

**ADDENDUM (ADDITION) BLONG KOT BLONG APIL DIREKSEN NOTIS WE OLI MEKEM LONG
EPREL MO SEPTEMBER 2020 LONG SITE BLONG HAREM TRU LONG VIDEO OR PAT NOMO
BLONG SITAON BLONG KOT HEMI TRU VIDEO FROM COVID-19 FOLEM COVID-19 PROTOCOL
BLONG JUDISIARI LEVEL 3 KOMUNITY TRANSMISEN
(12 Eprel 2022)**

(Jif Jastis afta hemi konsultem ol Jajes blong Supreme Kot)

Arrangemen blong harem civil mo criminal kes long Apil Kot long taem blong Covid-19 (Komunity Transmisen – Level 3).

A. Introdaksen

1. Addendum (Addition blong Notis ia) hemi blong usum olsem wan notis blong informesen.
2. Hemi impoten tumas se olgeta kot we Konstitusen hemi createm olgeta, olsem Kot blong Apil, oli gohed blong operate long best hae level we oli save mekem long taem blong Covid-19 we hemi transmit igo long Komunity folem olgeta requiremen we Public Helt hemi mekem mo wetem everi tinktink blong protektem gudfala helt mo gud laef blong ol staff blong kot mo olgeta everiwan we oli involve long keses long Apil Kot (yufala isave luk Covid-19 Protokol blong Judisiari).
3. Olgeta jaj, registra mo staff blong Apil Koto li wok wetem olgeta sevis blong olgeta kots blong sortem aot arrangemen blong mekem se bisnis blong Kot isave happen tru long video or some part nomo isave happen tru long video.
4. Ol review mo manajmen blong ol apil kes mo direksen blong listem ol apil kes, ol call ova lo apil kes mo setem deit blong ol apil kes oli save condaktem olgeta tru lo video o pat nomo oli save makem tru video o audio.
5. Notis ia hemi blong setemaot olgeta arragemen we oli helpem olsem wanem Apil Kot iconductem sitaon blong hem tru long video hemi gohed blong operate gud. Was sitaon blong harem kes tru long video hemi taem we olgeta sitaon ia oli usum video nomo blong harem olgeta kes some long olgeta we oli patisipet, olsem jaj blong Apil Kot, Registra, loyas, paties, representative blong press olgeta memba blong Pablik oli tekem part long sitaon blong Apil Kot tru long video taem oli stap long ol difren ples mo participate tru long video mo audio technology (olsem telephone).
6. Olsem we bae olgeta sitaon blong Kot blong Apil bae itekem ples tru video o sam part nomo, tinktink istap se bae hemi posibol blong mekem arenjmen blong ol patis mo loya blong olgeta isave happen olsem long wan gud taem (wan normal way). Inogat wan samting insaed long Notis ia we iblockem possibility ia. Mo kaen setap olsem long normal wei isave happen nomo taem we Kot isatisfae se hemi save gohed taem evriwan icomplae wetem olgeta pablik helt requiremen mo wetem evri tinktink blong protektem gudfala helt mo gud laef blong ol staff blong Kot mo olgeta evriwan we oli involve long kes long Apil Kot folem Covid-19 Protokol blong Judisiari.

7. Notis ia iapplae long civil mo criminal kes long Kot blong April kasem niufala Notis ikamaot. Bae igat nid blong apdetem Notis ia, sapos situesen hemi change mo afta Kot igat more experiens long olsem wanem olgeta arranjmen blong harem kes tru long video oli wok long practis.
8. Mo tu, Kot bae isave pablim sam more details daereksen, sapos igat nid blong hem tru long protokols o mo infomesen Notis, long specific issues we bae hemi kamaot from harem kes tru long video, mo hemi bae hemi inkludem tu ol issu we oli teknikal mo daereksen blong conductem sitaon blong harem kes tru long video.
9. Practis Daereksen blong Apil long Kot blong Apil blong Vanuatu bae hemi continue blong applae long olgeta apil kes except se sapos igat samting we hemi no stret nating (inconsistent) wetem Practis Daereksen ia mo Notis ia, bae Seksen blong Notis ia bae hemi mas apply.
10. Bae Kot bae hemi continue blong engage wetem ol loyas mo olgeta we ol patis long kes blong olgeta long gudfala way blong manejem olgeta civil mo criminal apil kes long taem blong Covid-19 spred we igo long komuniti long Level 3.
11. Taem we Kot hemi establishim mo putum long operesen ol arranjmen blong harem ol apil kes tru long video, bae isave gat hard taem mo challenge. Bamba Kot bae hemi understandem ol difficulty blong technology mo narafala difficulty we olgeta narawan oli experiencem mo Kot bae hemi expectem se evriwan we oli involve bae oli showem se oli constractive mo flexible long approach blong olgeta, mo evriwan imas cooperate tugeta long wan objectif we hemi blong evriwan blong mekem sure se Kot bae icontinue blong administerem jastis mo operate long fasin we hemi fair mo efficient long taem blong Covid-19 sprea long komunity Level 3.
12. Olgeta method we olgeta Kot sitaon, olsem harem kes tru video, oli ol conduct blong Kot we hemi operate folem Konstitusen, law, rules mo Practis Daereksen. Inogat any part blong Notis ia we hemi no folem duty blong Kot blong determinem apil kes we Kot iwok folem ol bigfala principles blong jastis mo fasin blong fairness.

B. Harem kes tru: video mo audio conference.

13. Protokol blong partisipesen long kot kes hearing tru long video or audio visual (AVL) we oli issuem long 9 March 2022, bae iapply long Kot blong Apil blong Vanuatu long true conference software application true conference hemi wan application we government blong Vanuatu hemi appruvum.
14. igat possibility blong explorem use blong diferent web we oli usum video conference emol different places blong meeting.
15. Hemi blong practical blong conductem some hearing specially olgeta review blong apil kes mo telephone call.

16. Review mo direction blong Apil kes management one jaj nomo nao istap mekem we Jif Jastis nao emi nominate hem folem section 46(1)(2) mo wetem konsultasen wetem ol Jaj blong Supreme Kot folem section 48(2) blong Judicial services and Courts Act 2000. Long Notis blong information ia taem igat reference long Kot, emia hemi include taem hemi appropriate, Jif Justis o wan narafala jaj blong kot we hemi exercisem ol functions follem sections 46, 48(2) blong Act mo Article 50 blong Konstitution.

C. Harem Apil long Paper

17. Hemi possible blong determine some category blong Apil "long papers" olsem ino gat oral sitaon long harem apil case. Ol Apil long interlocutory orders blong Supreme eKot olsem hemia blong mekem ol discovery hemi fit blong Kot ideal wetem olgeta olsem some apils agensem ol summary judgements oli fit tub long deal wetem ol long fashion ia. Olgeta narafala apil olsem apils agensem ol costs oli fit tub long deal wetem ol long fasin ia.
18. Taem we ol party long wan apil oli agri se bae apil kes blong ol kot isave harem mo determinem long paper nomo agreement ia oli mas putum long writing mo communicate iko long Registry blong April Kot. Sipos apil ia oli registerem finis blong kot iharem emi important tumas se Registry blong Apil Kot hemi save quick taem.
19. Bae Apil Kot bae emi determinem wan apil long paper nomo taem we olgeta party oli considerem se hemi stret blong mekem olsem after oli takem nature mo importance blong issue ia we emi kamaot long apil kot ia.
20. Bae kot hemi deal wetem apil case ia long paper nomo taem we olgeta party long apil kes ia oli agree. Be kot ino excludem possibility long future se bae isave directem se special apil case ia o category blong apil kes ia, bae kot I determinem olgeta long paper.
21. Taem we kot igivim direction se wan apil kes bae oli dterminem long paper bae kot isave givim direction blong party oli faelem submission we oli raetem. Apellant blong kes ia, emi gat raet blong faelem submission blong kam blong ansarem submission we oli faelem by ol narafala party.
22. Bae kot isave dicidem, any taem se wan apil kes kot ideterminem se bae oli harem long paper, emi no better blong oli determinem apil kes ia after wan oral hearing, mo kot bae ifillim direction after hemi considerem se hemi stret blong determinem apil olsem.

C. Article 5(2) blong constitution – Public Hearing

23. Apart from ol apil we law iprovidem wan special way blong deal wetem ol, olgeta apil kes before kot, hemi coverem up olgeta apil kes we bae oli harem olgeta tru Video, bae oli mas continue blong harem olgeta long public hearing folem Article 5(2) blong Konstitution. From se harem apil kes tru long Video, igat special reasons we oli tekem long consideration blong saisaen requiremen blong Article 5(2) long particular mo challenging taem blong Void-19 we hemi spread igo inside long community Level 3. Bae igat more than wan Jaj blong April Kot bae isitaon insaed long Kot Room 1 long Dumbua every taem we April Kot I harem 1 apil tru long Video. Bae Kot Rum

2 mo 3, taem we I gat nid mo hemi necessary, bae oli available blong lawyer/party/media representative and general public oli save usum.

24. Bae olgeta hearing tru video bae oli recordem ol wetem recording system blong kot.
25. Recording wan hearing we hemi happen tru video o replaem recording blong hearing ia, without clear authority blong kot oli blokem mo ino allow blong makem mo bae hemi wan contempt blong kot.
26. Kot hemi makem arrangement blong make se olgeta member blong media we oli gat trust mo confidence, olsem oli representem member blong public, blong oli gat access long hearing tru long video we kot I gat blon gmakem se olgeta hearing ia bae oli save reportem olgeta long media long normal fashion.
27. Sipos hemi practical, kot bae I save makem arrangement blong facilitation access long Hearing tru video long olgeta memba blong public.
28. Long case we kot hemi decidem wan apil kes long paper, kot I mas ensure se decision we hemi makem long paper oli publishem online quick taem mo mas, taem hemi practical, long same time ia, we kot I publishim decision blong hem, publish tu online. Written submission blong ol party long apil kot moo I paper we oli supportem apil kes blong allowem member blong public blong understanding wanem nao apil hemi about mo decision blong kot long apil ia bae I gat wan special section we bae oli createm long website blong kot about "submission mo material blong apil kes we oli harem long paper" about this point.
29. Blong takemaot doubt, ol something we oli talem long [24] – [26] antap oli no apply long close/camera hearing or ol hearing we oli makem we public ino save stap follem law.

E. Pepa blong Apil

30. Long consideration blong public helt, mo restrictions long travel mo long operation blong Apil Kot Registry, hemi mean se normal system blong faelem hand-copy blong ol apil kot pepa hemi no satisfactory o safe. Adoption blong electronic filing blong apil books hemi important sipos kot hemi save operate good long taem blong Covid-19 Level 3.
31. Olgeta step ia oli happen:
 1. Kot bae I acceptem electronic filing long e-mail: vanuatumcourts@gmail.com. Please notem se size limit hemi 25 MB.
 2. Sipos apil book paper hemi bitim limit ia, bae ol party oli mas providem wan electronic version long wan USB Flash Drive long Apil Kot Registry tru long Drop Box outside long Supreme Kot Building.
 3. Bae party I must providem nomo hard-copie blong Apil Book long wan wan apil case tru long Drop Box blong faelem, mo after we oli faelem, Registry blong Apil

Kot bae hemi givim bak wan copy mo bae hemi kipim 1 copy olsem proof blong faelem of Apil Books long every apil kot.

F. Fixem ol apil kes blong hearing tru video

Apil kes we oli listem olgeta finis blong harem ol long wan date long year 2022.

32. I gat some apil we oli listem olgeta finish blong May 2022 sitaon.
33. Sapos situation we istap naoia istap yet, hemi no practical blong Kot hemi harem every apil long date we oli listem moo li mas adjourn olgeta. Mo tu, sam long ol apil ia may be oli no fit blong kot iharem ol tru long video. Ol apil we oli big mo longwan bae oli no fit blong Kot iharem ol tru long video, long short period o taem naoia from Kot, mo staff mo loya bae oli save good fastaem newfala procedure.
34. Kot bae hemi gohed blong mekem call-over long regular basis long tinktink blong faenemaot status blong ol, assessem sapos Kot iharem ol tru video, mo givim directions mo listem ol apil blong harem ol taem hemi ready no ino gat anything long Notis ia we bae hemi affectem listing blong kes long way we oli stap mekem.
35. Apil Kot hemi conductem some apil kes we wan part ol participant oli face to face mo wan part oli harem true long video mo Kot hemi acknowledgem se some apil bae hemi fit long harem tru video. So Kot hemi proposem se bae hemi proceed long tingting se bae ol apil bae oli harem ol tru video o wan part nomo long date we oli listem ol o date we Kot hemi assignem sapos date we Kot isetem fastaem Kot ino save harem long date ia.
36. Long Call-Over blong list blong apil kes, any party we hemi considerem se apil long kes blong hem ino fit, hemi save ojectem blong Kot iharem apil blong hem tru video. Bambaie Kot ilook look good long ol objection we party imekem agensem harem apil kes blong hem tru video, be taem we kot iconsiderem se hemi stret blong Kot iharem april ia tru long video afta we Kot iconsiderem tu interest blong jastis, bae Kot isave givim direction se apil ia bae kot iharem tru video even sapos igat objection long hem.

Apil Kes we oli listem from hemi urgent

37. Long apils we oli no listem long may sitaon blong Apil Kot, sapos hemi urgent, wan application blong harem apil ia quick taem bae oli save mekem Apil Kot Registry quick taem wetem wan notis blong apil mo ground blong showem se hemi urgent blong harem apil ia tugeta wetem application blong wan direction blong was date mo blong Kot iharem tru long video. Ground blong showem urgency ia bae hemi include tu wan taem table blong tekem long consideration every step we oli necessary blong comply wetem requirement blong Notis ia mo provision blong paragraph 29 (1), (2) mo (3) andap before any apil hearing.

Direction/Management blong harem kes

38. Bae kot isave harem wan direksen/manejem wan apil kes tru long video any taem long wan apil kes we hemi stap before long kot.
39. Ol kaen sitaon blong harem kes ia, I save happen fastaem bifo kot I givim direksen se apil kes ia bae kot I harem tru long video mo tu blong considerem sapos bae kot hemi givim apruvol blong kes ia bae kot I makem tru lo video. Sapos Kot I proceed olsem bae hemi no go agensem wanem we istap lo Notis.
40. Taem we kot hemi direktem se apil kes ia bae kot I harem tru long video, bae kot I setem out direksen/manajmen blong harem kes ia tru long video bifo long deit blong harem apil kes ia, hemia, blong allowem blong kot I makem direksen blong condaktem sitaon blong kot blong harem apil kes tugeta wetem narafala direksen long ol mata we oli stret blong assistem partis mo kot mo blong ensurem se apil kes ia I redi blong kot I harem long deit we oli fixim vinis istap. Bae i save gat mo long wan direksen/manjemen blong apil kes I save takem place long any apil kes.
41. Lowia we bae hemi condaktem apil kes ia, taem hemi possible, hemi mas paticipat long direksen/manajmen blong apil kes ia.
42. Long direksen blong Jif Justis, wan specific jaj blong Apil Kot hemi nominate blong hemi responsible blong deal wetem olgeta direksen/manajmen blong apil kes moo I issue we oli involve long wan wan apil kes.

G. Preparem wan hearing tru video

43. Bae ol sitaon blong Apil Kot blong harem apil kes tru long video bae oli saksesful nomo sapos I gat gudfala preperesen mo planning long olgeta. I gat ekspektasen se bae ol parti mo lowia blong ol bae oli engagem olgeta long wan fasen we hemi proaktif mo oli cooperate tugeta blong ensure se sitaon blong kot blong harem ol apil kes oli saksesful.
44. Ol partis oli gat wan particular ekspektasen blong engagem olgeta long wan fasen we hemi konstraktif blong identifiaem mo resolvem olgeta issu blong technical/teknological we oli nid blong adreseem olgeta blong ensurem se sitaon blong kot blong harem apil kes tru long video hemi saksesful. Sapos ol issu blong teknikal/teknologikal ia oli no adreseem olgata yet, ol partis I mas requestem akses long True Conference serva we Vanuatu Government hemi hostem long wan gud time.
45. Ol partis mo lowia blong olgeta oli mas identifiaem ol issu we oli requirem blong kot I deal wetem ol long kes mo makem evry effort blong agri o narowem ol issu ia taem we I possible blong oli makem mo clearem gud ol issu ia bifo taem we oli fixem blong kot i sitaon blong harem ol kes ia.
46. Long wan apil kes we peper blong apil ia I bigwan tumas, ol partis oli mas, bifo taem blong sitaon blong kot, identifiaem mo raetem out long paper wan specific document o olgata specific

documents we bae ol partis ia oli relae long ol long taem kot I harem apil kes ia. Taem we hemi appropriate blong makem, partis bae i preperem mo providem wan different elektronik filing blong document ia hemwan long kot.

47. Long same fasen, ol partis oli mas, Bifo hearing hemi start, identifiaem long writing ol specific kes otoritis bae bae oli referem long kot long taem blong sitaon blong kot.
48. I save gat aranjmen blong wan real taeme blong i gat private komunikasen between ol partis mo lowia blong olgata (mo lowia blong wanwan parti), taem hearing istap takem place; oli save makem hemia tru long setemup wan WhatsApp group o ol narafala kaen quick sendem message.
49. Ol partis mo speciali olgeta we oli filem wan apil mo lowia blong ol olgeta we oli filem ol apil kes, oli mas stap long wan close komunikasen wetem Registry blong Apil Kot long period bifo kot i sitaon blong harem ol apil tru long video blong oli save sortemaout teknikal/teknologikal issu mo ol identifiaem of narafala aranjmen we I nid blong makem blong assistem sitaon blong Kot blong harem ol apil kes.

H. Ol Oda blong Kot we I gat agrimen long hem

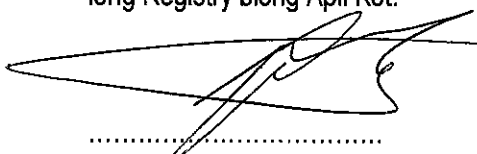
50. Olgeta oda we i gat agrimen blong ol partis long wan apil kes we istap long Kot, oli mas makem quick taem tru long wan email we oli setemaout i klea ol term blong oda we oli requestem mo i mas showemaout agrimen blong ol partis long apil kes ia long oda we oli agri long hem.

I. Jajmen mo ol oda we i kamaout follem jajmen

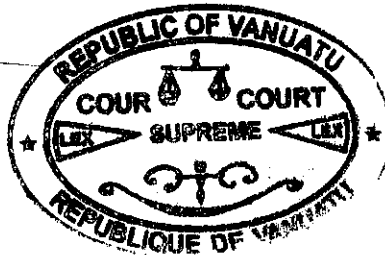
51. Long side blong delivery blong ol jajmen blong Kot mo ol oda we oli follem ol jajmen, Apil Kot bae hemi arenj blong providem wan deit long olgata we oli paricipat long Kot.

J. Fis blong Kot

52. Olgeta aranjmen blong makem paymen blong ol fis blong kot oli olsem: Registry blong Apil Kot bae hemi issuem wan electronic invoice long ol partis (olgeta we oli apil mo olgeta we oli respond) wetem olgeta Bank Akaounts blong Government blong Vanuatu mo blong Department blong Finance blong oli issuem receipts blong ol paymen blong ol fis blong Apil Kot long Registry blong Apil Kot.



Vincent Lunabek
Jif Justis



Oli makem long deit blong 12 April 2022