

Content

Title :	Standards for Determination and Reduction of Penalties for Minor Violations of the Act Governing Importation of Plant Regulated Articles
Date :	2023.09.25
Legislative :	1.Published by Order Nong-Fang-Zi No.1121495296A dated 25 September 2023
Content :	<p><b>Article 1</b> These Standards are established in accordance with paragraph 2, Article 25-2 of the Plant Protection and Quarantine Act (the "Act").</p> <p><b>Article 2</b> In any plant quarantine case subject to a fine under subparagraph 6, paragraph 1, Article 24, or Article 25-1 of the Act for failure to apply for quarantine, the penalties shall not be reduced in accordance with these Standards when any of the following events occurs: 1.The fine imposed has not yet been paid in full. 2.A violation of paragraph 1, 2 or 4, Article 17 of the Act for importing or carrying regulated articles without applying for quarantine within the past three years. 3.The plant regulated articles imported are live insects, live plants, live plant seedlings or any article prohibited from importation under paragraph 1, Article 15 of the Act. 4.The sanctioned party is not a natural person.</p> <p><b>Article 3</b> In any case subject to a fine for failure to apply for quarantine by an importer, its agent or the recipient in accordance with subparagraph 6, paragraph 1, Article 24 of the Act, the penalties may be reduced if the circumstance is minor and meets one of the following situations: 1.Importation of plant regulated articles for which an exemption for the provision of a phytosanitary certificate issued by the plant quarantine authority of the exporting country is publicly notified in accordance with the provisions of paragraph 1, Article 16 of the Act: When the weight is below 6 kilograms, the lowest fine amount shall be imposed and be reduced by two-thirds. When the weight is over 6 kilograms and below 10 kilograms, the lowest fine amount shall be imposed and be reduced by half. 2.Importation of plant regulated articles other than the previous subparagraph: When the weight is below 6 kilograms, the lowest fine amount shall be imposed and be reduced by half.</p> <p><b>Article 4</b> In any case subject to a fine for failure to apply for quarantine by passengers or personnel of vehicles, vessels or aircraft in accordance with Article 25-1 of the Act, the penalties may be reduced if the circumstance is minor and meets one of the following situations: 1.Importation of plant regulated articles for which an exemption for the provision of a phytosanitary certificate issued by the plant quarantine authority of the exporting country is publicly</p>

notified in accordance with the provisions of paragraph 1, Article 16 of the Act: When the weight is below 6 kilograms, the lowest fine amount shall be imposed and be reduced by two-thirds. When the weight is over 6 kilograms and below 10 kilograms, the lowest fine amount shall be imposed and be reduced by half.

2.Importation of plant regulated articles other than the previous subparagraph: When the weight is below 1 kilogram, the lowest fine amount shall be imposed and be reduced by two-thirds. When the weight is over 1 kilogram and below 3 kilograms, the lowest fine amount shall be imposed and be reduced by half.

#### **Article 5**

In any plant quarantine case subject to a fine for failure to apply for quarantine in accordance with subparagraph 6, paragraph 1, Article 24 or Article 25-1 of the Act, if the penalties may be exempt in accordance with the Administrative Penalty Act, the penalties shall be exempt.

#### **Article 6**

These Standards shall enter into force on the date of promulgation.