

EXTRAORDINARY



GOVERNMENT OF FIJI GAZETTE

PUBLISHED BY AUTHORITY OF THE FIJI GOVERNMENT

Vol. 15

SATURDAY, 16th FEBRUARY 2013

No. 22

[184]

GOVERNMENT OF FIJI

POLITICAL PARTIES (REGISTRATION, CONDUCT, FUNDING AND DISCLOSURES) (AMENDMENT) DECREE 2013 (DECREE NO. 11 OF 2013)

IN exercise of the powers vested in me as President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree —

TO AMEND THE POLITICAL PARTIES (REGISTRATION, CONDUCT, FUNDING AND DISCLOSURES) DECREE 2013

Short title and commencement

1.—(1) This Decree may be cited as the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Decree 2013 and shall come into force on the date of its publication in the *Gazette*.

(2) In this Decree, the Political Parties (Registration, Conduct, Funding and Disclosures) Decree 2013 shall be referred to as the “Principal Decree”.

Section 3 amended

2. Section 3 of the Principal Decree is amended by inserting the following new subsection after subsection (2)—

“(2A) If any media organisation reports, represents or holds out an association of persons or an organisation as a political party when that association of persons or an organisation is not registered as a political party under this Decree or when its application for registration has not been determined by the Registrar, then the directors of that media organisation and the editor and publisher or the chief executive officer of that media organisation, as the case may be, commit an offence, and shall be liable upon conviction to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 5 years or to both.”

Section 8 amended

3. Section 8 of the Principal Decree is amended by inserting the following new paragraph after paragraph (g)—

“(h) the name of the proposed political party, the abbreviation or acronym of the name or the symbol is the same as the name, the abbreviation or acronym of the name or the symbol of—

- (i) an existing political party that has not made an application to register in accordance with the provisions of this Decree;
- (ii) an existing political party that made an application to register in accordance with the provisions of this Decree, and the Registrar has made a determination that the application by the existing political party to register as a political party should be refused; or
- (iii) a political party which has been deregistered or wound up by the Registrar under this

Decree or any repealed law governing registration of political parties.”

Section 10 amended

4. Section 10 of the Principal Decree is amended by inserting the following new subsections after subsection (2)—

“(3) Upon receipt of any complaint with respect to an application for the registration of a proposed political party, or where the Registrar reasonably believes that any information or particulars contained in any such application is false or incorrect or has been obtained in a fraudulent manner, the Registrar shall conduct such investigation, including requiring written statements from any person or requiring the production of documents, as he or she deems necessary.

(4) Any person who fails to provide any written statement or to produce any document as required by the Registrar under subsection (3), or fails to comply with any directive issued by the Registrar in the conduct of investigations under subsection (3), commits an offence and shall be liable upon conviction to a fine not exceeding \$50,000.00 or to a term of imprisonment not exceeding five years, or to both.

(5) The Registrar shall refuse an application for the registration of a proposed political party if the Registrar is satisfied that the application contains any information or particulars which is false or incorrect or which has been obtained in a fraudulent manner.”

Section 14 amended

5. Section 14 of the Principal Decree is amended in subsection (2) by deleting paragraph (d) and substituting the following—

“(d) who is holding any office in—

- (i) any trade union registered under the Employment Relations Promulgation 2007 (whether elected or appointed to that office, and including any position or arrangement under which a person receives remuneration, salary, allowances or fees from a trade union);
- (ii) any federation, congress, council or affiliation of trade unions (whether elected or appointed to that office, and including any position or arrangement under which a person receives remuneration, salary, allowances or fees from any federation, congress, council or affiliation of trade unions); or
- (iii) any federation, congress, council or affiliation of employers (whether elected or appointed to that office, and including any position or arrangement under which a person receives remuneration, salary, allowances or fees from any federation, congress, council or affiliation of employers).”

Section 24 amended

6. Section 24 of the Principal Decree is amended in subsection (1) by deleting the words “within 30 days of the end of each financial year of the political party” and substituting the words “within 30 days of the date of the registration of the political party and thereafter, on or before 31 December of each year”.

GIVEN under my hand this 16th day of February 2013.

EPELI NAILATIKAU
President of the Republic of Fiji