

# BILL NO. 28 OF 2023

## A BILL

### FOR AN ACT TO AMEND THE MAHOGANY INDUSTRY DEVELOPMENT ACT 2010

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

**1.—**(1) This Act may be cited as the Mahogany Industry Development (Amendment) Act 2023.

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

(3) In this Act, the Mahogany Industry Development Act 2010 is referred to as the “Principal Act”.

*Section 2 amended*

**2.** Section 2 of the Principal Act is amended after the definition of “mahogany plantation land” by inserting the following new definition—

““Minister” means the Minister responsible for forests;”.

*Section 3 amended*

**3.** Section 3 of the Principal Act is amended by—

- (a) in paragraph (a), deleting “Prime Minister” and substituting “Minister”;  
and
- (b) deleting paragraph (c).

*Section 14 amended*

**4.** Section 14 of the Principal Act is amended by deleting “Prime Minister” and substituting “Minister”.

*November 2023*

## **MAHOGANY INDUSTRY DEVELOPMENT (AMENDMENT) BILL 2023**

### **EXPLANATORY NOTE**

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

#### **1.0 BACKGROUND**

- 1.1 The Mahogany Industry Development Act 2010 (**‘Act’**) came into force on 3 May 2010 and was introduced to further the development of the mahogany industry in Fiji.
- 1.2 Under section 3 of the Act, the Mahogany Industry Council (**‘Council’**) is established to supervise and direct the maintenance and development of the mahogany industry in Fiji.
- 1.3 Given that the mahogany industry requires specific knowledge and technical skill set on mahogany forests and the overall operation of the mahogany industry, the Mahogany Industry Development (Amendment) Bill 2023 (**‘Bill’**) seeks to amend the Act to transfer the overall responsibility to the Ministry of Forestry.

#### **2.0 CLAUSES**

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on a date appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill amends section 2 of the Act by inserting the definition of “Minister” to mean the Minister responsible for forests.
- 2.3 Clause 3 of the Bill amends section 3 of the Act by deleting the reference “Prime Minister” and substituting with a reference to the Minister responsible for forests as chairperson of the Council.
- 2.4 Clause 4 of the Bill amends section 14 of the Act by deleting “Prime Minister” and substituting with a reference to the Minister responsible for forests as being empowered under the Act to make regulations.

4

### **3.0 MINISTERIAL RESPONSIBILITY**

3.1 The Act comes under the responsibility of the Minister responsible for forests.

S. D. TURAGA  
Attorney-General