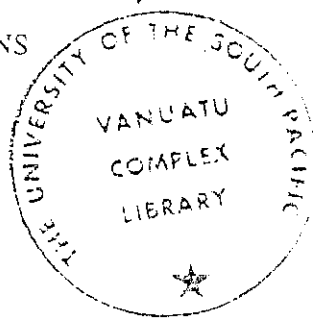


ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Commencement
3. Interpretation
4. Section "7" amended
5. Section "26" amended
6. Section "27" amended
7. Section "44" repealed and replaced



FIJI

ACT NO. 8 OF 1997



I assent.

[L.S.]

K. K. T. MARA
President

[10th March 1997]

AN ACT

TO AMEND THE TOWN PLANNING ACT

ENACTED by the Parliament of Fiji.

Short title

1. This Act may be cited as the Town Planning (Amendment) Act, 1997.

Commencement

2. This Act shall come into force on the day it is published in the *Fiji Republic Gazette*.

Interpretation

3. In this Act the Town Planning Act (Chapter 139) is referred to as "principal Act".

Section "7" amended

4. Section "7" of the principal Act is amended in subsection "(7)" by:—
 - (a) deleting the word "hundred" in the ninth line and substituting the word "thousand";
 - (b) deleting the words "not exceeding" in the twelfth line and substituting the word "of".

Section "26" amended

5. Section "26" of the principal Act is amended in subsection "(2)" by the addition of the following proviso at the end:—

"Provided that every owner or occupier of land within the area covered by a scheme shall have a right of objection to an alteration or addition to a scheme, and may, by notice in writing addressed to the local authority give notice of such objection, and of the grounds thereof, at any time within one month after the first public notification of the alteration or addition to the scheme as required by this Section."

Section "27" amended

6. Section "27" of the principal Act is amended:—

- (a) in subsection "(3)", by deleting all the words between the word "shall" in the third line and the word "not" in the fourth line and substituting the words "in all cases be"; and
- (b) in subsection "(5)", by deleting the word "hundred" in the last line and substituting the word "thousand".

Section "44" repealed and replaced

7. Section "44" of the principal Act is repealed and replaced as follows:—

"Penalties not otherwise provided for, etc."

- 44(1) Unless for any offence a penalty is expressly provided by this Act or by the regulations, any person who commits a breach thereof or disobeys a lawful order of the Director, or of a local authority, shall be liable to a fine of one thousand dollars or to imprisonment for three months and shall also be liable to a further fine of twenty dollars for each day or part of a day during which such contravention or non-compliance continue.
- (2) Every director, every manager, and every secretary of a company or firm which commits an offence under this Act shall be liable for prosecution and shall pay any penalty or penalties incurred after such prosecution.
- (3) Notwithstanding anything else contained in this Act, if the Director establishes that a particular development is illegal, non-conforming or a nuisance to the public, he shall direct the local authority to take appropriate action in accordance with subsection (7) of Section 7 or Section 27 of this Act."

Passed by the House of Representatives this twentieth day of February, in the year of our Lord, one thousand nine hundred and ninety-seven.

Passed by the Senate this twenty seventh day of February, in the year of our Lord one thousand, nine hundred and ninety-seven.