

REPUBLIC OF VANUATU

BILL FOR THE MUTUAL ASSISTANCE IN CRIMINAL MATTERS (AMENDMENT) ACT NO. OF 2026

Explanatory Note

This Bill amends the Mutual Assistance in Criminal Matters Act [CAP 285] (“the Act”).

Vanuatu’s laws generally reflect FATF standards by criminalising money laundering and terrorist financing and providing for financial reporting, beneficial ownership, asset confiscation and international cooperation. However, gaps remain and full compliance has not yet been achieved. This Bill is required to address those gaps and ensure that Vanuatu fully complies with the FATF standards.

The key features of this Bill are to:

- (a) require the Public Prosecutor to maintain a suitable case-management system for mutual legal assistance requests; and
- (b) ensure each request is registered, monitored and kept up to date from receipt to completion; and
- (c) require authorities executing requests to provide timely information to the Public Prosecutor; and
- (d) enable the preparation of aggregated or anonymised statistics for authorised purposes; and
- (e) protect confidential, personal and operational information; and
- (f) allow regulations and administrative directions to govern the operation and security of the system.

Minister of Youth, Justice and Community Services



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An Act to amend the Mutual Assistance in Criminal Matters Act [CAP 285].

Be it enacted by the President and Parliament as follows:

1 Amendment

The Mutual Assistance in Criminal Matters Act [CAP 285] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF THE MUTUAL ASSISTANCE IN CRIMINAL MATTERS ACT [CAP 285]

1 After section 61

Insert

“61A Record-keeping requirement

- (1) The Public Prosecutor must maintain an accurate, complete and up-to-date case-management, record-keeping and statistical system for all formal mutual legal assistance requests made or received under this Act.
- (2) The record-keeping system under subsection (1) must contain the following information:
 - (a) a unique reference or case number; and
 - (b) whether the request is incoming or outgoing; and
 - (c) the requesting or requested country and authority; and
 - (d) the relevant Vanuatu authority; and
 - (e) the criminal matter; and
 - (f) the offence category; and
 - (g) the nature of assistance requested; and
 - (h) the authority or agency responsible for execution; and
 - (i) the key dates; and
 - (j) the status of the request; and
 - (k) the final outcome or disposition; and

- (l) any other information prescribed by the Regulations.
- (3) The requirements of sections 62 and 63 apply to information obtained and kept under subsection (1).
- (4) Despite subsection (3), information collected under subsection (1) may be disclosed for legitimate purposes, including:
 - (a) national planning and reporting; or
 - (b) monitoring and evaluation; or
 - (c) compliance with Vanuatu's international obligations; or
 - (d) international cooperation reporting; or
 - (e) mutual evaluations; or
 - (f) international assessment processes; or
 - (g) any other legitimate purpose as determined by the Public Prosecutor."