

Vanuatu

<b>Background</b>	<b>Name of EMB:</b>	The Vanuatu Electoral Office
	<b>Status:</b>	Permanent
	<b>Number of commissioners:</b>	Two commissioners and a chair.
	<b>Number of full-time EMB staff:</b>	Five permanent staff.
<b>Establishment of the EMB</b>	<b>Constitutional and/or legislative provisions for establishment of the EMB:</b>	It is established in Chapter 4 of the Constitution under Articles 18, 19 and 20; its function and directive are laid out in the Representation of the Peoples Act [cap146].
	<b>EMB's mandate:</b>	<p>The EMB's mandate is to conduct or supervise referenda and elections, as stipulated under the constitution or an act of parliament, and to be responsible for:</p> <ul style="list-style-type: none"> <li>• the registration of citizens as voters;</li> <li>• the annual update of the electoral voter list;</li> <li>• the delimitation of electoral boundaries;</li> <li>• submitting requests for legislative amendments as required;</li> <li>• providing logistical support for electoral dispute resolution;</li> <li>• voter education and information; and</li> <li>• developing election reports.</li> </ul>
<b>Appointment, tenure and removals</b>	<b>EMB model:</b>	Mixed
	<b>What standards are established in the constitution or other legislation for democratic legitimacy?</b>	<p>The constitution hereby declares:</p> <ul style="list-style-type: none"> <li>• the country as a sovereign democratic state – Article 1;</li> <li>• national sovereignty, universal electoral franchise and freedom to form political parties – Article 2.</li> </ul>
	<b>Provisions for the appointment of commissioners:</b>	Appointment is made by the President of the Republic on the advice of the Judicial Service Commission.
	<b>Political status of commissioners:</b>	Appointment is based on expertise. Any person who exercises any position of responsibility in a political party shall not qualify as a commissioner.

	<p><b>Chair qualifications:</b></p> <p>The following persons shall not be qualified for appointment as chair of the commission:</p> <ul style="list-style-type: none"> <li>• a member or a candidate for election to parliament;</li> <li>• a member or a candidate for election to the local government councils or municipal councils;</li> <li>• a member or a candidate for election to the National Council of Chiefs;</li> <li>• any person who exercises any position of responsibility in a political party.</li> </ul>
	<p><b>Commissioner qualifications:</b></p> <p>Same as above.</p>
	<p><b>Tenure of chair and commissioners:</b></p> <p>The term is five years and it is renewable.</p>
	<p><b>Provisions for the removal of commissioners:</b></p> <p>The president has the power to remove the commissioners if misconduct is proved beyond reasonable doubt. Senior staff are subject to the Public Service Commission (PSC) Act.</p>
	<p><b>Provisions for the appointment of EMB senior staff:</b></p> <p>EMB senior staff appointments are in line with qualification requirements under the PSC Act.</p>
	<p><b>Tenure of EMB senior staff:</b></p> <p>Permanent</p>
	<p><b>Provisions for the removal of EMB senior staff:</b></p> <p>EMB senior staff are subject to disciplinary procedures under the PSC Act.</p>
<p><b>Funding arrangements</b></p>	<p><b>Setting and control of EMB's budget:</b></p> <p>The budget is set by the Ministry of Internal Affairs and controlled by the EMB through the Department of Finance.</p>
	<p><b>Financial autonomy:</b></p> <p>No</p>
	<p><b>Legal provisions for financial autonomy:</b></p> <p>None specified</p>

<b>Electoral system</b>	<b>Number of chambers/houses within the legislature:</b>	The legislature consist of a single chamber, which is known as the parliament.
	<b>Voting system:</b>	The single non-transferable vote for parliamentary and provincial elections, and the open list (PR) for municipal elections.
	<b>Amendments to electoral laws:</b>	The government and the Electoral Commission and office may seek amendments to the electoral law. Amendments must be approved by the Electoral Commission and the Council of Ministers before being discussed in parliament.
	<b>Drafting of electoral regulations:</b>	The EMB does not draft the electoral legislation but provides advice to the state law office who does the drafting.
	<b>Electoral disputes mechanisms:</b>	Any electoral dispute is submitted to the Supreme Court, which then forwards it to the Electoral Dispute Committee – made up of magistrates, lawyers and other relevant experts. The decision of the Election Dispute Committee can be challenged at the Supreme Court, who takes the final decision.
<b>Other issues:</b>		
<b>Secretariat</b>	<b>Administrative autonomy:</b>	Yes, but with approval from the Ministerial Director General and the Public Service Commission.
	<b>Women in senior positions:</b>	One female commissioner.
	<b>Administrative structure:</b>	There are four main sections in the EMB: <ol style="list-style-type: none"> <li>1. Management Section</li> <li>2. Finance Section</li> <li>3. Compiling Section</li> <li>4. Client Services Section</li> </ol>