

LAWS OF FIJI

CHAPTER 263

FIJI MUSEUM

*Ordinances Nos. 22 of 1929,
37 of 1966, 9 of 1969,
Act No. 13 of 1977*

**AN ACT TO MAKE PROVISION FOR THE MANAGEMENT OF THE FIJI
MUSEUM AND FOR OTHER PURPOSES CONNECTED THEREWITH,**

[18th November, 1929.]

Short title

1. This Act may be cited as the Fiji Museum Act.

Constitution of Museum

2. There is hereby constituted the Fiji Museum (in this Act referred to as "the Museum").

Establishment of Board of Trustees

3.—(1) For the purpose of managing the Museum and for the purposes of this Act there shall be established a Board of Trustees (in this Act referred to as the "Board") which shall be a body corporate by the name of "the Trustees of the Fiji Museum" with perpetual succession and a common seal and power to acquire and hold land. (Amended by 37 of 1966, s. 86.)

(2) The Board shall be constituted and its proceedings shall be determined in accordance with the provisions contained in the Schedule.

(3) The Board shall have an official seal which shall be officially and judicially noticed and that seal shall be authenticated by the signature of some member of the Board.

(4) Every document purporting to be an instrument issued by the Board and to be sealed with the seal of the Board authenticated in the manner provided by this Act shall be received in evidence and be deemed to be such an instrument without further proof unless the contrary is shown.

Members of board not liable personally

4. No matter or thing done and no contract entered into by the Board, and no matter or

thing done by any member, officer or servant of such Board, shall, if the matter or thing were done or the contract were entered into bona fide for the purpose of executing this Act, subject them or any of them personally to any action, liability, claim or demand whatsoever, and any expense incurred by any such Board, member, officer or servant shall be borne and repaid out of the funds at the disposal of the Board.

Powers and duties of Board

5. The Board shall have the general management and control of the Museum and for that purpose may—

(a) make such rules as it thinks necessary for securing the due administration of the Museum and preserving the objects collected therein, including rules requiring payment to be made for admission to the Museum;

(b) with the consent of the Minister, acquire land for the purposes of the Museum and sell and vested in it which is not required for that purpose;

(c) exchange, sell or otherwise dispose of any duplicate objects belonging to the Museum which the Board considers unfit to be preserved or not to be required for the purposes thereof;

(d) subject to the consent of the Minister, apply any money received by it on the exchange, sale or disposal of any objects, or on the sale of any land, or by way of payment for admission to the Museum, or by way of gift or grant or otherwise, in the purchase of any object which, in the opinion of the Board, it is desirable to acquire for the Museum, or otherwise in defraying any of the expenses of the Board;

(e) on such terms and subject to such conditions as the Board thinks fit, lend any objects belonging to the Museum to any gallery, museum or exhibition approved for the purposes of this provision by the Minister;

(f) subject to the consent of the Minister, appoint officers on such terms and subject to such conditions as the Board thinks fit;

(g) subject to the consent of the Minister, borrow moneys secured by mortgage or charge upon the assets of the Board for the purpose of building or otherwise exercising and carrying out its duties and obligations under the provisions of this Act; (*Inserted by 9 of 1969, s. 2.*)

(h) subject to the provisions of this Act, do such other things as appear to it necessary or expedient for furthering the interests and increasing the utility of the Museum.

Vesting in Board of objects given to, acquired for or transferred to Museum

6. All objects given, bequeathed or otherwise acquired for the purposes of the Museum at any time before the date on which the Board is first constituted and not disposed of before that date shall, by virtue of this Act, vest in the Board; and all objects which are at any subsequent time expressly given or bequeathed to the public or to the nation or to the Board for the purposes of the Museum, or given or bequeathed by words showing an intention that the gifts should ensure to or for the benefit of the Museum, or which are acquired by purchase or otherwise for the purposes of the Museum, shall vest in the Board and be held by the Board for the purposes of the Museum.

Expenses

7. Any expenses incurred by the Board in carrying this Act into effect including any salaries or wages paid to any officer or servant of the Board, shall be defrayed out of moneys provided by Parliament or otherwise received by the Board.

Accounts and reports

8.—(1) The Board shall keep proper accounts in respect of its operations and shall cause to be prepared a statement of account in respect of each financial year.

(2) The accounts of the Board shall be audited annually by an auditor appointed by the Minister.

(3) As soon as practicable after the end of each financial year, the Board shall transmit to the Minister—

(a) a copy of the statement of accounts;

(b) a copy of any report made by the auditor.

(4) The Minister shall cause a copy of the statement of accounts and any report made by the auditor to be laid before Parliament. (Section substituted by 13 of 1977, s. 15.)

SCHEDULE

(Section 3)

1 The Board shall consist of five members, of whom—

(a) three shall be Government officials appointed by the Minister;

(b) one shall be non-official appointed by the Minister;

(c) one shall be appointed by the Suva City Council.

2. Members of the Board shall hold office for such time as may be specified in their respective appointments.
3. If any vacancy occurs by death, resignation, effluxion of time, or otherwise in the office of any appointed member of the Board, the vacancy shall be filled by appointment by the person by whom that member was appointed, and any person appointed to fill a casual vacancy shall hold office so long as the member in whose place he is appointed would have held office.
4. Any person ceasing to be an appointed member of the Board shall be eligible for re-appointment.
5. The powers of the Board may be exercised notwithstanding any vacancy in their number.
6. The Board may appoint a member of the Board to be chairman of the Board who shall preside at meetings of the Board.
7. The Board may, with the consent of the Minister, make rules—
 - (a) for regulating the proceedings (including quorum) of the Board; and
 - (b) for enabling the Board to constitute committees and to include as members of committees persons who are not members of the Board; and
 - (c) for authorising the delegation to committees of all or any of the powers of the Board (other than the power to buy or sell land) and for regulating the proceedings (including quorum) of committees.

Controlled by Ministry of Education
