



**REPUBLIC OF VANUATU**

**DECENTRALIZATION (AMENDMENT) ACT NO. 12  
OF 2019**

**Arrangement of Sections**

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# REPUBLIC OF VANUATU

Assent: 23/12/2019  
Commencement: 16/01/2020

## DECENTRALIZATION (AMENDMENT) ACT NO. 12 OF 2019

An Act to amend the Decentralization Act [CAP 230].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Decentralization Act [CAP 230] 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 THE DECENTRALIZATION ACT [CAP 230]

#### **1 References to Chairperson or Deputy Chairperson**

- (a) Delete “Chairperson” (wherever occurring), substitute “President”
- (b) Delete “Deputy Chairperson” (wherever occurring), substitute “Vice President”

#### **2 After section 5**

Insert

#### **“6 Terms and Conditions**

The Minister is to prescribe on the advice of the Director, by Order, the terms and conditions of office of councillors including the President and the Vice President.”

#### **3 After paragraph 18C(b)**

Insert

- “(ba) is convicted of an offence set out in section 27 of the Leadership Code Act [CAP 240];
- (bb) becomes physically or mentally incapacitated;
- (bc) is declared bankrupt;”

#### **4 After section 18C**

Insert

#### **“18CA Requirements for contesting an election to Parliament**

- (1) If a councillor intends to contest an election to Parliament, he or she must resign from being a councillor before the expiry of the term of Parliament.
- (2) If a councillor intends to contest an election to Parliament in the event that the President dissolves Parliament, he or she must resign from being a councillor not more than 7 days after the date of the dissolution of Parliament.

SCHEDULE  
AMENDMENTS OF THE DECENTRALIZATION  
ACT [CAP 230]

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- (3) If a councillor intends to contest a by-election to Parliament, he or she must resign from being a councillor within 30 days before the polling day.
- (4) Despite section 18D, if a seat becomes vacant under subsection (1), (2) or (3), the Electoral Commission is to declare the candidate who obtained the second highest number of votes at the last election or by-election as the candidate to fill in the vacancy.”