

**ACT NO. 19 OF 2022**

I assent.

W. KATONIVERE  
President

[25 March 2022]

**AN ACT**

TO PROVIDE FOR THE REFUND OF MONIES PAID FOR HOUSING UNITS  
CONSTRUCTED UNDER THE LAGILAGI HOUSING DEVELOPMENT  
PROJECT AND FOR RELATED MATTERS

ENACTED by the Parliament of the Republic of Fiji—

**PART 1—PRELIMINARY***Short title and commencement*

- 1.—(1) This Act may be cited as the Lagilagi Housing Development Act 2022.
- (2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

*Interpretation*

2. In this Act, unless the context otherwise requires—

“due date” means the date appointed by the Permanent Secretary by notice in the Gazette as the final date for an application to be made in accordance with section 4;

“housing unit” means the unit estate in a building that was constructed under the Lagilagi Housing Development Project for residential purposes;

“Lagilagi Housing Development Project” means the project that was managed and overseen by PCN for the construction of affordable housing units;

“Minister” means the Minister responsible for housing and community development;

“Ministry” means the Ministry responsible for housing and community development;

“PCN” means the People’s Community Network – Central Division Branch which was incorporated on 19 July 2007 under the Charitable Trusts Act 1945; and

“Permanent Secretary” means the Permanent Secretary for housing and community development.

*Act to bind the State*

3. This Act binds the State.

PART 2—REFUNDS

*Refund of money*

4.—(1) If a person paid a sum of money to PCN for a housing unit and the person has not been provided the housing unit by PCN, the person may apply to the Permanent Secretary on or before the due date for refund of the money (**applicant**).

(2) The application must be made in such manner and form as prescribed by regulations.

(3) The applicant—

(a) must be a Fijian citizen;

(b) must provide information regarding payment of the money to PCN as required by regulations; and

(c) may submit any written agreement executed by the applicant and PCN.

(4) If an application is not made on or before the due date, the Permanent Secretary may extend the time for making the application provided the applicant satisfies the Permanent Secretary that there are reasonable grounds for the delay in making the application.

(5) For the avoidance of doubt, if a person does not comply with the requirements by regulations in relation to payment of the money to PCN, the person is not entitled to any claim of the refund or any housing unit.

*Consideration of application*

5.—(1) The Permanent Secretary must, as soon as practicable following the receipt of the application, consider the application.

(2) In considering the application, the Permanent Secretary may require the applicant or request any other person to provide such particulars and information as the Permanent Secretary deems necessary.

*Payment of refund*

6. If the Permanent Secretary is satisfied that the applicant paid money for a housing unit and the applicant has not been provided the housing unit by PCN and meets all the requirements of section 4, the Ministry must, with the approval of the Permanent Secretary, refund the money to the applicant.

PART 3—MISCELLANEOUS

*Regulations*

7.—(1) The Minister may make regulations to prescribe matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act and generally for achieving the purposes of this Act.

(2) Without affecting the generality of subsection (1), the Minister may make regulations prescribing offences and penalties not exceeding a fine of \$20,000 or imprisonment for a term of 10 years or both.

Passed by the Parliament of the Republic of Fiji this 25th day of March 2022.