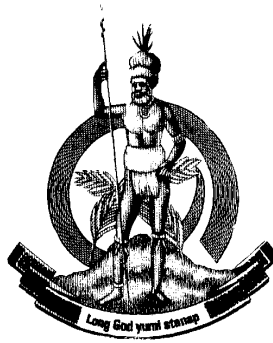


**REPUBLIQUE  
DE  
VANUATU**

**JOURNAL OFFICIEL**



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**SONT PUBLIES LES TEXTES SUIVANTS**

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## REPUBLIC OF VANUATU

### SALE OF MEDICINES (CONTROL) (AMENDMENT) ACT NO. 8 OF 2014

#### Arrangement of Sections

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

# REPUBLIC OF VANUATU

Assent: 19/06/2014  
Commencement: 17/07/2014

## SALE OF MEDICINES (CONTROL) (AMENDMENT) ACT NO. 8 OF 2014

An Act to amend the Sale of Medicines (Control) Act [CAP 48].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Sale of Medicines (Control) Act [CAP 48] 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 THE SALE OF MEDICINES (CONTROL) ACT [CAP 48]

**1 Section 1 (definition of ‘druggist’)**

Repeal the definition.

**2 Subsection 2(1)**

Delete “5 miles”, substitute “8 km”

**3 Subsection 2(2)**

Repeal the subsection, substitute

“(2) A person who intends to sell medicine in Vanuatu via the internet, must obtain the prior written approval of the Pharmacists Practitioners Commission.

(3) A person who has obtained approval to sell medicine under subsection (2) must do so under the supervision of a registered pharmacist.”

**4 Sections 3 and 4**

Repeal the sections, substitute

**“3. Limitation on wholesale of medicine**

(1) A person who intends to be a wholesale supplier of medicine, must obtain the prior written approval of the Pharmacists Practitioners Commission.

(2) A person who has obtained approval under subsection (1), must not sell any medicine by wholesale to any person other than to a licensed medical practitioner, pharmacist, licensed dentist, licensed veterinarian or a person approved by the Minister by Order.

**3A. Import of medicines for sale**

(1) Any importation of medicine for sale by wholesale or retail sale is to be recorded by the Director of Customs who is to send a list of all medicines imported to the Principal Pharmacist.

- (2) Upon receiving the list of all imported medicines from the Director of Customs under subsection (1), the Principal Pharmacist is to review the list and may approve or refuse to approve the release of the medicines.
- (3) If the Principal Pharmacist refuses to approve the release of medicine imported under subsection (1), he or she is to notify the importer and state the reasons for the decision.
- (4) Subject to this Act, the Principal Pharmacist may attach conditions to any approved imported medicines.

#### **4. Sale of narcotics**

- (1) A person who is not a pharmacist, a wholesale supplier approved under subsection 3(1) must not possess, import, sell or otherwise deal in any prohibited substances and materials listed in section 2 of the Dangerous Drugs Act [CAP 12].
- (2) A pharmacist, a wholesale supplier who imports, sells or otherwise deals in any prohibited substance or material listed in section 2 of the Dangerous Drugs Act [CAP 12], must keep a proper record of the sale of each substance and disclose the records to the Pharmacists Practitioners Commission when requested to do so.
- (3) Despite subsection (1), a person may possess or import a preparation of a substance prohibited under the Dangerous Drugs Act [CAP 12], if the preparation is a medical prescription for personal use and is:
  - (a) of reasonable amount; and
  - (b) accompanied by a letter from the medical practitioner from the person's country of origin; and
  - (c) appropriately labelled with its correct name."

#### **5 Section 7**

Repeal the section, substitute

**“7. Regulations**

- (1) The Minister may by Order make regulations not inconsistent with this Act for the better carrying out or giving effect to the provisions of this Act.
- (2) Without limiting the generality of subsection (1), the Minister may make regulations for any of the following purposes:
  - (a) to regulate the sale of medicines;
  - (b) to prohibit the sale of any medicine except on the prescription of a medical practitioner, dental practitioner or a veterinary surgeon;
  - (c) to prescribe fees or charges in respect of any application or approval made or any service provided under this Act.
- (3) A regulation made under subsections (1) and (2) may authorise the Principal Pharmacist to make and issue a notice with respect to matters prescribed by that regulation.
- (4) A Regulation made under subsection (1) or (2) may prescribe a penalty not exceeding VT250,000 for a breach of any provisions of the regulation.”

**6 Subsections 8(1) and (2)**

Repeal the subsections, substitute

“A person who contravenes section 2, 3 or 4, commits an offence punishable on conviction to a fine not exceeding VT500,000 or to imprisonment for a term of not more than 2 years, or both.”

**7 After section 8**

Insert

**“8A. Penalty notice**

- (1) The Principal Pharmacist may serve a penalty notice on a person if it appears to him or her that the person has committed an offence under any provision of this Act or the regulations.
- (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 to the

Government Cashier, the amount of penalty set out in the penalty notice for the offence.

- (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 different amounts of penalties for different offences or classes of offences.
- (7) The amount of a penalty prescribed under this section for an offence must not exceed the maximum amount of penalty prescribed under this Act.
- (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.”

**8 Section 9**

- (a) Delete “or a druggist”;
- (b) Delete “2(2)”, substitute “2(1)”





## RÉPUBLIQUE DE VANUATU

# LOI N° 8 DE 2014 SUR LA VENTE DE MÉDICAMENTS (MODIFICATION)

### Sommaire

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# RÉPUBLIQUE DE VANUATU

**Promulguée:** 19/06/2014

**Entrée en vigueur :** 17/07/2014

## **LOI N° 8 DE 2014 SUR LA VENTE DE MÉDICAMENTS (MODIFICATION)**

Portant modification de la Loi sur la vente de médicaments [CAP 48]

Le Président de la République et le Parlement promulguent le texte suivant :

### **1 Modification**

La Loi sur la vente de médicaments [CAP 48] est modifiée telle que prévue à l'Annexe.

### **2 Entrée en vigueur**

La présente Loi entre en vigueur à la date de sa publication au Journal officiel.

## ANNEXE

### MODIFICATION DE LA LOI SUR LA VENTE DE MÉDICAMENTS [CAP 48]

#### **1 Article 1 (définition de “dépositaire de médicaments”)**

Supprimer la définition

#### **2 Paragraphe 2.1)**

(modification de la version anglaise)

#### **3 Après le paragraphe 2.2)**

Supprimer et remplacer le paragraphe par:

- “2) Une personne désirant vendre de médicaments à Vanuatu par internet doit au préalable obtenir l’approbation écrite de la Commission pharmaceutique.
- 3) Une personne autorisée à vendre de médicaments en vertu du paragraphe 2) doit le faire sous la supervision d’un pharmacien agréé.”

#### **4 Articles 3 et 4**

Supprimer et remplacer les articles par:

#### **“3 Restriction sur la vente en gros de médicaments**

- 1) Quiconque désire vendre de médicaments en gros doit au préalable obtenir l’autorisation écrite de la Commission pharmaceutique.
- 2) Une personne autorisée en vertu du paragraphe 1), ne doit pas vendre en gros de médicaments à une personne autre qu’un médecin, pharmacien, dentiste agréé, vétérinaire agréé ou une personne qu’autorise par arrêté le ministre.

#### **3A Importation de médicaments en vue de la vente**

- 1) Toute importation de médicaments en vue de la vente en gros ou en détail doit être constatée par le directeur des Douanes qui doit en adresser une liste de médicaments importés au pharmacien en chef.
- 2) À la réception de la liste de tous les médicaments importés qu’adresse le directeur des Douanes en vertu du paragraphe 1), le pharmacien en chef doit l’examiner et peut décider d’approuver ou refuser la remise de médicaments.

- 3) Lorsque le pharmacien en chef refuse d'autoriser la remise de médicaments importés en vertu du paragraphe 1), il est tenu d'en aviser l'importateur et de préciser les raisons de la décision.
- 4) Sous réserve la présente Loi, le pharmacien en chef peut imposer des conditions sur tout médicament autorisé importé.

#### **4 Vente de stupéfiants**

- 1) Une personne qui n'est pas pharmacien ou fournisseur grossiste autorisé en vertu du paragraphe 3.1) ne doit pas posséder, importer, vendre ou s'engager autrement dans tout commerce lié à une substance et une matière citées à l'article 2 de la Loi sur le contrôle des stupéfiants [CAP 12].
- 2) Un pharmacien, un grossiste qui importe, vend ou s'engage autrement dans toute affaire liée à une substance ou matière citée l'article 2 de la Loi sur le contrôle des stupéfiants [CAP 12] doit tenir des registres fiables de la vente de chaque substance et les communiquer à la Commission pharmaceutiques s'il lui est demandé de le faire.
- 3) Malgré le paragraphe 1), une personne peut posséder ou importer une préparation d'une substance interdite conformément à la Loi sur le contrôle des stupéfiants [CAP 12], si la préparation est une prescription ou ordonnance médicale pour usage personnel et est:
  - a) d'une quantité normale;
  - b) accompagné d'une lettre d'un médecin de son pays d'origine; et
  - c) correctement étiquetée avec son véritable nom."

#### **5 Article 7**

Supprimer et remplacer l'article par:

##### **“7 Règlement**

- 1) Le ministre peut par arrêté prendre un règlement conformément à la présente Loi permettant une meilleure exécution ou application des dispositions de celle-ci.
- 2) Sans limiter la portée générale du paragraphe 1), le ministre peut prendre un règlement à l'une des fins suivantes:
  - a) réglementer la vente de médicaments;

- b) interdire la vente de médicaments sauf sur ordonnance d'un médecin, dentiste ou vétérinaire;
  - c) fixer les droits ou charges pour toute demande, tout agrément ou tout service dispensé en vertu de la présente Loi.
- 3) Un règlement pris en vertu des paragraphes 1) et 2) peut autoriser le pharmacien en chef d'émettre un avis sur les questions que prévoit ce règlement.
- 4) Un règlement pris conformément au paragraphe 1) ou 2) peut prévoir une amende n'excédant pas 250 000 VT pour infraction à l'une de ses dispositions.

#### **6 Paragraphe 8.1) et 2)**

Supprimer et remplacer les paragraphes par:

“Quiconque contrevient à l'article 2, 3 ou 4 commet une infraction qui l'expose sur condamnation à une amende n'excédant pas 500 000 VT, à une peine d'emprisonnement n'excédant pas 2 ans ou aux deux peines à la fois.”

#### **7 Après l'article**

Insérer

#### **“8A Avis de pénalité**

- 1) Un pharmacien en chef peut remettre un avis de pénalité à une personne qui, à son avis, a commis une infraction à l'une des dispositions de la présente Loi ou d'un règlement.
- 2) Un avis de pénalité est un avis qui s'applique lorsqu'une personne destinataire, si elle ne désire pas qu'une affaire soit jugée par un tribunal, peut régler au caissier de l'État le montant de la pénalité fixé dans l'avis de pénalité pour l'infraction.
- 3) Un avis de pénalité peut être remis en main propre, adressé par voie électronique ou postale.
- 4) Lorsque le montant de la pénalité établie aux fins du présent article pour une infraction présumée est versé en vertu du présent article, nul ne peut être poursuivi pour l'infraction présumée.
- 5) Le versement effectué en vertu du présent article ne doit pas être considéré comme démontrant l'admission de la responsabilité aux fins de, ni en

aucune manière affecter ou porter préjudice à, toute procédure civile découlant de la même occurrence.

- 6) Le règlement peut préciser les différents montants des pénalités pour différentes infractions ou catégories d'infraction.
- 7) Le montant d'une pénalité prévue en vertu du présent article pour une infraction ne doit pas excéder le montant maximum de la peine établie par la présente Loi.
- 8) Le présent article ne limite pas la portée de toute autre disposition de, prise en vertu de la présente ou toute autre Loi relative à la procédure que peuvent entraîner les infractions.

**8 Article 9**

- a) supprimer "ou un dépositaire de médicaments"
- b) (modifier la version anglaise)



**REPUBLIC OF VANUATU**

**STATUTE LAW (MISCELLANEOUS PROVISIONS)  
ACT NO. 17 OF 2014**

**Arrangement of Sections**

<b>1</b>	<b>Amendment .....</b>	<b>2</b>
<b>2</b>	<b>Repeal of Act .....</b>	<b>2</b>
<b>3</b>	<b>Commencement.....</b>	<b>2</b>

# REPUBLIC OF VANUATU

Assent: 19/06/2014  
Commencement: 17/07/2014

## STATUTE LAW (MISCELLANEOUS PROVISIONS) ACT NO. 17 OF 2014

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:

- (1) Public Roads Act No. 35 of 2013;
- (2) Public Holidays Act [CAP 114];
- (3) Vanuatu Foreign Investment Promotion Act [CAP 248].

### **2 Repeal of 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**

- (1) Subject to subsection (2), this Act commences on the day on which it is published in the Gazette.
- (2) Amendments in Item 1 relating to the Public Roads Act No. 35 of 2013, commence on the date on which the Public Roads Act No. 35 of 2013 commences.



# SCHEDULE

## MINOR AMENDMENTS

### 1 PUBLIC ROADS ACT NO. 35 OF 2013

#### (a) Section 1 (definition of road reserve)

- (i) Delete “,” (first occurring), substitute “.”
- (ii) Delete “Where” (first occurring), substitute “where”
- (iii) Delete “is” (second occurring), substitute “are”

#### (b) Paragraph 2(b)

Repeal the paragraph, substitute

“(b) provide a Road Administrator for each public road; and”

#### (c) Paragraph 2(e)

Delete “Authorities”, substitute “Administrator”

#### (d) Part 2 - Division 1 (Heading)

Delete “and ownership”

#### (e) Paragraph 6(3)(a)

Delete “regionally based trips”, substitute “trips from one place to another within the region”

#### (f) Subsection 9(1)

- (a) After “the” (second occurring), insert “Director of the”
- (b) Delete “Local”, substitute “Provincial”

#### (g) Subsection 18(2)

Delete “Mines and Minerals Act [CAP 190]”, substitute “Quarry Act No. 9 of 2013”

#### (h) Paragraph 21(1)(a)

Delete “carry”, substitute “carrying”

#### (i) Paragraph 26(2)(d) (second and third occurring)

Re-letter the paragraphs as (e) and (f)

#### (j) Subsection 27(3)

Delete “25”, substitute “26”

#### (k) Subsection 28(1)

Delete “The” (first occurring), substitute “A”

#### (l) Subsection 28(2)

- (i) Delete “the” (first and second occurring), substitute “a”

- (ii) Delete “Local”, substitute “Provincial
- (iii) Delete “than”
- (iv) Delete “Section”, substitute “section”

**(m) Subsection 28(3)**

Delete “in this Act the”

**(n) Paragraph 28(3)(b)**

Delete “method of”, substitute “methods for”

**(o) Paragraph 41(2)**

- (i) Delete “written notice”
- (ii) After “charge”, insert “, written notice”

## **2 PUBLIC HOLIDAYS ACT [CAP 114]**

### **Schedule**

- (a) Delete “National Unity Day (5 October)”, substitute “National Unity Day (29 November)”
- (b) Delete “Constitution Day (29 November)”, substitute “Constitution Day (5 October)”

## **3 VANUATU FOREIGN INVESTMENT PROMOTION ACT [CAP 248]**

### **Subsection 2(1) (Interpretation)**

Insert in its correct alphabetical position:

““specialty shop” is a retail shop other than a general merchandising trading shop that:

- (a) provides for the sale of one type of product including items and services associated with that product; and
- (b) the operator of the shop has a high level of knowledge and skill in the product that is being sold and is able to provide high quality service and expert guidance to customers in relation to that product.”



## RÉPUBLIQUE DE VANUATU

### LOI MODIFICATIVE N° 17 DE 2014 (DISPOSITIONS DIVERSES)

#### Sommaire

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# RÉPUBLIQUE DE VANUATU

Promulguée : 19/06/2014

Entrée en vigueur : 17/07/2014

## LOI MODIFICATIVE N° 17 DE 2014 (DISPOSITIONS DIVERSES)

Loi prévoyant les modifications de certaines Lois.

Le Président de la République et le Parlement promulguent le texte suivant:

### **1 Modification**

Les Lois suivantes sont modifiées conformément à l'Annexe:

- 1) Loi N° 35 de 2013 relative aux voies publiques;
- 2) Loi sur les jours fériés [CAP 114];
- 3) Loi sur la promotion des investissements étrangers à Vanuatu [CAP 248].

### **2 Caducité de la Loi**

- 1) La présente Loi devient caduque à la date où toutes ses dispositions entrent en vigueur.
- 2) La caducité de la présente Loi, à cause de l'application de l'article 11 de la Loi sur l'interprétation [CAP 132], n'affecte aucune modification à laquelle elle s'applique.

### **3 Entrée en vigueur**

- 1) Sous réserve du paragraphe 2), la présente Loi entre en vigueur à la date de sa publication au Journal officiel.
- 2) Les modifications de la Loi N° 35 de 2013 relative aux voies publiques entre en vigueur à la date où la Loi N° 35 de 2013 relative aux voies publiques entre en vigueur.

## ANNEXE

### MODIFICATIONS MINEURES

#### 1 LOI N° 35 DE 2013 RELATIVE AUX VOIES PUBLIQUES

**a) Article 1 (définition réserve routière)**

(modification version anglaise)

**b) Alinéa 2.b)**

b) (modification de la version anglaise)

**c) Alinéa 2.e)**

(modification de la version anglaise)

**d) Titre 2 – Sous-titre 1 (intitulé)**

(modification de la version anglaise)

**e) Alinéa 6.3)a)**

(modification de la version anglaise)

**f) Paragraphe 9.1)**

(modification de la version anglaise)

**g) Paragraphe 18.2)**

(modification de la version anglaise)

**h) Alinéa 21.1)a)**

(modification de la version anglaise)

**i) Alinéa 26.2)d) (2ème et 3ème apparition)**

(modification de la version anglaise)

**j) Paragraphe 27.3)**

(modification de la version anglaise)

**k) Alinéa 28.1)**

(modification de la version anglaise)

**l) Alinéa 28.2)**

(modification de la version anglaise)

**m) Paragraphe 28.3)**

ii) (modification de la version anglaise)

**n) Alinéa 28.3)b)**

(Modification de la version anglaise)

**o) Paragraphe 41.2)**

(Modification de la version anglaise)

## **2 LOI SUR LES JOURS FÉRIÉS [CAP 114]**

### **Annexe**

a) Modifier la version anglaise

b) Modifier la version anglaise

## **3 LOI SUR LA PROMOTION DES INVESTISSEMENTS ETRANGERS A VANUATU [CAP 248]**

### **Paragraphe 2.1) (Définitions)**

Insérer selon l'ordre alphabétique :

“magasin spécialisé” désigne un magasin de détail autre qu'un magasin d'objets divers:

- a) qui vend divers un type de produit, y compris des articles ou des services accessoires à ce produit ; et
- b) dont l'exploitant a une très bonne connaissance de tout produit en vente et est capable d'offrir un service et de l'expertise de haute qualité au client du produit.”



**REPUBLIC OF VANUATU**

**CONTROL OF PHARMACISTS (AMENDMENT)  
ACT NO. 20 OF 2014**

**Arrangement of Sections**

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

# REPUBLIC OF VANUATU

Assent: 19/06/2014  
Commencement: 17/07/2014

## CONTROL OF PHARMACISTS (AMENDMENT) ACT NO. 20 OF 2014

An Act to amend the Control of Pharmacists Act [CAP 23].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Control of Pharmacists Act [CAP 23] 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 CONTROL OF PHARMACISTS ACT [CAP 23]

#### **1 Before section 1**

Insert

##### **“1AA. Interpretation**

In this Act, unless the contrary intention appears:

**Commission** means the Pharmacist Practitioners Commission established under subsection 2(1);

**Minister** means the Minister of Health.”

#### **2 Section 2**

Repeal the section, substitute

##### **“2. Pharmacist Practitioners Commission**

(1) The Pharmacist Practitioners Commission is established.

(2) The Commission consists of:

(a) the Director General of Health; and

(b) the Principal Pharmacist; and

(c) a pharmacist appointed by the Minister; and

(d) an environmental health officer appointed by the Minister.

(3) The members of the Commission appointed under paragraphs 2(c) and (d) are to hold office for a period not exceeding 2 years and may be re-appointed.

(4) At a meeting of the Commission, the quorum consists of 3 members present at a meeting.”

**3 Subsection 4(3)**

Repeal the subsection, substitute

- “(3) Subject to subsection (4), the fee for a license issued under this section is VT 5000.
- (4) The Minister may, on the recommendation of the Commission, exempt a person or class of persons from paying the license fee prescribed in subsection (3).”



## RÉPUBLIQUE DE VANUATU

### LOI N° 20 DE 2014 SUR LE CONTROLE DE LA PROFESSION DE PHARMACIEN (MODIFICATION)

#### Sommaire

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# RÉPUBLIQUE DE VANUATU

Promulguée: 19/06/2014

Entrée en vigueur : 17/07/2014

## **LOI N° 20 DE 2014 SUR LE CONTROLE DE LA PROFESSION DE PHARMACIEN (MODIFICATION)**

Loi modifiant la Loi sur le contrôle de la profession de pharmacien [CAP 23].

Le Président de la République et le Parlement promulguent le texte suivant :

### **1 Modification**

La Loi sur le contrôle de la profession de pharmacien [CAP 23] est modifiée conformément à l'Annexe.

### **2 Entrée en vigueur**

La présente Loi entre en vigueur à la date de sa publication au Journal officiel

## ANNEXE

### MODIFICATIONS DE LA LOI SUR LE CONTROLE DE LA PROFESSION DE PHARMACIEN [CAP 23]

#### 1 Avant l'article 1

Insérer

##### “1AA Définition

Dans la présente Loi, sous réserve du contexte:

Commission désigne la Commission pharmaceutique établie conformément au paragraphe 2.1);

ministre désigne le ministre de la Santé.”

#### 2 Article 2

Supprimer et remplacer l'article par:

##### “2 Commission pharmaceutique

- 1) La Commission pharmaceutique est établie.
- 2) La Commission pharmaceutique est composé de:
  - a) Directeur général de la Santé;
  - b) pharmacien en chef;
  - c) un pharmacien nommé par le ministre;
  - d) un agent d'hygiène du milieu nommé par le ministre pour être membre de la Commission.”

#### 3 Paragraphe 4.3)

Supprimer et remplacer le paragraphe par:

- “3) Sous réserve du paragraphe 4), le droit d'une patente délivrée conformément au présent article est de 5 000 VT;

- 4) Le ministre peut, sur recommandation de la Commission, exempter une personne ou une catégorie de personnes de payer le droit de patente prévu au paragraphe 3).”



**REPUBLIC OF VANUATU**

**IMPORT DUTIES (CONSOLIDATION)  
(AMENDMENT)  
ACT NO. 22 OF 2014**

**Arrangement of Sections**

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

# REPUBLIC OF VANUATU

Assent: 19/06/2014  
Commencement: 17/07/2014

## IMPORT DUTIES (CONSOLIDATION) (AMENDMENT) ACT NO. 22 OF 2014

An Act to amend the Import Duties (Consolidation) Act [CAP 91].

Be it enacted by the President and Parliament as follows-

### **1 Amendment**

The Import Duties (Consolidation) Act [CAP 91] 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 DUTIES (CONSOLIDATION) ACT [CAP 91]

#### 1 Schedule 1

Delete from the Schedule for each relevant tariff item in column 1 of the table the current rate of import duty set out in column 2 of the table, substitute the new rate of import duty set out in column 3 of the table.

TABLE

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Tariff Item</b>	<b>Current rate of import duty</b>	<b>New rate of import duty</b>
0207.1100	20%	55%
0207.1200	20%	55%
0207.1300	20%	55%
0207.1490	30%	55%



## RÉPUBLIQUE DE VANUATU

### LOI MODIFICATIVE N° 17 DE 2014 (DISPOSITIONS DIVERSES)

#### Sommaire

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2	Caducité de la Loi .....	2
3	Entrée en vigueur .....	2

# RÉPUBLIQUE DE VANUATU

Promulguée : 19/06/2014

Entrée en vigueur : 17/07/2014

## LOI MODIFICATIVE N° 17 DE 2014 (DISPOSITIONS DIVERSES)

Loi prévoyant les modifications de certaines Lois.

Le Président de la République et le Parlement promulguent le texte suivant:

### **1 Modification**

Les Lois suivantes sont modifiées conformément à l'Annexe:

- 1) Loi N° 35 de 2013 relative aux voies publiques;
- 2) Loi sur les jours fériés [CAP 114];
- 3) Loi sur la promotion des investissements étrangers à Vanuatu [CAP 248].

### **2 Caducité de la Loi**

- 1) La présente Loi devient caduque à la date où toutes ses dispositions entrent en vigueur.
- 2) La caducité de la présente Loi, à cause de l'application de l'article 11 de la Loi sur l'interprétation [CAP 132], n'affecte aucune modification à laquelle elle s'applique.

### **3 Entrée en vigueur**

- 1) Sous réserve du paragraphe 2), la présente Loi entre en vigueur à la date de sa publication au Journal officiel.
- 2) Les modifications de la Loi N° 35 de 2013 relative aux voies publiques entre en vigueur à la date où la Loi N° 35 de 2013 relative aux voies publiques entre en vigueur.

## ANNEXE

### MODIFICATIONS MINEURES

#### 1 LOI N° 35 DE 2013 RELATIVE AUX VOIES PUBLIQUES

**a) Article 1 (définition réserve routière)**

(modification version anglaise)

**b) Alinéa 2.b)**

b) (modification de la version anglaise)

**c) Alinéa 2.e)**

(modification de la version anglaise)

**d) Titre 2 – Sous-titre 1 (intitulé)**

(modification de la version anglaise)

**e) Alinéa 6.3)a)**

(modification de la version anglaise)

**f) Paragraphe 9.1)**

(modification de la version anglaise)

**g) Paragraphe 18.2)**

(modification de la version anglaise)

**h) Alinéa 21.1)a)**

(modification de la version anglaise)

**i) Alinéa 26.2)d) (2ème et 3ème apparition)**

(modification de la version anglaise)

**j) Paragraphe 27.3)**

(modification de la version anglaise)

**k) Alinéa 28.1)**

(modification de la version anglaise)

**l) Alinéa 28.2)**

(modification de la version anglaise)

**m) Paragraphe 28.3)**

ii) (modification de la version anglaise)

**n) Alinéa 28.3)b)**

(Modification de la version anglaise)

**o) Paragraphe 41.2)**

(Modification de la version anglaise)

## **2 LOI SUR LES JOURS FÉRIÉS [CAP 114]**

### **Annexe**

a) Modifier la version anglaise

b) Modifier la version anglaise

## **3 LOI SUR LA PROMOTION DES INVESTISSEMENTS ETRANGERS A VANUATU [CAP 248]**

### **Paragraphe 2.1) (Définitions)**

Insérer selon l'ordre alphabétique :

“magasin spécialisé” désigne un magasin de détail autre qu'un magasin d'objets divers:

- a) qui vend divers un type de produit, y compris des articles ou des services accessoires à ce produit ; et
- b) dont l'exploitant a une très bonne connaissance de tout produit en vente et est capable d'offrir un service et de l'expertise de haute qualité au client du produit.”



## REPUBLIC OF VANUATU

### FOREIGN SERVICES ACT NO. 20 OF 2013

#### Terms and Conditions of Employment of the High Commissioner of the Republic of Vanuatu to the Republic of the Fiji Islands Order No. 129 of 2014

In exercise of the powers conferred on me by subsection 36(1) of the Foreign Services Act No. 20 of 2013, I, the Honourable EDWARD NIPAKEI NATAPEI, Deputy Prime Minister and Minister of Foreign Affairs and External Trade, after consultation with the Director General of the Ministry of Foreign Affairs and External Trade, make the following Order.


#### 1 Terms and Conditions of Employment

The terms and conditions of employment of Nikenike VUROBARAVO as the High Commissioner of the Republic of Vanuatu to the Republic of the Fiji Islands is set out in the Schedule.

#### 2 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 4<sup>th</sup> day of February, 2014

  
Honourable Edward Nipakei NATAPEI  
Deputy Prime Minister and Minister of  
Foreign Affairs and External Trade

Terms and Conditions of Employment of the High Commissioner of the Republic of Vanuatu to the  
Republic of the Fiji Islands Order No. 129 of 2014





**SCHEDULE**  
**TERMS AND CONDITIONS OF EMPLOYMENT**

**1 Interpretation**

For the purposes of providing for the terms and conditions of employment of Nikenike Vurobaravu as the High Commissioner:

**Employer** means the Government of the Republic of Vanuatu;

**Employee** means Mr. Nikenike Vurobaravu.

**2 Duties of Head of Mission**

The Employee has the following duties:

- (a) to manage and direct the Mission, its resources and activities; and
- (b) to maintain friendly relations with the host country, the Republic of Fiji; and
- (c) to coordinate the official activities of the various Departments and Agencies of the Government of the Republic of Vanuatu (including promotion of investment, trade and tourism); and
- (d) to advance the interests of the Government of the Republic of Vanuatu with the Republic of Fiji; and
- (e) to provide quarterly written reports as well as an annual report to the Minister and the Director General of the Ministry of Foreign Affairs and External Trade (hereinafter called "The Ministry"); and
- (f) to carry out quarterly Mission's staff performance appraisal and sent it to the Minister and Director General of the Ministry; and
- (g) to collaborate with the Department of Foreign Affairs (hereinafter called "The Department") on the Head of Mission's performance appraisal quarterly; and



SCHEDULE  
TERMS AND CONDITIONS OF EMPLOYMENT

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- (h) to carry out such other legal duties in line with this appointment as may be assigned by the Minister or the Director General of the Ministry from time to time.

**3 Official duties to have priority**

The Employee:

- (a) must devote the whole of his time to his employment on matters that directly concerns the Employer; and
- (b) must not engage himself or act as an employee, agent or principal of any person, corporate body or any organization on any lawful activities or dealings in the capacity of the High Commissioner of the Republic of Vanuatu during his period of employment; and
- (c) must use his best endeavours and take all such proper steps or precautions as may be required, appropriate or necessary to prevent the loss, destruction, damage or waste of any deeds, writing, papers, books, monies, assets or other property of the Mission; and
- (d) must at all times comply with the requirements of this Agreement and all relevant Acts of the Republic of Vanuatu.

**4 Confidentiality**

The Employee must not at any time whether during his employment or at any time thereafter (except so far as is necessary and proper in the ordinary course of this employment), make public or disclose to any person any information if:

- (a) the information relates to any dealing or matter relating to national security or protected under legislation; and
- (b) the information came to his knowledge in the course of his employment by the Employer as High Commissioner.

**5 Remuneration, allowances and benefits**

- (1) The remuneration of the Employee is a monthly salary of FJ\$4,200.00

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SCHEDULE  
TERMS AND CONDITIONS OF EMPLOYMENT

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- (2) The Employee is entitled to the following allowances and benefits:
- (a) a Child Allowance of 189.00 FJD per child per month if the child is under 18 years. The Child Allowance is only applicable for 2 children;
  - (b) a one-off payment of 986.00 FJD clothing allowance;
  - (c) Domestic (within jurisdiction) Duty Travel Allowance of 377.00 FJD per day for the first 7 days. After first 7 days, the Domestic Travel allowance will be reduced by 50%;
  - (d) Domestic (within jurisdiction) In-Service Training Allowance of 189.00 FJD per day commencing from date of workshop or training begins and ends when workshop ends. This is only applicable if the training is approved by the Director General;
  - (e) Education Allowance of 943.00 FJD per Child per school term. The education allowance is only applicable to children under the age of 18;
  - (f) a one-off payment of establishment Allowance for permanent posting to overseas Missions of 3,774.00 FJD.
  - (g) a Housing Allowance of 7,547.00 FJD per month. 12% of the Housing Allowance will be deducted as High Commissioner's residence is paid for by the Government;
  - (h) Medical Allowance of 7,547.00 FJD per annum. The medical allowance will only be paid through refund of receipts by medical practitioners;
  - (i) no transport allowance will be provided as the High Commission has a vehicle;
  - (j) Overseas Mission travel allowances that are claimable upon endorsement by the Director General;

A handwritten signature in black ink is located in the bottom right corner of the page. Below the signature is a circular stamp, which appears to be a seal or official mark, though its details are not clearly legible.

SCHEDULE  
TERMS AND CONDITIONS OF EMPLOYMENT

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- (k) Spouse Support Allowance 377.00 FJD per month that is payable only to a legal spouse or partner and will be paid only if a spouse accompanies his or her working partner in the Mission (based overseas).

**6 Annual Leave and sick leave**

- (1) The Employee is entitled to take annual leave upon approval by the Employer, and such leave is to be calculated at the rate of one and three-quarter working days for every month of service.
- (2) The Employee is entitled to take sick leave at the rate of 21 days per 12 months of service.
- (3) If in any period of 12 months the Employee takes a sick leave exceeding 21 days, such number of days taken in excess of the 21 days must be taken as leave without pay.
- (4) A sick leave for a period of more than 2 consecutive working days is not valid unless supported by a medical certificate by a duly qualified practitioner.

**7 Use of the High Commissioner's vehicle**

- (1) The Employee may use a vehicle belonging to the High Commission with appropriate authority for official purposes only.
- (2) The appropriate authority means:
- (a) during the Employee's usual working hours, the prior approval of the High Commissioner, which approval may only be given for official duties;
- (b) outside the Employee's usual working hours, the prior approval from the High Commissioner in accordance with the written note.

**8 Termination and resignation from office**

- (1) The Minister may in writing recall the Employee if he:





SCHEDULE  
TERMS AND CONDITIONS OF EMPLOYMENT

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- (a) ceases to be a citizen of Vanuatu; or
  - (b) becomes bankrupt inside or outside Vanuatu; or
  - (c) is convicted of an offence inside or outside Vanuatu that is listed under subsection 27(2) of the Leadership Code Act [CAP 240]; or
  - (d) is convicted for offences other than those under subsection 27(2) of the Leadership Code Act [CAP 240]; or
  - (e) is incapacitated by an illness; or
  - (f) is not complying with his or her performance agreement with the Minister; or
  - (g) is regularly absent from functions without providing reasonable excuse to the Director General; or
  - (h) commits the State to a bilateral agreement without authorization from the Minister or Director General; or
  - (i) consistently travels for unofficial purposes without obtaining prior approval from the Director General; or
  - (j) discloses information to the media without obtaining authorization from the Director General; or
  - (k) breaches the Public Finance and Economic Management Act [CAP 244]; or
  - (l) has acted contrary to a lawful instruction given by the Minister; or
  - (m) brings into disrepute the integrity and reputation of Vanuatu; or
  - (n) acts contrary to the Government's foreign policy.
- (2) The Employee may resign at any time by giving 3 months notice in writing to the Minister.



SCHEDULE  
TERMS AND CONDITIONS OF EMPLOYMENT

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**9 Surrender of government property**

- (1) On the termination of this Agreement, the Employee must, as soon as possible, deliver to the Employer (whether or not demanded therefore is given by the Employer), all stores, articles, property, files, motor vehicle or other assets and any other materials belonging to the Government.
- (2) If on termination of the employment the Employee is occupying a Government House, he is to deliver up to the Government such house and vacate the same not more than 30 days after ceasing to be employed.
- (3) An occupation of any Government house beyond his 30 day period under subclause (2) constitutes trespass and renders the Employee liable to be evicted from the house.





## REPUBLIC OF VANUATU

### FOREIGN SERVICE ACT NO. 20 OF 2013

#### Instrument of Appointment Order No. 130 of 2014

In exercise of the powers conferred on me by subsection 17(1) of the Foreign Service Act No. 20 of 2013, I, the Honourable MELTEK SATO KILMAN LIVTUVANU, Minister of Foreign Affairs, International Cooperation and External Trade, after consultation with the Council of Ministers, make the following Order.


#### 1 Appointment

Mr. KALOTITI MACKENZIE is appointed as the Consul General of the Republic of Vanuatu to the Government of New Zealand.

#### 2 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 4<sup>th</sup> day of JUNE, 2014.

  
Honourable MELTEK SATO KILMAN LIVTUVANU  
Minister of Foreign Affairs, International Cooperation  
and External Trade





## REPUBLIC OF VANUATU

### BROADCASTING AND TELEVISION ACT [CAP 214]

#### Instrument of Appointment – Members and Chairman of the Vanuatu Broadcasting and Television Corporation Order No. 131 of 2014

In exercise of the powers conferred on me by subsections 3(1) and (2) of the Broadcasting and Television Act [CAP 214], I, the Honourable JOE NATUMAN, Prime Minister, make the following Order.

#### 1 Appointment


The following persons are appointed as members and Chairman of the Corporation:

- (a) Jennifer Kausei as member and Chairman; and
- (b) Morris Tari as member.

#### 2 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 11<sup>th</sup> day of July, 2014.

  
Honourable JOE NATUMAN  
Prime Minister





## REPUBLIC OF VANUATU

### TRADE DISPUTES ACT [CAP 162]

#### Instrument of Appointment of a sole Arbitrator (Amendment) Order No. ~~126~~ of 2014

In exercise of the powers conferred on me by paragraph 12(b) of the Trade Disputes Act [CAP 162] and section 21 of the Interpretation Act [CAP 132], I, the Honourable CHARLOT SALWAI TABIMASMAS, Minister of Internal Affairs, upon the receipt of the Commissioner of Labour's recommendation, make the following Order.

#### 1 Amendments

The Instrument of Appointment of a sole Arbitrator Order No. 126 of 2014 is amended as set out in the Schedule.

#### 2 Commencement

This Order commences on the day on which it is made.

Made at Port Vila this 11 day of 07, 2014.

  
Honourable CHARLOT SALWAI TABIMASMAS  
Minister of Internal Affairs



## **SCHEDULE**

### **AMENDMENTS OF THE INSTRUMENT OF APPOINTMENT OF A SOLE ARBITRATOR ORDER NO. 126 OF 2014**

**1 Clause 2**

Delete "YAN DAPANG", substitute "WILLIE KARIE"





**REPUBLIC OF VANUATU**

**THE MARRIAGE ACT [CAP.60]**

**PUBLIC NOTICE OF REGISTRATION OF PASTORS FOR CELEBRATING MARRIAGE**

**NOTICE NO. 249 OF 2014**

IN EXERCISE of the powers conferred upon me by section 3(1) of the marriage Act [CAP.60], IT IS HEREBY NOTIFIED that the minister of religion of the PRAISE AND WORSHIP MINISTRIES, as set out below has been registered to celebrate marriage in accordance with the marriage Act-

- Ps. Peter George Donald
- Ps. Amos Wola
- Ps. Esrom Lui
- Ps. Robert Rocroc
- Ps. Moses Nambil
- Ps. Willie Botni
- 

Made in PORT VILA, 1<sup>st</sup> JULY 2014.

Honourable Charlot SALWA

**Minister of internal affairs**





**REPUBLIC OF VANUATU**  
**VANUATU FINANCIAL SERVICES COMMISSION**

**COMPANIES ACT [CAP. 191]**

**NOTICE NO. 250 OF 2014**

**TAKE NOTICE** that pursuant to Section 335 of the Companies Act [CAP. 191], this company,

**VANUATU TECH LTD**

**34927**

has been struck off the Register of Companies at Port Vila, Vanuatu and the company dissolved as of this date.

**Dated** at Port Vila this tenth day of July 2014.

  
George Andrews  
**Registrar of Companies**



**REPUBLIC OF VANUATU**  
**VANUATU FINANCIAL SERVICES COMMISSION**

**COMPANIES ACT [CAP. 191]**

**NOTICE NO. 251 OF 2014**

**TAKE NOTICE** that pursuant to Section 335 of the Companies Act [CAP. 191], this company,

**BLUE SANTO LIMITED**

**34976**

has been struck off the Register of Companies at Port Vila, Vanuatu and the company dissolved as of this date.

**Dated** at Port Vila this third day of March 2014.

  
George Andrews  
**Registrar of Companies**





**REPUBLIC OF VANUATU**

**VANUATU FINANCIAL SERVICES COMMISSION**

**COMPANIES ACT [CAP. 191]**

**NOTICE NO. 252 OF 2014**

**TAKE NOTICE** that pursuant to Section 335 of the Companies Act [CAP. 191], this company,

**NASARA HOLDINGS LIMITED**

**33319**

has been struck off the Register of Companies at Port Vila, Vanuatu and the company dissolved as of this date.

**Dated** at Port Vila this ninth day of July 2014.



George Andrews  
**Registrar of Companies**