

**FIJI ISLANDS GOVERNMENT GAZETTE SUPPLEMENT**

No. 21

FRIDAY, 27th MAY

2011

[LEGAL NOTICE NO. 47]

SCRAP METAL TRADE DECREE 2011  
(DECREE NO. 22 OF 2011)

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## **Scrap Metal Trade (Forms & Fees) Regulations 2011**

IN exercise of powers conferred upon me by section 18 of the Scrap Metal Trade Decree 2011, I make the following Regulations—

*Citation and commencement*

1. These Regulations may be cited as the Scrap Metal Trade (Forms & Fees) Regulations 2011 and shall come into force on the commencement date of the Scrap Metal Trade Decree 2011.

*Application for licence to trade as a scrap metal dealer*

2.—(1) For the purpose of section 7(2)(a) of the Decree, the prescribed application form is set out as Form 1 in Schedule 1.

(2) For the purpose of section 7(2)(b) of the Decree the relevant fee is prescribed in Schedule 2.

*Licence*

3. For the purpose of section 8 of the Decree, the prescribed licence form is set out as Form 2 in Schedule 1.

*Appeal Fees*

4. For the purpose of section 11(1) of the Decree, the prescribed appeal fee is set out in Schedule 2.

Dated this 24th day of May 2011.

A. SAYED-KHAIYUM  
Attorney General  
and Minister for Industry & Trade

SCHEDULE 1

Form 1  
(Regulation 2(1))

APPLICATION FOR A SCRAP METAL DEALER'S LICENCE  
(Section 7(2)(b))

1. Full Name (including any aliases) and address of Applicant: .....

\*In the case of a Company, the applicant must hold a financial interest in the company as shareholder.

2. Date of Birth: .....

3. Phone: ..... Fax: .....

4. Email: ..... Tax Identification Number: .....

5. Occupation: .....

8. Does proposed licensee have experience in the conduct of scrap metal trade? YES/NO

9. If so, provide details: .....

10. Is the proposed licensee directly or indirectly interested in or concerned with any other licence under the Decree? YES/NO

11. If so, provide details: .....

12. Has the proposed licensee ever held a licence under the Decree? If, so provide details: .....

13. Has the proposed licensee ever had a licence cancelled, or an application for a licence rejected under the Decree? If, so provide details: .....

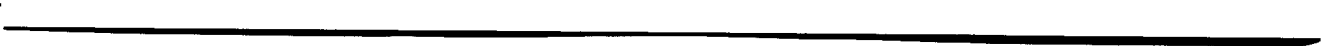
14. Address/Location of Principal and every other place of Business: .....

15. Trading name of Proposed Licensed Premises: .....

16. Nature of Business Associated with Licence applied for (e.g recycler, buyer/seller): .....

17. Will any other person or entity have a financial interest in the Business? If so provide details: .....

18. Has the Applicant ever been convicted for an offence or has been charged and case is pending in court? YES/NO. If Yes, please provide details .....



19. Has the Applicant ever been the subject of any action pursuant to the provisions of the Bankruptcy law? YES/NO. If so, provide details: .....

I, ..... the Applicant described above, apply for the grant of the above licence.

Signature of Applicant:.....

Date:.....

**FOR OFFICIAL USE ONLY**

1. **Date application received:**.....

2. **Fee paid. Revenue Receipt No.** .....

FORM 2  
(Regulation 3)

**SCRAP METAL DEALER'S LICENCE**  
(Section 8)

Licence No. ....

IN exercise of powers conferred upon it by section 8 of the Decree, and after considering the application dated ..... for a scrap metal dealer's licence, I hereby grant a/renew the licence to..... \*

This licence comes into force on the.....day of.....20....., and remains in force until.....

This licence is issued subject to the Scrap Metal Trade Decree 2011 and any Regulations made there-under and is also subject to the following special conditions—

.....  
.....

Dated this 24th day of May 2011.

S. MATAIKABARA  
Permanent Secretary for  
Industry & Trade Licensing Authority

SCHEDULE 2  
(Regulations 2(2) & 4)

FEES  
(Sections 7(2) and 11)

No.	Subject	\$(VIP)
1	Application for scrap metal dealer's licence	500.00
2	Appeal to the Minister	1,000.00

[LEGAL NOTICE NO. 48]

TRADE STANDARDS AND QUALITY CONTROL DECREE 1992  
(DECREE NO. 24 OF 1992)

**Trade Standards and Quality Control (Prescribed  
On-Spot Contravention Notice) Regulations 2011**

IN exercise of the powers conferred upon me by section 60 of the Trade Standards and Quality Control Decree 1992, I hereby make the following Regulations—

*Short title and commencement*

1. These Regulations may be cited as the Trade Standards and Quality Control (Prescribed On-Spot Contravention Notice) Regulations 2011 and come into force upon gazettal.

*Prescribed notice*

2. For the purpose of section 17(1A) of the Trade Standards and Quality Control Decree 1992, the prescribed notice is in the Schedule.

SIGNED in Suva this 24th day of May 2011.

A. SAYED-KHAIYUM  
Attorney General and  
Minister for Justice, Anti-Corruption, Public Enterprises,  
Communications, Civil Aviation, Tourism, Industry and Trade

SCHEDULE  
(Section 17(1A))



ON-SPOT CONTRAVENTION NOTICE

To: \_\_\_\_\_ f/n: \_\_\_\_\_ of \_\_\_\_\_

The name and address of the (Director) store/supermarket: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART A**

**1. YOU ARE HEREBY CHARGED:** as follows:

Statement of the Offence: Take notice that on \_\_\_\_\_, the \_\_\_\_\_  
day of \_\_\_\_\_ 20\_\_\_\_\_ at \_\_\_\_\_ you were found committing  
an offence contrary to Section \_\_\_\_\_ of the National Trade and Quality Control  
Decree 1992 ( "Decree")when you

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**2.** Determined fine you are required to pay: \_\_\_\_\_.

**3. TAKE NOTICE** that, if not later than 21 days from the date hereof, you fill in this form and make payment as above determined to the Office of Trade Standards and Quality Control based at Suva, Lautoka or Labasa, all liabilities in respect of the offence will be discharged and no further actions will be taken.

**4. HOWEVER,** if that spot fine is not so paid, the Office of the National Trade Standards and Quality Control will prosecute the above-named to answer the charges set out above.

**NOTICE:** In case of default in payment within the time specified in the notice, the court may, if the person is found guilty by the court, impose a penalty which is more than the fixed penalty for the offence or if you are unable to pay the fixed penalty may apply section 37 (1) and (2) of the Sentencing and Penalties Decree 2009 (Decree No. 42 of 2009).

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

signed: \_\_\_\_\_

Inspector: \_\_\_\_\_

Name: \_\_\_\_\_

PERSON IN CHARGE/WITNESS

(See back of form if you wish to plead guilty)

**PART B**

1. I ..... on behalf of .....(company name/business name [delete one]) trading as ..... whose registered office is at ..... hereby plead guilty to an offence of .....on ..... (date) at ..... being the company named above.

2. Signed: .....

3. I ATTACH CHEQUE NUMBER .....

MONEY ORDER .....

CASH .....

RECEIVED BY (Name).....Date: .....

Title: .....

Signature: .....

**AFFIDAVIT OF SERVICE**  
**(To be completed in all cases)**

I, \_\_\_\_\_ being an Inspector appointed under Trade Standards and Quality Control Decree 1992 whose signature appears at the bottom of this form, make oath and say that, on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ I did-serve upon the accused person specified therein a true copy of the On-Spot Contravention Notice herein.

Sworn by the above named Inspector of the Trade Standards at this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Before \_\_\_\_\_  
Justice of the Peace or Commissioner for Oaths

\_\_\_\_\_  
Inspector