



REPUBLIC OF VANUATU

**BILL FOR THE
BUSINESS LICENCE (AMENDMENT) ACT
NO. OF 2010**

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An Act to amend the Business Licence Act [CAP 249].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Business Licence Act [CAP 249] 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 BUSINESS LICENCE ACT [CAP 249]

1 Subsection 2(1)

Repeal the subsection, substitute

“(1) A person must not carry on a business without a licence issued under this Act, unless:

- (a) the person is exempted from business licence under Schedule 2; or
- (b) the annual turnover of the business activity the person is carrying on, is less than VT 4 million.”

2 After subsection 2(1)

Insert

“(1A) A person who is carrying on a taxable activity within the meaning of section 4 of the Value Added Tax Act [CAP 247] and who is registered under section 12 of that Act must not carry on the taxable activity unless the person has been issued with a business licence under this Act to do so.”

3 Subsection 2(2)

Delete “Schedule 2” substitute, “subsection (1)”

4 After section 2

Insert

“2A Business Operation Certificate

(1) A person who is:

- (a) exempted under subsection 2(1) from being issued with a business licence under this Act; or
- (b) carrying on a business activity and who is not registered under section 12 of the Value Added Tax Act [CAP 247],

must be registered and issued with a business operations certificate in accordance with subsection (2).

- (2) For the purposes of subsection (1):
- (a) if the business activity is carried on in a Local Government Region –by the relevant Local Government Council; or
 - (b) if the business activity is carried on in a Municipal Boundary –by the Director.”
- 5 Schedule 1
- (a) Delete “plus for each non-citizen principal or partner engaged in the business, 100,000” (wherever occurring).
 - (b) Delete “20,000 for gross turnover of less than 10 million;” (wherever occurring), substitute “20,000 for gross turnover of 4 million or more but less than 10 million;”
- 6 Schedule 1, Category B, clause 3
- Delete “(A category D1 Import Licence is required for all such imports plus a D3 licence is required for direct resale)”
- 7 Schedule 1, Category B, clause 4
- Delete “D3” substitute, “D2”
- 8 Schedule 1, Category C, clause 2
- Delete “(A category D1 Import Licence is required for all such imports plus a D2 licence is required for direct resale)”
- 9 Schedule 1, Category C, clause 3
- Delete “D1 and D2 licences” substitute “a D2 licence”
- 10 Schedule 1, Category D1 (heading)
- Repeal the heading substitute, “Importation and Re-export ”
- 11 Schedule 1, Category D1 (i), (ii), (iii) and D2 (i), (ii) and (iii) – under the heading “REMARKS”
- Repeal the subparagraphs.

SCHEDULE
AMENDMENTS OF THE BUSINESS LICENCE
ACT [CAP 249]

12 Schedule 1 Category D1 and D2 -under the heading