

ACT NO. 42 OF 1999



I assent

[L.S.]

K. K. T. MARA
President

[23. 12. 1999]

AN ACT

TO AMEND THE PENAL CODE ACT AND FOR RELATED MATTERS

ENACTED by the Parliament of the Fiji Islands—

Short title etc.

1.—(1) This Act may be cited as the Penal Code (Amendment) Act 1999.

Interpretation

(2) In this Act, the Penal Code (Cap. 17) is referred to as the “principal Act”.

Insult to religion of any class

2. Section 145 of the principal Act is amended by deleting “misdemeanour” and substituting “felony and liable to imprisonment for 7 years”.

New section 189A

3. The principal Act is amended by adding after section 189 the following new section—

“Oppressive selling

189A. A person offering goods or services for sale, in public or private, who unreasonably exerts oppressive or unfair pressure on any person in a manner

which causes annoyance to that person, is guilty of a cognizable offence and liable on first conviction to a fine of \$200 and on second or subsequent conviction to a fine of \$500 or to imprisonment for one year or to both such fine and such imprisonment.”

Sacrilege

4. Section 298 of the principal Act is amended by inserting after “felony” where it appears in paragraphs (a) and (b) the words “or misdemeanour”.

Replacement of “recognizance” by “bond”

5. Wherever in the principal Act “recognizance” or its plural is used, it is to be replaced by “bond” or its plural.

Consequential amendments

6.—(1) The First Schedule to the Criminal Procedure Code (Cap.21) is amended—

(a) in the item relating to section 145 by deleting “two years” in the fourth column and substituting “7 years”;

(b) by adding after the item relating to section 189 the following new item—

“189A Oppressive selling.	May arrest without warrant.	On first conviction to a fine of \$200 and on second or subsequent conviction to a fine of \$500 or to both such fine and such imprisonment.	Resident or second class magistrate.”
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(2) The Minor Offences Act (Cap.18) is amended in section 3—

(a) by numbering the existing text as subsection (1);

(b) by adding the following new subsection—

“(2) An offence under subsection (1)(d) is a cognizable offence.”

Passed by the House of Representatives this 5th day of October 1999.

Passed by the Senate with amendments this 28th day of October 1999.

Passed by the House of Representatives with Senate amendments this 30th day of November 1999.