

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE DEPARTMENT OF CUSTOMS AND  
INLAND REVENUE**

**AND**

**THE DEPARTMENT OF LIVESTOCK  
AND QUARANTINE SERVICES**

**AND**

**THE DEPARTMENT OF IMMIGRATION**

**AND**

**THE VANUATU POLICE FORCE**

*CB* *10/1* *F.B. M* *final* *ATK*

## MEMORANDUM OF AGREEMENT

**MADE** at Port Vila, this 26 day of January, 2012.

**BETWEEN:**            **THE DEPARTMENT OF CUSTOMS AND INLAND REVENUE**  
represented by its Director, Mr. Ben Leeshi ("Customs and Inland Revenue")

**AND:**                    **THE DEPARTMENT OF LIVESTOCK AND QUARANTINE SERVICES** represented by its Acting Director, Francis Qarani ("Livestock and Quarantine")

**AND:**                    **THE DEPARTMENT OF IMMIGRATION** represented by the Principal Immigration Officer, Francois Batick ("Immigration")

**AND:**                    **THE VANUATU POLICE FORCE and THE VANUATU MOBILE FORCE** being duly represented the Commissioner of Police, Mr. Joshua Bong ("VPF")

**WHEREAS** the Department of Customs and Inland Revenue is responsible for the management, regulation and control of Customs pursuant to the Customs Act [CAP 257] (the "Act");

**AND WHEREAS** the Department of Livestock and Quarantine Services is responsible for the regulation and control of the importation of animals, animal products, plants, plant products and biological products into Vanuatu;

**AND WHEREAS** the Department of Immigration is responsible for immigration matters including refugees;

**AND WHEREAS** the Vanuatu Police Force serving their duty to provide security, safety and order in the Republic of Vanuatu, and carrying the overall duty to ensure that any threats to security become managed and handled in an appropriate manner;

**AND WHEREAS** the Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration are currently facing human resource problems in carrying out their responsibilities at the international port of entry at the Mystery Island and therefore needing the assistance of the Vanuatu Police Force;

**AND WHEREAS** both the Department of Customs and Inland Revenue and the Department of Livestock and Quarantine Services and the Department of Immigration have established a dialogue and understanding between themselves respectively and have agreed on the necessity to enter into a Memorandum of Agreement (the "Agreement") to allow the Police Officers of the Vanuatu Police Force on Aneityum to carry out the responsibilities of the Customs, Quarantine and Immigration Officers at the international port of entry at the Mystery Island;

*Handwritten signatures and initials:*  
The signature of Ben Leeshi is followed by "F.B. QV". To the right is the signature of Francis Qarani, followed by a signature of Francois Batick and the number "2".

**NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:**

**1. APPROVAL OF DEPARTMENT OF CUSTOMS AND INLAND REVENUE, THE DEPARTMENT OF LIVESTOCK AND QUARANTINE SERVICES, AND THE DEPARTMENT OF IMMIGRATION**

- 1.1 The Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration is hereby approves certain selected members of the Vanuatu Police Force to undertake extra responsibilities by carrying out the functions of Customs, Quarantine and Immigration Officers at Mystery Island international port of entry.
- 1.2 The extra responsibility allowance of the certain selected members of the Vanuatu Police Force referred herein will be paid equally in proportion by the Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration.
- 1.3 The Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration will provide basic training to the selected member of the Vanuatu Police Force.

**2. APPROVAL OF THE VANUATU POLICE FORCE TO RELEASE ITS MEMBERS TO ASSIST DUTIES AT THE INTERNATIONAL PORT OF ENTREY AT MYSTERY ISLAND**

- 2.1 The VPF hereby approve for certain of its selected members to be provided with extra responsibilities in carrying out the functions of Customs, Quarantine and Immigration Officers at Mystery Island international port of entry.
- 2.2 The VPF hereby agrees that its selected members will undertake the extra responsibilities and that while they will undertake the extra responsibilities, their normal positions, entitlements and regulations shall continue to have effect.
- 2.3 The VPF hereby agrees that the operations of the Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration shall have priority whenever an international vessel calls into Mystery Island to ensure our national and international obligations to facilitate Border operations.
- 2.4 The VPF reserves the right to recall any of the selected Force members from their extra duties and to replace any member with another as it deems fit.

**3. TERM OF AGREEMENT**

- 3.1 This Agreement shall commence on the 26 January 2012 and shall continue until the Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services and the Department Immigration are able to recruit Officers to be stationed at the Mystery Island international port.

*Handwritten signatures and initials:* [Signature] 19. F.B. [Signature] [Signature] 3

3.2 The Department of Customs and Inland Revenue, the Department of Livestock and Quarantine Services, and the Department of Immigration may from time to time require the assistance of VPF to carry out the responsibilities of Customs, Quarantine and Immigration Officers to other outer islands where international vessels visit.

3.3 The Agreement may be terminated at any time by any of the Parties or whenever the above term of the agreement (3.1) is satisfied, by giving 7 days notice in writing and stating the reasons for such termination.

#### 4. GOVERNING LAW

4.1 This Agreement is governed by the laws of the Republic of Vanuatu.

#### 5. DISPUTE RESOLUTION

5.1 In the event that there is a dispute arising under this Agreement between any of the parties, the parties involved must endeavour to enter into a dispute resolution meeting to resolve their dispute in order to maintain the spirit of this Agreement.

#### 6. AMENDMENTS

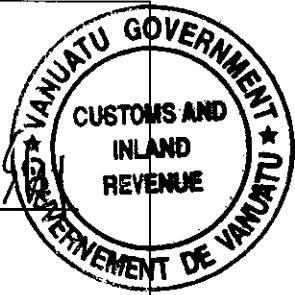
6.1 The parties to this Agreement may amend or add any new provisions to this Agreement.

6.2 Any amendment or addition shall form part of this Agreement and shall operate only within the period of this Agreement.

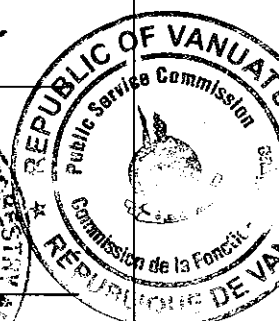
*CB + ACC F.B. ANV* *fund* 

**IN WITNESS** whereof the Parties hereto, such of them being duly authorised, have signed this Memorandum of Agreement on the date herein first above written.

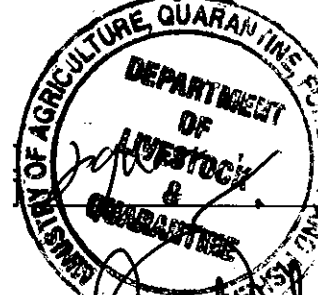

**SIGNED** by the **DEPARTMENT OF CUSTOMS & INLAND REVENUE**, by its Director

*[Signature]*  


**AND WITNESSED** by Public Service Commission representative

*[Signature]*  


**SIGNED** by the **DEPARTMENT OF LIVESTOCK & QUARANTINE SERVICES**, by its Acting Director

*[Signature]*  
  


**AND WITNESSED** by Public Service Commission representative

*[Signature]*  



**SIGNED** by the **DEPARTMENT OF IMMIGRATION**, by the Principal Immigration Officer

*[Signature]*  


**AND WITNESSED** by Public Service Commission representative

*[Signature]*  


**SIGNED** by **THE COMMISSIONER OF POLICE** as the Authorised Representative of the Vanuatu Police Force

*[Signature]*  


**AND WITNESSED** by Police Service Commission representative

*[Signature]*  
