

BILL NO. 11 OF 2015

A BILL

FOR AN ACT TO AMEND THE FIJI ROADS AUTHORITY DECREE 2012

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

- 1.—(1) This Act may be cited as the Fiji Roads Authority (Amendment) Act 2015.
- (2) This Act shall come into force on the date of its publication in the *Gazette*.
- (3) In this Act, the Fiji Roads Authority Decree 2012 shall be referred to as the “Decree”.

Section 2 amended

2. Section 2 of the Decree is amended by deleting the definition of “Minister” and substituting the following—

““Minister” means the Minister responsible for the Fiji Roads Authority;”

Section 5 amended

3. Section 5 of the Decree is amended by inserting the following new subsection after subsection (2)—

“(2A) The Chief Executive Officer shall be an *ex officio* member of the Authority with no voting rights.”

Section 11 amended

4. Section 11 of the Decree is amended by inserting the following new subsection after subsection (4)—

“(5) The Authority shall have a minimum of one meeting in each month.”

FIJI ROADS AUTHORITY (AMENDMENT) BILL 2015

EXPLANATORY NOTE

(This note is not part of the Bill and is only intended to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Fiji Roads Authority (Amendment) Bill 2015 (**'Bill'**) seeks to amend the Fiji Roads Authority Decree 2012 (**'Decree'**).
- 1.2 Initially, the maintenance and general management of all public roads in Fiji were performed by the Department of National Roads (**'DNR'**).
- 1.3 In 2012, the functions and powers that were performed by DNR were transferred to the Fiji Roads Authority (**'FRA'**) under the Decree to better manage the responsibilities of DNR and to rehabilitate and modernise existing roads in Fiji.
- 1.4 The assets, interests, rights, privileges, liabilities and obligations of the State in relation to DNR were also transferred to FRA.
- 1.5 The Decree was later amended in 2012 and 2014 to address procedural matters in the Decree that needed to be amended to ensure the efficient functioning of FRA.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement of the new Act.
- 2.2 Clause 2 of the Bill amends the definition of "Minister" in section 2 of the Decree so that "Minister" in the Decree would refer to the Minister responsible for FRA.
- 2.3 Clause 3 of the Bill amends section 5 of the Decree by inserting a new subsection (2A). Subsection (2A) states that the Chief Executive Officer of FRA shall be an *ex officio* member of the FRA Board with no voting rights.

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2.4 Clause 4 of the Bill amends section 11 of the Decree by inserting a new subsection (5). Subsection (5) ensures that the FRA Board meets at least once in each month.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Decree comes under the responsibility of the Minister for Infrastructure and Transport.

A. SAYED-KHAIYUM
Attorney-General