

**SCHEDULE SEVEN (E)**

**APPLICATION TO IMPORT EARTH**

Section 28 (2)

**Importer details:** (Please Print)

**Exporter details:** (Please Print)

Name: .....

Name: .....

Address: .....

Address: .....

.....

.....

Phone: .....

Phone: .....

Email: .....

Email: .....

Preferred contact: phone  email

Type of earth	Quantity

Country of origin: \_\_\_\_\_

Purpose of import: - Commercial:  Personal:  Research:  Other:

Method of transport - Sea Freight  Airfreight  Accompanied

Expected date of arrival: \_\_\_\_\_

I acknowledge that I, the importer, am responsible for fulfilling the conditions of the import permit, as required by sections 26,27,28 & 29 of the Biosecurity Act 2013 and that failure to do so, will result in the consignment being seized and re-exported or destroyed.

Signed: .....  
(Importer)

Date: ..... / ..... / 20 .....

Fee Paid: .....

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**Note:** Import Permits for earth are valid for 4 months, only, from the date of issue. Import permit applications may take up to 10 business days to process, this period could be extended if further information is required. Imports will not be permitted until an Import Permit has been issued, you are recommended not to order any imports until you have received your Import Permit.

**Biosecurity Act 2013**

- (26) (1) The Director may specify in respect of incoming regulated articles –
- (a) whether a sanitary or phytosanitary certificate from the biosecurity authority in the country of origin is required for an article and if so the matters that must be certified;
  - (b) whether a biosecurity import permit must be obtained for the article and if so the conditions to be attached to the permit; or
  - (c) what biosecurity measures, if any, must be applied to the article on arrival in Solomon Islands before biosecurity import clearance can be granted.
- (2) Specifications under subsection (1) -
- (a) may be different for different types and quantities of the regulated article;
  - (b) may be by reference to the country or area of origin of the article; and
  - (c) must only be those reasonably necessary to reduce or eliminate the biosecurity risk to Solomon Islands presented by the article.
- (3) In determining specifications under subsection (1), the Director -
- (a) must make a biosecurity risk assessment;
  - (b) must have regard to the requirements of the SPS Agreement and other international standards relating to biosecurity matters;
  - (c) must have regard to the resources available for biosecurity control; and
  - (d) may apply the precautionary principle.
- (4) The biosecurity risk assessment needed for making a specification under this section -
- (a) may be performed by any qualified person (other than the importer) at the request of the Director; or
  - (b) is performed at the importer's expense.
- (5) Specifications made under subsection (1) in respect of an article may be changed at any time before biosecurity import clearance is obtained in respect of the article if the biosecurity risk presented by the article or consignment changes.
- (6) Notice of a change in an import specification in respect of an article should be given to intending importers as soon as practicable but no liability arises from a failure to do so.
- (7) Before making or changing a specification under this section, the Director must obtain the advice of relevant technical section heads.
- (8) Specifications made under this section must be -
- (a) published in the biosecurity register and at the office of the Director; and
  - (b) made available to the public for inspection or purchase.
- (27) (1) A person proposing to import a regulated article of a type that is not the subject of a biosecurity import specification must apply in writing to the Director for a specification under section 26 in respect of the article.
- (2) An application under subsection (1) in respect of an article must -
- (a) be made in sufficient time before the intended importation; and
  - (b) give adequate information about the biosecurity procedures of the country of origin, the nature of the article and the proposed importation, to enable the Director to make a biosecurity risk assessment in relation to the article.
- (3) Upon receipt of an application under subsection (1), and on payment of the prescribed fee, if any, the Director must as soon as practicable, unless the article is or becomes a prohibited import under section 9, make a specification in respect of it in accordance with section 26.
- (4) Section 26(2), (3) and (4) apply to the making of a specification under this section.
- (28) (1) If a biosecurity import permit is required under section 26(1) in respect of a regulated article or consignment, an application for a permit must -
- (a) be made before the article or consignment leaves the country of origin or, in the case of re-exported goods, the re-exporting country;
  - (b) be made to the Director in the manner specified or approved by the Director; and
  - (c) be accompanied by the prescribed fee, if any.
- (2) An application for a biosecurity import permit must -
- (a) include evidence of the country of origin of the regulated article or consignment;
  - (b) state the nature and amount of the article or consignment;
  - (c) state the expected date of arrival in Solomon Islands; and
  - (d) give any other information the Director reasonably requires to enable the Director to make a biosecurity risk assessment.
- (3) A decision on an application for a biosecurity import permit must be communicated to the applicant as soon as reasonably practicable after the application is received duly completed.
- (4) If the decision is to refuse the permit, the applicant must be notified in writing, with brief reasons.
- (29) (1) If satisfied of the matters set out in section 28(1) and (2), and on payment of the prescribed fee, if any, the Director, or a biosecurity officer, must as soon as practicable issue a biosecurity import permit.
- (2) The form of a biosecurity import permit is as specified or approved by the Director.
- (3) A biosecurity import permit may -
- (a) be general or specific;
  - (b) relate to a single article or to a consignment of articles; or
  - (c) be different for different types of regulated article and relate to different countries of origin.
- (4) A general permit covers all imports of a type specified in the permit, or from an area specified in the permit, and may cover continuing imports over a period specified in the permit.
- (5) A specific permit covers a single article or consignment and may specify an expiry date.