

IN THE COURT OF APPEAL  
THE REPUBLIC OF VANUATU  
(Civil Jurisdiction)

Civil Appeal  
Case No. 25/3822 CAC /CIVA

[2025] VUCA 46

**BETWEEN:** Stephen Felix in his capacity as Speaker of  
Parliament

Appellant

**AND:** Alatoi Ishmael Kalsakau, Jay Ngwele, Gracia  
Shedrack, Anatole Hymak, Marc Muelsul, Micah  
Oliver, Andrew Wilbur Napuat, Jesse Luo & Allan Liki

First Respondents

**AND:** Republic of Vanuatu

Second Respondent

**Coram:** Hon Chief Justice V Lunabek  
Hon Justice R Young  
Hon Justice D Aru  
Hon Justice V Molisa Trief  
Hon Justice M MacKenzie

**Counsel:** Mr G Blake for the Appellant  
Mr S Kalsakau for the First Respondent  
Mrs Florence Willam and Mr S Aron for the Second Respondents

**Date of Hearing:** 17<sup>th</sup> December 2025  
**Date of Judgment:** 17<sup>th</sup> December 2025

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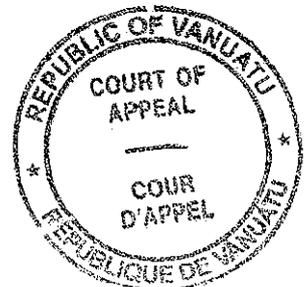
## RESULT -ORDERS OF THE COURT

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1. At the conclusion of the appeal hearing, the Court dismissed the appeal and made a number of consequential Orders. We said the Orders would be published in writing today, and that written reasons would be published as soon as possible.

### Orders of the Court

2. We make the following Orders:
  1. The appeal against the Supreme Court's conclusion is dismissed.



2. The judge in the Supreme Court made six declarations and Orders. The appropriate declarations are as follows. They will apply in substitution for the Supreme Court Orders (except as to the costs Order made in the Supreme Court.)
  - a. The Parliamentary Notice of Motion No 9 of 2025 is in order and a valid Notice of Motion pursuant to Article 43(2) and the Standing Orders of the Vanuatu Parliament.
  - b. The Speaker's decision to close Parliament on 14 November without allowing Notice of Motion No 9 of 2025 to be moved, debated and voted on was unconstitutional and is quashed.
  - c. The Speaker of Parliament is hereby required to give to all Members of Parliament a copy of the Notice of Motion No 9 of 2025 by 4 pm 17 December 2025.
  - d. The Speaker of Parliament is to summons the Vanuatu Parliament to debate the Notice of Motion No 9 of 2025 on Friday 19 December 2025 at 10.30am.
3. The Costs Order made in the Supreme Court is confirmed.
4. The Appellant is to pay the First Respondent costs of VT 150,000.

**Dated at Port Vila this 17<sup>th</sup> day of December 2025**

**BY THE COURT**



**Hon. Chief Justice, Vincent Lunabek**

