

No. 13 of 2001.

Customs (Penalties Amendment) Act 2001

Certified on: 18.02.09



INDEPENDENT STATE OF PAPUA NEW GUINEA

No. of 2001.

Customs (Penalties Amendment) Act 2001.

ARRANGEMENT OF SECTION.

Amendment of penalty clauses in the Principal Act.

SCHEDULE.



INDEPENDENT STATE OF PAPUA NEW GUINEA

AN ACT

entitled

Customs (Penalties Amendment) Act 2001.

Being an Act to amend the *Customs Act (Chapter 101)*,

MADE by the National Parliament to come into operation on passage of the Bill.

AMENDMENT OF PENALTY CLAUSES IN THE PRINCIPAL ACT.

The Principal Act is amended in accordance with the Schedule by repealing or amending the provision of the Act specified in Column 1 in the manner specified in Column 2 and set out opposite that provision.

SCHEDULE

Column 1	Column 2
Section and Subsection	Nature of amendment
9	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
10(3)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."

Customs (Penalties Amendment)

Column 1	Column 2
Section and Subsection	- Nature of amendment
11	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
16(3)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00."
19(6)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
21	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00."
23(4)	Repeal and replace the penalty clause with the following:- "Penalty: If not narcotic – subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00. If narcotic – as provided by Section 160."
25	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 10,000.00 and not exceeding K 50,000.00."
26(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
27(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 10,000.00."
28	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
29(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
30	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 10,000.00."
31(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."

Customs (Penalties Amendment)

Column 1	Column 2
Section and Subsection	Nature of amendment
32(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.".
32(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
34(4)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00.".
36	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
37(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
38(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00.".
41	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
42(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00.".
43(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
44	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".
45	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00.".
47(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00.".

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Column 1	Column 2
Section and Subsection	Nature of amendment
48	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00."
49(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00."
50	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
51	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
54A(11)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00."
54B(11)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00."
55(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
55(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K1,500.00 and not exceeding K 5,000.00."
69(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00."
114	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
118(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
121(3)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00."

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Column 1	Column 2
Section and Subsection	Nature of amendment
123(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 50,000.00".
123(3)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00".
124	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
131(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00".
138(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
145(2)	Repeal and replace the penalty clause with the following:- Repeal the figure "K50,000.00" and replace with the following:- "K 100,000.00".
149(1)	In the penalty clause, repeal the words and figure "not exceeding K5,000.00" and replace with the following:- "not less than K 5,000.00 and not exceeding K 50,000.00".
150	In the penalty clause, repeal the words and figure "not exceeding K5,000.00" and replace with the following:- "not less than K 5,000.00 and not exceeding K 50,000.00".
152(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
153	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00".
158	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
159	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 5,000.00 and not exceeding K 50,000.00".
160(2)	Repeal the figure "K20,000.00" and replace with the following:- "K50,000.00".

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Column 1	Column 2
Section and Subsection	Nature of amendment
160(3)	Repeal the words and figure "not exceeding K10,000.00" and replace with the following:- "not less than K5,000.00 and not exceedingK50,000.00".
160(5)(b)	Repeal the word and figure "exceeding K5,000.00" and replace with the following:- "less than K 5,000.00 and exceeding K 50,000".
161	Repeal the words and figure "not exceeding K300.00" and replace with the following:- "not less than K 1,500.00 and not exceeding K 5,000.00".
163(1)	Repeal the figure and symbol "5%" and replace with the following:- "10%".
164(1)	Repeal the words "three times" and replace with the following:- "five times".
165	Repeal the words "six months" and replace with the following:- "twelve months".
177(3)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
177(4)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to 165, on summary conviction – a fine not exceeding K5,000.00 imprisonment not exceeding twelve months, or both. Subject to Section 165, on conviction on indictment – imprisonment for term not exceeding 4 years.".
180	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 3,000.00 and not exceeding K 50,000.00".
182	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
188(1)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00".
191AA(4)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 50,000.00".

Customs (Penalties Amendment)

Column 1	Column 2
Section and Subsection	Nature of amendment
191AC(2)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
191AC(4)	Repeal and replace the penalty clause with the following:- "Penalty: Subject to Sections 163, 164 and 165, a fine of not less than K 1,500.00 and not exceeding K 5,000.00."
192	Repeal the figure "K300.00" and replace with the following:- "K 1,500.00".
193(f)	Repeal the figure "K250.00" and replace with the following:- "K 1,500.00".

I hereby certify that the above is a fair print of the *Customs (Penalties Amendment) Act 2001* which has been made by the National Parliament.

Clerk of the National Parliament.

I hereby certify that the *Customs (Penalties Amendment) Act 2001* was made by the National Parliament on 5 December 2001.

Speaker of the National Parliament.

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