



## REPUBLIC OF VANUATU

### **PUBLIC PRIVATE PARTNERSHIPS (CONSEQUENTIAL AMENDMENTS) ACT NO. 24 OF 2024**

#### **Arrangement of Sections**

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# REPUBLIC OF VANUATU

**Assent:** 05/12/2024  
**Commencement:** 11/12/2024

## **PUBLIC PRIVATE PARTNERSHIPS (CONSEQUENTIAL AMENDMENTS) ACT NO. 24 OF 2024**

An Act to provide for consequential amendments to certain Acts following the enactment of the Public Private Partnerships Act No. 23 of 2024.

Be it enacted by the President and Parliament as follows-

### **1 Consequential Amendment**

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

- (a) Anti-Money Laundering and Counter-Terrorism Financing Act No. 13 of 2014;
- (b) Aviation Security Act No. 10 of 2007;
- (c) Building Act No. 36 of 2013;
- (d) Business Licence Act No. 19 of 1998;
- (e) Business Names Act [CAP 211];
- (f) Charitable Associations (Incorporation) Act [CAP 140];
- (g) Civil Aviation Act [CAP 258];
- (h) Companies Act No. 25 of 2012;
- (i) Foreign Investment Act No. 25 of 2019;
- (j) Industrial Development Act No. 19 of 2014;
- (k) Right to Information Act No. 13 of 2016.

## **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- (1) This Act is repealed on the day following the day on which all provisions of this Act have commenced.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

### CONSEQUENTIAL AMENDMENTS

#### **1      Anti-Money Laundering and Counter-Terrorism Financing Act          No. 13 of 2014**

##### **After paragraph 2(k)**

Insert

“(ka) a government agency and a private partner operating under the Public Private Partnerships Act No. 23 of 2024;”

#### **2      Aviation Security Act No. 10 of 2007**

##### **After Section 1**

Insert

##### **“1A    Application of the Act to public private partnerships**

To avoid doubt, this Act applies to an airport that operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

#### **3      Building Act No. 36 of 2013**

##### **After section 3**

Insert

##### **“3A    Application of the Act to public private partnerships**

To avoid doubt, this Act applies to the construction of a building that operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

#### **4 Business Licence Act No. 19 of 1998**

##### **After section 1**

Insert

##### **“1A. Application of the Act to public private partnerships**

To avoid doubt, this Act applies to a business that operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

#### **5 Business Names Act [CAP 211]**

##### **After section 1**

Insert

##### **“1A. Application of the Act to public private partnerships**

To avoid doubt, this Act applies to a business name if the business concerned operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

#### **6 Charitable Associations (Incorporation) Act [CAP 140]**

##### **After section 1A**

Insert

##### **“1B. Application of the Act to public private partnerships**

To avoid doubt, this Act applies to an association that operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

#### **7 Civil Aviation Act [CAP 258]**

##### **At the end of section 3**

Add

“(5) To avoid doubt, this Act applies to an airport that operates as a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

## **8 Companies Act No. 25 of 2012**

### **After section 153**

Insert

#### **“153A. Application of this Part to public private partnerships**

For the purposes of this Part, an overseas company that is a private partner under a public private partnership in Vanuatu as defined under the Public Private Partnerships Act No. 23 of 2024 is taken to be carrying on business in Vanuatu.”

## **9 Foreign Investment Act No. 25 of 2019**

### **After section 1**

Insert

#### **“1A Application of the Act to public private partnerships**

To avoid doubt, this Act applies to an investment or an investment activity carried out by a foreign investor under a public private partnership as defined under the meaning of the Public Private Partnerships Act No. 23 of 2024.”

## **10 Industrial Development Act No.19 of 2014**

### **After section 1**

Insert

#### **“1A Application of the Act to public private partnerships**

To avoid doubt, this Act applies to an industrial undertaking and an internationally traded services undertaking in Vanuatu under a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024.”

## **11 Right to Information Act No 13 of 2016**

### **Section 3 - After paragraph (b) (definition of “relevant private entity”)**

Insert

“(ba) that is a private partner under a public private partnership as defined under the Public Private Partnerships Act No. 23 of 2024; or”