



I assent.

[L.S.]

K.K.T. MARA
President

[20 July 1998]

AN ACT

TO AMEND THE SUGAR CANE GROWERS FUND ACT

ENACTED by the Parliament of Fiji—

Short title

1.—(1) This Act may be cited as the Sugar Cane Growers Fund (Amendment) Act 1998.

(2) In this Act, the Sugar Cane Growers Fund Act (Cap. 207) is referred to as the “principal Act”.

Function

2. Section 4 of the principal Act is amended—

- (a) in subsection (1) by inserting “or other financial assistance” after “loans”;
and
- (b) in subsection (2) by deleting “loan” and substituting “loans or other financial assistance”;

(c) by adding the following new subsections—

“(4) No financial assistance (other than a loan) may be provided under subsection (1) unless the Cabinet, after consultation with the Select Committee, so authorises the Fund, whereupon section 14 applies as to directions of the Minister.

(5) An Authority given by the Cabinet under subsection (4) must be published in the *Gazette* as soon as possible.

(6) In this Act, “financial assistance” means any form of financial assistance other than a loan and includes, but is not limited to, a cash grant, grant in kind, subsidy or subvention.”.

Exemptions from income tax, stamp duty etc.

3. Section 15 of the principal Act is amended—

(a) in subsection (1) by inserting “and any assistance provided under section 4(1)” after “Fund”;

(b) in subsections (2) and (3) by inserting “or providing financial assistance” after “securing a loan”.

Duration of amendments

4. The amendments made by sections 2 and 3 of this Act take effect on the date on which this Act receives the President's assent and continue until financial assistance from the Fund for the rehabilitation of farms affected by drought conditions prevailing at the time of its enactment is no longer needed, as certified by the Minister by notice in the *Gazette* after consultation with the Select Committee.

Repayments of grants

5.—(1) Notwithstanding any other written law or any agreement between registered growers and any other person, any sum paid out of the Fund in the form of financial assistance under section 4 of the principal Act as amended by this Act is to be repaid to the Fund by the Fiji Sugar Corporation Limited over a period of 5 years out of the growers' share of the net proceeds of the industry, but such repayments are not to be a charge on individual growers.

(2) In this section “industry” means the sugar industry as that term is used in the Sugar Industry Act (Cap. 206).

Passed by the House of Representatives this tenth day of July, in the year of our Lord, one Thousand Nine Hundred and Ninety-Eight.

Passed by the Senate this Fifteenth day of July, in the year of our Lord, One Thousand Nine Hundred and Ninety-Eight.