

REPUBLIC OF VANUATU
BILL FOR THE
VANUATU NATIONAL MUSIC AUTHORITY
ACT NO. OF 2026

Explanatory Note

This Bill establishes the legal framework and mechanism to formalise, protect and develop Vanuatu's music industry.

Music is deeply rooted in Vanuatu's custom and culture and therefore plays a vital role in its history. However, the music industry in Vanuatu has historically lacked the formal structure needed to protect its artists and maximise economic gains. Given this, the Government considers the formalisation of the creative arts to be of serious national concern because of its impact on the livelihoods of people in Vanuatu.

By transforming music from purely cultural heritage into a sustainable economic sector, this Bill will address the gap between cultural expression and economic sustainability while protecting Vanuatu's cultural identity.

The Bill aims to integrate Vanuatu's music into the national economy, creating an environment in which music contributes to the national GDP in a manner similar to successful models in Australia and New Zealand.

Key features of this Bill include:

- the establishment of the National Music Authority as a body corporate that is to regulate, support and develop the music industry and represent music actors within and outside of Vanuatu; and
- an Authority consisting of representatives from the 6 provinces, 3 municipal representatives, and representatives from the Department of Industry and the Intellectual Property Office; and
- providing a music permit system under which all music actors must apply for a music permit to operate legally within the music industry in Vanuatu; and
- the establishment of Provincial and Municipal Music Associations to ensure that material and financial support such as mobile recording studios and instrument libraries reaches all provinces and is not restricted to the capital; and
- empowering the Authority to handle formal complaints regarding industry standards, and to suspend or cancel permits to prevent exploitation and protect intellectual property rights; and
- providing mechanisms to protect traditional music (*kastom singsing* and *danis*) and ensuring the unique "Vanuatu Sound" is documented and archived by the Vanuatu Kaljoral Senta for future generations.

Minister of Trade and Commerce



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REPUBLIC OF VANUATU

BILL FOR THE VANUATU NATIONAL MUSIC AUTHORITY ACT NO. OF 2026

An Act to provide for the establishment, operation and management of the National Music Authority and for related matters.

Be it enacted by the President and Parliament as follows-

PART 1 PRELIMINARY MATTERS

1 Interpretation

In this Act, unless a contrary intention appears:

Associations means the Provincial and Municipal Music Associations;

Authority means the Vanuatu National Music Authority established under subsection 2(1);

Chief Executive Officer means the Chief Executive Officer appointed under subsection 13(1);

cultural preservation and cultural promotion mean the preservation and promotion of customary songs, dances and traditional beats and instruments;

government agency means:

- (a) a Ministry; or
- (b) an office or body established under the Constitution; or
- (c) an office or body established under an Act of Parliament; or
- (d) a prescribed agency;

music actors include a musician, a songwriter, a composer, a producer, an audio engineer, a studio technician, a promoter, an arranger, a music publisher, a distributor and a music event organiser;

music industry includes all economic activities involved in turning musical creativity into revenue, from the initial composition and performance through to consumption by audiences;

music permit means a music permit granted under section 23.

PART 2 VANUATU NATIONAL MUSIC AUTHORITY AND PROVINCIAL AND MUNICIPAL ASSOCIATIONS

Division 1 Establishment of the Vanuatu National Music Authority

2 Establishment of the Vanuatu National Music Authority

(1) The Vanuatu National Music Authority is established.

(2) The Authority is:

- (a) a body corporate with perpetual succession; and
- (b) to have a common seal; and
- (c) capable of suing and being sued.

3 Composition of the Authority

(1) The Authority consists of the following persons appointed by the Minister:

- (a) 1 representative from the Torba Provincial Music Association nominated by the Torba Provincial Music Association; and
- (b) 1 representative from the Sanma Provincial Music Association nominated by the Sanma Provincial Music Association; and
- (c) 1 representative from the Penama Provincial Music Association nominated by the Penama Provincial Music Association; and
- (d) 1 representative from the Malampa Provincial Music Association nominated by the Malampa Provincial Music Association; and
- (e) 1 representative from the Shefa Provincial Music Association nominated by the Shefa Provincial Music Association; and
- (f) 1 representative from the Tafea Provincial Music Association nominated by the Tafea Provincial Music Association; and
- (g) 1 representative from the Luganville Municipal Music Association nominated by the Luganville Municipal Music Association; and

- (h) 1 representative from the Port Vila Municipal Music Association nominated by the Port Vila Municipal Music Association; and
 - (i) 1 representative from the Lenakel Municipal Music Association nominated by the Lenakel Municipal Music Association; and
 - (j) 1 representative from the Department of Industry nominated by the Director; and
 - (k) 1 representative from the Vanuatu Intellectual Property Office nominated by the Registrar.
- (2) For the purpose of paragraphs (1)(a), (b), (c), (d), (e), (f), (g), (h) and (i), the person nominated by an Association must be a music actor.
- (3) A member is appointed for a term of 4 years and may be re-appointed.

4 Functions of the Authority

The Authority has the following functions:

- (a) to advocate on behalf of the music permit holders nationally and internationally; and
- (b) to promote and market the music industry nationally and internationally; and
- (c) to facilitate and implement processes for cultural preservation and cultural promotion; and
- (d) to develop economic activities for the improvement of the music industry; and
- (e) to develop and maintain a music standard for music actors; and
- (f) to provide targeted support to facilitate the growth of the music industry; and
- (g) to provide for broadcasting and digital integration for music actors; and
- (h) to establish and maintain a registry of the music actors; and

- (i) such other functions as may be conferred on the Authority by this Act or any other Act.

5 Powers of the Authority

- (1) The Authority has the power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions under this Act.
- (2) Without limiting subsection (1), the Authority has the power to do all or any of the following:
 - (a) to acquire, purchase, hold, manage and dispose of real or personal property;
 - (b) to develop any land or other property and to build and maintain buildings or other structures;
 - (c) to enter into agreements with any local authority, corporation, society, firm or person for the management and maintenance of any land, buildings or facilities;
 - (d) to charge fees;
 - (e) to grant, cancel and suspend music permits of music actors;
 - (f) to approve projects;
 - (g) to approve standards of the music industry;
 - (h) to approve best practices in the music industry.

6 Delegation of functions and powers

- (1) Subject to this section, the Authority may delegate its functions and powers to a staff of the Authority.
- (2) The Authority cannot delegate the power of delegation.
- (3) A delegation made under subsection (1) is subject to instructions, guidelines or conditions imposed by the Authority.

- (4) A delegation under this section does not prevent the exercise of any powers by the Authority.
- (5) A delegation under this section may be revoked by the Authority at any time.

7 Chairperson and Deputy Chairperson

- (1) The members of the Authority are to elect from amongst themselves a Chairperson and a Deputy Chairperson of the Authority.
- (2) The election of the Chairperson must rotate fairly between the Associations.
- (3) Subject to subsection (2), the Chairperson is to be elected for 4 years.
- (4) The Deputy Chairperson is to be elected for a period of 2 years and may be re-elected.

8 Meetings of the Authority

- (1) The Authority is to meet at least once every quarter 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 Authority and if the Chairperson is absent, the Deputy Chairperson is to preside at these meetings.
- (3) The quorum for a meeting is 6 members of the Authority present at the meeting.
- (4) A member present at the meeting has 1 vote and questions arising at a meeting are to be decided by a majority of votes.
- (5) If the voting at the meeting is equal, the Chairperson or the Deputy Chairperson (if he or she is presiding over the meeting) has a casting vote.
- (6) The Chief Executive Officer is the Secretary of the Authority.

- (7) The Chief Executive Officer, after consultation with the Chairperson, is to notify the other members of the Authority of the venue, time and date of the meeting.
- (8) Subject to this Act, the Authority may determine and regulate its own procedures.

9 Sitting allowances of the members of the Authority

The Minister may, by Order, prescribe the sitting allowances for the members of the Authority.

10 Removal of a member of the Authority

A member appointed is to be removed as a member if he or she:

- (a) fails to attend 3 consecutive meetings of the Authority without the permission of the Authority; or
- (b) is incapable of performing his or her duties as a member; or
- (c) is recommended for removal by the relevant Association:
 - (i) for breaching a provision of the Association's constitution; or
 - (ii) for no longer being a registered member of the Association; or
- (d) becomes a member of Parliament, a Provincial Government Council or a Municipal Council; or
- (e) has been convicted of an offence and sentenced to a term of imprisonment of 12 months or more, whether or not it is a suspended sentence; or
- (f) becomes a member of the executive of a political party; or
- (g) has been declared bankrupt.

11 Resignation of member

A member appointed under paragraphs 3(1)(a), (b), (c), (d), (e), (f), (g), (h) and (i) may resign as a member by giving 3 months' written notice to the Chairperson of the Authority.

12 Disqualification of appointment as a member of the Authority

A person is disqualified from his or her appointment as a member of the Authority if he or she:

- (a) is a member of Parliament, a Provincial Government Council or a Municipal Council; or
- (b) has been convicted of an offence and sentenced to a term of imprisonment of 12 months or more, whether or not it is a suspended sentence; or
- (c) is a member of the executive of a political party; or
- (d) is or has been declared bankrupt.

Division 2 Chief Executive Officer

13 Appointment of Chief Executive Officer

- (1) The Authority is to appoint the Chief Executive Officer.
- (2) A person may be eligible for appointment as the Chief Executive Officer if he or she meets the following criteria:
 - (a) has a degree in business and management; and
 - (b) has at least 5 years' experience in managing an office or organisation; and
 - (c) has at least 5 years' experience working in the music industry.
- (3) The Authority is to determine the terms and conditions of employment of the Chief Executive Officer.
- (4) The appointment of the Chief Executive Officer must follow a fair and transparent selection process and must be based on merit.

- (5) The Chief Executive Officer is to hold office for a period of 5 years and is eligible for re-appointment for 1 term only.
- (6) The Chief Executive Officer during his or her term in office must not participate in any activity as a music actor.

14 Functions of the Chief Executive Officer

- (1) The Chief Executive Officer has the following functions:
 - (a) to manage and oversee the operations of the Authority; and
 - (b) to develop plans of the Authority; and
 - (c) to make annual reports of the Authority; and
 - (d) to advise the Authority and the Minister on matters relating to the administration of the Authority and the implementation of this Act; and
 - (e) to develop, implement and review the national music policy; and
 - (f) to collect data on the following:
 - (i) the total number of music actors in Vanuatu; and
 - (ii) the number of active music actors; and
 - (iii) the amount of income generated annually; and
 - (iv) challenges faced by music actors; and
 - (v) any other matter that the Chief Executive Officer considers necessary.
 - (g) to facilitate accredited training and courses for capacity building and upskilling of music actors; and

- (h) to produce, publish, issue, circulate and distribute newsletters, reports, papers, periodicals or any other information on a quarterly basis; and
- (i) to liaise with the media; and
- (j) to receive complaints from the Associations and music actors; and
- (k) to assist in the promotion and enhancement of music actors; and
- (l) to advise the Government on matters to do with the music industry; and
- (m) to facilitate activities of the music industry with government agencies; and
- (n) to support the coordination of events and festivals for music actors; and
- (o) such other functions as may be conferred on the Chief Executive Officer by this Act or any other Act.

15 Powers of the Chief Executive Officer

The Chief Executive Officer has the power to do all things necessary or convenient to be done for or in connection with the performance of his or her functions under this Act.

16 Delegation of functions and powers

- (1) The Chief Executive Officer may, in writing, delegate to a senior officer of the Authority any of his or her functions or powers under this Act, other than the power of delegation.
- (2) The delegation may be made generally, or in respect of a particular matter or class of matters.
- (3) The Chief Executive Officer may at any time revoke or vary a delegation.

- (4) A delegation does not prevent the Chief Executive Officer from performing the function or exercising the power that he or she has delegated.

17 Resignation of the Chief Executive Officer

The Chief Executive Officer may resign by giving 3 months' written notice to the Authority.

18 Disqualification of appointment as the Chief Executive Officer

A person is disqualified from his or her appointment as the Chief Executive Officer if he or she:

- (a) is a member of Parliament, a Provincial Government Council or a Municipal Council; or
- (b) has been convicted of an offence and sentenced to a term of imprisonment of 12 months or more, whether or not it is a suspended sentence; or
- (c) is a member of the executive of a political party; or
- (d) is or has been declared bankrupt.

19 Termination of the Chief Executive Officer

The Authority is to terminate the Chief Executive Officer if he or she:

- (a) becomes a member of Parliament, a Provincial Government Council or a Municipal Council; or
- (b) is convicted of an offence and sentenced to a term of imprisonment of 12 months or more, whether or not it is a suspended sentence; or
- (c) becomes a member of the executive of a political party; or
- (d) commits serious misconduct; or
- (e) is incompetent in performing his or her duties; or
- (f) is incapacitated and is unable to perform his or her functions; or

- (g) breaches the terms and conditions of his or her employment; or
- (h) misappropriates the funds of the Authority; or
- (i) neglects to carry out his or her functions under this Act or any other Act.

Division 3 Other Staff

20 Other Staff of the Authority

- (1) The Chief Executive Officer is to employ other staff of the Authority as he or she considers necessary for the proper and efficient performance of the functions of the Authority.
- (2) The Chief Executive Officer is to determine the terms and conditions of the employment of the other staff of the Authority.
- (3) The appointment of other staff must follow a fair and transparent selection process and must be based on merit.

PART 3 MUSIC PERMITS

21 Classes of music permits

The following are the classes of music permit that may be granted by the Authority:

- (a) musician permit; or
- (b) songwriter permit; or
- (c) composer permit; or
- (d) producer permit; or
- (e) audio engineer permit; or
- (f) studio engineer permit; or
- (g) promoter permit; or
- (h) music publisher permit; or
- (i) distributor permit; or
- (j) music event organiser permit.

22 Application for music permit

- (1) A music actor who intends to be involved in the music industry for commercial purposes must apply to the Chief Executive Officer for a music permit.
- (2) The application must:
 - (a) be in the prescribed form; and
 - (b) be accompanied by the prescribed application fee; and
 - (c) include the business name of the music actor.

- (3) The Chief Executive Officer may, if he or she considers it necessary, require an applicant to provide additional information or documents.
- (4) If a request is made under subsection (3), the applicant must, within 14 working days, provide the additional information or documents.
- (5) If the applicant fails to comply with a request made under subsection (4), the application is taken to be withdrawn.
- (6) The Chief Executive Officer must, on determining that the application is complete, submit the application to the Authority.

23 Granting of a music permit

- (1) The Authority may, after receiving an application under section 22:
 - (a) grant a music permit with or without conditions; or
 - (b) refuse to grant a music permit.
- (2) The Authority must, in making a decision under subsection (1), consider the following:
 - (a) whether the information supplied by the applicant is complete and not false or misleading; and
 - (b) whether the applicant has paid the prescribed fee; and
 - (c) whether any additional information and documents requested have been provided within the specified time.
- (3) A music permit is invalid if it is granted by the Authority in contravention of the provisions of this Act.

24 Music permit conditions

- (1) If the Authority grants a music permit under paragraph 23(1)(a) with conditions, the Authority may, at any time:
 - (a) vary or revoke a condition; or

- (b) impose further conditions on a music permit.
- (2) Before varying or revoking a condition, or imposing a further condition, the Authority must give the music permit holder notice, in writing, of the condition intended to be varied or revoked or of the further condition to be imposed.
- (3) The music permit holder must, within 14 working days after receiving the notice under subsection (2), give the Authority reasons why the Authority should not vary or revoke a condition or impose a further condition.
- (4) The Authority may impose, vary or revoke a condition or impose a further condition if:
 - (a) the music permit holder fails to provide reasons to the Authority under subsection (3); or
 - (b) the Authority is of the opinion that the music permit holder has failed to show good cause why a condition should not be varied, revoked or a further condition imposed.
- (5) Despite subsection (3), if the Authority is of the opinion that a condition imposed, varied or revoked should take effect immediately, the notice under subsection (2) must contain a statement to that effect, together with the reasons for that opinion.

25 Term of a music permit

- (1) A music permit is valid for a period of 1 year.
- (2) A music permit holder must not assign or transfer a music permit.
- (3) The transfer of a music permit has no effect.

26 Annual music permit fee

A music permit holder must pay the prescribed annual music permit fee to the Authority on or before each anniversary of the date of issue of the music permit.

27 Suspension of music permit

- (1) If the Authority is satisfied that:

- (a) there is a breach of a condition of a music permit; or
- (b) there is a breach of a provision of this Act or its Regulations; or
- (c) the music permit holder is acting in contravention of a provision of this Act or its Regulations,

the Authority must, in writing, serve a notice of non-compliance on the music permit holder as required under subsection (3).

- (2) In addition to subsection (1), if the Authority is satisfied that there is a serious breach of the music permit, the Authority must, in writing, suspend the music permit and notify the music permit holder of the period specified in the notice.
- (3) A notice of non-compliance must specify:
 - (a) the condition of the music permit or provision of the Act or its Regulations that was breached; and
 - (b) the penalty payable under the permit; and
 - (c) the period within which the penalty must be paid; and
 - (d) the period the breach is to be rectified.
- (4) If the music permit holder fails to rectify the breach of the music permit specified in the notice of non-compliance, the Authority must:
 - (a) serve a notice of suspension on the music permit holder; and
 - (b) allow the music permit holder to provide reasons why the music permit should not be suspended.
- (5) If the Authority is satisfied with the reasons provided under paragraph (4)(b), the Authority may refuse to suspend the music permit.
- (6) If the Authority is not satisfied with the reasons provided under paragraph (4)(b), the Authority may suspend the music permit.

- (7) Despite subsection (1), if the Authority is satisfied that there is a serious breach of the music permit, the Authority must suspend the music permit.
- (8) All operations must cease until the Authority advises the music permit holder that the suspension is lifted.

28 Cancellation of music permit

The Authority may cancel a music permit if:

- (a) the music permit holder fails to comply with paragraph 27(4)(b); or
- (b) the music permit is suspended under subsection 27(7) and the serious breach of the music permit has not been remedied to the satisfaction of the Authority; or
- (c) it appears to the Authority that the music permit holder:
 - (i) has been convicted of an offence under this Act; or
 - (ii) has breached any provision of this Act or its Regulations.

29 Music permit holder to have opportunity to make representations before a music permit is cancelled

- (1) Prior to cancelling a music permit under this Act, the Authority must give the music permit holder concerned a notice, in writing, specifying the grounds on which the Authority intends to cancel the music permit.
- (2) The Authority must inform the music permit holder in the notice of his or her opportunity to make written representations concerning the intended cancellation, within such time as may be determined by the Authority.

PART 4 OFFENCES AND PENALTY NOTICE

30 Offences

- (1) A person who operates as a music actor for commercial purposes without a music permit commits an offence and is punishable on conviction:
 - (a) in the case of an individual - to a fine not exceeding VT1,000,000 or to a term of imprisonment not exceeding 2 years, or both; or
 - (b) in the case of a body corporate - to a fine not exceeding VT3,000,000.
- (2) A person who contravenes a provision of this Act commits an offence, punishable on conviction:
 - (a) in the case of an individual - to a fine not exceeding VT1,000,000 or to a term of imprisonment not exceeding 2 years, or both; or
 - (b) in the case of a body corporate - to a fine not exceeding VT20,000,000.
- (3) A person who recklessly or negligently makes any representation under this Act that the person knows to be false or misleading commits an offence and is liable on conviction:
 - (a) for an individual - to a fine not exceeding VT1,000,000 or imprisonment for a term not exceeding 2 years, or to both; and
 - (b) for a body corporate - to a fine not exceeding VT3,000,000.
- (4) A person who gives false or misleading information to the Authority that the person knows to be false or misleading commits an offence and is liable on conviction:
 - (a) for an individual - to a fine not exceeding VT1,000,000 or imprisonment for a term not exceeding 2 years, or to both; and
 - (b) for a body corporate - to a fine not exceeding VT3,000,000.

31 Penalty notice

- (1) The Chief Executive Officer may serve a penalty notice on a person if it appears to the Chief Executive Officer that the person has committed an offence under any provision of this Act.
- (2) A penalty notice is a notice to the effect that if the person served does not wish to have the matter determined by a Court, the person may, within a time and to a person specified in the notice, pay the amount of the penalty stated in the penalty notice.
- (3) A penalty notice may be served personally, by post or email.
- (4) If the amount of the penalty prescribed for the purposes of this section for an alleged offence is paid under this section, no person is liable to any further proceedings for the alleged offence.
- (5) Payment under this section is not to be regarded as an admission of liability for the purpose of, nor in any way affect or prejudice, any civil proceeding arising out of the same occurrence.
- (6) The Regulations may prescribe the amount of the penalty payable for the offence if dealt with under this section.
- (7) The amount of a penalty prescribed under this section for an offence must not exceed the maximum amount of penalty provided for in this Act.

PART 5 COMPLAINTS

32 Submission of complaints

- (1) The Chief Executive Officer is to establish a system for receiving complaints relating to:
 - (a) services provided by the Authority; and
 - (b) decisions made by the Authority.
- (2) The Chief Executive Officer 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.
- (3) Despite subsection (2), if a complaint is made against the Chief Executive Officer, the Chief Executive Officer must submit the complaint to the Authority for consideration and decision.
- (4) A decision must be made on a complaint within 30 working days after the Chief Executive Officer receives the complaint.

PART 6 MISCELLANEOUS

33 Funds of the Authority

The funds of the Authority consist of the following:

- (a) monies appropriated to the Authority by Parliament; and
- (b) monies received by the Authority in any other way in the course of the discharge of its functions; and
- (c) grants from aid donors or other international organisations; and
- (d) any other money received and raised by the Authority; and
- (e) monies received from any other source.

34 Audit of the Accounts of the Authority

The Authority may from time to time engage a qualified accountant to audit its accounts.

35 Annual Reports

- (1) The Associations under this Act must provide an annual report to the Chief Executive Officer.
- (2) The Authority must within 3 months after the end of each financial year provide a report to the Minister relating to the operations of the Authority for that year.
- (3) Despite subsection (2), the Minister may request the Authority to provide a financial report or any other report at any time.

36 Regulations

The Minister may, on the advice of the Authority, make Regulations prescribing all matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for the carrying out or giving effect to this Act.

37 Transitional

- (1) This section applies to a person who, before the commencement of this Act, has been involved in the music industry for commercial purposes.
- (2) If a person is involved in the music industry for commercial purposes at the time of the commencement of this Act, the person must within 6 months from the commencement of this Act apply for a music permit.

38 Commencement

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