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CHAPTER 110

CITIZENSHIP (ENTITLED PERSONS)

JR 13 of 1980

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SCHEDULE
Form A – Application to be registered as a citizen of the Republic of Vanuatu
Form B – Certificate of citizenship

CITIZENSHIP (ENTITLED PERSONS)

To provide for applications for citizenship by entitled persons.

1. Interpretation

In this Act unless the context otherwise provides –

"entitled person" means a person to whom Article 10 of the Constitution applies;

"minor" means a person who has not attained the age of 18 years;

"Minister" means the Minister for the time being responsible for citizenship, a Minister acting on his behalf or a person acting under the authority of the Minister.

2. Application by entitled person

(1) Subject to subsection (2) an entitled person who desires to apply for citizenship of the Republic of Vanuatu shall make application by completing an application in Form "A" in the Schedule and lodging it with the Minister.

(2) The parent or lawful guardian of a minor who is an entitled person shall make application on behalf of that minor in the manner provided for in subsection (1) if that minor desires to be a citizen.

3. Time for lodging applications

(1) Subject to subsections (2) and (3) an application under section 2 shall be lodged in the time provided for in Article 10 of the Constitution.

(2) The Minister may retrospectively or otherwise extend the time limit in Article 10 of the Constitution for making application for citizenship by not more than 6 months if he is satisfied that the applicant has sufficient excuse for not making an earlier application.

(3) A minor who is an entitled person may make an application provided for in section 2(1) within 3 months after his eighteenth birthday.

4. Registration of entitled person

If the Minister is satisfied that a person who applies for citizenship in accordance with section 2 is an entitled person he shall, subject section 8, register him as a citizen and issue him with a certificate in Form "B" in the Schedule and the person named therein shall be a citizen from the date in the certificate.

5. Publication of names of registered citizens

The Minister shall publish the names of persons registered in accordance with this Act in the Vanuatu Gazette not later than 30 days after registration.

6. Register

The Minister shall keep a register of persons registered as citizens in accordance with this Act.

7. Loss of citizenship

A person registered in accordance with this Act shall only cease to be a citizen if:

(a) the Supreme Court declares that when registered he was not an entitled person;

(b) he fails to renounce any other citizenship or nationality within 3 months of registration or such further period as the Minister may allow under section 8(2);

(c) he fails to renounce any other citizenship in accordance with Article 13 of the Constitution; or

(d) he renounces his citizenship of Vanuatu.

8. Retention of certificates and extension of time for renunciation

(1) The Minister may retain a certificate issued in accordance with section 4 until he is satisfied that the person named therein has renounced any other citizenship or nationality he may have at the time of registration.

(2) The Minister may extend the time limit in Article 10 of the Constitution for renunciation of other citizenship or nationality by not more than 3 months if a person applies to him for such extension within 3 months of being issued with a certificate in accordance with section 4.

9. Penalties

Any person who for the purpose of being registered or obtaining the registration of any other person as a citizen under this Act knowingly gives any false information to any person shall commit an offence and shall be liable on conviction to a fine not exceeding VT75,000 or to imprisonment for a term not exceeding 5 years, or to both.

SCHEDULE

Form A - Application to be registered as a citizen of the Republic of Vanuatu*
Form B - Certificate of citizenship*

* *Editor's note: These forms are omitted as the time frame permitted for their use has expired (see s.3 of this Act, and article 10 of the Constitution).*