

ACT NO. 45 OF 2022

I assent.

K. KUMAR
Chief Justice

[29 July 2022]

AN ACT

TO AMEND THE MEDIA INDUSTRY DEVELOPMENT ACT 2010

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Media Industry Development (Budget Amendment) Act 2022.

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

(3) In this Act, the Media Industry Development Act 2010 is referred to as the “Principal Act”.

Sections 38A and 38B inserted

2. The Principal Act is amended after section 38 by inserting the following new sections—

“Management of the affairs and operations of media organisation

38A.—(1) A media organisation must not, without the prior approval of the Authority, enter into any agreement with any person that allows the person or any other person to manage the affairs or operations of the media organisation.

(2) Any media organisation that contravenes subsection (1) commits an offence.

(3) For the purpose of this section and section 38B, “to manage the affairs or operations of the media organisation” includes the management, decision making, control of or any other governing function in relation to the day-to-day operations, finances, staffing or production of, or publication by, the media organisation.

Transitional

38B. If a media organisation is a party to an agreement with a person that allows the person or any other person to manage the affairs or operations of the media organisation, and the agreement had been executed before the commencement of the Media Industry Development (Budget Amendment) Act 2022—

- (a) the media organisation must inform the Authority of the agreement and provide details of the agreement including whether the agreement is in writing or otherwise, within 3 days from the commencement of the Media Industry Development (Budget Amendment) Act 2022; and
- (b) the agreement continues to be valid for one month only from the commencement of the Media Industry Development (Budget Amendment) Act 2022 and is void thereafter unless earlier cancelled or terminated.”.

Section 43 amended

3. Section 43(2) of the Principal Act is amended by—

- (a) deleting “Any” and substituting “Notwithstanding subsection (1), any”; and
- (b) deleting “sections 38 and” wherever it appears and substituting “section 38, 38A, 38B or”.

Passed by the Parliament of the Republic of Fiji this 29th day of July 2022.