

==1) ORGANIZATION CONTACT INFORMATION==

a. Organization's Name: Vanuatu Information Technology Users Society (VITUS)

b. Organization's email address: [vitus.vu@gmail.com](mailto:vitus.vu@gmail.com)

c. Organization's phone number (include country/city codes): + 678 5300001

d. Organization's address (location and postal address, if different):

C/-Andrew Molivurae

P.O.Box 3547

Port Vila

Republic Of Vanuatu

e. Organization's website and Social Media urls (if available): <https://www.facebook.com/VITUS.vu/>

==Primary contact:==

Name: Andrew Molivurae

Email address: [amolivurae@gmail.com](mailto:amolivurae@gmail.com)

Telephone: +678 5300001

==Secondary contact:==

Name: John Jack

Email address: [johnj@vanuatu.gov.vu](mailto:johnj@vanuatu.gov.vu)

Telephone: + 678 33380

==2) STRUCTURE AND GOVERNANCE:==

a. Are members of your organization residents of this specific region you seek to represent? Yes

b. Are the officers of your organization residents of this specific region? Yes

Please explain the answer above in sufficient detail so that a person not familiar with your Organization would be able to understand the reasons for your answer, and reference the URLs where any statutes or operating principles or other supporting

inform: The Vanuatu IT Users Society (VITUS) is a non-profit charitable association formed in 2005 and registered under Vanuatu laws in 2007. The association comprises of ICTprofessionals in Vanuatu who advocate for Internet development inVanuatu. It is a recognized body that has been working with the government and the private section in the development of policies and internet-related matters.

c. Is your organization formally incorporated or organized under a national legal jurisdiction? Yes IF YES: Please describe what legal recognition it has and indicate the place of legal incorporation or registration: VITUS is recognized as a charitable association in

Vanuatu and here are the details;

CHARITABLE ASSOCIATION EXTRACT

Charitable Association Details

Charitable Association Number: 33668

Charitable Association: VANUATU INFORMATION TECHNOLOGY USERS

SOCIETY (VITUS)

COMMITTEE (INC.)

Incorporation Date: 16-Apr-2007

Charitable Association Status: Registered

Annual Report Filing Month: April

Objects of the Committee of the Charitable Association:

d. Describe your Organization's structure (e.g. governing and decision-making bodies and processes): The VITUS association is represented by a board.

e. In what language/s does your Organization conduct its business? English

==3) ABOUT YOUR MEMBERS==

a. Do you have individual members with the ability to vote in or

otherwise control the management of the organization? Yes

b. Do you have organizations as all or part of your membership? No

The association is non-profit represented by a board on a voluntary basis. Currently the association has a membership of more than 200 and a very active mailing list that discusses many technical issues affecting Vanuatu from security to generation ICT information. Some of the members are non-technical.

c. Do you have governmental bodies, or quasi-governmental bodies, as members of your organization? No

d. Describe the general membership – are they predominately of one (or more) professional background or interest group? (e.g. journalists, online rights activists, consumer organizations, individual consumers, etc.): Most members are ICT professionals in Vanuatu but there are a few writers, journalists and general consumers.

e. Describe how your Organization keeps its constituents/membership informed about, and enables them to participate in, decisions regarding issues of interest: VITUS has a very active mailing list.

f. Approximately how many members, of each type of membership class if you have more than one, do you have? There is only one membership type.

g. Explain the eligibility requirements (if any) for your Organization's constituents/membership: Membership is free

#### ==4) FUNDING==

a. What is the primary source, or sources, of funding for your Organization? (if unfunded/entirely voluntary simply indicate "N/A"): N/A Whenever we are engaged in an activity, we run fundraisings for them.

b. Is your organization mainly self-supporting and would not be dependent on ICANN funding for the day-to-day operations of the organization? Yes their involvement in the activities of the organization (if they so participate): Not continuously but from time to time when a request is made for activities.

#### ==5) COMMUNICATION==

a. Does your Organization commit to supporting its individual constituents'/membership's informed participation in ICANN?  
Yes

b. Does your Organization post on the Internet publicly-accessible, current information about your Organization's goals, structure, description of constituent group(s)/membership, working mechanisms, leadership, and contact(s) : No

If this information currently is available, provide URLs:

c. Provide information on your Organization's leadership (leaders' names, positions, emails):

Andrew Molivurae - Chairperson - [amolivurae@gmail.com](mailto:amolivurae@gmail.com)

John Jack - Vice Chair - [johnj@vanuatu.gov.vu](mailto:johnj@vanuatu.gov.vu)

Lynette Andre - Treasurer - [yvette.andre@hotmail.com](mailto:yvette.andre@hotmail.com)

George Tasso - Member - [getasso@gmail.com](mailto:getasso@gmail.com)

Cainton Milroy -member - [m.cainton@gmail.com](mailto:m.cainton@gmail.com)

Russell Mujee - member - [rmujee@gmail.com](mailto:rmujee@gmail.com)

d. Are the leaders of your organization, as individuals, involved in other similar organizations or entities? Yes

If yes, please say which ones: Andrew is working for the Telecommunications Regulator's Office and is responsible for the .vu ccTLD Management and Administration.

#### ==6) OBJECTIVES==

a. Please describe your Organization's mission and purpose (please post in the text box below or provide a URL, if posted):

The mission of VITUS is a continual advocate for "Internet for all" in Vanuatu.

b. What ICANN-related issues currently are of interest to your Organization's constituents/membership: VITUS is happy to engage in any ICANN-related activities from training to providing awareness to its members and general public of Vanuatu.

c. Has your organization set up any event, meeting, or real-life

activity pertaining to Internet governance issues, or other issues related to the interests of individual users? Yes

If yes, please provide examples: VITUS hosted the regional PaInet Conference 2010 in Vanuatu in partnership with the Pacific Islands Chapter of Internet Society PICISOC. The theme was "Next Generation Internet" Details of the conference can be found here <http://scriptorum.imagicity.com/tag/pacinet-2010/>

d. Has your organization been active in international, regional or national Internet governance issues? Yes If yes, please provide examples: VITUS hosted a hub in Vanuatu for the IGF 2011 in Nairobi.

e. If your Organization is accredited, will it commit to participating actively in the Regional At-Large Organization (RALO) for the region in which your Organization is based? Yes

f. If your Organization is accredited, does it or will it agree to adhere to the provisions of the Memorandum of Understanding (MoU) between the other ALSes in your Geographic Region and ICANN, as if it were an original signer of that document? Yes

g. Does your organization have written bylaws or other constitutional instruments? Yes

IF YES: Please insert the text of the written bylaws or other

constitutional instruments below (in English if available):

1. Name

The name of the Society shall be "Vanuatu Information Technology Users Society" (VITUS).

2. Registered Office

The registered office of the Society shall be situated in Port Vila, Vanuatu or at such other place as the members of the Society in general meeting decides.

3. Objectives

The objectives of the Society shall be (a) VITUS will help "Bridge the Digital Divide" through research and implementation of appropriate, avoidable and sustainable ICT projects throughout Rural and Urban areas of Vanuatu. (c) To support/work with the Vanuatu Rural Development Training Center Association, other NGOs, the government, Provincial Government, Telecom Vanuatu Ltd, the Private Sectors and the community to achieve objectives (a) to (j) and the millennium goals .

(b) To promote the theme "Internet For all"

(c) To develop the practice of the profession of information processing and related disciplines in Vanuatu.

(d) To promote ICT development in Urban and Rural Remote areas of Vanuatu.

(e) To bring IT professionals from the Public, NGO, Telecom, and Private Sectors to:

1. Share skills and knowledge

2. address issues affecting ICT development in Vanuatu.

(e) To promote ICT as tool for delivering certain services to the community.

(f) To increase the number of local IT professionals through low cost training.

(g) To foster the training, education and qualification of persons practicing or intending to practice the profession in Vanuatu.

(h) To promote proper conduct within its membership and to set ethical standards for the profession.

(i) To develop or provide lectures, meetings, conferences and to promote research in information processing and computer technology.

(j) To promote any other related activities that are in the interests of the Society.

#### 4. Membership

(a) All members shall agree to accept and to uphold the Society's Constitution. All members shall have equal rights of participation in the affairs of the Society.

(b) The Executive shall subject to any other provision of this constitution by resolution of not less than two-thirds of its members determine from time to time the criteria for eligibility and continued membership.

(c) Any resolution pursuant to Clause 4(b) shall take effect as a by-law of the Society, and shall be published to members as soon as reasonably practicable after the resolution is passed.

#### 5. Membership fee

There will be two kinds of membership.

i) a member with voting rights and VITUS resources has an annual fee of VT200

ii) a free member can attend general meetings and participate in discussions on the mailing list.

#### 6. Suspension or Forfeiture of Membership

(a) Any member may be suspended from the privileges of membership or may be declared to have forfeited their membership by the Executive if in the opinion of the Executive considers after due investigation that they have been guilty of dishonorable conduct derogatory to the Society.

(b) The member shall be informed in writing of the nature of the matter laid to their character and shall be afforded an opportunity of being heard at a meeting of the Executive at which the case is to be investigated and of calling evidence in their defense.

(c) Any member may be suspended from the privileges of membership, or may be declared to have forfeited their membership by the Executive if, after due investigation they have been found to have committed a breach of the Society's Code of Ethics as provided in Clause 18 of this Constitution.

#### 7. Register

(a) The Secretary shall keep a register of all members containing such particulars as may from time to time be required by the (relevant act).

(b) The Secretary shall also keep such other particulars as prescribed by the Executive.

(c) All subscribers on the mailing list will automatically become a member unless declined by him/her.

(c) Every member shall furnish the Society with all required information to enable the membership register and the Society's records to be maintained.

(d) No name shall be entered or removed from the membership register save on the authority of the Executive.

(e) The record of any person who has ceased to be a member for any reason shall be removed from the register.

#### 9. General Meetings

(a) A General Meeting of the Society shall be held on every first Friday of every two months

(b) The Executive may, at any time, and it shall, within 21 days send an email to the list about the purpose of the meeting.

(c) A member wishing to bring before the General Meeting any motion or business not relating to the ordinary business of the Society shall notify the list 21 days before the General meeting for discussion amongst list members.

(d) Not less than 14 days notice of every General Meeting specifying the date, time and place of the meeting and the general nature of the business to be dealt with shall be sent to each member by the Secretary to their last known e-mail or postal address but the want of notice on the part of any member shall not invalidate the proceedings at any General Meeting.

#### 10. Proceedings at General Meetings

(a) The business of the General Meeting is to discuss and endorse the activities of the Society.

(b) Members may vote at any General Meeting of the Society either personally or by proxy.

(c) All instruments appointing proxies shall be in writing under the hand of the appointer whose signature shall be attested by a witness.

(d) No person shall be appointed a proxy who is not a member of the Society.

(f) The instrument appointing as proxy shall be received at the address set out in the Notice of Meeting or if no address is stated it shall be received at the postal address of the Executive not less than 48 hours before the fixed time for holding the meeting at which the person named in the instrument proposes to vote.

(g) A proxy may be appointed only for a specified period or a specified meeting and any adjournments thereof.

(h) The Chairman or, in the absence of the Chairman, the Vice Chairman of the Society shall take the chair at a General Meeting. In the absence of both, a member of the Executive – to be chosen by those present – shall be entitled to take the chair at a General Meeting of the Society. If, at any such meeting, no person so entitled to take the chair shall be present within 15 minutes after the time appointed for holding the meeting or if all persons so entitled decline to take the chair, then the members shall choose one of their number to be chairperson.

(i) 25%\* members personally present and entitled to votes shall be a quorum for any General Meeting of the Society and no business shall be transacted at any General Meeting unless the requisite quorum shall be present.

(j) If, within 30 minutes after the time appointed for holding the meeting a quorum is not made, the Meeting whether convened upon requisition or otherwise shall be abandoned.

(k) Voting at any General Meeting shall normally be by voice or, at the discretion of the Chairperson, by a vote of hands.

(l) At any General Meeting, unless a written poll is demanded by at least 2 members personally present and entitled to vote, a declaration by the Chairperson that a resolution has been carried or lost and an entry of that effect made in the Minute Book

of the Society shall be conclusive evidence of the fact.

(m) If a poll is demanded as aforesaid it shall be taken forthwith and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was demanded. The demand for a poll shall not prevent the continuation of a meeting for the transaction of any business other than the question on which a poll has been demanded. The demand for a poll may be withdrawn. Any poll duly demanded concerning the election of a Chairperson of a meeting or on any question of adjournment shall be taken at the meeting and without adjournment.

(n) The General meeting at which the written poll is demanded shall appoint 2 scrutineers, who shall open the voting papers and report to the Chairperson the result of the voting. The Chairperson shall communicate the report to the meeting and this report shall be conclusive evidence of the result of the poll.

(o) In the case of an equality of votes, the Chairperson shall both on a show of hands and at a poll, have the casting vote in addition to the vote to which he/she is entitled as a member.

(p) The Chairperson may with the consent of those present and entitled to vote, adjourn the meeting but at the resumption of the meeting no business shall be transacted other than the business unfinished at the meeting from which the adjournment was made.

(q) Minutes of all proceedings of the Society shall be recorded in proper books to be provided for the purpose. The Minutes of each meeting shall be signed by the Chairperson of the meeting to which they relate or by the Chairperson of a subsequent meeting. The recorded Minutes shall then be sufficient record of the proceedings.

#### 11. Referendum

Either the Society in General Meeting or the executive at any time, may refer any question to the members of the Society by way of referendum. In any such case the Executive shall reduce the matter to such a form as in its opinion is a fair statement of the matter in question. This statement together with a voting paper shall within 21 days after such meeting be sent to every member of the Society entitled thereto. The working paper shall be returned within such a period (not exceeding 35 days from the date on which the referendum was directed) as the Executive shall determine. Such meeting shall also appoint 2 scrutineers who shall open the voting papers and report to the Secretary to the Executive the result of the voting. The Secretary to the Executive shall communicate such results to members of the Society. Such evidence shall be conclusive evidence of the result of the referendum.

#### 12. The Executive

(a) The Society shall be governed by the Executive

(b) The Executive will consist of a President, a Vice President, a Secretary, a Treasurer and 4 non office holding members.

(c) Except for powers and functions reserved to the Society acting in general meeting, or as elsewhere provided by this Constitution, the full and exclusive power of management and control of the Society, its operations, property and income, is vested in the Executive.

(d) No act or proceeding of the Executive or of any person authorized to act as a member of the Society shall be invalidated in consequence of there being a vacancy in the membership of the Society at the time of the act or proceeding, or of the subsequent discovery of some defect in the election or appointment of any member of the Society.

(e) At its last meeting in any financial year the Society shall appoint a President, Vice President, Secretary, Treasurer and 6 non office holding executive members. These appointments shall take effect from the end of the Executive Meeting.

(f) The President, Vice President, Secretary, Treasurer and the 6 non office holding executive members may be required to tender their resignation at any time by a three quarters majority vote of the society or list members.

(g) The President shall chair meetings of the executive.

(h) The Vice President shall take the place of the President in the absence of the President in chairing meetings of the executive.

(i) The Secretary shall have ultimate responsibility for the recording and filing of all minutes of the Executive, as well as the General Meeting and any other meeting of the Society. In the absence or unavailability of the Secretary, the Chair of any meeting shall appoint a temporary Secretary (from the members present) to take minutes. Furthermore, the Secretary shall be responsible for the maintenance of a registry for members, letters of correspondence, and any other official documents that deal with the business of the Society.

(j) The Treasurer shall be responsible for the maintenance of records relating to the financial affairs of the Society and the efficient and effective disbursement of the Society's funds.

(k) The executive shall automatically include the immediate past President (if he / she is still a member and is not re-elected to the post of President) as a non office holding executive member.

(l) Not more than one executive member may be employed by the same organization.

(m) Members can only be in the Executive for 2 consecutive terms after which they may step down for a grace period of one year from the end of their last appointment after which they can again stand for office. This only exception to this clause is in the

automatic reappointment of the immediate past president as described in clause 12(k).

(n) The automatic reelection of the past President (if all the conditions of clause 12(k) are satisfied) will not take effect if the past President was made to resign from the executive due to circumstances described in clause 12(f).

### 13. Election of Executive Members

(a) Nominations of candidates for election as Executive members of VITUS shall be moved and seconded only by any members of VITUS;

(b) Nominations can be made via email or online voting;

(c) If sufficient nominations are not received to fill all vacancies on the Executive, the candidates nominated shall be deemed to be elected and further nominations shall be received at the General Meeting;

(d) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected;

(e) If the number of nominations exceeds the number of vacancies to be filled, an online voting will be carried out;

(f) The ballot for the election of Executive members shall be conducted by way of secret ballot unless the Annual General

Meeting determines otherwise.

#### 14. By-Laws of the Society

The Executive by resolution passed by a two-thirds majority may make by-laws for the better administration of the Society's affairs provided that these do not conflict with the Constitution and they may suspend, alter, add to or revoke the by-laws so made by a similar majority resolution. The Executive shall inform the members on the list about any new proposed by laws to get opinions from members. Such new by-laws or changes, when passed shall be circulated to all members within 28 days of being passed.

#### 15. Constitution and By-Laws – Issue to Members

(a) On joining the Society, each member shall be given access to a copy of the Constitution and the By-laws of the Society.

(b) Whenever the Constitution is changed, a copy of the new Constitution shall be made available by the Executive to every member of the Society within 28 days after the approval of the Society in General Meeting of the changed constitution.

#### 16. Common Seal

(a) The common Seal of the Association shall be in the custody of the Secretary and shall not be affixed to any deed, instrument, contract, document or paper within the authority of the Executive Committee.

(b) The affixing of the Seal to any deed or instrument creating legal obligations upon the Association shall be attested to by the President and the Secretary or Treasurer or one other member of the Executive Committee.

17. Funds and Property

- (a) The income and property of the Society shall be applied solely towards the promotion of the objectives of the society.
  
- (b) All monies received on account of the Society shall be paid into the banking accounts of the Society.
  
- (c) All cheques or other negotiable instruments drawn on the Society's bank accounts shall be signed by such persons as may be authorized for that purpose by the Executive.
  
- (d) Cheques or other negotiable instruments received at the registered office of the Society and requiring endorsement shall be endorsed by such person or persons as may be authorized by the Executive for that purpose.
  
- (e) The Executive shall invest the funds of the Society prudently in accordance with the objectives of the Society.

18. Accounts and Audit

- (a) The balance date of the Society shall be 30th June.
  
- (b) An Auditor or Auditors shall be appointed by the Society at the General Meeting to audit the accounts of the society.
  
- (c) The Auditor or Auditors should come from any local accounting firms, private individual experienced in audits. They may also be members of The Vanuatu Information Technology Users Society but a

member of the Executive shall not be eligible for election as an Auditor of the Society. It shall be the duty of the Auditor to report to the members of the Society whether the Accounts and Balance Sheet present a true and fair view of the state of the Society's affairs.

(d) A copy of these Accounts, together with the Auditor's report thereon shall be submitted to each Annual General Meeting of the Society and shall be made available to members of the Society.

(e) The deadline for the completion of the auditing of the Accounts of the Society shall be 7 days before General Meeting.

#### 19. Winding Up

Authority for the dissolution of the Society shall be by a resolution at a General Meeting passed by a bare majority of such members as being entitled so to do vote in person or by proxy. Such Meeting shall be called by 14 days notice in writing specifying the intention to propose the resolution to dissolve the Society and the same notice should be submitted on the mailing list for discussion before the meeting. Upon dissolution all surplus funds and assets of the Society shall be given to a charitable organization, nominated by the Executive after getting opinions from members on the mailing list.

#### 20. Legal Proceedings

The Executive shall have the sole authority to initiate and conduct legal proceedings brought by the Society against any individuals or organization and to defend legal proceedings

brought against the Society or its offices being agents of the Society.

Notwithstanding anything to the contrary in this Constitution a resolution of the Executive to initiate legal proceeding must be passed with a two-thirds majority of the members.

#### 21. Code of Ethics and Professional Conduct

(a) The Society, in the General Meeting, by resolution passed by two thirds majority may adopt a Code of Ethics and Professional Conduct and may suspend, alter, add to or revoke the Code adopted by a similar majority resolution.

(b) The code shall be binding on all Members of the Society and breaches of the code may result in a fine of such amount as the Executive shall decide or forfeiture of membership.

(c) The procedure for dealing with an alleged breach of the code by a member shall be as follows –

(i) Any individual or organization may report to the Chairman setting out particulars of the alleged breach. Such report shall be investigated by a Disciplinary panel, the membership of which shall be agreed by the Executive at the time. This Disciplinary panel shall report to the next available meeting of the Executive.

(ii) The member alleged to have committed the breach shall be informed in writing of the report made to the President and shall be afforded an opportunity of being heard at the meeting of the Executive at which the case is to be considered and of the calling of evidence in their support.

(iii) The Executive shall decide by a two thirds majority whether a breach of the code has been committed and shall determine the penalty to be applied. If the necessary majority is not reached the matter shall be declared not proven and all evidence gathered in the investigation destroyed.

(iv) The decision of the Executive on such matters shall be final and no appeals will be considered.

## 22. Alteration of Constitution

This constitution or any amended Constitution for the time being in force may be altered or replaced by a new Constitution only by the Society in the General Meeting. A resolution altering or replacing the Constitution shall be passed by a majority of two-thirds of such members as being entitled so to do, vote in person or electronically. Members should be given notice prior to the meeting regarding the change in the constitution. Issues relating to changes in the Constitution must be the first order of business in any General Meeting. Nothing whether contained in the Constitution for the time being in force or otherwise shall be construed as implying or creating any privilege, priority or right in favour of any member so as to limit the power of the Society at any time to amend or rescind any clause of the Constitution or to add any clause thereto.

## 23. Indemnity

The society is a charitable organization. All position within the executive are voluntarily positions. The society will do its best to negotiate for fundings to pay travel expense and accommodation for any nominated members attending meetings on behalf of the society. Any other costs will be the responsibility of the member attending the meeting. The society will not be responsible for

any loss or damage of belongings.

==Signature==

Signature: Andrew Molivurae

Name: Andrew Molivurae

Date: 04 March 2016

Title: Chairperson