



REPUBLIC OF VANUATU

CITIZENSHIP ACT [CAP 112]

Citizenship (Real Estate Option Program) Regulation Order No. 93 of 2021

In exercise of the powers conferred on me by sections 13F and 23 of the Citizenship Act [CAP 112], I, the Honourable BOB LOUGHMAN WEIBUR, Prime Minister, make the following Regulation.

1 Definitions

In this Regulation unless the context otherwise requires:

applicant means an applicant for citizenship under the Real Estate Option Program;

application includes:

- (a) the applicant; and
- (b) his or her spouse; and
- (c) 2 children; and
- (d) 1 resident dependant;

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

children is taken to have the same meaning as child;

Commission mean the Citizenship Commission established by section 2 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;

lot has the same meaning as in the Strata Titles Act [CAP 266] and must not be a vacant land;

Office means the Citizenship Office;

REO Program means the Real Estate Option Program established under section 13F of the Citizenship Act [CAP 112];

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 65 years;

VGAP means a Vanuatu Government Approved Project;

VMSL means Vanuatu Migration Services Limited.

2 Master Agent

The Government is to appoint a Master Agent under the REO Program.

3 Procedures for applications for citizenship under the REO Program

- (1) The following procedures apply in relation to an application for citizenship under the REO Program:
 - (a) only the VMSL is to receive and provide to the Citizenship Office, all applications for citizenship under the REO Program;
 - (b) upon receiving an application for citizenship under the REO Program, the VMSL 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 application for due diligence checks to be made on the applicant and persons listed in the application;

- (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 VMSL 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 REO Program;
 - (e) the Secretary General of the Citizenship Office must inform the VMSL 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 fee under subclause 4(1), is 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) Despite subclause (2), an applicant may pay 100 percent of the prescribed fee due under his or her application.
- (4) The applicant must pay 100 percent of the prescribed fee under subclause 4(2), before the Commission considers his or her application.
- (5) To avoid doubt:
- (a) payments set out under subclauses 4(1) and (2) are deemed to have been made once the fees have been deposited into the REO Program 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.
- (6) The Commission must not consider the application of a person who has not paid the relevant prescribed fee as required by subclauses 4(1) and (2).

- (7) Subject to paragraph (2)(b) and subclause (3), the Commission must issue a citizenship certificate to a person within 90 days after the application is approved.
- (8) The Commission must not issue a citizenship certificate to a person who has not made the full payment of the prescribed fees under this Regulation and has obtained a title for a lot under the Strata Titles Act [CAP 266].
- (9) 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.
- (10) The Commission must not approve the application of a person who has had a criminal conviction for an offence carrying imprisonment for 12 months or more.
- (11) The Citizenship Office must notify the VMSL 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.

4 Prescribed fees

- (1) The prescribed fee payable to the designated Government account for persons applying under the REO Program is 20,000USD.
- (2) Each applicant must pay a fee of not less than 200,000USD for a lot.
- (3) A person applying for citizenship under the REO Program, must pay an application fee of VT5000 to the Commission for his or her application.
- (4) A person who has been granted citizenship under the REO Program must pay a certificate fee of VT10,000 for each certificate that is granted under his or her application.
- (5) Each applicant must pay a fee of USD5,000 for due diligence checks to be made on him or her and on persons under his or her application.
- (6) For any other dependant apart from the spouse, 2 children and a resident dependant referred to under clause 3, the applicant must pay a fee of 5,000USD for each child or resident dependant.

5 Delivery of original citizenship certificates

- (1) The VMSL or a person authorised by the VMSL, may deliver to the citizen abroad (if such situation is necessary), the citizenship certificate in accordance with the prescribed guidelines for delivery of such document.
- (2) A citizenship certificate must only be provided to the VMSL or a person authorised by the VMSL upon completion of the oath of allegiance procedure by the citizen.

6 VGAP

Funds derived from the REO Program are to be used for any VGAP that relates to tourism.

7 Commencement

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

Made at Port Vila this 7th day of July, 2021.

Bob Loughman

Honourable BOB LOUGHMAN
Prime Minister

