



REPUBLIC OF VANUATU

IMMIGRATION ACT NO. 17 OF 2010

Immigration Visa Regulation (Amendment) Order No. 128 Of 2012

In exercise of the powers conferred on me by paragraph 37(g) and section 91 of the Immigration Act No. 17 of 2010, I, the Honourable George Andre Wells, Minister of Internal Affairs, make the following Order.

1 Amendments

The Immigration Visa Regulation Order No. 180 of 2011 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 4 day of October, 2012.


Honourable GEORGE ANDRE WELLS
Minister of Internal Affairs



SCHEDULE

AMENDMENTS OF THE IMMIGRATION VISA REGULATION ORDER NO. 180 OF 2011

1 After subclause 12(4)

Insert

“(4A) In the case of a foreign investor who intends to register a Vanuatu International Company with the Vanuatu Financial Services Commission pursuant to the International Companies Act [CAP 222], the criteria for the grant of visa are as follows:

- (a) the applicant must establish a Vanuatu international company having a paid up capital of not less than US\$450,000 of which the applicant is the registered and beneficial owner of not less than 50% of the equity and whose share of the equity has a value of not less than US\$450,000; and
- (b) the applicant’s company must have deposited with a local or international Vanuatu bank or other depository approved for the purpose by the Vanuatu Financial Services Commission a sum in ready money of not less than US\$450,000; and
- (c) the applicant must satisfy the Vanuatu Financial Services Commission that the source of the deposited funds is legitimate; and
- (d) the applicant must satisfy the Vanuatu Investment Promotion Authority that it is an investor under the Vanuatu Foreign Investment Promotion Act [CAP 248] and has paid the required fees; and
- (e) the applicant must satisfy the Principal Immigration Officer that he or she has no criminal record in either the country of his or her nationality or (if different) the country of his or her residence and that he or she is a person of good moral standing (character); and

- (f) the applicant must undertake not to withdraw any of his or her deposited funds from Vanuatu for a period of 10 years from the date of grant of a visa under this Regulation; and
- (g) the applicant must pay the fee prescribed in Item 12A in Table 2 of the Schedule; and
- (h) the applicant must submit to the Principal Immigration Officer for approval:
 - (i) the Certificate of Incorporation and Constitution of his or her Vanuatu international company;
 - (ii) the share certificates(s) evidencing his or her equity interest;
 - (iii) the certificate of deposit of the funds required hereunder issued by a Vanuatu bank;
 - (iv) the aforesaid letter of undertaking certified by:
 - (A) a Commissioner or Deputy Commissioner appointed by the Minister of Trade and Commerce, the Minister of Foreign Affairs, the Vanuatu Financial Services Commission; or
 - (B) an Ambassador, High Commissioner, Consul General or Honorary Consul of the Republic of Vanuatu;
 - (v) the receipt for the required fee; and
- (4B) The conditions applicable to a person who has applied under subclause (4A) are that the holder of the visa must continue to hold a valid certificate of incorporation of his or her company issued by the Vanuatu Financial Services Commission for the duration of the visa.
- (4C) To avoid doubt, subclause (4) does not apply to an investor who owns or operates a Vanuatu international company.”

2 Paragraph 16(e)

Repeal the paragraph, substitute

“(e) in the case of a person mentioned under item 12 of table 2 of the Schedule, the holder must continue to receive the monthly income as specified in his or her application.”

3 Schedule – Table 2

After item 12 in Column A, insert

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12A	Residence Visa	Each applicant who fulfils the criteria and conditions set out in clause 12(4A) and (4B), the spouse and minor dependants of the applicant: 5 years with right of renewal	511,200
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