

ACT NO. 38 OF 2022

I assent.

K. KUMAR
Chief Justice

[29 July 2022]

AN ACT**TO AMEND THE FISHERIES ACT 1941**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

- 1.—(1) This Act may be cited as the Fisheries (Budget Amendment) Act 2022.
- (2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.
- (3) In this Act, the Fisheries Act 1941 is referred to as the “Principal Act”.

Section 5 amended

2. Section 5 of the Principal Act is amended by—
 - (a) in subsection (2), deleting “terminate on 31 December next after” and substituting “be granted for a period not exceeding 3 years from”; and
 - (b) after subsection (2), inserting the following new subsections—

“(2A) For the avoidance of doubt, any licence granted before the commencement of the Fisheries (Budget Amendment) Act 2022 is valid until 31 December 2022 unless the licence is earlier cancelled.

(2B) Any application for a licence lodged before the commencement of the Fisheries (Budget Amendment) Act 2022 and is yet to be processed, must be processed in accordance with this Act, and any licence granted may be granted for a period not exceeding 3 years.”.

Section 6 amended

3. Section 6 of the Principal Act is amended by—

- (a) in subsection (1), deleting “annually”; and
- (b) after subsection (1), inserting the following new subsections—

“(1A) For the avoidance of doubt, any fishing vessel that is registered before the commencement of the Fisheries (Budget Amendment) Act 2022 is registered until 31 December 2022 unless the registration is earlier cancelled.

(1B) Any application for registration of a fishing vessel lodged before the commencement of the Fisheries (Budget Amendment) Act 2022 and is yet to be processed, must be processed in accordance with this Act, and any fishing vessel registered must be registered in the prescribed manner.”.

Section 13 amended

4. Section 13 of the Principal Act is amended by—

- (a) deleting subsection (3) and substituting the following—

“(3) A permit may be granted for a period not exceeding 3 years provided the consent of the iTaukei people whose fishing rights may be affected is given for any such period granted.”; and

- (b) after subsection (3), inserting the following new subsections—

“(4) For the avoidance of doubt, any permit granted before the commencement of the Fisheries (Budget Amendment) Act 2022 is valid until 31 December 2022 unless the permit is earlier cancelled.

(5) Any application for a permit lodged before the commencement of the Fisheries (Budget Amendment) Act 2022 and is yet to be processed, must be processed in accordance with this Act, and any permit granted may be granted for a period not exceeding 3 years provided the consent of the iTaukei people whose fishing rights may be affected is given for any such period granted.”.

Passed by the Parliament of the Republic of Fiji this 29th day of July 2022.