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VANUATU**

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RÉPUBLIQUE DE VANUATU

LOI N°37 DE 1982 SUR LES PÊCHES

ARRÊTÉ N°15 DE 2004 SUR LA RÉGLEMENTATION DES PÊCHES (INTERDICTION DE RAMASSER LES CRABES DE COCOTIER)

LE MINISTRE DE L'AGRICULTURE, DE LA SYLVICULTURE ET DES PÊCHES

VU les pouvoirs que lui confère l'alinéa 34(2) (i) de la Loi n°37 de 1987 sur les pêches,

ARRÊTE

1. Interdiction de ramasser les crabes de cocotier pour une période de 3 ans

- 1) Il est interdit de ramasser, tuer, blesser ou avoir en sa possession tout crabe de cocotier dans la province de Sanma du 1^{er} mai 2004 au 31 mars 2007.
- 2) Le paragraphe 1) s'applique malgré le quota de crabes de cocotier qu'on peut ramasser et la saison de ramassage interdite prévu par le règlement N°13 de 1991 sur les pêches (crabe de cocotier).

2. Peine

Quiconque contrevient au paragraphe 1.1) commet une infraction qui l'expose sur condamnation à une peine n'excédant pas 100 000 VT.

3. Entrée en vigueur

Le présent Arrêté entre en vigueur à la date de sa publication au Journal officiel.

FAIT à Port-Vila, le 25 mai 2004

Le ministre de l'Agriculture, de la Sylviculture et des Pêches

M. Maxime Carlot Korman



GOUVERNEMENT DE VANUATU

**RÈGLEMENT CONJOINT N°18 DE 1968 PORTANT CONTRÔLE DE
L'IMPORTATION DE LA VENTE ET DE LA FOURNITURE DE BOISSONS
ALCOOLISÉES**

Arrêté n°16 de 2004 sur la vente de boissons alcoolisées (interdiction)

Prévoyant l'interdiction de la vente et de la fourniture de boissons alcoolisées à travers Vanuatu.

LE MINISTRE DE L'INTÉRIEUR

VU les pouvoirs que lui confèrent les dispositions de l'article 19 du Règlement conjoint n°18 de 1968 portant contrôle de l'importation, de la vente et de la fourniture de boissons alcoolisées,

ARRÊTE

1 Interdiction de vendre de boissons alcoolisées

La vente de boissons alcoolisées dans ou en provenance de débits de boissons dans toute la République de Vanuatu, que ce soit pour consommer sur place ou à l'extérieur desdits établissements, est par les présentes interdite à partir de minuit dimanche 4 juillet jusqu'à 12h00 mercredi 7 juillet 2004.

2 Exception

Les boissons alcoolisées peuvent être vendues au cours de la période précisée au paragraphe 1, dans des restaurants et hôtels aux heures normales d'ouverture à des clients de bonne foi pour consommer avec des aliments.

3 Entrée en vigueur

Le présent Arrêté entre en vigueur à la date de sa signature.

FAIT à Port-Vila, le 26 mai 2001.

Le ministre de l'Intérieur

M. George Wells



REPUBLIC OF VANUATU

PORTS ACT [CAP 26]

PORT SECURITY REGULATION

Order No. 17 of 2004

In exercise of the powers conferred on me by section 35 of the Ports Act [CAP 26], I, the Honourable Ham Lini, Deputy Prime Minister and Minister of Infrastructure and Public Utilities, by order, make the following Regulation.

1 Application

(1) This Regulation applies to the following:

- (a) a port;
 - (b) a port facility within a port that serves ships engaged on international voyages;
 - (c) a foreign ship in a port, being a ship to which the SOLAS Convention applies.
- (2) Despite subclause (1), the Minister may, by instrument in writing, extend all or a part of this Regulation to a port facility, which, although used primarily by ships engaged on domestic voyages, is serving a ship arriving or departing on an international voyage.

2 Interpretation

(1) In this Regulation, unless a contrary intention appears:

Committee means the Port Security Committee established under clause 5.

Contracting State means a State that is a signatory to the SOLAS Convention.

declaration of security means an agreement reached between a ship and another party (a ship or port facility operator) that identifies the security activities or measures that each party will undertake or implement in specified circumstances.

Director General means the Director General of the Ministry responsible for maritime affairs.

foreign ship means a ship that is not a Vanuatu ship.

ISSC means an international ship security certificate within the meaning of the ISPS Code.

ISPS Code means the International Ship and Port Facility Security (ISPS)

Code (as amended from time to time) as mentioned in Chapter XI-2 of the SOLAS Convention.

master means a person having command or charge of a ship.

member means a member of the Committee.

Minister means the Minister responsible for maritime affairs.

port means:

(a) the port of Port Vila; or

(b) the port of Luganville.

port facility means an area of land or water, or land and water, within a port (including any buildings, installations or equipment in or on the area) used either wholly or partly in connection with the loading or unloading of goods to or from ships, the moving of passengers to or from ships, or the provision of services to ships.

port facility operator means a person who operates a port facility.

port of Port Vila has the same meaning as in the Ports (Operations in Port of Port Vila) Regulations.

port of Luganville has the same meaning as in the Ports (Operations in Port of Luganville) Regulations.

port operator means the director of the department responsible for ports and harbours.

port facility security officer means a person appointed as a port facility security officer under subclause 10(2).

port facility security plan means a plan approved under clause 9.

port security officer for a port means the harbour master of the port.

port security plan means a plan approved under clause 8.

restricted area of a port is that areas to which access is restricted to persons authorised by the port operator or the relevant port facility operator.

security level 1 means the security level in force under clause 5.

security level 2 means the security level in force under clause 6.

security level 3 means the security level in force under clause 6.

ship means a vessel that is capable of navigating the high seas but does not include a vessel that is not self-propelled.

SOLAS Convention means the International Convention for the Safety of Life at Sea, done at London on 1 November 1974, as amended from time to time.

unlawful interference with maritime transport has the meaning given by clause 3.

Vanuatu ship means a ship that is registered in Vanuatu.

vessel means any craft or structure capable of navigation.

- (2) The terms that are not defined in this Regulation have the same meaning as in the SOLAS Convention.

3 Unlawful interference

- (1) Any of the following done without lawful authority is an unlawful interference with maritime transport:

- (a) committing an act, or causing any interference or damage, that puts the safe operation of a port, or the safety of any person or property at the port, at risk;
- (b) taking control of a ship by force, or threat of force, or any other form of intimidation;
- (c) destroying a ship that is in service;
- (d) causing damage to a ship that is in service that puts the safety of the ship, or any person or property on board or off the ship, at risk;
- (e) doing anything on board a ship that is in service that puts the safety of the ship, or any person or property on board or off the ship, at risk;
- (f) placing, or causing to be placed, on board a ship that is in service that puts the safety of the ship, or any person or property on board or off the ship, at risk;
- (g) putting the safety of ships at risk by interfering with, damaging or destroying navigational aids, communication systems or security systems;
- (h) committing an act of violence against a person, property or the environment at a port, if the act:
 - (i) causes, or is likely to cause, injury or death; and
 - (ii) endangers, or is likely to endanger, the safe and efficient operation of the port or the safety of anyone at the port;
- (i) putting the safety of ships at risk by communicating false information;
- (j) attempting to commit an act described in any of the above paragraphs.

- (2) However, unlawful interference with maritime transport does not include lawful advocacy, protest, dissent or industrial action that does not result in, or contribute to, an action of a kind mentioned in paragraphs(1)(a) to (h).

4 Port Security Committee

- (1) The Port Security Committee is established.

- (2) The Committee is to meet as required by the Minister. However, if an incident occurs that in the opinion of the Minister is a threat to security at a port, the Minister must

immediately convene a meeting of the PSC, whether or not the port operator or a shipowner has notified the Minister of the incident.

- (3) The chairperson of the Committee is the Director General. If the Director General is absent, the Committee is to elect a member to act as the chairperson.
- (4) The role of the Committee is to:
 - (a) coordinate the implementation of national port security measures in ports in Vanuatu; and
 - (b) provide a forum for the discussion of port security matters affecting port facility operators, port tenants and users, and ships visiting the ports; and
 - (c) draw up and maintain a list of vulnerable points of the ports, including essential equipment and facilities and review their security from time to time; and
 - (d) provide a forum for communication between port facility operators, port tenants and users, and shipowners on issues of security and procedures in place to meet threats, providing for normal situations and contingencies for periods of heightened tension and emergency situations; and
 - (e) promote security awareness amongst port facility operators, port tenants and users, and shipowners; and
 - (f) liaise, as considered appropriate, with external agencies to discuss security issues.
- (5) The Committee consists of the following:
 - (a) the Director General;
 - (b) a representative of the department responsible for ports and harbours nominated by the director of the department;
 - (c) a representative of the Vanuatu Police Force nominated by the Commissioner of Police;
 - (d) a representative of the Vanuatu Maritime Authority nominated by the Authority;
 - (e) a representative of the Vanuatu Maritime College nominated by the College;
 - (f) such other persons, including representatives of organisations, co-opted by the Committee as required.
- (6) The quorum for a meeting of the Committee is 3 members. A member of the Committee may nominate another person to attend on the member's behalf if the member is unable to attend a meeting of the Committee.
- (7) The Chairperson must ensure that a record of each meeting is kept and minutes are forwarded within one month after the meeting, either in written or electronic form, to all committee members.

- (8) A member is not entitled to payment of any remuneration, allowances or other benefits.

5 Default security level – security level 1

- (1) Security level 1 applies in a port if a declaration is not in force under clause 6.
- (2) Under security level 1 minimum appropriate protective security measures are to be maintained at all times.

6 Declaration for security level 2 or 3

- (1) The Director General may, after consultation with the relevant port security officer, declare in writing that security level 2 or security level 3 is in force for all or any of the following specified in the declaration:
- (a) a port;
 - (b) an area within a port;
 - (c) operations conducted within a port.
- (2) However, the Director General must not make a declaration unless it is appropriate for a higher level of security to be put into place for the port, area or operations concerned because a heightened risk to maritime transport has been identified.
- (3) If a declaration is made, the security level declared in the declaration is in force for the port, area or operations covered by the declaration until either of the following occurs:
- (a) the period (if any) specified in the declaration expires;
 - (b) the declaration is revoked, in writing, by the Director General.
- (4) If a declaration for security level 2 is made, appropriate additional protective security measures are to be maintained while the declaration is in force.
- (5) If a declaration for security level 3 is made, appropriate further protective security measures are to be maintained while the declaration is in force.
- (6) While a declaration is in force, the Director General may, in writing, direct that other security measures be implemented or complied with.
- (7) A copy of a declaration or direction must be given to the Minister as soon as possible after it is made.

7 Declaration of security

- (1) A declaration of security may be requested by a ship or a port facility operator.
- (2) In deciding whether to request a declaration of security, regard may be had to the following:

- (a) the level of risk a ship to port interface or ship to ship activity poses to persons, property or the environment;
 - (b) whether a ship is operating at a higher security level than the port facility or another ship it is interfacing with;
 - (c) any agreement on a declaration of security between Contracting States covering certain international voyages or specific ships on those voyages;
 - (d) any security threat or security incident involving a ship or port facility;
 - (e) a ship is at a port that is not required to have and implement a port facility security plan;
 - (f) a ship is conducting ship to ship activities with another ship not required to have and implement a ship security plan;
 - (g) whether a declaration under clause 6 is in force;
- (3) A declaration of security must be in writing and be completed in English or in a language common to the parties to the declaration.

8 Port security assessment and port security plan

- (1) The port operator must, after consultation with the Committee, prepare a security plan for each port.
- (2) Before preparing a port security plan for a port, the port operator must conduct an assessment of the security at the port, including recommendations for implementing measures to enhance security at the port.
- (3) A port security plan must set out how security at the port and the security of ships calling at the port is to be managed to provide the level of security required, including when appropriate enhanced levels of security, and to ensure compliance with the requirements of the ISPS Code.
- (4) Without limiting subclause (3), a port security plan:
 - (a) must include the security assessment referred to in subclause (2) for the port; and
 - (b) must set out the security activities or measures to be undertaken or implemented by the port operator at the port for maritime security levels 1, 2 and 3; and
 - (c) must include the contact details for, and the duties of, the port security officer; and
 - (d) must make provision for the use of declarations of security; and

- (e) may include restrictions in relation to the disclosure of the plan.
- (5) A port security plan is of no effect unless it is approved in writing by the Minister.
- (6) The port operator may, after consultation with the Committee, amend a port security plan.
- (7) An amendment to a port security plan is of no effect unless it is approved in writing by the Minister.
- (8) The port operator must review each port security plan at least once a year.

9 Port Facility Security Assessment and Port Facility Security Plan

- (1) A port facility operator must, after consultation with the port operator and the Committee, prepare a port facility security plan for each port facility it operates at a port.
- (2) Before preparing a port facility security plan, the port facility operator must conduct an assessment of the security of the operations at each port facility at the port, including recommendations for implementing measures to enhance security at that facility.
- (3) Without limiting subclause (2), a port facility security plan:
 - (a) must include the security assessment referred to in subclause (2) for the operations at the port facility; and
 - (b) must set out the security activities or measures to be undertaken or implemented by the port facility operator at the port facility for maritime security levels 1, 2 and 3; and
 - (c) must include contact details for, and the duties of, the port facility security officer; and
 - (d) must make provision for the use of declarations of security; and
 - (e) may include restrictions in relation to the disclosure of the plan.
- (4) A port facility security plan is to be incorporated into the port security plan where appropriate.
- (5) A port facility security plan is of no effect unless it is approved in writing by the Minister.
- (6) A port facility operator may, after consultation with the port operator and the Committee, amend a port facility security plan.

(7) An amendment to a port facility security plan is of no effect unless it is approved in writing by the Minister.

(8) A port facility operator must review each port facility security plan at least once a year.

10 Port security officers and port facility security officers

(1) The port security officer for a port must administer the day-to-day operations of the port security plan at the port.

(2) A port facility operator must appoint a port facility security officer who is to administer the day-to-day operations of the port facility security plan at the port facility.

11 Port contingency procedures

(1) If a person becomes aware of an act or threat of unlawful interference with maritime transport, the person must report the act or threat as soon as practicable to the relevant port security officer.

(2) The port security officer must take such action as the officer considers necessary.

(3) If the act or threat directly impacts upon other persons, the port security officer is to give details of the act or threat to those persons as soon as possible.

(4) The port security officer must report to the Vanuatu Police Force details of significant breaches of security or threats impacting upon the operations of the port operator or any port facility operator involving violence.

(5) The port security officer is to report to the Director General, at the earliest opportunity, all security related incidents as well as actual or suspected acts of terrorism impacting upon the operations of the port operator or any port facility operator such as:

(a) discovery of weapons or prohibited items (including explosive devices) within the port or port facility;

(b) unauthorised access to restricted areas;

(c) unauthorised access to a ship

(d) bomb or sabotage threats;

(e) disruptive or abusive passengers or stevedores.

12 Port security training

(1) The port operator is responsible for developing and maintaining security awareness and training within a port.

- (2) The port operator must ensure that employees and agents of the port operator are provided with a basic level of training, the object of which is to establish a rudimentary level of security awareness.
- (3) The basic level of training must include the following:
 - (a) port layout and organisations;
 - (b) the role of the port operator, the Ministry, the police and other relevant government agencies;
 - (c) basic port security procedures;
 - (d) access control;
 - (e) threat response;
 - (f) other training specific to a person's duties.
- (4) The port operator must ensure that employees and agents of the port operator engaged in port security activities undertake more advanced training.
- (5) The advanced training must include the following:
 - (a) principles of protective port security;
 - (b) relevant legislation;
 - (c) international standards;
 - (d) the role of the Committee;
 - (e) law enforcement interface;
 - (f) passenger and baggage screening (where applicable);
 - (g) bomb threat assessment;
 - (h) search and evacuation guidelines.
- (6) The port operator must ensure that records on the content, duration and dates of those training activities undertaken by employees and agents of the port operator are retained for a period of five years.
- (7) The port facility operators are responsible for port facility security training, including developing and maintaining security awareness.
- (8) The port facility security training must cover as closely as possible the matters listed in subclauses (3) and (5).

13 Information to be provided by ships prior to entry into port

- (1) A ship intending to enter a port must, in accordance with subclause (2), provide the following information to the port security officer:
 - (a) confirmation that the ship possesses a valid ISSC and the name of its issuing authority;
 - (b) the security level at which the ship is currently operating;

- (c) the security level at which the ship operated in the previous ten calls at port facilities where it has conducted a ship port interface;
 - (d) any special or additional security measures that were taken by the ship in any port referred to in paragraph (c);
 - (e) confirmation that the appropriate ship security procedures were maintained during any ship-to ship activity during the period covered by its previous ten calls at port facilities;
 - (f) other practical security related information (but not details of the ship security plan).
- (2) The information must be provided:
- (a) at least 24 hours before the ship is due to arrive in a port if the ship is operating at security level 1; or
 - (b) in any other case, at least 48 hours before the ship is due to arrive in a port.
- (3) If the information provided to the port security officer by the ship is not sufficient, the port security officer may request additional information.
- (4) Without limiting paragraph (1)(d), a ship is to provide the following:
- (a) any records of measures taken while visiting a port facility located in the territory of a Contracting State;
 - (b) any declarations of security that have been entered into.
- (5) Without limiting paragraph (1)(e), a ship is to provide the following:
- (a) records of the measures taken while engaged in a ship to ship activity with a ship flying the flag of a State which is not a Contracting State;
 - (b) records of the measures taken while engaged in a ship to ship activity with a ship flying the flag of a Contracting State but that is not required to comply with the provisions of Chapter XI-2 and Part A of the ISPS Code;
 - (c) in the event that persons or goods rescued at sea are on board, all known information about such persons or goods, including their identities when known and the results of any checks run on behalf of the ship to establish the security status of those rescued;
 - (d) any declarations of security that have been entered into.
- (6) Without limiting paragraph (1)(f), a ship is to provide the following:

- (a) information contained in the Continuous Synopsis Record;
- (b) details of the location of the ship at the time the report is made;
- (c) the expected time of arrival of the ship in the port;
- (d) the crew list;
- (e) a general description of cargo aboard the ship;
- (f) the passenger list;
- (g) information regarding who is responsible for appointing the members of the crew or other persons currently employed or engaged on board the ship in any capacity;
- (h) information regarding who is responsible for deciding the employment of the ship;
- (i) in cases where the ship is employed under the terms of a charter party or parties, who are the parties to such charter parties.

14 Assessment of information provided under clause 13—clear grounds for compliance

- (1) This clause applies if, after assessing the information relating to the ship provided under clause 13, the port security officer is of the view that there are clear grounds for believing that the ship complies with the SOLAS Convention.
- (2) Subject to any other relevant law, the ship is to be allowed to enter the port.

15 Assessment of information provide under clause 13—clear grounds for non-compliance

- (1) This clause applies if, after assessing the information relating to the ship provided under clause 13, the port security officer is of the view that there are clear grounds for believing that the ship does not comply with the SOLAS Convention.
- (2) The port security officer must attempt to establish communication with the ship, the relevant flag State Administration and the relevant recognized security organisation (if applicable) in order to rectify the non-compliance.
- (3) If:
 - (a) the communication under subclause (2) does not result in rectification of the non-compliance; or

- (b) the Director General, after consulting with the port security officer, is of the view that there are clear grounds otherwise for believing that the ship does not comply with the SOLAS Convention;

the Director General must immediately advise the Minister.

- (4) On receiving advice under subclause (3), the Minister may:
- (a) allow the ship entry into the port; or
 - (b) cause an inspection of the ship to be carried out prior to entry into the port; or
 - (c) deny the ship entry into the port.

16 No information provided under clause 13

- (1) If the master of a ship does not provide the information required under clause 13, the port security officer may, after consultation with the Committee, deny the ship entry into port.
- (2) If entry into port is denied, the port security officer must immediately inform the relevant flag State Administration and the relevant recognized security organisation (if applicable) in writing (by electronic means, fax or e-mail) specifying the reasons.

17 Control and compliance measures

If a ship is allowed entry into a port under paragraph 15(4)(a), control and compliance measures are to be imposed on the ship in accordance with the relevant law.

18 Commencement

This Regulation commences on 1 July 2004.

Made this 11th day of June, 2004.


The Honourable Ham Lini

Deputy Prime Minister and Minister of Infrastructure and Public Utilities



REPUBLIC OF VANUATU

SHIPPING ACT [CAP 53]

SHIPPING AMENDMENT ORDER

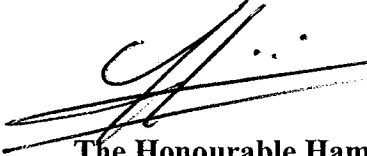
Order No. 18 of 2004

To amend certain Schedules to the Shipping Act [Cap53] to provide for a new certification structure for merchant marine officers operating on Vanuatu registered vessels in the near coastal waters of Vanuatu.

In exercise of the powers contained in section 45 of the Shipping Act [Cap 53], I, the Honourable Ham Lini, Deputy Prime Minister and Minister for Infrastructure and Public Utilities, make the following Order

- 1. Amendment of Schedules to Shipping Act [Cap 53]**
The Shipping Act [Cap 53] is amended as set out in the Schedule to this Order.
- 2. Amendment of Shipping Regulations Order**
The Shipping Regulations Order No. 6 of 1999 is amended by repealing clause 4 of, and Schedules 1-13 to, that Order.
- 3. Commencement**
This Order commences on the date of its publication in the Gazette.

Made at Port Vila this ^{11th} day of June, 2004


The Honourable Ham Lini
Deputy Prime Minister and Minister for Infrastructure and Public Utilities



SCHEDULE

AMENDMENTS OF THE SHIPPING ACT [CAP 53]

1. Schedule 1

Repeal the Schedule, substitute

“Schedule 1

(Subsection 4 (1))

Grades of Certificates (Near Coastal Voyages), Functions, STCW Regulations & Equivalents

Column 1	Column 2	Column 3	Column 4
Certificate	Function	STCW Reg.	Equivalents
Masters & Mates			
Master Unlimited GT	Master vessel any size	II/2.1	Master Class 1 (Restricted)
Master 3,000GT	Master vessel less than or equal to 3,000GT or Chief Mate vessel any size	II/2.1 II/2.3	Master Class 2 (Restricted)
Master 1,600GT	Master vessel less than or equal to 1,600GT or Chief Mate vessel less than or equal to 3,000GT	II/2.3	Master Class 3
Master 500GT	Master vessel less than or equal to 500GT or Chief Mate vessel less than or equal to 1,600GT	II/3.5 <i>II/2.3</i>	Master Class 4
Master 200GT	Master vessel less than or equal to 200GT or Chief Mate vessel less than	II/3.5 II/3.3	Master Class 5

	or equal to 500GT		
Master 500GT	Master vessel less than or equal to 20GT or Chief Mate vessel less than or equal to 200GT	II/3.5 II/3.3	Master Class 6
Engineers			
Engineer Unlimited kW	Chief Engineer vessel any propulsion power	III/2	Engineer Class 1 (Restricted)
Engineer 3000kW	Chief Engineer vessel with propulsion power less than or equal to 3000kW or Second Engineer vessel any propulsion power	III/3 III/2	Engineer Class 2 (Restricted)
Engineer 750kW	Chief Engineer vessel with propulsion power less than or equal to 750kW or Second Engineer vessel with propulsion power less than or equal to 3000kW	III/3	Engineer Class 3
Engineer 500kW	Chief Engineer vessel with propulsion power less than or equal to 500kW or Second Engineer vessel with propulsion power less than		Engineer Class 4

	or equal to 750kW		
Engineer 300kW	Chief Engineer vessel with propulsion power less than or equal to 300kW or Second Engineer vessel with propulsion power less than or equal to 500kW		Engineer Class 5
Engineer 75kW	Chief Engineer vessel with propulsion power less than or equal to 750kW or Second Engineer vessel with propulsion power less than or equal to 300kW		
Ratings			
Watch Rating Deck	Rating forming part of navigation watch	II/4	Watchkeeping Rating Deck
Watch Rating Engine	Rating forming part of engine watch	III/4	Watchkeeping Rating Engine
Pacific Island Qualified Fishing Deckhand			Pacific Island Qualified Fishing Deckhand
Safety Certificate	Safety training	VI/1	Safety Certificate

Note: Column 3 of this Table sets out the relevant provisions of the STCW Regulations (being the regulations that form the Annex to the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers, as amended in 1995) that relate to the grade of certificate concerned. Column 4 of this Table sets out the equivalent corresponding grades of certificate that were in force in Vanuatu before the commencement of the Shipping Amendment Order No of 2002.”

2. Schedule 2

Delete the matter in the box relating to the question "What rank are you applying for?" in Part 1 (Reason for Application) of the Application for Examination And/Or Certification As A Merchant Marine Officer Upon Qualification, substitute

“

Master: Class	Unlimited GT <input type="checkbox"/>	3000GT <input type="checkbox"/>	1600GT <input type="checkbox"/>
	500GT <input type="checkbox"/>	200GT <input type="checkbox"/>	20GT <input type="checkbox"/>
Engineer:	Unlimited kW <input type="checkbox"/>	3000 kW <input type="checkbox"/>	750kW <input type="checkbox"/>
	500kW <input type="checkbox"/>	300kW <input type="checkbox"/>	75kW <input type="checkbox"/>
Watchkeeping Officer	<input type="checkbox"/>		
Watch Rating Deck	<input type="checkbox"/>		
Watch Rating Engine	<input type="checkbox"/>		

”

3. Schedule 3

Delete "Master, Engineer, Class 1 or Class 2", substitute "Master Unlimited GT, Master 3,000 GT, Engineer Unlimited kW or Engineer 3,000 kW".

4. Schedule 4

Repeal the Schedule, substitute

"Schedule 4

(Paragraph 5 (1) (a))

TYPES OF CERTIFICATES REQUIRED FOR VESSELS ON NEAR COASTAL VOYAGES AND PRE-REQUISITES FOR THEIR ISSUE.

1. General

A candidate for certification must provide satisfactory proof of the following:

- (a) the candidate's identity and age (confirmed by acceptable documents such as Seamen's Record of Service Book, passport, ID card, or similar document);
- (b) the candidate's medical fitness, particularly regarding eyesight and hearing, confirmed by a document, issued by an approved medical practitioner, attesting compliance with medical fitness standards prescribed by Regulation I/9 annexed to the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers, as amended in 1995;
- (c) completion of the required sea service for the certificate concerned (as set out below) confirmed by entries in a Seaman's Record of Service document authorised and signed either by the Master or owner of the vessel concerned or by the Authority;
- (d) possession of the required pre-requisite certificate confirmed by documents issued by an approved training provider;
- (e) competence, as prescribed in the relevant provisions of the Seafarer's Training, Certification and Watchkeeping Code (as adopted in 1995), for the certificate to be issued, including the capacities, functions and levels to

be endorsed on the certificate, confirmed by documents issued by an approved assessment organisation.

Note: A candidate for a certificate under this Act who holds a certificate under the Maritime Act [CAP 131] or a certificate issued by another State should consult the Vanuatu Maritime Authority to ascertain the equivalence of the certificate they hold.

2. Requirements for minimum age, pre-requisite certification and required sea service

Deck Certificates

Master Unlimited GT

Minimum Age:	Not prescribed
Pre-requisite Certificate:	Master 3,000GT
Required Sea Service:	(a) 18 months approved sea service whilst holding a certificate as Master 3,000GT , with not less than 12 months performed on vessels >500 GT; or (b) 18 months approved sea service whilst holding a certificate as Master 1,600GT , with not less than 6 months performed on vessels >500GT and a further 6 months performed on vessels >1,600GT.

Master 3,000 GT

Minimum Age:	Not prescribed
Pre-requisite Certificate:	Master 500GT
Required Sea Service:	(a) 18 months approved sea service whilst holding a certificate as Master 500GT , with not less than 12 months performed on vessels >500GT including 6 months on vessels >1,600GT ; or (b) 6 months approved sea service on vessels >1600GT whilst holding a certificate as Master 1,600GT .

Master 1,600 GT

Minimum Age:	Not prescribed
Pre-requisite Certificate:	Master 500GT
Required Sea Service:	18 months approved sea service whilst holding a certificate as Master 500GT , with not less than 6 months sea service on vessels >500GT.

Master 500 GT

Minimum Age: Not prescribed
Pre-requisite Certificate: Master 200GT
Required Sea Service: 12 months approved sea service whilst holding a certificate as Master 200GT , with not less than 6 months sea service on vessels >500GT .

Master 200 GT

Minimum Age: 20 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: (a) 30 months approved sea service whilst holding a Safety Certificate; or
(b) 18 months approved sea service whilst holding a certificate as Master 20GT ; or
(c) 18 months approved sea service whilst holding a certificate as Watch Rating Deck or Pacific Islands Qualified Fishing Deckhand; or
(d) 30 months approved training including 12 months acceptable sea service documented in an approved training record.

Master 20 GT

Minimum Age: 18 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: 12 months approved sea service whilst holding a Safety Certificate.

Watch Rating Deck

Minimum Age: 16 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: 12 months approved sea service, although the Principal Licensing Officer may allow remission of sea service up to six months for attendance at approved training programs

Pacific Islands Qualified Fishing Deckhand

Minimum Age: 16 years
Pre-requisite Certificate: Safety Certificate

Required Sea Service: 12 months approved sea service, although the Principal Licensing Officer may allow remission of sea service up to six months for attendance at approved training programs.

Safety Certificate

Minimum Age: 16 years
Pre-requisite Certificate: None
Required Sea Service: None

Engineering Certificates

Engineer Unlimited kW

Minimum Age: Not prescribed
Pre-requisite Certificate: Engineer 3,000 kW
Required Sea Service: 18 months approved sea service on vessels of not less than 750kW propulsion power whilst holding a certificate as Engineer 3,000kW.

Engineer 3000kW

Minimum Age: Not prescribed
Pre-requisite Certificate: Engineer 750kW
Required Sea Service: 18 months approved sea service on vessels of not less than 500kW propulsion power whilst holding a certificate as Engineer 750kW, with not less than 9 of those months on vessels of not less than 750kW propulsion power.

Engineer 750kW

Minimum Age: 20 years
Pre-requisite Certificate: Engineer 500kW
Required Sea Service: 12 months approved sea service on vessels of not less than 300kW propulsion power whilst holding a certificate as Engineer 500kW, with not less than 6 of those months on vessels of not less than 500kW propulsion power.

Engineer 500kW

- Minimum Age:** 18 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service:
- (a) 12 months approved sea service as a watchkeeping engineer whilst holding a certificate as Engineer 300kW; or
 - (b) 12 months approved sea service as watchkeeping engineer on completion of 3 years acceptable workshop experience; or
 - (c) 36 months approved training including 6 months sea service on vessels of more than 300kW propulsion power documented in an approved training record.

Engineer 300kW

- Minimum Age:** 18 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service:
- (a) 12 months approved sea service in an acceptable engineroom capacity on completion of 3 years acceptable workshop experience; or
 - (b) 24 months approved training including 6 months sea service on vessels of more than 75kW propulsion power documented in an approved training record; or
 - (c) 12 months approved sea service whilst holding a certificate as Engineer 75kW; or
 - (d) 18 months approved sea service whilst holding a certificate as Watch Rating Engine; or
 - (e) 30 months acceptable sea service whilst holding a Safety Certificate.

Engineer 75kW

- Minimum Age:** 18 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: 12 months approved service whilst holding a Safety Certificate

Engineer Endorsement (Outboard Engines)

Minimum Age: 18 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: 12 months approved sea service whilst holding a Safety Certificate

Responsibility to take charge of “outboard engines” may be endorsed on a Master 20GT certificate to allow the holder to operate in a dual capacity.

Watch Rating Engine

Minimum Age: 16 years
Pre-requisite Certificate: Safety Certificate
Required Sea Service: 12 months approved sea service, although the Principal Licensing Officer may allow remission of seas service up to six months for attendance at approved training programs.

Safety Certificate

Minimum Age: 16 years
Pre-requisite Certificate: None
Required Sea Service: None.

5. **Schedule 5**
Repeal the Schedule, substitute

Schedule 5

(Subsection 7 (1))

Training & Examination

- (1) The syllabus of subjects for examination for a certificate of competence set out in column 1 of the Table to this Schedule are the subjects specified in the STCW Regulation and the STCW Code set out in columns 2 and 3 of that Table corresponding to that certificate.
- (2) Training programs and examinations for certificates of competence are to be administered, supervised and monitored in accordance with the requirements of Part II of the Act and Regulation I/6 of the STCW Convention and in accordance with provisions of Section A-I/6 of the STCW Code.

- (3) Examinations for certificates of competence are to be in accordance with the relevant provisions of section 6 of the Shipping Act, the requirements of the STCW Convention and with the standards specified in the relevant sections of the STCW Code.
- (4) Every person responsible for training and examining the competence of persons for a certificate of competence must be appropriately qualified in accordance with Section A-I/6 of the STCW Code for the type and level of training and examination involved.
- (5) The curricula developed for training programs for seafarers are to be based on the relevant International Maritime Organisation model courses and must incorporate the relevant requirements of the STCW Code.
- (6) In this Schedule:

STCW Code means the Seafarer's Training, Certification and Watchkeeping Code (as adopted in 1995) that constitutes Attachment 2 to the Final Act of the 1995 Conference of Parties to the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers.

STCW Convention means the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers (as amended in 1995).

STCW Regulations means the regulations that form the Annex to the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers (as amended in 1995).

Table

Column 1 Certificate	Column 2 STCW Regulation	Column 3 STCW Code
Master Unlimited GT	II/2.1	Sect. A-II/2.1
Master 3000 GT	II/2.3	Sect. A-II/2.3
Master 500 GT	II/3.5 & II/3.7	Sect. A-II/3.5 & 3.7
Engineer Unlimited kW	III/2	Sect. A-III/2
Engineer 3000 kW	III/3	Sect. A-III/3
Engineer 750 kW		
Watch Rating Deck	II/4	Sect. A-II/4
Watch Rating Engine	III/4	Sect. A-III/4
Basic Safety Training	VI/1	Sect. A-VI/1-1 to 1-4

Proficiency in Survival Craft	VI/2	Sect. A-VI/2, paragraphs 1-4
Advanced Fire Fighting	VI/3	Sect. A-VI/3
Medical First Aid	VI/4	Sect. A-V/4, paragraphs 1-3
Tanker Safety	V/1	Sect. A-V/1
Ro-ro Passenger Ships	V/2	Sect. A-V/2”

6. **Schedule 7**
 Repeal the Schedule, substitute

“Schedule 7

(Subsection 16 (1))

CREWING REQUIREMENTS AND CLASSES OF CERTIFICATES

1 Meaning of “near coastal voyage”

In this Schedule, **near coastal voyage** means a voyage to and from a port within Vanuatu that does not journey more than 200 nautical miles from the coast.

2 Minimum crew and qualification

- (1) Each vessel sent to sea on a near coastal voyage must contain a crew of persons holding the certificates set out following Tables.
- (2) The Principal Licensing Officer may, on application, grant an exemption to the crew requirements set out in the following Tables if he or she is satisfied that such an exemption would be in the public interest and would not compromise the safety of the vessel, its crew, passengers or cargo.
- (3) The Principal Licensing Officer may impose operating limits on specified vessels operating on near coastal voyages within Vanuatu.

3 Safe Manning Certificates

- (1) A vessel must not operate on a near coastal voyage in Vanuatu without a valid Safe Manning Certificate in force.
- (2) The Principal Licensing Officer is, on application, to issue each vessel with a Safe Manning Certificate.
- (3) A Safe Manning Certificate is to be issued in the form set out in Schedule 10A.

- (4) The Safe Manning Certificate must set out the minimum safe manning level for the safe operation of the vessel.
- (5) In determining the minimum safe manning level, each vessel is to be considered on an individual basis according to size, operating area and propulsion machinery.
- (6) Nothing in a Safe Manning Certificate prevents the Master of that vessel from carrying additional crew members, provided adequate safety equipment is fitted, to facilitate the vessel's operations.

Tables

Minimum Crew and Grades of Competency of Masters, Mates, Deck Watchkeepers and Ratings - Near Coastal Voyages.

Vessel's GT	Master	Chief Mate if required	Watch-keeper * if required	Watch-keeper * If required	Watch Ratings If required
>3,000	Master Unlimited GT	Master 3,000 GT	Master 500 GT	Master 200 GT	Watch Rating
>1,600 – 3,000	Master 3,000 GT	Master 1,600 GT	Master 500 GT	Master 200 GT	Watch Rating
>500 – 1,600	Master 1,600 GT)	Master 500 GT	Master 200GT		Watch Rating
>200 – 500	Master 500 GT	Master 200 GT)	Master 20 GT		Watch Rating
>20 – 200	Master 200 GT	Master 20 GT)			Watch Rating
<20 – 20□	Master 20 GT				Watch Rating

*** The requirement for a Watchkeeper may also be satisfied by a person holding an unrestricted Deck Watchkeeper qualification.**

The references in the column headings to "if required" refer to the requirements specified in the Safe Manning Certificate issued for the vessel concerned.

A Master 20 GT certificate may be endorsed to allow the holder to operate in a dual capacity and take charge of "outboard engines".

Minimum Crew and Grades of Competency for Engineers and Engine Watchkeepers and Ratings - Near Coastal Voyages

Vessel's Propulsion Power (kW)	Chief Engineer	2nd Engineer if required	Watch-keeper * if required	Watch-keeper * if required	Watch Ratings If required
>3000	Engineer Unlimited kW	Engineer 3000 kW	Engineer 500kW	Engineer 300kW	W/Rating
>750 – 3000	Engineer 3000 kW	Engineer 750kW			W/Rating
>500 – 750	Engineer 750 kW	Engineer 500 kW			W/Rating
>300 – 500	Engineer 500 kW	Engineer 300 kW			W/Rating
>75 – 300	Engineer 300 kW	Engineer 75kW			W/Rating□
<75 – 75	Engineer 75kW				W/Rating

*** The requirement for a Watchkeeper may also be satisfied by an engineer holding an unrestricted Engine Watchkeeper qualification.**

The references in the column headings to “if required” refer to the requirements specified in the Safe Manning Certificate issued for the vessel concerned.

A Master 20 GT certificate may be endorsed to allow the holder to operate in a dual capacity and take charge of “outboard engines”.

- 7. Schedule 10**
Insert after Schedule 9

**“Schedule 10
Certificate of Survey**

(Section 20)

The certificate of survey required to be prescribed by this Schedule by section 20 of this Act is set out as an endorsement on the reverse of the prescribed Safety Certificate (see Schedule 11 to this Act).”

- 8. Second Schedule 10**
Renumber the second Schedule 10 as Schedule 10A.



REPUBLIC OF VANUATU

OFFICIAL SALARIES ACT [CAP 168]

Official Salaries Order No. 19 of 2004

An Order to amend the Schedule to the Official Salaries Act [CAP 168].

In exercise of the powers conferred on me by section 3 of the Official Salaries Act [CAP 168], I, the Honourable Edward Natapei, Prime Minister, with the prior approval of the Council of Ministers, make the following Order.

1 Amendments

The Schedule to the Official Salaries Act [CAP 168] is amended as set out in the Schedule.

2 Commencement

This Order is taken to have commenced on 10 May 2004.

Made at Port Vila this 11th day of June 2004.

A handwritten signature in black ink, appearing to read 'E. Natapei'.

Honourable Edward Natapei
Prime Minister



SCHEDULE

AMENDMENTS OF THE SCHEDULE TO THE OFFICIAL SALARIES ACT [CAP 168]

1 Part 1 of the Schedule

Add at the end

“

A person performing the functions of the President in accordance with Article 37 of the Constitution who at the time the person is performing the functions is not the Speaker.		R
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”

2 Part 2 of the Schedule

Add at the end

“**CLASS R**

The Class R comprises the following:

- (a) the payment of an amount each fortnight, being an amount equal to the amount of the President’s basic salary for that period;
- (b) the use of the official vehicles of the Office of the President for the purpose of performing the functions of the President;
- (c) the benefits referred to in paragraph (a) of Class A.”



RÉPUBLIQUE DE VANUATU

RÈGLEMENT CONJOINT N°19 DE 1980 RELATIF AUX FÊTES CHÔMÉES

Déclaration de jour chômé

VU le pouvoir que lui confère l'article 2 du Règlement conjoint n°19 de 1980 relatif aux fêtes chômées et sur avis du Premier ministre, le Président du Parlement lors de la dissolution du parlement et exerçant les fonctions du Président de la République conformément à l'article 37.2) de la Constitution de la République de Vanuatu, déclare le 6 juillet 2004 jour chômé dans tout Vanuatu aux fins des élections législatives.

FAIT à Port-Vila, le 26 mai 2004.

M. Roger Abiut



RÉPUBLIQUE DE VANUATU

CONSTITUTION DE LA RÉPUBLIQUE DE VANUATU

Instrument de nomination des membres de la Commission de la Fonction publique

VU les pouvoirs que lui confère l'article 59.1) de la Constitution de la République de Vanuatu, **le Président du Parlement lors de la dissolution du parlement et exerçant les fonctions du Président de la République** conformément au paragraphe 2) de l'article 37 de la Constitution de la République de Vanuatu et avec l'accord préalable du Premier ministre, nomme membres de la Commission de la Fonction publique :

- a) Charlie Gihala
- b) Nadia Kanegai

Le présent instrument entre en vigueur à la date de sa signature.

FAIT à Port-Vila, le 31 mai 2004.

Roger Abiut



REPUBLIC OF VANUATU

APPOINTMENT OF CHAIRMAN OF ELECTORAL COMMISSION

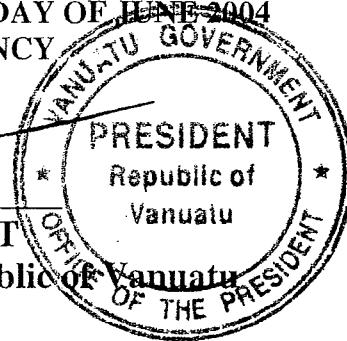
IN EXERCISE of the powers conferred upon me by Article 18 of the Constitution of the Republic of Vanuatu and on the advice of the Judicial Service Commission, I, ROGER ABIUT, ACTING PRESIDENT OF THE REPUBLIC OF VANUATU, hereby appoint

Etienne KOMBE

To be Chairman of the Electoral Commission of the Republic of Vanuatu.

DATED AT PORT VILA THIS 4th DAY OF ~~JUNE~~ 2004
BY HIS EXCELLENCY

ROGER ABIUT
Acting President of the Republic of Vanuatu





REPUBLIC OF VANUATU

THE PUBLIC PROSECUTORS ACT 2003 (ACT NO 7 OF 2003)

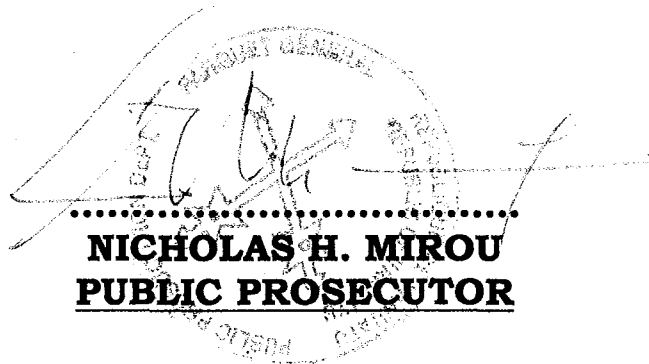
INSTRUMENT OF APPOINTMENT

IN EXERCISE of the powers conferred by Section 22 (c) of the *Public Prosecutors' Act 2003* (Act No 7 of 2003) I, NICHOLAS H. MIROU, Public Prosecutor, **hereby appoint**

ABEL S. KALMET

to act as State Prosecutor with effect from the date hereof.

MADE AT PORT VILA this 07th day of June 2004.

A circular official stamp of the Public Prosecutors' Office, Vanuatu, with a signature written over it. The stamp contains the text "OFFICE OF THE PUBLIC PROSECUTOR" and "VANUATU".
.....
NICHOLAS H. MIROU
PUBLIC PROSECUTOR



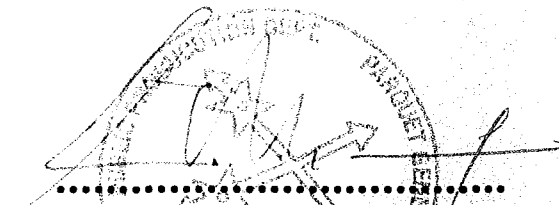
REPUBLIC OF VANUATU

THE PUBLIC PROSECUTORS ACT 2003 (ACT NO 7 OF 2003)

INSTRUMENT OF APPOINTMENT OF DEPUTY PUBLIC PROSECUTOR

IN EXERCISE of the powers conferred by Section 20 (1) of the *Public Prosecutors' Act 2003* (Act No 7 of 2003) I, NICHOLAS H. MIROU, Public Prosecutor, hereby appoint **JOHN WILLIAM TIMAKATA** as Deputy Public Prosecutor for a period of three (3) years with effect from 31st May 2004.

MADE AT PORT VILA this 8th day of June 2004.


.....
NICHOLAS H. MIROU
PUBLIC PROSECUTOR