

GOVERNMENT OF THE SOVEREIGN REPUBLIC OF FIJI
DECREE NO. 33

COCONUT INDUSTRY (AMENDMENT) DECREE, 1991

In exercise of the powers vested in me as President of the Sovereign Democratic Republic of Fiji and Commander-in-Chief of the Armed Forces, and acting in accordance with the advice of the Prime Minister and the Cabinet, I hereby make the following Decree:

Short title and interpretation

- 1.—(1) This Decree may be cited as the Coconut Industry (Amendment) Decree 1991.
- (2) The Coconut Industry Act, Cap. 152, is in this Decree referred to as "the Act".

Amendment to Section 3 of Act

2. Section 3 of the Act is amended by substituting the word "four" for the word "two" in the second line of subsection (1).

Amendment to Section 4 of the Act

3. Section 4 of the Act is amended by:
 - (a) inserting the words "coconut oil and other products" immediately after the word "copra" in paragraph (a) of subsection (4);
 - (b) deleting the semi-colon after the word "copra" at the end of paragraph (b) of subsection (4) and adding the words "and market coconut oil and other products", and
 - (c) repealing and substituting paragraph (c) of subsection (4) with the following:
"to fix prices of coconut oil and coconut products and copra to be exported or for local crushing".

Amendment to Section 5 of Act

4. Section 5 of the Act is amended by:
- (a) repealing paragraph (b), and
 - (b) repealing and replacing paragraph (i) of subsection (5) with the following paragraph:
"shall prescribe and control by order the standard of coconut oil, coconut products and copra for local consumption and export":

Section 12 of Act repealed

5. Section 12 of the Act is repealed.

Amendment to Section 15 of Act

6. Section 15 of the Act is amended by substituting the word "copra" for "coconut" in the heading.

Amendment to Section 16 of Act

7. Section 16 of the act is amended by:
- (a) inserting the words "Minister for Primary Industries and Co-operatives" for the words "Resident Magistrate" in the third line of paragraph (1);
 - (b) inserting the words "Minister for Primary Industries and Co-operatives" for the word "Magistrate" in the first line of paragraph (2).

Amendment to Section 17 of Act

8. Section 17 of the Act is amended by substituting the word "including" for the words "other than" in the second line of paragraph (b) of subsection (2).

Amendment to Section 18 of Act

9. Section 18 of the Act is amended by substituting the word "Board" for the words "Permanent Secretary for Primary Industries and Co-operatives" in the first line of subsection (1).

Amendment to Section 19 of Act

10. Section 19 of the Act is amended by:
- (a) inserting the word "reasonable" immediately after the word "a" in the third line of paragraph (c);
 - (b) deleting the words "not exceeding \$2" in the fourth line of paragraph (c); and
 - (c) by inserting after paragraph (c) the following paragraphs:
 - (d) all levies payable under the provisions of this Act may, without prejudice to any other remedy, be recoverable by the Board as a debt due.
 - (e) proceedings for the recovery as civil debts of any levies may, notwithstanding anything in any other Act to the contrary, be brought at any time within 6 years from the date when the levy becomes due.
 - (f) proceedings for the recovery as civil debts of any levies may be instructed by the Secretary, or by any officer, servant or agent of the Board authorised in writing on behalf by the Secretary, and the Secretary or any other authorised officer, servant or agent may conduct any such proceedings whether or not he was the person who instituted the proceedings.

11. The Act is amended by inserting after Section 19 the following:

19A. Audit and Account:

The Board shall keep or cause to be kept proper accounts of its transaction to the satisfaction of the Minister and such accounts shall be audited annually by an Auditor appointed by the Board and with the approval of the Minister.

Report

- 19B. The Board shall, not later than June in each year, submit for approval by the Minister a report containing:
- (a) an account of its activities during the immediately preceding financial year;
 - (b) a statement of accounts of the Board audited in accordance with Section 19A.
- (2) The Minister shall lay a copy of the report before Parliament at the meeting subsequent to the submission thereof.

Amendment to Section 21 of Act

12. Section 21 of the Act is amended by inserting after paragraph (2) the following paragraph:

"(3) except for the performance of his duties or the exercise of his functions or when lawfully required to do so by a Court or under the provisions of any written law no member nor any officer or employee of the Board shall disclose any material information relating to the affairs of the Board which he has acquired in the performance of his duties under the Act.

(4) Any person contravening the provisions of this Act shall be guilty of an offence and is liable to a fine not exceeding two hundred dollars or six months imprisonment or to both such fine and imprisonment."

Made this 15th day of August 1991.

PENAIA K. GANILAU
President of the Sovereign Democratic Republic
of Fiji and Commander-in-Chief of the Armed Forces