

No 23

NEW HEBRIDES  
REPRESENTATIVE ASSEMBLY

RA3/D/15-P  
20th May, 1980.  
Original: English

ACTS OF PARLIAMENT REGULATION

1980

EXPLANATORY NOTE

The Constitution is silent about the form of the laws, the procedure for obtaining the President's assent, and other matters connected with their enactment.

The Acts of Parliament Regulation covers these matters.

Section 2 provides for a method of naming laws which combines the French and English practice. The English give a name and the year of enactment. The French give the number and year. The latter practice makes proper indexing of laws impossible.

Section 10 is important as it provides the manner in which Acts will come into force.

Section 12 provides for special reprints of laws that have had many amendments. These would probably be laws like the one on customs duties.

Section 13 provides for the Speaker to issue a certificate of compliance when a law requires a special quorum, special vote or referendum.

APRIL 1980

W.H. LINI  
CHIEF MINISTER

DRAFTSMANS NOTE

The Resident Commissioners Joint Regulation bringing this Resolution into force as a law will provide that this resolution will be cited as Acts of Parliament Regulation and that it will come into force on the Day of Independence.

ACTS OF PARLIAMENT REGULATION

1980

ARRANGEMENT OF SECTIONS

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PART 2 - PROCEDURE FOLLOWING PASSING OF BILLS

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SCHEDULE 1

WORDS OF ENACTMENT

SCHEDULE 2

AUTHENTICATION BY CLERK

SCHEDULE 3

STATEMENT OF THE PRESIDENT'S ASSENT

- The assent. 5. (1) The President shall show that he assents to a Bill by signing on each copy prepared in accordance with section 4 a statement to that effect in the form set out in Schedule 3.
- (2) A Bill shall become an Act of Parliament on the signing by the President of the assent on the first of the copies.
- Numbering. 6. (1) Acts shall be numbered consecutively in the order in which they become Acts and the numbering shall begin afresh at the beginning of each calendar year.
- (2) As soon as the President has signed the assent on a copy of an Act under the provisions of section 5 the Clerk of Parliament shall cause the number of the Act to be entered on that copy.
- Original copies. 7. (1) Whenever the foregoing procedure purports to have been followed in relation to an Act, the assented copies shall be the original copies of the Act, and shall be conclusive evidence of the terms of the Act, its number and the date of assent.
- (2) One of the original copies shall be retained by the Speaker who shall cause one each of the remainder to be deposited with the Prime Minister, the Chief Justice and the Attorney General.
- Publication. 8. Every Act shall be published as soon as practicable after the President's assent with -
- (a) the omission of the statements contained in the original copies by virtue of the provisions of sections 4 and 5 of this Regulation;
- (b) a statement of the date on which the President's assent was signified, and the date of commencement contained in the margin thereof.
- Published copies to be evidence. 9. (1) Every Act shall be a public Act.
- (2) A copy of any Act other than an original purported to have been printed on behalf of or published by or under the authority of the Government shall be prima facie evidence of the terms of the Act, its number and the date of assent.

PART 3 - COMMENCEMENT

- Commencement. 10. (1) Subject to the provisions of this section, commencement of an Act shall be such date as is provided in or under the Act, or where no date is so provided, the date of its publication as notified in the Vanuatu Gazette.
- (2) Every Act of Parliament shall come into force immediately on the expiration of the date next preceding its commencement.

- (3) A provision in an Act regulating the coming into force of an Act or any part thereof shall have effect notwithstanding that the part of the Act containing the provision has not come into operation.
- (4) Where an Act is made with retrospective effect the commencement of the Act shall be the date from which it is given or considered to be given such effect.
- (5) The provisions of subsection (4) shall not apply to an Act until there is a notification in the Vanuatu Gazette as to the date of its publication and until such date is specified the Act shall be without effect.

PART 4 - MISCELLANEOUS AND SUPPLEMENTARY

Amendment  
and Repeal.

11. An Act passed in any session of Parliament may be amended or repealed at any time including the same session.

Reprints and  
revised  
editions.

12. (1) An Act which has been amended may, with the authority of the Minister for the time being responsible for Justice be reprinted with all the necessary omissions, amendments and substitutions effected by the amending Act.
- (2) Every Act reprinted under the provisions of subsection (1) of this section shall be published by notification in the Gazette and when so published shall be judicially noticed as an authentic copy of the Act as amended.

Certification of  
Special Votes  
and Referendums.

13. (1) Where the Constitution requires that a Bill is passed by Parliament after being supported by a special majority with a special quorum present or with such requirements and supported by a national referendum the Speaker, or the Deputy Speaker if the Speaker is absent or otherwise unable to act shall, before the Bill is presented to the President for his assent, certify in whatever form he considers appropriate that the Bill was passed after having been so supported and with such special quorum or with those requirements and the support of a national referendum.
- (2) A copy of the certificate given under subsection (1) signed by the Speaker or the Deputy Speaker, as the case may be, shall be prima facie evidence of the facts stated therein.

SCHEDULE 1

(Section 3 (1))

WORDS OF ENACTMENT

Be it enacted by the President and Parliament as follows.

SCHEDULE 2

(Section 4 (2))

AUTHENTICATION BY CLERK

This copy has been compared by me with the Bill which has passed Parliament and found by me to be a true copy of the Bill.

Signed.....  
Clerk to Parliament

Date of Authentication:

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SCHEDULE 3

(Section 5 (1))

STATEMENT OF THE PRESIDENT'S ASSENT

I hereby assent

Signed.....  
President

Date of Assent :

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