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GOVERNMENT OF FIJI
 (DECREE NO. 21 OF 2010)



LITTER (AMENDMENT) DECREE 2010

IN exercise of the powers vested in me as President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority Decree 2009, I hereby make the following Decree—

TO AMEND THE LITTER PROMULGATION 2008

Short title and Commencement

- 1.—(1) This Decree may be cited as the Litter (Amendment) Decree 2010.
- (2) This Decree shall come into force on the date it is *gazetted*.

Section 2 Amended

2. Section 2 of the Litter Promulgation 2008 (“the Promulgation”) is amended by—

- (a) inserting the definition of “disciplined officers” after the definition of “dangerous litter”

“disciplined officers” means members of The Fiji Police Force who have been appointed under the Police Act (Cap. 85) as police officers are hereby appointed pursuant to section 3 of the Promulgation to be litter prevention officers under the Litter Promulgation 2008;”

- (b) deleting the definition of “receptacle” and substituting—

“receptacle” means a water tight galvanised iron or rigid plastic receptacle, equipped with two handles set opposite to each other and a drip-proof cover, and having a capacity of not less than 42 litres and not more than 85 litres”;

Section 5 Amended

3. Section 5 sub section (1) of the Promulgation is amended by inserting “shall” after “Environment”.

Section 6 Amended

4. Section 6 of the Promulgation is amended by inserting new sub sections (4) and (5)—

“(4) A litter prevention officer may require a person who wilfully or intentionally litters in a public place to do instant community service in or around that particular area.

(5) The instant community service required by the litter prevention officer must be reasonable and the officer must not be influenced by extraneous or other matters including personal matters or differences that he or she has with the offender.”

Section 23 Amended

5. Section 23 of the Promulgation is amended by inserting new sub section (5)—

“(5) Where the certificate signed by the Clerk of the court states that the fixed penalty has been paid, the fixed penalty received by the Clerk of the Court shall be forwarded to the Public Authority who had issued the notice whereupon such Authority shall issue a receipt to the court”.

Section 25 Amended

6. Section 25 of the Promulgation is amended by deleting the word "All" and substituting "Certain".

Given under my hand this 18th day of May 2010.

EPELI NAILATIKAU
President of the Republic of Fiji