

REPUBLIC OF VANUATU

BILL FOR THE IMMIGRATION (AMENDMENT) ACT NO. OF 2016

Explanatory Note

This Bill amends the Immigration Act No. 17 of 2010 for the purposes of amending the period for visitor visa for certain countries which the Government of Vanuatu has entered into an Agreement.

Item 1 amends subsection 28(1) by providing that a visitor visa can now be granted for a period of 30 days or for any period prescribed by the Minister under subsection (2) as provided for in item 2.

Item 2 repeals subsection 28(2) and substitutes it with subclauses (2), (3) and (4). Subclause (2) provides that the Minister may by Order prescribe a period for a visitor visa other than 30 days for the citizens of any country which the Government of Vanuatu has entered into an Agreement with for the extension of visitor visa.

Despite subsection (1) and subclause (2), subclause (3) provides that if the holder of a valid visitor visa departs from Vanuatu before the expiration of his or her visa, that visitor visa expires on the day on which he or she departs Vanuatu regardless of the periods set out in subsection (1) and subclause (2).

Subclause (4) defines the term “Agreement” used under subclause (2) as including any Memorandum of Understanding, Bilateral Agreement, Multilateral Agreement, Protocol, Convention, Pact or any other form of treaty between Vanuatu and any other country or groups of countries. This would mean that if the Government of Vanuatu enters into an agreement as defined under subclause (4) with any country for the purpose of extending visitor visa, the Minister may prescribe a different period for a visitor visa other than 30 days for the citizens of that country.

Honourable Minister of Internal Affairs



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BILL FOR THE IMMIGRATION (AMENDMENT) ACT NO. OF 2016

An Act to amend the Immigration Act No. 17 of 2010.

Be it enacted by the President and Parliament as follows-

1 Amendment

The Immigration Act No. 17 of 2010 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 IMMIGRATION ACT NO. 17 OF 2010

1 Subsection 28(1)

After “days”, insert “or for a period prescribed by the Minister under subsection (2)”

2 Subsection 28(2)

Repeal the subsection, substitute

- “(2) The Minister may by Order prescribe a specific period for a visitor visa for the citizens of any country which has entered into an Agreement with the Vanuatu Government for the extension of visitor visa.
- (3) Despite subsections (1) and (2), if the holder of a valid visitor visa departs Vanuatu before the expiration of his or her visitor visa, that visitor visa expires on the day on which he or she departs Vanuatu.
- (4) For the purposes of subsection (2), agreement includes any Memorandum of Understanding, Bilateral Agreement, Multilateral Agreement, Protocol, Convention, Pact or any other form of treaty between Vanuatu and another country or group of countries.”