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INTERIM GOVERNMENT OF THE REPUBLIC OF THE FIJI ISLANDS

GENEVA CONVENTIONS (AMENDMENT) PROMULGATION 2009  
(PROMULGATION NO. 7 OF 2009)

IN exercise of the powers conferred upon the Interim Government, and upon the exercise of my own deliberate judgement as President of the Republic of the Fiji Islands as to what is best and good for the people of Fiji, and by the executive authority of the State in accordance with section 85 of the Constitution and such other powers as may appertain, and with the advice of Cabinet, I, Josefa Iloilovatu Uluivuda, President of the Republic of Fiji Islands, hereby make this Promulgation—

TO AMEND THE GENEVA CONVENTIONS PROMULGATION  
(PROMULGATION NO. 52 OF 2007)

*Short title*

1.—(1) This Promulgation may be cited as the Geneva Conventions (Amendment) Promulgation 2009, and is deemed to come into force on the 1st day of March 2009.

(2) In this Promulgation, the Geneva Conventions Promulgation No. 52 of 2007 shall be referred to as “the Act”.

*Section 2 amended*

2. Section 2 of the Act is amended—

- (i) in the interpretation of the word “Protocol III” by deleting the interpretation and substitute with the meaning “means the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), done at Geneva on 8 December 2005, a copy of which Protocol is set out in Schedule 7;
- (ii) in the interpretation of the word “the Protocols” by deleting “and Protocol II”, and substituting with “, Protocol II and Protocol III”.

*Section 3 amended*

3. Section 3 of the Act is amended—

- (i) in subsection (1) by deleting “or of Protocol I” and substituting with “, of Protocol I or of Protocol III”;
- (ii) in subsection (2) paragraph (e) by replacing the “.” with “; and”, and inserting a new paragraph—  
“(f) a grave breach of Protocol III is any misuse of the third Protocol emblem amounting to perfidious use in the meaning of Article 85 paragraph 3 (f) of Protocol I.”

*Section 6 amended*

4. Section 6 of the Act is amended by inserting a new paragraph—

“(d) Article 1 of Protocol III (which relates to the circumstances in which that Protocol applies);”

*Section 12 amended*

5. Section 12 of the Act is amended by—

- (i) deleting subparagraph (f);
- (ii) renumbering subparagraphs (d) and (e) as (e) and (f);
- (iii) inserting a new paragraph—

“(d) the following emblem in red on, and completely surrounded by, a white ground, that is to say, a red frame in the shape of a square on edge (whether or not incorporating within its centre another emblem or combination thereof in accordance with Article 3, paragraph 1 of Protocol III), or the designation “Red Crystal” or the designation “third Protocol emblem;” and

- (iv) in subparagraph (i), deleting “or (g)” and substituting with “, (g) or (h)”.

*SCHEDULE amended*

6. The SCHEDULE of the Promulgation is amended at Schedule 7 by deleting the word “the” before “Distinctive” and substituting with “an Additional”.

Given under my hand this 9th day of February 2009.

J. I. ULUIVUDA  
President of the Republic of the Fiji Islands