

EXTRAORDINARY

**GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 5

TUESDAY, 17th FEBRUARY

2015

[LEGAL NOTICE NO. 36]

ENVIRONMENT MANAGEMENT ACT 2005  
(NO. 1 OF 2005)

## **Environment Emergency (Cunningham River, Eastern Suva Coastline and Nukulau) Declaration 2015**

IN exercise of the powers conferred on me by section 40(1) of the Environment Management Act 2005, and with the approval of Cabinet, I hereby declare—

(a) a state of Environmental Emergency over the following areas—

500 meters seaward from the high water mark for the coastline from My Suva Park Police Post to the mouth of Laqere River including parts of Vatuwaqa River and Cunningham River with partial restrictions applying to Nukulau islet and its intertidal reef flat as indicated on the map in the Schedule to the Environment Emergency (Cunningham River, Eastern Suva Coastline and Nukulau) Regulations 2015 for a period of 30 days commencing from 30th January, 2015; and

(b) that a further extension from the expiry of the 30 days period in paragraph (a) shall be subject to the recommendations in a report of the state of environment and health of the affected communities.

Dated this 12th day of February 2015.

P. K. BALA  
Minister for Local Government, Housing and Environment

[LEGAL NOTICE NO. 37]

ENVIRONMENT MANAGEMENT ACT 2005  
(NO. 1 OF 2005)

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## **Environment Emergency (Cunningham River, Eastern Suva Coastline and Nukulau) Regulations 2015**

IN exercise of the powers conferred on me by section 40(3) of the Environment Management Act 2005, I hereby make these Regulations—

*Short title and commencement*

1.—(1) These Regulations may be cited as the Environment Emergency (Cunningham River, Eastern Suva Coastline and Nukulau) Regulations 2015.

(2) In these Regulations, unless the context otherwise requires,—

“Act” means the Environment Management Act 2005;

“affected areas” means the areas specified in paragraph (a) of the Declaration;  
and

“Declaration” means the Environment Emergency (Cunningham River, Eastern Suva Coastline and Nukulau) Declaration 2015 made under section 40 of the Act.

(3) These Regulations shall come into force on 30th January, 2015, and shall continue in force for a term of 30 days from the effective date unless such term is extended.

*Regulations pursuant to section 40 of the Act*

2. For the duration of the Declaration and any renewal or extension thereof, any officer of the Fiji Police Force, Republic of Fiji Military Forces, Ministry of Health and Medical Services, Ministry of Lands and Mineral Resources, Ministry of iTaukei Affairs, Water Authority of Fiji, Department of Fisheries and the Ministry of Local Government, Housing and Environment performing a role or discharging a responsibility in accordance with the Act may do the following—

- (a) evacuate people in their own interests in order to avoid any environmental and health related sickness;
- (b) prohibit the use of the affected areas to source livelihood and for recreational purposes;
- (c) direct the movement of any person found using these affected areas; and
- (d) erect signage to effect paragraph (b) around the perimeters of the affected areas as indicated on the map in the Schedule.

*Offences*

3. Any person, body or entity who fails to comply with any order made by an officer of the Fiji Police Force, Republic of Fiji Military Forces, Ministry of Health and Medical Services, Ministry of Lands and Mineral Resources, Ministry of iTaukei Affairs, Water Authority of Fiji, Department of Fisheries and the Ministry of Local Government, Housing and Environment in performing a role or discharging a responsibility under these Regulations commits an offence and shall be liable upon conviction to a fine not exceeding \$2,000 or imprisonment for a term not exceeding 12 months or both.

Made this 12th day of February 2015.

P. K. BALA  
Minister for Local Government, Housing and Environment

SCHEDULE  
(Regulation 2(d))

MAP OF CUNNINGHAM RIVER, EASTERN SUVA COASTLINE  
AND NUKULAU ISLET  
(Affected Areas)

