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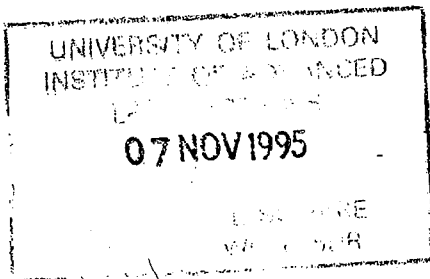
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REPUBLIC OF VANUATU

RELIGIOUS BODIES (REGISTRATION) ACT NO. 9 OF 1995

Arrangement of Sections

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REPUBLIC OF VANUATU

Assent:

Commencement : 03/10/95

RELIGIOUS BODIES (REGISTRATION) ACT NO. 9 OF 1995

An Act to provide for the registration of religious bodies and for matters connected therewith.

BE IT ENACTED by the President and Parliament as follows :-

**DEFINITIONS**

1. In this Act, unless the context otherwise requires -

"constitution", means a document or documents containing provisions relating to the aims, beliefs, administration and finance of a religious body;

"Minister" means the Minister responsible for religious affairs;

"operate" means to preach, teach, promote and spread the spiritual teaching of the religious body, the maintenance of the doctrines on which a religious body rests and of the observances that serve to promote and manifest it and "operating" or "operations" shall be construed accordingly;

"Register" means the Register of Religious Bodies established under section 7;

"Registrar" means the Registrar of Religious Bodies appointed under section 3;

"religious body" means a group or association of people formed for the purpose of or being in the practice of worshipping or showing allegiance to a person or non-human-being or force or power.

"religious purpose" means the purpose of or being in the practice of worshipping or showing allegiance to a supreme being, or person or non-human being or force or power."

**REGISTRAR OF RELIGIOUS BODIES**

2. There shall be appointed by the Minister a Registrar of Religious Bodies to carry out the duties and functions and exercise the powers vested in him by or under this Act or any other Act.

### APPLICATION FOR REGISTRATION

3. (1) Every religious body operating in Vanuatu on the date of the commencement of this Act shall, within 6 months of such date, apply to the Registrar for the registration of the religious body.
- (2) Every application for registration shall -
- (a) state the name or denomination of the religious body applying;
  - (b) state the names and addresses of the Secretary and Treasurer of that religious body;
  - (c) be accompanied by a list of the churches or other regular places of worship of the religious body in Vanuatu;
  - (d) specify the place where the principal office of administration of the religious body is to be situated;
  - (e) be accompanied by a registration fee of VT 1.000
  - (f) be accompanied by a copy of the constitution of the religious body or, if it has none, a full and clear statement of the objectives and beliefs of the religious body.
- (3) The Registrar may require evidence to certify any particulars in the application and such other evidence or information as he may consider necessary.
- (4) Every application for registration shall be in the form and contain the particulars specified in the Schedule to this Act and shall be signed by the Treasurer and Secretary.
- (5) Every religious body not registered in Vanuatu, wishing to operate in Vanuatu, shall apply to the Registrar for a certificate of registration before commencing operations in Vanuatu.
- (6) On receiving an application under this section, the Registrar, after ascertaining that the application satisfies the requirements of subsections (1), (2), (3) and (4) of this section, shall send the original copy of the application plus all supporting documents to the Minister with his own opinion and advice on the application for the Minister's decision."

### REFUSAL TO REGISTER A RELIGIOUS BODY

4. The Minister may refuse to approve the registration of a religious body if -
- (a) any of its aims, beliefs or operations are unlawful;
  - (b) its aims, beliefs or operations are not consistent with a religious purpose;
  - (c) any member of its executive committee, or any person exercising the function of a leader in the religious body, has a criminal record or is a known bankrupt.

#### REGISTRATION

5. (1) Where the Registrar is satisfied that all the requirements of this Act in respect of registration have been complied with, the Registrar shall -
- (a) register the religious body in the "Register of Religious Bodies";
  - (b) issue a certificate of registration;
  - (c) sign the certificate and authenticate it with his official seal.
- (2) A certificate of registration issued by the Registrar shall be conclusive evidence that the requirements of this Act in respect of registration have been complied with and that the religious body has been registered under this Act on and from the date stated in the certificate, under the name contained in its certificate of registration.
- (3) The Registrar shall publish in the Gazette a notice of every registration under this Act.
- (4) Any religious body not exempted under this Act, operating in Vanuatu which fails to register within the period referred to in section 3(1), or before operating in Vanuatu pursuant to section 3(5) commits an offence and shall be liable on conviction to a fine not exceeding VT 50,000.
- (5) A religious body shall not be registered unless it has been approved by the Minister."

#### REGISTRATION OF CHANGES

6. (1) A religious body shall lodge with the Registrar within 30 days of the change details of any changes that have taken place relating to -
- (a) its aims or beliefs;
  - (b) change of registered office;
  - (c) resignations, removals and appointments of treasurer or secretary
  - (d) the constitution of the religious body;
  - (e) the location or number of its churches or other regular places of worship.

- (2) Any religious body which fails to comply with subsection (1) is guilty of an offence and shall be liable on conviction to a fine not exceeding VT10,000.

**REGISTER OF RELIGIOUS BODIES**

7. (1) A register to be known as the "Register of Religious Bodies" shall be established and maintained by the Registrar in which there shall be entered the name and such particulars as are required by or under this Act or as the Registrar may from time to time determine of any registered religious body.
- (2) The Registrar shall remove from the Register any religious body whose certificate is cancelled under section 10.

**TREASURER**

8. (1) A religious body shall notify the Registrar of the identity of its treasurer who shall -
  - (a) be responsible for receiving or ensuring the proper allocation of all money and any other valuable property given or paid to the religious body or otherwise put at its disposal;
  - (b) render a true and accurate account to the religious body or to the Registrar whenever required of all money received, allocated or expended in each financial year.
- (2) A religious body may notify the Registrar of the identity of more than one person as treasurer.
- (3) The treasurer or, if more than one of them, all or any of the treasurers shall be jointly and severally liable for any misuse or misappropriation of the funds of the religious body.

**SECRETARY**

9. (1) A religious body shall notify the Registrar of the identity of a secretary, who shall be the person responsible for notifying changes under section 6 and on whom any notices addressed to the religious body may be served.
- (2) A religious body may notify the Registrar of the identity of more than one person as secretary, in which case service of notice on any one of them shall constitute good service on the religious body.
- (3) The secretary or, if more than one, any one or all of them may be liable to prosecution for a breach of sections 5(4) or 6(2).

#### CANCELLATION OF REGISTRATION

10. (1) If the Registrar is of the opinion that :-

- (a) a registration under this Act was obtained by fraud, misrepresentation or mistake; or
- (b) any of the objects of a religious body which has been registered have become unlawful; or
- (c) a religious body is being used for an unlawful purpose; or
- (d) a religious body has failed to comply with any of the provisions of this Act,

he may require the religious body by notice in writing to show cause within 30 days as to why its registration should not be cancelled.

- (2) If within 30 days of service of a notice a religious body fails to satisfy the Registrar he may cancel its registration by notice published in the Gazette.
- (3) Within 30 days of cancellation, the secretary of the religious body shall return to the Registrar the certificate of registration. Neglect or refusal to do so shall be an offence and a person convicted thereof shall be liable to a fine of VT20,000.

#### INVESTIGATION OF ACTIVITIES OF RELIGIOUS BODIES

11. (1) The Minister may appoint a Committee to investigate and report on any activities of any religious body whether registered under this Act or not.

(2) The Minister may, following the report of the Committee -

- (a) require the Registrar to serve notice on the religious body under section 10; and
- (b) refer any alleged offences to the Public Prosecutor.

#### CLAIMING TO BE REGISTERED

12. (1) It is an offence for any person to claim that any body, organisation or association which is not registered under this Act is a registered religious body or that any belief, or method of worship practiced by them is the belief or method of worship of a registered religious body, if it is not.

- (2) Any person committing such offence shall be liable on conviction to a fine of VT50.000.

**INSPECTION OF REGISTER**

13. The Registrar shall make available for inspection the Register, and documents filed with him in relation thereto, on payment of a fee of VT5.000.

**EXEMPTIONS**

14. The Minister may, in his discretion, exempt any religious body or class of religious body from the requirements of this Act.

**REGULATIONS**

15. (1) The Minister for the better carrying out of the provisions of this Act may make regulations not inconsistent with this Act.
- (2) Without derogating from the generality of subsection (1) the Minister may by regulations prescribe increases in the fees payable on applications for registration and inspection.

**COMMENCEMENT**

16. This Act shall come into operation on such date as the Minister shall declare by Order published in the Gazette.



SCHEDULE

Application for registration of a religious body:

Name of body:

Principal office address:

Name of Secretary:

Address:

(If more than one,  
attach additional sheet)

Name of Treasurer:

Address:

(If more than one,  
attach additional sheet)

Please tick box

We attach List of churches/regular  
places of worship

Constitution/statement of  
objectives and beliefs

Payment of VT 1.000

Date:

Signed:

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Secretary

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Treasurer