



REPUBLIC OF VANUATU

STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 10 OF 2023

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REPUBLIC OF VANUATU

Assent: 09/06/2023
Commencement: 10/07/2023

STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 10 OF 2023

An Act to provide for the amendments to certain Acts.

Be it enacted by the President and Parliament as follows-

1 Amendment

The following Acts are amended as set out in the Schedule:

- (a) Citizenship Act [CAP 112];
- (b) Financial Dealers Licensing Act [CAP 70];
- (c) Office of the Attorney General Act [CAP 242];
- (ca) Representation of the People Act [CAP 146];
- (d) Tax Administration Act No.37 of 2018;
- (e) Trade Dispute Act [CAP 162];
- (f) Vanuatu National Identity Act No.27 of 2021.

2 Repeal of the Act

- (1) This Act is repealed on the day following the day on which all provisions of this Act have commenced.
- (2) The repeal of this Act does not, because of the operation of section 11 of the Interpretation Act [CAP 132], affect any amendments made by this Act.

3 Commencement

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

SCHEDULE

MINOR AMENDMENTS

1 CITIZENSHIP ACT [CAP112]

(a) Subsection 3(2)

Delete “3 years”, substitute “5 years”

(b) After section 8BA

Insert

“8BB. Internal Screening Committee

- (1) The Prime Minister is to appoint an Internal Screening Committee for the purpose of screening applications made in accordance with Part 3, before the applications are by the Commission.
- (2) The Committee consists of the following persons:
 - (a) the Secretary General as the Chairperson; and
 - (b) the Compliance Officer of the Citizenship office; and
 - (c) the Director of Immigration Services; and
 - (d) the Principal Passport Officer; and
 - (e) 1 legal officer from the Office of the Attorney General nominated by the Attorney General; and
 - (f) a Police Officer nominated by the Commissioner of Police.
- (3) The quorum of a meeting of the Committee is 3 members present at that meeting.
- (4) The Committee is to meet 3 days before the meeting of the Commission to consider the applications.”

(c) After subsection 12(2)

Insert

“(2A) Despite paragraph (2)(h) and subject to Article 13 of the Constitution, an applicant may choose to have dual citizenship.”

2 FINANCIAL DEALERS LICENSING ACT [CAP 70]

(a) Subsection 6(1)

Delete “Subject to the provisions of this section and of section 7, the”, substitute “The”

(b) Section 7

Repeal the section, substitute

“7 Notice for revocation of licence

(1) The Commissioner must, prior to revoking a licence under section 6, provide a written notice to inform the licence holder of the following:

- (a) the reasons for revoking the licence; and
- (b) that the licence holder has 30 days in which to respond to the notice.

(2) To avoid doubt, the 30 days commences on the day the licence holder receives the notice.”

3 OFFICE OF THE ATTORNEY GENERAL ACT [CAP 242]

Section 7

Repeal the section, substitute

- “(1) The President, on the advice of the Judicial Service Commission, is to appoint the Attorney General.
- (2) The Judicial Service Commission is to determine the terms and conditions of employment of the Attorney General.
- (3) The appointment of the Attorney General must follow a fair and transparent selection process and must be based on merit.”

3A REPRESENTATION OF THE PEOPLE ACT [CAP 146]

(a) References to “electoral card” (wherever occurring in the Act)

Delete the reference, substitute “national ID card”

(b) References to “electoral cards” (wherever occurring in the Act)

Delete the reference, substitute “national ID cards”

(c) References to “card” (wherever occurring in the Act)

Delete the reference, substitute “national ID card”

(d) References to “cards” (wherever occurring in the Act)

Delete the reference, substitute “national ID cards”

(e) Paragraph 3(2)(e)

Delete “electoral cards,”

(f) Paragraph 9(4)(b)

Delete “an electoral card or”

(g) Part 7

Repeal the Part.

(h) Subsection 15(2)

Repeal the subsection.

(i) Section 31

(a) Delete “electoral cards”

(b) Delete “electoral card”

(j) Schedule 5 – Paragraph 11(d)

Delete “or the electoral card”

4 TAX ADMINISTRATION ACT NO. 37 OF 2018

(a) Division 2 of Part 8

Repeal the division.

(b) Subsections 86(2) and (3)

Repeal the subsections.

5 TRADE DISPUTE ACT [CAP 162]

After section 11

Insert

“11A Other staff of the Tribunal

- (1) The Judicial Service Commission may employ such other staff of the Tribunal as it considers necessary for the proper and efficient performance of the functions of the Tribunal.
- (2) The Judicial Service Commission is to determine the terms and conditions of employment of the other staff of the Tribunal.
- (3) The appointment of a staff member must follow a fair and transparent selection process and must be based on merit.”

6 VANUATU NATIONAL IDENTITY CARD ACT NO.27 OF 2021

(a) Section 2 (Definition of “National Identity Card”)

After “document”, insert “(in hard copy or electronic form)”

(b) Subsection 4(1)

Repeal the subsection, substitute

- “(1) A person is to apply for a National Identification Card by:
- (a) physically submitting an application with the Department or at a place approved by the Registrar-General; or
 - (b) electronically submitting an application using an online system approved by the Registrar- General.”

(c) Subsection 4(2)

Delete “form”, substitute “forms”

(d) Subsection 4(3)

Repeal the subsection.

(e) After subsection 10(1)

Insert

“(1A) The Department is to issue a National Identity Card in electronic form to the applicant using the online system approved by the Registrar-General.”

(f) After Subsection 16(1)

Insert

“(1A) A person may apply for the renewal of his or her National Identity Card in the same way as a person can apply for a National Identity Card under subsection 4(1)”.