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NOTIFICATION OF PUBLICATION

ORDER

STATE LAW OFFICE ACT NO. 4 OF 1998

- INSTRUMENT OF ACTING
APPOINTMENT – ARNOLD KIEL
LOUGHMAN ORDER NO. 32 OF 2019

CITIZENSHIP ACT [CAP 112]

- CITIZENSHIP (DEVELOPMENT SUPPORT
PROGRAM) REGULATIONS
ORDER NO. 33 OF 2019
- CITIZENSHIP (CONTRIBUTION
PROGRAM) (AMENDMENT)
ORDER NO. 34 OF 2019

REPUBLIC OF VANUATU



INSTRUMENT OF ACTING APPOINTMENT

Order No. 32 of 2019

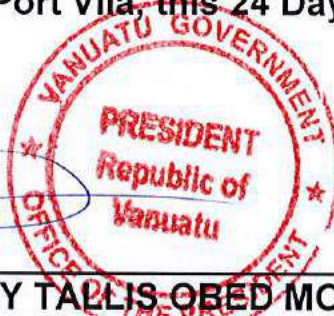
IN EXERCISE of the power vested in me by section 7 of the State Law Office Act No. 4 of 1998, and on the Advice of the Judicial Service Commission, I, TALLIS OBED MOSES, President of the Republic of Vanuatu appoint

ARNOLD KIEL LOUGHMAN

As Acting ATTORNEY GENERAL of the Republic of Vanuatu for a period of 3 months effective from 23 April 2019.

Dated at State Office, Port Vila, this 24 Day of April 2019.

A handwritten signature in blue ink, consisting of a stylized 'T' and 'M' with a horizontal line extending to the right.



EXCELLENCY TALLIS OBED MOSES
PRESIDENT OF THE REPUBLIC OF VANUATU



REPUBLIC OF VANUATU

CITIZENSHIP ACT [CAP 112]

Citizenship (Development Support Program) Regulations Order No. 33 of 2019

In exercise of the powers conferred on me by subsections 13E(1), (2) and (3) of the Citizenship Act [CAP 112], I, the Honourable CHARLOT SALWAI TABIMASMAS Prime Minister, make the following Regulation.

1 Definitions

Act means the Citizenship Act [CAP 112];

applicant means an applicant for citizenship under the Development Support Program;

child means a natural or lawfully adopted child of an applicant or of the spouse of an applicant who has not attained 18 years of age;

children is taken to have the same meaning as child;

Commission means the Citizenship Commission established under Part 2 of the Citizenship Act [CAP 112];

DSP means the Development Support Program established under section 13E of the Citizenship Act [CAP 112];

FIU means the Financial Intelligence Unit established under section 4 of the Anti-Money Laundering and Counter-Terrorism Financing Act No. 13 of 2014;

Office means the Citizenship Office;

resident dependant includes the following:

- (a) a natural or adopted son or daughter of an applicant or his or her spouse who is or between the age of 18 to 25 years and is:
 - (i) residing with or dependent upon the applicant or his or her spouse; and
 - (ii) attending full time education; or
- (b) the lawful mother or father of the applicant or his or her spouse who is:
 - (i) residing with and is dependent upon the applicant or his or her spouse; and
 - (ii) over the age of 50 years.

VERP means the Vanuatu Economic Rehabilitation Program.

2 Establishment of the Development Support Program

For the purpose of section 13E of the Act, the Development Support Program is established.

3 Designated Agents for the Development Support Program

- (1) The Commission is to designate agents to promote and market the DSP worldwide.
- (2) The Commission must not designate an agent who is not a citizen of Vanuatu.
- (3) A designated agent must have his or her main registered office in Port Vila, Vanuatu.
- (4) A person who has obtained citizenship under the VERP or the DSP is not eligible to be designated by the Commission as an agent for the DSP.

4 Selling prices

The following selling prices apply in marketing the DSP worldwide:

- (a) for a single person –the selling price must not be less than 130,000USD;
- (b) for a married couple –the selling price must not be less than 150,000USD;
- (c) for a married couple and a child under 18 years of age –the selling price must not be less than 165,000USD;

- (d) for a married couple and 2 children under 18 years of age –the selling price must not be less than 180,000USD.

5 Revocation of designation

The Commission may revoke the designation of an agent if that agent fails to comply with the requirements set out under clause 4.

6 Procedures for applications for citizenship under the Development Support Program

- (1) The following procedures apply in relation to an application for citizenship under the DSP:
 - (a) upon receiving an application for citizenship under the DSP, a designated agent is to provide the FIU with the applicant's valid passport, police or judicial clearance from his or her State of origin and such other documents as may reasonably be requested by the FIU together with the application for due diligence checks to be made on the applicant and persons listed in the application;
 - (b) upon completion of the due diligence check by FIU, which must occur 48 hours from the time FIU has received documents under paragraph (a), the designated agent is to provide the application to the Office. The staff of the Office are to check if the application contains all the documents that are required to be submitted following the checklist for an application under the DSP;
 - (c) once the Office confirms that all documents have been submitted, the Office is to provide the Screening Committee with the application for consideration by the Screening Committee, otherwise it would advise the designated agent to contact the applicant to provide any document that is missing from the application;
 - (d) after considering the application, the Screening Committee will submit the application to the Commission who will consider and make a decision whether or not to approve the application for citizenship under the DSP;
 - (e) the Secretary General of the Office must inform the designated agent of the decision of the Commission on each applicant within 48 hours from the time on which the Commission made the decision.
- (2) The prescribed fees are to be paid in the following manner:

- (a) an applicant must pay 25% of the prescribed fee due under his or her application before the Commission considers his or her application;
 - (b) an applicant must pay 75% of the prescribed fee due under his or her application before the Commission issues the certificate of citizenship to him or her.
- (3) An applicant may pay 100 percent of the prescribed fee due under his or her application.
- (4) To avoid doubt:
 - (a) payments set out under subclause (2) are deemed to have been made once the fees have been deposited into the DSP account with the National Bank of Vanuatu and satisfactory documentary proof of such payment being made has been received by the Commission; and
 - (b) if an application has been refused by the Commission, the 25% of the prescribed fee that has been paid under paragraph (2)(a) is not refundable to the applicant.
- (5) The Commission must not consider the application of a person who has not paid the relevant prescribed fee as required by subclause (2).
- (6) Subject to paragraph (2)(b), the Commission must issue a citizenship certificate to a person within 90 days after the application is approved.
- (7) The Commission must not issue a citizenship certificate to a person who has not made the full payment of the prescribed amount in accordance with subclause 7(1).
- (8) The Commission may accept applications from applicants from any restricted country if the applicant shows that he or she:
 - (a) has not resided in the restricted country for the last 5 years; and
 - (b) provides evidence of permanent residency abroad.
- (9) The Commission must not approve the application of a person who has had a criminal conviction.
- (10) Once the process of due diligence checks have been completed with the FIU, an applicant must ensure that he or she continues to use the services

of the same agent unless that agent has not progressed the application within a reasonable period which must not exceed 6 months.

- (11) The Office must notify an agent of the approval in principle of an application from that agent within 48 hours of the approval in principle being made by the Commission.
- (12) An application may only be refused by the Commission if the application does not meet the requirements set out under the Act and this Regulation.

7 Prescribed fees

- (1) The following categories of fees payable to the designated Government account, are prescribed for persons applying for citizenship under the DSP:
 - (a) for a single person applying for citizenship – 80,000USD;
 - (b) for a married couple applying for citizenship -100,000USD;
 - (c) for a married couple plus a child under 18 years of age - 115,000USD;
 - (d) for a married couple plus 2 children under 18 years of age 130,000USD;
 - (e) for an additional child -10,000USD;
 - (f) for any additional resident dependent 10,000USD.
- (2) A person applying for citizenship under the DSP, must pay an application fee of VT5000 to the Commission for his or her application.
- (3) A person who has been granted citizenship under the DSP must pay a certificate fee of VT10,000 for each certificate that is granted under his or her application.
- (4) Each applicant must pay a fee of USD2,000 for due diligence checks to be made on him or her and on persons under his or her application.

8 Prescribed fee applicable for spouse and child of citizens under the VERP and Honorary Citizenship DSP

- (1) For cases where a person has been granted citizenship under the VERP and the person intends to put in an application for his or her spouse and a child or 2 children, the person must pay an administration fee of USD5,000 to process the application.

- (2) For cases where a person has been granted citizenship under the Honorary Citizenship DSP before the fees have been reduced by Order No. 94 of 2018, and the person intends to put in an application for his or her spouse and a child or 2 children, the person must pay an administration fee of USD5,000 to process the application.
- (3) For cases where a person has been granted citizenship under the Honorary Citizenship DSP after the fees have been reduced by Order No. 94 of 2018, and the person intends to put in an application for his or her spouse and a child or 2 children, the person must pay an administration fee of USD 5000 and the difference between the amount paid on the first application and the new fees prescribed under subclause 7(1).
- (4) For any other dependants apart from the spouse and a child or 2 children referred to in subclauses (1) and (2), the applicant must pay the fees as stated in paragraph 7(1)(e) or (f).
- (5) To avoid doubt, a child born after a person is granted citizenship under the Honorary Citizenship DSP or VERP is a citizen of Vanuatu. The child is to pay a passport fee of VT10,000.

9 Delivery of original citizenship certificates

A designated agent or a person authorised by the designated agent, may deliver to the citizen abroad (if such situation is necessary) the citizenship certificate in accordance with prescribed guidelines for delivery of such document upon completion of the oath of allegiance procedure by the citizen.

10 Commencement

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

Made at Port Vila this 24 day of April, 2019.


Honourable CHARLOT SALWAI TABIMASI
Prime Minister





REPUBLIC OF VANUATU
CITIZENSHIP ACT [CAP 112]

Citizenship (Contribution Program) (Amendment)
Order No. 34 of 2019

In exercise of the powers conferred on me by subsections 13D(2) and 23 of the Citizenship Act [CAP 112], I, the Honourable CHARLOT SALWAI TABIMASMAS, Prime Minister, make the following Order.

1 Amendments

The Citizenship (Contribution Program) Regulation Order No. 220 of 2016 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 24 day of April, 2019.


Honourable CHARLOT SALWAI TABIMASMAS
Prime Minister



SCHEDULE

AMENDMENTS OF THE CITIZENSHIP (CONTRIBUTION PROGRAM) REGULATION ORDER NO. 220 OF 2016

1 Clause 1 (Definition of resident dependant)

Repeal the definition, substitute

"**resident dependant** includes the following:

- (a) a natural or adopted son or daughter of an applicant or his or her spouse who is or between the age of 18 to 25 years and is:
 - (i) residing with or dependent upon the applicant or his or her spouse; and
 - (ii) attending full time education; or
- (b) the lawful mother or father of the applicant or his or her spouse who is:
 - (i) residing with and is dependent upon the applicant or his or her spouse; and
 - (ii) over the age of 50 years."

2 Clause 2

Repeal the clause, substitute

"2 Selling prices

The following selling prices apply in marketing the Contribution Program worldwide:

- (a) for a single person –the selling price must not be less than 130,000USD;
- (b) for a married couple –the selling price must not be less than 150,000USD;
- (c) for a married couple and a child under 18 years of age –the selling price must not be less than 165,000USD;

- (d) for a married couple and 2 children under 18 years of age –the selling price must not be less than 180,000USD.

2A Procedures for applications for citizenship under the Contribution Program

- (1) The following procedures apply in relation to an application for citizenship under the Contribution Program:
- (a) upon receiving an application for citizenship under the Contribution Program, a Vanuatu Glory Limited (VGL) is to provide the FIU with the applicant's valid passport, police or judicial clearance from his or her State of origin and such other documents as may reasonably be requested by the FIU together with the application for due diligence checks to be made on the applicant and persons listed in the application;
 - (b) upon completion of the due diligence check by FIU, which must occur 48 hours from the time FIU has received documents under paragraph (a), the designated agent is to provide the application to the Office. The staff of the Office are to check if the application contains all the documents that are required to be submitted following the checklist for an application under the Contribution Program;
 - (c) once the Office confirms that all documents have been submitted, the Office is to provide the Screening Committee with the application for consideration by the Screening Committee, otherwise it would advise the designated VGL to contact the applicant to provide any document that is missing from the application;
 - (d) after considering the application, the Screening Committee will submit the application to the Commission who will consider and make a decision whether or not to approve the application for citizenship under the Contribution Program;
 - (e) the Secretary General of the Office must inform the VGL of the decision of the Commission on each applicant within 48 hours from the time on which the Commission made the decision.
- (2) The prescribed fees are to be paid in the following manner:

SCHEDULE
AMENDMENTS OF THE CITIZENSHIP (CONTRIBUTION PROGRAM) REGULATION
ORDER NO. 220 OF 2016

- (a) an applicant must pay 25% of the prescribed fee due under his or her application before the Commission considers his or her application;
 - (b) an applicant must pay 75% of the prescribed fee due under his or her application before the Commission issues the certificate of citizenship to him or her.
- (3) An applicant may pay 100 percent of the prescribed fee due under his or her application.
- (4) To avoid doubt:
 - (a) payments set out under subclause (2) are deemed to have been made once the fees have been deposited into the Development Support account with the National Bank of Vanuatu; and satisfactory documentary proof of such payment being made has been received by the Commission; and
 - (b) if an application has been refused by the Commission, the 25% of the prescribed fee that has been paid under paragraph (2)(a) is not refundable to the applicant.
- (5) The Commission must not consider the application of a person who has not paid the relevant prescribed fee as required by subclause (2).
- (6) Subject to paragraph (2)(b), the Commission must issue a citizenship certificate to a person within 90 days after the application is approved.
- (7) The Commission must not issue a citizenship certificate to a person who has not made the full payment of the prescribed amount in accordance with subclause 3(1).
- (8) The Commission may accept applications from applicants from any restricted country if the applicant shows that he or she:
 - (a) has not resided in the restricted country for the last 5 years; and
 - (b) provides evidence of permanent residency abroad.

- (9) The Commission must not approve the application of a person who has had a criminal conviction.
- (11) The Office must notify the VGL of the approval in principle of an application from that agent within 48 hours of the approval in principle being made by the Commission.
- (12) An application may only be refused by the Commission if the application does not meet the requirements set out under the Act and this Regulation."

3 Subclause 3(1)

Repeal the clause, substitute

- "(1) The following categories of fees payable to the designated Government account, are prescribed for persons applying for citizenship under the Contribution Program:
- (a) for a single person applying for citizenship – 80,000USD;
 - (b) for a married couple applying for citizenship -100,000USD;
 - (c) for a married couple plus a child under 18 years of age - 115,000USD;
 - (d) for a married couple plus 2 children under 18 years of age 130,000USD;
 - (e) for an additional child -10,000USD;
 - (f) for any additional resident dependent 10,000USD."

4 Subclause 3(2)

Delete "clause 3", substitute "subclause 3(1)"

5 Subclause 3(4)

Repeal the subclause.

6 After clause 3

Insert

“3A Prescribed fee applicable for spouse and child of citizens under the VERP and Contribution Program

- (1) For cases where a person has been granted citizenship under the VERP and the Contribution Program before the fees have been reduced by Order No. 95 of 2018, and the person intends to put in an application for his or her spouse and a child or 2 children, the person must pay an administration fee of USD5,000 to process the application.
- (2) For cases where a person has been granted citizenship under the Contribution Program after the fees have been reduced by Order No. 95 of 2018, and the person intends to put in an application for his or her spouse and a child or 2 children, the person must pay an administration fee of USD 5000 and the difference between the amount paid on the first application and the new fees prescribed under subclause 3(1).
- (3) For any other dependants apart from the spouse and a child or 2 children referred to in subclauses (1), the applicant must pay the fees as stated in subclause (2).
- (4) To avoid doubt, a child born after a person is granted citizenship under the Honorary Citizenship DSP or VERP is a citizen of Vanuatu. The child is to pay a passport fee of VT10,000.”