

**REPUBLIC OF NAURU**

**QUARANTINE (AMENDMENT) BILL 2020**

**EXPLANATORY MEMORANDUM**

The *Quarantine (Amendment) Bill 2020* is a Bill for the *Quarantine (Amendment) Act 2020*.

This memorandum provides an explanation of the Bill and is only intended to indicate the general effect.

**EXPLANATION OF CLAUSES**

**Clause 1** provides that, once enacted, the short title of the Bill will be the *Quarantine (Amendment) Act 2020*.

**Clause 2** sets out when the Bill's provisions will commence which is upon certification by the Speaker.

**Clause 3** is the enabling provision for the amendment of the *Quarantine Act 1908*.

**Clause 4** amends Section 5 by inserting 2 new terms and their definitions: '*fixed penalty*' and '*Minister*'.

**Clause 5** amends Section 28(4) of the Act by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 6** amends Section 45 by:

- (a) deleting and substituting the penalty under subsection (2) - the revised penalty includes a fine or imprisonment term or both; and
- (b) deleting and substituting the penalty under subsection (4) - the revised penalty includes a fine or imprisonment term or both..

**Clause 7** amends Section 48 by deleting the words '*ten pounds*' and substituting with '*\$100*'.

**Clause 8** amends Section 78 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 9** amends Section 79 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 10** amends Section 80 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 11** amends Section 81(3) by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 12** amends Section 82 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 13** amends Section 83 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 14** amends Section 84 by deleting and substituting the penalty. The revised penalty includes a fine or imprisonment term or both.

**Clause 15** is the general amendment provision whereby penalties under the Act are deleted and substituted.

**Clause 16** amends Section 87 by renumbering it as Section '88'. Further, this Clause removes the words '*not exceeding One hundred pounds*' from subsection (1)(s).

**Clause 17** inserts a new Section 87, which relates to Fixed Penalty Infringement Notices.

Subclause (1) allows a quarantine office to issue a Fixed Penalty Infringement Notice should there be a breach of the Act whereby the fine does not exceed \$5,000.

Subclause (2) is the regulations making provision for the purposes of Fixed Penalty Infringement Notices.