I assent.

.,S.]

J. I. ULUIVUDA
President

[23 December 2002]

AN ACT

TO AMEND THE PUBLIC ENTERPRISE ACT

‹ACTED by the Parliament of the Fiji Islands—

Short title, commencement etc
1.—(1)   This Act may be cited as the Public Enterprise (Amendment) Act 2002.

(2)   This Act comes into force on a date appointed by the Public Enterprise Minister
notice in the *Gazette*.

(3)   In this Act, the "principal Act" means the Public Enterprise Act 1996.

Purpose of re-organisation
2.   Section 7 of the principal Act is amended by substituting a full stop at the end of
ragraph *(c)* with a semi-colon and by adding the following new paragraph—

   "*(d)*   entities which make a good return on investment.".

Boards to be appointed

3.   Section 31 of the principal Act is amended by inserting after subsection (3) the following subsection—

"(3A)   The Public Enterprise Minister may, after consulting the relevant Minister and with the approval of the Prime Minister, designate a Chairperson from the members of the Board appointed under subsection (3A);"

Regulations may deal with other matters

4.   Section 38(2) of the principal Act is amended by substituting a full stop with a semi-colon at the end and adding the following paragraphs—

"(f)   the regulation and control of appointment of a person by a Commercial Statutory Authority or Government Commercial Company after it has been declared a re-organisation enterprise;

(g)   the regulation of any new contract entered into by a Commercial Statutory Authority or Government Commercial Company during the re-organisation process.".

Boards may be re-appointed

5.   Section 56 of the principal Act is amended by inserting after subsection (1) the following subsection—

"(1A) The Public Enterprise Minister may, after consulting the relevant Minister, designate a Chairperson from the members of the Board appointed under subsection (1).".

Draft corporate plan

6.   Section 90(1) of the principal Act is amended by repealing *(b)* and substituting the following paragraph—

"(b)   at least 3 months prior to the commencement of the financial year.".

Adoption of draft corporate plan

7.   Section 91 of the principal Act is amended in subsection (1)—

(a)   by deleting "2 months" and substituting "1 month prior to"; and

(b)   by deleting "within 3 months" and substituting "at".

Modifications of corporate plan

8.   Section 92 of the principal Act is amended in subsection (2) by inserting "within 3 months of the commencement of the financial year or" after "in writing".

Draft statement of corporate intent

9. Section 96 of the principal Act is amended in subsection (1) by repealing paragraph *(b)* and substituting the following paragraph—

"*(b)* at least 3 months prior to the commencement of the financial year".

Adoption of statement of corporate intent by Commercial Statutory Authority

10. Section 97 of the principal Act is amended in subsection (1)—

(a) by deleting "2 months" and substituting "1 month prior to"; and

(b) by deleting "within 4 months of" and substituting "at".

Adoption of statement of corporate intent by Government Commercial Company

11. Section 98 of the principal Act is amended in subsection (1)—

(a) by deleting "2 months" and substituting "1 month prior to"; and

(b) by deleting "3 months of" and substituting "at the beginning of the financial year".

Half-yearly reports

12. Section 101 of the principal Act is amended in subsection (2)*(a)* by deleting "2 months" and substituting "1 month".

Draft annual report and unaudited accounts

13. Section 102 of the principal Act is amended in subsection (1) by deleting "3 months" and substituting "1 month".

Annual report and audited accounts

14. Section 103 of the principal Act is amended in subsection (1) by deleting "Within 5 months after the end of each financial year" and substituting "Within 4 months after the end of the current financial year".

Passed by the House of Representatives this 4th day of December 2002.

Passed by the Senate this 18th day of December 2002.