



REPUBLIC OF VANUATU

QUARRY (AMENDMENT) ACT NO. 7 OF 2024

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REPUBLIC OF VANUATU

Assent: 12/03/2024
Commencement: 14/08/2024

QUARRY (AMENDMENT) ACT NO. 7 OF 2024

An Act to amend the Quarry Act No. 9 of 2013.

Be it enacted by the President and Parliament as follows-

1 Amendment

The Quarry Act No. 9 of 2013 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 QUARRY ACT NO. 9 OF 2013

1 Section 1 (Interpretation)

Insert in its correct alphabetical position:

“**royalty** means the return on the rate of the quarry aggregate paid by a Quarry Company to the Government, the Provincial Government Council and the Custom Owner for the use of aggregate excavated;”

2 Subsection 9(1)

Delete “Commissioner”, substitute “Area Council Administrator”

3 Subsection 9(1A)

Repeal the subsection, substitute

“(1A) An Area Council Administrator must, within 7 working days after receiving an application under subsection (1), submit the application to the Commissioner.

(1B) A custom owner or disputing custom owners may give approval to the Public Works Department to explore building materials on a custom land or on a custom land that is in dispute.”

4 Paragraph 13(d)

Delete “.”, substitute “; and

(e) incubator permit; and

(f) custom owner quarry permit.”

5 Section 14

Repeal the section.

6 Section 18

Repeal the section, substitute

“18 Public Works Department permit

(1) The holder of a public works department permit is exempted from paying any fees or royalties to the Government and Provincial Government Council under this Act.

(2) A person undertaking any public works department projects through loan funding must apply for a commercial quarry permit.

- (3) To avoid doubt, a person issued with a public works department permit under this Act must pay royalty as specified under this Act to the custom owner.”

7 Subsections 44 (2), (3) and (4)

Repeal the subsections, substitute

- “(2) Royalty paid under subsection (1) must be shared according to the following base unit per volume:
- (a) 40% for the Government; and
 - (b) 40% for the Custom Owner; and
 - (c) 20% for the Provincial Government Council.
- (3) If a custom owner holds one or more shares in a quarry company, the custom owner is not entitled to be paid any royalty.”

8 Section 54

Repeal the section, substitute

“54 Regulations

- (1) The Minister may, on the advice of the Commissioner, make Regulations:
- (a) required or permitted by this Act to be prescribed; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Act.
- (2) Without limiting subsection (1), the Minister, on the advice of the Commissioner, may make Regulations for quarry health and safety standards.”