

CHAPTER 271A

FIJI SPORTS COUNCIL

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Acts Nos. 13 of 1978, 11 of 1983

AN ACT TO INCORPORATE AND CONFER POWERS UPON THE FIJI
SPORTS COUNCIL AND FOR MATTERS INCIDENTAL THERETO

[6 October 1978]

Short title

1. This Act may be cited as the Fiji Sports Council Act.

Interpretation

2. In this Act, unless the context otherwise requires—
“Chairman” means the person appointed by the Minister to be the
Chairman of the Council under the provisions of section 5(1);
“Council” means the Fiji Sports Council established under the provisions of
section 3(1);
“Manager” means the Manager of the Council appointed under section 6A;
“Vice-Chairman” means the person appointed by the Minister to be the
Vice-Chairman of the Council under the provisions of section 5(1).
(Amended by Act 11 of 1983, s. 27, Sch. 2.)

Establishment of Council

3.—(1) There is hereby established a Council to be known as the Fiji Sports Council which shall be a body corporate with perpetual succession and a common seal and which may sue and be sued, enter into contracts, acquire, purchase, take, hold and enjoy real and personal property of every description and may, subject to the provisions of this Act, convey, assign, surrender and yield up, charge, mortgage, transfer or otherwise dispose of or deal with any real and personal property vested in it upon such terms and conditions as it thinks fit.

(2) Any deeds, documents or other instruments required to be sealed with the common seal of the Council shall be sealed therewith in the presence of the Chairman or Vice-Chairman and of the Manager or some other person authorised by the council to act in that behalf who shall sign any such deed, document or instrument to which the seal is affixed and such signing shall be sufficient evidence that the seal was duly and properly affixed and is the lawful seal of the Council.

(3) Service of any document upon the Council shall be effected by delivering the same to or sending it by registered post to the Manager.

Functions of Council

4. The functions of the Council shall be—

- (a) to foster and promote the development of amateur sport and recreation in Fiji;
- (b) to foster support and undertake the provision of facilities for sport and recreation;
- (c) to promote the utilisation of sporting and recreational facilities in Fiji;
- (d) to investigate developments in sport and recreation and disseminate knowledge and information about such developments;
- (e) to advise the Minister on any matters relating to sport and recreation.

Membership

5.—(1) The Council shall consist of a Chairman, Vice-Chairman and 8 other members, all of whom shall be appointed by the Minister.

(2) Except as otherwise provided by this Act, every member of the Council (including the Chairman and Vice-Chairman) shall hold office for a term of 3 years and shall be eligible for reappointment from time to time.

(3) 3 of the first appointed members of the Council (other than the Chairman and Vice-Chairman) shall be appointed for a term of 3 years, another 3 of such members for a term of 2 years and the remaining 2 of such members for a term of 1 year.

(4) Any member may resign from the Council by written notice to the Minister.

(5) When any vacancy occurs in the Council due to the death or resignation of a member, the Minister shall, as soon as practicable, fill the vacancy by appointing a new member who shall, notwithstanding any of the other provisions of this section, hold office for the remainder of the term for which his predecessor had been appointed.

(6) The Chairman or Vice-Chairman and 5 members shall form a quorum.

Powers

6. In addition to the powers vested in the Council by section 3, the Council shall have the following powers:—

- (a) with the approval of the Minister, to formulate and implement policies in respect of the furtherance of and assistance to sport and recreation generally;
- (b) to recommend to the Minister that grants be made to any person or organisation to undertake studies, assignments, or commissions, investigations, or gain further appropriate experience, whether within Fiji or overseas, in respect of matters approved by the Council;
- (c) to recommend to the Minister that grants be made or subsidies be paid to any person or organisation engaged in the execution or promotion of any sporting or recreational activity, on such conditions as the Council recommends;
- (d) to collect, examine, disseminate, or publish any information relating to sport and recreation, or to any particular form of sport or recreation;
- (e) to examine and consider any existing or proposed policies or practices, or other matters, relating to sport and recreation and the utilisation of land for recreational purposes and, with the approval of the Minister, to make recommendations thereon to any appropriate person or authority;
- (f) to carry out itself, or encourage and support other persons or bodies in carrying out, research and studies into matters concerning sport and recreation and to disseminate knowledge and advice on such matters;
- (g) to advise, co-operate with or assist Government departments, local authorities, voluntary organisations or other bodies or persons on any matters concerned with sport or recreation;
- (h) with the approval of the Minister, to develop any land or other property and to erect and maintain buildings or other structures;
- (i) with the approval of the Minister, to enter into agreements with any local authority, corporation, society, firm or person for the management and maintenance of any land, buildings or thing for the purposes of this Act;
- (j) with the approval of the Minister responsible for finance, to borrow or raise money and to give security therefor in such manner as the Council thinks fit;
- (k) with the approval of the Minister, to charge such fees for admission to land or buildings vested in it or under its control, or in respect of any activity promoted, arranged or controlled by it, as the Council thinks fit;
- (l) to establish or act as trustees of any charity, organisation or body, the objects of which are in accordance with any of the Council's objects;
- (m) to make rules to regulate its own procedure for the despatch of business at meetings;
- (n) * * * * *

- (o) generally to do whatever it considers necessary in order to stimulate sporting and recreation activity, so that the Council may best accomplish the purposes for which it exists.

(Amended by Act 11 of 1983, s. 27, Sch. 2.)

Appointment of employees

6A.—(1) The Council may appoint a Manager and such other employees as it may consider necessary for the proper and efficient carrying out of the functions of the Council.

(2) The Manager shall be paid such salary as is determined from time to time by the Higher Salaries Commission.

(3) Subject to the provisions of the Higher Salaries Commission Act, the employees of the Council shall be paid such salaries as the Council from time to time determines. (Cap. 2A.)

(Inserted by Act 11 of 1983, s. 27, Sch. 2.)

Limitation of powers

7. Nothing in this Act shall be so construed as in any way to authorise the Council to interfere with or give any directions relating to the aims, objects or operations of any other sporting or recreational organisations.

Funds of the Council

8. The funds of the Council shall comprise—

- (a) all money paid to the Council by way of grant or loan from the Consolidated Fund for the purposes of the Council;
- (b) all money contributed to the Council or otherwise lawfully payable to the Council;
- (c) all money received by the Council by way of fees, rent or otherwise in respect of any land or property vested in or under the control of the Council or in respect of the performance or exercise of any of the functions and powers of the Council;
- (d) all money received by the Council for the sale or other disposal of any property of the Council;
- (e) all accumulations of money belonging to the Council.

Grants

9. The Minister responsible for finance may, subject to the provisions of the Finance Act, authorise payment from the Consolidated Fund or grants or loans to the Council to aid the Council to carry out its functions, of such amount and upon such conditions as he may determine. (Cap. 69.)

Investment of funds

10. All money of the Council not required for immediate use shall be invested in securities authorised under the provisions of any Act relating to trustees for the time being in force.

Accounts

11. The Council shall keep proper accounts and other records in respect of its operations and shall cause to be prepared a statement of accounts in respect of each financial year.

Audit

12. The accounts of the Council shall be audited annually by the Auditor-General or by such other person and on such terms and conditions as he may appoint.

Accounts to be laid before Parliament

13.—(1) As soon as practicable after the end of each financial year, the Council shall transmit to the Minister—

- (a) a copy of its statement of accounts for such year;
- (b) a copy of the report made thereon by the Auditor-General or such other person as may be appointed under the provisions of section 12;
- (c) a report on the activities of the Council during such year.

(2) The Minister shall cause copies of the accounts and reports of the Council to be printed and laid before Parliament.

Non-liability of members and employees

14. Neither the Council nor any member or employee of the Council shall be personally liable for any act or omission of the Council or any committee of the Council in good faith in the course of operations of the Council or any committee of the Council.

Regulations

15. The Minister may make regulations generally for the purpose of carrying out the provisions of this Act and, in particular, in respect of any matter which he considers necessary or desirable for the furtherance of the functions of the Council.

Controlled by Ministry of Education