

REPUBLIC OF VANUATU

CITIZENSHIP (AMENDMENT) ACT NO. 39 OF 2013

Arrangement of Sections

- 1 Amendment
- 2 Commencement

Assent: 16/01/2014

Commencement: 21/01/2014

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] is amended as set out in the Schedule.

2 Commencement

(1) Subject to subsection (2), this Act commences on the date on which it is published in the Gazette.

(2) Items 1, 9, 11 and 16 commence on the date on which item 1 of the Constitution (Sixth)(Amendment) Act No. 27 of 2013 takes legal effect.

SCHEDULE
AMENDMENTS OF CITIZENSHIP ACT [CAP 112]

1 Subsection 1(1)

Insert the definition in its correct alphabetical order;

““dual citizenship” means a person with the status as a citizen of two countries;”

2 Subsection 3(1)

Repeal the subsection, substitute

“(1) The Commission is to consist of the following members appointed by the President after consultation with the Prime Minister:

- (a) 2 members nominated by the Prime Minister; and
- (b) 1 member nominated by the Malvatumauri Council of Chiefs;
and
- (c) 1 member nominated by the National Council of Women; and
- (d) 1 member nominated by the Vanuatu Christian Council.

(1A) The President after consultation with the Prime Minister is to appoint a Chairperson of the Commission from amongst the members.

3 Subsection 3(3)

Repeal the subsection, substitute

“(3) A person is eligible to be appointed as a member of the Commission if he or she:

- (a) is a citizen of Vanuatu and does not hold dual citizenship; and
- (b) has no previous criminal record; and
- (c) is of good standing in the community.

(4) the Prime Minister may prescribe other criteria for appointment as a member of the Commission.

(5) Despite paragraph 3(3)(a), an indigenous or naturalised citizen who holds dual citizenship may be appointed as a member of the Commission.

4 After subsection 5(2)

Insert

“(3) Without limiting the generality of subsection (2), the Commission has the following powers:

- (a) to consider and approve applications for citizenship; and
- (b) to revoke a citizenship that has been granted if:
 - (i) the citizenship was granted in a fraudulent manner; or
 - (ii) the citizenship was granted contrary to the provisions of

this Act or the Constitution; or

(iii) the person after being granted citizenship is not complying with the restrictions provided in this Act.”

5 Subsection 7(1)

Repeal the subsection, substitute

“(1) The Commission may convene not more than 6 ordinary meetings and 2 extraordinary meetings in a year.”

6 After Part 2

Insert

“PART 2A- SECRETARY GENERAL, OFFICERS AND COMMITTEES

8A. Appointment of Secretary General and other staff

The Secretary General and other staff of the Citizenship Office are to be appointed by the Public Service Commission.

8B. Functions of the Secretary General

The Secretary General has the following functions:

- (a) to act as the Chief Executive Officer of the Commission; and
- (b) to advise the Commission on matters related to the exercise of the functions of the Commission; and
- (c) to notify members of the Commission of meetings; and
- (d) to ensure meetings are organised within the annual budget ceiling of the Commission; and
- (e) to take minutes of all meetings of the Commission; and
- (f) to issue letters of certification of citizenship; and
- (g) to liaise with foreign embassies and foreign governments on matters of citizenship; and
- (h) such other functions as may be conferred on it by this Act or any other Act.

8C. Internal Screening Committee

(1) The Prime Minister is to appoint an Internal Screening Committee for the purpose of screening applications made in accordance with subsection 12(2) and Part 3A, before the applications are considered and approved by the Commission.

(2) The Committee consists of the following persons:

(a) the Secretary General as the Chairperson; and

(b) the Compliance Officer of the Citizenship office; and

(c) the Director of Immigration Services; and

(d) the Principal Passport Officer; and

(e) 1 legal officer from the State Law Office nominated by the Attorney General.”

(3) The quorum of a meeting of the Committee is 3 members present at that meeting.

(4) The Committee is to meet 3 days before the meeting of the Commission to consider the applications.”

7 Section 10

Repeal the section, substitute

“10. Application for citizenship by a non citizen married to a citizen of Vanuatu

(1) A non citizen who is married to a citizen of Vanuatu may apply in the prescribed manner for citizenship if he or she has lived with his or her spouse in Vanuatu for a period of not less than 2 years.

(2) The applicant must sit and pass a Citizenship test in Bislama.

7A Paragraph 12(2)(i)

After “;” insert “and

7B After paragraph 12(2)(i)

Insert

“(j) has sat and passed a Citizenship test in Bislama,”

7C Subsection 12(3)

- (a) Delete “male applicant” substitute “person”;
- (b) Delete “wife” substitute “spouse”
- (c) Delete “his” substitute “the person”

7D Subsection 12(4)

- (a) Delete “wife” substitute “spouse”
- (b) Delete “her” substitute “the spouse”
- (c) After “that” insert “he or”

8 After section 12

Insert

“12A Issuing of citizenship certificate

A citizenship certificate must:

- (a) be signed by the Chairperson and a member of the Commission in the presence of the Secretary General; or
- (b) be signed by the Prime Minister and a member of the Commission in the presence of the Secretary General if there is a vacancy in the office of the Chairperson.”

9 After Part 3

Insert

“PART 3A- DUAL CITIZENSHIP

“13A Application of Part 3A

This Part applies to a person who intends to apply for Vanuatu citizenship and hold dual citizenship as recognised by subarticle 13(1) of the Constitution of the Republic of Vanuatu.

13B Application for citizenship

(1) A person of full age and capacity may apply to the Commission in the prescribed form for citizenship.

(2) Subject to subsection (3), in the case of an applicant who is an investor under the Capital Investment Immigration Plan—an application may be granted if the applicant complies with the requirements set out under section 13C.

(3) Where on an application made pursuant to subsection (1) and as a result of such inquiries as the Commission may cause to be made, the Commission is satisfied that the person making the application:

- (a) has a respect for the culture and the ways of life of Vanuatu;
- (b) is of good character;
- (c) unless prevented by physical or mental disability, is able to speak and understand sufficiently for normal conversational purposes, Bislama, English, French or a vernacular of Vanuatu;
- (d) has a reasonable knowledge and understanding of the rights, privileges, responsibilities and duties of citizens;
- (e) has taken and subscribed to an oath of allegiance or made a solemn affirmation in the form set out in Schedule 1,

the Commission may grant the application, but otherwise shall refuse it.

(4) Paragraph (3)(c) does not apply to an applicant referred to under subsection (2).

(5) Subject to subsection (5) if a person requests when applying for citizenship that:

- (a) his spouse; or
- (b) any child of that person named in the application,

becomes a citizen under this Part, any such person named in the request becomes a citizen when the applicant becomes a citizen under this Part.

(6) A spouse of a person under subsection (4) must not become a citizen in accordance with subsection (4) unless the application includes a statement by him or her that he or she wishes to become a citizen.

(7) When an application made pursuant to subsection (1) is granted the Commission is to register the applicant as a citizen, issue a certificate of citizenship to the applicant and to any person who also becomes a citizen pursuant

to subsection (4).

(8) A person to whom a certificate of citizenship is issued becomes a citizen on the date stated in the certificate.

(9) For the purposes of this section, the date of an application is the date on which it is lodged with the Commission.

13C Requirements for application of a citizenship by an investor under the Capital Investment Immigration Plan

(1) An investor under subsection 13B (2) may apply for and be granted citizenship if:

(a) the investor complies with the requirements of the Capital Investment Immigration Plan for a period of 24 months from the date of submission of his or her application for a residence permit under the Plan in the Immigration Visa Regulation No. 180 of 2011; or

(b) the investor:

(i) applies within the period of 9 months from the date of submission of his or her application for a residence permit under the Plan; and

(ii) is at the time of the application and the grant of citizenship in compliance with the requirements of the Plan; and

(iii) waives repayment of the Vanuatu Government bonds issued to that investor under the Plan; and

(iv) donates to the Vanuatu Government a further 25% of his or her investment made under the Plan.

(2) In addition to subsection (1), for the first 500 applicants –citizenship will be granted within 3 months after an application has been approved by the Commission.

(3) If an application is granted within the period stated in subsection (2), the investor waives 50% of his or her investment made under the Plan.”

13D Privileges of a citizen

The holder of dual citizenship will have the following privileges:

- (a) the right to undertake investment in Vanuatu; and
- (b) the right to have access to a Vanuatu Passport upon being granted a citizenship certificate.

10 Subsection 14(2)

After “naturalization” insert “or citizenship”

11 At the end of section 14

Add

- “(4) Subsection (1) does not apply to a person who holds dual citizenship.”

12 Section 18

Repeal the section, substitute

“18. Regaining of citizenship

- (1) A person who has renounced or loses his or her Vanuatu citizenship may make an application in the prescribed manner to the Commission to regain his or her citizenship.
- (2) The Commission is to consider the application and decide whether or not to grant the citizenship.”

13 Section 19

Repeal the section.

14 Section 20

Repeal the section, substitute

“20. Honorary citizenship

- (1) The President may on the advice of the Prime Minister convey honorary citizenship on any person with such privileges or exemptions as may be prescribed.
- (2) The categories of persons eligible to be conveyed honorary citizenship are:
 - (a) a person who has or who will contribute to the advancement and betterment of the development process in Vanuatu; and
 - (b) a person who has been appointed under the Foreign Service Act No. 19 of 2013 as a representative of the Government overseas.

(3) Notwithstanding subsections (1) and (2), the Commission must assess the person and advise the Prime Minister if he or she is eligible to be conveyed honorary citizenship.

(4) In addition to subsection (3), the person:

(a) must not have any criminal record; and

(b) is of high standing in his or her community, organization, society or country.”

15 Paragraph 21(1)(c)

Delete “.” substitute “;”

16 After paragraph 21(1)(c)

Insert

“(d) have dual citizenship.”

17 After section 21

Insert

“21A Evaluation and Report

(1) For the better performance of the functions of the Commission, the Prime Minister may appoint a qualified person to evaluate the performance of the Commission.

(2) The terms and conditions of the appointment of a person under subsection (1) are to be determined by the Prime Minister.”

18 Subsection 22(1)

Delete “75,000”, substitute “1,000,000”

19 Subsection 22(2)

Repeal the subsection, substitute

“(2) A member of the Commission or Citizenship Office who facilitates the granting of citizenship contrary to the provisions of this Act or Constitution commits an offence and is liable on conviction to a fine not exceeding VT1,000, 000 or imprisonment for a term of 5 years or both.

(3) An applicant who attempts to be granted citizenship by way of bribing the Chairperson or any member of the Commission or any staff of the Citizenship Office commits an offence and is liable on conviction to a fine not exceeding VT 2,000,000 or imprisonment for a term not exceeding 10

years or both.”

**REPUBLIC OF VANUATU
CITIZENSHIP (AMENDMENT) ACT NO. 18 OF 2014**

Arrangement of Sections

- 1 Amendment**
- 2 Commencement**

**REPUBLIC OF VANUATU
Assent: 19/06/2014
Commencement: 08/07/2014
CITIZENSHIP (AMENDMENT) ACT NO. 18 OF 2014**

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] 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 CITIZENSHIP ACT [CAP 112]**

1 After subsection 13B(2)

Insert

“(2A) In addition to the requirements for an application set out in subsection (3), in the case of an applicant who is an investor under the Real Estate Option Program –an application may be granted if the applicant complies with the requirements set out under section 13CA.”

2 Subsection 13B(4)

Delete “subsection (2)”, substitute “subsections (2) and (2A)”

3 Subsection 13B(6)

Delete “subsection (4)” (wherever occurring), substitute “subsection (5)”

4 Subsection 13B(7)

Delete “subsection (4)”, substitute “subsection (5)”

5 After section 13C

Insert

“13CA Requirements for application of a citizenship by an investor

under the Real Estate Option Program

(1) An investor under subsection 13B (2A) may apply for and be granted citizenship if:

(a) the investor makes an application for a residence visa under the Real Estate Option Program in the Immigration Visa Regulation Order No. 180 of 2011 and complies with the requirements of the Program; and

(b) the investor:

(i) must have obtained a residence visa under the provisions of the Immigration Act No. 17 of 2010 and the Immigration Visa Regulation Order No. 180 of 2011; and

(ii) must have invested the prescribed amount under the Real Estate Option Program, in a Vanuatu Government Approved Project (VGAP) which can only consist of a lot or lots in a strata plan registered by the Director of Lands under the Strata Titles Act [CAP 266]; and

(iii) must hold the investment made in the VGAP in a local company purchased from the Vanuatu Financial Services Commission.

(2) Citizenship may be granted within 3 months if the investor under subsection (1) pays the prescribed fee under the Real Estate Option Program.”

REPUBLIC OF VANUATU
CITIZENSHIP (AMENDMENT)
ACT NO. 40 OF 2014

Arrangement of Sections

- 1 Amendment
- 2 Commencement

REPUBLIC OF VANUATU

Assent: 19/12/2014
Commencement: 23/01/2015

CITIZENSHIP (AMENDMENT)
ACT NO. 40 OF 2014

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] 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 CITIZENSHIP ACT [CAP 112]

1 Subsection 7(1)

- (a) Delete “6”, substitute “12”
- (b) Delete “2”, substitute “4”

2 After paragraph 8B(f)

Insert

“(fa) to inform the applicant on the decision of the Commission

regarding the person's application for citizenship; and"

3 After section 8B

Insert

"8BA Failure to take and subscribe to an oath of allegiance or make solemn affirmation under Schedule 1

- (1) A person who has had his or her application approved by the Commission must pay the citizenship fee and take and subscribe to an oath of allegiance or make a solemn affirmation under Schedule 1 within 3 months of being informed by the Secretary General of the approval of his or her application.
- (2) If the person fails to comply with subsection (1), the approval by the Commission of his or her application for citizenship expires.
- (3) Despite subsection (1), a person may with reasonable excuse, in writing request the Secretary General for a further period of 2 months prior to the expiry of the period referred to in subsection (1).
- (4) If upon the expiry of the period referred to in subsection (3), the person has failed to comply with subsection (1), the approval by the Commission of his or her application for citizenship expires.
- (5) To avoid doubt, the person must submit a new application to the Commission if he or she intends to apply again for citizenship."

4 Paragraph 12(2)(j)

Delete “,”, substitute “;”

5 After paragraph 12(2)(j)

Insert

- “(k) has not been involved in the financing of a terrorist act;
- (l) has not been involved in the funding of political instability in Vanuatu;
- (m) has not been removed from Vanuatu under section 53A of the

SCHEDULE

AMENDMENTS OF THE CITIZENSHIP ACT [CAP 112]

Immigration Act No. 17 of 2010;

(n) has not been convicted of any offence carrying a maximum penalty of imprisonment for 12 months or more in Vanuatu or in another jurisdiction,”

6 After subsection 12(3)

Insert

“(3A) A person may make an application for citizenship for any of his or her child that has not been named in his or her application for citizenship.

(3B) The person must pay the prescribed application and citizenship fee.”

7 Subsection 13B(2)

Repeal the subsection, substitute

“(2) Subject to subsection (3), the provisions of section 13C apply to an application by an investor under the Capital Investment Immigration Plan.”

8 Subsection 13B(2A)

Repeal the subsection.

9 Subsection 13B(5)

Delete “(5)” substitute “(6)”

10 Paragraph 13B(5)(a)

After “his”, insert “or her”

11 After paragraph 13B(5)(a)

Insert

“(aa) any of his or her dependant, aged 18 to 21 years; or

12 After paragraph 13B(5)

Insert

“(5A) A person may make an application for citizenship for any of his or her child that has not been named in his or her application for citizenship.

(5B) The person must pay the prescribed application and citizenship fee.”

13 Section 13C

Repeal the section substitute

“Application for citizenship by an investor under the Capital Investment Immigration Plan

(1) The Minister is to prescribe by Regulation:

(a) the requirements for an application for citizenship by an investor under the Capital Investment Immigration Plan; and

(b) subject to subsection (2), additional fees to be paid by a child of the applicant and a dependant of an applicant who is aged 18, 19, 20 or 21 years.

(2) To avoid doubt, the fee payable by an applicant under the Capital Investment Immigration Plan only covers the applicant, his or her spouse and 1 child.

(3) The Commission is to approve and grant a citizenship within 3 months of receiving an application under this section.”

14 Section 13CA

Repeal the section.

15 Subsection 21(2)

Repeal the subsection.

16 Subsection 22(2)

(a) After “member”, insert “or former member”

(b) After “Office”, insert “or another person”

SCHEDULE

AMENDMENTS OF THE CITIZENSHIP ACT [CAP 112]

17 At the end of section 22

Add

“(4) A person who obtains citizenship in a fraudulent manner or a manner which is not approved by the Commission commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 or imprisonment for a term not exceeding 10 years, or both.”

REPUBLIC OF VANUATU

**CITIZENSHIP (AMENDMENT)
ACT NO. 8 OF 2016**

Arrangement of Sections

1	Amendment.....	2
2	Commencement.....	2

REPUBLIC OF VANUATU

Assent: 27/06/2016
Commencement: 08/07/2016

**CITIZENSHIP (AMENDMENT)
ACT NO. 8 OF 2016**

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] 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 CITIZENSHIP ACT [CAP 112]

1 Subsection 1(1)

Insert in their correct alphabetical positions:

““applicant” means an applicant for citizenship under this Act;

“citizenship” means the citizenship of Vanuatu;

“spouse” means the lawful spouse of an applicant;”

2 Subsection 1(1) (Definition of “child”)

Repeal the definition, substitute

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

3 Subsection 1(1) (Definition of “oath of allegiance”)

After “allegiance” (second occurring), insert “or solemn affirmation”

4 Subsection 7(1)

Delete “4”, substitute “12”

5 Subsection 7(5)

After “meetings”, insert “to ensure that the processing of applications are carried out in an effective and efficient manner”

6 Section 11

Delete “the male adopter”, substitute “either of the adopters”

7 Subsections 12(1) and 13B(1)

(a) Delete “full”

(b) After “and” insert “full”

8 After subsection 12(1)

Insert

“(1A) The following persons are prohibited from lodging any application with the Commission:

(a) a person whose citizenship has been revoked by the Commission;
and

(b) a person whom the Commission has filed an official complaint against with the police, for investigation and prosecution.

(1B) A person referred to under paragraph (1A)(b), may lodge an application with the Commission if:

- (a) the Public Prosecutor has determined that there is no sufficient evidence to proceed with prosecution; or
- (b) the person was not found guilty by the Court for the relevant criminal offence or the investigations have ceased.

9 Paragraph 12(2)(a)

Repeal the paragraph, substitute

- “(a) has been ordinarily and legally residing in Vanuatu for a continuous period of 10 years in compliance with the requirements of the Immigration Act No. 17 of 2010;
- (aa) is not in default of payment of any charges or fees due to the Government;”

10 Subsection 12(8)

Repeal the subsection, substitute

- “(8) For the purpose of determining the period of residing in Vanuatu under paragraph (2)(a), the Commission must disregard any period during which the applicant has been in custody awaiting deportation or removal from Vanuatu.”

11 Section 13A

Delete “of the Republic of Vanuatu”

12 Subsection 13B(2)

Repeal the subsection, substitute

- “(2) Subject to subsection (3), in addition to any other classes of persons eligible to apply for citizenship under this Act, the following persons may apply for and be granted citizenship:
 - (a) an investor under the Capital Investment Immigration Plan who complies with the requirements set out under section 13C; and
 - (b) an investor under the Contribution Program who complies with the requirements as set out under section 13CB.”

13 Subsection 13B(4)

Delete “subsection (2)”, substitute “sections 13C and 13D”

14 Subsections 13C and 13D

Repeal the sections, substitute

“13C Application for citizenship by an investor under the Capital Investment Immigration Plan

- (1) The Minister is to prescribe by Regulation, the requirements for an application for citizenship by an investor under the Capital Investment Immigration Plan.
- (2) The prescribed fees payable by an applicant under the Capital Investment Immigration Plan covers the applicant, his or her spouse and 2 children.
- (3) The Minister may prescribe additional fees for any other child or resident dependant of the applicant.
- (4) The Commission is to approve and grant a citizenship within 3 months of receiving an application under this section.
- (5) For the purpose of this section and section 13D:

“children” is taken to have the same meaning as “child” under section 2;

“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.

13D Application for citizenship by an investor under the Contribution Program

- (1) The Minister is to prescribe by Regulation the requirements for an application for citizenship by an investor under the Contribution Program.

- (2) The prescribed fees payable by an applicant under the Contribution Program covers the applicant, his or her spouse and 2 children.
- (3) The Minister may prescribe additional fees for any other child or resident dependant of the applicant.
- (4) The Commission must within 3 months of receiving an application under this section, make a decision on whether or not to approve and grant a citizenship.”

15 Subsection 17(2)

After “his”, insert “or her”

16 Paragraph 17(2)(a)

After “he”, insert “or she”

17 Subsection 20(1)

Delete “convey”, substitute “confer”

18 Subsections 20(2) and (3)

Delete “conveyed”, substitute “conferred”

19 Paragraph 20(2)(a)

After “has” insert “contributed”

20 Subsection 20(3)

Delete “advice” substitute “advise”

21 Paragraph 20(4)(b)

Delete “is”, substitute “must be”

22 Subsection 22(2)

- (i) Delete “A member of the Commission or Citizenship Office”, substitute “A person”;
- (ii) After “who”, insert “fraudulently”

23 After section 22

Insert

“22A Penalty notices

- (1) The Secretary General of the Commission may serve a penalty notice on a person if it appears to the officer that the person has committed an offence under this Act or the Regulations and the offence is one that is stated by the Regulations to be an offence to which this section applies.

- (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 within a time and to a person specified in the notice, the amount of penalty stated in the penalty notice.
- (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, that person is not 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 proceeding arising out of the same occurrence.
- (6) The Regulations may:
 - (a) prescribe an offence for the purposes of this section by specifying the offence or by referring to the provision creating the offence; and
 - (b) prescribe the amount of penalty payable for the offence if dealt with under this section; and
 - (c) 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 in 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.”



REPUBLIC OF VANUATU

CITIZENSHIP (AMENDMENT) ACT NO. 20 OF 2016

Arrangement of Sections

1	Amendment.....	2
2	Commencement.....	2

REPUBLIC OF VANUATU

Assent: 15/12/2016
Commencement: 16/12/2016

CITIZENSHIP (AMENDMENT) ACT NO. 20 OF 2016

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] 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 CITIZENSHIP ACT [CAP 112]

1 Paragraph 13B(5)(aa)

Repeal the paragraph, substitute

“(aa) any of his or her resident dependant; or”

2 At the end of section 13B

Add

“(10) For the purposes of this section and sections 13C and 13D:

“children” is taken to have the same meaning as “child” under subsection 1(1);

“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.”

3 Subsection 13C(5)

Repeal the subsection.

REPUBLIC OF VANUATU
CITIZENSHIP (AMENDMENT)
ACT NO. 34 OF 2018

Arrangement of Sections

- 1** **Amendment**
- 2** **Commencement**

REPUBLIC OF VANUATU

Assent: 24/12/2018
Commencement: 07/01/2019

CITIZENSHIP (AMENDMENT) ACT NO. 34 OF 2018

An Act to amend the Citizenship Act [CAP 112].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Citizenship Act [CAP 112] 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 CITIZENSHIP ACT [CAP 112]

1 Paragraph 13B(2)(b)

Delete “.”, substitute “; and

- (c) an investor under the Development Support Program who complies with the requirements set out under section 13E.”

2 After section 13D

Insert

“13E Application for citizenship by an investor under the Development Support Program

- (1) The Minister is to prescribe by Regulation, the requirements for an application for citizenship by an investor under the Development Support Program.
- (2) The prescribed fees payable by an applicant under the Development Support Program covers the applicant, his or her spouse and 2 children.
- (3) The Minister may prescribe additional fees for any other child or resident dependant of the applicant.
- (4) The Commission must within 3 months of receiving an application under this section, make a decision on whether or not to approve and grant a citizenship.”