



## REPUBLIC OF VANUATU

### CIVIL STATUS (REGISTRATION) (AMENDMENT) ACT NO. 13 OF 2018

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**Assent:** 06/07/2018  
**Commencement:** 10/07/2018

## **CIVIL STATUS (REGISTRATION) (AMENDMENT) ACT NO. 13 OF 2018**

An Act to amend the Civil Status (Registration) Act [CAP 61].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Civil Status (Registration) Act [CAP 61] 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 CIVIL STATUS (REGISTRATION) ACT [CAP 61]

#### **1 Section 14**

Repeal the section, substitute

#### **“14 Amending entries in respect of children’s names**

- (1) This section applies where the birth of a child has been declared before that child has received a name.
- (2) The Registrar-General may, on the application of the parents or guardians of the child and after such enquiry as may be necessary, enter the name given to the child in the register of births and acknowledgements, without cancelling the original entry.

#### **14A Amending entries in respect of change of a person’s name**

- (1) A person who intends to have his or her name changed in the register must apply in the prescribed form to the Registrar-General for an amendment in the registers of that person’s name.
- (2) An application under made under subsection (1), must be accompanied with:
  - (a) the prescribed supporting documents; and
  - (b) the prescribed fee.
- (3) The Registrar-General may, upon being satisfied that the applicant has complied with the requirements of subsections (1) and (2), amend the name of the applicant in the registers to give effect to that application.
- (4) To avoid doubt, a person who intends to add to or remove from his or her existing name that has been entered into the registers, must apply for a change of name under this section.

- (5) A person who has changed his or her name under this section, must not use the name formerly entered into the registers in Vanuatu.
- (6) A person who contravenes subsection (5), commits an offence punishable on conviction by a fine not exceeding VT1,000,000 or by a term of imprisonment of 6 months, or both.
- (7) The Department must notify the Citizenship Office and the Department of Immigration Services of all amendments made to the registers, under subsection (3).
- (8) The Registrar-General must maintain a separate register of all names amended in the registers under subsection (3).”

## **2 After section 41**

Insert

### **“42 Penalty notices**

- (1) The Registrar-General or a person authorised by him or her, may serve a penalty notice on a person if it appears to the officer that the person has committed an offence under this Act and the offence is one that is stated by the Regulations to be an offence to which this section applies.
- (2) A penalty notice is a notice to the effect that, if the person served does not wish to have the matter determined by a Court, the person may pay to the Government cashier within a time specified in the notice the amount of penalty stated in the penalty notice.
- (3) A penalty notice may be served personally or by post.
- (4) If the amount of penalty prescribed for the purposes of this section for an alleged offence is paid under this section, that person is not liable to any further proceedings for the alleged offence.
- (5) Payment under this section is not to be regarded as an admission of liability for the purpose of, nor in any way affect or prejudice, any proceeding arising out of the same occurrence.

- (6) The Regulations may prescribe:
- (a) an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence; and
  - (b) the amount of penalty payable for the offence if dealt with under this section; and
  - (c) different amounts of penalties for different offences or classes of offences.
- (7) The amount of a penalty prescribed under this section for an offence, must not exceed the maximum amount of penalty prescribed in this Act.
- (8) This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.

#### **43 Regulations**

The Minister, on the advice of the Registrar-General, may make Regulations not inconsistent with this Act for the better carrying out or giving effect to the provisions of this Act.”