

REPUBLIC OF VANUATU

BILL FOR THE
STATUTE LAW (MISCELLANEOUS PROVISIONS)
ACT NO. OF 2025

Explanatory Note

The Bill provides for the amendments to the following Acts:

- (a) Agriculture Act No. 17 of 2018;
- (b) Companies Act No. 25 of 2012;
- (c) Education Act No. 9 of 2014;
- (d) Electricity Supply Act [CAP 65];
- (e) Financial Dealers Licensing Act [CAP 70];
- (f) Government Contracts and Tenders Act [245];
- (g) Judicial Services and Courts Act [CAP 270];
- (h) Office of the Attorney General Act [CAP 242];
- (i) Parliament (Member's Expenses and Allowances) Act [CAP 109];
- (j) Police Act [CAP 105];
- (k) Public Finance and Economic Management Act [CAP 244];
- (l) Tax Administration Act No. 37 of 2018;
- (m) Teaching Service Act No. 38 of 2013;
- (n) Vanuatu National Sports Commission Act No. 14 of 2014.

Item 1 amends the **Agriculture Act No. 17 of 2018**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 2 amends the **Companies Act No. 25 of 2012**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 3 amends the **Education Act No. 9 of 2014**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 4 amends the **Electricity Supply Act [CAP 65]**.

This amendment deletes the term ‘may’ and replace it with the term ‘must’. This gives a mandatory obligation to the Minister to prescribe the requirements and standards for the supply of electricity.

Item 5 amends the **Financial Dealers Licensing Act [CAP 70]**.

This amendment provides that when a written notice is provided to inform the Commissioner of a change in a key person of the licensee, the written notice must be accompanied with the prescribed the fee. This is a consequential amendment to the Virtual Assets Service Providers Act No. 3 of 2025.

The amendment also corrects the French text of the Act only to correspond to the English text of the Act.

Item 6 amends the **Government Contracts and Tenders Act [CAP 245]**.

Currently the General Counsel of the Office of the Attorney General (“the Office”) is a member of the Central Tenders Board (“Board”). This amendment will allow that if the General Counsel does not represent the Office, the Attorney General may nominate a representative of the Office.

The amendment also corrects the French text of the Act only to correspond to the English text of the Act.

Item 7 amends the **Judicial Services and Courts Act [CAP 270]**.

This amendment is necessary as it is a consequential amendment to the Government Remuneration Tribunal Act [CAP 250].

Item 8 amends the **Office of the Attorney General Act [CAP 242]**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 9 amends the **Parliament (Member's Expenses and Allowances) Act [CAP 109]**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 10 amends the **Police Act [CAP 105]**.

This amendment is necessary as it is a consequential amendment to the Government Remuneration Tribunal Act [CAP 250].

Item 11 amends the **Public Finance and Economic Management Act [CAP 244]**.

This amendment corrects the French text of the Act only to correspond to the English text of the Act.

Item 12 amends the **Tax Administration Act No. 37 of 2018**.

This amendment increases the period of record keeping from 5 years to 6 years. This is to ensure that it is consistent with the harmonization of limitation period under the Value Added Tax Act [CAP 247]

This amendment also increases the amount of penalty from VT1,000,000 to VT5,000,000 and the term of imprisonment from 1 year to 5 years for offences against the Regulation. This amendment is necessary to reflect the seriousness of the offence.

Item 13 amends the **Teaching Service Act No. 38 of 2013**.

There is necessity to make consequential amendments to the Act as a result of the amendments made in the Teaching Service (Amendment) Act No 6. of 2025 done in the First Ordinary session of Parliament in June 2025. This amendment will also include other amendments to better manage and enable the continuity of teaching services to the children, students and citizens of Vanuatu in the schools, centres and providers.

This amendment further corrects the French text of the Act only to correspond to the English text of the Act.

Item 14 amends the **Vanuatu National Sports Commission Act No. 14 of 2014**.

This amendment is to mainly change the term “Youth and Sports Development” to “Youth, Justice and Community Services”. This amendment is necessary to align with the assignment of functions of the Youth Development, Sports and National Sports Commission to the Ministry of Youth, Justice, and Community Services.

Prime Minister



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REPUBLIC OF VANUATU

BILL FOR THE STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. OF 2025

An Act to provide for the amendments to certain Acts.

Be it enacted by the President and Parliament as follows-

1 Amendment

The following Acts are amended as set out in the Schedule:

- (a) Agriculture Act No. 17 of 2018;
- (b) Companies Act No. 25 of 2012;
- (c) Education Act No. 9 of 2014;
- (d) Electricity Supply Act [CAP 65];
- (e) Financial Dealers Licensing Act [CAP 70];
- (f) Government Contracts and Tenders Act [CAP 245];
- (g) Judicial Services and Courts Act [CAP 270];
- (h) Office of the Attorney General Act [CAP 242];
- (i) Parliament (Member's Expenses and Allowances) Act [CAP 109];
- (j) Police Act [CAP 105];
- (k) Public Finance and Economic Management Act [CAP 244];
- (l) Tax Administration Act No. 37 of 2018;
- (m) Teaching Service Act No. 38 of 2013;
- (n) Vanuatu National Sports Commission Act No. 14 of 2014.

2 Repeal of the Act

- (1) This Act is repealed on the day following the day on which all provisions of this Act have commenced.

- (2) The repeal of this Act does not, because of the operation of section 11 of the Interpretation Act [CAP 132], affect any amendments made by this Act.

3 Commencement

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

SCHEDULE
MINOR AMENDMENTS

1 AGRICULTURE ACT NO 17 OF 2018

(Amendment to the French text of the Act only)

2 COMPANIES ACT NO. 25 OF 2012

(Amendment to the French text of the Act only)

3 EDUCATION ACT NO. 9 OF 2014

(Amendment to the French text of the Act only)

4 ELECTRICITY SUPPLY ACT [CAP 65]

(a) Subsection 1B(5)

Delete “may”, substitute “must”

(b) Subsection 4(3)

Repeal the subsection.

5 FINANCIAL DEALERS LICENSING ACT [CAP 70]

(a) After subsection 7A(1)

Insert

“(1A) For the purpose of paragraph (1)(a), the written notice must be accompanied with the prescribed fee.”

(b) (Amendment to the French text of the Act)

6 GOVERNMENT CONTRACTS AND TENDERS ACT [CAP 245]

(a) Paragraph 10(1)(c)

Repeal the paragraph, substitute

“(c) the General Counsel or a representative of the Office of the Attorney General nominated by the Attorney General.”

(b) (Amendment to the French text of the Act)

7 JUDICIAL SERVICES AND COURTS ACT [CAP 270]

(a) Subsection 67(1)

(i) Delete “may”, substitute “must”

(ii) Delete “2 years”, substitute “3 years”

(b) Subsection 67(2)

Delete “recommendation”, substitute “determination”

8 OFFICE OF THE ATTORNEY GENERAL ACT [CAP 242]

(Amendment to the French text of the Act only)

**9 PARLIAMENT (MEMBER’S EXPENSES AND ALLOWANCES)
ACT [CAP 109]**

(Amendment to the French text of the Act only)

10 POLICE ACT [CAP 105]

Subsection 24(2)

Delete “law”, substitute “the Government Remuneration Tribunal Act [CAP 250]”

**11 PUBLIC FINANCE AND ECONOMIC MANAGEMENT ACT
[CAP 244]**

(Amendment to the French text of the Act only)

12 TAX ADMINISTRATION ACT NO. 37 OF 2018

(a) Paragraph 8(2)(e)

Delete “5 years”, substitute “6 years”

(b) Subsection 109(2)

- (i) Delete “VT1,000,000”, substitute “VT5,000,000”
- (ii) Delete “1 year”, substitute “5 years”

13 TEACHING SERVICE ACT NO. 38 OF 2013

(a) Paragraph 5(2)(b)

Delete “.”, substitute “;and

- (c) the Director General; and
- (d) the Chief Executive Officer of the Vanuatu Qualification Authority.”

(b) Subsections 5(3) and (4)

Repeal the subsections, substitute

- “(3) The position of the four other members must be advertised by the Office of the Director-General within 3 months from the date on which the position of a member is vacant.
- (4) The appointment of the four members must be based on merit as provided under section 19 and must follow a fair and transparent selection process.
- (4A) At least two of the four members must be women and two must be registered and licensed teacher.”

(c) Subsection 5(6)

Delete “legal or”

(d) Subsection 6(4)

Repeal the subsection, substitute

- “(4) This section does not apply to:
 - (a) the Director General; and
 - (b) the Director of Policy and Planning; and

- (c) the Chief Executive Officer of the Vanuatu Qualification Authority.”

(e) Paragraph 9(d)

Repeal the paragraph, substitute

“(d) to establish guidelines and standards on attendance and code of conduct of employees of the Commission;

(da) to monitor compliance of guidelines and standards on attendance and code of conduct of employees of the Commission;”

(f) Subparagraph 9(j)(ii)

Delete “recruitment”, substitute “appointment”

(g) Paragraph 10(2)(b)

(i) After “teachers”, insert “disability and special needs teachers”

(h) Paragraph 10(2)(b)

Delete “.”, substitute “;

(c) to discipline, dismiss and promote teachers and principals in government and assisted non-government schools;

(d) to discipline, dismiss and promote teachers and principals in early childhood educations teachers, disability and special needs teachers and other youth and adult education environments as required.”

(i) Subsection 11(1)

(i) Delete “recruitment,”

(ii) Delete “employment”, substitute “appointment”

(j) Part 4 (heading)

Delete “REGISTRATION AND”

(k) Subsection 21(1)

Delete “may”, substitute “must”

(l) Subparagraph 22(3)(b)(ii)

Repeal the subparagraph.

(m) Section 24

Repeal the section.

(n) (Amendment to the French text of the Act only)

14 VANUATU NATIONAL SPORTS COMMISSION ACT NO. 14 OF 2014

(a) Section 1 (Definition of Director General and Minister)

Repeal the definitions.

(b) Section 1 (Interpretation)

Insert in its correct alphabetical condition:

“**Director General** means the Director General of Youth, Justice and Community Services;

Minister means the Minister responsible for Youth, Justice and Community Services;

Ministry means the Ministry of Youth, Justice and Community Services;”

(c) Paragraph 4(bd)

Repeal the paragraph.