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[5]

## GOVERNMENT OF FIJI

WRECK & SALVAGE ACT (BUDGET AMENDMENT) DECREE 2010  
(DECREE NO. 5 OF 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—

*Short title and commencement*

1.—(1) This Decree may be cited as the Wreck & Salvage Act (Budget Amendment) Decree 2010 and comes into force on 1st January 2010.

*Object of this Decree*

2. The object of this Decree is to amend the Wreck and Salvage Act, Cap. 198.

*Section 5 amended*

3. Section 5 of the Wreck and Salvage Act, Cap. 198 (“the Act”) is amended by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 6 amended*

4. Section 6 of the Act is amended by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 9 amended*

5. Section 9 of the Act is amended by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 11 amended*

6. Section 11 of the Act is amended under—

- (i) subsection (i) by deleting “\$200.00” and substituting “\$10,000.00”; and
- (ii) under subsection (ii) by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 31 amended*

7. Section 31 of the Act is amended by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 33 amended*

8. Section 33 of the Act is amended by deleting “\$200.00” and substituting “\$10,000.00”.

*Section 35A amended*

9. Section 35 A of the Act is amended—

- (i) by deleting and substituting the new section 35 A immediately after Section 35—

“35 A – (1) The correct amount of any duty, charge or fee due and payable under this Act may be demanded by the Comptroller at any time from the date when such duty, charge or fee should have been paid by the person, or by a Corporate company from its directors, partners, and shareholders and shall be held personally responsible for payment of correct amount of any duty, charge or fee due and payable under this Act, for removing any part of the wreck; and

(ii) inserting the new subsection (2) immediately after subsection (1) —

“2 The Comptroller may execute section 143 C of the Customs Act 1986”.

*Section 35 B amended*

10. Section 35 B of the Act is amended inserting the new section 35 B immediately after section 35 A —

“35B – (1) The Comptroller shall require that any applicant for refund of any duty, charge or fee must have a bank account in a commercial trading bank in the Fiji Islands; and

2. The Comptroller shall not refund any duty, charge or fee directly to claimants”.

GIVEN under my hand this 6th day of January 2010.

EPELI NAILATIKAU  
President of the Republic of Fiji