

**PARLIAMENT OF THE
REPUBLIC OF VANUATU**

NINTH LEGISLATURE OF PARLIAMENT

FOURTH EXTRA ORDINARY SESSION OF 2009

MONDAY 23 NOVEMBER 2009

SPEAKER : The Hon. Maxime CARLOT Korman, Member for Port Vila

PRESENT : 36 Members

ABSENT : Hon. Philip BOEDORO, Member for Maewo
Hon. James BULE, Member for Ambae
Hon. Moana CARCASSES, Member for Port Vila
Hon. Louis ETAP, Member for Tanna
Hon. Iauko H. IARIS, Member for Tanna
Hon. Joshua KALSAKAU, Member for Efate
Hon. Sato KILMAN, Member for Malekula
Hon. Solomon LORIN, Member for Santo
Hon. Dominique MORIN, Member for Luganville
Hon. Edward NATAPEI, Member for Port Vila
Hon. Thomas I. SAWON, Member for Banks/Torres
Hon. Ioane S. OMAWA, Member for Epi
Hon. George A. WELLS, Member for Luganville

LATE : Hon. Jean Ravou KOLOMULE, Member for Santo
Hon. Paul TELUKLUK, Member for Malekula

1. The sitting commenced at 8.50a.m.
2. The Hon. Speaker CARLOT Korman stated that according to Article 21(4) of the Constitution that two thirds of the Members should be present at the first sitting in any session of Parliament and as there was a quorum consisting of 36 Members, it rendered the sitting to be legally and constitutionally constituted to proceed with the Fourth Extra Ordinary session of 2009.

3. The Hon. Ps Ton KEN, Member for Malekula said the prayer.
4. The Hon. Speaker read the agenda.
5. The Hon. Ham LINI, Leader of Opposition and Member for Pentecost raised a point of order then asked if the sitting could be adjourned until 8.30a.m the next day to allow sufficient time for Members who have just arrived from the islands (constituencies) to read their Bills.
6. The Hon. Serge VOHOR, Minister for Public Utilities and Infrastructure and Member for Santo, accepted the proposal.
7. The Hon. Speaker said the sitting would adjourn until Tuesday 24 November at 8.30a.m.
8. **The sitting was adjourned at 9.00a.m.**

**PARLIAMENT OF THE
REPUBLIC OF VANUATU**

NINTH LEGISLATURE OF PARLIAMENT
FOURTH EXTRAORDINARY SESSION OF 2009

TUESDAY 24 NOVEMBER 2009

SPEAKER : The Hon. Maxime CARLOT Korman, Member for Port Vila

PRESENT : 47 Members

ABSENT : The Hon. Philip BOEDORO, Member for Maewo
The Hon. Moana CARCASSES, Member for Port Vila
The Hon. Edward N. NATAPEI, Member for Port Vila
The Hon. George A. WELLS, Member for Luganville

LATE :

1. The sitting commenced at 8.40a.m.
2. The Hon. Toara D. KALO, Member for Shepherds, said the prayer.
3. The Hon. Speaker CARLOT Korman read the agenda.

ANNOUNCEMENTS BY THE SPEAKER

4. The Hon. Speaker CARLOT Korman firstly cautioned the House on how to properly use the newly installed microphones on each of the Members tables as incorrect use would cause transmission problems. He then went on to request confirmation as to the positions of the Leader of Government Business and Government Whip following the latest Government reshuffle.
5. The newly appointed Deputy Prime Minister and Minister of Commerce, Industry and Tourism and Member for Malekula, The Hon. Sato KILMAN announced that the Hon. Thomas SAWON, Member for Banks/Torres, still remained the Leader of Government Business. As for the position of Government Whip, it was yet to be confirmed.

6. The Hon. Speaker CARLOT Korman requested that the Government submit a letter stating the official appointments to the positions mentioned. He informed the House that a letter had been received by the Speaker's Office stating that the Hon. Ham LINI Vanuaroroa was the new Leader of the Opposition. The position of Deputy Leader of the Opposition was yet to be confirmed.
7. The Hon. Ham LINI, Leader of the Opposition and Member for Pentecost, announced to the House that the Hon. Marcellino PIPITE, Member for Santo, was the new Deputy Leader of the Opposition. He went on that the Opposition Whip was yet to be appointed.

BILL FOR THE FOUNDATION ACT NO. OF 2009

FIRST READING

8. The Hon. Sela MOLISA, Minister of Finance and Economic Management and Member for Santo, introduced the Bill, stated the reasons and purpose of the Bill then moved that the Bill be read a first time.
9. Leader of the Opposition, The Hon. LINI stated that it was only proper to establish a law to govern such existing institutions thus he saw no reason why the Opposition could not support the Bill. He then declared the Opposition's support for the Bill.
10. The Hon. Joshua KALSAKAU, Member for Efate, wanted further elaboration on what a charter was.
11. The Hon. Minister MOLISA firstly thanked the Opposition for its support then explained that a foundation's charter was similar to that of an Article of Association that companies had which included provisions governing assets, employees, terms of conditions to name a few.
12. The Hon. Bob LOUGHMAN, Member for Tanna, gave his support for the Bill. He wanted to know if there would be a similar law to govern Non Governmental Organizations (NGOs)/Charitable Organizations as well.
13. The Hon. Jean Ravou A. KOLOMULE, Member for Santo, supported the Bill but cautioned that Parliament should make laws that did not undermine it. He added that such Bills arose simply due to the fact that Vanuatu was a tax haven.
14. The Hon. Minister MOLISA answered the query raised by Hon. LOUGHMAN that there was no law as yet to govern NGOs as it involved different organizations that were registered under Charitable Organizations. He explained to Hon. KOLOMULE that

Parliament debated laws that were written in such a manner as not to be of conflict to other existing laws.

15. The Hon. Samson. SAMSEN, Member for Santo, wondered why there was no legislation for young people.
16. The Hon. Minister MOLISA explained that young people could form an organization and register under Charitable Organization. He stressed that prior to establishing a law for young people; it was necessary to know its purpose first.
17. The Hon. Willie R.A. TITONGOA, Member for Tongoa, supported the Bill. He wanted to know if the foundation could be sued, or sue another body. He sought explanation on the provision regarding protection of assets and enquired if the foundation was obliged to pay tax to the Government.
18. The Hon. Minister MOLISA replied that the foundation could sue or be sued and that the protection of assets was for the sole purpose of sharing or distributing the foundation's assets to the rightful beneficiaries in the event of its dissolution. He went on that the foundation was obliged to pay only two taxes-Value Added Tax (VAT) and Stamp Duties. Other fees shall be established by the Vanuatu Financial Service Commission (VFSC).
19. The Hon. Speaker CARLOT Korman ruled that the House should not ask questions regarding sections of the Bill but should make comments concerning the Bill instead.
20. The Hon. Eta RORY, Member for Malekula, asked if investors were required to pay tax to the Government.
21. The Hon. Minister MOLISA answered that investors did pay tax. He went on to outline the procedures that investors followed in order to establish their businesses in Vanuatu.
22. The Hon. Joshua KALSAKAU, speaking for the second time, asked about the appointment of the councilors.
23. The Hon. Minister MOLISA replied that section(s) 13 of the Bill provided the answer to the question raised.
24. The motion that the Bill be read a first time was carried unanimously.

COMMITTEE STAGE

25. Section 1, "**Purpose of this Act**", was approved unanimously.
26. Section 2, "**Definitions**", was approved unanimously.

27. Section 3, “**Meaning of foundation**”, was approved unanimously.
28. Section 4, “**Meaning of founder**”, was approved unanimously.
- Section 5, “**Establishment and incorporation of a foundation**”
29. The Hon. KOLOMULE, on subsection (ss) 4, asked if the provision was correctly placed as he was of the opinion that it should be under s9 instead.
30. The Hon. Minister MOLISA firstly pointed out that the answer to Hon. TITONGOA’s query was found in this section then went on to answer Hon. KOLOMULE’s enquiry that the subsection only followed the stages outlined under ss1-3 upon its completion. He further explained that s9 talked about the capacity of foundation thus ss4 was correctly placed under s5.
31. Section 5 was approved unanimously.
32. Section 6, “**Application for registration**”, was approved unanimously.
33. Section 7, “**Registration and incorporation of a foundation**”, was approved unanimously.
34. Section 8, “**Management of foundation’s assets**”, was approved unanimously.
35. Section 9, “**Capacity of a foundation**”, was approved unanimously.
- Section 10, “**Capacity of councillors**”
36. The Hon. LOUGHMAN wondered what would happen if a person who was appointed as a councilor by the founder, possess a bad record.
37. The Hon. Minister MOLISA answered that VFSC would check the person’s background prior to its approval to the appointment of councilor. He emphasized that the appointment must be made with regards to the lawfulness of the foundation.
38. Section 10 was approved unanimously.
39. Section 11 “**Name of foundation**” was approved unanimously.
40. Section 12 “**Change of name**” was approved unanimously.
41. Section 13 “**Administration**” was approved unanimously.
- Section 14 “**Qualification of councilors**”

42. The Hon. Peter VUTA, Member for Ambae, wanted more explanation on the word “minor” in Section 14(1) (a).
43. The Hon. MOLISA explained that the word “minor” signified a child under the age of 18.
44. Section 14 was approved unanimously.
45. Section 15 “**Secretary**” was approved unanimously.
46. Section 16 “**Duties of councilors**” was approved unanimously.
47. Section 17 “**Confidentiality**” was approved unanimously.
48. Section 18 “**Indemnity**” was approved unanimously.
49. Section 19 “**Register of councilors**” was approved unanimously.
- Section 20 “**Meetings of councilors**”
50. The Hon. KOLOMULE said to add ‘e’ between the letters ‘r’ and ‘s’ of the word “heurs” in the French version of the Bill.
51. The Hon. Speaker confirmed the correction.
52. Section 20 with correction taken was approved unanimously.
- Section 21 “**Appointment of guardian**”
53. The Hon. Joshua KALSAKAU, Member for Efate, wanted to know who was responsible for nomination. He also sought clarification on the significance of the word “unique”.
54. The Hon. MOLISA responded that “unique” signified that the administration was on its own. He failed to answer the question on the nomination.
55. Section 21 was approved unanimously.
56. Section 22 “**Qualification of guardian**” was approved unanimously.
57. Section 23 “**Court may appoint guardian**” was approved unanimously.
58. The sitting was suspended at 10.15a.m and resumed at 10.50a.m.
59. Section 24 “**Functions and powers of guardian**” was approved unanimously.

60. Section 25 “**Accounts**” was approved unanimously.
61. Section 26 “**Audit**” was approved unanimously.
62. Section 27 “**Foreign laws**” was approved unanimously.
63. Section 28 “**Restriction against alienation**” was approved unanimously.
64. Section 29 “**Loss of Benefits**” was approved unanimously.
65. Section 30 “**Appointment of inspectors**” was approved unanimously.
66. Section 31 “**Powers of inspectors**” was approved unanimously.
67. Section 32 “**Search warrants**” was approved unanimously.
68. Section 33 “**Inspector’s report**” was approved unanimously.
69. Section 34 “**Privileged information**” was approved unanimously.
70. Section 35 “**Continuation of overseas foundation**” was approved unanimously.
71. Section 36 “**Charter of Continuance**” was approved unanimously.

Section 37 “**Certificate of continuance**”

72. The Hon. MOLISA asked to add ‘s’ to the verb ‘become’ in section 37(2) (b) in the English version of the Bill.
73. The Hon. Speaker confirmed the correction.
74. Section 37 with correction taken was approved unanimously.

Section 38 “**Preservation of foundation**”

75. The Hon. Willie R A TITONGOA, Member for Tongoa, questioned the jurisdiction of assets that would be transferred to Vanuatu.
76. The Hon. MOLISA stated that the Bill covered the assets of a foundation transferred to Vanuatu.
77. Section 38 was approved unanimously.

78. Section 39 “**Foundation leaving Vanuatu**” was approved unanimously.
79. Section 40 “**Discontinuance of foundation**” was approved unanimously.
80. Section 41 “**Dissolution**” was approved unanimously.
- Section 42 “**Dissolution by court**”
81. The Hon. MOLISA asked to delete ‘be’ and substitute by ‘been’ on section 42 (2) (a) in the English version of the Bill.
82. The Hon. Speaker confirmed the correction.
83. Section 42 with correction taken was approved unanimously.
84. Section 43 “**Dissolution by commission**” was approved unanimously.
85. Section 44 “**Distribution of assets**” was approved unanimously.
86. Section 45 “**Revival of foundation**” was approved unanimously.
87. Section 46 “**Establishment of Register**” was approved unanimously.
88. Section 47 “**Certificate as to registration of foundation**” was approved unanimously.
89. Section 48 “**Charter**” was approved unanimously.
90. Section 49 “**Amendment of charter**” was approved unanimously.
91. Section 50 “**By-laws**” was approved unanimously.
92. Section 51 “**Taxes and stamp duties**” was approved unanimously.
93. Section 52 “**Annual return**” was approved unanimously.
94. Section 53 “**Foundation’s assets**” was approved unanimously.
95. Section 54 “**Records**” was approved unanimously.
96. Section 55 “**Fees**” was approved unanimously.
97. Section 56 “**Regulations**” was approved unanimously.

98. Section 57 “**Transitional**” was approved unanimously.
99. Section 58 “**Commencement**” was approved unanimously.

SECOND READING

100. The Hon. Sela MOLISA, Minister of Finance and Economic Management, thanked the House for their support and then moved that the Bill be read the second time and do pass.
101. The motion that the Bill be read the second time and do pass was approved unanimously.
102. The Hon. Thomas I SAWON, Leader of Government Business and Member for Banks/Torres proposed the next Bill to be discussed, Bill for The Offshore Partnerships Act No. of 2009.
103. The Hon. MOLISA stated that the Bill will be presented at 2.00p.m because there was not much time left.
104. The sitting was suspended at 11.20a.m and resumed at 2.15p.m.

BILL FOR THE OFFSHORE LIMITED PARTNERSHIPS ACT NO. OF 2009

FIRST READING

105. The Hon. Sela MOLISA, Minister of Finance and Economic Management and Member for Santo, introduced the Bill, stated the reasons and purpose of the Bill then moved that the Bill be read a first time.
106. Leader of the Opposition, The Hon. LINI declared the Opposition’s support for the Bill.
107. The Hon. KOLOMULE commented that evasion of tax was unavoidable through this Bill since it was the Government’s main source of revenue collection.
108. The motion that the Bill be read a first time was carried unanimously.

COMMITTEE STAGE

109. Section 1, “**Interpretation**”, was approved unanimously.
110. Section 2, “**Offshore limited partnerships**”, was approved unanimously.
- Section 3, “**Types of offshore limited partnerships**”

111. The Hon. TITONGOA asked if “professional partnership” referred to two people with the same profession, such as Doctors, forming a partnership.
112. The Hon. Minister MOLISA affirmed it to be so.
113. Section 3 was approved unanimously.
114. Section 4, “**Registration of an offshore limited partnership**”, was approved unanimously.
115. Section 5, “**Prohibition and restriction on offshore limited partnership**”, was approved unanimously.
116. Section 6, “**Register of offshore limited partnerships**”, was approved unanimously.
117. Section 7, “**Change in partnership**”, was approved unanimously.
118. Section 8, “**Name of partnership**”, was approved unanimously.
119. Section 9, “**Registered office**”, was approved unanimously.
120. Section 10, “**Contribution of limited partner**”, was approved unanimously.
121. Section 11, “**Rights and obligations of general partner**”, was approved unanimously.
122. Section 12, “**Enforcement of judgments against property of offshore limited partnership**”, was approved unanimously.
123. Section 13, “**Rights of limited partner**”, was approved unanimously.
124. Section 14, “**Share of profits**”, was approved unanimously.
125. Section 15, “**Dealings by limited partner with partnership**”, was approved unanimously.
126. Section 16, “**Limited partners’ rights as between themselves**”, was approved unanimously.
127. Section 17, “**Return of limited partner’s contribution**”, was approved unanimously.
128. Section 18, “**Limited partner’s liability to partnership**”, was approved unanimously.
129. Section 19, “**Limited partner’s liability to creditors**”, was approved unanimously.
130. Section 20, “**Assignments**”, was approved unanimously.

131. Section 21, “**Notice of dissolution**”, was approved unanimously.
132. Section 22, “**Dissolution of offshore limited partnership**”, was approved unanimously.
133. Section 23, “**Dissolution of partnership on death, etc., of general partner**”, was approved unanimously.
134. Section 24, “**Dissolution by order of the court**”, was approved unanimously.
135. Section 25, “**Distribution of assets on dissolution**”, was approved unanimously.
136. Section 26, “**Legal proceedings and service of documents**”, was approved unanimously.
137. Section 27, “**Authority to sign**”, was approved unanimously.
138. Section 28, “**Fees**”, was approved unanimously.
139. Section 29, “**Inspection of documents kept by the Commission**”, was approved unanimously.
140. Section 30, “**Filing documents**”, was approved unanimously.
141. Section 31, “**Cancellation of registration**”, was approved unanimously.
142. Section 32, “**Effect of cancellation of registration**”, was approved unanimously.
143. Section 33, “**Regulations**”, was approved unanimously.
- Section 34, “**Savings provision**”
144. The Hon. TITONGOA asked whether or not other laws governing international bodies provided assistance to offshore partnership companies whenever problems arose. He also wanted to know if there were any potential interests to register under the current law.
145. The Hon. Minister MOLISA confirmed that other laws could be used to assist offshore partnerships whenever there was a problem and also there were other international companies registered under the current law.
146. Section 34 was approved unanimously.
147. Section 35, “**Commencement**”, was approved unanimously.

SECOND READING

148. The Hon. Sela MOLISA, Minister of Finance and Economic Management, thanked the House for its support and contributions made, then moved that the Bill be read a second time and do pass.
149. The motion that the Bill be read a second time and do pass was carried unanimously.
150. The Hon. Speaker CARLOT Korman announced that the remaining Bills would only qualify to be tabled in Parliament on Thursday 26 November 2009 thus there would be no sitting on Wednesday 25 November 2009 until Thursday 26 November at 8.30 a.m instead.
151. **The sitting was adjourned at 3.00p.m.**

**PARLIAMENT OF THE
REPUBLIC OF VANUATU**

NINTH LEGISLATURE OF PARLIAMENT
FOURTH EXTRAORDINARY SESSION OF 2009

THURSDAY 26 NOVEMBER 2009

SPEAKER : The Hon. Maxime CARLOT Korman, Member for Port Vila

PRESENT : 46 Members

ABSENT : The Hon. Philip BOEDORO, Member for Maewo
The Hon. Joshua KALSAKAU, Member for Efate
The Hon. Edward NATAPEI, Member for Port Vila
The Hon. Marcellino PIPITE, Member for Santo
The Hon. George A. WELLS, Member for Luganville

LATE :

1. The sitting commenced at 8.50a.m.
2. The Hon. Bob LOUGHMAN, Member for Tanna, said the prayer.
3. The Hon. Speaker CARLOT Korman read the agenda.

ANNOUNCEMENTS BY THE SPEAKER

4. The Hon. Speaker CARLOT Korman asked the Hon. Thomas I. SAWON, Member for Banks/Torres to clarify his political affiliation since he was still seated with the Government despite the recent reshuffle that saw his political party ousted out of the Government. He emphasized that Hon. SAWON must submit his form by Friday 27 November 2009. Also he informed the House that Hon. SAWON was not eligible to hold the position of the Leader of Government Business and that the Hon. Willie Ruben Abel TITONGOVA, Member for Shepherds, had been nominated by the Prime Minister Edward NATAPEI, to the position of Government Whip.

5. Deputy Prime Minister (DPM) and Minister of Commerce, Tourism and Industry and Member for Malekula, the Hon. Sato KILMAN said he would need to find further information regarding the position mentioned.
6. The Hon. Speaker CARLOT Korman announced he would await the Prime Minister's official declaration to the positions mentioned however until such time the Deputy Prime Minister shall be responsible to announce the Bills for tabling.
7. DPM KILMAN announced that there were three Bills yet to be tabled however the Bill for the Vanuatu Financial Service Commission (Amendment) Act No. of 2009 could be tabled that morning as it was short. He also requested that Parliament suspend for the morning sitting so after the passing of the mentioned Bill so as to allow the Council of Ministers (CoM) to meet and discuss the current situation on Gaua, Banks Islands, following the eruption of its volcano.
8. The Hon. Speaker CARLOT Korman sought consensus from both sides of the House.
9. Leader of the Opposition and Member for Pentecost, the Hon. Ham LINI, agreed to the request as it was of national interest and security.

**BILL FOR THE VANUATU FINANCIAL SERVICE COMMISSION
(AMENDMENT) ACT NO. OF 2009**

FIRST READING

10. The Hon. Sela MOLISA, Minister of Finance and Economic Management and Member for Santo, introduced the Bill, stated the reasons and purpose of the Bill then moved that the Bill be read a first time.
11. Leader of the Opposition, the Hon. LINI said that the Bill was clear and short thus the Opposition shall support it.
12. The motion that the Bill be read a first time was carried unanimously.

COMMITTEE STAGE

Section 1, "**Amendment**"

Amendment 1, "**Schedule-after Item 15**"

13. Seconded by Hon. Serge VOHOR, Minister of Public Utilities and Infrastructure and Member for Santo, The Hon. Minister MOLISA moved to delete "18. Company Trust and Service Provider Act No. of 2009" since the Bill would need to be tabled first.

14. The motion to amend was carried unanimously.
15. Amendment 1 as amended was approved unanimously.
16. Section 1 was approved unanimously.
17. Section 2, "Commencement" was approved unanimously.

SECOND READING

18. The Hon. Sela MOLISA, Minister of Finance and Economic Management, thanked the House for its support and contributions made, then moved that the Bill be read a second time and do pass.
19. The motion that the Bill be read a second time and do pass was carried unanimously.
20. The sitting was suspended at 9.15a.m and resumed at 2.15p.m.
21. The Hon. Speaker CARLOT Korman ruled upon humanitarian grounds to adjourn the sitting so as to allow the Government to closely monitor the disastrous situation faced with the volcano at Gaua, Banks Islands. Also he added that there was only one Bill remaining for Parliament to debate upon on Friday 27 November 2009 instead.
22. **The sitting was adjourned at 2.18p.m.**

**PARLIAMENT OF THE
REPUBLIC OF VANUATU**

NINTH LEGISLATURE OF PARLIAMENT

FOURTH EXTRA ORDINARY SESSION OF 2009

FRIDAY 27 NOVEMBER 2009

SPEAKER : The Hon. Maxime CARLOT Korman, Member for Port Vila

PRESENT : 46 Members

ABSENT : Hon. Philip BOEDORO, Member for Maewo
Hon. Steven KALSAKAU, Member for Efate
Hon. Edward NATAPEI, Member for Port Vila
Hon. Charlot SALWAI, Member for Pentecost
Hon. George A. WELLS, Member for Luganville

LATE :

1. The sitting commenced at 8.50a.m.
2. The Hon. David TOSUL, Member for Pentecost, said the prayer.
3. The Hon. Speaker read the agenda.

ANNOUNCEMENT BY THE SPEAKER

4. The Speaker of Parliament The Hon. Maxime CARLOT Korman, stated that according to Section 10 (2) of the Standing Order (SO) and Section 2(d) of the Members of Parliament (vacation of seats) Act, the seat of The Hon. Edward NATAPEI was declared vacant. He added that due that the position of the Prime Minister was also vacant; all his responsibilities would be handed over to the Deputy Prime Minister and Minister of Trade, The Hon. Sato KILMAN, and Member for Malekula. He then asked The Hon. KILMAN if the House could proceed with the agenda.
5. The Hon. KILMAN confirmed that the House could continue with the businesses of the day.

6. The Hon. Marcellino PIPITE, Deputy Leader of Opposition and Member for Santo, said that according to the SO 8, the Parliament should proceed at once with the election of the Prime Minister.
7. The Hon. Speaker responded that the Parliament must first close its Fourth Extra Ordinary Session.

BILL FOR THE PASSPORTS (AMENDMENT) ACT NO. OF 2009

FIRST READING

8. The Hon. Moana CARCASSES, Minister for Internal Affairs, presented the Bill, stated the reasons for the amendment and then moved that the Bill be read a first time.
9. The Hon. Ham LINI, Leader of Opposition and Member for Pentecost, said that the Opposition supported the Bill because it aimed at reinforcing the principles of the Act.
10. The Hon. PIPITE asked the Minister to explain if the person responsible for the issuing of ordinary passports would be the same person responsible to issue diplomatic passports. He feared that these passports would not be correctly controlled thus will be abused.
11. The Hon. Iauko H IARIS, Member for Tanna, thanked the Minister for tabling the Bill. He said that it was time to regularize the utilization of these different passports. He then said he was delighted about the fact that the Minister had the authority to regularize the utilization of these passports.
12. The Hon. CARCASSES thanked the Opposition for their support. He said that it was about time to introduce a law that would allow the Government to regularize and have the authority to deal with problems concerning the utilization of these passports.
13. The Hon. Jean Ravou KOLOMULE, Member for Santo, stated that Bills were approved in Parliament to be respected yet Parliamentarians were the first to abuse them.
14. The Hon. Bakoa KALTONGA, Minister of Justice and Social Welfare and Member for Efate, supplemented that the amendment aimed at controlling the issuing of passports. He said that the current passports used were not well secured; therefore we required the utilization of data processing passports containing information of the holder.
15. The Hon. Ralph REGENVANU, Member for Port Vila, said there were numerous passport abuses. He said there was no provision to stop the abuse of passports as well as imposing penalties on people who violated the law.
16. The Hon. Willie R A TITONGOA, Member for Tongoa, wanted to know why the Members of Parliament did not have the right to possess diplomatic passports.

17. The Hon. James BULE, Member for Ambae, stated that there were numerous passports abuses in the past. He wanted to know what the Government intended to do to those who have abused passports. He also considered that the Members had the right to possess diplomatic passport. He then wanted to know when the bio-passports would come into force. He concluded that it was important to insert a provision that would allow penalties.
18. The Hon. PIPITE asked if the Government had decided to allow diplomatic missions to issue diplomatic passports.
19. The Hon. CARCASSES responded that diplomatic passports would only be issued for the Ni-Vanuatu citizens but not foreigners. He then confirmed that the law provided for penalties on the abuse of passports and stated that the principle passport officer was responsible for the issuing of passports. He then read the list of those who were allowed to obtain diplomatic passports. He concluded that investigations have started to uncover those who have abused the Vanuatu passport.
20. The sitting was suspended at 9.45a.m and resumed at 11.15a.m.
21. The Hon. Patrick CROWBY, Member for Port Vila, supported the principle of the Bill but asked if the security features on the diplomatic passports was similar to that of the normal passport.
22. The Hon. Minister CARCASSES said he would later provide precise information regarding the query raised.
23. The motion that the Bill be read a first time was carried unanimously.

COMMITTEE STAGE

Section 1, "**Amendment**"

24. Amendment 1, "**Section 1**", was approved unanimously.
25. Amendment 2, "**Paragraph 2(2)(b)**", was approved unanimously.
26. Amendment 3, "**Subsection 3(1) (definition of officer)**", was approved unanimously.
27. Amendment 4, "**Subsection 3(1)**", was approved unanimously.
28. Amendment 5, "**Subsection 3(2)**", was approved unanimously.
29. Amendment 6, "**After section 4**", was approved unanimously.
30. Amendment 7, "**Section 5**", was approved unanimously.

31. Amendment 8, “**Subsection 6(1) and (2)**”, was approved unanimously.
32. Amendment 9, “**Subsection 7(1), (2), (3) and (4)**”, was approved unanimously.
33. Amendment 10, “**Subsection 8(1)**”, was approved unanimously.
34. Amendment 11, “**After section 10**”, was approved unanimously.
35. Amendment 12, “**Division 4 of Part 2 (heading)**”, was approved unanimously.
36. Amendment 13, “**Section 12 (heading)**”, was approved unanimously.
37. Amendment 14, “**Subsection 12(1)**”, was approved unanimously.
38. Amendment 15, “**Subsection 12(2)**”, was approved unanimously.
39. Amendment 16, “**Section 13 (heading)**”, was approved unanimously.
40. Amendment 17, “**Subsection 13(1) and (3)**”, was approved unanimously.
41. Amendment 18, “**Section 14 (heading)**”, was approved unanimously.
42. Amendment 19, “**Section 14**”, was approved unanimously.
43. Amendment 20, “**Paragraph 15(b)**”, was approved unanimously.
44. Amendment 21, “**Section 16 (heading)**”, was approved unanimously.
45. The Hon. Speaker CARLOT Korman, as it was 11.30 a.m, sought and received the House’s consensus to continue and complete the Bill.
46. Amendment 22, “**Section 16**”, was approved unanimously.
47. Amendment 23, “**Section 17 (heading)**”, was approved unanimously.
48. Amendment 24, “**Section 17**”, was approved unanimously.
49. Amendment 25, “**Subparagraph 18(2)(e)(i)**”, was approved unanimously.
50. Amendment 26, “**Subparagraph 18(2)(e)(ii)**”, was approved unanimously.
51. Amendment 27, “**Subparagraph 18(2)(e)(iii)**”, was approved unanimously.
52. Amendment 28, “**Section 1**”, was approved unanimously.
53. Amendment 29, “**Section 19 (heading)**”, was approved unanimously.

54. Amendment 30, "**Section 19**", was approved unanimously.
55. Amendment 31, "**Section 20 (heading)**", was approved unanimously.
56. Amendment 32, "**At the end of paragraph 23(1)(d)**", was approved unanimously.
57. Amendment 33, "**Division 2 of Part 5 (heading)**", was approved unanimously.
58. Amendment 34, "**Section 25 (heading)**", was approved unanimously.
59. Amendment 35, "**Subsections 25(1) and (2)**", was approved unanimously.
60. Amendment 36, "**Section 27 (heading)**", was approved unanimously.
61. Amendment 37, "**Section 27(1)**", was approved unanimously.
62. Amendment 38, "**Subsections 27(2) and (3)**", was approved unanimously.
63. Amendment 39, "**Section 28**", was approved unanimously.
64. Amendment 40, "**Section 31**", was approved unanimously.
65. The Hon. Minister CARCASSES informed the House that the numbering in the French version of the Bill was incorrect.
66. The Hon. Speaker CARLOT Korman directed Members with the French version of the Bill to correct the numbering accordingly.
67. Amendment 41, "**Subsections 32(1) and (2)**", was approved unanimously.
Amendment 42, "**At the end of the Act**"
68. The Hon. Minister CARCASSES directed the House to the French version of Schedule 1, "Persons entitled to hold Diplomatic Passports" and moved to delete 'diplomatique' and insert 'service' so as to read 'Le personnel service....'
69. The motion to amend was approved unanimously.
70. Amendment 42 as amended was approved unanimously.
71. Section 1 was approved unanimously.
72. Section 2, "**Commencement**" was approved unanimously.

SECOND READING

73. The Hon. Moana CARCASSES, Minister of Internal Affairs and Member for Port Vila, thanked the House for its support then moved that the Bill be read a second time and do pass.
74. The motion that the Bill be read a second time and do pass was carried unanimously.
75. The Hon. Speaker CARLOT Korman sought clarification from the Government to state whether or not the remaining Bills shall be tabled.
76. Deputy Prime Minister KILMAN announced the withdrawal of the Bill for the Immigration (Amendment) Act No. Of 2009, Bill for the National Disaster (Amendment) Act No. Of 2009, Bill for the Decentralization (Amendment) Act No. Of 2009, Bill for the Ports (Amendment) Act No. Of 2009, Bill for the Government Proceedings (Amendment) Act No. Of 2009.
77. After announcing to the House that Parliament was summoned to sit at its Second Ordinary Session commencing 7 December 2009, the Hon. Speaker CARLOT Korman proceeded to close the session.
78. **THE FOURTH EXTRAORDINARY SESSION OF THE NINTH LEGISLATURE OF 2009 WAS OFFICIALLY CLOSED AT 11.50 A.M.**