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NOTIFICATION OF PUBLICATION

ORDER

TELECOMMUNICATIONS,  
RADIOCOMMUNICATIONS AND  
BROADCASTING REGULATION ACT  
NO. 30 OF 2009

- VANUATU DOMAIN NAME  
MANAGEMENT AND ADMINISTRATION  
REGULATION (AMENDMENT)  
ORDER NO. 226 OF 2023

LEGAL NOTICE

UTILITIES REGULATORY AUTHORITY ACT  
NO. 11 OF 2007

- MONTHLY ADJUSTED PRICE OF  
ELECTRICITY OF PORT VILA FOR  
DECEMBER 2023 NOTICE NO. 108 OF  
2023





REPUBLIC OF VANUATU

TELECOMMUNICATIONS,  
RADIOCOMMUNICATIONS AND BROADCASTING  
REGULATION ACT NO. 30 OF 2009

Vanuatu Domain Name Management and Administration  
Regulation (Amendment)  
Order No. 226 of 2023

In exercise of the powers conferred on me by paragraph 7(4)(e) of the Telecommunications, Radiocommunications and Broadcasting Regulation Act No. 30 of 2009, I, BRIAN WINJI MOLITAVITI, the Telecommunications, Radiocommunications and Broadcasting Regulator, makes the following Order.

**1 Amendments**

The Vanuatu Domain Name Management and Administration Regulation Order No. 206 of 2016 is amended as set out in the Schedule.

**2 Commencement**

This Order commences on the day on which it is made.

Made at Port Vila this 14<sup>th</sup> day of December, 2023.

**BRIAN WINJI MOLITAVITI**  
Regulator





## SCHEDULE

### AMENDMENTS OF THE VANUATU DOMAIN NAME MANAGEMENT AND ADMINISTRATION REGULATION ORDER NO. 206 OF 2016

**1 References to “Top level domain”**

Delete all references to “Top level domain” (wherever occurring), substitute “Top Level Domain”

**2 References to “domain name system”**

Delete all references to “domain name system” (wherever occurring), substitute “Domain Name System”

**3 References to “DNS root zone”**

Delete all references to “DNS root zone” (wherever occurring), substitute “DNS Root Zone”

**4 References to “domain”**

Delete all references to “domain” (wherever occurring), substitute “DOMAIN”

**5 References to “domain name”**

Delete all references to “domain name” (wherever occurring), substitute “DOMAIN NAME”

**6 References to “IANA database”**

Delete all references to “IANA database” (wherever occurring), substitute “IANA DATABASE”

**7 Clause 1 – (Definition of “DNSSEC”)**

Delete “domain name system Security Extensions”, substitute “Domain Name System Security Extensions”

**8 Clause 1 – (definition of “IANA”)**

Delete “department”, substitute “subsidiary operation”

**9 Clause 1 – (Definition of “ICANN”)**

After “America”, insert “established to manage the internet unique identifiers on behalf of the internet global internet community”



**10 Clause 1 – (Definition of “IP”)**

- (a) Delete “internet protocol”, substitute “Internet Protocol”
- (b) Delete all references to “internet protocol”, (wherever occurring), substitute “Internet Protocol”

**11 Clause 1 – (Definition of “moderation”)**

- (a) After “person”, insert “or entity”
- (b) After “within”, insert “a moderated”

**12 Clause 1 – (Definition of “name server”)**

Delete “name server”, substitute “Name Server”

**13 Clause 1 – (Definition of “personal data”)**

Delete the definition.

**14 Clause 1 – (Definition of “revocation”)**

Delete “revocation”, substitute “Revocation”

**15 Clause 1 – (Definition of “registrant”)**

- (a) After “who”, insert “through the process of registering Domain Name”
- (b) Delete “a” (first occurring), substitute “that”

**16 Clause 1 – (Definition of “registrar agreement”)**

Delete “registrar agreement”, substitute “Registrar Authorisation Agreement”

**17 Clause 1 – (Definition of “registry services agreement”)**

Delete the Definition.

**18 Clause 1 – (Definition of “registration services”)**

Delete “registration services”, substitute “Registration Services”

**19 Clause 1 – (Definition of “registry”)**

- (a) Delete “registry”, substitute “Registry”
- (b) Delete “one or more .vu”
- (c) After “domain names” (first occurring), insert “in the .vu Root Zone”
- (d) Delete “within the .vu ccTLD that is used to generate authoritative DNS resource records or responses to domain name available lookup requests or WHOIS queries for some or all of those .vu domain names”



**20 Clause 1 – (Definition of “registry operator”)**

- (a) Delete “registry operator”, substitute “Registry Operator”
- (b) Delete “the exclusive responsibility to”, substitute “been authorized by the Regulator to”
- (c) After “services,”, insert “for a specified contracted time”
- (d) Delete “in relation to the second-level domains in the .vu ccTLD”

**21 Clause 1 – (Definition of “registry services”)**

- (a) Delete “registry services”, substitute “Registry Services”
- (b) Delete “and includes the EPP Service, the WHOIS Service, and the DNS service, and other services offered by the Registry Operator”, substitute “associated with .vu Domain Names”

**22 Clause 1 – (Definition of “Regulator”)**

- (a) Delete “and”, substitute “,”
- (b) After “Radiocommunications”, insert “and Broadcasting”

**23 Clause 1 – (Definition of “resolve”)**

Delete “internet protocol”, substitute “IP”

**24 Clause 1 – (Definition of “second level domain”)**

- (a) Delete “second level domain”, substitute “Second Level Domain”
- (b) Delete “alphanumeric”, substitute “permitted character”
- (c) Delete “level-domain”, substitute “level domain”

**25 Clause 1 – (Definition of “shared registry system”)**

Delete “shared registry system”, substitute “Shared Registry System”

**26 Clause 1 – (Definition of “third-level domain”)**

Delete “alphabetic”, substitute “Character”

**27 Clause 1 – (Definition of “transfer”)**

- (a) After “the” (First Occurring), insert “a Registrar allows a Registrant to transfer the rights to a specific .vu Domain Name to a new Registrant”
- (b) Delete “process by which IANA changes its assignment of responsibility for the administration of a top level-domain in the domain name system root zone”



**28 Clause 1 – (Definition of “Vanuatu internet community”)**

- (a) Delete “Vanuatu internet community”, substitute “Vanuatu Internet Community”
- (b) After “industry”, insert “the technical community, academia”

**29 Clause 1 – (Definition of “.vu ccTLD”)**

- (a) Delete “top level-domain”, substitute “Top Level Domain for Vanuatu”
- (b) Delete “country code top level-domain that is the area of the domain name system administered by Vanuatu”

**30 Clause 1 – (Definition of “.vu”)**

- (a) Delete “top level-domain”, substitute “Top Level Domain assigned to identify Vanuatu in the domain Name System”
- (b) Delete “Vanuatu as a nation”

**31 Clause 1 – (Definition of “.vu Domain Name”)**

Delete “within”, substitute “registered in”

**32 Clause 1 – (Definition of “.vu ccTLD Management Contract”)**

- (a) Delete “Registry” (first occurring), substitute “Regulator and the”
- (b) Delete “and the Regulator”

**33 Clause 1 – (Definition of “WHOIS data”)**

Delete the definition.

**34 Clause 1 – (Definition of “WHOIS service”)**

Delete the definition.

**35 Clause 1 – (Definition of “zone data”)**

Delete the definition.

**36 Clause 1 – Definitions**

Insert in their correct alphabetical positions

“ASCII means American Standard Code for Information Interchange as a common format for computer text files;

**Cybersquatting** means a person other than the owner of either a trademark, a registered business name or a company registers that trademark, business name or company name as an internet domain name under the .vu ccTLD and then



attempts to profit from it either by ransoming the domain name back to the trademark, business name or company owner or by using the domain name to divert business from the trademark, business name, or company owner to the owner of the domain name. Or using .vu domain name with bad faith intent to profit from the goodwill of a trademark, business name or company name belonging to someone else;

**IETF** means Internet Engineering Task Force;

**IP Address** means Internet Protocol. Relates to an IETF standards to identify internet resources, and the label by which a location on the internet is identified by computers to resolve internet locations.

**RFC** means Request For Comment;”

**37 Subclause 2(1)**

After “length”, insert “to the left hand side of .vu”

**38 Subclause 2(2)**

Repeal the subclause.

**39 Subclause 3(1)**

- (a) After “person” (wherever occurring), insert “or entity”
- (b) Delete “use”, substitute “register a moderated domain name”
- (c) Delete “to register that second-level domain”

**40 Subclause 3(2)**

- (a) Delete “second-level” (first occurring)
- (b) After “domain” (first occurring), insert “name”
- (c) After “person”, insert “or entity”

**41 Subclause 3(3)**

Repeal the subclause.

**42 Clause 4**

Repeal the clause, substitute



**“4 Third-level domains**

- (1) The Regulator must allow for the registration of domain names for the limited ASCII character set in the English language and the 17 additional characters in the French language, as are specified within the IETF RFC’s on domain name scripts.
- (2) The registration of the domain names under subclause (1) is to allow for the resolution of Bislama, English and French spellings of Domain Names.
- (3) The Regulator may receive requests from the local Internet Community, or subsets of the Community, seeking to accommodate other language scripts in the .vu ccTLD.
- (4) If there is a clearly identified group who has a majority support for the language script under subclause (3), the Regulator must conduct a public consultation and to introduce the language script within the .vu ccTLD.
- (5) In any instance of any additional language scripts being added to the .vu ccTLD after approval under clause 2 above, the additional language script will utilise the “xn—“ protocol as defined in IETF RFCs and will be submitted to IANA as language tables to be added to the IANA Root Zone File for .vu.
- (6) The Regulator must refuse to allow registration of a domain name, or to cancel any existing domain name which includes any foreign language characters where the domain name is confusingly similar to a previously registered ASCII domain name, to avoid confusion for Internet users and Domain Name Registrants.”

**43 Paragraph 5(d)**

Repeal the paragraph.

**44 Paragraph 5(e)**

Delete “, to Registrars in the manner in which they deal with Registrants”

**45 Paragraph 5(k)**

After “forums”, insert “involved in the management and governance of the unique identifiers on the internet”



**46 Paragraph 5(l)**

Delete “and dispute and resolution”

**47 Paragraph 5(m)**

Delete “and its sub-domains”

**48 Paragraph 5(p)**

Delete “internet”

**49 Paragraph 5(q)**

(a) Delete “, including implementation of DNSSEC”

(b) After the paragraph,

Insert

“qa to cancel any registration if:

- (i) the domain name is used for cybersquatting or infringes intellectual property rights or trade marks registered in Vanuatu or internationally; or
- (ii) the domain name is used for illegal activities; or
- (iii) the domain name is registered under false pretence.”

**50 Subclause 6(3)**

(a) Delete “Despite the registry service agreement under subclause (2),”

(b) Delete “the”, substitute “The”

**51 Paragraph 6(4)(b)**

Delete “Accreditations”, substitute “Authorization”

**52 Paragraph 6(4)(c)**

(a) Delete “management”, substitute “Management”

(b) Delete “agreement with Regulator”, substitute “contract”

**53 Subclause 6(5)**

(a) Delete “develop or”

(b) Delete “Accreditations”, substitute “Authorization Agreement”



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AMENDMENTS OF THE VANUATU DOMAIN NAME MANAGEMENT AND  
ADMINISTRATION REGULATION ORDER NO. 206 OF 2016

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(c) Delete “referred to in subclause (2)”

**54 Subclause 8(1)**

- (a) Delete “A”, substitute “The”
- (b) Delete “or a”
- (c) After “Registrar”, insert “and the Registrants”

**55 Subclause 8(2)**

- (a) Delete “a” (first occurring), substitute “the”
- (b) After “Registrar”, insert “or Registrant”

**56 Subclauses 10(1),(2),(3)**

Repeal the subclauses.

**57 Subclause 10(4)**

- (a) Delete “is to develop and”, substitute “must within each six years period”
- (b) Delete “a person”, substitute “an entity”

**58 Subclause 11(2)**

After “15”, insert “up to a maximum term”

**59 Subclauses 11(3),(4)**

Repeal the subclauses.

**60 Paragraph 13(1)(a)**

Delete “establishing”

**61 Paragraph 13(1)(b)**

Delete “registry services”, substitute “Registry Services”

**62 Subclause 13(4)**

Repeal the subclause.

**63 Clause 14**

Delete “registry services”, substitute “Registry Services”

**64 Subclause 16(1)**

After “person”, insert “or entity”



**65 Paragraph 17(1)(b)**

After "and" (first occurring), insert "Broadcasting"

**66 Subclause 1(1.5)- Schedule 3**

- (a) Delete "it is entitled"
- (b) After "that" (first occurring), insert "a Registrant has a legitimate right"

**67 Subclause 1(1.8) – Schedule 3**

At the end of paragraph 1(1.8)(i), insert  
"j Any relevant xn----character table"

**68 Subclause 1(1.15)- Schedule 3**

Delete "may"

**69 Subclause 2(2.1) – Schedule 3**

Repeal the subclause.

**70 Clause 3 – Schedule 3**

Delete "Restricted" (wherever occurring), substitute "Reserved"

**71 Paragraph 3(3.1)(d)- Schedule 3**

- (a) After "infringe", insert ".vu Operational Procedures"
- (b) Delete "guidelines or Rules on the matter issued by the Regulator"

**72 Subclause 3(3.2) – Schedule 3**

- (a) Delete "means", substitute "refer"
- (b) After "domain names", insert "that may only be registered after specific approval is issued by the Regulator"
- (c) Delete "restricted for registration"

**73 Subclause 4(4.3) -Schedule 3**

After "by" (where ever occurring), insert "the"

**74 After subclause 4(4.6) – Schedule 3**

Insert

"4.6a The Regulator may in specific circumstances suspend or cancel a domain name, such circumstances including the following:



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AMENDMENTS OF THE VANUATU DOMAIN NAME MANAGEMENT AND  
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- (a) if the domain name is used for cybersquatting or infringes intellectual property rights or trademarks registered in Vanuatu or internationally;
- (b) if the domain name is used for illegal activities;
- (c) if the domain name is registered under false pretence.”

**75 Subclause 6(6.1) – Schedule 3**

Delete “Vanuatu”, substitute “.vu ccTLD”

**76 Subclause 6(6.8) – Schedule 3**

- (a) Delete “Vanuatu”
- (b) Delete “Officer’s”, substitute “Operators”

**77 Subclause 7(7.1) – Schedule 3**

Delete “Vanuatu”, substitute “.vu”

**78 Subclause 9(9.1) – Schedule 3**

Delete “its”, substitute “their”

**79 Subclause 13 (Heading) – Schedule 3**

Delete “WHOIS”, substitute “WHOIS RDAP Query”

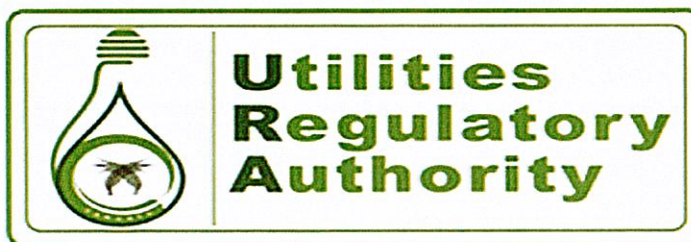
**80 Subclause 13(13.1) – Schedule 3**

Delete the subclause, substitute

“13.1 The RDAP enables users to access current registration data and is the eventual replacement for the WHOIS protocol.

13.1a For the purpose of this clause, RDAP means the Registration Data Access Protocol.”





**UTILITIES REGULATORY AUTHORITY  
ACT NO.11 OF 2007**

**MONTHLY ADJUSTED PRICE OF ELECTRICITY OF PORT VILA  
FOR DECEMBER 2023**

Notice No. ~~08~~ of 2023

In the exercise of the powers conferred upon the Authority by subsection 13(1) and section 18 of the Utilities Regulatory Authority Act No.11 of 2007 (as amended) and in light of the Arbitration Panel Award of 5<sup>th</sup> June 2021 in the Matter of the 2020 Arbitration between *Union Electrique du Vanuatu Ltd and the Government of the Republic of Vanuatu* (Represented by the Utilities Regulatory Authority), the Authority makes the following approval of UNELCO's monthly adjusted electricity price for the concession of Port Vila.

**1 Monthly Adjusted Price of Electricity to be charged by UNELCO.**

The Authority approves UNELCO's monthly adjusted price of electricity of **68.46 Vatu/kWh** to be charged to electricity consumers of the Port Vila electricity concession.

**2 Monthly Tariff Adjustment Formula and Parameters**

(1) The monthly tariff adjustment formula and parameters used to adjust the price, as submitted to the Authority by UNELCO, are set out in the schedule.

**3 Application of the Monthly Adjusted Price**

The monthly adjusted price applies to electricity customers of the concessions of Port Vila for the month of December 2023.

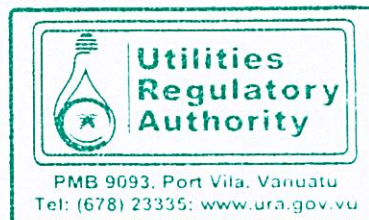
**4 Commencement date**

This Approval is deemed to commence on 7<sup>th</sup> of December 2023.

Made at Port Vila this 7<sup>th</sup> day of December 2023.

Paul Kaun

Chief Executive Officer  
Utilities Regulatory Authority





## SCHEDULE

The Monthly Electricity Price Adjustment Formula is set out below:

$$P = P_0 \times \left\{ 0.375 \times \frac{G}{G_0} \times \frac{N}{N_0} + 0.049 + \left[ 0.257 \times \frac{M}{M_0} + 0.019 \times \frac{IM}{IM_0} \times \left( 0.6 + 0.4 \times \frac{C}{C_0} \right) + 0.300 \right] \times \frac{V_0}{V} \right\} + PPA + \frac{X_0}{V}$$

Where:

Base Indexes:	Definitions:
P <sub>0</sub>	Base Price determined by the 2020 Arbitration Panel by way of its Final Decision of 5 <sup>th</sup> June 2021 as: <b><u>P<sub>0</sub> = 48.60 Vatu/kWh</u></b>
G <sub>0</sub>	Is the marginal cost of fuel and lubricant oil used for the thermal generation as determined by the Panel to compute P <sub>0</sub> , generated from thermal generation : <b><u>G<sub>0</sub> = 20.3593 Vatu/kWh</u></b>
M <sub>0</sub>	Base index corresponding to the average of the first and second quarter of 2020 index of the Port Vila Consumer Price Index (CPI) published by the Vanuatu National Statistics Office (VNSO): <b><u>CPI<sub>0</sub> = 168.85</u></b>
IM <sub>0</sub>	Is the base index of the indices "Materiel" (IM28), of July 2020, published by the institut des statistiques et des Etudes Economiques (ISEE) of New Caledonia: <b><u>IM<sub>0</sub> = 108.72</u></b>
N <sub>0</sub>	Ratio resulting from dividing the quantity of electricity generated by UNELCO from thermal sources and total electricity generated by UNELCO, as per the panel determinations to compute P <sub>0</sub> : <b><u>N<sub>0</sub> = 0.8592</u></b>
C <sub>0</sub>	Base value of the exchange rate between the Pacific Franc (XPF) and the Vatu (VUV); it is based on the average of daily exchange rates for the month of August 2020, as provided by ANZ Bank in Port Vila: <b><u>C<sub>0</sub> = 1.1569</u></b>
V <sub>0</sub>	Base volume (Demand -in-P) determined by the Panel to compute P <sub>0</sub> . <b><u>V<sub>0</sub> = 58,431,274</u></b>
X <sub>0</sub>	Total amount of under-collection, in Vatu, determined by the Panel for the period between the effective date of the new P <sub>0</sub> , September 2, 2020, and the eve of the implementation of the new P <sub>0</sub> , May 31 202, divided by the period remaining for the recovery (51 Months) and multiplied by 12 months: <b><u>X<sub>0</sub> = 34,728,358</u></b>
Current Indexes:	
P	The Monthly Applicable Electricity Price is: <b><u>68.46 Vatu/kWh.</u></b>
G	The current weighted unit cost of diesel, copra oil, and lubricant oil used for thermal generation. It is calculated and updated once per month: <b><u>35.4151 Vatu/kWh.</u></b>
M	The current updated CPI for Quarter 3 in 2023 as determined by the VNSO <sup>1</sup> is set at: <b><u>213.60.</u></b>  Latest available value of the Port Vila Consumer Price Index, as published by the Vanuatu National Statistics Office (VNSO), at the moment of calculation of the monthly Reference Price P.
IM	The 'Indice Materiel' (IM28), published by the institut de Statistiques et des Etudes Economiques (ISEE) of New Caledonia or the journal officiel (Gazette) of New Caledonia, index corresponding to the first of the two months preceding the calculation of the monthly reference price P: <b><u>136.43</u></b>  Website: <a href="http://www.isee.nc/economie-entreprises/entreprises-secteurs-d-activites/immobilier-construction">http://www.isee.nc/economie-entreprises/entreprises-secteurs-d-activites/immobilier-construction</a>
N	Is the average proportion of power generated from thermal generation (diesel and copra oil) and is calculated as a ratio of UNELCO thermal generation in UNELCO's overall generation. <b><u>N = 0.9064</u></b>

<sup>1</sup> Vanuatu National Statistics Office



C	Is the selling exchange rate conversation for Pacific Franc (XPF) to Vatu (VUV); it is based on the average of daily exchange rates for the month preceding the tariff adjustment, as provided by ANZ bank in Port Vila:  <b><u>C = 1.1297 XPF/VUV.</u></b>
V	Is the demand, expressed in units of P, updated every month based on the trailing twelve months. The trailing twelve months for this variable are calculated from (and including) the second month preceding the tariff adjustment.  <b><u>V = 58,234,843</u></b>
PPA	Purchased power costs over the twelve months beginning from m-2 (m being the month of the reference price P being calculated) and the eventual benefit sharing; PPA is calculated and updated every month.  <b><u>PPA = 0.4061</u></b>

Applying the current indexes into the monthly electricity price adjustment formula as set-out above, the computed monthly electricity price effective for the month of December 2023 is **68.46 Vatu/kWh.**