



REPUBLIC OF VANUATU

**CITIZENSHIP (AMENDMENT)
ACT NO. 1 OF 2023**

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REPUBLIC OF VANUATU

Assent: 20/03/2023

Commencement: 21/03/2023

CITIZENSHIP (AMENDMENT) ACT NO. 1 OF 2023

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF CITIZENSHIP ACT [CAP 112]

1 Subsection 3(1)

Repeal the subsection, substitute

- “(1) The Commission consists of the following members who are to be nominated by the Prime Minister and appointed by the President:
- (a) 2 members representing the Prime Minister; and
 - (b) 1 member representing the Malvatumauri Council of Chiefs; and
 - (c) 1 member representing the National Council of Women; and
 - (d) 1 member representing the Vanuatu Christian Council.”

2 Section 8C

Repeal the section, substitute

“8C Screening process for citizenship applications

- (1) Once an application for citizenship is made to the Commission under Part 3A, the Secretary General must refer the application to the following institutions for screening and due diligence checks to be undertaken before the application is considered by the Commission:
- (a) the Vanuatu Police Force; and
 - (b) the Financial Intelligence Unit; and
 - (c) the Vanuatu Immigration Services.
- (2) The head of the Institutions set out under subsection (1), must ensure that proper and accurate screening and due diligence checks are undertaken on each citizenship application.
- (3) Once the process under subsection (1) has been undertaken, the head of the Institution must ensure that the application and a report on the screening

and due diligence check for each application, is sent back to the Secretary General for the Commission's consideration.

- (4) If the due diligence checks done by the Vanuatu Police Force confirms in a written report that the name of an applicant is listed on the Interpol database, the Secretary General must inform the Commission of this report and set aside the person's application from any further due diligence checks by the other two Institutions referred to under subsection (1).
- (5) The Secretary General must as soon as possible, inform the relevant designated citizenship agent in writing of the police report under subsection (4).
- (6) An Institution referred to under subsection (1) must not take more than 14 days from receipt of an application, to screen and carry out due diligence checks on the application.
- (7) Despite subsection (6), an Institution may take more than 14 days but not later than 30 days to screen and carry out due diligence checks on an application if the Institution requires more time to do so to ensure the due diligence checks are properly and accurately carried out.
- (8) The Commission must not consider any application that has not complied with the requirements of this section."

3 After subsection 13B(1)

Insert

- "(1A) A person must not apply for citizenship under this Part if that person is a resident or citizen of a country that has been listed by the Commission as a restricted country or listed under the United Nations sanctioned country, for reasons related to Vanuatu's national security.
- (1B) Despite subsection (1A), the Commission may accept applications from applicants from any restricted country or United Nations sanctioned country if the applicant shows that he or she:
 - (a) has not resided in the restricted country or United Nations sanctioned country for the last 5 years; and
 - (b) provides evidence of permanent residency abroad."

4 Subsection 13B(3)

After “cause to be made”, insert “and the screening and due diligence checks carried out under section 8C”

5 After subsection 13B(3)

Insert

“(3A) The Commission must refuse the application of a person who is listed on the Interpol database.”

6 Sections 13C to 13F

Delete “Minister”, substitute “Prime Minister”

7 After section 13F

Insert

“13G. Application for citizenship by an investor under the Investment - Government Bond Option

- (1) The Prime Minister is to prescribe by Regulation, the requirements for an application for citizenship by an investor under the Investment - Government Bond Option.
- (2) The prescribed fees payable by an applicant under the Investment - Government Bond Option covers the applicant, his or her spouse and 2 children.
- (3) The Prime Minister may prescribe additional fees for any other child or resident dependant of the applicant.
- (4) The Commission must within 3 months of receiving an application under this section, make a decision on whether or not to approve and grant a citizenship.”