

ITAUKEI AFFAIRS ACT



ITAUKEI AFFAIRS (PROVINCIAL COUNCIL) REGULATIONS

VILLAGE BY LAWS



A Prosperous Vanua for A Better Fiji

**ITAUKEI AFFAIRS ACT
(CHAPTER 120)**

SECTION 6 – İTAUKEI AFFAIRS (PROVINCIAL COUNCIL) REGULATIONS

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VILLAGE BY-LAWS REGULATIONS

PART I – PRELIMINARY

Short Title

1. This By-Law may be cited as the iTaukei Village (General) By-Law, 2016 and shall come into force on a date appointed by the Minister by notice in the *Fiji Republic Gazette* and *Na Mata*.

Limitation

2. This By-Law will apply within the demarcated boundary of all iTaukei villages.

Interpretation

3. In this By-Law, unless the context otherwise requires-

"Act" – means the iTaukei Affairs Act [Cap 120]

"alcohol substance" – is inclusive of alcoholic beverages.

"dress inappropriately" – refers to attire that is revealing and disrespectful of traditional protocols and norms.

"Community work" – any form of traditional, farm, social, or health engagement.

"Council"- this shall refer to the Village Council.

"elderly"- shall refer to a person of a distinguished age including but not limited to married/ single or divorced.

"Intoxication" – has the same definition as that in section 29 of the Crimes Decree 2009

"Offence" – is an act, attempt, or omission punishable by law.

"drunk and disorderly" – effect of use of alcohol substance or illicit drugs that causes a person to become a nuisance and or disturbing to the members of the community.

“illicit drugs” – unlawful drugs listed in Schedule 1 of the Illicit Drugs Control Act 2004.

“law” – includes any Act of Parliament, Decree, Regulation, or By-Law.

“Mataqali land” – land registered by the iTaukei Land and Fisheries Commission as owned by the Mataqali Land Owning unit

“Nuisance” – this is inclusive of yelling across the village, making loud noises which is annoying to anyone or others in the village.

“Turaganikoro” – the Village Headman appointed under Regulation 30 of the iTaukei Affairs (Tikina and Village Council) Regulation 1996.

“Tokatoka land” – land registered by the iTaukei Land and Fisheries Commission as owned by the Tokatoka Land Owning unit

“ Tui” - This is the individual holding the chiefly position within a village.

“Village” – any settlement established on iTaukei land according to custom or law or any settlement declared to be a village under a by-law duly approved by the Board, or in which other manner as may be prescribed by the Board, and published in the Fiji Republic Government Gazette.

“Village assets” – assets which are owned by the village.

“Village name” – a registered village name used by the iTaukei Land and Fisheries Commission.

“Villager” – any person who has settled in the village and has been engaging in its obligations.

Purpose of the Village By-Law

4. In accordance with Section 6 of the iTaukei Act Cap 120; this By-Law is enacted to:
- (i) ensure that traditional leadership is upheld, respected and protected;
 - (ii) maintain law and order, harmonious and peaceful living in the village;
 - (iii) ensure that hygiene, sanitation and environmental standards are maintained; and
 - (iv) to preserve, safeguard and strengthen leadership, culture, tradition and the vanua and to encourage community responsibility.

PART II –SCOPE OF THE BY-LAW

Jurisdiction

5. (i) The By-Law aligned to the principles of the Laws as stipulated:
 - (a) iTaukei Affairs Act [Cap.120];
 - (b) Crimes Decree 2009;
 - (c) Criminal Procedure Decree, 2009;
 - (d) Domestic Violence Decree 2009; and
 - (e) Child Welfare Decree 2010.
- (ii) A breach of the above Laws is also a breach of the Village By-Law.

Relationship between the Village By-Law and State Laws

6. The Village By-Law is:-
 - (i) subservient to State Laws; and
 - (ii) villagers are bound by existing Laws and the Village By-Law in terms of the wellbeing, health and peaceful living within iTaukei communities.

General Prohibitions

7. All villagers are bound by existing State Laws and the Village By-Law in terms of the wellbeing, hygienic and peaceful living.

PART III – APPLICATION OF THE BY-LAW

Application

8. This By-Law is applicable to all persons within the demarcated boundary of an iTaukei Village; including those within the Volanikawabula.

Ignorance of the Law

9. Violation due to ignorance of the existence of such laws shall not be considered as a defense.

Amendments to the Village By-Law

10. The Council shall make recommendations to the Provincial Council via the iTaukei Administration process; to be endorsed by the iTaukei Affairs Board.

PART IV – THE VANUA

The Bose Vanua

11. (1) This Bylaws acknowledges that a Bose Vanua exists at each level of the iTaukei traditional structure, that of village, District (Tikina) and Provincial (Yasana) level. This Bylaw shall uphold and respect the Role of the Bose Vanua and shall accord it the responsibility to:-
- i. be the neutral forum to resolve issues on religion, development and the vanua;
 - ii. address disputes and issues related to the land, 'qoliqoli', culture and traditions;
 - iii. encourage and safeguard cultural, traditional and spiritual upbringing;
 - iv. oversee projects initiated by Yavusa/ mataqali/ Youth and women to ensure that there is harmony within the community; and
 - v. provide for a resilient community to climate change, natural disasters and food security.
- (2) In a village, the Turaga ni Yavusa shall chair the Bose Vanua and the Turaga ni Mataqali are members of the Forum.

Role of the Liuliu ni Yavusa

12. The Liuliu ni Yavusa as head of the Bose Vanua and Village Council shall ensure that:-
- (a) Meetings are frequently convened;
 - (b) Traditional customs are protected, and spiritual development is encouraged;
 - (c) remain neutral, and resolve disputes amongst the Mataqalis where his/her help is needed;
 - (d) Encourage education and other social initiatives focused on the development of the iTaukei;
 - (e) Ensure that the safety, and the concerns of the community are appropriately addressed; and
 - (f) Represent the Yavusa to the Tikina Bose Vanua.

Vacant Traditional Chiefly Positions

13. This Bylaws acknowledges the important role that chiefs play within iTaukei communities, and therefore encourages that vacant positions be occupied swiftly.

Observance of Traditional Cultural ceremonies (eg 100 nights and etc)

14. This Bylaws shall not impose observance of cultural ceremonies, however this decision shall be left to individuals according to their capability.

Traditional Obligations

15. Every iTaukei in accordance to their traditional status is obligated to fulfil their cultural obligation.

PART V - TURAGANIKORO

Role of the Turaganikoro

16. The functions of the Turaganikoro shall be –
- a. to organize meetings of the Council in accordance with its rules and procedures;
 - b. to maintain appropriate records of the proceedings at the meetings of the Council;
 - c. to coordinate the implementation of the resolutions of the Council;
 - d. to prepare an Annual Report on the activities of the village to be submitted to the Tikina Council not later the 15th day of January in each year for the year ending on the preceding 31st day of December, and ,
 - e. to keep proper attendance records for the Council meeting;
 - f. to keep custody and proper record of the village equipment and assets and the `Yau ni koro' entrusted by the Council.

Turaganikoro as Government Representative

17. In addition to the roles defined under Regulation 28 of the iTaukei Affairs (Tikina and Village Council) Regulation 1996, the Turaganikoro shall be the representative of Government to:

- i. Collate all relevant data required by the Board [i.e Turaganikoro Report and Village Profile]
- ii. give sound advice on development issues during Village Council meeting;
- iii. assist leadership in the conduct of the Village Council and its sub-committees and that the Turaga ni Yavusa is well informed of any recommendations emanating from the forums;
- iv. facilitate any government officials/ individuals that are officiated by the Roko Tui;
- v. Oversee and monitor entry into the village and anchoring of ships within their *qoliqoli* ; and
- vi. ensure that all who live in the village participate in any social services defined under regulation 25(4) of the iTaukei Affairs (Provincial Council) Regulation 1996.

PART VI – THE VILLAGE COUNCIL

Establishment of the Village Council

18. There shall be in every Village, a Council called the Village Council to assist the chief or traditional head of the village in the proper administration of the village.

Function of the Village Council

19. The functions of the Council shall be:-
 - a. To develop and improve the economic base of the iTaukei;
 - b. To develop a Disaster Plan, Evacuation Plan, Emergency Plan and each of these Plans must be reviewed every year;
 - c. To developed Annual Community Development Plans,
 - d. To implement policies to improve; health, housing and sanitation needs;
 - e. To implement policies to foster education, formal and informal, for the benefit of the village;
 - f. To safeguard and improve spiritual development based on sound moral principles and teachings and unity of the village community;
 - g. To formulate rules to ensure that respect and due regard is observed in the village; in matters affecting traditional authority, discipline and protocol;
 - h. To ensure that all subordinate legislation and resolutions made by the Board; the Provincial Council and the Tikina Council affecting the people in the village are explained clearly to communities and implemented for the good governance of the village.

Village Council Membership

20. Persons entitled to attend and participate in the proceedings at a meeting of the Council shall be iTaukei who are members of a landowning unit in that village, including school leavers and those iTaukei who reside in or within the domain of the village notwithstanding their place of origin.

Village Council Meeting

21. Each Council shall determine its own proceedings and shall meet at least once in every three months.

Attendance of Village Council

22. It shall be necessary for all persons referred to in s20 to attend Council meetings;-
- (a) A member, who is unable to attend a Council meeting, shall obtain leave through the Turaganikoro, stating full reason for their absence; and
 - (b) It shall be an offence not to attend a Council meeting without leave.

Penalty for not attending Village Council Meeting

23. Anyone absent from the Village Council without advising the Turaga-ni-Koro shall be penalized according to the Bylaws.

PART VII – ESTABLISHING SUB-COMMITTEES

Accountability of Committees

24. The Village Council shall establish various committees with the purpose of ensuring that the welfare and good governance of the iTaukei Community remains paramount. These committees are to:-
- i. report on their activities and where applicable submit proposals to the village council for endorsement; and

- ii. Initiatives/ activities by the Committees shall be aligned to Community Development Plans; and
- iii. submit annual financial reports to the Council.

Health Committee

25. The Health committee shall be responsible for:-
- i. maintaining a clean environment within the village;
 - ii. ensuring that sufficient proper drainage and sanitation procedures required by the Provincial Council are complied with;
 - iii. making recommendations on initiatives that will promote healthy lifestyles to the Village Council; and
 - iv. inform the Council of any violations of the Public Health.

Law and Order committee

26. The Law and Order Committee shall ensure that:
- (i) law and order is upheld at all times;
 - (ii) village protocol(s) are respected and followed by visitors to the village; and that
 - (iii) decisions of the Village Council are conveyed to affected villagers.

Child Protection Committee

27. The Child Protection Committee shall:-

- (i) ensure that all children of school age attend school;
- (ii) denounce the exploitation, neglect or harm of children by any persons;
- (iii) encourage that children are supervised by responsible adults at all times;
- (iv) ensure that potentially dangerous places such as isolated areas, drains, roads are out of bounds to young children without adult supervision;
- (v) encourage child protection in village ;
- (vi) ensure that where there is suspicion of harm or neglect, a police officer be advised as soon as possible.

Culture Committee

28. It shall be the responsibility of the Cultural Committee to:-

- (i) ensure that traditions and cultural expressions are safeguarded;
- (ii) promote the protection of endangered cultural origins unique to the village;

- (iii) encourage and enhance the transfer of traditional and cultural knowledge and skills to the younger generation; and
- (iv) promote and safeguard the use of local dialects.

Education Committee

9. The Education Committee shall be established to:-

- i. ensure that all children from the minimum age of six attend school; and
- ii. encourage and create an environment that is conducive to education.

Women's Committee

30. A Women's Committee shall be established to oversee issues regarding women and their interests within the community.

Religious Committee

31. A Committee shall be established, with representatives from the various religious denominations within the village to:-
- i. ensure that members of their denomination comply to the decisions of the Village Council and Bose Vanua; and that
 - ii. traditional and cultural obligations are respected and adhered to.

Committee for the Elderly/ Widowed, Physically & Mentally Disabled Persons

32. The Committee shall be responsible for ensuring that these individual(s) are:-
- i. recognized for their social, economic and cultural contribution to the community;
 - ii. protected and assure their safety and health; and
 - iii. provide a supportive and enabling environment;
 - iv. and consider the needs of these individuals when constructing community building especially for disaster and evacuation purposes.

Youth Committee

33. A Youth Committee shall be established to be charged with:-
- i. overseeing all issues related to youths; and
 - ii. provide a conducive environment where youth issues can be discussed;
 - iii. to implement decisions of the Council, including facilitating a climate change resilient and food secure community.

Yaubula Management Support Committee

34. A Yaubula Management Support Committee shall be established and they shall include and not be limited to fish and forest wardens to protect and ensure the sustainable development of iTaukei resources through a reef to ridge concept, through:-
- i. Facilitate and provide awareness, advice and general support to the community on natural resource issues;
 - ii. Organize and lead Yaubula Management Planning workshops to develop Yaubula Management Plans;
 - iii. Make recommendations to Provincial Council and Natural Resources Owners Council to protect natural resources;
 - iv. Members will;
 - v. Effectively implement monitoring mechanisms to safeguard natural resources.

Finance / Development Committee

35. Committee shall be established to:-
- i. coordinate and facilitate fundraising and development initiatives;
 - ii. facilitate the development of Community Development Plans;
 - iii. where applicable; establish and manage a Village Cooperative; and
 - iv. provide quarterly financial reports to the Council.

Community Responsibility and Community Work

36. The Village Council shall enforce Regulation 25 (3) and sub-paragraph (4) (ii) and (iii) of the iTaukei Affairs (Provincial Council) Regulation 1996.

PART VIII – LAWS GOVERNING THE VIOLATION OF THE BYLAW

Guilty of Accessory in Breaking the Village By-Law

37. (a) It shall be the responsibility of each member of the village to report any act that breaches provision of any section within the By-Law to the Turaganikoro.
- (b) Failure to act in paragraph (a) of Section 37 shall be guilty of accessory to breaking the By-Law.

PART IX — LAWS TO PROTECT & MAINTAIN RESPECT FOR THE VANUA

VANUA Frustration

38. Any person(s) who is frustrated for any reason at all, shall not use such an excuse as defense for breaking the By-Laws.

Intoxication

39. Any person(s) under the influence of alcohol or under intoxication shall not use such reason as defense against breaking the By-Law.

Prohibition of alcohol consumption

40. On consumption of alcohol:-
- (a) Consumption of alcohol shall be prohibited within village boundaries, unless the Turaga ni Vanua consents to it; and
 - (b) It shall be prohibited to brew alcohol within a village.

Prohibition of smoking illicit drugs or sniffing alcohol based substance

41. It shall be prohibited to plant or smoke or trade illicit substance or drugs, or sniffing of alcohol based substances in villages.

Larceny Offence

42. It is an offence to steal. This includes:
- (i) Breaking and entering another person's house;
 - (ii) Removing any object(s) from another person's house without the person's permission or knowledge;
 - (iii) Removing farm produce belonging to another person;
 - (iv) Not returning any borrowed item of a villager;
 - (v) Not returning any borrowed property or asset of the Village.

Trespassing

It is unlawful to enter the village:-

- i. without formal authorization from the Provincial Council for any other purpose than visitation;
- ii. without the knowledge of the Turaganikoro; and
- iii. to enter the house of a villager without seeking permission.

Sheltering of Prisoners

44. It is unlawful to use the village, as a means of sheltering escaped prisoners or person(s). Every villager is required to report any escaped prisoner or an accused person to the Turaganikoro.

Dress code

45. Every village resident and visitor(s) shall abide by a dress code while in the village, as a way to accord respect, bestow honor on traditional leadership and authority, harmonize social relationships, and uphold religious belief and faith. The following is prohibited;
- a) wearing a cap or covering the head with a piece of cloth; and
 - b) to dress inappropriately in accordance with traditional protocols within the village.

Nuisance

46. It is unlawful for any person unless the Tui ni Vanua to allow, cause, or permit to cause a nuisance in the village compound by doing any of the following;
- a) shouting and yelling; and
 - b) making loud noises from any sound making or amplifying device by operating any radio, television, phonograph, musical instrument, or other sound producing devices; in such a manner as to interfere with the peace and quiet of any person; and included but not limited to
 - c) causing danger or annoyance.

Registration/ Deregistration in Volanikawabula

47. It shall be the responsibility of all villagers to ensure that:-
- a.) all persons are registered within their relevant VKB; and
 - b.) in the event that a relative has passed, that a deletion is made to their VKB.

Establishing a Church

48. To establish a church, within the village:-
- i. A request shall be submitted to the Turaganikoro; to be discussed in the Bose Vanua;
 - ii. Principles and teachings of the faith must be aligned to the iTaukei ; and
 - iii. Uphold the criminal decree.

PART X- LAWS FOR THE PROTECTION OF VULNERABLE INDIVIDUALS

Child Protection

49. Where a villager becomes aware or reasonably suspects that a child has been or is being, or is likely to be harmed; and as far as he is aware, no other villager has notified the Turaganikoro about the harm or likely harm, the villager must:-
- i. inform the Turaganikoro of the harm or likely harm; and
 - ii. report to the local authorities.

Assault

50. Under the Domestic Violence Decree 2009, it is unlawful to: cause physical injury; sexually abuse, damage the property of another, threaten, intimidate or harass; persistently behave in an abusive, cruel, inhumane, degrading, provocative or offensive manner; causing the victim fear.
- (1) Where a villager becomes aware or reasonably suspects an individual(s) are assaulted, the villager must inform the Turaganikoro, who will inform the responsible authorities of the crime committed.

PART XI – LAWS GOVERNING CONSTRUCTION

Authority to Build in the Village

51. All buildings constructed in a village compound must have the approval of the Village Council and appropriate authority. The design and construction must take into account:-
- i. Temperature variations;
 - ii. Earth pressure;
 - iii. Wind variations;
 - iv. earth quake; and
 - v. resonance efforts.

Distance between Houses

52. When constructing a residence, the following shall be adhered to:-
- (i) it shall be constructed at a maximum distance not less than 5.5 meters from any other residence.
 - (ii) it shall not be constructed on a site which is unhealthy by reason of dampness until such the site is rendered healthy with a good drainage system to the satisfaction of the advisor for public health or an authorized person.
 - (i) A house constructed in the village compound need to have provisions for bedrooms, kitchen, a shower and a toilet.

Sewage Disposal and Drainage

53. When considering the method of sewage treatment, the ultimate size and or density of the proposed building constructed must be considered. For general guidance the following modes of development and the minimum grade of sewage treatment will be considered:-
- i. For a single family resident – an approved water-seal latrine; and
 - ii. Approved individual septic tank and effluent disposal, for more than twenty (20) houses.

Construction on Flood Prone Areas

54. No building shall have the floor of any habitual room lower than the height, relative to Mean Sea Level; as specified in the following schedule:-
- i. Ba – 5.0 meters
 - ii. Labasa - 2.5 meters
 - iii. Sigatoka - 2.5 meters
 - iv. Nadi - 6.0 meters
 - v. Lautoka - 1.5 meters
 - vi. Suva - 1.5 meters
 - vii. Savusavu - 1.5 meters
 - viii. Nausori - 7.6 meters
 - ix. Levuka - 1.5 meters
 - x. Tavua - 3.0 meters

PART XII – LAWS GOVERNING TRANSPORTATION

Boat License and Safety

55. Any boat used to ferry and charge a rate for passengers must have a registered license. These boats must have life jacket(s) and lifesaving gear and equipment such as:-
- a) Row;
 - b) Long piece of wood specially made to tow the boat out to sea;
 - c) Anchor;
 - d) Sail mast; and
 - e) Row Lock;
 - f) Bailer
 - g) Spare fuel;
 - h) Torch; and
 - i) mode of communication

Duty of the Boat Owner

6. It shall be the duty of a boat owner, to comply to the following safety measures:-
- i. check the boat, equipment, weather forecast and tides before leaving;
 - ii. never overload the boat; and
 - iii. inform the Turaganikoro before departing.

Vehicles and Maintaining respect within the Village

57. When entering the village, all automotive vehicles are required to slow down, to an appropriate speed to honour traditional protocols and to respect for the safety of the villagers.

Anchoring in iTaukei qoliqoli

58. A boat/ yacht may anchor in a bay or qoliqoli, if they have the relevant papers (including FRCA papers and a cruising license) to do so, and the Turaganikoro has the authority to demand to see the official documents.

PART XIII – LAWS GOVERNING ACCESS TO VILLAGE

Access for Development/ Research & etc

59. An individual/ agency or organization shall be seen to be trespassing unless the individual(s) are known by the Turaganikoro, after having received verification by the Provincial Council of authorizing documentation by the Ministry of iTaukei Affairs.

PART XIV- LAWS GOVERNING HEALTH AND SANITATION

Sanitation

60. Each villager shall ensure that latrines are kept in a proper state of repair and in clean and sanitary conditions, to the satisfaction of the advisor on public health or an authorized persons.

Drainage

61. Each villager shall ensure that drainage is provided for the purpose of disposing surface water and etc, for the purpose of health and cleanliness within the village.

Rubbish Disposal

The disposal of rubbish in the village shall use either of these means;

- a) Compost;
1. Dispose through compost; and
 2. Dispose for poultry or pig feed.
- b) Hard core;
1. Dispose using incinerator;
 2. Dispose using open pit; and
 3. Dispose using Town/City Councils services.
- c) It is unlawful to litter in the village compound, foreshore, water catchment, of the village and river flow that will affect by entering the ecosystem of the iqoliqoli.
- d) All village litter shall be disposed of in the means stated herein, and any violations must be addressed within the confines of the law and reported to the next Village Council Meeting.

Tobacco Ban

63. In compliance to Government legislation it is unlawful to smoke in public places. The following places are designated as public places;
- a) the community hall;
 - b) school;
 - c) a house identified to hold village meetings; and
 - d) a house where a ban is placed by the owner.

The Role of Village Residents in the Tobacco Ban

64. (i) In accordance with Section 16 of the Tobacco Control Decree 2010, it is unlawful to sell:
- a) loose cigarette sticks or cigarette roll; or
 - b) loose tobacco in a package containing less than 20grams of tobacco.
- (ii) It is unlawful for a person to conduct in or in part, the business of selling tobacco products including Suki by retail without first being registered.
- (ii) A person who sells or distributes, or authorizes the sale of tobacco products without first being registered under Section 23 of the Tobacco Control Decree 2010 commits an offence and shall be liable for the prescribed fine.

Damages caused By Stray Animals

65. (a) If a stray animal, owned by a villager is seen to cause damage to a farm, the victim has the right to terminate the life of the animal and report the case to the owner to remove the dead animal from the site of the killing.
- (b) If within 6 hours the dead animal is not removed by the owner, the victim has the right to use the carcass for meat.

Pet Holders

66. (a) Each household may own a pet. The onus is on the household to feed and ensure that the pet does not contribute to littering the village, and maintaining the community social relations.
- (b) If a village resident is attacked and hurt, to maintain social harmony the owner must eliminate the pet.

Right of the Victim

67. If a village resident is seriously wounded by a dog owned by another villager, the victim and the owner must seek reconciliation. Otherwise the case will be referred to Police for investigation.

Upkeep of Village Equipment and Asset for Improving Village Life

68. It is unlawful to:-
- i. damage infrastructure supporting the flow of services for water, electricity, telephone communication, including government development projects that improve village wellbeing;
 - ii. All assets donated to/ purchased by the village shall be listed as belonging to the village and shall be used solely for that purpose; and
 - iii. Transferred to the responsibility of the new Turaganikoro; when appointed.

Burial in the Village Compound

69. Any villager must be buried in the village cemetery.

PART XV – LAWS GOVERNING THE ENVIRONMENT

Raising Pigs in the Village

70. It is unlawful to construct a piggery within the following places:
- i. boundary of a village;
 - ii. close to a stream, river or water catchment; and
 - iii. at a distance not less than 50 meters from the village boundary.

Protection of Water Catchments

71. It is unlawful to use any form of liquid used for farming (weedicide, pesticide) near or on a hilly area that is likely to affect other water catchments.

Tying of livestock near water catchments

2. It is unlawful to tie and graze animals near village water catchments.

Unlawful Burning and Fires

73. It is unlawful to light a fire unnecessarily within the village boundary, or close to the village boundary.
- i. Any fire lit must consider safety and precautionary measures;
 - ii. Burning vast amounts of land for agricultural purposes is discouraged.

Fish and Forest Wardens

74. Fish and Forest wardens shall be appointed and endorsed by the Council; and the responsibilities aligned to the Fisheries and Forest Acts.

Natural Disaster Procedures and Evacuation Plan

75. Every village must have an evacuation procedure and an evacuation center for natural disasters.

PART XVI – LAW GOVERNING CANDIDATE FOR MARRIAGE

House and Farm before Marriage

76. Before a person marries, that person must have a house and a farm in order to support his own family.

PART XVII – LAW GOVERNING EDUCATION

Compulsory Education

In accordance with government policy:-

- (a) All school children of school age must attend school.
- (b) If possible, children must attend kindergarten before enrolling for year one.

Movement Restriction for School Children

78. Parents and guardians must ensure that children are supervised at all times.

School Compound Restriction

79. It is unlawful for anyone to enter the school compound without the formal approval of the Head of School and Management.

PART XVIII– LAW GOVERNING THE BUSINESS OPERATION IN THE VILLAGE

Establishment of a Business or Commercial Venture

80. A business or commercial venture can be established within the village if it is endorsed by the village council. For investment or commercial ventures it is advisable that the Provincial Council is aware of the initiative.

PART XIX- LAW GOVERNING SAFETY AND PROTECTION

Role of the Turaganikoro as Enforcement Officer in the Village

81. This provision gives the authority to the Turaganikoro, to administer the Village By-Law through:
- a) conducting awareness for village communities on the upkeep and administration of the Village By-Law;
 - b) recommend to the Village Council the names of selected villagers who can enforce the Village By-Law
 - c) Conduct preliminary investigation on suspicion of violations of village by-laws; and
 - d) To report a person committing a crime.

Penalty Instituted by the Village Council

82. Penalties shall be meted out against violations, according to the following:-
- i. community work either planting food gardens, cleaning the village compound etc;
 - ii. for absence from Council meeting, a fine can be levied;
 - iii. where appropriate, the individual (s) be placed in police custody;
 - iv. and etc.

Traditional Reconciliation

83. For the purpose of peaceful coexistence, traditional reconciliation shall be encouraged at all times, however this shall not distract the due process of law where necessary.

PART XX –COMPLIANCE TO THE BYLAWS

Role of the Investigation Forum

84. The Village Council shall appoint an appropriate person to lead the investigation on any person that violates the VBL and shall recommend the appropriate penalty to be imposed to the Village Council.
- i. The Village Council shall only institute a penalty after it is satisfied that the offence committed need not be referred to Police.
 - ii. The final decision of the investigation forum shall be endorsed or reviewed by Village Council with the concurrence of the Bose Vanua.

Access by Police Officer into the Village

85. The Police shall be given access to conduct its investigation within the village boundary.

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iTaukei Affairs Board