
CHAPTER 236

MARKETING

TABLE OF PROVISIONS

SECTION

1. Short title
2. Interpretation
3. Establishment of Authority
4. Constitution of Authority
5. Function of Authority
6. Powers of Authority
7. Marketing Advisory Councils
8. Servants and agents
9. Non-liability of members and servants
10. Remuneration of members of the Authority and Councils
11. Accounts
12. Reports
13. Regulations

Acts Nos. 3 of 1971, 13 of 1979, 11 of 1983

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE NATIONAL MARKETING AUTHORITY TO FACILITATE AND DEVELOP INTERNAL AND EXPORT MARKETS FOR THE PRODUCTS OF FIJI AND TO FACILITATE THE IMPORT OF CERTAIN PRODUCTS INTO FIJI

(Long title amended by Act 13 of 1979, s. 2.)

[18 March 1971]

Short title

1. This Act may be cited as the Marketing Act.

Interpretation

2. In this Act, unless the context otherwise requires—
“Authority” means the National Marketing Authority established by this Act;
“products” means any vegetable, animal or marine product produced, processed or manufactured in Fiji and includes handicrafts.

Establishment of Authority

3.—(1) There is hereby established an Authority to be known as the National Marketing Authority, which shall be a body corporate and, by that name, shall have perpetual succession and a common seal. The Authority may sue and be sued in respect of matters, whether relating to contract, tort or otherwise, arising in connection with the exercise of its power or the carrying on of its operations under the provisions of this Act.

(2) Service of any document on the Chairman or the Secretary of the Authority shall be deemed to be service on the Authority.

Constitution of Authority

4.—(1) The Authority shall consist of a Chairman and 5 members all of whom shall be appointed by the Minister and shall hold office for such term and subject to such conditions as the Minister may determine.

(2) In the absence of the Chairman from any meeting, the members present shall appoint a Deputy Chairman for that meeting.

(3) The decisions of the Authority shall be by majority vote and, in addition to an original vote, in any case in which the voting is equal, the Chairman or the Deputy Chairman shall have a casting vote.

(4) The Chairman or Deputy Chairman and 3 members shall form a quorum.

(5) There shall be a Secretary of the Authority who shall be appointed by the Minister. The Secretary shall not be entitled to vote at meetings of the Authority.

(6) All orders or directions made or given by the Authority shall be given under the hand of the Chairman or the Secretary.

(7) The Authority shall act in accordance with any general or special directions given to it by the Minister.

(8) The Authority may make rules governing its procedure.

Function of Authority

5. The function of the Authority shall be to make the best possible arrangements to facilitate and develop internal and export markets for the products of Fiji and to facilitate the import into Fiji of certain products.

(Amended by Act 13 of 1979, s. 3.)

Powers of Authority

6. For the purpose of this Act, the Authority may—

(a) enter into any contract;

(b) buy, sell, create, process, insure, transport and otherwise deal in any products;

(c) acquire, purchase, take, hold and enjoy any real and personal property and may convey, assign, surrender, transfer or otherwise dispose of or deal with or in real or personal property;

(d) either alone or jointly with other persons or organisations, establish such facilities as it may consider desirable for the better marketing of the products of Fiji, on such terms as may be approved by the Minister;

(e) borrow money on such terms as may be approved by the Minister;

(f) co-operate with and assist any person, co-operative society or company which may be engaged in the marketing of the products of Fiji;

- (g) obtain and disseminate information relating to the marketing prospects for the products of Fiji;
- (h) import into Fiji any vegetable, animal or marine product produced, processed or manufactured outside Fiji;
- (i) generally do all such things as are necessary or incidental to the discharge of its functions.

(Amended by Act 13 of 1979, s. 4.)

Marketing Advisory Councils

7.—(1) The Minister may appoint such Marketing Advisory Councils as he may consider desirable to advise the Authority on the proper discharge of its functions.

(2) Such Marketing Advisory Councils shall, in addition to any public officers appointed thereto, consist of persons engaged in the production, processing, manufacture, marketing or exports of products of Fiji.

(3) In the discharge of its functions, the Authority shall give due consideration to the advice or recommendations of such Marketing Advisory Councils.

Servants and agents

8.—(1) The Authority may appoint a General Manager and such servants or agents as it may consider necessary for the efficient carrying out of the purposes of the Authority.

(2) The General Manager shall be paid such salary as is determined from time to time by the Higher Salaries Commission.

(3) Subject to the provisions of the Higher Salaries Commission Act, the servants of the Authority shall be paid such salaries as the Authority from time to time determines.

(Cap. 2A.)

(Substituted by Act 11 of 1983, s. 27, Sch. 2.)

Non-liability of members and servants

9. No member or servant of the Authority shall be personally liable for any act or default of the Authority done or omitted to be done in good faith and without negligence in the course of the operations of the Authority.

Remuneration of members of the Authority and Councils

10. The Chairman and members of the Authority and the members of the Marketing Advisory Councils shall be paid such remuneration and such expenses as the Minister may, from time to time, determine.

Accounts

11.—(1) The Authority shall keep proper accounts and other records in respect of its operations and shall cause to be prepared a statement of account in respect of each financial year.

(2) The accounts of the Authority shall be audited annually by the Auditor-General.

Reports

12.—(1) As soon as practicable after the end of each financial year, the Authority shall transmit to the Minister—

- (a) a copy of the statement of accounts;
- (b) a copy of any report made by the Auditor-General;
- (c) a report which contains details of the activities of the Authority during the preceding financial year.

(2) The Minister shall cause a copy of the report to be printed and laid before Parliament.

Regulations

13. The Minister may make regulations for the purpose of carrying out the provisions of this Act in respect of any matter which may be considered necessary or desirable for the furtherance of the functions conferred on the Authority by this Act.

Controlled by Ministry of Economic Development, Planning and Tourism