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MILITARY EXCLUSION ZONE DECREE 2000

(INTERIM MILITARY GOVERNMENT DECREE NO. 11)

IN exercise of the powers vested in the Interim Military Government by section 2 of the Interim Military Government and Finance Decree No. 3, I, Commodore Josai Voreqe Bainimarama, Commander and Head of the Interim Military Government, hereby make this Decree—

Short title and commencement

1. This Decree may be cited as the Military Exclusion Zone Decree 2000 and commences on the date it is published in the *Gazette*.

Declaration of Military Exclusion Zone

2.—(1) The areas specified in the Schedule are declared to be a Military Exclusion Zone for the purpose of this Decree.

(2) No person shall be allowed to enter or remain in or leave the Military Exclusion Zone beyond a time to be specified by the Commanding Officer unless authorised by a permit issued and signed by the Commanding Officer.

(3) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine not exceeding \$2000 or to imprisonment for a term not exceeding 2 years.

Powers exercisable in the Military Exclusion Zone

3.—(1) The Commander and Head of the Interim Military Government may in writing restrict the supply of any essential service within the Military Exclusion Zone.

(2) The Commanding Officer may, in writing, authorise a member of the Armed Forces to do the following within the Military Exclusion Zone—

- (a) to order any person residing in the Military Exclusion Zone to vacate his or her residence within a time specified in the order;
- (b) to temporarily acquire any land or building;
- (c) to prohibit the entry of vehicles, aircraft or vessels;
- (d) to arrest and detain persons;
- (e) to do any other thing necessary for the purpose of this Decree.

(3) If a person is required under subsection (2)(a), to vacate his or her premises but refuses to do so, the Armed Forces cannot guarantee the safety of such a person in the Military Exclusion Zone.

(4) A member of the Armed Forces may exercise all powers under the Emergency Decree for the preservation of public safety or maintenance of law and order.

Power to direct persons

4. The Commanding Officer may, in writing, direct any person within the Military Exclusion Zone to do any act reasonably necessary for the preservation of public safety or maintenance of law and order or for the purpose of giving effect to this Decree.

Exclusion of liability

5. A member of the Republic of Fiji Military Forces, the Interim Military Government or the State shall not be liable for any loss or damage suffered or injury or death to persons arising out of any act done in good faith in the exercise of any powers under this Decree.

Interpretation

6.—(1) In this Decree, "Commanding Officer" means the officer commanding the body of troops responsible for the Military Exclusion Zone.

(2) This Decree does not affect the operation of all laws of Fiji within the Military Exclusion Zone except to the extent that they are inconsistent with this Decree.

SCHEDULE
(Section 2(1))

MILITARY EXCLUSION ZONE AREA

(a) *Land boundary*

All areas from Veiuoto Primary School and thence northerly through Cathedral Secondary School to Makuluva Road and thence westerly along Veiuoto Road and thence northerly to Beqa Place, Kavika Place and thence northerly to Ratu Sukuna Road and thence westerly to Leveti Creek and thence southerly along the Leveti Creek to the bridge on Queen Elizabeth Drive and thence eastward along Queen Elizabeth Drive to Veiuoto Primary School as marked in red in the map at Annexure 1. (The Military Exclusion Zone area on Makuluva Road, Veiuoto Road, Beqa Place and Kavika Place includes all lots abutting the said roads).

(b) *Sea boundary*

All the internal waters adjacent to the land boundary specified in (a) bounded to the west by a line directly south from the bridge over the Leveti Creek on Queen Elizabeth Drive to the outer fringe of the reef at 18° 11'.1 South 178° 25'.9 East, thence along the outer edge of the reef to 18° 10' 94 South, 178° 26'.5 East and thence directly north to Veiuoto Primary School at 18° 09'.7 South, 178° 26'.5 East.

(c) *Airspace*

All airspace covering paragraphs (a) and (b).

Made at Suva this 5th day of July 2000.

COMMODORE J. V. BAINIMARAMA
MSD, jssc, psc
Commander and Head of the
Interim Military Government of Fiji

