



REPUBLIC OF VANUATU

STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 37 OF 2021

Arrangement of Sections

1	Amendment	2
2	Repeal of the Act	3
3	Commencement.....	3

REPUBLIC OF VANUATU

Assent: 10/12/2021

Commencement: 17/12/2021

STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 37 OF 2021

An Act to provide for amendments to certain Acts.

Be it enacted by the President and Parliament as follows-

1 Amendment

The following Acts are amended as set out in the Schedule:

- (a) Casino Control Act [CAP 223];
- (b) Counter Terrorism and Transnational Organised Crime Act [CAP 313];
- (c) Criminal Procedure Code Act [CAP 136];
- (d) Customary Land Management Act No. 33 of 2013;
- (e) Cybercrime Act No. 22 of 2021;
- (f) Fisheries Act No. 10 of 2014;
- (g) Foreign Services Act No. 20 of 2013;
- (h) Foreshore Development Act [CAP 90];
- (i) Government Act [CAP 243];
- (j) Judicial Services & Courts Act [CAP 270];
- (k) Legal Profession Act No. 49 of 2005;
- (l) Public Prosecutors Act [CAP 293];
- (m) Public Solicitor Act [CAP 177];
- (n) Proceeds of Crime Act [CAP 284];
- (o) Vanuatu Rural Development Bank Act No. 20 of 2006.”

2 Repeal of the Act

- (1) This Act is repealed on the day following the day on which all provisions of this Act have commenced.
- (2) The repeal of this Act does not, because of the operation of section 11 of the Interpretation Act [CAP 132], affect any amendments made by this Act.

3 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

MINOR AMENDMENTS

1 CASINO CONTROL ACT [CAP 223]

(a) Subsection 2A(3)

Delete “10 casino licences”, substitute “15 casino licences”

(b) Section 8

Repeal the section, substitute

“(1) A casino licence remains in force until the expiration of the date specified in the licence as the date of expiration of the licence –

(a) unless it is sooner surrendered or cancelled; and

(b) except while it is suspended,

under this Act.

(2) The duration of a casino licence is 2 years.

(3) The casino licensee must operate the casino within the duration of the casino licence under subsection (2).

(4) The Director may extend the duration of a casino licence to 8 years if the licensee operates his or her casino within the duration required under subsection (2).”

(c) At the end of section 10

Add

“(3) Despite any other provisions of this Act, a casino licence is automatically cancelled at the end of 2 years under subsection 8(2) if the licensee does not operate his or her casino within that year.”

(d) Subsection 12(1)

Delete “VT 1,000,000”, substitute “VT 5,000,000”

**2 COUNTER TERRORISM AND TRANSNATIONAL ORGANISED
CRIME ACT [CAP 313]**

Section 2 (Definition of “Minister”)

Delete “justice”, substitute “the administration of this Act”

3 CRIMINAL PROCEDURE CODE ACT [CAP 136]

Section 1 (Definition of “Minister)

Delete “justice or any Minister acting on his behalf”, substitute “administration of this Act”

4 CUSTOMARY LAND MANAGEMENT ACT NO. 33 OF 2013

Section 2 (Definition of “Minister”)

Delete “Justice”, substitute “Custom Land Management”

5 CYBERCRIME ACT NO. 22 OF 2021

Subsection 4(2)

Delete “the Commissioner may, by Order, authorise for the”, substitute “a Court may issue”

6 FISHERIES ACT NO. 10 OF 2014

Paragraph 147(2)(h)

Repeal the paragraph.

7 FOREIGN SERVICES ACT NO. 20 OF 2013

(a) Subsection 17(1B)

Delete “both names”, substitute “1 of the names”

(b) Subsection 21(1)

Delete “on the approval of the Council”, substitute “, after consultation with the Director General or the Director,”

(c) Subsection 22(5)

Repeal the subsection.

(d) Subsection 29(1)

Delete “on the approval of the Council”, substitute “, after consultation with the Director General or the Director”

(e) After section 46

Insert

“46A Minister to inform the Council

The Minister must inform the Council of any appointment made under subsection 21(1) and 29(1).”

8 FORESHORE DEVELOPMENT ACT [CAP 90]

(a) Section 1 (Definition of “Director”)

Delete “Physical Planning”, substitute “Urban Affairs and Planning”

(b) Section 1 (Definition of “enforcement officer”)

Delete “physical planning unit”, substitute “Department of Urban Affairs and Planning”

(c) Section 1 (Definition of “Minister”)

Delete “town and country planning”, substitute “Urban Affairs and Planning”

9 GOVERNMENT ACT [CAP 243]

Paragraph 6(3)(a)

Delete “section 4(4)”, substitute “subsection 4(3)”

10 JUDICIAL SERVICES AND COURTS ACT [CAP 270]

Section 1 (Definition of “Minister”)

Delete “justice”, substitute “Judicial Services and Courts”

11 LEGAL PROFESSION ACT NO. 49 OF 2005

Section 1 (Definition of “Minister”)

Delete “justice”, substitute “the Legal Profession”

12 PUBLIC PROSECUTOR ACT [CAP 293]

Section 2 (Definition of “Minister”)

Delete “justice”, substitute “the Public Prosecutor’s Office”

13 PUBLIC SOLICITOR ACT [CAP 177]

Section 1 (Definition of “Minister”)

Delete “justice”, substitute “the Public Solicitor’s Office”

14 PROCEEDS OF CRIME ACT [CAP 284]

(a) Section 2 (Definition of “Minister of Justice”)

Repeal the definition.

(b) Section 2 (Definition of “Director General of Justice”)

Repeal the definition, substitute

““Director General” means the Director General of the Office of the Prime Minister;”

(c) References to “Director General of Justice”

Delete “Director General of Justice”, substitute “Director General”

(d) References to “Minister of Justice”

Delete all references to “Minister of Justice”, substitute “Minister”

14A VANUATU RURAL DEVELOPMENT BANK ACT NO. 20 OF 2006

(a) Section 1 (Definition of “closely associated or affiliated with a political party”)

Repeal the definition.

(b) Paragraphs 14(3A)(d), 14(4)(cb), 20(4)(d) and 21(2)(d)

Repeal the paragraphs.

15 Transitional Provision

All references to the “Minister responsible for Justice”, “Minister of Justice”, “Ministry of Justice and Community Service” or “Ministry of Justice” in any other Act are taken to be the relevant Minister or the relevant Ministry responsible for the administration of that Act.