

EXTRAORDINARY



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GOVERNMENT OF FIJI

TRUST ACCOUNTS (AMENDMENT) DECREE 2011
 (DECREE NO. 10 OF 2011)

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 of Fiji Decree 2009, I hereby make the following Decree—

TO AMEND THE TRUST ACCOUNTS ACT 1996

Short title and commencement

- 1.—(1) This Decree may be cited as the Trust Accounts (Amendment) Decree 2011.
- (2) This Decree comes into force on the date of its publication in the *Gazette*.
- (3) The Trust Accounts Act 1996 shall be referred to as “the Act”.

Section 22 amended

2. Section 22 of the Act is amended by—

- (a) repealing paragraph (b) of subsection (1) and substituting—

“(b) *the balance as follows—*

- (i) 50% to a fund to be known as the Legal Aid Fund to meet the costs and expenses of the Legal Aid Commission established by the Legal Aid Act 1996;
- (ii) 25% to a fund to be known as the Judiciary Fund to meet the costs and expenses for improving court premises, purchasing equipment for various courts in all the divisions, including acquisition of equipment for the Judiciary, implementing electronic recording of court proceedings, and for such other purpose as the Chief Justice may direct;
- (iii) 10% to a fund to be known as the Independent Legal Services Commission Fund to meet the costs and expenses of the Commission, established by the Legal Practitioners Decree 2009;
- (iv) 10% to a fund to be known as the Legal Practitioners Unit Fund to meet the costs and expenses of the Legal Practitioners Unit in the office of the Chief Registrar in the performance of the functions and duties of the Chief Registrar under the Legal Practitioners Decree 2009 and for such other related purpose as the Chief Registrar may direct;
- (v) 5% to a fund to be known as the Fidelity Fund to make the payments from such fund which may be lawfully required by the Commission to be paid. Where the amount of the Fidelity Fund, including any interest earned by the Fidelity Fund, exceeds one million dollars at the end of any quarter, such excess shall be applied proportionally between the other funds established by this sub-section.”

- (b) repealing subsection (3) and substituting—

“(3) *The Funds Trustee may at its discretion apply from the Legal Aid Fund, the Independent Legal Services Commission Fund, the Judiciary Fund and the Legal Practitioners Unit Fund monies to the Legal Aid Commission or the Commission or the Judicial Department or the Chief Registrar respectively on receipt of such assurances as it may think fit that those monies will be applied for the purposes designated for those funds in sub-section (1)(b) of this section.*”

GIVEN UNDER my hand this 2nd day of March 2011.

EPELI NAILATIKAU
 President of the Republic of Fiji