of an office shall be construed as the appointment of the person for the time being lawfully holding, acting in or performing the functions of that office.

**26. Power to appoint persons to act in offices**

(1) Where an Act of Parliament confers power to make an appointment to an office and in respect of that office –

- (a) there is a vacancy; or
- (b) the holder of the office is suspended; or
- (c) the holder of the office is –
  - (i) on leave of absence;
  - (ii) absent from the country;
  - (iii) out of speedy and effective communication;
  - (iv) otherwise unable to perform or is not readily available to perform the duties of his office,

the power to appoint includes power, subject to subsection (2) to appoint another person to act in that office.

- (2) The power provided for by subsection (1) is exercisable only subject to any conditions to which the exercise of the original power was or would be subject.
- (3) An acting appointment may be made in anticipation of all or any of the circumstances specified in subsection (1) and, unless it expires or is revoked the acting appointment shall continue to operate from time to time in accordance with its terms.
- (4) In subsection (1) "office" includes position.

### **27. Power of majority**

Where by an Act of Parliament any act or thing may or is required to be done by more than two persons a majority of them may do it.

### **28. Powers of certain bodies not affected by vacancy etc.**

- (1) Any body to which this section applies may act notwithstanding any vacancy in its membership and its proceedings shall not be invalidated by –
  - (a) the presence or participation of any person not entitled to be present thereat or to participate therein; or
  - (b) any minor irregularity in the convening or conduct of any meeting.
- (2) The bodies to which this section applies are –
  - (a) a local government council and any committee of such council;
  - (b) a municipal council, area, village or similar council established under the law for the time being in force and any committee of any such council;
  - (c) any board, commission or similar body (whether corporate or unincorporate) established by an Act of Parliament.
- (3) This section shall be considered always to have been in force –
  - (a) in respect of the bodies to which it applies; and
  - (b) in the case of a body mentioned in paragraph (a) and (b) of subsection (2) in respect of any council or committee thereof established in the area where that body is established before that body came into existence.

### **29. Exercise of powers in special circumstances**

Where any Act of Parliament confers any power or imposes any duty upon the holder of any public office and either –

- (a) that office has been abolished; or
- (b) no person has been appointed to discharge the functions of that office;

those powers and duties may be exercised or performed –

- (i) in the case of making subsidiary legislation, by the Prime Minister; and
- (ii) in any other case, by the holder of such other public office as the President may by order direct.

### **30. Exercise of Minister's power**

Where a power is conferred on a Minister by an Act of Parliament –

- (a) the exercise of the power may be signified under the hand of any Minister; and
- (b) the Minister who signifies the exercise of the power should be deemed to be the Minister for the time being authorised to exercise it.

## **PART 5 – DISTANCE AND TIME**

### **31. Distance**

Any distance to be measured for the purposes of an Act of Parliament shall be measured in a straight line on a horizontal plane.

### **32. Time**

Where any expression of time occurs in an Act of Parliament the time referred to shall signify the standard time of Vanuatu which, unless the President prescribes otherwise by statutory order, shall be 11 hours in advance of Greenwich Mean Time.

### **33. Computation of time etc.**

- (1) In computing time for the purpose of an Act of Parliament –
  - (a) a period of days from the happening of an event or the doing of any act or thing shall be exclusive of the day in which the event happens or the act or thing is done;

- (b) if the last day of a period is a Sunday or a public holiday (which days are in this section referred to as excluded days) the period shall include the next following day, not being an excluded day;
  - (c) where any act or proceeding is directed or allowed to be done or taken on a certain day, then, if that day happens to be an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next following day that is not an excluded day;
  - (d) where any act or proceeding is directed or allowed to be done or taken within any time not exceeding 6 days, excluded days shall not be reckoned in the computation of time.
- (2) Where no time is prescribed or allowed within which anything shall be done, such thing shall be done without unreasonable delay and as often as due occasion arises.
  - (3) Where by an Act of Parliament a time is prescribed for doing any act or taking any proceeding and power is given to a court, or other authority to extend such time, such power may be exercised by the court or other authority although the application for the exercise thereof is not made until after the expiration of the time prescribed.

## PART 6 – MISCELLANEOUS

### 34. Warrants etc. valid at any day or time

Any summons, notice, warrant or other process may be issued, served or executed and any arrest, search or seizure may be carried out or made on any day, whether a public holiday or not, and at any hour of the day or night.

### 35. Disposal of forfeits

- (1) Where under any Act of Parliament any animal or anything is adjudged by any court or other authority to be forfeited it shall be forfeited to the Republic and the net proceeds thereof, if it is ordered by a competent authority to be sold, shall be paid into the Revenue Fund.
- (2) Nothing in this section shall affect any provisions in any Act whereby any portion of any fine or forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.
- (3) Any fine or pecuniary penalty imposed under an Act of Parliament shall be paid into the Revenue Fund.

### 36. Penalties prescribed, stated or implied in Acts of Parliament

- (1) Where in an Act of Parliament, a penalty is prescribed for an offence against that Act such penalty shall, unless the contrary intention appears, be the maximum penalty.
- (2) Where in an Act of Parliament a penalty is stated at the end of a section or subsection creating an offence without further words that shall be the prescribed penalty and where both a fine and term of imprisonment are stated they shall in the discretion of the court be alternative or cumulative penalties and the term of imprisonment may be imposed in default of payment of the fine.
- (3) Where an Act of Parliament omits to prescribe a penalty for an offence created by the Act or for a contravention of a provision of the Act the penalty shall be a fine of VT 5,000 or imprisonment for 1 year or both.

### 37. Forms not void for insubstantial defects

Where any form is prescribed by an Act of Parliament a document which purports to be in such form shall not be void by reason of any deviation therefrom which does not affect the required substance of such document or which is not calculated to mislead.

### 38. Fees

- (1) Where an Act of Parliament confers power on any person to prescribe fees or charges, the order prescribing such fees or charges may provide for all or any of the following matters –
  - (a) the imposition either generally or under specific circumstances of –
    - (i) specific fees or charges; or
    - (ii) maximum or minimum (or maximum and minimum) fees or charges; or
    - (iii) no fee or charge;
  - (b) the reduction, waiver or refund (in whole or in part) of any such fees or charges, either upon the happening of a certain event or in the discretion of a specified person.
- (2) Where any reduction, waiver or refund (in whole or in part) of any fee or charge is provided for, such reduction, waiver or refund may be expressed to apply or be applicable either generally or specifically –
  - (a) in respect of certain matters or transactions or classes of matters or transactions;
  - (b) in respect of certain documents or classes of documents;
  - (c) when any event happens or ceases to happen;

- (d) in respect of certain persons or classes of persons; or
- (e) in respect of any combination of such matters, transactions, documents, events or persons,
- and may be expressed to apply or be applicable subject to such conditions as may be specified in the instrument or in the discretion of any person specified therein.
- (3) Fees and charges imposed by an Act of Parliament shall when collected be paid into the Revenue Fund.

**39. Change in designation of public office**

If the Minister is satisfied that a change in the designation of a public office has been or is about to be made, he may by statutory order declare the new designation and appoint a day on which the change shall take effect and from the day so appointed any reference to the former designation shall be construed as a reference to the designation declared in the order.

**40. Person to cease to hold office when disqualified or no longer qualified**

Where a person holds an office and circumstances arise such that if he were not holding that office he would either be disqualified from being appointed to it or not qualified to be appointed to it he shall cease to hold that office.

**41. Ex-officio proceedings not to abate on death etc.**

Any civil or criminal proceedings taken by or against any person in virtue of his office shall not be discontinued or abated by his death, resignation, absence or removal from office, but may be carried on by or against, as the case may be, the person for the time being lawfully holding, acting in or performing the functions of that office.

**42. Act binding on Government**

This Act shall bind the Government.

**SCHEDULE**

(Section 2)

**INTERPRETATION OF WORDS AND EXPRESSIONS**

“Act” and “Act of Parliament” used with reference to legislation means a law made by Parliament;

“act” used with reference to an offence or civil wrong includes a series of acts; and words which refer to acts done shall extend to illegal omissions;

“adult” means a person who has attained the age of 18 years;

“administrative officer” means a District Commissioner, an assistant District Commissioner and any public officer or class of public officer declared by the Prime Minister by statutory order to be an administrative officer or administrative officers;

“aircraft” includes every description of craft used in aerial navigation;

“amend” includes repeal, revoke, rescind, cancel, replace, add to or vary and the doing of any two or more of such things simultaneously in the same written law;

“Attorney General” means the Attorney General of Vanuatu;

“Auditor-General” means the Auditor-General of Vanuatu;

“Cabinet” means the Council of Ministers established by the Constitution;

“calendar year” means a period of 12 months ending on the last day of a month;

“Chief Justice” means the Chief Justice of the Supreme Court of Vanuatu;

“citizen” means a citizen of Vanuatu;

“coin” means any coin legally current in Vanuatu;

“commencement” used with reference to an Act of Parliament means the date on which the Act comes into operation;

“Constitution” means the Constitution of Vanuatu;

“contravene” in relation to any requirement or condition prescribed in any Act of Parliament or in any grant, permit, leave, licence or authority granted by or under any Act includes a failure to comply with that requirement or condition;

“court” means a court of competent jurisdiction in Vanuatu whether provided for under the Constitution or any law;

“Court of Appeal” means the Court of Appeal of Vanuatu established by Parliament in accordance with the Constitution;

“custom” means the customs and traditional practices of the indigenous peoples of Vanuatu;

“Deputy Speaker” means the Deputy Speaker of Parliament;

“district” means an administrative district of Vanuatu;

“document” means any publication and any matter written, expressed or described upon any substance by means of letters, characters, figures or marks, or by more than one of those means;

“export” means take or cause to be taken out of Vanuatu;

“financial year” means the period of 12 months ending on 31 December in any year or such other period of 12 months as the Minister responsible for finance may by order prescribe;

“foreign service officer” means a person holding or acting in an office in the foreign service of Vanuatu;

“function” includes power, duty and responsibility and vice versa;

“Gazette” means the Vanuatu Gazette, a supplement to the Gazette or a Gazette Extraordinary;

“Gazetted” means published in the Gazette;

“Government” means the Government of the Republic of Vanuatu;

“import” means to bring or cause to be brought into Vanuatu;

“immovable property” means –

- (a) land, whether covered by water or not;
- (b) any estate, right, interest or easement in or over land; and
- (c) things attached to land or permanently fastened to anything attached to land.

“infant” and “minor” means a person who has not attained the age of 18 years;

“Judicial Committee” means a committee consisting of the Chief Justice as chairman, the Attorney General and a legal practitioner appointed by the Minister responsible for justice;

“land” includes any estate or interest in land, all things growing on land and houses, buildings and land covered by water;

“magistrate” means a magistrate of any grade appointed under the law;

“master” used with reference to a ship means any person (except a pilot or harbour master) having for the time being control or charge of the ship;

“medical officer” means a medical practitioner in the service of the Government;

“medical practitioner” means a person registered or licensed in Vanuatu as a medical practitioner including a dentist under the law for the time being in force subject, in the case of a person so licensed, to the terms and conditions of his licence;

“Minister” means a Minister of the Government including the Prime Minister and where in any Act reference is made to “the Minister” it shall mean the Minister for the time being responsible for matters under that Act or any Minister acting on his behalf;

“Ministry” means a Ministry of the Government;

“month” means a month reckoned according to the Gregorian calendar;

“movable property” means property of every description except immovable property;

“municipality” means a municipality in Vanuatu established by law;

“oath” and “affidavit” in the case of persons for the time being allowed by law to affirm or declare instead of swearing includes affirmation and declaration and “swear” in the like case, includes affirm and declare;

“occupy” in the case of land includes use, inhabit, be in possession of the land or premises to which the word relates otherwise than as a servant or for the care or charge thereof;

“Ombudsman” means the Ombudsman appointed under the Constitution;

“Parliament” means the Parliament of the Republic of Vanuatu;

“person” includes any statutory body, company or association or body of persons corporate or unincorporate;

“police officer” means a member of a police force established by Act of Parliament;

“power” includes any privilege, authority or discretion;

“prescribed” means prescribed by statutory order by or under the Act in which the word occurs;

“President” means the President of the Republic of Vanuatu;

“property” includes –

- (a) money, goods, *choses in action* and land; and
- (b) obligations, easements and every description of estate, interest and profit, present or future, arising out of or incident to property as defined in paragraph (a).

“Public Accounts Committee” means the Committee of that name established by Parliament;

“public holiday” means a day declared to be a public holiday in Vanuatu under the law for the time being in force;

“Public Prosecutor” means the Public Prosecutor of Vanuatu;

“public officer” means a person in the service of the Government whether or not appointed by the Public Service Commission;

“public place” and “public premises” includes any public road and any building, place or conveyance to which, for the time being, the public are entitled or permitted to have access either without any condition or upon condition of making any payment, and any building or place which is for the time being used for any public or religious meetings or assembly or as an open court;

“public road” includes any road, highway, market place, square, street, bridge or other way which is used by the public whether by lawful right or by usage;

“Public Solicitor” means the Public Solicitor appointed under the Constitution;

“publication” means –

- (a) all written and printed matter;
- (b) any record, tape, wire, perforated roll, cinematograph film or other contrivance by means of which any words or ideas may be mechanically, electronically or electrically produced, reproduced, represented or conveyed;
- (c) anything whether of a similar nature to the foregoing or not, containing any visible representation, or by its form, shape, or in any manner, capable of producing, reproducing, representing or conveying words or ideas; and
- (d) every copy and reproduction of any publication as defined in paragraphs (a), (b), and (c) of this definition;

“registered” used with reference to a document means registered under the provisions of the law for the time being applicable to the registration of such documents;

“Revenue Fund” means the Revenue Fund of Vanuatu;

“rules of court” used in relation to a court means rules, orders, or other legislative instruments for regulating the practice and procedure of such court made by the authority having for the time being the power to do so;

“sell” includes barter, exchange, offer for sale and expose for sale;

“ship” includes every description of vessel used in water navigation not exclusively propelled by oars or paddles;

“sign” used with reference to a person who is unable to sign his name includes “mark”;

“Speaker” means the Speaker of Parliament;

“State” means the Republic of Vanuatu;

“subordinate court” means a court other than the Supreme Court or Court of Appeal;

“surname” includes a clan or family name;

“Vanuatu” means the Republic of Vanuatu;

“vessel” includes any ship or boat or other description of vessel used in water navigation;

“will” includes codicil;

“words” includes figures and symbols;

“writing” includes printing, photography, lithography, typewriting and any other way of representing or reproducing words in visible form;

“written law” means the Constitution, Acts of Parliament, statutory orders and any other legislative enactments or legislative instruments having effect in Vanuatu;

“year” means a year reckoned according to the Gregorian calendar.

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