

REPUBLIC OF VANUATU

BILL FOR THE CHARITABLE ASSOCIATIONS (INCORPORATION) (AMENDMENT) ACT NO. OF 2023

Explanatory Note

The Bill amends the Charitable Associations (Incorporation) Act [CAP 140].

The purpose of this amendment is to ensure that all political parties registered under the provisions of the Political Parties Registration Act are also registered under the Charitable Associations Act.

The creation of a new category of charitable association, namely, “political party”, will ensure that the same financial and other reporting requirements that apply to all charitable or non-government organisations in Vanuatu also apply to political parties.

As there are additional specialised criteria for the registration of political parties under the Political Parties Registration Act that are not found in the Charitable Associations (Incorporation) Act [CAP 140], applicants must first be registered as a political party under the Political Parties Registration Act before they can be registered as a political party under the Charitable Associations (Incorporation) Act [CAP 140].

Minister of Finance and Economic Management



REPUBLIC OF VANUATU

**BILL FOR THE
CHARITABLE ASSOCIATIONS (INCORPORATION)
(AMENDMENT)
ACT NO. OF 2023**

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REPUBLIC OF VANUATU

BILL FOR THE CHARITABLE ASSOCIATIONS (INCORPORATION) (AMENDMENT) ACT NO. OF 2023

An Act to amend the Charitable Associations (Incorporation) Act [CAP 140].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Charitable Associations (Incorporation) Act [CAP 140] is amended as set out in the Schedule.

2 Commencement

This Act commences on the date prescribed by the Minister by Order published in the Gazette.

SCHEDULE

AMENDMENTS OF THE CHARITABLE ASSOCIATIONS (INCORPORATION) ACT [CAP 140]

1 Subsection 5(2)

Repeal the subsection, substitute

- “(2) The Registrar must not issue a certificate of incorporation:
- (a) in a name that he or she considers is similar to the name of any incorporated committee or other body whether incorporated or not; or
 - (b) in the case of a political party – unless the political party has been registered under the Political Parties Registration Act No. of 2023.”

2 After subsection 8A(7)

Insert

- “(7A) The Minister may by Regulation, prescribe financial reporting requirements to be observed by all Charitable Associations or specific types of Charitable Associations that undertake the same type of operations.”

3 At the end of section 10

Add

- “(8) In the case of a political party, the Registrar must cancel the incorporation of a committee if the political party has been deregistered under the Political Parties Registration Act No. of 2023.”