



Gazettes related to COVID-19

Background

The Fiji Women’s Rights Movement is a multiethnic and multicultural non-governmental organization focused on legislative reform to remove all forms of discrimination against women and promote women’s human rights.

In March 2020, Fiji had its first confirmed COVID-19 case. Countries around the world began adopting new methods in containing the virus and Fiji is no exception. A series of laws on restrictions and guidelines were put forward to help the country contain the virus transmission. In its ongoing efforts in keeping up-to-date with changes in legislations and policies, the FWRM has compiled a list of Gazettes related to COVID-19.

This document includes summaries of all gazettes relating to COVID-19 from 29th January 2020 till date -14th July 2021. All Legal Notices are viewable on: <https://www.laws.gov.fj/lawsasmade#>

Gazette No.	Date	Key Information
Legal Notice No.8	29 th January 2020	<p>Public Health Act 1935 (Amendment)</p> <p>Sections 2 and 68 of the Public Health Act 1935, (a) declare Novel coronavirus (2019-nCoV) to be an infectious disease; and (b) amend Schedule 1 in Class A after paragraph 9 by inserting the following new paragraph—“9A. Novel coronavirus (2019-nCoV)”,</p>
Legal Notice No.22	29 th March 2020	<p>Commencement date of the <i>Public Health (COVID-19 Response) (Amendment) Act 2020</i></p> <p>Amendments were made to the Principal Act “Public Health Act 1935” regarding fines and conviction for COVID-19 related offences.</p> <p>For Example: <i>Section 69 amended</i> 2. Section 69(5)(b) of the Principal Act is amended by deleting “to a fine not exceeding \$40” and substituting “on conviction to a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5</p>



		years or both”.
Legal Notice No.25	30 th March 2020	<p>Fiji National Provident Fund (Amendment) Regulations 2020</p> <p>Amendments were made to the Principal Regulation “Fiji National Provident Fund Regulations 2014” regarding COVID-19 guidelines for withdrawals to assist with dealing with the effects of the coronavirus disease (COVID-19) pandemic as characterised by the World Health Organization on 11 March 2020.</p>
Legal Notice No.26	30 th March 2020	<p>Public Health (Infectious Diseases) Regulations 2020</p> <p>Failure to comply 2. Any person who fails to comply with an order, prohibition, declaration or directive issued pursuant to section 69(1)(c) or (3) of the Public Health Act 1935 commits an offence</p>
Legal Notice No.27	30 th March 2020	<p>Income Tax (Employment Incentives) (Amendment) Regulations 2020</p> <p>Employees affected by COVID-19 8C.—(1) A person is allowed a deduction for 300% of the amount of salary or wages paid to an employee affected by COVID-19 and who is required by the Ministry of Health and Medical Services to be quarantined. (2) The deduction under subregulation (1) may only be claimed for the salary and wages paid between 1 April 2020 and 31 December 2020. (3) In this regulation, “COVID-19” means the coronavirus disease as named by the World Health Organization on 11 February 2020.</p>
Legal Notice No.28	30 th March 2020	<p>Income Tax (Hotel Investment Incentives) (Amendment) Regulations 2020</p> <p>Section 142(1) of the Income Tax Act 2015 “short life investment” means building of a new hotel or integrated tourism development with capital investment (including the cost of support infrastructure and overseas consultant fees but excluding the cost of land)</p> <p>“Power to grant short life investment package</p>



		13. The Minister or CEO, as applicable, may grant or refuse to grant a short life investment package to a company, which has completed a short life investment and has complied with this Part.”
Legal Notice No.29	30 th March 2020	<p>Income Tax (Other Incentives) (Amendment) Regulations 2020</p> <p>Reduction of rent 5.—(1) Subject to subregulation (2), a landlord that reduces the rent payable under a tenancy agreement is allowed a deduction for the aggregate sum of the difference between the rent payable on 26 March 2020 and the rent payable in the deduction period. (2) The tenancy agreement must have taken effect before 26 March 2020 and the landlord must prove to the satisfaction of the CEO that the tenancy agreement has been in effect for the 6 consecutive months before 26 March 2020</p> <p>COVID-19 pandemic 6.—(1) A person is allowed a deduction for 300% of the amount of a cash donation made in a tax year to a fund established by the Government to respond to the COVID-19 pandemic. (2) The fund will be used for any of the following— (a) to procure medical supplies and personal protective equipment; (b) to establish and maintain quarantine facilities; (c) to maintain food security; (d) to assist employees affected by the COVID-19 pandemic; (e) to assist industries affected by the COVID-19 pandemic; or (f) any other COVID-19 pandemic related response approved by the Minister.</p>
Legal Notice No.35	15 th April 2020	<p>Declaration of Natural Disaster (COVID-19 Pandemic)</p> <p>Cabinet has declared the Coronavirus Disease (COVID-19) Pandemic as a natural disaster for the whole of Fiji. The declaration is effective for a period of 30 days with effect from 15 April 2020. Pursuant to the powers conferred on Cabinet by section 17 of the Natural Disaster Management Act 1998 and on the advice of the Emergency Committee.</p>
Legal Notice No.17	5 th March 2021	<p>Public Health (Infectious Diseases) (Amendment) Regulations 2021</p> <p>Any person quarantined or isolated in a designated centre, hospital, camp or station, following entry into</p>



		<p>Fiji must pay the cost of accommodation to the designated centre, Hospital, camp or station.</p> <p>Exemptions</p> <p>4.—(1) Any person who is a citizen of Fiji and is ordinarily resident in Fiji is exempt from paying any fees under these Regulations on entry into Fiji if—</p> <p>(a) the person travelled outside of Fiji before 28 March 2020;</p> <p>(b) the person is a patient that was referred for medical treatment outside of Fiji by the Ministry of Health and Medical Services; or</p> <p>(c) the person is endorsed by the Ministry of Health and Medical Services to accompany the patient under paragraph (b).48</p> <p>(2) Any person who is a citizen of Fiji is exempt from paying any fees under these Regulations on entry into Fiji if—</p> <p>(a) the person is a student studying outside of Fiji on a Government scholarship or Government endorsed scholarship, returning to Fiji on the completion of the student’s studies;</p> <p>(b) the person and the student under paragraph (a) are financially dependent on each other or the person is an immediate family member of the student returning to Fiji with the student on the completion of the student’s studies;</p> <p>or (c) the person is employed under a government to government arrangement that the Fiji Government is a party to.</p>
Legal Notice No.37	19 th May 2021	<p>Land Transport (COVID-19 Response) Regulations 2021</p> <p>Extension of deadlines on registration</p> <p>2.—(1) Notwithstanding anything contained in any of the regulations listed in the Schedule, any permit, licence, certificate or registration that expires or becomes liable for renewal on or after 14 May 2021 but before 14 August 2021 does not expire or become liable for renewal until 14 August 2021.</p> <p>*Does not apply to those permit or licenses that had been cancelled by LTA</p>
Legal Notice No.38	22 nd May 2021	<p>Land Transport (COVID-19 Response) (Amendment) Regulations 2021</p> <p>Regulation 2 amended</p>



		<p>2. The Land Transport (COVID-19 Response) Regulations 2021 is amended in regulation 2(1) by—</p> <p>(a) deleting “14 May 2021” and substituting “19 April 2021”; and</p> <p>(b) deleting “14 August 2021” wherever it appears and substituting “19 August 2021”.</p>
Legal Notice No.51	8 th July 2021	<p>Public Health (Amendment) Act 2021</p> <p>Commencement Notice</p> <p>IN exercise of the powers conferred on me by section 1(2) of the Public Health (Amendment) Act 2021, I hereby appoint 12 July 2021 as the commencement date of the Public Health (Amendment) Act 2021.</p> <p>Minister for Health</p>
Legal Notice No.52	8 th July 2021	<p>Public Health (Infectious Diseases) (Infringement Notices) Regulations 2021</p> <p>Outlined Fixed Penalty Offences and Issuance of Infringement Notices</p> <p>Curfew</p> <p>4. Any person who fails to comply with an order in relation to any curfew commits a fixed penalty offence.</p> <p>Containment and lockdown zone</p> <p>5. Any person who fails to comply with an order in relation to entering or leaving a containment zone or lockdown zone commits a fixed penalty offence.</p> <p>Travel within containment zone</p> <p>6. Any person who fails to comply with an order in relation to travel within a containment zone commits a fixed penalty offence.</p> <p>Face covering</p> <p>7. Any person who fails to comply with an order in relation to the wearing of a face covering in—</p> <p>(a) a public place; or</p> <p>(b) a public service vehicle,</p>



		<p>commits a fixed penalty offence.114</p> <p>Face covering in business premises 8. Any person who fails to comply with an order in relation to the requirement that their employees and customers wear face coverings in order to enter the person’s premises, commits a fixed penalty offence.</p> <p>Contact tracing 9. Any person who fails to comply with an order in relation to the requirement that their employees and customers display the careFIJI mobile application or register their details for contact tracing, commits a fixed penalty offence.</p> <p>Gathering 10. Any person who fails to comply with an order in relation to any gathering commits a fixed penalty offence.</p> <p>Contact sports engagement 11. Any person who fails to comply with an order in relation to contact sports engagement commits a fixed penalty offence.</p> <p>Physical distancing in queue 12. Any person who fails to comply with an order in relation to being 2 metres away from any other person in a queue commits a fixed penalty offence.</p> <p>Inter-island passenger shipping travel and flights 13. Any person who fails to comply with an order in relation to inter-island passenger shipping travel and flights commits a fixed penalty offence.</p> <p>Closure of businesses 14. Any person who operates a business and fails to comply with an order in relation to the closure of the business commits a fixed penalty offence.</p>
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		<p>Closure of high-risk businesses 15. Any person who operates a high-risk business and fails to comply with an order in relation to the closure of high-risk businesses commits a fixed penalty offence.</p> <p>Nightclubs 16. Any person who fails to comply with an order in relation to the closure of nightclubs commits a fixed penalty offence.</p> <p>Customer capacity 17. Any person providing a customer-facing service who fails to comply with an order to limit its customer capacity to 50% commits a fixed penalty offence. Passenger capacity 18. Any driver of a public service vehicle who fails to comply with an order to limit the passenger capacity of the public service vehicle to 50% commits a fixed penalty offence.</p> <p>Operation of public service vehicles 19. Any owner of a public service vehicle which is in a containment zone who fails to comply with an order in relation to the operation of the public service vehicle within the containment zone, commits a fixed penalty offence.</p> <p>In-person dining 20. Any person who fails to comply with an order in relation to in-person dining commits a fixed penalty offence.</p> <p>Consumption of kava and liquor 21. Any person in a containment zone or lockdown zone who consumes kava or liquor in a workplace, municipal market or in public commits a fixed penalty offence.</p> <p>Isolation and quarantine 22. Any person who fails to comply with an order in relation to isolation or quarantine commits a fixed penalty offence.</p>
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		<p>Treatment of persons subject to isolation and quarantine 23. Any person who fails to comply with an order in relation to the treatment of persons subject to isolation or quarantine commits a fixed penalty offence</p>
<p>Legal Notice No.53</p>	<p>8th July 2021</p>	<p>Health and Safety at Work (General Workplace Conditions) (Amendment) Regulations 2021</p> <p>COVID-19 Vaccination</p> <p>Unvaccinated employer must not enter workplace 52B.—(1) On or after 1 August 2021, an employer must not enter the workplace unless the employer has received at least the first dose of the COVID-19 vaccine. (2) On or after 1 November 2021, an employer must not enter the workplace unless the employer has received the second dose of the COVID-19 vaccine. (3) Subregulations (1) and (2) do not apply in relation to an employer who— (a) is less than 18 years of age; (b) has a history of severe allergic reaction to any component of the COVID-19 vaccine, as verified by the permanent secretary responsible for health and medical services; or (c) for any other legitimate medical reason, has been exempted from vaccination by the permanent secretary responsible for health and medical services. (4) An employer that contravenes or fails to comply with this regulation commits an offence and is liable to a fine of not more than \$1,500. (5) In this regulation, “employer” includes, as applicable— (a) a sole trader, partner, trustee or director of an employer; (b) the board or other governing body of an employer; (c) if the employer does not have a board or other governing body, the chief executive officer of the employer; (d) for a ministry or department, the permanent secretary responsible for the ministry or department or the head of the ministry or department; or (e) if paragraphs (a) to (d) do not apply, the person designated as or performing the functions of the head of the employer, however that designation is expressed.</p>



		<p>Employer must not permit unvaccinated worker to enter workplace 52C.—(1) On or after 1 August 2021, an employer must not permit a worker to enter the workplace unless the worker has received at least the first dose of the COVID-19 vaccine and produces vaccination documentation as proof of the same. (2) On or after 1 November 2021, an employer must not permit a worker to enter the workplace unless the worker has received the second dose of the COVID-19 vaccine and produces vaccination documentation as proof of the same. (3) Subregulations (1) and (2) do not apply in relation to a worker who— (a) is less than 18 years of age; (b) has a history of severe allergic reaction to any component of the COVID-19 vaccine, as verified by the permanent secretary responsible for health and medical services; or (c) for any other legitimate medical reason, has been exempted from vaccination by the permanent secretary responsible for health and medical services. (4) An employer that contravenes or fails to comply with this regulation commits an offence and is liable to a fine of not more than \$10,000.</p> <p>Unvaccinated worker must not enter workplace 52D.—(1) On or after 1 August 2021, a worker must not enter the workplace unless the worker has received at least the first dose of the COVID-19 vaccine. (2) On or after 1 November 2021, a worker must not enter the workplace unless the worker has received the second dose of the COVID-19 vaccine. (3) Subregulations (1) and (2) do not apply to a worker who— (a) is less than 18 years of age; (b) has a history of severe allergic reaction to any component of the COVID-19 vaccine, as verified by the permanent secretary responsible for health and medical services; or (c) for any other legitimate medical reason, has been exempted from vaccination by the permanent secretary responsible for health and medical services. (4) A worker that contravenes or fails to comply with this regulation commits an offence and is liable to a fine of not more than \$500.</p>
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		<p>Closure of business</p> <p>52E.—(1) If an employer has not received at least the first dose of the COVID-19 vaccine on or before 15 August 2021, an Inspector must order that the business be temporarily closed</p> <p>(2) A business that is closed under subregulation (1) may resume operations after the employer receives his or her first dose of the COVID-19 vaccine.</p> <p>(3) If the employer whose business operations have resumed under subregulation (2) has not received the second dose of the COVID-19 vaccine within 8 weeks after his or her first dose of the COVID-19 vaccine, an Inspector must order that the business be temporarily closed.</p> <p>(4) A business that is closed under subregulation (3) may resume operations after the employer receives his or her second dose of the COVID-19 vaccine.</p> <p>(5) In this regulation, “employer” includes, as applicable—</p> <p>(a) a sole trader, partner, trustee or director of an employer;</p> <p>(b) the board or other governing body of an employer;</p> <p>(c) if the employer does not have a board or other governing body, the chief executive officer of the employer;</p> <p>(d) for a ministry or department, the permanent secretary responsible for the ministry or department or the head of the ministry or department; or</p> <p>(e) if paragraphs (a) to (d) do not apply, the person designated as or performing the functions of the head of the employer, however that designation is expressed.</p> <p>Basis for dismissal</p> <p>52F. If a worker has not received—</p> <p>(a) at least the first dose of the COVID-19 vaccine on or before 15 August 2021; or</p> <p>(b) the second dose of the COVID-19 vaccine before 1 November 2021, such omission constitutes a basis for dismissal.</p> <p>Extension of vaccination deadlines</p> <p>52G.—(1) The Minister may extend any of the prescribed periods for vaccination under this Part for a specific area if the permanent secretary responsible for health and medical services determines that the COVID-19 vaccine will not be available for the area during the prescribed period.</p>
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		(2) An extension under subregulation (1) must specify the new period for vaccination and the new period is deemed to be the prescribed period for the purposes of this Part in relation to the specified area.”
Legal Notice No.54	9 th July 2021	<p>Health and Safety Act Work 1996</p> <p>Declaration to Extend the Application of the Health and Safety at Work Act 1996</p> <p>Extend Part 14A of the Health and Safety at Work (General Workplace Conditions) Regulations 2003 to cover workplaces or operations connected with the Mining Act 1965, Quarries Act 1939, Explosives Act 1937 and Petroleum (Exploration and Exploitation) Act 1978</p> <p>Minister for Employment</p>