



REPUBLIC OF VANUATU

TELECOMMUNICATIONS (AMENDMENT) ACT NO.15 OF 2007

Arrangement of Sections

- 1 Amendment**
- 2 Commencement**

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TELECOMMUNICATIONS (AMENDMENT) ACT NO.15 OF 2007

An Act to amend the Telecommunications Act [CAP 206].

Be it enacted by the President and Parliament as follows:

1 Amendment

The Telecommunications Act [CAP 206] 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 TELECOMMUNICATIONS ACT [CAP 206]

1 After section 67B

Insert

“67C Additional powers of the Minister

- (1) In addition to the powers, duties and functions granted to the Minister under this Act, the Minister has:
 - (a) all of the powers, duties, functions, rights and obligations of any person described as having responsibility to regulate the telecommunications sector in Vanuatu, in any licence issued by the Minister in accordance with section 16; and
 - (b) the power to make a determination in respect of a dispute relating to interconnection between two operators, where operators have been unable to agree on the resolution of that dispute.
- (2) Any determination made under paragraph (1)(b) must be made in writing and is binding on the operators.

67D Delegation of powers, duties and functions under this Act

- (1) The Minister may delegate to a person all or any of his or her powers, duties or functions under this Act, including the powers, duties and functions under section 67C, however the Minister must not delegate the power of delegation.
- (2) A delegation made under subsection (1) is to be exercised independently by the person to whom it is made.
- (3) In exercising the delegated powers, duties and functions under subsection (1), the person is not required to act on the direction of the Minister except in the case of general policy directions.
- (4) A delegation under this section:
 - (a) must be made in writing; and

- (b) may be made either generally or subject to express limitations or conditions; and
 - (c) may be given for a specified period.
- (5) The Minister remains responsible for actions taken under a delegation under this section.
- (6) The Minister must not exercise any power, duty or function that has been delegated under this section.”

2 After section 68

Insert

“68A Exemption from stamp duty under the Stamp Duties Act [CAP 68] and the requirements of the Government Contracts and Tenders Act [CAP 245]

The transfer by the Government of any shares in Telecom Vanuatu Limited is to be exempt from:

- (a) stamp duty under the Stamp Duties Act [CAP 68]; and
- (b) the requirements of the Government Contracts and Tenders Act [CAP 245].”

