



## REPUBLIC OF VANUATU

### STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 11 OF 2024

#### Arrangement of Sections

<b>1</b>	<b>Amendment .....</b>	<b>2</b>
<b>2</b>	<b>Repeal of the Act .....</b>	<b>3</b>
<b>3</b>	<b>Commencement.....</b>	<b>3</b>

# REPUBLIC OF VANUATU

**Assent:** 27/11/2024

**Commencement:** 28/11/2024

## **STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 11 OF 2024**

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) Consolidation of the French and English Texts of the Laws of Vanuatu [CAP 295];
- (b) Electoral Act No. 16 of 2023;
- (c) Family Protection Act No. 28 of 2008;
- (d) Financial Dealers Licensing Act [CAP 70];
- (e) Import Duties (Consolidation) Act [CAP 91];
- (f) Marriage Act [CAP 60];
- (g) Office of the Attorney General Act [CAP 242];
- (h) Ombudsman Act [CAP 252];
- (i) Police Act [CAP 105];
- (j) Political Parties Registration Act No. 15 of 2023;
- (k) Trade Unions Act [CAP 161].

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- (1) This Act is repealed on the day following the day on which all provisions of this Act have commenced.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

- (1) This Act commences on the day on which it is published in the Gazette.
- (2) Amendments in Item 5 relating to the Financial Dealers Licensing Act [CAP 70], commence on the date on which the Financial Dealers Licensing (Amendment) Act No. 5 of 2024 commences.

## SCHEDULE

### MINOR AMENDMENTS

#### **1 CONSOLIDATION OF THE FRENCH AND ENGLISH TEXTS OF THE LAWS OF VANUATU [CAP 295]**

**(a) Subsections 2(1) and (2)**

Delete “Minister”, substitute “Attorney General”

**(b) Transitional provision - Consolidation of the French and English Texts of the Laws of Vanuatu [CAP 295]**

- (1) A person appointed as the French Consolidator under subsection 2(1) of the Consolidation of the French and English Texts of the Laws of Vanuatu [CAP 295] immediately before the commencement of this Act, is to continue as the French Consolidator on the same terms and conditions of appointment, with the same accrued or accruing entitlements.
- (2) A person appointed as the English Consolidator under subsection 2(2) of the Consolidation of the French and English Texts of the Laws of Vanuatu [CAP 295] immediately before the commencement of this Act, is to continue as the English Consolidator on the same terms and conditions of appointment, with the same accrued or accruing entitlements.

#### **2 ELECTORAL ACT NO. 16 OF 2023**

**(a) Whole of the Act (except for paragraph 44(1)(d))**

Delete “Chairperson”, substitute “Chairman”

**(b) Section 2 (Definition of “electoral official”)**

Delete “Commission”, substitute “Chairman and members of the Commission”

**(c) Paragraph 125(b)**

Delete “the Commission or”

**(d) Paragraph 138(3)(a)**

Repeal the paragraph.

**(e) Paragraph 142(b)**

Repeal the paragraph.

**3 FAMILY PROTECTION ACT NO. 28 OF 2008**

**(Amendment to the French text of the Act only)**

**4 FINANCIAL DEALERS LICENSING ACT [CAP 70]**

**(Amendment to the French text of the Act only)**

**5 IMPORT DUTIES (CONSOLIDATION) ACT [CAP 91]**

**Schedule 3 – Column 5**

Repeal the Column.

**6 MARRIAGE ACT [CAP 60]**

**Section 1 (Definition of “marriage”)**

Repeal the definition, substitute

“**marriage** means the union of a male and a female celebrated in a:

- (a) a civil marriage; or
- (b) a religious marriage; or
- (c) a custom marriage;”

**7 OFFICE OF THE ATTORNEY GENERAL ACT [CAP 242]**

**(a) Section 2 (definition of “Government”)**

Delete “and includes, for the purposes of this Act, those elected members of Parliament comprising the Government”

**(b) Paragraph 20(2)(e)**

Delete “.”, substitute “; and

(f) the Director of the Financial Intelligence Unit.”

**(c) Paragraphs 24A(4)(a) and (b)**

After “Office”, insert “and the Director and staff of the Financial Intelligence Unit”

**(d) After paragraph 24A(4)(d)**

Insert

“(da) additional staff of the Financial Intelligence Unit;”

**8 OMBUDSMAN ACT [CAP 252]**

**(Amendment to the French text of the Act only)**

**9 POLICE ACT [CAP 105]**

**Paragraph 6(1)(b)**

Delete “.”, substitute “; and

(c) designate officers as detectives and determine the conditions which must be met before such designation is made.”

**10 POLITICAL PARTIES REGISTRATION ACT NO. 15 OF 2023**

**(a) Section 2**

Insert in its correct alphabetical position

**“Screening Committee** means the Screening Committee for political party application established under subsection 6A(1)”

**(b) Subsection 7(3)**

Delete “island”, substitute “constituency”

**(c) At the end of section 8**

Add

“(3) The Principal Electoral Officer must provide the Screening Committee with all applications received by him or her under subsection (1).”

**(d) After section 8**

Insert

**“8A Screening Committee**

(1) The Screening Committee for political party application is established.

(2) The Screening Committee consists of the following persons:

- (a) the Principal Electoral Officer; and
- (b) 1 legal officer from the Office of the Attorney General nominated by the Attorney General; and
- (c) 1 officer from the Vanuatu Financial Service Commission nominated by the Commissioner.

(3) The quorum of a meeting of the Committee is 2 members present at that meeting.”

**(e) Section 9 and subsection 10(1) (wherever occurring)**

Delete “Principal Electoral Officer”, substitute “Screening Committee”

**(f) Subsection 9(1)**

Delete “his or her”, substitute “it”

**(g) Subsection 10(3) (first occurring)**

Delete “Principal Electoral Officer”, substitute “Screening Committee”

**(h) Paragraph 12(1)(b)**

Repeal the paragraph.

**11 TRADE UNIONS ACT [CAP 161]**

**(a) Whole of the Act (except for section 1)**

Delete “Registrar”, substitute “Commissioner”

**(b) Section 1 (Definition of “register”)**

Delete “Registrar”, substitute “Commissioner”

**(c) Section 1 (Definition of “Registrar”)**

Repeal the definition.

**(d) Section 1**

Insert in its correct alphabetical position

““ Commissioner” means the Financial Services Commissioner appointed under section 9 of the Vanuatu Financial Services Commission Act [CAP 229];”

**(e) Section 2**

Repeal the section, substitute

**“2. Registration of Trade Unions before the commencement of the Statute Law (Miscellaneous Provisions) Act No. 11 of 2024**

All Trade Unions registered by the Commissioner before the commencement of Statute Law (Miscellaneous Provisions) Act No. 11 of 2024 are taken to have been registered in accordance with the requirements of this Act.”