

ACT NO. 16 OF 2017

I assent.

J. K. KONROTE
President

[28 April 2017]

AN ACT

TO AMEND THE DIPLOMATIC MISSIONS AND INTERNATIONAL
ORGANISATIONS ACT 2016

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Diplomatic Missions and International Organisations (Amendment) Act 2017.

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

(3) In this Act, the Diplomatic Missions and International Organisations Act 2016 is referred to as the “Principal Act”.

New section 3A inserted

2. The Principal Act is amended by inserting the following new section after section 3—

“Exemption from paying contributions to the Fiji National Provident Fund

3A.—(1) In this section—

“employee” means an individual who is a resident or citizen of Fiji, employed or engaged by an international organisation or international body; and

“paying contributions to the Fund” means paying contributions to the Fiji National Provident Fund under and in accordance with the Fiji National Provident Fund Act 2011.

(2) The Prime Minister may, subject to this section, exempt an international organisation or international body from paying contributions to the Fund for its employees.

(3) An international organisation or international body may apply, in writing, to the Prime Minister for the international organisation or international body to be exempt from paying contributions to the Fund for its employees.

(4) The application must be accompanied by information that substantiates that the international organisation or international body—

(a) pays contributions for its employees to a superannuation, pension or retirement scheme, or a social security scheme under which the employees are entitled to benefits that are similar to those provided for by the Fiji National Provident Fund Act 2011; and

(b) will pay contributions for its employees to the superannuation, pension or retirement scheme, or social security scheme referred to in paragraph (a).

(5) On receiving and considering the application, the Prime Minister must, in writing—

(a) if satisfied that the international organisation or international body pays contributions for its employees to a superannuation, pension or retirement scheme, or a social security scheme under which the employees are entitled to benefits that are similar to those provided for by the Fiji National Provident Fund Act 2011 and that the international organisation or international body will pay contributions to such a scheme for its employees, grant the exemption; or

(b) if not satisfied that the international organisation or international body pays contributions for its employees to a superannuation, pension or retirement scheme, or a social security scheme under which the employees are entitled to benefits that are similar to those provided for by the Fiji National Provident Fund Act 2011 and that the international organisation or international body will pay contributions to such a scheme for its employees, refuse to grant the exemption.

(6) An international organisation or international body which is granted an exemption under this section is, while the exemption has effect, exempt from any requirement and relieved of any obligation for paying contributions to the Fund for an employee and is not and cannot be held liable to do so.”

Passed by the Parliament of the Republic of Fiji this 26th day of April 2017.