

BILL NO. 1 OF 2025

A BILL

FOR AN ACT TO AMEND THE CONSTITUTION OF THE REPUBLIC OF FIJI

Short title and commencement

- 1.—(1) This Act may be cited as the Constitution (Amendment) Act 2025.
- (2) This Act comes into force on a date appointed by the Minister by notice in the Gazette.

Section 159 amended

2. Section 159(2) of the Constitution is amended by—
 - (a) in subsection (2)(b), deleting “; or” and substituting “.”; and
 - (b) deleting paragraph (c).

Section 160 amended

3. Section 160 of the Constitution is amended by—
 - (a) in subsection (2)(b), deleting “three-quarters” and substituting “two-thirds”; and
 - (b) deleting subsections (3) to (6).

March 2025

CONSTITUTION (AMENDMENT) BILL 2025

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 Constitution of the Republic of Fiji (**‘Constitution’**) was promulgated in and came into force on, 7 September 2013.
- 1.2 Section 159 of the Constitution provides for the amendment of the Constitution, which can only be done by virtue of the procedure described under Chapter 11 of the Constitution.
- 1.3 Section 160 of the Constitution prescribes the procedure for an amendment of the Constitution which *inter alia* requires the support of at least three-quarters of the members of Parliament at the second and third reading of a Bill to amend.
- 1.4 It further prescribes that should a Bill to amend the Constitution succeed at Parliament, a referendum must then be conducted. If the outcome of the referendum is that three-quarters of the total number of registered voters have voted in favour of the Bill to amend the Constitution, the President must then assent the Bill to enable such amendment.
- 1.5 The Constitution (Amendment) Bill 2025 (**‘Bill’**) therefore seeks to amend the Constitution to allow for a feasible approach to amending the Constitution currently stated under section 160 of the Constitution. This would allow provisions to be updated and more so, a refinement of provisions that require public scrutiny and vote.
- 1.6 The Bill also seeks the removal of the requirement for a referendum in the Constitution which is consistent with historical practice and precedent.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides the short title and commencement. If passed by Parliament, the Act will come into force on a date appointed by the Minister by notice in the Gazette.

2.1 Clause 2 of the Bill amends section 159(2) of the Constitution by deleting punctuation and the word “or” and paragraph (c).

2.3 Clause 3 of the Bill amends section 160 of the Constitution to remove reference to a referendum.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Prime Minister.

G. E. LEUNG
Attorney-General