IN THE EPI ISLAND COURT HELD AT EPI

Civil Case No. 1 of 2005

BETWEEN:

NALENG KELIU

<u>Plaintiff</u>

AND:

SILAS ROBEA

Defendant

Plaintiff applied under the Maintenance of Children Act, cap. 46. During the hearing defendant, after hearing the Plaintiff's submissions, admitted that the child is his. Under section 3(d) a cause of action lies where the man alleged to be the father admitted the paternity of the child. There were no evidence indicating that the mother was of notorious loose behavior or that he had sexual intercourse with another man. (s4).

Asked whether he wish to look after the child and its mother defendant said that he has no intention of doing so. He went on to say that on Epi it is hard to find money and it will be very difficult to maintain the child.

Having heard both parties it is adjudged that **Silas Robea**, the defendant, is the father of the child. Subsequently, the court orders the defendant to do the following things until the child attends the age of 18 years.

Court Order

- 1. As from February, 2005 onwards defendant shall donate 2 times every week food of any kind to the mother or anyone whom the child resides with for maintenance and from March, 2005 shall pay money in the sum of VT1000 per week and alternatively thereafter, food and money in the subsequent months until the child attends the age of 18 years.
- 2. Where the child leaves Malvasi village and resides far away from the village or leaves the island of Epi and resides in another island

or where the defendant left Malvasi village for another island the defendant must pay maintenance by way of money only in the sum of VT1000 per week into a Bank account to be agreed by the mother of the child.

- 3. Parties are at liberty to apply for a variation of this order.
- 4. Defendant or his families are to have access to the child any time they want upon consent of the mother.
- 5. Parties are at liberty to apply for custody of the child under section 2 of Cap. 130.

Dated at Ringdove this 26 January, 2005.

