

BILL NO. 21 OF 2025

A BILL

FOR AN ACT TO AMEND THE MARITIME TRANSPORT ACT 2013

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Maritime Transport (Budget Amendment) Act 2025.

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

(3) In this Act, the Maritime Transport Act 2013 is referred to as the “Principal Act”.

Section 2 amended

2. Section 2 of the Principal Act is amended by inserting the following new definitions—

““Automatic Identification System” or “AIS” means an automatic tracking system used on ships for identifying and locating ships by electronically exchanging data with other nearby ships, land based AIS stations, and satellites as a primary means for collision avoidance and to assist in situational awareness;”; and

““SOLAS” means the International Convention for the Safety of Life at Sea, 1974, Protocol 1978, Protocol 1988, all mandatory Codes and future amendments to the Conventions, Protocols and Codes;”.

Section 116C inserted

3. The Principal Act is amended after section 116B by inserting the following new section—

“Automatic Identification System

116C.—(1) Every ship of a prescribed class or size navigating Fiji waters must be fitted with an AIS device that is activated pursuant to the requirements of SOLAS.

(2) The owner or master of a ship must ensure the AIS device is operational and transmitting correct information at all times when underway.”.

Section 240 amended

4. Section 240(1) of the Principal Act is amended by—

(a) in paragraph (hh), after “High Seas” deleting “and”;

(b) in paragraph (ii), deleting “.” and substituting “; and”; and

(c) after paragraph (ii), inserting the following new paragraph—

“(jj) prescribing the standards and requirements for the operational use of the Automatic Identification Systems on ships.”.

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June 2025

MARITIME TRANSPORT (BUDGET 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 Maritime Transport (Budget Amendment) Bill 2025 (**‘Bill’**) seeks to amend the Maritime Transport Act 2013 (**‘Act’**) to give effect to Fiji’s obligations under SOLAS by mandating the installation and use of the Automatic Identification System (**‘AIS’**) on ships navigating in Fiji waters.
- 1.2 The AIS allows for real-time ship tracking to enhance maritime safety, security and environmental protection. The amendments to the Act empowers the Maritime Safety Authority of Fiji to regulate, inspect and enforce AIS compliance.

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 or dates appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill amends section 2 of the Act by including the definition for AIS. This definition addresses the safety of navigation mandated under the Act and other factors such as search and rescue services and maritime security as part of situational awareness.
- 2.3 Clause 3 of the Bill introduces a new provision as section 116C to require mandatory installation and activation of AIS onboard ships in Fiji waters at all times pursuant to the requirements of SOLAS.
- 2.4 Clause 4 of the Bill amends section 240 of the Act by empowering the Minister responsible to make regulations that prescribe standards and requirements for the operational use of the AIS on ships.

3.0 MINISTERIAL RESPONSIBILITY

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

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Acting Attorney-General