

GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 5

FRIDAY, 7th FEBRUARY

2014

[LEGAL NOTICE NO. 5]

GOVERNMENT OF FIJI

EXECUTIVE AUTHORITY OF FIJI DECREE 2009
(DECREE NO. 2)

Ministerial Assignment

To : Commodore Josaia Voreqe Bainimarama
Prime Minister, and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Sugar Industry, and Lands and Mineral Resources

WHEREAS His Excellency Josefa Iloilovatu Uluivuda, in exercise of the powers vested in him as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), appointed you as Prime Minister of Fiji and Minister for Finance, National Planning, Public Service, People's Charter for Change and Progress, Information, Sugar Industry, Foreign Affairs, International Cooperation, and Civil Aviation, with effect from the 11th day of April 2009 and assigned to you the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 1 of 2009;

AND WHEREAS His Excellency Josefa Iloilovatu Uluivuda, in the exercise of the powers above recited, revoked with effect from the 17th day of April 2009 all assignments of responsibilities conferred upon you as aforesaid, and with effect from the same day appointed you as the Prime Minister and Minister for Finance, National Planning, Public Service, People's Charter for Change and Progress, Information, Sugar Industry, Foreign Affairs, International Cooperation and Civil Aviation, Indigenous and Multi Ethnic Affairs and Provincial Development and assigned to you the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 29 of 2009;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2) revoked with effect from the 3rd day of August 2009, all assignments of responsibilities conferred upon you as aforesaid, and with effect from the same day appointed you as the Prime Minister and Minister for Finance, National Planning, Public Service, People's Charter for Change and Progress, Information, Sugar Industry, Indigenous and Multi Ethnic Affairs and Provincial Development, and assigned to you the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 68 of 2009;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 30th day of October 2009, all assignments of responsibilities previously conferred upon you, and with effect from the same day assign to you in your capacity as the Prime Minister and Minister for Finance, National Planning, Public Service, People's Charter for Change and Progress, Information, Sugar Industry, Indigenous and Multi Ethnic Affairs and Provincial Development, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 92 of 2009;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 1st day of July 2010, all assignments of responsibilities previously conferred upon you, and with effect from the same day assign to you in your capacity as the Prime Minister and Minister for Finance, National Planning, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Provincial Development and Multi Ethnic Affairs, Sugar Industry, and Poverty Eradication, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 107 of 2010;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 31st day of August 2010, all assignments of responsibilities previously conferred upon you, and with effect from the same day assigned to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Provincial Development, Multi Ethnic Affairs and Sugar Industry, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 119 of 2010;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 2nd day of March 2011, all assignments of responsibilities previously conferred upon you, and with effect from the same day assigned to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Provincial Development, Multi Ethnic Affairs, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 18 of 2011;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 7th day of February 2011, all assignments of responsibilities previously conferred upon you, and with effect from the same day assigned to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter

for Change and Progress, Information, i Taukei Affairs, Provincial Development, Multi Ethnic Affairs, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 111 of 2011;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 5th day of January 2012, all assignments of responsibilities previously conferred upon you, and with effect from the same day assigned to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Provincial Development, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 21 of 2012;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 20th day of December 2012, all assignments of responsibilities previously conferred upon you, and with effect from the same day assigned to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Provincial Development, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 95 of 2012;

AND WHEREAS I, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), revoked with effect from the 1st day of May 2013, all assignments of responsibilities previously conferred upon you, and with effect from the same day assign to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the written laws specified in Legal Notice No. 32 of 2013;

NOW THEREFORE, in exercise of the powers vested in me as President of the Republic of Fiji and Commander in Chief of the Republic of Fiji Military Forces by the Executive Authority of Fiji Decree 2009 (Decree No. 2), I hereby revoke with effect from the 1st day of January 2014, all assignments of responsibilities previously conferred upon you, and with effect from the same day assign to you in your capacity as the Prime Minister and Minister for Finance, Strategic Planning, National Development and Statistics, Public Service, People's Charter for Change and Progress, Information, i Taukei Affairs, Sugar Industry and Lands and Mineral Resources, the responsibility for the conduct of the Government business and departments and the following written laws (subject to the provisions of any other written laws)—

Business

- (a) *Office of the Prime Minister*
 Coat of Arms of Fiji
 Commissions of Inquiry
 Constitution
 Honours and Awards
 Human Rights
 Other minority groups (e.g. Kioa Island, Melanesian Community)
 Poverty Monitoring
 Promissory Oath
 Public Service Broadcasting
 Rabi Island Affairs
 Roads
 Rotuman and Rotuman Lands
- (b) *Finance*
 Accountancy Profession
 Banking and Currency
 Bills of Exchange
 Capital Markets Development
 Development Finance
 Exchange Control
 International Finance
 Moneylending
 Pensions and Superannuation
 Public Finance
 Stamp Duties
 Taxation
 Units Trusts
 Wreck and Salvage
- (c) *Strategic Planning, National Development and Statistics*
 Census and Statistics
- (d) *Public Service*

Departments

- Office of the President and Vice-President*
Office of the Prime Minister
 – Cabinet Office
 – Human Rights Commission*
 Fiji Broadcasting Corporation Limited
 Fiji Road Authority
- Ministry of Finance*
 – Budget Division
 – Ex-Servicemen's After Care Fund
 – Financial Asset Management Division (excluding State Owned Enterprise Monitoring)
 – Internal Audit Division Insurance
 – Treasury
 – Pensions
- Government Procurement Office
- Office Accommodation Unit
 Office of the Auditor-General*
 Office of the Commissioner of Stamp Duties
 Prices and Incomes Board
- Strategic Planning, National Development and Statistics*
 – Bureau of Statistics
- Public Service Commission*
 Constitutional Offices Commission*
 Discipline Service Commission*
 Judicial Service Commission*
 Public Service Disciplinary Tribunal

(e) <i>Charter Implementation</i>	<i>Strategic Framework for Change Coordinating Office</i>
National Reconciliation	– National Reconciliation
(f) <i>Information</i>	<i>Ministry of Information</i>
Broadcasting and Print Media	– Film Television Unit
Defamation	– National Archives
Media Relations	– Information Services Unit
Preservation and Repository of Current and Historical Documents	
Preservation of Books	
Radio and Television	
(g) <i>i Taukei Affairs</i>	<i>Ministry of i Taukei Affairs</i>
Disputes Resolution	– i Taukei Affairs Board
Education and Training	– i Taukei Development Fund Board
i Taukei Affairs	– i Taukei Fisheries Commission
i Taukei Fishing Rights	– i Taukei Lands Appeals Tribunal
i Taukei Lands	– i Taukei Lands Commission
(h) <i>Sugar Industry</i>	<i>Sugar Industry</i>
Sugar Reform	-Sugar Unit
(i) <i>Lands and Mineral Resources</i>	<i>Ministry of Lands and Mineral Resources</i>
Continental Shelf	Department of Lands and Surveys
Explosives	Department of Mineral Resources
Fiji Land Information System	
Foreshore	
Geology	
Ground Water	
Mapping	
Mining	[Note: * indicates the responsibilities and is subject to any provisions as to independence of office]
Petroleum Exploration and Exploitation	
Quarries	
Registration of Surveyors +	
Registration of Valuers	
Rivers and Streams	
Seismology	
State Acquisition of Lands	
State Lands	
Survey of Lands	

- (j) Responsibility for all written laws regulating the business of (a), (b), (c), (d), (e), (f), (g), (h) and (i) above including in particular, the following Acts and the subsidiary laws made thereunder—

Office of the Prime Minister

Banaban Lands Act (Cap. 124)
 Banaban Settlement Act (Cap. 123)
 Broadcasting Commissions Act (Cap. 105)
 Coat of Arms of Fiji (Restriction of Use) Act (Cap. 245)
 Constitution of the Republic of Fiji
 Commissions of Inquiry Act (Cap. 47)
 Fiji Independence Act 1970 (Cap. 1)
 Emergency Powers Act 1998
 Essential National Industries (Employment) Decree 2011
 Fiji Constitutional Process (Adoption of Constitution Decree 2013
 Fiji Roads Authority Decree 2012
 Honours and Awards Act 1995
 Human Rights Commission Decree 2009
 Media Industry Development Decree 2010
 Ombudsman Act 1998
 Personal Accident Compensation for Members of Parliament Act 1997
 Parliamentary Powers and Privileges Act (Cap. 5)
 Parliamentary Retirement Allowances Decree 1989
 Prescription of Salaries Act (Cap. 2)
 President's Pension Act 1994
 Prime Ministers Pensions Act 1994
 Promissory Oaths Act (Cap. 76)
 Roads Act (Cap. 175)
 Rotuma Act (Cap. 122)
 Rotuma Lands Act (Cap. 138)
 Tertiary Scholarship and Loans Decree 2014
 Titles of Office Act (Cap. 75)

Finance

Airport Departure Tax Act 1986
 Appropriation Acts, Promulgations and Decrees
 Audit Act (Cap. 70)
 Australia and New Zealand Banking Group Act (Ord. 28/70)
 Australia and New Zealand Banking Group Decree 1991
 ANZ Banking Group (Bank of Hawaii) Act 2001
 Banking Act 1995
 Bank of South Pacific Limited (National Bank of Fiji Limited) Decree 2011
 Bills of Exchange Act (Cap. 227)
 Capital Gains Tax Decree 2011
 Capital Markets Decree 2009
 Colonial Fiji Life Act 1999
 Customs Act 1986
 Customs Tariff Act 1986
 Estate and Gift Duties Act (Cap. 203)
 Exchange Control Act (Cap. 211)
 Excise Act 1986

Fiji Constitutional Process (Constitution Commission) Decree 2012
 Fiji Development Bank Act (Cap. 214)
 Fiji Institute of Accountants Act (Cap. 259)
 Fiji National Provident Fund Act (Cap. 219)
 Fiji National Provident Fund Decree 2011
 Fiji National Provident Fund Transition Decree 2011
 Fiji Revenue and Customs Authority Act 1998
 Fiji Servicemen's After-Care Fund Act (Cap. 84)
 Financial Management Act 2004
 Fringe Benefit Tax Decree 2012
 Gambling Turnover Tax Decree 1991
 Gold Dealers Act (Cap. 216)
 Hotel Turnover Tax Act 2006
 Income Tax Act (Cap. 201)
 Insurance Act 1998
 Insurance Law Reform Act 1996
 International Finance Corporation Act (Cap. 11A)
 International Financial Organisations Act (Cap. 11)
 Investment in Fiji Government Securities Act (Cap. 222)
 Land Sales Act (Cap. 137)
 Loan Guarantee Acts and Decrees
 Marine Insurance Act (Cap. 218)
 Moneylenders Act (Cap. 234)
 Multilateral Investment Guarantee Agency Decree 1989
 National Bank of Fiji Restructuring Act 1996
 Pensions Act 1983
 Pensions and Gratuities (Disciplined Services) Act (Cap. 78)
 Pensions (Royal Fiji Military Forces) (Active Operations) Act 1980
 Pensions (Overseas Officers) (Takeover) Act 1975
 Pensions (War Service) Act (Cap. 79)
 Reserve Bank of Fiji Act (Cap. 210)
 Stamp Duties Act (Cap. 205)
 Service Turnover Tax Decree 2012
 Turnover Tax (Misc. Services) Act (Cap. 202A)
 Unit Trusts Act (Cap. 228)
 Value Added Tax Decree 1991
 Widows and Orphans Pensions Act (Cap. 80)

Strategic Planning, National Development and Statistics
 Statistics Act (Cap. 71)
 Census Act (Cap. 72)

Public Service

Higher Salaries Commission (Revocation) Decree 2011
 Public Service Act 1999

Ministry of Information

Advertisement Regulation Act (Cap. 127)
 Defamation Act (Cap. 34)
 Public Records Act (Cap. 108)

Ministry of iTaukei Affairs

iTaukei Affairs Act (Cap. 120)
iTaukei Development Fund Act (Cap. 121)
iTaukei Trust Fund Act 2004
iTaukei Lands Act (Cap. 133)
iTaukei Lands Trust Act (Cap. 134)
Social Justice Act 2001

Sugar Industry

Attachment of Sugar Cane Debts Act (Cap. 31)
Loans (Cane Crop Rehabilitation Scheme) Act 1983
Sugar Cane Growers Fund Authority Act (Cap. 207)
Sugar Industry Act (Cap. 206)
Sugar Research Institute of Fiji Act 2005

Lands and Mineral Resources

Continental Shelf Act (Cap. 149)
Explosives Act (Cap. 189)
International Seabed Mineral Management Decree 2013
Mining Act (Cap. 146)
Petroleum (Exploration and Exploitation) Act (Cap. 148)
Quarries Act (Cap. 147)
Rivers and Streams Act (Cap. 136)
State Acquisition of Lands Act (Cap. 135)
State Lands Act (Cap. 132)
Surveyors Act (Cap. 260)
Valuers Registration Act 1986

[Legal Notice No. 32 of 2013 is amended accordingly to reflect the transfer of Legislature from the Prime Minister to the Attorney-General and Library Services from the Ministry of Information to the Ministry of Education with effect from 1st January 2014.]

Given under my hand this 31st day of January 2014.

EPELI NAILATIKAU
President of the Republic of Fiji
