



VANUATU FINANCIAL
= SERVICES COMMISSION =

Procedure for Urgent Foreign Intelligence Requests

(May 2026)

SUPERVISION DEPARTMENT

1. Purpose

This procedure sets out the process for receiving, assessing, approving, handling, and responding to urgent foreign intelligence requests received by the Vanuatu Financial Services Commission (VFSC). It is intended to ensure that urgent requests are managed promptly, lawfully, securely, and consistently, while protecting confidentiality and regulatory integrity.

2. Scope

This procedure applies to all VFSC officers involved in receiving or processing requests from foreign regulators, law-enforcement agencies, financial intelligence units, or other competent authorities. It covers requests that require immediate attention because of time-sensitive risks such as fraud, money laundering, terrorist financing, sanctions concerns, asset dissipation, or market misconduct.

3. Definitions

For the purpose of this procedure:

- **Urgent foreign intelligence request** means a request from an overseas competent authority requiring VFSC action within a short timeframe due to a risk of loss, concealment, dissipation, or ongoing harm.
- **Foreign competent authority** means a foreign regulator, supervisor, FIU, law-enforcement body, or other authority with lawful information-sharing powers.
- **Receiving officer** means the VFSC officer designated to log and route incoming requests.
- **Approving officer** means the officer authorized to approve disclosure or response, usually at management level.

4. Receiving requests

Urgent requests may be received by secure email, official letter, established inter-agency channel, or other approved confidential communication method. The receiving officer must immediately record the date and time received, sender details, subject matter, urgency level, and any deadline stated by the requesting authority. If the request is received outside office hours, it must be escalated without delay to the designated duty officer or senior manager.

5. Initial screening

The receiving officer must conduct an initial screening of the request to verify several key elements. This includes confirming the identity of the requesting authority, determining whether

the request falls within the VFSC's legal mandate, assessing whether the request is sufficiently specific, and evaluating whether the matter is genuinely urgent. The officer must also consider whether any immediate confidentiality or security risks are present. Where a request is incomplete or unclear, the receiving officer should promptly seek clarification from the requesting authority, while ensuring that the urgency of the matter is maintained.

6. Urgency assessment

An urgent request should be prioritized where delay may result in:

- destruction or concealment of evidence;
- movement of funds or assets;
- continued consumer harm;
- regulatory evasion;
- reputational damage to VFSC or Vanuatu; or
- missed time limits in an overseas investigation or legal process.

The assessing officer must summarize the urgency, the risk if no action is taken, and the proposed response deadline.

7. Internal escalation

All urgent foreign intelligence requests must be escalated immediately to the designated senior officer, legal officer, or head of division responsible for international cooperation or regulatory matters. Where the request involves sensitive information, possible breaches of law, or high reputational risk, it must also be referred to the Director or equivalent executive authority for decision.

8. Legal and policy review

Before any disclosure or action is taken, the VFSC must first confirm that the request aligns with its statutory powers and complies with all applicable confidentiality obligations. It must also ensure consistency with any relevant memorandum of understanding or cooperation arrangement, as well as applicable data protection and privacy requirements. In addition, consideration must be given to any restrictions on onward disclosure or use of the information. Where there is any uncertainty, legal advice should be sought without delay. No information should be released unless the VFSC does so is clearly established.

9. Response options

Depending on the nature of the request, the VFSC may acknowledge receipt and confirm that the matter is under urgent review, request clarification or additional particulars where necessary, or provide information where permitted by law. The VFSC may also refer the matter to another competent authority where appropriate. If the request falls outside its mandate or is legally prohibited, the VFSC may refuse the request and provide reasons for such refusal, or advise that a formal process or court order is required. In cases where partial disclosure is possible, the VFSC will limit its response to the minimum necessary information.

10. Disclosure controls

Any information disclosed in response to an urgent request must be accurate and verified to the extent possible, limited strictly to the purpose of the request, clearly marked as confidential, and transmitted through a secure channel. It should also be accompanied by any necessary caveats regarding its reliability, further use, or onward sharing. The approving officer is responsible for ensuring that any such disclosure is proportionate to the need and has been properly authorized.

11. Timeframes

Urgent requests should be acknowledged as soon as practicable, preferably within the same working day. A substantive response should be given within the timeframe requested, or, if that is not possible, the requesting authority should be informed of the expected response time and the reason for delay.

12. Record keeping

VFSC must keep a complete file for each urgent request, including:

- the original request and any follow-up correspondence;
- internal assessments and approvals;
- legal advice obtained;
- information disclosed or action taken;
- date and time of each step; and
- final closure note.

Records must be stored securely in accordance with VFSC records management and confidentiality requirements.

13. Confidentiality and security

All staff must treat urgent foreign intelligence requests as highly confidential. Information must only be shared internally on a need-to-know basis. Hard copy files, emails, and electronic records must be protected against unauthorized access, copying, or external disclosure.

14. Non-routine matters

If the request involves criminal proceeds, terrorism financing, sanctions, serious fraud, or possible immediate harm to the public, the matter should be escalated urgently to the appropriate national authority or coordination mechanism, as permitted by law and protocol.

15. Review and training

This procedure should be reviewed periodically to ensure it remains consistent with VFSC's legal powers, international cooperation obligations, and operational practice. Staff handling such requests should receive regular training on confidentiality, urgency assessment, disclosure limits, and escalation procedures.

Please contact the following person should you have any questions:

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Branan Karae
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