

# BILL NO. 40 OF 2022

## A BILL

FOR AN ACT TO AMEND THE TELECOMMUNICATIONS ACT 2008

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

**1.**—(1) This Act may be cited as the Telecommunications (Budget Amendment) Act 2022.

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

*Section 24 amended*

**2.** Section 24 of the Telecommunications Act 2008 is amended after subsection (3) by inserting the following new subsection—

“(3A) Notwithstanding subsection (3), the Minister may prescribe a percentage of the charges and fees collected, which is to be paid to the Telecommunications Development Trust Fund.”.

## TELECOMMUNICATIONS (BUDGET AMENDMENT) BILL 2022

### 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 Telecommunications Act 2008 (**‘Act’**) provides for the regulation of the telecommunications industry in Fiji.
- 1.2 As provided for under section 24 of the Act, the Telecommunications Authority of Fiji charges telecommunications service providers (**‘service providers’**) an annual revenue-based licence fee.
- 1.3 A percentage of this annual revenue-based licence fee is to be put into an existing trust fund set aside for the continued development of Fiji’s telecommunications industry, allowing Fiji to further cement its standing as the information and communications technology hub of the Pacific.
- 1.4 The Telecommunications (Budget Amendment) Bill 2022 (**‘Bill’**) seeks to amend section 24 of the Act to facilitate the payment of a percentage of the annual revenue-based licence fee charged to service providers, to the Telecommunications Development Trust Fund that was established under regulation 4 of the Telecommunications (Trust Fund) Regulations 2016.

#### 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 a date appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill amends section 24 of the Act to empower the Minister to prescribe a percentage of the charges and fees collected, which is to be paid to the Telecommunications Development Trust Fund.

### **3.0 MINISTERIAL RESPONSIBILITY**

- 3.1 The Act comes under the responsibility of the Minister responsible for communications.

A. SAYED-KHAIYUM  
Attorney-General