

Animal Importation and Quarantine (Amendment) Act 2014

REPUBLIC OF VANUATU ANIMAL IMPORTATION AND QUARANTINE (AMENDMENT) ACT NO. 37 OF 2014

Arrangement of Sections

Assent: 19/12/2014

Commencement: 15/01/2015

**ANIMAL IMPORTATION AND QUARANTINE (AMENDMENT) ACT NO.
37 OF 2014**

An Act to amend the [Animal Importation and Quarantine Act](#) [CAP 201].

Be it enacted by the President and Parliament as follows-

1 Amendment

The [Animal Importation and Quarantine Act](#) [CAP 201] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE
AMENDMENTS OF ANIMAL IMPORTATION AND QUARANTINE
ACT [CAP 201]

1 Section 20

Repeal the section, substitute

“20 Offences

A person is guilty of an offence and is liable on conviction to a fine not exceeding VT 1 million or to a term of imprisonment not exceeding 3 years, or both, if the person:

(a) imports any animals or products in a manner that is not in accordance with the requirements of this Act; or

(b) knowingly receives any unauthorized importation; or

(c) without reasonable excuse fails to comply with a reasonable direction or request from a veterinary officer or biosecurity officer; or

(d) withholds relevant information or when required to give any information or make any declaration under this Act knowingly gives false information or makes a false declaration in any material particular; or

(e) threatens, assaults, obstructs or hinders a veterinary officer or biosecurity officer in the exercise of his or her functions under this Act; or

(f) removes any seized animal or product from the control of a veterinary officer or biosecurity officer; or

(g) fails to comply with any other provisions of this Act.”

2 After section 20

Insert

“20A Penalty Notice

(1) A veterinary officer or biosecurity officer may serve a penalty notice on a person if it appears to the officer that the person has committed an offence under any provision of this Act.

(2) A penalty notice is a notice to the effect that, if the person served does not intend to have the matter determined by a court, the person may pay within a time and to a person specified in the notice the amount of penalty prescribed by the regulations for the offence if dealt with under this section.

(3) A penalty notice may be served personally, electronically or by post.

(4) If the amount of penalty prescribed for the purposes of this section for an alleged offence is paid under this section, no person is liable to any further proceedings for the alleged offence.

(5) Payment made under this section is not to be regarded as an admission of liability for the purpose of, nor in any way affect or prejudice, any civil proceeding arising out of the same occurrence.

(6) The regulations may:

(a) specify the offence by referring to the provision creating the offence under this Act; and

(b) prescribe the amount of penalty payable for the offence if dealt with under this section; and

(c) prescribe different amounts of penalties for different offences or classes of offences.

(7) The amount of a penalty prescribed under this section for an offence must not exceed the maximum amount of penalty which could be imposed for the offence by a Court.

(8) This section does not limit the operation of any other provision of, or made under, this or any other Act relating to proceedings that may be taken in respect of offences.”