REPUBLIC OF VANUATU

CONSOLIDATION OF THE FRENCH AND ENGLISH TEXTS OF THE LAWS OF VANUATU ACT [CAP 295]

Approval of the English Text of the Passports Consolidation Edition 2025 Order No. 124 of 2025

In exercise of the powers conferred on me by subsection 9(1) of the Consolidation of the French and English Texts of the Laws of Vanuatu Act [CAP 295], I, the Honourable JOB SAM ANDY, Minister of Youth, Justice and Community Services, make the following Order:

1 Approval of the English Text of the Passports Consolidation Edition 2025

The English Text of the Passports Consolidation Edition 2025 is approved.

2 Appointed day

The appointed day for the coming into operation of the Passports Consolidation Edition 2025 is the day on which this Order is made.

3 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 07 **day of** July **, 2025.**

REPUBLIC OF VANUATU Ministry of Justice & Community Service MINISTER Ministère de la Justice et des Services du Commonwealth RÉPUBLIQUE DE VANUATU

Honourable JOB SAM ANDY
Minister of Youth, Justice and Community Services

Commencement: 17 August 2009

PASSPORTS ACT NO. 20 OF 2009

Act 20 of 2009
Act 41 of 2009
Act 17 of 2011
Act 14 of 2013
Act 16 of 2014
Act 8 of 2018
Act 5 of 2019
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Act 15 of 2025

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PASSPORTS ACT NO. 20 OF 2009

An Act to provide for the issue and administration of Vanuatu passports, certificates of identity and other travel documents, and for related matters.

PART 1 – PRELIMINARY MATTERS

1. Interpretation

In this Act, unless the context otherwise requires -

"citizen" means a citizen of the Republic of Vanuatu;

"Director" means Director of Vanuatu Immigration Services appointed under the Immigration Act No. 17 of 2010;

"holder" means a person in whose name and to whom a passport, certificate of identity or travel document has been issued;

"Minister" means the Minister responsible for Internal Affairs;

"Passport" means a document that is issued by or on behalf of the Government of any country for the purpose of facilitating international travel. It shows the identity and nationality or citizenship of a person, but does not include such a document that has expired and is incapable of being renewed, or that has been cancelled;

"Public Service Commission" means the Public Service Commission referred to in Article 59 of the Constitution;

"Vanuatu diplomatic or official passport" means a diplomatic or official passport issued under sections 4A and 5;

"Vanuatu passport" means a Vanuatu passport issued under sections 4 and 5.

"Vanuatu travel document" means a Vanuatu passport, Vanuatu diplomatic or official passport, certificate of identity or travel document.

2. (*Repealed*)

3. Delegation of the functions or powers of the Director

(1) For the purposes of this section:

"officer" means any officer of the Passports Office;

"overseas representative" means any of the following:

(a) a head of mission (other than a consul general) appointed under section 2 of the Foreign Service Act No. 22 of 2008; or

(b) a consul general appointed under section 7 of the Foreign Service Act No. 22 of 2008; or

(c) a honorary consul appointed under section 13 of the Foreign Service Act No. 22 of 2008.

(2) The Director may, in writing, delegate to any officer or an overseas representative his or her powers or functions under this Act, other than the power of delegation.

(3) The delegation may be made generally, or in respect of a particular matter or class of matters.

(4) The Director may at any time revoke or vary a delegation.

(5) A delegation does not prevent the Director from exercising the power or function that he or she has delegated.

3A. Passport Committee

(1) The Passport Committee is established.

(2) The Committee consists of the following members appointed by the Minister:

(a) 2 representatives of the Department of the Vanuatu Immigration and Passport Services; and

(b) a representative of the Department of Finance; and

(c) a representative of the Vanuatu Cultural Centre; and

(d) a representative of the Malvatumauri Council of Chiefs; and

(e) a representative of the Vanuatu Christian Council; and

(f) a representative of the Ministry of Foerign Affairs; and

(g) a representative of the Minister.

(3) A member of the Committee is to hold office for a period of 5 years.

(4) The Minister is appoint a Chairperson and Deputy Chairperson of the Committee from amongst its members.

(5) The Chairperson and the Deputy Chairperson are to hold office for a period of 5 years.

3B. Functions of the Committee

The Committee has the following functions:

(a) to develop and review the series of passports and to develop security features of passports; and

(b) to ensure the technical design of the new passport series is in compliance with the International Civil Aviation Organization standards.

3C. Meetings of the Committee

(1) The Committee is to meet once a month and may hold such other meetings as are necessary for the proper performance of its functions under this Act.

(2) The Chairperson is to preside at all meetings of the Committee and in his or her absence, the Deputy Chairperson is to preside at these meetings.

(3) The Department of Vanuatu Immigration and Passport Services is the secretariat of the Committee.

(4) The quorum of the Committee is 5 members of the Committee present at the meeting, including the Chairperson or in the absence of the Chairperson, the Deputy Chairperson.

(5) A member present at a meeting of the Committee has one vote and issues arising at a meeting are to be decided by a majority of votes.

(6) If the voting at the meeting is equal, the Chairperson or the Deputy Chairperson (if he or she is presiding at the meeting) has a casting vote.

(7) Subject to this Act, the Committee may determine and regulate its own procedures.

PART 2 – VANUATU PASSPORTS AND OTHER TRAVEL DOCUMENTS

Division 1 - Issue of Vanuatu Passports

4. Issue of Vanuatu passports

(1) Subject to this section and section 5, the Director is to issue a Vanuatu passport to every citizen who makes an application, or on whose behalf an application is made, for a passport.

(2) The application must be made in the prescribed form and accompanied by the prescribed fee.

(3) The Director may refuse to issue a Vanuatu passport in any of the following circumstances, if:

(a) there is in force a warrant issued in Vanuatu for the arrest of the applicant; or

(b) the applicant is on bail or has been remanded into custody; or

(c) the applicant is subject to an order made or a sentence imposed by a court, the effect of which requires the applicant to remain in Vanuatu; or

(d) the applicant has been released on parole and the period of parole has not expired; or

(e) the Director has formed the opinion that if a Vanuatu passport is issued to an applicant, the applicant will likely engage in conduct that might endanger the health or physical safety of other persons; or

(f) the applicant already holds a Vanuatu passport and there is no sufficient reason why another Vanuatu passport should be issued to him or her.

(4) In addition to subsection (3), the Director may refuse to issue a Vanuatu passport to an applicant if the Director reasonably believes that:

(a) the applicant is a danger to the security of the Republic of Vanuatu because the applicant intends to engage in, or facilitate a terrorist act within the meaning of section 3 of the Counter Terrorism and Transnational Organised Crime Act No. 29 of 2005; and

(b) the danger to the security of Vanuatu cannot be effectively averted by other means; and

(c) the refusal to issue a passport will prevent or effectively impede the ability of the applicant to carry out the intended action.

(5) If the Director refuses to issue a Vanuatu passport under subsection (3) or (4), the Director must, within 7 days of making the decision, give written notice of that decision to the applicant that:

(a) states the decision and the reasons for it; and

(b) describes the right of review conferred by section 23; and

(c) states the period within which an application for review of the decision may be lodged as prescribed by subsection 23(3).

4A. Issue of diplomatic and official passports

(1) The Director may, on application, issue a Vanuatu diplomatic passport to a citizen of Vanuatu who holds an office listed in Schedule 1.

(2) The Director may, on application, issue a Vanuatu official passport to a citizen of Vanuatu who holds an office listed in Schedule 2.

(3) An application made under subsection (1) or (2) must be:

(a) made in the prescribed form; and

(b) accompanied by written advice from the Director General of the Ministry responsible for foreign affairs stating that the applicant is eligible for the diplomatic or official passport.

(4) A Vanuatu official passport is to be used for travel on official purposes only and must be surrendered to the Director General responsible for foreign affairs within 28 days of returning from official travel.

(5) The Director may refuse to issue a Vanuatu diplomatic or official passport if any of the circumstances in paragraphs 4(3)(a) to (d) apply.

(6) Where the Director refuses to issue a Vanuatu diplomatic or official passport under subsection (5), the Director must, within 7 days of making the decision, give written notice of that decision to the applicant that:

(a) states the decision and the reasons for it; and

(b) describes the right of review conferred by section 23; and

(c) states the period within which an application for review of the decision may be lodged as prescribed by subsection 23(3).

(7) The holder of a valid Vanuatu diplomatic or official passport must surrender to the Director his or her diplomatic or official passport within 28 days of ceasing to be within the categories of office holders set out in Schedule 1 or 2.

5. Issue of Vanuatu passports to children

The Director must not issue a Vanuatu passport or a Vanuatu diplomatic or official passport to a child under the age of 18 years unless one of his or her parents or legal guardians has consented in writing to the issue of the passport to him or her.

6. Validity of Vanuatu passports

(1) Subject to subsection (2), every Vanuatu passport or Vanuatu diplomatic or official passport is valid for 10 years from the date of issue, unless sooner cancelled under this Act.

(2) The Director may, in any particular case, if satisfied that good reasons exist, determine that any Vanuatu passport or Vanuatu diplomatic or official passport be issued for a period shorter than 10 years.

7. Lost or stolen Vanuatu passports

(1) A person whose Vanuatu passport or Vanuatu diplomatic or official passport has been lost or stolen must report the loss or theft to the Director as soon as practicable after he or she knows that the passport has been either lost or stolen.

(2) The Director must, on receipt of the report, cancel the Vanuatu passport or Vanuatu diplomatic or official passport that has been reported lost or stolen.

(3) An application for the replacement of a lost or stolen Vanuatu passport or Vanuatu diplomatic or official passport must be made in the same manner as an application for the issue of a new passport.

(4) If a person finds or otherwise locates the Vanuatu passport or Vanuatu diplomatic or official passport that he or she has reported lost or stolen, that person must surrender the passport to the Director as soon as practicable after he or she discovers the passport.

Division 1A – Authorisation to receive Vanuatu Passports

7A. Authorisation to receive Vanuatu passports

(1) A person may authorise another person, in writing, to receive his or her Vanuatu passport.

(2) An officer must not give a Vanuatu passport to a person under subsection (1), unless that person gives to the officer the written authorisation to receivethe passport.

(3) A person is deemed to have received his or her Vanuatu passport once the authorised person receives the passport from the officer.

Division 2 – Certificates of identity and other travel documents

8. Issue of certificates of identity and travel documents

(1) The Director may, on application, issue a certificate of identity or a travel document to a citizen if the Director is satisfied that the person has an urgent need to travel and it is not practicable to issue a Vanuatu passport to the person.

(2) The Director may, on application, issue a certificate of identity or travel document to a person who the Director is satisfied is either stateless or a refugee.

(3) The Director may, on application, issue a certificate of identity or travel document to any person if the Director is satisfied that the person:

(a) is not a citizen; and

(b) is unable or unwilling for any reason to obtain a travel document from the Government or other appropriate authority in the country of his or her nationality; and

(c) needs the certificate of identity or travel document to leave Vanuatu.

(4) The application for a certificate of identity or travel document must be made in the prescribed form and be accompanied by the prescribed fee.

(5) A certificate of identity or travel document is valid for a period of 12 months from the date of issue unless sooner cancelled under this Act.

Division 3 – Surrender and cancellation of Vanuatu Passports and Other Travel Documents

9. Cancellation of Vanuatu passport where holder is no longer entitled

(1) The Director may cancel any Vanuatu passport and take and retain possession of it in any of the following cases, if:

(a) the holder has not attained the age of 18 years and the parent or guardian who gave his or her consent to the issue of the passport has written to the Director withdrawing that consent; or

(b) the passport was issued to the holder in the mistaken belief that the holder was, at the time of issue, a citizen; or

(c) the holder has lost, been deprived of or renounced citizenship under sections 14 to 17 of the Citizenship Act [CAP 112]; or

(d) 2 or more valid Vanuatu passports are in existence in respect of the holder and there is no longer any sufficient reason why that should continue to be the case; or

(e) the Director becomes aware of circumstances which, if they had existed immediately before the passport was issued (whether or not they did exist at that time) would have led him or her to refuse to issue the passport to the person concerned under subsection 4(3).

(2) A person who has possession or control of a Vanuatu passport to which subsection (1) applies must, on demand by the Director, surrender the passport to the Director.

10. Cancellation of Vanuatu passport on other grounds

(1) The Director may cancel any Vanuatu passport and take and retain possession of it in any of the following cases, if:

(a) the Director issues to the holder another Vanuatu passport in substitution for the first one; or

(b) the Vanuatu passport has expired; or

(c) the Director is of the opinion that the Vanuatu passport has been damaged or defaced as to render it unsuitable for use; or

(d) the Vanuatu passport has been lost or stolen; or

(e) the Director reasonably believes that particulars recorded in the Vanuatu passport are incorrect; or

(f) the Director reasonably believes that the Vanuatu passport has been obtained by means of any wilfully false or misleading statement; or

(g) the Director reasonably believes that the Vanuatu passport is in the wrongful possession of any person other than the holder; or

(h) the holder has died; or

(i) the Director reasonably believes that the holder:

(i) intends to engage in or has taken part in terrorist trainings; or

(ii) intends to facilitate or has facilitated a terrorist act within the meaning of section 3 of the Counter Terrorism and Transnational Organised Crime Act No. 29 of 2005; or

(iii) is listed on the Interpol alert list; or

(j) the Director is authorised to do so in emergency regulations made under Article 69 of the Constitution.

(2) A person who has possession or control of a Vanuatu passport to which subsection (1) applies must, on demand by the Director, surrender the passport to the Director.

(3) If the Director retains or cancels a Vanuatu passport under paragraph (1)(b), (c), (d), (e), or (f), the Director may, on application by the holder, issue another Vanuatu passport to replace that passport.

(4) Sections 4 to 6 (as the case may be) apply to any application made under subsection (3).

(5) If the Director has possession of any passport under paragraph (1)(g), the Director must, unless the holder has been issued with a new passport, return the passport to the holder.

10A. Cancellation of diplomatic and official passports

(1) The Director may, after consultation with the Director General responsible for foreign affairs, cancel a Vanuatu diplomatic or official passport on the following grounds:

(a) if the holder has not attained the age of 18 years and the parent or guardian who gave his or her consent to the issue of the passport has written to the Director withdrawing that consent; or

(b) if the passport was issued to the holder in the mistaken belief that the holder was, at the time of issue, a citizen; or

(c) where the holder has lost, been deprived of or renounced citizenship under sections 14 to 17 of the Citizenship Act [CAP 112]; or

(d) if the passport was issued to holder in the mistaken belief that the holder was, at the time of issue, a person listed under Schedule 1 or 2; or

(e) if the Director becomes aware of circumstances which, if they had existed immediately before the passport was issued (whether or not they did exist at that time), would have led him or her to refuse to issue the passport under section 4A to the person concerned.

(2) A person who has possession or control of a passport to which subsection (1) applies must, on demand by the Director, surrender the passport to the Director.

(3) The Director may also cancel any Vanuatu diplomatic or official passport, and take and retain possession of it in any of the following cases:

(a) if the Director issues to the holder another passport in substitution for the first one; or

(b) if the passport has expired; or

(c) if the Director is of the opinion that the passport has been so damaged or defaced as to render it unsuitable for use; or

(d) if the passport has been lost or stolen; or

(e) if the Director reasonably believes that particulars recorded in the passport are incorrect; or

(f) where the Director reasonably believes that the passport has been obtained by means of any wilfully false or misleading statement; or

(g) if the Director reasonably believes that the passport is in the wrongful possession of any person other than the holder; or

(h) if the holder has died; or

(i) if authorised to do so in emergency regulations made under Article 69 of the Constitution.

(4) A person who has possession or control of a passport to which subsection (3) applies must, on demand by the Director, surrender the passport to the Director.

(5) If the Director retains or cancels a passport under paragraphs (3)(c) to 3(f), the Director may, on application of the holder, issue another Vanuatu diplomatic or official passport to replace that passport.

(6) If the Director has possession of any passport under paragraph (3)(g), the Director must, unless the holder has been issued with a new Vanuatu diplomatic or official passport, return the Vanuatu diplomatic or official passport to the holder.

11. Cancellation of certificate of identity or travel document

(1) The Director may cancel any certificate of identity or travel document, and take and retain possession of it in any of the following cases, if:

(a) the Director issues to the holder another certificate of identity or travel document in substitution for the first one; or

(b) the document has expired; or

(c) the document has been so damaged or defaced as to render it, in the opinion of the Director unsuitable for use; or

(d) the Director reasonably believes that any particulars recorded in the document are incorrect; or

(e) the Director reasonably believes that the document has been obtained by means of any wilfully false or misleading statement; or

(f) two or more certificates of identity or travel documents are in existence in respect of the holder and there is no longer any sufficient reason why that should continue to be the case; or

(g) a passport has been issued to the person; or

(h) in the case of a certificate of identity or travel document that was issued under subsection 8(1), the document was issued to the holder in the mistaken belief that the holder was, at the time of issue, a citizen; or

(i) in the case of a certificate of identity or travel document that was issued under subsection 8(2), the document was issued to the holder in the mistaken belief that the holder was, at the time of issue, stateless or a refugee; or

(j) in the case of a certificate of identity or travel document that was issued under subsection 8(1), the holder is no longer a citizen; or

(k) in the case of a certificate of identity or travel document that was issued under subsection 8(2), the holder is no longer stateless or a refugee; or

(l) the Director reasonably believes that the holder:

(i) intends to engage in or has taken part in terrorist trainings; or

(ii) intends to facilitate or has facilitated a terrorist act within the meaning of section 3 of the Counter Terrorism and Transnational Organised Crime Act No. 29 of 2005; or

(m) authorised to do so in emergency regulations made under Article 69 of the Constitution.

(2) A person who has possession or control of a certificate of identity or travel document to which subsection (1) applies must, on demand by the Director, surrender the document to the Director.

(3) If the Director retains or cancels a certificate of identity or travel document under paragraphs (1)(b), (c), (d), or (e), the Director may, on application by the holder of that document, issue another certificate of identity or travel document to replace that document.

(4) Section 8 applies to any application made under subsection (3).

Division 4 – Power of the Court to order surrender of Vanuatu travel document

12. Power of Court to order surrender of Vanuatu travel document in criminal proceedings

(1) A Court may order any person to surrender to the Court the Vanuatu travel document of any person who is granted bail, remanded in custody or sentenced to a term of imprisonment or a fine.

(2) The Court must return the Vanuatu travel document to the holder or the person who has lawful custody of the Vanuatu travel document when the holder is no longer subject to criminal proceedings, has completed the term of imprisonment or has paid the fine, as the case may be.

(3) A Court may make an order under subsection (1) on its own motion or on application by a Prosecutor.

13. Power of Court to order surrender of Vanuatu travel document in civil proceedings

(1) A Court may, on its own motion or on the application of any party to civil proceedings, order any person to surrender his or her Vanuatu travel document to the court as security for payment of a judgment debt (including an order for periodic payments).

(2) A Court may not make an order under subsection (1) if the holder provides other adequate security.

(3) The Court must return a Vanuatu travel document delivered under subsection (1) when either adequate security has been provided or the Court is satisfied that security is no longer required.

PART 3 – OFFENCES

14. False Vanuatu travel documents

A person commits an offence if he or she:

(a) makes a false Vanuatu travel document; or

(b) knowing a document to be a false Vanuatu travel document, without reasonable excuse:

(i) uses, deals with, or acts upon it as if it were genuine; or

(ii) causes another person to use, deal with, or act upon it as if it were genuine; or

(c) without reasonable excuse:

(i) has in his or her possession or under his or her control a document that he or she knows or has reason to suspect is a false Vanuatu travel document; or

(ii) sells, hires, lends, gives, or otherwise disposes of a document that he or she knows or has reason to suspect is a false Vanuatu travel document; or

(d) without lawful authority or reasonable excuse, makes or uses or has in his or her possession or disposes of any paper or other material that he or she knows is specially provided for any purpose relating to Vanuatu travel documents.

15. Making false or misleading statements

A person commits an offence if:

(a) the person makes a statement (whether orally, in writing or any other way) to another person that he or she knows to be false or misleading; and

(b) the statement is made in, or in connection with, an application for a Vanuatu travel document.

16. Improper use or possession of Vanuatu travel document

(1) A person commits an offence if he or she:

(a) for purposes of travel and without reasonable excuse, uses a Vanuatu travel document, that he or she knows or has reasonable cause to suspect has expired or has been cancelled; or

(b) for purposes of travel or identification and without reasonable excuse, uses a Vanuatu travel document that he or she knows or has reasonable cause to suspect was issued to, or in respect of, another person; or

(c) being a person to whom a Vanuatu travel document has been issued, without reasonable excuse permits another person to have possession of that document in circumstances where he or she knows or has reasonable cause

to suspect that the person intends to use it for purposes of travel or identification; or

(d) without lawful authority or reasonable excuse, takes or retains in his or her possession or under his or her control a Vanuatu travel document, against the will of the holder; or

(e) without reasonable excuse, has in his or her possession or under his or her control within Vanuatu:

(i) a passport issued by or on behalf of the Government of any country other than Vanuatu, being a passport that he or she knows or has reason to suspect has been falsified or has been obtained by false representation; or

(ii) a document purporting to be a passport issued by or on behalf of the Government of any country other than Vanuatu that he or she knows or has reason to suspect is not such a passport.

17. Unauthorised alteration, destruction or sale of Vanuatu travel document

A person commits an offence if he or she intentionally and without lawful authority:

(a) makes any alteration, addition, deletion or endorsement to a Vanuatu travel document; or

(b) destroys a Vanuatu travel document; or

(c) sells a Vanuatu travel document.

18. Offences relating to document information and material

(1) In this section:

"travel document database" means a file, register, or device in or on which information is or is to be recorded for the purposes of this Act.

(2) A person commits an offence if he or she knowingly, and without lawful authority or reasonable excuse:

(a) deletes, alters, or copies any information recorded in or on a travel document database; or

(b) allows any information recorded in or on a travel document database to be deleted, altered, or copied; or

(c) records any information (whether correct or incorrect) in or on a travel document database; or

(d) allows any information (whether correct or incorrect) to be recorded in or on a travel document database; or

(e) takes from where it is officially kept:

(i) a Vanuatu travel document or a blank or incomplete Vanuatu travel document; or

(ii) a seal, stamp, or other authenticating device or thing, that is specially used for a purpose relating to Vanuatu travel documents; or

(iii) any paper or other material that is specially provided for a purpose relating to Vanuatu travel documents; or

(f) takes from where it is officially kept a file or register in or on which information is or is to be recorded for the purposes of this Act.

(3) Paragraphs (2)(a) to (d):

(a) apply to the deletion or alteration of information recorded in an electronic travel document database, or the recording of information in an electronic travel document database, whether it is achieved:

(i) directly; or

(ii) by altering or damaging the database, its programming, another device, the programming of another device, or any electronic storage; and

(b) apply to the copying of information recorded in an electronic travel document database whether it is achieved directly from the database, by means of another device, by the interception or copying of an electronic message, or from any form of electronic storage.

19. Improper issue of travel documents

A person commits an offence if he or she, without lawful authority or reasonable excuse, issues a Vanuatu travel document (whether or not to the person to whom it relates) knowing that the person to whom it relates is not entitled to be issued it.

20. Failure to surrender travel document

A person commits an offence if he or she knowingly fails, without reasonable excuse, to comply with a demand or requirement to surrender a Vanuatu travel document to the Director in accordance with subsections 4A(8), 9(2), 10(2), 10A(2), 10A(4) or 11(2).

21. Penalties

A person who commits any offence specified in sections 14 to 20 is liable on conviction to a term of imprisonment not exceeding 5 years or to a fine not exceeding VT5,000,000 or both.

22. Jurisdiction in respect of actions taken outside Vanuatu

Proceedings may be brought for an offence under subsection 14(1), any of paragraphs 16(1)(a) to (d), section 17, subsection 18(2) or section 19, even if the act or omission alleged to constitute the offence did not occur in Vanuatu.

PART 4 – ADMINISTRATIVE MATTERS

Division 1 - Review of decisions in relation to Vanuatu Passports

23. Review of decisions by Minister

(1) In this section:

"reviewable decision" means any decision of the Director to:

(a) refuse to issue a Vanuatu passport under section 4 or 5;

(b) cancel, and take and retain possession of, a Vanuatu passport under section 9 or 10;

(c) refuse to issue a certificate of identity or travel document under section 8;

(d) cancel, and take and retain possession of, a certificate of identity or travel document under section 11;

(e) refuse to issue a Vanuatu diplomatic or official passport under section 4A or 5;

(f) cancel, and take and retain possession of, a Vanuatu diplomatic or official passport under section 10A.

(2) If a reviewable decision is made, a person affected by the decision may apply in writing to the Minister for a review of the decision.

(3) An application for review must be made within 28 days after the person is notified of the decision (or such longer period as the Minister allows, whether before or after the end of the 28 days).

(4) An application for review of a decision must set out the reasons for making the application.

(5) Within 15 days of receiving an application for review of a decision, the Minister must consult the State Law Office and, taking into account any advice received from the State Law Office, must:

(a) affirm the decision under review; or

(b) vary the decision under review; or

(c) set aside the decision under review and make a decision in substitution for it.

(6) The Minister must:

(a) record in writing any decision made under subsection (5), and the reasons for the decision; and

(b) give a copy of the decision and the reasons to the applicant within 7 days of making the decision.

24. Appeal to Supreme Court

(1) If an applicant for review under section 23 is dissatisfied with any decision of the Minister made under subsection 23(5), that person may appeal to the Supreme Court against that decision.

(2) An appeal under this section must be made within 28 days after the date on which notice of the decision that is the subject of the appeal has been received by the person seeking to bring the appeal, or within such extended time as the Supreme Court allows.

(3) On any appeal under this section, the Supreme Court may affirm, vary or set aside the decision that is the subject of the appeal, and may give all such directions (if any) to the Minister or any other person concerned as may be necessary to give effect to the Court's decision.

(4) The decision made by the Supreme Court under this section is final.

Division 2 – Disclosure of Vanuatu travel document information

25. Disclosure of Vanuatu travel document information

(1) The Director may, after consultation with the Director General of the Ministry of Internal Affairs, disclose Vanuatu travel document information to any Government agency or other organisation, for any of the following purposes:

(a) aiding border security; or

(b) facilitating the processing of passengers; or

(c) law enforcement; or

(d) verifying the identity of the holder.

(2) The Vanuatu travel document information that may be disclosed is as follows:

(a) the passport or document number; or

(b) the passport or document type; or

(c) the date of issue of the passport or document; or

(d) the date of expiry of the passport or document; or

(e) the place of issue of the passport or document; or

(f) the status of the passport or document (for instance, whether it is valid, or has been reported lost or stolen); or

(g) the passport or document holder's surname, given name or names, and sex; or

(h) the passport or document holder's nationality or citizenship; or

(i) the passport or document holder's date of birth; or

(j) the passport or document holder's place of birth; or

(k) the passport or document holder's photograph; or

(l) the passport or document holder's signature; or

(m) the passport or document holder's eye colour and hair colour; or

(n) the passport or document holder's height; or

(o) any distinguishing physical feature of the document holder (for instance, any scar or mark).

26. Other Acts not affected

Nothing in this division prevents or limits any other disclosure of information that may otherwise be required or authorised by or under any law.

PART 5 – MISCELLANEOUS

27. Vanuatu travel documents are the property of the Republic of Vanuatu

(1) Any Vanuatu travel document, whether issued before or after the commencement of this Act, are the property of the Republic of Vanuatu.

(2) The right in a Vanuatu travel document conferred on the Republic of Vanuatu by subsection (1) is not defeated or affected by any security, pledge, deposit, or encumbrance given, made or accepted in respect of the Vanuatu passport or travel document by the holder or by any other person.

(3) No holder or any other person must give, make, or accept as a security, pledge, or deposit, or otherwise encumber, a Vanuatu travel document issued by or on behalf of the Republic of Vanuatu, and any term of an agreement which would otherwise have that effect is void.

28. Regulations

(1) The Minister may by Order make regulations prescribing matters:

(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 this Act.

(1A) Without limiting subsection (1), the Regulations may provide for the following matters:

(a) biometric data and the manner in which such data is to be collected, kept and maintained; and

(b) the method of application including electronic application for passports; and

(c) sharing of information relating to passports including:

(i) the process of sharing these information with other agencies and the approval required when sharing these informtion; and

(ii) persons who are entitled to share these information; and

(iii) the types of information that may be shared; and

(iv) the form in which information may be shared; and

(d) the storage and warehouse administrator and the process storage of passport including:

(i) the storage of blank passport booklets; and

(ii) the process of handling blank passport booklets from the warehouse to production; and

(iii) documentation and maintainance of inventory and accurate records; and

(iv) other processes for the secure storage and handling of all passports before being issued; and

(e) the process for destroying passports by the electronic passport system and the process for the physical destruction of other passports; and

(f) prescribe penalties not exceeding VT5,000,000 or a term of imprisonment of not more than 5 year, or both, for offences against the Regulations.

(2) Subject to subsection (3), the Minister may, with the prior approval of the Council of Ministers, by Order amend Schedule 1 or 2 of this Act.

(3) The Minister must not amend Schedule 1 unless that amendment is necessary to provide for a person entitled to hold a diplomatic passport under the Vienna Convention.

29. Penal Code Act not affected

Except as expressly provided in this Act, nothing in this Act is to be construed so as to limit or affect the operation of any provision of the Penal Code Act [CAP 135].

30. Transitional provision relating to endorsement of name of child on passport of parent or guardian

(1) If, prior to the commencement of this Act, the name of a child under the age of 16 years was endorsed on the passport of a parent or guardian, that endorsement continues to have effect while the passport remains valid until either:

(a) the child attains the age of 16 years; or

(b) a separate passport is issued in the name of the child;

whichever occurs first, and the Director must then cancel the endorsement.

(2) For the purposes of the cancellation of any endorsement, the holder or other person who has the endorsed passport in his or her possession or under his or her control must, on demand by the Director, deliver the passport to the Director.

31. Repeals

The Passports Act [CAP 108] and the Diplomatic and Official Passports Act [CAP 179] are repealed.

32. Savings

(1) Subject to the provisions of this Act, the regulations made under the Passports Act [CAP 108] and the Diplomatic and Official Passports Act [CAP 179] remain in force as if they were made under this Act.

(2) At the commencement of this Act:

(a) an application for a passport or other travel document made under the Passports Act [CAP 108] and the Diplomatic and Official Passports Act [CAP 179] the processing of which had not been completed, is to be processed under this Act; and

(b) any valid passport or travel document issued under the Passports Act [CAP 108] and the Diplomatic and Official Passports Act [CAP 179] continues in full force and effect as if issued under this Act until expiry, or until it is cancelled under this Act, and the provisions of this Act apply to it.

SCHEDULE 1

Persons entitled to hold Diplomatic Passports

- President
- Prime Minister
- Speaker of Parliament
- Chief Justice
- Government Ministers
- Heads of missions (as defined in the Foreign Service Act No. 20 of 2013)
- Diplomatic and consular staff of the Ministry of Foreign Affairs
- Spouses and children under the age of 18 years of persons holding diplomatic passports, provided the diplomatic passport holders are travelling on duty at Government expense
- Chairperson of the National Council of Chiefs
- Leader of Opposition

SCHEDULE 2

Persons entitled to hold Official Passports

- Members of Parliament
- Judges of the Supreme Court
- Attorney General
- Solicitor General
- Public Solicitor
- Public Prosecutor
- Magistrates
- Chairman of the Public Service Commission
- Chairman of the Teaching Service Commission
- Chairman of the Police Service Commission
- Commissioner of Police
- Ombudsman
- Auditor-General
- Member of the National Council of Chiefs
- Chairperson of the Vanuatu National Council of Women
- Administrative staff appointed to missions ("mission" as defined in the Foreign Service Act No. 20 of 2013)
- Senior Officers of the Vanuatu Government and Parliament

- Spouses and children under the age of 18 years of persons holding official passports, provided the official passport holders are travelling on duty at Government expense
- Chairperson of a Local Government Council
- Member of a Local Government Council
- Secretary General of a Local Government Council
- Mayor of a Municipal Council
- Municipal Clerk
- Councillor of a Municipal Council

Table of Amendments

1	*Amended by Acts 41 of 2009, 14 of 2013*
2	*Repealed by Act 14 of 2013*
2(2)(b)	*Amended by Act 41 of 2009*
3(1)	*Amended by Act 41 of 2009*
3(2)	*Amended by Act 41 of 2009*
3A – 3C	*Inserted by Act 15 of 2025*
4A	*Inserted by Act 41 of 2009*
4A(8)	*Renumbered by Act 17 of 2011*
4B	*Inserted by Acts 17 of 2011, 16 of 2014*
4B	*Repealed by Acts 14 of 2013, 8 of 2018*
5	*Amended by Act 41 of 2009*
6(1) and (2)	*Amended by Acts 41 of 2009, 5 of 2019*
7(1) – (4)	*Amended by Act 41 of 2009*
Division 1A	*Inserted by Act 2 of 2021*
8(1)	*Amended by Act 41 of 2009*
10(1)(iii)	*Inserted by Act 15 of 2025*
10A	*Inserted by Act 41 of 2009*
Division 4 of Part 2 (heading)	*Amended by Act 41 of 2009*
12 (heading)	*Amended by Act 41 of 2009*
12(1) and (2)	*Amended by Act 41 of 2009*
13 (heading)	*Amended by Act 41 of 2009*
13 (1) and (3)	*Amended by Act 41 of 2009*
14 (heading)	*Amended by Act 41 of 2009*
14	*Amended by Act 41 of 2009*
15(b)	*Amended by Act 41 of 2009*
16 (heading)	*Amended by Act 41 of 2009*
16	*Amended by Act 41 of 2009*
17(heading)	*Amended by Act 41 of 2009*
17	*Amended by Act 41 of 2009*
18(2)(e)(i) – (iii)	*Amended by Act 41 of 2009*
19 (heading)	*Amended by Act 41 of 2009*
19	*Amended by Act 41 of 2009*
20 (heading)	*Amended by Act 41 of 2009*
20	*Amended by Act 41 of 2009*
23(1)(e) and (f)	*Inserted by Act 41 of 2009*
Division 2 of Part 4	*Amended by Act 41 of 2009*
25 (heading)	*Amended by Act 41 of 2009*
25(1)	*Amended by Act 15 of 2025*
25(1) and (2)	*Amended by Act 41 of 2009*
27 (heading)	*Amended by Act 41 of 2009*
27(1) – (3)	*Amended by Act 41 of 2009*
28	*Substituted by Act 41 of 2009*
28(1A)	*Inserted by Act 15 of 2025*
28(2)	*Amended by Act 15 of 2025*
28(3)	*Inserted by Act 15 of 2025*
31	*Amended by Act 41 of 2009*
32(1) and (2)	*Amended by Act 41 of 2009*
Schedule 1 and 2	*Inserted by Act 41 of 2009*
Whole of the Act (Director replaced Principal Passport Officer)	*Amended by Act 14 of 2013*