

ACT NO. 24 OF 1999



I assent.

[L.S.]

K. K. T. MARA
President

[20.9.99]

AN ACT

TO AMEND THE LITTER DECREE 1991

ENACTED by the Parliament of the Fiji Islands—

Short title etc.

- 1.—(1) This Act may be cited as the Litter (Amendment) Act 1999.
- (2) In this Act, the Litter Decree 1991 is referred to as the “principal Act.”

Interpretation

2. Section 2 of the principal Act is amended—
 - (a) in the definition of “dangerous litter” by deleting paragraph (e) and substituting—

“(e) any oil, diesel, fuel, grease spill or similar discharge.”;
 - (b) in the definition of “litter” by—
 - (i) deleting “includes” and substituting “means”;
 - (ii) adding “gravel, sand, mud,” after “stones.”; and
 - (ii) adding at the end “and includes dangerous litter”;

- (c) by repealing the definition of "offensive litter"; and
- (d) by inserting before "site for the disposal of litter" the following new definition—
 - “receptacle” means a bin or other suitable similar container designed for the deposit of litter;”.

Powers and duties of litter prevention officers

- 3. Section 5 of the principal Act is amended in subsection (2)(b) by deleting “a place approved of by the officer” and substituting “a site for the disposal of litter”.

Public authorities to provide receptacles in public places

- 4. Section 7 of the principal Act is amended by deleting “of suitable construction and design for the deposit of litter”.

Depositing litter in a public place

- 5. Section 8 of the principal Act is amended—
 - (1) in subsection (1) by inserting “, either directly or indirectly,” after “who”;
 - (2)(a) in subsection (2) by—
 - (i) inserting “, either directly or indirectly,” after “who”;
 - (ii) deleting “or offensive litter”;
 - (3) in subsection (3) by deleting “or offensive litter and” and substituting “but”;
 - (4) in subsection (4) by deleting “dangerous litter or offensive litter”; and
 - (5) by adding after subsection (4) the following new subsections—
 - “(5) An individual who commits a second or subsequent offence under this section is liable on conviction —
 - (a) for an offence under subsection (1) – to imprisonment for one year and to a fine of \$2,000;
 - (b) for an offence under subsection (2) – to a fine of \$800.
 - (6) A body corporate that commits a second or subsequent offence under this section is liable on conviction—
 - (a) for an offence under subsection (1) – to a fine of \$4,000;
 - (b) for an offence under subsection (2) – to a fine of \$2,000.”.

Constructive deposit of litter

- 6. Section 10 of the principal Act is amended—
 - (a) by adding “and abandoned “ after “deposited” in the first line;
 - (b) by deleting “litter to be deposited” and substituting “or permits litter to be deposited and abandoned, either directly or indirectly,” in paragraph (a);

(c) by adding “and abandon” after “deposit” in paragraph (b).

Offender may be ordered to clear area

7. Section 12 of the principal Act is amended in subsection (1) by deleting “and to such place as may be specified in the order” and substituting “to a site for the disposal of litter”.

Damaging receptacles

8. Section 14 of the principal Act is amended by deleting “litter bin” where it twice appears and substituting “receptacle”.

Passed by the House of Representatives this 20th day of August 1999.

Passed by the Senate this 13th day of September 1999.