

ACT NO. 22 OF 2022

I assent.

W. KATONIVERE
President

[25 March 2022]

AN ACT**TO AMEND THE LAND TRANSPORT ACT 1998**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Land Transport (Revised Budget Amendment) Act 2022.

(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

(3) In this Act, the Land Transport Act 1998 is referred to as the “Principal Act”.

Section 24B amended

2. Section 24B(3) of the Principal Act is amended by deleting “Public Service Vehicle Trust Fund established under section 24C” and substituting “Consolidated Fund”.

Section 24C deleted

3. The Principal Act is amended by deleting section 24C.

*Section 65 amended***4.** Section 65 of the Principal Act is amended by—

(a) in subsection (2)(d)(i), deleting “between 2” and substituting “at”; and

(b) in subsection (3)—

(i) in paragraph (a)—

(A) in subparagraph (i) after “;”, deleting “or”;

(B) in subparagraph (ii) after “;”, inserting “or”; and

(C) after subparagraph (ii), inserting the following new subparagraph—

“(iii) shuttle service, which is a service within a suburb to meet the needs of passengers on a regular basis, subject to terms and conditions as prescribed by regulations;” and

(ii) in paragraph (c), deleting “between” and substituting “at”.

*Section 67 deleted***5.** The Principal Act is amended by deleting section 67.*Section 74 amended***6.** Section 74 of the Principal Act is amended by deleting subsection (3) and inserting the following new subsections—

“(3) The Authority must take reasonable steps to identify and notify the owner of the motor vehicle or trailer and any person who has a financial interest pursuant to the Personal Property Securities Act 2017, before disposing of the motor vehicle or trailer under subsection (2).

(4) If a sale of motor vehicle or trailer under this section provides a greater amount than is necessary to defray expenses of the removal and storage of the motor vehicle or trailer, and the motor vehicle or trailer has a financial interest or charge held against it, the Authority must, in consultation with the financial interest holder and subject to any other written law, defray such expenses.

(5) If there is no financial interest or charge on the motor vehicle or trailer, the balance must be held for 3 months and if not claimed by the owner within that period, must be paid into the funds of the Authority.

(6) If a sale of motor vehicle or trailer under this section provides a lesser amount than is necessary to defray expenses of the removal and storage of the motor vehicle or trailer, and the motor vehicle or trailer has a financial interest or charge held against it, the Authority must, in consultation with the financial interest holder and subject to any other written law, defray such expenses.

(7) If there is no financial interest or charge on the motor vehicle or trailer, the Authority may defray its expenses and may make further claims on the owner of the motor vehicle or trailer.”.

Schedule amended

7. The Schedule to the Principal Act is amended in the third column by—
- (a) deleting the prescribed penalty for section 53(5) and substituting the following—
 - “(a) First offence - \$500/ 3 months imprisonment
 - (b) Second offence - \$1000/ 6 months imprisonment
 - (c) Third or subsequent offence - \$2000/ 12 months imprisonment”;
 - (b) in the prescribed penalty for section 62(4) after paragraph (b), inserting the following new paragraph—
 - “(c) Third or subsequent offence - \$2000/ 12 months imprisonment”;
 - (c) in the prescribed penalty for section 65(4) after paragraph (b), inserting the following new paragraph—
 - “(c) Third or subsequent offence - \$2000/ 12 months imprisonment”.

Passed by the Parliament of the Republic of Fiji this 25th day of March 2022.