

**REPUBLIC OF VANUATU**  
**BILL FOR THE**  
**IMPORT OF MOTOR VEHICLES (CONTROL) (AMENDMENT)**  
**ACT NO.      OF 2025**

**Explanatory Note**

This Bill amends the Import of Motor Vehicles (Control) Act [CAP 221] (“the Act”).

It has become evident that there are several gaps and limitations within the Act that have not been addressed, resulting in the Act not being implemented effectively over the past years. Therefore, the Government, through the Ministry of Infrastructure and Public Utilities (“the MIPU”), has proposed that the Act be amended to address these important matters to ensure its effective implementation.

Currently, the Act empowers the Minister to exempt any motor vehicle from the requirements of section 2 of the Act based on public interest. However, it does not provide for the Minister, by order, to determine the circumstances or conditions under which an exemption may be granted. This Bill therefore allows the Minister, by order, to determine the circumstances or conditions which an exemption may be granted, and to vary or revoke the exemption.

Furthermore, although current environmental policies emphasize the need to import only motor vehicles that meet Euro 4 or higher emission standards to reduce CO<sub>2</sub> emissions and their impact on the environment and human being, no Act has been implemented to give effect to those policies. This Bill will ensure that any person who wishes to import a motor vehicle into Vanuatu must meet the prescribed standards.

In addition, the penalties provided under the current Act are very low, given the seriousness of the offences. This Bill therefore increases the penalties and introduces additional penalty provisions for breaches of this Act. Because the imposition of penalties upon court conviction is often a lengthy process, this amendment introduces a Penalty Notice system. This system allows the MIPU to impose prescribed penalties as a first enforcement measure, enabling prompt action against persons who breach the Act. Matters not resolved under this process may then be referred to the Court.

This Bill also provides the Minister with the power to make Regulations to give effect to the provisions of the Act, a power that is not available under the Act.

This Bill will achieve the following objectives:

- ensure the Act is implemented more effectively; and
- give effect to environmental policies that promote the reduction of CO<sub>2</sub> and other harmful gases; and
- increase Government revenue through the issuance of penalty notices; and
- regulate the importation of motor vehicles by ensuring they meet prescribed standards prior to importation; and
- strengthen control of the importation of right-hand drive motor vehicles into Vanuatu.

**Minister of Infrastructure and Public Utilities**



**REPUBLIC OF VANUATU**

**BILL FOR THE  
IMPORT OF MOTOR VEHICLES (CONTROL)  
(AMENDMENT)  
ACT NO. OF 2025**

**Arrangement of Sections**

<b>1</b>	<b>Amendment .....</b>	<b>2</b>
<b>2</b>	<b>Commencement.....</b>	<b>2</b>

# REPUBLIC OF VANUATU

## **BILL FOR THE IMPORT OF MOTOR VEHICLES (CONTROL) (AMENDMENT) ACT NO. OF 2025**

An Act to amend the Import of Motor Vehicles (Control) Act [CAP 221].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Import of Motor Vehicles (Control) Act [CAP 221] 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 IMPORT OF MOTOR VEHICLES (CONTROL) ACT [CAP 221]

#### **1 Section 1**

Insert in their correct alphabetical positions:

““Director” means the Director responsible for Public Works;

“Minister” means the Minister responsible for Public Infrastructure and Public Utilities;”

#### **2 Section 2A and 3**

Repeal the sections, substitute

#### **“3. Exemption**

- (1) Despite section 2, a person who intends to import a prohibited motor vehicle must make a written request to the Minister for an exemption under subsection (2).
- (2) The Minister may, in writing, exempt any import of prohibited motor vehicle under section 2, if the Minister is satisfied with the circumstances and conditions determined under subsection (3).
- (3) The Minister may, by Order, determine the circumstances or conditions under which an exemption may be granted under subsection (2).
- (4) An exemption granted under this section may be subject to such terms and conditions as the Minister considers necessary, and the Minister may vary or revoke the exemption if any of those terms or conditions are breached.
- (5) The Minister may prescribe the form and procedure for making a written request under subsection (1).

#### **4. Requirements to import Motor Vehicles**

A motor vehicle imported into Vanuatu must meet the prescribed standards.”

#### **5. Penalty**

- (1) A person who fails to comply with section 2 or 4 is liable on conviction:

- (a) in the case of an individual- to a fine not exceeding VT5,000,000 or to a term of imprisonment not exceeding 6 years, or both;
  - (b) in the case of a body corporate- to a fine not exceeding VT10,000,000.
- (2) This section does not apply to a person who does not comply with section 2 and has been granted an exception by the Minister under section 3.

## **6. Penalty notice**

- (1) The Director may serve a penalty notice on a person if it appears to the Director 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 pay within a time and to a person specified in the notice, the amount of penalty stated in the penalty notice.
- (3) A penalty notice may be served personally or by post.
- (4) If the amount of 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 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 which could be imposed for the offence by a Court.
- (8) This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.

## **7. Regulations**

The Minister may make Regulations prescribing all matters:

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