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[233]

INTERIM GOVERNMENT OF FIJI OF THE REPUBLIC OF THE FIJI ISLANDS

MARINE ACT (AMENDMENT) PROMULGATION 2009
(PROMULGATION NO. 8 OF 2009)

IN exercise of the powers conferred upon the Interim Government, and upon the exercise of my own deliberate judgement as President of the Republic of the Fiji Islands as to what is best and good for the people of Fiji, and by the executive authority of the State in accordance with section 85 of the Constitution and such other powers as may appertain, and with the advice of Cabinet, I, Josefa Iloilovatu Uluivuda, make this Promulgation—

TO AMEND THE MARINE ACT
(NO. 35 OF 1986)

Short title

1. This Promulgation may be cited as the Marine Act (Amendment) Promulgation 2009.

Section 149 amended

2. Section 149 of the Marine Act (No. 35 of 1986) (“the Act”) is amended—

(a) by repealing subsection (1) and substituting it with the following paragraph—

“149.—(1) Provided that a vessel is a registered vessel under the Act, a coasting-trade licence can be granted in respect of that vessel to—

(a) the owner of the vessel; or

(b) a person who is, either by himself or with other persons, the charterer of the vessel.”

(b) by deleting subsection (3).

Section 150 amended

3. Section 150 of the Act is amended in subsection (3) by deleting “12 months” and substituting “5 years”.

Section 151 amended

4. Section 151 of the Act is amended in subsection (2)—

(a) by deleting paragraph (c); and

(b) by renumbering paragraph (d) as paragraph (c).

Given under my hand this 19th day of February 2009.

J. I. ULUIVUDA
President of the Republic of the Fiji Islands

EXPLANATORY NOTE

[This is not Part of the Promulgation but just a summary explanation of the proposed amendment text]

The Ministry of Works and Transports is responsible for this particular Promulgation.

The Purpose is to amend the Marine Act, 1986 to remove the requirement under section 149 that a coasting trade licence can only be granted to a Fiji person, and to ensure that all vessels issued with a coasting-trade licence must be registered.

- Clause 1 – contains the Short Title.
- Clause 2 – to amend section 149 of the Marine Act, 1986 to ensure that all vessels in respect of which a coasting trade licence is issued must be registered under the provisions of this Act. It further allows coasting trade licences to be granted to any person who is an owner of a vessel or charterer of a vessel. This is to no longer restrict the granting of coasting-trade licence to only Fiji persons.
- Clause 3 – to amend section 150(3) to provide for a coasting-trade licence to be granted for a maximum period of 5 years.
- Clause 4 – makes consequential amendments to section 151.