

CHAPTER 181A
PORTS AUTHORITY OF FIJI (VALIDATION)

Act No. 13 of 1985

AN ACT TO VALIDATE AND AUTHORISE THE IMPOSITION OF
CERTAIN CHARGES BY THE PORTS AUTHORITY OF FIJI; AND FOR
CONNECTED PURPOSES.

[5 July 1985]

Short title, etc.

1. This Act may be cited as the Ports Authority of Fiji (Validation) Act.

Interpretation

2. In this Act, unless the context otherwise requires—

“Authority” means the Ports Authority of Fiji;

“Declaration” means the Declaration of Ports and Port Approaches published as Legal Notice No. 5 of 1977.

Validation of charges

3. No due, fee, rate or charge purporting to have been imposed by or on behalf of the Authority on or after 28 November 1975 and before the commencement of this Act shall be or shall ever be unlawful or invalid by reason only that such due, fee, rate or charge was imposed on a vessel not being in a port, or in respect of any act or thing done otherwise than in a port, provided that the vessel was, or the act or thing was done, within the area expressed to be the approaches to that port either by the Declaration or, in respect of the period commencing on 28 November 1975 and ending on 5 January 1977, the Declaration of Ports and Port Approaches published as Legal Notice No. 125 of 1975.

Relief from liability

4. The Authority and all persons who on behalf of the Authority have done any act or thing which but for this Act would have been unlawful or invalid are acquitted and discharged from all legal proceedings and all liability or penalty whatsoever on account of such act or thing.

Vessels and persons deemed to be in a port

5.—(1) Subject to subsections (2) and (3), every vessel being, and every act or thing done, after the commencement of this Act in any area expressed to be the approaches to a port by the Declaration shall be deemed for the purposes of the Ports Authority of Fiji (Tariffs) Regulations to be, or to be done, in a port.

(2) This section shall not apply to any vessel being, or any act or thing done, in a place, area, river or channel declared after the commencement of this Act to be a port or the approaches to a port.

(3) This section shall cease to have effect on revocation of the Declaration or, in respect of any provision of the Declaration, revocation of that provision.

Act binds the Crown

6. This Act binds the Crown.

Controlled by Ministry of Communications, Transport and Works