

EXTRAORDINARY

FIJI ISLANDS GOVERNMENT GAZETTE SUPPLEMENT

No. 54

WEDNESDAY, 10th NOVEMBER

2010

[LEGAL NOTICE NO. 117]

i TAUKEI AFFAIRS ACT
(CAP. 120)**i Taukei Affairs (i Taukei Affairs Board) (Declaration
of i Taukei Settlements as i Taukei Villages) By-Laws
2010**

IN exercise of the powers vested on the Board by section 6 of the i Taukei Affairs Act (Cap. 120) with the approval of the Minister, the Board hereby makes these by-laws —

PART I—PRELIMINARY

Citation and commencement

1.—(1) These by-laws may be cited as the i Taukei Affairs (i Taukei Affairs Board) (Declaration of i Taukei Settlements as i Taukei Villages) by-laws 2010.

(2) These by-laws shall commence on the 22nd day of October 2010.

Application

2. These by-laws shall be applied in the registration of i Taukei settlements as a village.

Interpretation

3. In these by-laws, unless the context otherwise requires —

“Board” means the i Taukei Affairs Board;

“i Taukei Settlement” means a place where a group of i Taukei families have come to live and make their homes;

“village” means any settlement established on native land according to customs or land or any settlement declared to be a village under a by-law duly approved by the Board or in such other manner as may be prescribed.

Criteria of eligibility

4.—(1) The Board shall have the power to register i Taukei settlements to be a village.

(2) When assessing an i Taukei settlement's suitability for registration as a village, the Board must ensure that the—

(a) proposed site must be on native land within the land boundary of its parent Yavusa;

- (b) proposed village must be sited on native land and where majority of the members of the landowning unit of the land concerned has agreed to surrender in the traditional manner, ownership rights to such land, which would, after the registration, be owned communally by the new village;
- (c) inhabitants of the village are from the Yavusa and have recognised and accepted a leader of the new village;
- (d) new village, when registered, will be the new village of the inhabitants and will be accepted for such purpose for all official transactions including the Vola ni Kawa Bula which shall go through the processes as required by written law and the new village will also be registered as such by the Native Lands Commission;
- (e) site has been certified by the health authorities to be posing no threat to the health of the inhabitants and that it has a reliable source of fresh water;
- (f) site has been certified by the Director of the Disaster Management Office as safe from natural hazards such as regular flooding, landslides or erosions; and
- (g) request for registration must be made in writing with the endorsement and support of the relevant Tikina and Provincial Council.

Dated at Suva this 22nd day of October 2010.

J. V. BAINIMARAMA
Chairperson
i Taukei Affairs Board

Approved on this 22nd day of October 2010.

J. V. BAINIMARAMA
Prime Minister and
Minister for i Taukei Affairs