

No 13

NEW HEBRIDES
REPRESENTATIVE ASSEMBLY

RA3/WP/5
17 March 1980
Original: English

THE CITIZENSHIP (ENTITLED PERSONS)

REGULATION

Explanatory Note

The purpose of this Regulation is to provide for the manner in which persons entitled to citizenship under Article 10 of the Constitution may apply.

In Section 3 provision is made for the Minister to extend the time for application if he is satisfied that an applicant has sufficient excuse for not making an earlier application.

Section 5 provides for publication of names of persons registered as citizens.

Under Section 8 the Minister may retain a citizenship certificate until he is satisfied that a person has renounced his other citizenship but the Minister may extend the time limit for renunciation.

Section 9 provides heavy penalties for giving false information.

MARCH 1980

W.H. LINI
CHIEF MINISTER

DRAFTSMAN'S NOTE

The Resident Commissioners Joint Regulation bringing this Resolution into force as a law will provide that this resolution will be cited as the Citizenship (Entitled Persons) Regulation 1980 and shall come into operation on the Day of Independence.

THE CITIZENSHIP (ENTITLED PERSONS)

REGULATION

1. Interpretation.
2. Application by entitled person.
3. Time for lodging applications.
4. Registration of entitled person.
5. Publication of names of registered citizens.
6. Register.
7. Loss of Citizenship.
8. Retention of certificates and extension of time for renunciation.
9. Penalties.

SCHEDULES

- Form A Application to be registered as a Citizen.
Form B Certificate of Citizenship

DRAFT RESOLUTION

RESOLUTION NO OF 1980

To provide for applications for Citizenship by entitled person.

The Representative Assembly of the New Hebrides at its sitting on the 1980 hereby resolves and decides in accordance with Article 23 of the Schedule to the Exchange of Notes of the 15th September 1977 to adopt the following measures :-

- Interpretation. 1. In this Regulation unless the context otherwise provides -
"Entitled person" means a person to whom Article 10 of the Constitution applies.
"Minor" means a person who has not attained the age of 18 years;
"Minister" means the Minister for the time being responsible for citizenship - a Minister acting on his behalf or a person acting under the authority of the Minister.
- Application by entitled person. 2. (1) Subject to subsection (2) an entitled person who desires to apply for citizenship of the Republic of Vanuatu shall make application by completing an application in form "A" in the Schedule to this Regulation and lodging it with the Minister.
(2) The parent or lawful guardian of a minor who is an entitled person shall make application on behalf of that minor in the manner provided for in subsection (1) if that minor desires to be a citizen.
- Time for lodging applications. 3. (1) Subject to subsections (2) and (3) an application under section 2 shall be lodged in the time provided for in Article 10 of the Constitution.
(2) The Minister may retrospectively or otherwise extend the time limit in Article 10 of the Constitution for making application for citizenship by not more than 6 months if he is satisfied that the applicant has sufficient excuse for not making an earlier application.
(3) A minor who is an entitled person may make an application provided for in Section 2 (1) within 3 months after his eighteenth birthday.
- Registration of entitled person. 4. If the Minister is satisfied that a person who applies for citizenship in accordance with section 2 is an entitled person he shall subject to section 8 register him as a citizen and issue him with a certificate in Form B in the Schedule and the person named therein shall be a citizen from the date in the certificate.
- Publication of names of registered citizens. 5. The Minister shall publish the names of persons registered in accordance with this Regulation in the Vanuatu Gazette not later than 30 days after registration.

- register.
6. The Minister shall keep a register of persons registered as citizens in accordance with this Regulation.
- cess of citizenship.
7. A person registered in accordance with this Regulation shall only cease to be a citizen if :-
- (a) the Supreme Court declares that when registered, he was not an entitled person;
 - (b) he fails to renounce any other citizenship or nationality within three months of registration or such further period as the Minister may allow under section 8 (2);
 - (c) he fails to renounce any other citizenship in accordance with Article 13 of the Constitution or
 - (d) he renounces his citizenship of Vanuatu.
- vention of certificates and extension of time for renunciation.
8. (1) The Minister may retain a certificate issued in accordance with section 4 until he is satisfied that the person named therein has renounced any other citizenship or nationality he may have at the time of registration.
- (2) The Minister may extend the time limit in Article 10 of the Constitution for renunciation of other citizenship or nationality by not more than 3 months if a person applies to him for such extension within 3 months of being issued with a certificate in accordance with Section 4.
- penalties.
9. Any person who for the purpose of being registered or obtaining the registration of any other person as a citizen under this regulation knowingly gives any false information to any person commits an offence and shall be liable on conviction to a fine not exceeding 75,000 FNH or to imprisonment for a term not exceeding 5 years or to both.

SCHEDULE

FORM A

(Section 2)

Citizenship (Entitled Persons) Regulation

Joint Regulation No. of 1980

APPLICATION TO BE REGISTERED AS A CITIZEN OF THE REPUBLIC OF VANUATU

- 1.....(full names) hereby apply (through.....parent/guardian in case if a person under 18 years) to be a registered as a citizen of the Republic of Vanuatu.
- 2. I am a person of Vanuatu ancestry because my..... is/was indigenous to Vanuatu (the ancestor must be a direct male or female ancestor e.g. a father or mother, grandfather or grandmother, great grandfather or great grandmother and so on)
- 3.I lodge herewith the following evidence of my ancestry (state the evidence you give which may be a birth certificate, baptismal certificate of an ancestor or a declaration by a person of good standing).
- 4.I am a citizen of.....and declare that I have no other citizenship.
- 5. I undertake to furnish any further information that the Minister may require to establish my entitlement.
- * 6.I.....acknowledge that I am aware that the making by me of any false statement herein is an offence punishable by a fine or imprisonment or both.

Dated.....day of.....19

*name of applicant or if he is a minor (under the age of 18 years) name of the person applying on his behalf.

..... Signature of applicant or if a minor his parent or lawful guardian.

FORM D

REPUBLIC OF VANUATU

CERTIFICATE OF CITIZENSHIP

I HEREBY CERTIFY THAT

.....

was on the.....day of.....19

pursuant to Article 10 of the Constitution registered by me as a citizen of the Republic of the New Hebrides.

.....

Minister of.....