

**REPUBLIC OF VANUATU**  
**BILL FOR THE**  
**HARMFUL DIGITAL COMMUNICATIONS (AMENDMENT)**  
**ACT NO. OF 2025**

**Explanatory Note**

This Bill amends the Harmful Digital Communications Act No. 14 of 2024 (“the Act”).

The proposed amendments are part of the Government’s continuing commitment to securing and protecting the nation’s cyberspace, online media, and digital communication environment, as set out under the National Cyber Security Strategy 2023 and the Harmful Digital Communications Policy of Vanuatu.

The Bill aims to strengthen Vanuatu’s legal framework to address harmful online behaviour, especially among minors or students in schools. It aligns with national policy goals, addresses enforcement gaps, and ensures that protective measures are legally sound. By targeting schools, digital platforms, and service providers, the Bill supports the Government’s broader aim for a safe, secure, and responsible digital environment for all citizens.

The primary purposes of this Bill are:

- (1) to enhance the protection of students in schools:
  - (a) to have all school governing bodies to establish policies banning or regulating minors' use of smart devices, smartphones, and social media on school premises; and
  - (b) to empower school governing bodies to tailor their policies to local contexts while ensuring minimum standards for safety and supervision; and
- (2) to strengthen accountability of digital platforms and service providers by imposing the obligation on internet service providers and online content administrators, to restrict access to pornographic website; and
- (3) to close enforcement gaps by creating specific offences with defined penalties for failures to comply with restrictions or supervision requirements, particularly for schools.

**Prime Minister**



**REPUBLIC OF VANUATU**

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HARMFUL DIGITAL COMMUNICATIONS  
(AMENDMENT)  
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**Arrangement of Sections**

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# REPUBLIC OF VANUATU

## **BILL FOR THE HARMFUL DIGITAL COMMUNICATIONS (AMENDMENT) ACT NO. OF 2025**

An Act to amend the Harmful Digital Communications Act No. 14 of 2024.

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Harmful Digital Communications Act No. 14 of 2024 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 HARMFUL DIGITAL COMMUNICATIONS ACT NO. 14 OF 2024

**1 The whole Act (except for in the Act Heading, long title, definition of “Deputy Commissioner”, definition of “Minister”, Part 2 (Heading) and Division 1 of Part 2 (Heading))**

Before “digital communication”, insert “harmful”

**2 Section 1 - Interpretation**

Insert in their correct alphabetical positions:

“**smart devices** means an electronic device capable of connecting to a network (such as the internet) to exchange data, automate tasks, and provide enhanced functionalities beyond traditional devices;

**smart phone** means a handheld portable electronic device designed for wireless communication, characterized by its ability to connect to cellular networks or Wi-Fi for making calls, sending messages, and accessing the internet;”

**3 After Part 1**

Insert

**“PART 1A USE OF SMART DEVICES, SMART PHONES AND  
SOCIAL MEDIA IN SCHOOLS**

**Division 1 Definition**

**2A Definition**

For the purpose of this Part:

**school** includes any of the following:

- (a) early childhood institutions; or
- (b) primary schools; or
- (c) secondary schools; or

- (d) vocational schools;

**student** means an individual currently enrolled or registered at a school.

## **Division 2 Smart devices and smart phones**

### **2B Use of smart devices and smart phones in schools**

- (1) For the purpose of prohibiting a student to commit a harmful digital communication, each school board or governing body of a school must develop a policy to prohibit the use of smart devices and smart phones by students.
- (2) The policy under subsection (1) may include, but is not limited to, any of the following:
- (a) to prohibit a student to use a smart device or smart phone while physically present on school property; or
  - (b) to prohibit a student to bring a personal smart device or smart phone to school; or
  - (c) to allow a student to use a smart device or smart phone while physically present on school property for the following purposes:
    - (i) for a school related activity; or
    - (ii) for the purpose of a student with special needs; or
    - (iii) for any emergency purposes, or
  - (d) to ensure supervision of a student using a smart device or smart phone at all time by a teacher or staff of the school.

## **Division 3 Social Media Platforms**

### **2C Use of social media platforms in schools**

- (1) For the purpose of prohibiting a student to commit a harmful digital communication, each school board or governing body of a school must develop a policy to prohibit the use of social media platforms.

- (2) The policy under subsection (1) may include, but is not limited to, any of the following:
- (a) to prohibit the use of any social media platform as a means of communication with students; or
  - (b) to allow a student to use any social media platform while physically present on school property for the following purposes:
    - (i) for a school related activity; or
    - (ii) for the purpose of a student with special needs, or
  - (c) to allow a student to access a social media platform using a personal electronic device; or
  - (d) to ensure supervision of students accessing a social media platform at all time by a teacher or staff of the school; or
  - (e) to develop measures to prevent student access to any social media platform while using school electronic devices.

#### **Division 4 Restriction of access to pornographic websites in schools**

##### **2D Restriction of access to pornographic websites**

For the purpose of prohibiting a student or person to commit a harmful digital communication, each school board or governing body of a school must prohibit through its internet system access to pornographic websites.”

#### **4 After section 15C**

Insert

##### **“15D Failure to restrict access to pornographic websites**

If an internet service provider or school fails to restrict access to a pornographic website, the internet service provider or the school commits an offence punishable on conviction to a fine not exceeding VT5,000,000.

**15E Failure to ban access to pornographic content**

If an online content administrator or local online content provider or owner fails to ban access to pornographic contents, the online content administrator or local online content provider or owner commits an offence punishable on conviction to a fine not exceeding VT5,000,000.

**15F Failure to ban use of fake IDs**

If an online content administrator or local online content provider or owner fails to ban the use of fake IDs, the online content administrator or local online content provider or owner commits an offence punishable on conviction to a fine not exceeding VT5,000,000.

**15G Failure of school to supervise a student**

If a school fails to supervise a student and the student commits a harmful digital communication, the school commits an offence punishable on conviction to a fine not exceeding VT5,000,000.”