

**ACT NO. 44 OF 1998**

I assent.

[L.S.]

K. K. T. MARA  
President

[17 September 1998]

**AN ACT****TO AMEND THE NATIVE LANDS ACT IN RESPECT OF THE APPEALS  
TRIBUNAL**

ENACTED by the Parliament of the Fiji Islands—

*Short title etc.*

1.—(1) This Act may be cited as the Native Lands (Amendment)(Appeals Tribunal) Act 1998.

(2) In this Act “principal Act” means the Native Lands Act (Cap 133).

*Appeal*

2. Section 7 of the principal Act is amended—

(a) by deleting “section 6” and substituting “sections 6 and 17”;

(b) by adding the following new subsection—

“(5) Decisions of the Appeals Tribunal are to be final and conclusive and cannot be challenged in a court of law.”

*New section 7A*

3. The principal Act is amended by adding after section 7 the following new section—

*“Chairman and members of the Appeals Tribunal*

7A.—(1) A person appointed as Chairman of the Appeals Tribunal under section 7(1) must be qualified to be a judge or must be otherwise suitable, by virtue of his academic or other qualifications and experience, to be Chairman of the Appeals Tribunal.

(2) Persons appointed as members of the Appeals Tribunal under section 7(1) must be suitable, by virtue of their academic or other qualifications and experience, to be members of the Appeals Tribunal.

(3) The Minister may—

(a) appoint the Chairman and members of the Appeals Tribunal for such period as he thinks fit; and

(b) terminate the appointment of the Chairman or of a member of the Appeals Tribunal by reason of incapacity to perform the functions of the office or for misconduct.

(4) The Chairman and members of the Appeals Tribunal are to be paid such remuneration and allowances as the Minister from time to time determines.”.

*Disputes as to headship of mataqali, etc.*

4. Section 17 of the principal Act is amended by adding after subsection (2) the following new subsection—

“(3) A person aggrieved by a decision of the Commission under this section may appeal against it to the Appeals Tribunal constituted under section 7.”.

Passed by the House of Representatives this 12th August 1998.

Passed by the Senate this 9th day of September 1998.