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IMMUNITY (DISCIPLINED FORCES) DECREE 2000

(INTERIM CIVILIAN GOVERNMENT DECREE No. 17)

IN exercise of the powers conferred upon the Military appointed Civilian Government by section 9 of the Interim Civilian Government (Establishment) Decree No.10, I, Josai Voreqe Bainimarama MSD, jssc, psc, Commander and Head of Government acting on the advice of the Cabinet hereby make the following Decree-

Short title and commencement

1. This Decree may be cited as the Immunity (Disciplined Forces) Decree 2000.

Immunity

2.—(1) The following persons shall be immune from any criminal prosecution and responsibility or civil responsibility in respect of any offence or action arising either directly or indirectly under a law, from the taking over of the Government and Executive Authority from the President of the Republic of Fiji by the Republic of Fiji Military Forces –

- (a) all the officers and members of the Disciplined Forces who on the 29th day of May 2000 took part in such Military takeover including any act done during the period of the Military Government and the Military appointed Civilian Government;
- (b) any other person who on the 29th day of May, 2000 and during the period of the Military Government acted under the directions of an officer or member of the Disciplined Forces.

(2) In this Decree, “Disciplined Forces” means the Republic of Fiji Military Forces, the Fiji Police Force and the Fiji Prisons Service.

(3) No court shall entertain any legal proceedings instituted against any person to whom this Decree applies.

(4) No court shall entertain any legal proceedings instituted against the State, the Interim Military Government and the Military appointed Civilian Government or its representatives arising either directly or indirectly from the Military takeover.

Saving

3. Notwithstanding the Fiji Constitution Revocation Decree 2000 (Interim Military Government Decree No. 1), Chapter XIV of the Constitution of 1990 continues in force in accordance with its tenor.

Made at Suva this 12th day of July 2000.

COMMODORE J. V. BAINIMARAMA
Commander and Head of Government