

SECTION 64—CUSTOMS (PROHIBITED IMPORTS AND EXPORTS) REGULATIONS ⁵

Legal Notice No. 109 of 1986
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REGULATION

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Short title

1. These Regulations may be cited as the Customs (Prohibited Imports and Exports) Regulations, 1986.

These Regulations to be in addition to other lawful requirements

2.—(1) The provisions of these Regulations are, unless the context otherwise requires, in addition to, and not in substitution for, the provisions of any written law relating to the importation of goods into and the exportation of goods from the Fiji Islands.

(2) The grant of any licence under these Regulations to import goods into the Fiji Islands or export goods from the Fiji Islands and the exemption of goods from the application of these Regulations, shall not absolve any person from the obligation to comply with the provisions of any other written law relating to the importation or exportation of those goods.

Goods the importation of which is absolutely prohibited

3. - (1) The importation into the Fiji Islands of the goods specified in Schedule 1 is prohibited absolutely.

(Inserted by Legal Notice No.5 of 2010 r.3(i))

(2) If any substance to which this Regulations applies is unlawfully imported, in very small quantity, the same be peremptorily seized, and destroyed in any way the Comptroller may direct without any further proceedings.

(Inserted by Legal Notice No.5 of 2010 r.3(iii))

Goods which may be imported only on conditions, etc.

4. The importation into the Fiji Islands of the goods specified in the second column of Schedule 2 is prohibited unless the conditions, restrictions or requirements specified in the third column of that schedule for that item are complied with.

⁵ These Regulations were made through Legal Notice No. 109 of 1986 and subsequently amended by Legal Notice No 116 of 1986, 64 of 1992, 138 of 1992, 143 of 1992, 136 of 1997, 38 of 2005, 76 of 2005, 84 of 2007, 104 of 2008, 119 of 2008, 16 of 2009 and 05 of 2010.

Importation of goods for which a licence from the Minister is required

5.—(1) The importation into the Fiji Islands of the goods specified in Schedule 3 is prohibited unless—

- (a) they are imported pursuant to a valid and subsisting licence to import the goods, issued by the Minister pursuant to these Regulations; and
- (b) any conditions and restrictions to which the licence is subject are complied with.

(2) The Minister may grant a licence in respect of the goods specified in Schedule 3 subject to specific conditions, restrictions or requirements, which must be, as specified, complied with either before or after the importation of the goods in respect of which the licence is granted.

(2A) *This sub-regulation was inserted by Legal Notice No. 38 of 2005 r. 2, but revoked by Legal Notice No. 76 of 2005 r. 2(a)*

(3) After the grant of any licence under these Regulations, the Minister may at any time, and without assigning any reason, by notice in writing served on the licensee—

- (a) if the licence was granted subject to any conditions, restrictions or requirements, vary or add to any or all of such conditions, restrictions or requirements; or
- (b) where the licence was granted without being subject to any conditions, restrictions or requirements, direct that the licence shall in future be subject to specified conditions, restrictions or requirements,

and the conditions, restrictions or requirements as so altered or directed shall thereafter be conditions, restrictions and requirements to which the licence is subject.

(4) The Minister may at any time, without notice and without assigning any reason therefore, revoke any licence issued under these Regulations.

Importation of goods for which a licence from the Permanent Secretary is required

6. The importation into the Fiji Islands of the goods specified in Schedule 4 is prohibited except under and in accordance with the terms and conditions of a licence granted by the Permanent Secretary for Economic Development, Planning and Tourism.

Goods prohibited from importation under other laws

7. The importation into the Fiji Islands of the goods specified in the third column of Schedule 5 is prohibited under the provisions of the written law specified in the second column of that schedule for that item.

Exemptions

8. Notwithstanding the provisions of regulations 5 and 6 a licence shall not be required for the importation from any country of any of the goods or articles specified in Schedule 3 or 4 which are—

- (a) goods or articles which are entered out through the Customs Department for repair or as samples, when the same articles are re-imported;
- (b) goods or articles which are entered out through the Customs Department by residents of the Fiji Islands for their own personal use while they are absent from the Fiji Islands, when the same articles are re-imported;
- (c) goods or articles for the personal use of the addressee or importer to a value not exceeding \$200 in any one parcel or consignment and which are not for sale or otherwise to be used commercially;

(Amended by Legal Notices No. 138 of 1992 r.3(1), 143 of 1992 r. 3(1))

Provided that the Comptroller may, at his or her absolute discretion, determine that more than one parcel or consignment addressed to the same addressee may be treated as a single parcel or consignment for the purpose of this paragraph;

- (d) goods and personal and household effects as defined in Codes 218, 219 and 220 of Part 3 of Schedule 2 to the Customs Tariff Act, 1986.

(Amended by Legal Notices No. 138 of 1992 r. 3(2), 143 of 1992 r.3(2))

Prohibited imports consigned to places outside the Fiji Islands

9. Prohibited goods on board an aircraft or ship calling at any port in the Fiji Islands, but intended for and consigned to some port of place outside the Fiji Islands, shall be deemed not to be unlawfully imported into the Fiji Islands if the goods are specified on the aircraft or ship manifest and are not transhipped or landed in the Fiji Islands or are transhipped or landed by authority. Such goods when imported or landed for transshipment shall be duly re-exported within such time as the Comptroller may direct, and if such goods are not so re-exported, then as from the last date on which they should have been so re-exported, they shall be deemed to be prohibited or restricted goods, as the case may be, and to have been imported on that date.

Goods absolutely prohibited for export

10. - (1) The exportation from the Fiji Islands of the goods specified in Schedule 6 is prohibited absolutely.

(Inserted by Legal Notice No.5 of 2010 r.10(i))

(2) If any substance to which this Regulation applies is unlawfully exported, in very small quantity, the same shall be peremptorily seized, and destroyed in any way the Comptroller may direct without any further proceedings.

(Inserted by Legal Notice No.5 of 2010 r.10(ii))

Goods which may be exported only on conditions, etc.

11. The exportation from the Fiji Islands of the goods specified in the second column of Schedule 7 is prohibited unless the conditions, restrictions or requirements specified in the third column of that schedule for that item are complied with.

Goods for exportation for which licences are required

12. The exportation from the Fiji Islands of the goods specified in Schedule 8 is prohibited except under and in accordance with the terms and conditions of a licence granted by the Permanent Secretary for Economic Development, Planning and Tourism.

Goods prohibited from export under other laws

13. The exportation from the Fiji Islands of the goods specified in the third column of Schedule 9 is prohibited except under and in accordance with the provisions of the written law relating to the exportation of those goods specified in the second column of that schedule for that item.

Licences etc., not transferable

14. No licence or permit issued under any of the provisions of these Regulations shall be transferable.

Penalty

15. A person who contravenes any provision of these Regulations or who contravenes any of the conditions for the time being specified in a licence issued pursuant to these Regulations or specified in the schedules to these Regulations shall be guilty of an offence and shall be liable to a fine not exceeding \$10,000.00; and any goods forming the subject matter of any such contravention shall be liable to forfeiture.

(Amended by Legal Notices No. 64 of 1992 r. 2, 136 of 1997 r. 3 and 05 of 2010 r.15)

Revocation

16.—(1) The Customs (Prohibited Imports) Order is hereby revoked.

(2) The Customs (Prohibited Exports) Order is hereby revoked.

SCHEDULE 1⁶

Goods the important of which is prohibited absolutely.

⁶ Some items of this Schedule were revoked, substituted and amended by Legal Notices No. 51 of 1990, 100 of 1990, 138 of 1992, 143 of 1992, 6 of 1994, 136 of 1997, 76 of 2005

<i>Item No.</i>	<i>Description of Goods</i>
1.	All goods having thereon or on the cover thereof any words, marks or designs of a seditious nature, or of a nature calculated in the opinion of the Minister to disturb the peace and order of the Fiji Islands.
2.	Deleted. <i>(Legal Notice No. 136 of 1997 r. 4)</i>
3.	Counterfeit coin, imitation or counterfeit bank notes.
4.	Dangerous Drugs including— Raw Opium. Any seed of the opium poppy (<i>Papaver somniferum</i>) or any portion of the plant except any product containing seed or part of the plant (<i>Papaver somniferum</i>) that is no longer capable of germination, as certified under the Plant Quarantine Act that the product has been sterilised and no longer capable of germination, including an exemption certificate issued under the illicit Drugs Control Act 2004. <i>(Inserted by Legal Notice No. 84 of 2007, r. 2(a))</i> Indian Hemp (<i>Cannabis Sativa</i> or <i>Cannabis Indica</i>). Any resin obtained from Indian Hemp and preparation of which such resins form the base. Any seed of Indian Hemp or any portion of the plant. Coca Leaf. Any seed of Coca Leaf or any portion of the plant. Prepared Opium. Opium pipes or other utensils for use in connection with the smoking of Opium or any utensil for use in connection with the preparation of Opium for consumption. Lysergide (N.N. Diethyl-lysergamide); Mescaline (3, 4, 5—trimethylosy—phenethylamine); Peyotl (Namely, any part of the plant of the species ' <i>laphophora williamsi</i> or <i>laphophora lewinii</i> '); 5. Revoked by Legal Notice No. 76 of 2005 r. 2(b)) 6. Goods that, whether of their own nature of having regard to any literary or other work or matter that is embodied, recorded or reproduced in, or can be reproduced from, the goods— <i>(a)</i> are blasphemous, indecent, or obscene; or <i>(b)</i> unduly emphasize matters of sex, horror, violence or crime, or are likely to encourage depravity, and advertising matter relating to such goods. 7. Machines for playing games of chance, being games which require no action by any player other than the actuation or manipulation of the machine. 8. Manufactured fire-works containing potassium chlorate or other chlorates in admixture with sulphur or any sulphides, phosphorus or aluminium powder with or without the addition of any other substances. 9. Matches made with a substance usually known as yellow or white phosphorus. 10. The drug Thalidomide and any preparation containing that drug. 11. Chemical warfare gas and devices and apparatus designed for use with that gas. 12. The following:— <i>(a)</i> all tubers, bulbs, corms, rhizomes, peanuts and other oil seeds not including any product composed of or made therefrom, intended for human consumption, which has been subjected to a manufacturing process other than or in addition to rolling, flaking,

- pearling or milling;
- (b) all cereal grains, pulses and legumes and products composed or made therefrom including stock feed, not including—
- (i) polished rice and pulses intended for human consumption;
 - (ii) products composed of or made from cereal grains, pulses and legumes intended for human consumption which have been subject to any manufacturing process other than or in addition to rolling, flaking, pearling or milling, from all countries except Australia, Canada, Japan, Mexico, New Zealand, Taiwan, the United States of America and all Pacific Territories other than the French Pacific Territories and Vanuatu; Provided that flour and sharps manufactured in mills and by a process approved by the Permanent Secretary for Primary Industries may be imported from France;
- (c) in the last preceding sub-paragraph the word "pulses" means "dried leguminous vegetables, shelled, whether or not skinned or split".
13. The drug Phenacetin or of any drug combination or any other substances whatsoever containing phenacetin.
 14. Weights or measures, or weighing or measuring instruments, graduated in Imperial or in both Imperial and Metric units, and used for the purpose of trade.
 15. *This Item was inserted by Legal Notice No. 51 of 1990 r. 2 and revoked by Legal Notice No. 6 of 1994 r. 3). The Item has accordingly been deleted)*
 16. The drug Novalgin containing the active ingredient Dipyron or of any drug combination or any other substance whatsoever containing Dipyron.
(Inserted by Legal Notice No. 51 of 1990 r. 2)
 17. *This Item was inserted by Legal Notice No. 100 of 1990 r. 3 and revoked by Legal Notices No. 138 and 134 of 1992rs. 3 & 4 respectively. The Item has accordingly been deleted)*

Note:- When the Schedule is renumbered at the end of the exercise, it will have 13 items unless otherwise expanded.

Schedule 2⁷

Goods the importation of which is prohibited unless specified conditions, restrictions or requirements are complied with.

<i>Item No.</i>	<i>Description of Goods</i>	<i>Conditions, Restrictions or Requirements</i>
1.	Fireworks (other than those described in Schedule 1).	The importer shall produce to the Comptroller a licence to import issued by the Principal Inspector of Mines. The goods shall be imported through the Port of Suva and shall be subject to a physical examination and to the issue of a removal licence by the Principal Inspector of Mines.
2.	Margarine or marjarine or any other mixture of edible fats, oils and water prepared in the form of a solid or semi-solid emulsion, including every substance made in the imitation of butter or ghee, (clarified butter) and every other	The goods shall comply with the provisions of the Pure Food Act and all regulations made thereunder.

⁷ Some items of this Schedule were revoked, substituted and amended by Legal Notices No. 114 of 1988, 49 of 1989, 16 of 1995, 23 of 1995, 13 of 1996, 136 of 1997.

preparation resembling butter or ghee, the fat content of which is not derived from milk.

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| 3. | Unsweetened condensed milk, sweetened condensed milk, dried milk, reconstituted milk, unsweetened condensed skim or separated milk, dried separated milk, and milk substitute or any other product which contains skim milk and also contains (whether or not in addition to other substances) any fat other than butter fat. | The goods shall comply with all the provisions of the Pure Food Act and all legislation made thereunder. |
| 4. | Methylated spirits | The importer shall produce to the Comptroller a licence to import issued under the Methylated Spirits Act. |
| 5. | Radio communication equipment constructed or adapted for emission. | The importer shall produce to the Comptroller a licence to import issued by the telecommunications authority. |
| 6. | Radioactive substance other than luminous dials of watches, clocks and other instruments. | The importer shall produce to the Comptroller the written permission of the Permanent Secretary for Health and shall fulfil such conditions as may be laid down. |
| 7. | Spirits—brandy, whisky and rum. | <p>The importer shall prove to the satisfaction of the Comptroller that the spirits have matured by storage in wood for a period not less than three years in respect of brandy and whisky and not less than two years in respect of rum; Provided that the Comptroller may</p> <p>(a) permit either that the spirit may be exported within a specified time or that it may be stored in bond until such time as he or she is satisfied that the spirits have so matured for three years in respect of whisky and brandy, and two years in respect of rum; and</p> <p>(b) accept as proof that the spirit is not less than three years old in respect of whisky and brandy and two years old in respect of</p> |

- rum, a certificate to that effect issued by a Collector of Customs at the port of shipment or a certificate to that effect issued by a public authority having knowledge of the fact.
8. Whale's teeth (commonly known as —Tabua]) Imported by the Ministry of Fijian Affairs and Rural Development or in accordance with the conditions of a licence issued by that Ministry produced to the Comptroller.
9. Revoked by Legal Notices No. 16 and 23 of 1995
Legal Notices No. 16 and 23 of 1995 revoked this item and renumbered Items 10 to 13 as numbers 9, 10, 11, and 12 respectively.
9. Mechanical harvesters classified in items Nos. 8433.51.00, 8433.52.00, 8433.53.00, 8433.59.00 of Schedule 2 to the Customs Tariff Act.
(Renumbered by Legal Notices 16 and 23 of 1995) The importer shall produce to the Comptroller a licence to import issued by the Permanent Secretary for Trade, Business Development and Investments.
10. Branches and leaves of all trees originating in Queensland, Papua New Guinea or the Solomon Islands
(Renumbered by Legal Notices 16 and 23 of 1995) The importer shall produce to the Comptroller a certificate from the appropriate Agricultural authority stating that such branches and leaves are free from pests and disease and do not belong to the family Meliaceae or the Group Coniferae.
11. Any apparatus or device designed, constructed or adapted solely or principally for the purpose of receiving radio or television transmission, other than domestic broadcast transmission
(Renumbered by Legal Notices 16 and 23 of 1995) The importer shall produce to the Comptroller a licence to import issued by the telecommunications authority.
12. Salt classified in item No. 2501.00.00 of Schedule 2 to the Customs Tariff Act.
(Inserted by Legal Notice No.13 of 1996 .r. 3and Renumbered by Legal Notices 16 and 23 of 1995)) The importer shall produce to the Comptroller a permit to import issued by the Permanent Secretary for Health.

Schedule 3⁸

Goods the importation of which is prohibited except pursuant to a licence and in accordance with the conditions specified in that licence issued by the Minister of Finance.

1. Gold classified in items 7108.11.00, 7108.12.00, 7108.13.00, 7108.20.00 and 7109.00.00, sweepings, residues, lemls and other waste and scraps of gold classified in item 7112.20.00 and gold coin classified in Items 7118.90.11, 7118.90.21 and 7118.90.90 of the Schedule 2 to the Customs Tariff Act.
2. Galvanised or zinalume pre-coated metal coil sheet classified items 7210.20.10, 7210.20.90, 7210.30.10, 7210.30.90, 7210.41.10, 7210.41.90, 7210.49.10, 7210.49.90, 7210.50.10, 7210.50.90, 7210.61.10, 7210.61.90, 7210.69.10 and 7210.69.90 of Schedule 2 to the Customs Tariff Act.
3. Cyclonic screw fasteners, washers and seals for roof and wall cladding classified in Items 7317.00.90, 7318.15.00, 7318.19.00, 7318.22.00 and 7318.29.00 of Schedule 2 to the Customs Tariff Act.
4. Photocopying apparatus incorporating an optical system or of the contact type and thermo-copying apparatus designed to produce full colour (also known as multi-colour) copies of documents or any other material classified in Tariff Item 9009.21.90, 9009.22.90 and 9009.30.00 in Schedule 2 to the Customs Tariff Act.
5. Used and reconditioned: road tractors; motor vehicles for the transport of persons; motor can and other motor vehicles, principally designed for the transport of persons including station wagons and racing care: motor vehicles for the transport of goods; special purpose motor vehicles; dual-purpose motor vehicles; chassis Sited with engines; trailers and semi-trailers with or without self -loading/self-unloading devices; motor vehicle chassis; which are less than **eight** years of their date of manufacture and which are falling to be classified in tariff items:

8701.20.90;	8701.30.90;	8701 .90.90;	8702.10.21;	8702.10.22;
8702.10.29;	8702.90.91;	8702.9092;	8702.90.99;	8703.21.10;
8703.2 1.30;	8703.21.50;	8703.21.90;	8703.22. 10;	8703.22.30;
8703.22.50:	8703.22.90;	8703.23.10;	8703.23.30;	8703.23 50;
8703.23.90;	8703.24.10;	8703.24.30;	8703.24.50;	8703.24.90;
8703.31.10;	8703.31.30;	8703.31.50;	8703.31.90;	8703.32.10;
8703.32.30;	8703.3250;	8703.32.90;	8703 33.11;	8703.33.13;
8703.33. 15;	8703.33.19;	8703.3321;	8703.33.23	8703.33.25;
8703.33.29	8704.10.90;	8704.21.12;	8704.21.19:	8704.21.32;
8704.21.34;	8704.21.36;	8704.21.38;	8704.21.41;	8704.21.43;
8704.21.45;	8704,21.49;	8704.21,52;	8704.2154;	8704.21.56;
8704.21.58;	8704.21.61;	8704.21.63;	8704.21.63;	8704.21.69;
8704.21.72;	8704.21.79;	8704.21.99:	8704.22 .13;	8704.22.19;
8704.22.30;	8704.22.99;	8704.23.20:	8704.23.40;	8704.23.99;

⁸ This Schedule was revoked, substituted and amended by Legal Notices No. 116 of 1986, 114 of 1988, 70 of 1991, 96 of 1991, 138 of 1992, 143 of 1992, 6 of 1994, 136 of 1997, 4 of 1999, 134 of 1999, 38 of 2005, 76 of 2005, 104 of 2008, 07 of 2009

8704.31.12;	8704.31.19;	8704.31.32;	8704.31.34,	8704.31.36;
8704.31.38;	8704.31.41;	8704.31.43;	8704.31.45;	8704.31.49;
8704.31.52;	5704.31.54;	8704.31.56;	8704.31.58;	8704.31.61;
8704.31.63;	8704.3 1.65;	8704.31.69,	8704.31.72;	8704.31.79;
8704.31.99;	8704.32.12;	8704,32.19;	8704.32.30;	8704.32.50;
8704.32.90;	8704.90.90;	8705.10.90;	8705.20.90;	8705.30.90;
8705.40.90;	8705.90.20;	8705.99.99;	8706.00.20;	8706.00.99;
<i>Deleted by</i>	<i>Legal Notice</i>	<i>No. 07 of</i>	<i>2009</i>	

of Schedule 2 to the Customs Tariff Act.

(This item was inserted by Legal Notice No 4 of 1999 and revoked by Legal Notice No. 134 of 1999 and then re-inserted by Legal Notice No. 38 of 2005 and revoked by legal notice no. 76 of 2005—the item has been deleted. Legal Notice No. 119 of 2008 was inserted into the vacant item.)⁹

Schedule 4¹⁰

Goods the importation of which is prohibited except in accordance with the terms of a licence granted by the Permanent Secretary responsible for Trade or any other person authorised by the Permanent Secretary to act on his or her behalf.

1. Butter classified in Tariff item 0405.00.40 in schedule 2 to the Customs Tariff Act.
2. Lubricants, transformer and circuit-breaker oils, cleansing oils, liquids for hydraulic brakes and other oils classified in Tariff item 2710.19.10 and 2710.19.20 and hydraulic brake fluids and other prepared liquids for hydraulic transmissions classified in Tariff item 3819.00.00 in Schedule 2 to Customs Tariff Act.
3. Gas-oil (diesel) having sulphur content exceeding 500ppm classified in Tariff item 2710.11.32 in Schedule 2 of the Customs Tariff Act 1986.

(Entire Schedule amended by Legal Notice No. 16 of 2009. Note insertion of item 2 from Legal Notice was re-numbered 3.)

Schedule 5¹¹

Goods the importation of which is prohibited under other laws relating to the importation of goods into the Fiji Islands. (NOTE: This Schedule is set out for information only and its contents must not be taken to vary or exclude any written law either referred to therein or omitted therefrom. Any misdescription or error or any omission must not be taken as either abrogating or prejudicing the contents of any such other written law).

<i>Item</i>	<i>Act</i>	<i>Description of Goods and Conditions, Restrictions or Requirements</i>
1.	Animals Importation Act	Any animal, animal products, animal manure, packing-material, fittings or fodder; <ol style="list-style-type: none"> (a) Without the written permission of the Assistant Director of Agriculture (Animal Health and Production) or of a person authorised by him or her in that behalf; or (b) in contravention of any regulations made under the

⁹ This Item was revoked by Legal Notice No. 76 of 2005; hence Legal Notice No. 104 of 2008 can not amend it as there was nothing to amend. Therefore the Item has to be restored through another Legal Notice before Legal Notice No. 104 of 2008 could apply. Legal Notice 119 of 2008 was inserted into vacant r. 5 of Schedule 3.

¹⁰ This Schedule was revoked, substituted and amended by Legal Notices No. 116 of 1986, 55 of 1987, 114 of 1988, 49 of 1989, 64 of 1989, 50 of 1990, 100 of 1990, 37 of 1991, 67 of 1991, 138 of 1992, 143 of 1992, 97 of 1993, 36 of 1994, 16 of 1995, 23 of 1995, 23 of 2000, 19 of 2001.

¹¹ This Schedule was amended by Legal Notice No. 136 of 1997

provisions of the Animals Importation Act.

2. Arms and Ammunition
Act

Arms or ammunition or parts of arms or ammunition unless the importer holds a licence in that behalf issued by the Commissioner of Police. Except the following:—

- (1)(a) any antique or obsolete arm imported or exported, carried and kept with the permission in writing of the Commissioner of Police and in accordance with such conditions as he or she may specify therein, as a curiosity or ornament;
Provided that such arm on account of the lack of ammunition or otherwise shall be incapable of being discharged;
 - (b) ammunition from which all explosive has been removed, imported or exported, carried, kept or used solely as ornaments or decorations;
 - (c) arrows which when discharged are dangerous to persons, imported or exported, carried, kept or used solely for sport or recreation; and
 - (d) for the purpose of avoiding doubt, all bows, imported or exported, carried, kept or used solely for sport or recreation.
- (2)(a) humane killers, captive bolt pistols or any arm specially designed for the humane killing or stunning of animals and blank cartridges therefore, imported or exported, carried, kept or used solely for the killing or for the killing or stunning of animals;
 - (b) very pistols and line throwing projectors and ammunition therefore, being part of the equipment of any ship or aircraft and retain thereon;
 - (c) very pistols and line throwing projectors and ammunition therefore, imported or exported, carried, kept or used solely for warning or life saving purposes in connection with ships or aircraft;
 - (d) blank cartridges, imported or exported, carried, kept or used solely for starting track or sporting events or for purposes connected therewith.
- (3)(a) arms and ammunition carried by members of the State Forces or of foreign Armed Forces lawfully in the Fiji Islands in their capacity as such;
 - (b) arms and ammunition which are part of the ordinary armament of a vessel;
 - (c) arms and ammunition belonging to any member of the crew of a foreign going vessel:
Provided that—
 - (i) such arms and ammunition are retained in safe custody on board such vessel under customs seal;
or
 - (ii) where in the opinion of an officer of customs no proper facilities for safe custody exist, such arms and ammunition are handed to a police officer for safe keeping;
 - (d) arms and ammunition the property of the State,

- (e) consigned to or by a unit of member of the State's Forces arms and ammunition the property of the state, consigned to or by the Fiji Police Force or a member thereof,
- (f) arms and ammunition the property of the State, consigned to or by the Fiji Prisons Service or a member thereof; Provided that when any arm is imported into the Fiji Islands without an import licence or interim licence having been obtained authorising the importation thereof, such importation shall not be deemed to contravene the provisions of the Arms and Ammunition Act when such arm on importation is left in the possession of the State Customs.
3. Copyright (Customs Regulations) (Page 6389 Vol. 10) Copyright in any published literary, dramatic or musical work in respect of which notice under the Regulations has been given.
4. Dangerous Drugs Act Dangerous Drugs to which Part 4 of the Dangerous Drugs Act applies. Except in accordance with the provisions of the Dangerous Drugs Act.
5. Excise Act 1986 (Act 13 of 1986) Any still: Except in accordance with the terms and conditions of licence issued by the Comptroller of Customs. *(Substituted by Legal Notice No. 136 of 1997 r.7)*
6. Exchange Control Act Currency notes and certificate of title to any security. Except in accordance with the terms of the Exchange Control Regulations as advised by the Reserve Bank of Fiji.
7. Explosive Act Explosives within the meaning of the Explosives Act. Except under and in accordance with a licence issued by a Licensing Officer appointed under the Act.
8. Merchandise Marks Act Goods to which any forged trademark or false trade description is applied or to which any trade-mark or mark so nearly resembling a trade-mark as to be calculated to deceive is falsely applied. Subject to the Merchandise Marks (Detention of Goods) Regulations.
9. Plant Quarantine Act All plants and plant material, bacteria, virus, soil, sand, clay, earth, plant pests or other invertebrate animals. Except in accordance with the terms of the Plant Quarantine Act, 1982 and regulations made thereunder.
10. Quarantine Act Rags, second-hand clothing or second-hand bedding. Unless such rags, second-hand clothing or second-hand bedding:
(a) have been properly disinfected under official supervision at the expense of the importer; or

(b) are accompanied by a certificate from a Health Authority in the country of origin stating that such rags, second hand clothing or second-hand bedding have been properly disinfected immediately prior to being exported from such country of origin.

11. Pharmacy and Poisons Act Drugs, medicines, poisons, instruments and appliances. Except in accordance with the Pharmacy and Poisons Act.

12. Ozone Depleting Substance Act-Controlled Substances
(Inserted by Legal Notice No. 113 of 2002 r. 3)

Part 1—Chlorofluorocarbons

Group I—any of the following chlorofluorocarbons whether virgin, recycled or in a mixture—

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>
CFC1 ₃	CFC-11	1.0
CF ₂ C1 ₂	CFC-12	1.0
C ₂ F ₃ C1 ₃	CFC-113	0.8
C ₂ F ₄ C1 ₂	CFC-114	1.0
C ₂ F ₅ C1	CFC-115	0.6
CF ₃ C1	CFC-13	1.0
C ₂ FC1 ₅	CFC-111	1.0
C ₂ F ₂ C1 ₄	CFC-112	1.0
C ₃ FC1 ₇	CFC-211	1.0
C ₃ F ₂ C1 ₆	CFC-212	1.0
C ₃ F ₃ C1 ₅	CFC-213	1.0
C ₃ F ₄ C1 ₄	CFC-214	1.0
C ₃ F ₅ C1 ₃	CFC-215	1.0
C ₃ F ₆ C1 ₂	CFC-216	1.0
C ₃ F ₇ C1	CFC-217	1.0

Group 2—any Bromofluorocarbon or "Halon", including

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>
CF ₂ BrCl	halon-1211	3.0
CF ₃ Br	halon-1301	10.0
C ₂ F ₄ Br ₂	halon-2402	6.0

Group 3—Carbon tetrachloride

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>
CCl ₄	carbon tetrachloride	1.1

Group 4—Methylchloroform

<i>Chemical Formula</i>	<i>Substance</i>	<i>Ozone Depleting Potential</i>
C ₂ H ₃ Cl ₃	1,1,1-trichloroethane	0.1

This formula does not refer to 1,1,2-trichloroethane

Part 2—Hydrochlorofluorocarbons

Group 1—any of the following hydrochlorofluorocarbons whether virgin, recycled or in a mixture-

<i>Substance</i>	<i>Chemical Formula</i>	<i>Common Name</i>	<i>Ozone Depleting Potential</i>
Dichlorofluoromethane	CHFC1	HCFC-21	0.04
Monochlorodifluoromethane	CHFC ²	HCFC-22	0.055
Monochlorodifluoromethane	CHF ² C ¹	HCFC-31	0.02
Tetrachlorofluoroethane	C ² H ² FC ¹	HCFC-121	0.01-0.04
Trichlorodofluoroethane	C ² HFC ¹ ⁴	HCFC-122	0.02-0.08
Dichlorotrifluoroethane	C ² HF ² C ¹ ³	HCFC-123	0.02-0.06
Monochlorotetrafluoroethane	C ² H ² F ³ FC ¹	HCFC-124	0.02-0.04
Trichlorofluoroethane	C ² H ² FC ¹ ³	HCFC-131	0.007-0.05
Dichlorodifluoroethane	C ² H ² F ² C ¹ ²	HCFC-132	0.008-0.05
Monochlorotrifluoroethane	CHFC ¹	HCFC-133	0.02-0.06
Dichlorofluoroethane	C ² H ² F ³ C ¹	HCFC-141	0.005-0.07
Monochlorodifluoroethane	C ² H ³ FC ²	HCFC-142	0.008-0.07
Chlorofluoroethane	C ² H ³ 4F ² C ¹	HCFC-151	0.003-0.005
Hexachlorofluoropropane	C ³ HFC ¹ ⁶	HCFC-221	0.015-0.07
Pentachlorodifluoropropane	C ³ HF ² Cl ⁵	HCFC-222	0.01-0.09
Tetrachlorotrifluoropropane	C ³ HF ³ C ¹ ⁴	HCFC-223	0.01-0.08
Trichlorotetrafluoropropane	CHFC ¹	HCFC-224	0.01-0.09
Dichloropentafluoropropane	C ³ HF ⁴ C ¹ ³	HCFC-225	0.02-0.07
Monochlorohexafluoropropane	C ³ HF ⁵ C ²	HCFC-226	0.02-0.10
Pentachlorofluoropropane	C ³ HF ⁶ C ¹	HCFC-231	0.05-0.09
Tetrachlorodifluoropropane	C ³ H ² FC ¹ ⁵	HCFC-232	0.008-0.10
Trichlorotrifluoropropane	C ³ H ² F ² C ¹ ⁴	HCFC-233	0.007-0.23
Dichlorotetrafluoropropane	C ³ H ² F ³ C ¹ ³	HCFC-234	0.01-0.28
Monochloropentafluoropropane	C ³ H ² F ⁴ C ²	HCFC-235	0.03-0.52
Tetrachlorofluoropropane	C ³ H ² F ⁵ C ¹	HCFC-241	0.004-0.09
Trichlorodifluoropropane	C ³ H ³ FC ¹ ⁴	HCFC-242	0.005-0.13
Dichlorotrifluoropropane	C ³ H ³ F ² C ¹ ³	HCFC-243	0.007-0.12
Monochlorotetrafluoropropane	C ³ H ³ F ³ C ¹ ²	HCFC-244	0.009-0.14
Trichlorofluoropropane	C ³ H ³ F ⁴ Cl	HCFC-251	0.001-0.01
Dichlorodifluoropropane	C ³ H ⁴ FC ¹ ³	HCFC-252	0.005-0.04
Monochlorotrifluoropropane	C ³ H ⁴ F ² C ¹ ²	HCFC-253	0.003-0.03
Dichlorofluoropropane	C ³ H ⁴ F ³ C ¹	HCFC-261	0.002-0.02
Monochlorodifluoropropane	C ³ H ⁵ FC ²	HCFC-262	0.002-0.02
Monochlorofluoropropane	C ³ 3H ⁵ 6F ² C ¹	HCFC-271	0.001-0.03

Group 2

Methyl Bromide CH₃ Br MBr 0.7

Part 3—Fire Extinguishers, etc

- (a) import halons or halon fire extinguishers
- (b) import any motor vehicle that incorporates automotive air-conditioners which contain any controlled substance listed in Part 1;
- (c) import any automotive air-conditioner which contain any controlled substance listed in Part 1; and
- (d) import any air-conditioner, air conditioner unit, refrigerator or refrigeration unit including any compressor, that contains or uses any controlled substance listed in Part 1.

SCHEDULE 6¹²

Goods the exportation of which is prohibited absolutely.

1. Deleted.

(Legal Notice No. 136 of 1997 r. 8)

2. Dangerous Drugs.

Any seed of the opium poppy (*Papaver somniferum*) or any portion of the plant except any product containing seed or part of the plant (*Papaver somniferum*) that is no longer capable of germination, as certified under the Plant Quarantine Act that the product has been sterilised and no longer capable of germination, including an exemption certificate issued under the illicit Drugs Control Act 2004.

(Inserted by Legal Notice No. 84 of 2007, r. 2(b))

3. Raw Opium.

4. Any seed of the opium poppy or any portion of the plant.

5. Indian Hemp (Cannabis Sativa or Cannabis Indica).

6. Any resin obtained from Indian Hemp and preparations of which such resins form the base.

7. Any seed of Indian Hemp or any portion of the plant.

8. Coca leaf.

9. Any seed of Coca leaf or any portion of the plant.

10. Prepared Opium.

11. Opium pipes or other utensils for use in connection with the smoking of opium or any utensil for use in connection with the preparation of opium for consumption.

Schedule 7¹³

Goods the exportation of which is prohibited unless specified conditions, restrictions or requirements are complied with.

<i>Item No.</i>	<i>Description of goods</i>	<i>Conditions, Restrictions or Requirements</i>
1.	All birds (other than domestic fowls, ducks, turkeys, geese and pigeons) alive or dead and the plumage or any part of the plumage of such birds,	The exporter shall produce to the Comptroller the written permission of the Permanent Secretary for Primary Industries.
2.	All live cattle	The exporter shall produce to the Comptroller a licence to export issued by the Permanent Secretary for Primary Industries.
3.	All reptiles with the exception of the marine turtle;	The exporter shall produce to the Comptroller a licence to export issued by the Permanent Secretary for Primary Industries.
4.	All amphibians, with the exception of the toad (<i>Bufo Marinus</i>);	
5.	All bats;	
6.	The Fiji Gos Hawk (<i>Accipiter Rufi-torgues</i>).	

¹² This Schedule was amended by Legal Notice No. 136 of 1997

¹³ Some items of this Schedule were revoked, substituted and amended, by Legal Notices No.116 of 1986, 114 of 1988, 49 of 1989, 136 of 1997

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| 7. | Whale's teeth (commonly known as —Tabua), breast plates of pearl and ivory (—civa vono-vono) and ivory necklaces (—Wasekaseka). | The exporter shall produce to the Comptroller the written permission of the Permanent Secretary for Fijian Affairs. |
| 8. | Unprocessed turtle shell. | The exporter shall produce to the Comptroller the licence by the Permanent Secretary for Primary Industries. |
| 9. | the Fiji Islands manufactured sugar in any consignment exceeding 5 kg. | Except in accordance with the conditions specified in a licence issued by the Comptroller of Customs. |
| 10. | Copra | Except under a permit granted by the Coconut Board. |
| 11. | Wheat bran classified in item 2302.30.00 of the Schedule 2 to the Customs Tariff Act. | The exporter shall produce to the Comptroller the licence by the Permanent Secretary for Trade Business Development and Investment
<i>(Substituted by Legal Notice No. 114 of 1988 r. 6(a))</i> |
| 12. | Oil cake and meal of copra classified in item 2306.50.00 of the Schedule 2 to the Customs Tariff Act. | The exporter shall produce to the Comptroller the licence issued by the Permanent Secretary for Trade, Business Development and Investment
<i>(Substituted by Legal Notice No.114 of 1988r. 6(a))</i> |
| 13. | The following articles—
(a) all Fijian weapons made for war, as distinct from those made for the souvenir trade, and including clubs, throwing clubs, spears, bows and arrows and slings;
(b) forks of bone, ivory or wood made for the eating of human flesh, as distinct from modern replicas thereof made for the souvenir trade;
(c) all artefacts made from whale tooth including breast-plates, pendants, necklaces, food hangers and human and animal figures;
(d) all stone adzes and pounders;
(e) all wooden or stone carvings of human or animal figures, as distinct from modern replicas thereof made for the souvenir trade. | The exporter shall produce to the Comptroller the licence by the Permanent Secretary for Housing and Urban Affairs. |
| 14. | Wood and wood products classified in Items—
4401.10.00, 4401.21.00, 4401.22.00 4401.30.00, 4403.10.00, 4403.20.11, 4403.20.12, 4403.20.19, 4403.41.00, 4403.49.00, 4403.99.11, 4403.99.12, 4403.99.13, 4403.99.19, 4403.99.90, 4404.10.00, 4404.20.00, 4407.10.11, 4407.10.19, 4407.10.21, 4407.10.29, 4407.24.00, 4407.25.00, 4407.26.00, 4407.29.00, 4407.91.00, 4407.92.00, 4407.99.11, 4407.99.12, 4407.99.19, 4407.99.21, 4407.99.22, 4407.99.29, 4407.99.90, 4408.10.10, | The exporter shall produce to the Comptroller a licence to export issued by Conservator of Forests. |

4408.19.90, 4408.31.10, 4408.31.90, 4408.39.10, 4408.39.90,
 4408.90.10, 4408.90.90, 4409.10.10, 4409.10.20, 4409.10.91,
 4409.10.99, 4409.20.10, 4409.20.20, 4409.20.91, 4409.20.92,
 4409.20.99, 4410.11.00, 4410.19.00, 4410.90.00, 4411.11.00,
 4411.19.00, 41J1.21.00, 4411.29.00, 4411.31.00, 4411.39.00,
 4411.91.00, 4411.99.00, 4412.13.00, 4412.14.00, 4412.19.00,
 4412.22.10, 4412.22.20, 4412.22.90, 4412.23.10, 4412.23.20,
 4412.23.90, 4412.29.10, 4412.29.20, 4412.29.90, 4412.92.10,
 4412.92.20, 4412.92.90, 4412.93.10, 4412.93.20, 4412.93.90,
 4412.99.10, 4411.99.20, 4412.99.90 and 4413.00.00 of the
 Schedule 2 to (he or she Customs Tariff Act.
(Substituted by Legal Notice No. 136 of 1997 r.10)

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| <p>15. Coffee in any form classified in items
 0901.10.10 , 0901.10.90, 0901.20.10,
 0901.20.90, 0901.30.10, 0901.30.90
 0901.40.10, 0901.40.90, 2101.10.10,
 2101.10.90, 2101.30.10, and 2101.30.90
 of Schedule 2 to the Customs Tariff Act.
 <i>(Substituted by Legal Notice No. 114 of 1988 r.6(b))</i></p> | <p>The exporter shall produce to the
 Comptroller a valid certificate issued by the
 Permanent Secretary for Trade, Business and
 Investments in accordance with the rules of
 International Coffee Organisation</p> |
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Schedule 8¹⁴

Goods the exportation of which is prohibited except and in accordance with the terms and conditions of a licence granted by the Permanent Secretary Trade, Business Development and Investments

1. Revoked by Legal Notice No. 97 of 1993 r.4
2. Revoked by Legal Notice No. 97 of 1993 r.4
3. Unprocessed trochus shells classified in Tariff Item No. 0508.00.20 in Schedule 2 to the Customs and Tariff Act.
(Inserted by Legal Notice No. 116 of 1986 r. 5, Substituted by Legal Notices No. 97 of 1993 r.4, 36 of 1994 r. 4)

Note: When this Schedule is renumbered at the end of the exercise, it will have one item only unless other wise expanded)

Schedule 9¹⁵

Goods the exportation of which is prohibited under other laws relating to the exportation of goods from the Fiji Islands. *(Note: This Schedule is set out for information only and its contents must not be taken to vary or exclude any written law either referred to therein or omitted therefrom. Any misdescription or error or any omission must not be taken as either abrogating or prejudicing the contents of any such other written law).*

<i>Item No.</i>	<i>Act</i>	<i>Description of Goods and Conditions, Restrictions or Requirements</i>
1.	Arms and Ammunition Act	Arms and ammunition unless the exporter holds a licence in that behalf issued by the Commissioner of Police. Except the following:— 1(a) any antique or obsolete arm imported or exported, carried and kept with the permission

¹⁴ This Schedule was amended by Legal Notice No. 116 of 1986 and revoked and substituted by Legal Notices No. 97 of 1993, 36 of 1994 ¹⁵ This Schedule was amended by Legal Notices No. 50 of 1990, 7 of 1999

- in writing of the Commissioner of Police and in accordance with such conditions as he or she may specify therein, as a curiosity or ornament: Provided that such arm on account of the lack of ammunition or otherwise shall be incapable of being discharged;
- (b) ammunition from which all explosive has been removed, imported or exported, carried, kept or used solely as ornaments or decorations;
 - (c) arrows which when discharged are dangerous to persons, imported or exported, carried, kept or used solely as ornaments or decorations; and
 - (d) for the purpose of avoiding doubt, all bows, imported or exported, carried, kept or used solely for sport or recreation.
- 2(a) humane killers, captive bolt pistols or any arm specially designed for the humane killing or stunning of animals and blank cartridges therefor, imported or exported, carried, kept or used solely for the killing or stunning of animals;
- (b) very pistols and line throwing projectors and ammunition therefor being part of the equipment of any ship or aircraft and retained thereon;
 - (c) very pistols and line throwing projectors and ammunition therefor, imported and exported, carried, kept or used solely for warning or life-saving purposes in connection with ships or aircraft;
 - (d) blank cartridges, imported or exported, carried, kept or used solely for starting track or sporting events or for purposes connected therewith.
- 3(a) arms and ammunition carried by members of State's Armed Forces or of foreign Armed Forces lawfully in the Fiji Islands in their capacity as such;
- (b) arms and ammunition which are part of the ordinary armament of a vessel;
 - (c) arms and ammunition belonging to any member of the crew of a foreign-going vessel;
- Provided that—
- (i) such arms and ammunition are retained in safe custody on board such vessel under customs seal; or
 - (ii) where in the opinion of an officer of Customs no proper facilities for safe custody exist, such arms and ammunition are handed to a police officer for safe keeping.

- (d) arms and ammunition the property of the State Armed Forces;
- (e) arms and ammunition the property of the the Fiji Islands Police Force or a member thereof;
- (f) arms and ammunition the property of the State consigned to or by the the Fiji Islands Prison Service or a member thereof.
2. Dangerous Drugs Act Dangerous Drugs within the meaning of the Dangerous Drugs Act. Unless the consignee is in possession of a valid and subsisting export authorisation relating to such drug issued under the Dangerous Drugs Act.
3. Exchange Control Act
- (i) Gold-coin or bullion;
- (ii) Notes, including parts of notes, which are or have at any time been legal tender in the Fiji Islands or in any other country.
- Except with the written permission of the Reserve Bank of Fiji, permission is not required for travellers to places outside the Fiji Islands to take on their person or in their baggage:—
- (a) notes which are or have at any time been legal tender in the Fiji Islands not exceeding \$100 in value per person.
(Amended by Legal Notice No. 7 of 1999 r.2(a))
- (b) foreign currency notes up to a total value not exceeding \$500 per person;
- (iii) All consignments of goods with an FOB value in excess of \$5,000 except in accordance with the provisions of the Exchange Control Act.
(Amended by Legal Notice No. 7 of 1999 r.2(b))
4. Explosives Act Explosives—
Except in accordance with a licence issued by a Licensing Officer appointed under the Act.
5. Fisheries Act Live fish of any kind whatsoever; Turtle flesh, Turtle shell the length of which is less than 45.72 centimetres;
Any shell—
- (a) of the species *Trochus Niloticus* (Sici) (Trocas shell) measuring less than 8.89 centimeters across the whorl;
- (b) of the species *Pinctada Margaratiferam* (Civa) (pearl oyster shell) of which the nacre of mother-of-pearl measures less than 10.16 centimeters from the butt or hinge to the opposite edge or lip; Beche-de-mer

(Holothurians) of the species *Holothuria Scabra* (*Metriatyla Scabra*) (*Dai ro*) (Sand fish) or of any other species, of a length, less than 7.6 cm; Meat of giant clam (*Tridacnid Clam*) (*Vasua*) of the Species *Tridacna Derasa* (*Vasua Dina*), *Tridacna Squamosa* (*Cega*) and *Tridacna Maxima* (*Katavatu*).

(Substituted by Legal Notice No. 50 of 1990 r. 4)

6. Mining Act

Minerals—

Except in accordance with a Mineral Export Permit issued by the Director of Mines duly endorsed with a certificate to that effect that—

- (a) all royalties payable thereon have been paid; or
- (b) all royalties payable thereon have been secured to the satisfaction of the director; or
- (c) no royalties are payable thereon.

7. Preservation of Objects of Archaeological and Palaeontological Interest Act

Monuments or objects of archaeological or palaeontological interest. Except in accordance with a permit issued by the Board of Trustees established under the provisions of the Fiji Museum Act

Controlled by Ministry of Finance