



RELEVANT OFFENCES UNDER THE CUSTOMS ACT NO. 7 OF 2013

1. Advice of arrival – Section 27

A Master of any craft who fails to comply with subsection (1) or any direction given by a customs officer or authorised person under paragraph subsection (1)(b), commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding VT5,000,000 (about USD50,000), or both.

2. Requirement to answer questions – Section 28

The Master, owner of, or a member of the crew of, or a passenger on, any craft who:

- (a) refuses to answer any question put to that person by a customs officer under paragraph (2)(a) or knowingly gives a false answer to the question; or
- (b) fails to comply with any request made under paragraph (2)(b),

commits an offence and is liable on conviction to a fine not exceeding VT3,000,000 (about USD30,000).

3. Bringing-to of ship – Section 29

The master of a ship, who fails to comply with any direction of a customs officer or an authorised person under subsection (1), (3) or (4), commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding VT5,000,000 (about USD50,000), or both.

4. Craft to arrive at a declared port – Section 30

The Master of any craft who fails to comply with subsection (1), commits an offence and is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding VT5,000,000 (about USD50,000), or both.

A crew member or a passenger on any craft who acts in contravention of subsection (2), commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).

5. Craft arriving at a place other than declared port – Section 31

The Master of any craft who fails to comply with, or acts in contravention of, subsection (2), commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).

An international passenger or crew who acts in contravention of subsection (3) or (4), commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).

6. Inward report – Section 32

The Master or the owner of a craft who:

- (a) fails to comply with paragraph (2)(a); or
- (b) fails to lodge an inward report required under paragraph (2)(b)
- (c) fails to obey a Customs direction given under paragraph (2)(c),

commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).



7. Offences in relation to inward report – Section 33

The Master or the owner of a craft who:

- (a) fails to comply with paragraph (2)(a); or
- (b) fails to lodge an inward report required under paragraph (2)(b)
- (c) fails to obey a Customs direction given under paragraph (2)(c),

commits an offence and is liable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).

8. Obligation of persons arriving in or departing from Vanuatu – Section 40

A person who fails to comply with any requirement imposed on that person by or under sections 35 to 39, commits an offence punishable on conviction to a fine not exceeding VT1,000,000 (about USD10,000).

9. Offences in relation to outward report – Section 44

If:

- (a) an outward report delivered pursuant to paragraph 43(a) is incorrect, misleading or defective in any material particular; or
- (b) any document delivered in support of the report is not genuine or is incorrect or misleading, the master and the owner of the craft each commits an offence punishable, on conviction to imprisonment of not exceeding 2 years or a fine not exceeding VT3,000,000 (about USD30,000), or both.

10. Offences in relation to departure of craft – Section 48

A person who commits an offence under paragraph (1)(a), (c) or (e) is liable on conviction to imprisonment for a term not exceeding 2 years or to a fine not exceeding VT3,000,000 (about USD30,000), or both.

A person who commits an offence against paragraphs (1)(b) or (d), is liable on conviction to a fine not exceeding VT2,000,000 (about USD20,000).

11. Unloading goods – Section 49

A person who contravenes subsection (1) commits an offence punishable, on conviction to a fine not exceeding VT10,000,000 (about USD100,000).

12. Offences in relation to prohibited import – Section 68

A person who commits an offence against paragraph (1)(a), (b), (d) or (f) is liable on conviction to a fine not exceeding VT10,000,000.

A person who commits an offence against any of paragraphs (1)(c), (e) or (g) is liable on conviction to imprisonment for a term not exceeding 10 years or to a fine note exceeding VT10,000,000 (about USD100,000) or both.

13. Threatening or resisting a customs officer – Section 160

Is an offence punishable on conviction by imprisonment for a term not exceeding 2 years, or a fine not exceeding VT1,000,000 (about USD10,000), or both.



14. Obstructing customs officer or interfering with Customs property – Section 161

Is an offence punishable on conviction by imprisonment for a term not exceeding 2 years, or a fine not exceeding VT1,000,000 (about USD10,000), or both.

15. Bribery and collusion – Section 163

Is an offence punishable on conviction by imprisonment for a term not exceeding 10 years, or a fine not exceeding VT10,000,000 (about USD100,000), or both.

16. Counterfeit seals or marks – Section 165

Is an offence punishable on conviction to a fine not exceeding VT3,000,000 (about USD30,000).

17. Failure to answer questions – Section 166

Is an offence punishable, on conviction to a fine not exceeding VT100,000 (about USD1,000).

18. Adapting craft for smuggling – Section 167

A person who commits an offence against this section is liable on conviction to a fine not exceeding VT10,000,000 (about USD100,000).

19. Interference with seals and fastenings – Section 168

A person who commits an offence against this section is liable on conviction to imprisonment of not exceeding 6 months or a fine not exceeding VT5,000,000 (about USD50,000) or both.

20. Offences in relation to documents or statements – Section 169

Punishable on conviction to a fine not exceeding VT100,000 (about USD1,000).

21. Offences in relation to declarations – Section 170

Punishable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding VT5,000,000, or both.

22. Possession of incomplete documents – Section 171

Is an offence punishable on conviction to a fine not exceeding VT5,000,000 (about USD50,000).

23. Penalties for technical offences – Customs Regulation 34

(a) fails to communicate information to Customs is VT20,000 (about USD200); or

(b) fails to deal with goods according to the Act is VT50,000 (about USD500); or

(c) fails to deal with a craft according to the Act is VT40,000 (about USD400); or

...

(g) fails to answer questions, or in answering those questions makes a statement to a Customs officer or authorised person which is false or misleading is VT40,000 (USD400);

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Technical Offences

34. Penalties for technical offences

For the purposes of subsection 105(1) of the Act, the administrative penalty for a person who:

(a) fails to communicate information to Customs is **VT20,000**; or

...

(c) fails to deal with a craft according to the Act is **VT40,000**; or

...

(g) fails to answer questions, or in answering those questions makes a statement to a Customs officer or authorised person which is false or misleading is **VT40,000**;

...

End