

BILL NO. 18 OF 2019

A BILL

FOR AN ACT TO AMEND THE FIJIAN COMPETITION AND CONSUMER COMMISSION ACT 2010

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the *Fijian Competition and Consumer Commission (Budget Amendment) Act 2019*.

(2) This Act comes into force on 1 August 2019.

Section 158 amended

2. Section 158(2) of the *Fijian Competition and Consumer Commission Act 2010* is amended by—

(a) in paragraph (a) after “;”, deleting “or”;

(b) in paragraph (b), deleting “.” and substituting “;”; and

(c) after paragraph (b), inserting the following new paragraphs—

“(c) by any person or enterprise that is a participant in an industry in respect of which the Commission has functions under this Act; and

(d) by any person that makes an application to the Commission under this Act.”.

June 2019

**FIJIAN COMPETITION AND CONSUMER COMMISSION (BUDGET
AMENDMENT) BILL 2019**

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Fijian Competition and Consumer Commission (Budget Amendment) Bill 2019 (**‘Bill’**) seeks to amend the Fijian Competition and Consumer Commission Act 2010 (**‘Act’**) to address budgetary policy changes in the 2019-2020 Budget.
- 1.2 Section 23 of the Act provides that the funds of the Fijian Competition and Consumer Commission (**‘Commission’**) consist of money appropriated by Parliament and all money lawfully received by the Commission until such time where the Commission operates fully on a self-funding basis.
- 1.3 Section 23A of the Act further provides that fees may be charged by the Commission to any person or enterprise in respect of which the Commission has functions or any person or enterprise that is a participant in an industry in respect of which the Commission has functions. The Act also provides for applications to the Commission for *inter alia* authorisations.
- 1.4 For the purpose of clarity, the Bill seeks to amend the Act to empower the Minister to make regulations requiring the payment of fees by any person or enterprise that is a participant in an industry in respect of which the Commission has functions under the Act and by any person that makes an application to the Commission under the Act.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 1 August 2019.

2.2 Clause 2 of the Bill amends section 158(2) of the Act to empower the Minister to make regulations requiring the payment of fees by any person or enterprise that is a participant in an industry in respect of which the Commission has functions under the Act and by any person that makes an application to the Commission under the Act.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Minister responsible for industry and trade.

A. SAYED-KHAIYUM
Attorney-General