REPUBLIQUE DE VANUATU

JOURNAL OFFICIEL



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OFFICIAL GAZETTE

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NOTIFICATION OF PUBLICATION

ORDER

PUBLIC PROSECUTORS ACT [CAP 293]

- APPOINTMENT OF ACTING PUBLIC PROSECUTOR – ORDER NO. 98 OF 2025

PUBLIC SOLICITORS ACT [CAP 177]

- APPOINTMENT OF ACTING PUBLIC SOLICITOR – ORDER NO. 99 OF 2025

BY-LAW

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REPUBLIC OF VANUATU

APPOINTMENT OF ACTING PUBLIC PROSECUTOR

Order No. 98 of 2025

IN EXERCISE of the power vested in me by Article 55 of the Constitution and Section 19 of the Public Prosecutor's Act [CAP 293], and on the Advice of the Judicial Service Commission, I, NIKENIKE VUROBARAVU, President of the Republic of Vanuatu appoint,

SIMCHA BLESSING BOE

as Acting Public Prosecutor of the Republic of Vanuatu for a period of 6 months effective on 6 May 2025.

Dated at State Office, Port Vila, this 3 June 2025

HIS EXCELLENCY NIKENIKE VUROBRAVU
PRESIDENT OF THE REPUBLIC OF VANUATU

REPUBLIC OF VANUATU

CONSTITUTION OF THE REPUBLIC OF VANUATU

APPOINTMENT OF ACTING PUBLIC SOLICITOR

Order No. 99 of 2025

IN EXERCISE of the powers vested in me by Article 56 of the Constitution and Section 4 [1] & [2] of the Public Solicitor's Act [CAP 177], and on the Advice of the Judicial Services Commission, I, NIKENIKE VUROBARAVU, President of the Republic of Vanuatu appoint,

MS. JANE TARI

as Acting Public Solicitor effect from 2 May 2025 for a period of 6 months.

Dated at State Office, Port Vila, this 3 Day of June 2025.

Excellency Nikenike VUROBARAVU
President of the Republic of Vanuatu

REPUBLIC OF VANUATU

TORBA PROVINCIAL GOVERNMENT COUNCIL
SOLA
VANUALAVA
BANKS GROUP
P.O.BOX 12

REPUBLIQUE DE VANUATU

CONSEIL DU GOUVERNEMENT PROVINCIAL DE TORBA
SOLA
VANUALAVA

Contacts: VOIP: 9005, Ph: 33940, Mob: 5913889/7397564

THE PORTS AND HARBOR BY LAW

NO. 1 OF 2025

EXPLANATORY NOTE

This By-Law is enacted to establish provisions governing the imposition of port dues, harbour fees, and ancillary charges applicable to foreign vessels and yachts moored and/or anchored within designated zones under the jurisdiction of the Provincial Government Council of Torba.

This By-Law is promulgated pursuant to sections 20, 21, and 22 of the Decentralization and Provincial Government Region Acts No. 1 of 1994 ("the Act").

Currently, regulatory oversight concerning port dues and fees concerning coastal vessels is governed by the Ports Act [CAP.261]. The determination of these dues and fees, alongside associated charges, is vested in the Minister, as articulated through regulations or orders promulgated under the auspices of the Ports Act. The prevailing rates for port dues and associated fees are outlined in the Dues, Fees and Charges Order No.14 of 1992 ("the order"), subject to periodic amendments. Presently, the tariff for vessels other than yachts stands at VT.20 per gross registered ton. Yachts and other leisure craft are subject to a fixed rate of VT7,000 for a period not exceeding 30 days, with an additional surcharge of VT1.00 per day thereafter.

Pursuant to section 21 (2) of the Act, the council is empowered to enact By-Laws for the imposition of taxes or other levies on matters already subject to existing taxation, provided that the prescribed rate does not exceed 10% of the current levy. Furthermore, such By-Laws necessitate specific endorsement by the Minister of Internal Affairs subsequent to consultation with the Minister of Finance.

ARRANGEMENT OF SECTIONS

SECTION

1. Interpretation
2. Designation of Ports
3. Designation of Harbour
4. Port Dues for Overseas Vessels other than Yachts
5. Harbour Fees for Overseas Vessels other than Yachts
6. Charges and Fees in respect of Yachts
7. Payment of port dues and fees
8. Penalty
9. Offence
10. Commencement

THE PORT AND HARBOUR BY-LAW NO.1 2025

A By-Law to establish regulations for the assessment and collection of dues, fees, or other levies pertaining to maritime transportation and the utilization of ports, harbours, and associated infrastructures within the Provincial Government Council region of TORBA.

IN THE EXERCISE of the authority vested in the TORBA Council by sections 20, 21, and 22 of the Act, the Council hereby enacts the following By-Law:

1. Interpretation

This By-Law, unless contextually indicated otherwise -

Council means the Torba Provincial Government Council established under the Decentralization Act [CAP 230];

harbour means the harbour designated under clause 3;

officer or **officers** means a person appointed as an officer of the Council under clause 7;

Port means a Port designated under clause 2.

2. Designation of Ports

The following places are hereby designated as Ports:

Ports	Islands
All ports on	Vanualava
All ports on	Gaua
All ports on	Motalava
All Ports on	Torress
All Ports on	Ureparapara

3. Designation of Harbours

The following location is hereby designated as a Harbour:

Harbor	Island
Sola	Vanualava

4. Port dues for overseas vessels and yachts

The Port dues to be paid to the Council for every overseas vessel and yachts entering a Port is VT50 per gross registered ton.

5. Harbour fee for overseas vessels and yachts

The harbour fee to be paid to the Council for overseas vessels and yachts entering the harbor is VT50 per gross registered ton.

6. Fees for yachts and pleasure vessels

Any overseas vessel or yacht or local vessel entering a designated harbour or Port must pay a fee as follows:

(a) for a duration not exceeding 30 days- VT1,700; or

(b) for a duration exceeding 30 days- VT1,700 plus VT100 for each extra day.

7. Payment of port dues and fees

All payments for Port dues and fees are to be paid to the Council or officers authorized by the Council.

8. Penalty

A person who fails to pay the fees under this by-law within the required period, a penalty fee of double the fee rate will be imposed.

9. Offence

A person who breaches a provision of this by-law commits an offence and is liable on conviction to a fine not exceeding VT 50,000.

10. Commencement

This by-law shall come into force on the day of its publication in the Gazette.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola THIS 18Th ON THE DAY OF- February 2025.

TORBA PROVINCIAL GOVERNMENT COUNCIL PRESIDENT TORBA

TORBA PROVINCIAL GOVERNMENT COUNCIL TORBA

REPUBLIC OF VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTERIEURES REPUBLIQUE DE VANUATU

President | Secretary General | Bylaw Commission Chairman

Approved by the Minister of Internal Affairs

REPUBLIC OF VANUATU

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REPUBLIC OF VANUATU

DECENRALIZATION ACT [CAP 230]

TORBA Provincial Government Council
Building Plan Fee By-Law No. 2 of 2025

In exercise of the powers conferred on the TORBA Provincial Government Council by section 22 of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

1 Application

This by-law is to apply to all building plans for building erected or to be erected within the TORBA Provincial Government boundary.

2 Building Plan Fee

Every building plan submitted to the Council for the Council's approval is to be accompanied with the fee provided in the Schedule.

3 Offences and penalties

A person who breaches a provision of this by-law commits an offence and is liable on conviction to a fine not exceeding VT 50,000.

4 Commencement

This by-law commences on the day on which it is made.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola ON THE 18th DAY OF February 2025

PROVINCIAL GOVERNMENT COUNCIL TORBA PRESIDENT TORBA

President

PROVINCIAL GOVERNMENT COUNCIL TORBA SG TORBA 17th

Secretary General

Chairman By-Law Commission

AND APPROVED on the 17th day of March, 2025 by

REPUBLIQUE DE VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTÉRIEURES

Minister of Internal Affairs

Schedule

Building Plan Fees

Nature of Application	Type and/or Classification	Fees
Application for approval of building plans	Domestic / Residential	**VT 4000**
Application for approval of building plans	Industrial / Warehouse	**VT 4000**
Application for approval of building plans	Offices, Retail and Commercial	**VT 2000**
Application for approval of building plans	Industrial / Warehouse (Villages)	**VT 2000**
Application for approval of building plans	Office, Retail and Commercial (Villages)	**VT 2000**
Application for approval of building plans	Other buildings not specifically described or described or named	**VT 2000**

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REPUBLIC OF VANUATU

DECENRALIZATION ACT [CAP 230]

TORBA Provincial Government Council
Building Permit Fee By-Law No. 3 of 2025

In exercise of the powers conferred on the TORBA Provincial Government Council by section 22 of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

1 Building Permit Fee

(1) Subject to clause 2, a person in making an application for a building permit to the Council, must pay a building permit fee.

(2) A building permit fee must be paid to the TORBA Provincial Government Council prior to the TORBA Provincial Government Council issuing any permit.

2 Rate to be paid

(1) The rate of the building permit fee is subject to the classification of the use of the building as provided for under the Schedule.

(2) The amount of the building permit fee is to be determined by the appropriate rate for the classification to the number of square meters of the land to be covered by the building plan that must be submitted with the application for the permit.

(3) For buildings with more than one floor, the fee is to be determined in respect of the gross aggregate surface area of all the floors in addition to the ground floor.

3 Offences and penalties

A person who breaches a provision of this by-law commits an offence and is liable on conviction to a fine not exceeding VT 50,000.

4 Commencement

This by-law commences on the day on which it is ma'e.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT _____ ON THE 18th DAY OF February 2025

TORBA PROVINCIAL GOVERNMENT COUNCIL PRESIDENT TORBA

TORBA PROVINCIAL GOVERNMENT COUNCIL SG TORBA

President Secretary General Chairman By-Law Commission

AND APPROVED on the _____ day of MARCH, 2025 by

REPUBLIC OF VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTÉRIEURES REPUBLIQUE DE VANUATU

Minister of Internal Affairs

Schedule

Building Permit Fees

Nature of Application	Type and/or Classification of Building	Fees Payable
Application for building permit	Warehouse Offices	VT 225 per sq Meter
Application for building permit	Industrial / Warehouse	VT 175 per sq Meter
Application for building permit	Offices, Retail and Commercial	VT 175 per sq Meter
Application for building permit	Industrial / Ware house (Village)	VT 4000
Application for building permit	Office, Retail and Commercial (Village)	VT 4000
Application for building permit	Other Building Not Specifically Describe or Describe or Named	VT 2000
Inspection	All Building	VT 2000

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REPUBLIC OF VANUATU

DECENRALIZATION ACT [CAP 230]

TORBA Provincial Government Council Enforcement Officer By-Law No. 4 of 2025

In exercise of the powers conferred on the TORBA Provincial Government Council by section 22 of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

1 Interpretation

In this by-law, unless a contrary intention appears:

Council means the Torba Provincial Government Council established under the Decentralization Act [CAP 230];

Enforcement Officer means a person appointed as an enforcement officer under clause 2;

region means the Local Government Region of TORBA.

2 Enforcement officers

The Council may appoint persons, excluding councillors, as enforcement officers.

3 Duties of Enforcement officer

An enforcement officer has the following duties:

(a) to verify whether individuals conducting business activities within the region have fulfilled their obligations regarding business license fees, dues, or charges as stipulated by any applicable by-law; and

(b) to ensure compliance with by-laws concerning the sale and reporting of marine products within the region; and

(c) to report any violation of by-laws constituting a criminal offense to the Council; and

(d) to request the presentation of licenses and conduct inspections when necessary or as determined by the Council; and

(e) to enter premises where there are reasonable grounds to believe that a breach of the law has occurred; and

(f) to ensure that various types of developments are in accordance with the development approved by the Council.

4 Civil debt proceedings

An enforcement officer must ensure, prior to making any civil claim for any unpaid fee, tax or charge, to pursue all available avenues to recover such fee, tax or charge.

5 Commencement

This by-law shall come into force on the day of its publication in the Gazette.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola **ON THE** 18th **DAY OF** February **2025**

President **Secretary General** **Chairman By-Law Commission**

AND APPROVED on the 19th **day of** MARCH **, 2025 by**

Minister of Internal Affairs

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REPUBLIC OF VANUATU

DECENTRALIZATION ACT [CAP2 230]

TORBA Provincial Government Council
Market By-Law No. 5 of 2025

Arrangement of Clauses

PART 1 PRELIMINARY MATTERS
1 Definitions

PART 2 ESTABLISHMENT AND MANAGEMENT OF THE MARKET
2 Establishment of markets
3 Management Committees
4 Functions and powers of the Management Committee
5 Market vendors
6 Care of child
7 Market fees

PART 3 OTHER ADMINISTRATIVE MATTERS
8 Sales at the market
9 Prohibited activities or behaviours in the market
10 Emergency
11 Responsibility of the Council
12 Dispute procedures
13 Complaint against the Management Committee
14 Offence and Penalty
15 Commencement

In exercise of the powers conferred on the TORBA Provincial Government Council by subsection 20(2) of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

PART 1 PRELIMINARY MATTERS

1 Definitions

In this by-law, unless a contrary intention appears:

Act means the Decentralization Act [CAP 230];

Council means the Torba Provincial Government Council established under the Decentralization Act [CAP 230];

market means a market established under clause 2;

Management Committee means a Management Committee of a market established under clause 2;

officer means an individual engaged by the Council, whether as an officer, employee, or agent;

Order in the context of this By-Law, refers to a directive issued by the President of the TORBA Local Government Council;

region means the Local Government Region of TORBA;

produce means any item, whether locally sourced or imported, including products, handicrafts, goods, and live animals, which are brought into the market place for sale.

PART 2 ESTABLISHMENT OF MARKETS

2 Establishment of markets

The Council may establish a market within each of the following designated areas:

(a) Sola, Vanualava Island;

(b) Motalava Area Council;

(c) East Vanualava Area Council;

(d) West Vanualava Area Council;

(e) East Gaua Area Council;

(f) West Gaua Area Council;

(g) Merelava;

(h) Mota;

(i) Ureparapara;

(j) Loh, Torres Group of Islands.

PART 3 MANAGEMENT OF MARKETS

Division 1: Management of Markets by Management Committees

3 Management Committees

A market established under clause 2 is to have a Management Committee consisting of the following:

(a) the relevant Area Council Administrator; and

(b) an officer from the Department of Agriculture; and

(c) an officer from the Department of Industry; and

(d) a health officer; and

(e) a representative from the Market Vendors Association; and

(f) an officer from the Cooperative; and

(g) a representative from Non-Government Organisations.

4 Functions and powers of the Management Committee

(1) A Management Committee has the following functions:

(a) to ensure the market is clean, hygienic, safe and in good order; and

(b) to coordinate the use of the market-by-market vendors; and

(c) to promote the market, the vendors and its sales to the public; and

(d) to represent the market in any matter affecting the market; and

(e) to advertise any rules and standards for the market; and

(f) to ensure any rules and standards for the market are complied with; and

(g) such other functions as may be imposed on the Committee by the Council.

(2) A Management Committee has the power to do all things that necessary for the proper performance of its functions, including but not limited to the following:

(a) to determine the price range for all sales at the market; and

(b) to make rules for the market; and

(c) to set standards for the use and operation of market facilities; and

(d) to remove any market vendor, including his or her sales from the market for any breach of the rules or standards committed by the market vendor.

5 Market Vendors

(1) Only registered members of a Market Vendors Association can sell at the market.

(2) Despite subclause (1), any person who resides in the boundaries of a designated area may, with the approval of the Management Committee, do sales at the Market on the days scheduled by the Management Committee.

(3) A market vendor must:

(a) keep and maintain a proper record of daily sales at the market; and

(b) respect other market vendors and persons visiting the market; and

(c) be present with their things for sale at the scheduled time for sale at the market; and

(d) ensure that he or she disposes any rubbish in the approved garbage bags or bins provided by the Committee; and

(e) only use locally made baskets to store their market produce inside; and

(f) have food safety certificate to sell cooked food; and

(g) be dressed in the manner required by the food safety trainings whilst selling cooked food at the market; and

(h) be dressed as prescribed by the Committee whenever he or she is doing sales at the market; and

(i) keep the market clean, tidy and hygienic at all times; and

(j) comply with the provisions of this by-law and the rules and standards set by the Committee.

(4) If a market vendor is sick and is not able to be present to sale at the market, he or she may designate a family member or friend who is 18 years or age or older, to do the sales on his or her behalf.

(5) A person referred to under subclause (4), is subject to the provisions of this by- law whenever he or she is doing sales on behalf of the market vendor.

(6) A market vendor who has contracted a transmittable disease such as flu or measles must not be allowed into the market.

6 Care of child

(1) A market vendor is only allowed to bring to the market a child who is 0-5 years old.

(2) A vendor must ensure that:

(a) the child is not left unattended; and

(b) the child is properly dressed; and

(c) the child's diapers are changed at the zone allocated for changing diapers and not at the sales area; and

(d) the child's used diapers are disposed at the appropriate bins at the market.

7 Market fees

(1) A market vendor must pay a table fee of not exceeding VT1000 for each day on which he or she is doing sales at the market.

(2) The Management Committee may prescribe fees for the use or hiring of the market area or facilities by other persons.

8 Sales at the market

(1) A market vendor may sell all or any of the following:

(a) vegetables;

(b) fruits;

(c) plants;

(d) flowers;

(e) green and dry coconuts;

(f) firewood;

(g) charcoals;

(h) fish;

(i) seafood;

(j) sea shells;

(k) coconut crabs;

(l) poultry;

(m) livestock;

(n) kava roots;

(o) agricultural crops or products;

(p) artefacts and handicrafts;

(q) island dresses;

(r) cooked food;

(2) A market vendor must not sell any of the following at the market:

(a) cigarettes; and

(b) alcohol; and

(c) kava juice; and

(d) any illegal drugs such as marijuana.

9 Prohibited activities or behaviours in the market

(1) A market vendor or any other person must not:

(a) bully, assault or cause to endanger the life of any market vendor or person in the market; and

(b) consume alcohol or kava in the market; and

(c) smoke any illegal drugs or cigarette in the market; and

(d) use any threatening or abusive language against any market vendor or person in the market; and

(e) bring into the market any animals (other than animals that are there for sale); and

(f) steal anything for sale in the Market or anything belonging to a market vendor or the Management Committee; and

(g) sexually harass any market vendor or person in the market; and

(h) damage or cause to be damaged any facility at the Market.

(2) The Committee may request the assistance of the police (whenever necessary) to remove a market vendor or person who does any of the things listed in subclause (1).

10 Emergency

(1) In an emergency related to a natural disaster, the Committee must ensure that every person and market vendors vacate the markets as soon as is practicable and according to the Natural Disaster Emergency Plan.

(2) In addition to subclause (1), the Committee must ensure the safe keeping of the belongings of the market vendors during the time markets are vacated.

(3) The Committee may request the assistance of the police (whenever necessary) to ensure every person and market vendors vacate the market premises.

Division 2 Management of Markets by Council

11 Responsibility of the Council

The Council must ensure the following:

(a) to arrange for the garbage collection from the markets; and

(b) the facilities at the markets are up to standard and in good, clean and hygienic condition for use; and

(c) there is appropriate infrastructure built at the markets; and

(d) there is appropriate infrastructure built at the market for access to the market by people with disability and aged persons; and

(e) there is sufficient tables and chairs for market vendors to use in the market; and

(f) the Management Committees are complying with the provisions of this by-law.

PART 3 OTHER MATTERS

12 Dispute procedures

(1) A market vendor who is a party to a dispute may make a complaint to the Committee to resolve the dispute.

(2) A complaint made under subclause (1), the Committee must:

(a) require the parties to the complaint to appear before it to hear the complaint;

(b) make a decision on the complaint within 14 days of hearing or considering the complaint;

(c) inform the parties to the dispute of the decision of the Committee within 7 days after making the decision.

13 Complaint against the Management Committee

(1) A market vendor, group of market vendors or an Association of Market Vendors may make a complaint against the Management Committee.

(2) The Council has the following functions in relation to the complaints made under subsection (1):

(a) to receive complaints through any means of communication deemed appropriate; and

(b) to maintain a register of complaints; and

(c) to consider and make a decision within 21 working days after receiving the complaint.

14 Offence and Penalty

A person who breaches a provision of this by-law commits an offence and is liable on conviction to a fine not exceeding VT 50,000.

15 Commencement

This by-law commences on the day on which it is made.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola ON THE 18th DAY OF February 2025

TORBA PROVINCIAL GOVERNMENT COUNCIL PRESIDENT TORBA

President

TORBA PROVINCIAL GOVERNMENT COUNCIL SG TORBA

Secretary General

Chairman By-Law Commission

AND APPROVED on the _____ day of MARCH 2025 by

REPUBLIC OF VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTÉRIEURES REPUBLIQUE DE VANUATU

Minister of Internal Affairs

REPUBLIC OF VANUATU

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Torba Provincial Government Council
Property Levy By- Law No. 6 Of 2024

A by-law to provide for property levy within the Torba Province.

In the exercise of the powers conferred by Section 22 of the Decentralization Act [CAP 230], the Torba Provincial Government Council makes the following by-law:

1 Interpretation

In this by-law, unless the context otherwise requires:

Business Licence Act means the Business Licence Act [CAP 249];

Council means the Torba Provincial Government Council established under the Decentralization Act [CAP 230];

property means any separate house, building or other erection, where such house, building or other erection is either owned or capable of being owned separately and includes plant, machinery and equipment permanently installed or fitted therein;

residential activity means whose lease or any Land Trust within the TORBA Province that is registered as Class B under the Land Leases Act [CAP 163] or any Land Trust within the TORBA Province;

owner means the person who owns the property by having his or her name in the official registry of the Land Record in the Department of the Ministry of Lands and Natural Resources or any Land Trust within Torba Province and not already included in the boundary of the Province, and includes spouses and children that will inherit the property;

person includes any statutory body, company of association, or body of persons corporate or incorporated;

commercial activity includes property:

(a) whose lease or any Land Trust within the TORBA Province that is registered as Class C under the Land Leases Act [CAP 163]; and

(b) are classified under the business scales for commercial activities as provided for under the Business Licence Act;

Community Liaison Officer means the Community Liaison Officer of the TORBA Provincial Government council,

industrial activity includes property:

(a) whose lease or any Land Trust within the TORBA Province that is registered as Class D under the Land Leases Act [CAP 163]; and

(b) are classified under the business scales for industrial activities as provided for under the Business Licence Act;

title refers to land and strata as registered in the Lands Records office;

tourism activity includes property:

(a) whose lease or any Land Trust within the TORBA Province that is registered as any Class other than Class B and E under the Land Leases Act [CAP 163]; and

(b) are classified as categories D3 and E3 under the Business Licence Act;

Treasurer means the person appointed as the Treasurer of the Council.

Valuation Officer means the Valuation officer of the Department of Lands appointed under the Valuation of Land Act [CAP 288]

Planner means the person appointed by the council as the Planner.

2 Duties of Community Liaison Officer

The duties of the Community Liaison Officer are as follow:

(a) to assist the Valuation Officer; and

(b) to assist the Planner and

(c) to be responsible for collecting property levies.

3 Property levy rates

(1) The property levy rates are as follow:

(a) for a property used for residential activity:

(i) an amount not exceeding VT15,000 per calendar year per concrete building and additional charge for each storey for storey buildings;

(ii) an amount not exceeding VT10,000 per calendar year per semi-concrete building;

(iii) an amount not exceeding VT7,000 per calendar year per local building;

(b) for a property used for commercial farming:

(i) an amount not exceeding VT15,000 per calendar year per concrete building;

(ii) an amount not exceeding VT10,000 per calendar year per semi-concrete building;

(c) for a property for residential purposes and managed by a Real Estate Agency- an amount not exceeding VT15,000 per calendar year per concrete building;

(d) for a property used for commercial activities:

(i) small scale commercial activities- an amount not exceeding VT30,000 per calendar year;

(ii) medium scale commercial activities- an amount not exceeding VT200,000 per calendar year;

(iii) large scale commercial activities- an amount not exceeding VT1,000,000 per calendar year;

(e) for a property used for industrial activities:

(i) small scale industrial activities- an amount not exceeding VT30,000 per calendar year;

(ii) medium scale industrial activities- an amount not exceeding VT150,000 per calendar year;

(iii) large scale industrial activities- an amount not exceeding VT500,000 per calendar year;

(f) for a property used for tourism activities:

(i) small scale tourism activities- an amount not exceeding VT200,000 per calendar year;

(ii) medium scale tourism activities- an amount not exceeding VT500,000 per calendar year;

(iii) large scale tourism activities- an amount not exceeding VT800,000 per calendar year;

(g) for a property used for a hotel- an amount not exceeding VT1,500,000 per calendar year.

(2) The levy payable under this clause must be paid within 60 days after end of each calendar year.

(3) Despite subclauses (2) and (3), a person may on application make a payment arrangement with the Treasurer or the Council.

4 OUTSTANDING PROPERTY LEVIES

(1) If the Council is satisfied there is an outstanding payment of property levy, the Council is to serve a written notice of non-payment to the person under subclause (2).

(2) A written notice of non-payment must specify:

(a) the amount that is to be paid; and

(b) the period the outstanding is to be paid; and

(c) the penalty of 3 percent of the amount due will be added until the levy due is paid in full.

(3) If a person fails to comply with subclause (2), the Council is to inform the Department of Customs and Inland Revenue to suspend the license of that person.

(4) Subject to subclause (3), any activity must cease until the person complies with subclause (2).

5 Postponement and reduction of property levy

(1) A property damaged or deteriorates due to a natural disaster or a fire or any form of deterioration, the owner of the property may apply in the form provided under Schedule 1, to the Council for a postponement or reduction of the payment of his or her property levy for that calendar year.

(2) The Council, in receiving an application under subclause (1), must carry out an assessment of the property to determine if it is to approve or refuse the application.

(3) The Council must provide a decision within 3 months of receiving an application under subclause (1).

6 Exception

(1) The Council may reduce property levy for the following circumstances:

(a) if the property suffered significant damages or depreciation as a result of a disaster; or

(b) if the person's business activity suffered a depreciation as a result of a pandemic.

(2) A person to be eligible for an exception must apply in the prescribed form and provide the required proof as requested by the Council.

7 Exemption

The following are exempted from paying any property levy:

(a) High Commissions and Embassies; and

(b) Residence of High Commissions and Ambassadors; and

(c) Schools; and

(d) Hospitals and clinics; and

(e) Churches; and

(f) Residence of custom land owners and other families and community buildings in custom lands except buildings used for business activities; and

(g) Residences of the main villages of Torba/Vanualava other than the properties on the leasehold titles the owner of which originally are not from Vanualava/Torba; and

(h) Custom owned land that is not under lease, and

(i) Lands and properties of custom owners located within the lands owned by such custom owners.

8 Payment by Instalment

a) There shall be two payments for property levy per year. The first shall be from 1st March to 24th March and the second payment shall be from 1st September to 24th September.

b) Any owner who fails to make the full payment during the payment periods must before the expiry of the period make an application to the Council to pay by instalments in a form contained in SCHEDULE 2.

c) The council in receiving the application for payment by instalment, shall make the necessary decision in approving the payment upon the condition that the council may imposed on the owner.

d) The council may from time to time consult with those approved to pay by instalment where there is none payment by them for more than two (2) consecutive periods.

e) Any property owners who wishes to pay levies by instalment in the upcoming payment period shall fill up the form and deposit the form to the council before 30th June every year.

9 Offences and penalties

(1) A person must not interfere or obstruct Treasurer, any officer of the Council or the Council in enforcing any provisions under this by-law.

(2) A person must not provide false or misleading information in any application made under this by-law.

(3) A person must not change the status of his or her property without informing the Council.

(4) A person who contravenes subclauses (1), (2) or (3) commits an offence is punishable on conviction to a fine not exceeding VT50,000.

10 Commencement

This by-law commences on the day on which it is made.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola **ON THE** 14th **DAY OF** February **2025**

TORBA PROVINCIAL GOVERNMENT COUNCIL PRESIDENT TORBA

President **Secretary General** **Chairman By-Law Commission**

AND APPROVED on the _____ **day of** March **, 2025 by**

REPUBLIC OF VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTÉRIEURES REPUBLIQUE DE VANUATU

_____,

Minister of Internal Affairs

SCHEDULES

Schedule 1.

TORBA Provincial Government Council

APPLICATION FORM FOR PROPERTY LEVY RATE REDUCTION

1. Personal details;

Name of applicant.....

Occupation.....

Are you the rightful owner of the property? **YES/NO.** ***(cross whichever is not applicable)***
If your answer is NO, why are you
applying?.....

.....

(IF YOU HAVE ANY DOCUMENTS AVAILABLE, PLEASE ATTACH TO THIS FORM)

.....

2. Details of Property

Title number..... **Location**.....

---

3. Details of Outstanding Levies

Outstanding property levies (including penalties) for periods of ..... Vt.....

Other levies (please specify)..... Vt.....

Grand total.....Vt.....

---

4. Reasons for Property Levy Reduction ***(indicate why council should grant you a reduction in rates)***

.....

.....

.....

.....

(PLEASE PROVIDE ANY SUPPORTING DOCUMENTS eg. Medical report, death certificate)

5. Declaration and signature

I hereby declare that all information provided herein are TRUE

Signature.....Date.....

6. Authorization

I,....., President of Torba Provincial

Government Council, approve / do not approve this application ***(cross whichever is not applicable).***

Signature: ..... Date: .....

Schedule 2.

TORBA Provincial Government Council.

APPLICATION FORM FOR PAYMENT OF OUTSTANDING PROPERTY LEVIES IN INSTALLMENTS.

1. Personal details;

Name of applicant.....

Occupation.....

Are you the rightful owner of the property? **YES/NO.** ***(cross whichever is not applicable)***
If your answer is NO, why are you applying?.....

.....

(IF YOU HAVE ANY DOCUMENTS AVAILABLE, PLEASE ATTACH TO THIS FORM)
.....

2. Details of Property

Title number..... **Location**.....

---

3. Details of Outstanding Levies

Outstanding property levies (including penalties) for periods of ..... Vt.....

Other levies (please specify)..... Vt.....

Grand total.....Vt.....

---

4. Payment details

Monthly payment of vt..... for.....months

Fortnightly payments of vt.....for .....months

Payment method: Direct payment to council/ Debited from bank/Debited from payroll (cross out whichever is not applicable).

[IF YOU CHOOSE TO MAKE PAYMENTS OF DEBIT THRUOGH YOUR BANK ACCOUNT OR PAYROLL, PLEASE PROVIDE YOUR BANK ACCOUNT NUMBER OR A CONSENT LETTER FROM YOUR EMPLOYER]

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5. Declaration and Signature

I declare that all information provided herein are TRUE and THEREFORE, I agree to pay

the Treasurer the amount of vt..... every fortnight/every month(cross out whichever is not applicable)

Signature..... Date.....

---

6. Authorization

I,..... President, approve/do not approve this application (cross whichever is not applicable).

Signature:..... Date:.....

REPUBLIC OF VANUATU

TORBA PROVINCIAL GOVERNMENT COUNCIL
SOLA
VANUALAVA
BANKS GROUP
P.O.BOX 12

REPUBLIQUE DE VANUATU

CONSEIL DU GOUVERNEMENT PROVINCIAL DE TORBA
SOLA
VANUALAVA

Contacts: VOIP: 9005, Ph: 33940, Mob: 5913889/7397564

REPUBLIC OF VANUATU

DECENRALIZATION ACT [CAP 230]

TORBA Provincial Government Council
Waste Collection Service By-Law No. 7 of 2025

In exercise of the powers conferred on the TORBA Provincial Government Council by section 22 of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

1 Purpose

The purpose of this By-law is to:

(a) ensure waste is collected and disposed of in the interests of public health in an efficient and cost-effective manner; and
(b) ensure waste does not cause a nuisance; and
(c) to use the rubbish bags approved by the Council.

2 Interpretation

In this By-law, unless a contrary intention appears:

Council means the TORBA Provincial Govrnment Council;

waste disposal site means sites approved by the Council where public can dispose of recyclable materials, organic materials and residual waste;

deposit means in relation to waste:

(a) to cast, place, throw or drop; and
(b) to cause or permit waste or other material or thing to be cast, placed, thrown or dropped;

person includes any public body, board, society or company, and any other body of persons, whether incorporated or not;

waste means any material or substance that is discarded or selected for disposal and includes:

(a) recyclable materials, organic waste and residual waste; and
(b) abandoned material; and
(c) litter.

3 Collection service

(1) Only bags approved by the Council will be collected by the Council's waste collection service.

(2) All waste collected must be placed inside the rubbish bags approved by the Council.

(3) The Council waste collection service will not collect waste not placed inside the rubbish bags approved by the Council.

(4) It is the responsibility of the of a person who generated the waste to collect the waste and place inside a rubbish bag.

4 Offence

A person who breached any provisions of this by-law commits an offence punishable on conviction by a fine not exceeding VT50,000.

5 Commencement

This by-law commences on the day on which it is made.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola **ON THE** 13 **DAY OF** February **2025**

TORBA PROVINCIAL GOVERNMENT COUNCIL PRESIDENT TORBA

President

TORBA PROVINCIAL GOVERNMENT COUNCIL SG TORBA

Secretary General

Chairman By-Law Commission

AND APPROVED on the _____ **day of** March **2025 by**

REPUBLIC OF VANUATU MINISTER OF INTERNAL AFFAIRS MINISTRE DE AFFAIRES INTÉRIEURES REPUBLIQUE DE VANUATU

Minister of Internal Affairs

REPUBLIC OF VANUATU

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REPUBLIC OF VANUATU

DECENTRALIZATION ACT [CAP 230]

TORBA Provincial Government Council
Waste Management By-Law No. 8 of 2025

In exercise of the powers conferred on the TORBA Provincial Government Council by section 22 of the Decentralization Act [CAP 230] the TORBA Provincial Government Council make the following by-law:

1. Interpretation

In this By-law, unless a contrary intention appears:

Council means the TORBA Provincial Government Council;

waste disposal site means sites approved by the Council where public can dispose of recyclable materials, organic materials and residual waste;

household waste means paper, bottles, bones and waste food, cans, cartons or other food containers, cold ashes, sweepings, dust or any other waste arising from domestic housekeeping operations;

organic waste means materials that are organic in origin and appropriate to be used as feedstock for composting;

owner or occupier means a person or his or her agent or assignee that currently owns or resides on or takes care of a private plot or land or uses a private plot of land or resides on a private premise within the boundaries of the Provincial Council;

person includes any public body, board, society or company, and any other body of persons, whether incorporated or not;

premises means public buildings, public land, public road, public street, public park, public gardens, road reserve areas, sewers, drains, culvers dams, unoccupied public areas and areas accessible to public at large and including private premises;

residual waste means any waste to be landfilled;

waste means any material or substance that is discarded or selected for disposal and includes:

(a) recyclable materials, organic waste and residual waste; and
(b) abandoned material; and
(c) litter,

waste collectors mean waste collectors who have been issued a licence by the Director of the Department of Environment Protection and Conservation under the Waste Management Act No. 24 of 2014.

2. Collection service

A waste collector must comply with the terms and conditions for that service as determined by the Council.

3. Noncompliance with terms and conditions

If a waste collector fails to comply with a term or condition determined by the Council under clause 2, the Council may recommend to the Director for the suspension or termination of the waste collector.

4. Waste collection point

(a) The Council may designate waste collection points.

(b) All disposal of waste is to be disposed of at the designate waste collection points.

(c) Only waste disposed of at a waste collection point will be collected by a waste collector.

5. Disposal site

The disposal of waste on any land or premises set aside by the Council for the disposal of waste and named as "Council Waste Disposal Site" are subject to following conditions:

(a) the hours of opening and closing;
(b) the nature of the waste which may be disposed of therein;
(c) the charges in respect of any such disposal;
(d) the position in any such place, in which waste may be placed;
(e) the storage and processing of waste materials;
(f) any other matter the Council may consider necessary.

6. Non-compliance with conditions for a Council Waste Disposal Site

The following actions may be taken by the Council against a person who does not comply with the conditions under clause 5:

(a) refusal of entry into a Council Waste Disposal Site;
(b) a notice to be issued by the Council against that person to prevent them from using the Council Waste Disposal Site.

7. Disposal fees

(1) The Council is to charge fees for collection and disposal of waste as set in the Schedule.

(2) A person who fails to pay the relevant fee, the service provided to that person will cease.

8 Commencement

This by-law commences on the day on which it is made.

MADE UNDER THE SEAL OF THE TORBA PROVINCIAL GOVERNMENT COUNCIL AT Sola **ON THE** 18th **DAY OF** February **2025**

President **Secretary General** **Chairman By-Law Commission**

AND APPROVED on the 17th **day of** MARCH**, 2025 by**

Minister of Internal Affairs

SCHEDULE

SCHEDULE

The following disposal fees apply in relation to the Council Waste Disposal Site:

Hilux/Ute	VT2,000 per trip
Camion (1-5 tones)	VT 3,500/trip
Camion (5 tones over)	VT5000/trip
Dump truck	VT 7,000 per trip
Tourist boat/foreign vessels	1,000vt per Council rubbish Bag
Condemned goods	VT 1,000 per council rubbish bag