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]

Table of Provisions

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.'