

**ACT NO. 6 OF 2021**

I assent.

J. K. KONROTE

President

[3 June 2021]

## **AN ACT**

### TO AMEND THE PUBLIC HEALTH ACT 1935

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

**1.**—(1) This Act may be cited as the Public Health (Amendment) Act 2021.

(2) This Act comes into force on a date appointed by the Minister by notice in the Gazette.

*Part 7 amended*

**2.** Part 7 of the Public Health Act 1935 is amended after section 82 by inserting the following—

*“Division 5—Infringement Notices*

*Interpretation of this Division*

82A. In this Division, unless the context otherwise requires—

“authorised officer” means a police officer or any other person authorised by the Minister for the purposes of this Division;

“fixed penalty” means a penalty specified in, and payable on receipt of, an infringement notice; and

“infringement notice” means a notice prescribed by regulations and issued by an authorised officer pursuant to section 82B.

*Infringement notices*

82B.—(1) Subject to this Division, if an authorised officer has reason to believe that a person has committed an offence under this Part or any subsidiary legislation made under this Part for which a fixed penalty is payable, the authorised officer may issue an infringement notice to the person.

(2) The infringement notice must—

- (a) name the person to whom the infringement notice is issued;
- (b) specify the particulars of the offence;
- (c) specify the fixed penalty that the person named on the infringement notice is required to pay; and
- (d) specify any other information prescribed by regulations.

*Regulations for the issuance of infringement notices*

82C. The Minister may make regulations prescribing matters that are required to be prescribed or are necessary or convenient to be prescribed for the issuance of infringement notices, including—

- (a) the offences for which infringement notices may be issued;
- (b) the fixed penalties for prescribed offences;
- (c) the manner, form and timeframes for which infringement notices are to be issued;
- (d) the actions a person may undertake on receipt of an infringement notice; and
- (e) other penalties that a person to whom an infringement notice has been issued may be liable to, including—
  - (i) a late payment fee; and
  - (ii) notwithstanding anything contained in any other written law, the closure of businesses.

*Division 6—Regulations”.*

Passed by the Parliament of the Republic of Fiji this 3rd day of June 2021.