

## **KAVA EXPORT FACILITY REGISTRATION**

### ***Information for those wishing to export kava from Vanuatu***

Kava exporters must read and understand the information provided prior to completing a Kava Export Facility Registration application form. Contact the office of the Department of Biosecurity Vanuatu if you have any query.

1. Only those exporters who have an approved and registered kava export facility and have a valid Kava Export License from the recognised issuing institution are eligible to have their kava processed through Biosecurity Vanuatu. This is to ensure that the kava processed in Vanuatu is housed in a certified facility that meets national quality management and phytosanitary standards.
2. It is mandatory that all exporters have an export facility approved of and certified by DoBV. The facility will be audited at least once per year for conformance to national licensing, quality and phytosanitary requirements at a cost to the exporter. The exporter will be charged for initial approval of the facility.
3. Any person or group of persons wishing to engage in the kava export trade must hold an approved Kava Export License from the Department of Biosecurity Vanuatu. Trading without an approved KEL is an offense under the Kava Amendment Act and other relevant laws governing the trade of this commodity.
4. Under Section 3 ('Reserved Investments and occupations') of the Vanuatu Foreign Investment Promotion Act No. 15 of 1998, kava is considered a reserved investment for citizens of Vanuatu and local companies only. Foreign investors cannot enter into joint venture, partnership or association with any such citizens or company in relation to the kava business, and which the VIPA Board must not grant an approval certificate for.
5. DoBV will seek the assistance of other relevant institutions to ensure a fair trading environment is maintained and to discourage illegal practices.

When submitting an application for a facility approval, attach all correct documents and information requested to hasten the approval process.

**Remember**

- DoBV will not provide inspection, treatment and certification for any kava which is not processed through a registered export facility.
- A colorimetric test will be conducted on all kava consignment destined for export.
- The Director may grant or refuse an approval in accordance with Section 5 of the Plant Protection Amendment Act and the Kava Amendment Act.



Port Vila

Luganville

Lenakel

9. What varieties of kava do you intend to export?

- i)
- ii)
- iii)
- iv)
- v)



6. Which countries do you intend to export kava to?

- i)
- ii)
- iii)
- iv)



## Appendix 5

### Export License Application Form (Kava Products)

 <b>THE GOVERNMENT OF THE REPUBLIC OF VANUATU</b> <b>DEPARTMENT OF BIOSECURITY VANUATU</b> Export Ordinance, (Kava Amendment (2015) Act of 2002 Export (Kava as a Commodity) Regulations				Receipt No. :	
<b>(A) Exporter (Same as applicant)</b>			<b>(B) Foreign Importer</b>		
Name and Full Address :			Name and Full Address :		
Business Registration		Tel. No. :		Tel. No. :	
VFSC No./DCIR No. :		Email Address :		Email Address :	
Contact Person's Name :		Contact Person's Tel. No. : (if different from Tel No. above)		<b>(D) End use of Commodities at (G) :</b>	
				End use:	
<b>(C) End-User of Commodities at (G) [See Note (2)] :</b>					
Name and Full Address:					
			Kava products are for (a) local consumption (b) re-export to _____		
Tel. No. :		Email Address :		<b>(F) Import Authorisation of Product's Final Destination</b>	
<b>(E) Shipment Details</b>			Authorisation Type and its Reference No. :		
Importing Country/Place [See Note (3)]					
Name :		HS Country/Territory Code :			

**(G) Conditions of License**

- (1) Export license, if granted by the Director of the Department of Biosecurity Vanuatu, will be granted in reliance on the information declared on this application. Provision of false information or making false declaration shall render the license null and void. Heavy penalties are provided for false declaration and information, unauthorised alterations of the license and use of forged or altered license.
- (2) A breach of any of the Conditions of License imposed by the Director of the Department of Biosecurity Vanuatu may render the license to be cancelled, revoked or suspended in addition to other appropriate legal and/or administrative actions to be taken against the entities concerned.
- (3) The kava product(s) covered by the license are not to be used to tarnish or bring into disrepute the reputation of the kava industry in Vanuatu in any form or manner.
- (4) In case the kava product(s) covered by the license are not for the importer's own use but is to be further transformed or prepared for sale to clients, the importer should ensure that the recipients/consumers of the products are duly informed of all the conditions of the license.
- (5) An exporter should take appropriate precautionary measures to ensure that the kava product(s) covered by the license will only be used as a beverage for consumption by consumers. Prior approval from the Director of the Department of Biosecurity Vanuatu is required if the kava product(s) exported under the license are not for kava that is prepared using cold water extraction and consumed.
- (6) The license only authorises export of the kava product(s).
- (7) The license does not allow part shipments of a consignment.
- (8) A colorimetric test will be conducted on all consignment destined for export.
- (9) The original of the license shall be the only valid copy against which the carrier may prepare the kava product(s) described herein for the exporter on the point of export from Vanuatu.
- (10) The license is issued to the exporter for his/her use to export kava product(s) covered by the license and is NOT TRANSFERABLE.
- (11) An exporter must hold a valid business license issued by a competent authority of Vanuatu.
- (12) Trading kava locally and externally in the dried form (roots and chips), fresh form (macerated, frozen, non-frozen, fresh juice and frozen juice, including operating a nakamal business) are reserved business activities for Ni-Vanuatu.
- (13) Trading kava locally and externally in any form other than those described in point (12) above are open investment opportunities.
- (14) All or any of the information provided in the license may be disclosed by the Department of Biosecurity Vanuatu to third parties either in Vanuatu or elsewhere, provided that such disclosure is in the public interest.
- (15) The Director of the Department of Biosecurity Vanuatu reserves the right to impose additional conditions of license as he sees fit in the public interest. Such additional conditions may be communicated in circulars and notices issued by Department of Biosecurity Vanuatu.

**(H) Exporter's Declaration**

- (1) I hereby declare that I act on behalf of the exporter of the goods declared on this application, that the particulars given herein are true, and that the kava product(s) covered by this application shall be exported as described.
- (2) I undertake to take appropriate precautionary measures to ensure that the kava product(s) covered by this application will only be processed in an approved facility.
- (3) The kava product(s) meet requirements stipulated in the Kava (Amendment) Act of 2015, national phytosanitary, and the Vanuatu's Kava Export Quality Standard requirements.
- (4) I understand that export license, if granted, is granted in reliance on the information provided and declared in this application form and is subject to the Conditions of License as stated in Part 3A LICENSE TO EXPORT of the Kava (Amendment) Act and any other conditions that the Director of the Department of Biosecurity Vanuatu may impose. I have read and hereby undertake to abide by those conditions and any other conditions which the Director of the Department of Biosecurity Vanuatu imposes regarding the export of the kava product(s) declared on this application.
- (5) I undertake to inform the recipient(s) of the kava product(s) of the Conditions of License and other conditions imposed by the Director of the Department of Biosecurity Vanuatu regarding the export of the goods declared on this application and to remind the recipient(s) to seek the Director of the Department of Biosecurity Vanuatu's approval in case the kava product(s) intended for use for other purposes.
- (6) I understand and agree that all or any of the information provided in this license application form may be disclosed by the Department of Biosecurity Vanuatu to third parties either in Vanuatu or elsewhere, if such disclosure is necessary to facilitate consideration of the related application, is in the public interest, is authorised or required by



the law, or if explicit consent to such disclosure is given by the applicant/data subject.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Name of Signatory (in block letters)**

\_\_\_\_\_  
**Date of Signature**

\_\_\_\_\_  
**Position of Signatory  
in the Company**

\_\_\_\_\_  
**Company/Business**

### Notes

- (1) This form contains several pages. Applicant is highly recommended to print the actual application form onto ONE single A4 sheet for usage and submission. The remainder information on the application form can be printed back-to-back on subsequent pages; applicant should ensure that all supporting documents are stapled or clipped together when submitted. The Department of Biosecurity Vanuatu will not accept applications comprising loosely submitted papers.
- (2) Applicant should fill in the importer information where available. In certain cases in which the specific importer or end-user cannot be identified at the time of license application, the applicant may declare "not yet available" in the box. Applicants should check with the Department of Biosecurity Vanuatu whether such declaration is acceptable in case they have difficulty providing the importer information. In other cases, an importer statement completed by the importer concerned may be required to support the application. If there are more than one importer, separate sheets should be used and the date, signature, company/business and signatory's name should be provided in block letters.
- (3) Applicant/Exporter should use the appropriate name and code of "Country Territory" as provided in the latest edition of "International Imports and Exports Classification List (Harmonized System)".
- (4) The provision of an explicit import authorisation issued by the government(s) of the kava products' foreign importing country (place) or an import authorisation issued by the government(s) of products' final destination would facilitate the consideration of the application, particularly if the kava product(s) concerned are subject to strict import conditions by the relevant country (place) or the relevant international import border control.

### Important Note:

The data collected in this form will be kept in confidence. They may however be disclosed to other government departments, or to third parties in Vanuatu or elsewhere, if such disclosure is necessary to facilitate consideration of the related application, is in the public interest, is authorised or required by the law; or if explicit consent to such disclosure is given by the applicant/data subject.

The cost of an approved kava product(s) export license shall be VT120,000 for a calendar year.

The Department of Biosecurity Vanuatu is undergoing its fees regulations restructuring to accommodate for the recent changes in kava export management and will soon be introducing a revised fees schedule for kava.

For other information concerning the handling of personal data by the Department, please contact the office of the Principal Biosecurity Officer, PMB 9086, Port Vila Vanuatu.

---

<sup>i</sup> The different facility categories are set according to the types of product exported from these facilities:

- i. Category A - facilities processing and exporting dried roots and chips;
- ii. Category B – facilities processing and exporting dried roots and chips, and pounding and exporting dried kava powder;
- iii. Category C – facilities processing fresh kava into powder and exporting; and
- iv. Category D – facilities processing freshly minced kava, freezing it and exporting.

<sup>ii</sup> Refer to Endnote i) above.