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GOVERNMENT OF THE SOVEREIGN DEMOCRATIC REPUBLIC OF FIJI
DECREE NO. 41

POUND ACT (AMENDMENT) (NO. 2) DECREE 1990

A DECREE TO FURTHER AMEND THE POUND ACT

In exercise of the powers vested in me as President of the Sovereign Democratic Republic of Fiji and Commander-in-Chief of the Armed Forces and acting in accordance with the advice of the Prime Minister and the Cabinet, I hereby make the following Decree—

Short title

1.—(1) This Decree may be cited as the Pound Act (Amendment) (No. 2) Decree 1990.

(2) In this Decree, the Pound Act, as amended by the Pound Act (Amendment) Decree 1990 is referred to as "the Principal Act".

New Section 6A

2. The principal Act is amended by inserting the following section at the end of Section 6.

"Destruction of stray and wild animals"

6A—(1) Notwithstanding the provisions of any law to the contrary it shall be lawful for the Minister or any person authorised by him, subject to the provisions of this Act and any regulations made thereunder, to destroy or cause to be destroyed any stray or wild poundable animals found on unenclosed land or public road which are so wild that they cannot in the opinion of the Minister or any person authorised by him, be seized.

(2) The carcass of any animal destroyed under the provisions of this section will be disposed of in such manner as the Minister or any person authorised by him may deem fit.

(3) The provisions of this section shall be in addition to and not in derogation of the other provisions of this Act and of the provisions of any other law relating to the impounding or trespass of animals.

(4) Three clear days notice will be given of the method of destruction to be used in any area and the period during which such method is to be used.

(5) Any notice required by the provisions of this section shall be given by—

- (i) affixing it in one or more public or conspicuous places or situations in the area affected and
- (ii) advertising at least once in a national newspaper and
- (iii) by announcing in Fijian, Hindi and English languages the contents thereof by radio on at least 3 different occasions before the taking of the measures referred to in subsection (1)

(6) No compensation shall be payable to the owner of any animal destroyed in consequence of the exercise of the powers conferred by the provisions of this Section.

(7) No person shall be entitled to recover any damages or costs for destruction or disposal of animals under this section and the person who effected the destruction shall not be liable to any punishment and shall be immune from all proceedings whether civil or criminal on account of such destruction or disposal."

Dated this 13th day of December 1990.

PENAIA K. GANILAU
President of the Sovereign Democratic
Republic of Fiji and Commander-in-Chief of the
Armed Forces