Commencement: 3 December 1984

CHAPTER 179

DIPLOMATIC AND OFFICIAL PASSPORTS

Act 30 of 1984

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DIPLOMATIC AND OFFICIAL PASSPORTS

To make provisions for diplomatic and official passports.

1. Interpretation

In the Act, unless the context otherwise requires –

"diplomatic passport" means a passport issued under this Act to the categories of persons specified in Schedule 1;

"Minister" means the Minister responsible for the foreign affairs of Vanuatu;

"officer" means any officer of the Ministry of Foreign Affairs authorised by the Minister to exercise the powers conferred on officers by this Act;

"official passport" means a passport issued under this Act to the categories of persons specified in Schedule 2.

2. Issue of passports

(1) Subject to the provisions of this Act, an officer authorised in that behalf by the Minister may issue Vanuatu diplomatic and official passports.

(2) Diplomatic and official passports shall be issued in the name of the Minister responsible for the foreign affairs of the Republic of Vanuatu and shall be in such forms as are prescribed by the Minister.

(3) No fee shall be charged for the issue of diplomatic and official passports.

3. Power to cancel passport

(1) A diplomatic or official passport may be cancelled by the Minister or by an officer authorised in that behalf by the Minister, and the passport shall thereupon become void, and any person having in his possession or under his control any such passport shall, on demand by the Minister or an officer forthwith deliver it up to the Minister or the officer.

(2) Failure to comply with a demand made by the Minister or an officer under subsection (1) shall be an offence.

Penalty: imprisonment for 3 months or fine of VT 50,000.

4. Power to cancel endorsement or renewal

Any renewal or endorsement of a diplomatic or of an official passport granted or made under this Act may be cancelled by the Minister or by an officer authorised by the Minister, and thereupon the renewal or endorsement shall be void.

5. Power to order passport to be delivered up

(1) Any person who holds any diplomatic or official passport which has been obtained, or is reasonably suspected by an officer of having been obtained, by means of any false or misleading statement, shall, on demand by an officer, forthwith deliver it up to the officer.

(2) Failure to comply with a demand made by an officer under subsection (1) shall be an offence.

Penalty: imprisonment for 3 months or fine of VT 50,000.

6. Penalty for making false statements

Any person who,

(a) for the purpose of obtaining a diplomatic or official passport, renewal, or endorsement of a passport; or

(b) in support of an application for a diplomatic or official passport for any other person, renewal or endorsement of such passport of any other person;

makes any false or misleading statement, whether orally or in writing, commits an offence.

Penalty: imprisonment for 3 months or fine of VT 50,000.

7. Power to make regulations

The Minister may by Order make regulations not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act and may in particular amend the schedules to this Act.

SCHEDULE 1

(section 1)

CATEGORIES OF PERSONS ENTITLED TO DIPLOMATIC PASSPORTS

The President of the Republic

The Prime Minister

The Speaker of Parliament

Government Ministers

Vanuatu Ambassadors

Vanuatu High Commissioners

Foreign Affairs personnel: diplomatic and consular staff

Leader of a delegation or sole Vanuatu representative at international conference or bilateral or multilateral negotiations

Diplomatic couriers

Persons in respect of whom the Minister considers exceptional circumstances apply

Spouses of persons granted Diplomatic Passports provided they are travelling on duty at Government expense

SCHEDULE 2

(section 1)

CATEGORIES OF PERSONS ENTITLED TO OFFICIAL PASSPORTS

Members of Parliament

Chief Justice

Attorney General

Judges of the Supreme Court

Solicitor General

Magistrates

Commissioner of Police

Ombudsman

Chairman of the National Council of Chiefs

Officers of Vanuatu Government and Parliament

Persons in respect of whom the Minister considers exceptional circumstances apply

Spouses of persons granted Official Passports provided they are travelling on duty at Government expense