



REPUBLIC OF NAURU

# AGRICULTURAL QUARANTINE (AMENDMENT) ACT 2023

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No. 7 of 2023

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An Act to amend the *Agricultural Quarantine Act 1999*.

Certified: [7 June 2023]

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Enacted by the Parliament of Nauru as follows:

**1 Short title**

This Act may be cited as the *Agricultural Quarantine (Amendment) Act 2023*.

**2 Commencement**

This Act commences on the date it is certified by the Speaker.

**3 Amendment of the *Agricultural Quarantine Act 1999***

This Act amends the *Agricultural Quarantine Act 1999*.

**4 Amendment of Section 2**

Section 2 of the Act is amended by inserting the definitions of the terms 'fixed penalty', 'fixed penalty notice' and 'fixed penalty offence' as follows:

**'fixed penalty'** means the penalty payable by a person who is issued a fixed penalty notice for the commission of a fixed penalty offence;

**'fixed penalty notice'** means an Agricultural Quarantine Fixed Penalty Notice;

**'fixed penalty offence'** means an offence prescribed as such by regulations;

**5 Insertion of Section 31A**

Section 31A is inserted after Section 31 as follows:

**'31A Agricultural Quarantine Fixed Penalty Notices**

(1) A Quarantine Officer may issue a fixed penalty notice to a person who:

- (a) commits a fixed penalty offence; and
- (b) is liable to pay a fixed penalty.

(2) The Cabinet may make regulations prescribing:

- (a) fixed penalty offences for which fixed penalties shall be imposed;
- (b) fixed penalties for corresponding fixed penalty offences;
- (c) the fixed penalty notice which a Quarantine Officer may serve on a person for a fixed penalty offence;

- (d) additional penalties to be imposed by the court on a person who has failed to pay the fixed penalty in accordance with a fixed penalty notice;
- (e) the procedures for dealing with a fixed penalty notice; and
- (f) any other matter which shall ensure the effective enforcement of a fixed penalty notice.'