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## GOVERNMENT OF FIJI

EXCHANGE CONTROL (AMENDMENT) DECREE 2010  
 (DECREE NO. 61 OF 2010)

IN exercise of the powers vested in me as President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

A DECREE TO AMEND PART II OF THE FIFTH SCHEDULE ON GENERAL PROVISIONS ON OFFENCES OF THE EXCHANGE CONTROL ACT (CAP. 211) TO INCREASE THE PENALTIES FOR PERSONS WHO COMMIT AN OFFENCE UNDER THE EXCHANGE CONTROL ACT (CAP. 211).

*Short title, commencement and application*

- 1.—(1) This Decree may be cited as the Exchange Control (Amendment) Decree 2010.
- (2) This Decree is deemed to come into force on the date it is *gazetted*.
- (3) In this Decree, the Exchange Control Act (Cap. 211) is referred to as “the Act”.

*Interpretation*

2. “penalty units” has the meaning given in section 56 of the Sentencing and Penalties Decree 2009.
3. Part 2 of the Fifth Schedule of the Act is amended by—
  - (a) deleting in paragraph 1 subparagraph (3) (a) ‘3 months’ and inserting “5 years”;
  - (b) deleting in paragraph 1 subparagraph (3) (b) ‘2 years’ and inserting “10 years”;
  - (c) deleting in paragraph 1 subparagraph (4) (a) ‘\$1,000’ and inserting “1,000 penalty units”;
  - (d) deleting in paragraph 1 subparagraph (4) (b) ‘\$2,000’ and inserting “2,000 penalty units”;
  - (e) deleting in paragraph 1 subparagraph (4) (b) ‘3 times’ after the word ‘exceeding’ and inserting “10 times”;
  - (f) inserting after subparagraph (4) a new subparagraph (5)—
    - “(5) Where an offence punishable under this Part has been committed by a body corporate, the maximum fine to be imposed shall be—
      - (a) on summary conviction 2,500 penalty units; and
      - (b) on conviction on indictment 5,000 penalty units.”
  - (g) deleting in paragraph 2 subparagraph (3) the words ‘12 months’ after the word ‘within’ and inserting “7 years”;
  - (h) deleting in paragraph 2 subparagraph (3) the words ‘3 months’ after the word ‘within’ and inserting “24 months”;
  - (i) deleting in paragraph 2 subparagraph (3) the words ‘12 months’ after the word ‘within’ and inserting with “24 months”;
  - (j) deleting in paragraph 3 the sum ‘\$200’ as it occurs the first time after the words ‘does not exceed’ and inserting “500 penalty units”;

- (k) deleting in paragraph 3 the words '4 months' after the sum of '\$200' and inserting "2 years";
- (l) deleting in paragraph 3 the sum '\$200' after the word 'exceeds' and inserting "500 penalty units";
- (m) deleting in paragraph 3 the words '6 months' after '\$200' and inserting "5 years";

Given under my hand this 6th day of December 2010.

EPELI NAILATIKAU  
President of the Republic of Fiji