

BILL NO. 7 OF 2026

A BILL

FOR AN ACT TO AMEND THE PASSPORTS ACT 2002

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Passports (Amendment) Act 2026.

(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 Passports Act 2002 is referred to as the “Principal Act”.

Long title amended

2. The Principal Act is amended in the long title by—

- (a) deleting “FRESH”;
- (b) deleting “ISSUE OF PASSPORTS” and substituting “ISSUE OF FIJI TRAVEL DOCUMENTS”; and
- (c) deleting “PRODUCTION OF PASSPORTS” and substituting “PRODUCTION OF TRAVEL DOCUMENTS”.

Section 1 amended

3. Section 1(1) of the Principal Act is amended by deleting “Passports” and substituting “Travel Documents”.

Section 2 amended

4. Section 2 of the Principal Act is amended by—

(a) in subsection (1)—

- (i) deleting the definitions of “emergency passport”, “**Fijian official passport**”, “Fijian passport”, “passport” and “passport officer”;
- (ii) in the definition of “approved form”, deleting “section 19” and substituting “section 31”;
- (iii) in the definition of “regulations”, deleting “section 21” and substituting “section 33”;

(iiiiv) in the definition of “peacekeeping duty”, deleting “and”; and

(iv) inserting the following new definitions—

““Certificate of Identity” or “COI” means a Fiji Travel Document issued under section 17;”;

““child” means a person under the age of 18 years;”;

““Diplomatic Passport” means a Fiji Passport issued under section 4(1)(d);

““Emergency Passport” means a Fiji Passport issued under section 4(1)(b);”;

““Fiji Passport” means—

- (a) an ordinary Fiji Passport;
- (b) an Emergency Passport;
- (c) an Official Passport; and
- (d) a Diplomatic Passport.

““Fiji Travel Document” means the following travel documents issued under this Act—

- (a) a Fijian Travel-Related Document; and
- (b) a Non-Fijian Travel-Related=Document;”;

““Fijian Travel-Related Document” or “FTRD” means the following Fiji Travel Documents issued to a Fiji citizen—

- (a) Fiji Passport; and
- (b) Temporary Travel Certificate;”;

““guardian” in relation to a child means a person who, under a law of Fiji, is entitled to custody or guardianship of, or access to, the child;”;

““holder”, in relation to a travel document, means the person in whose name the document has been issued;”;

““Ministry” means the ministry responsible for immigration;”;

““Non-Fijian Travel-Related Document” or “NFTRD” means the following Fiji Travel Documents issued to a person who is not a Fijian citizen—

(a) Certificate of Identity issued under section 17; or

(b) Refugee Travel Document issued under section 18;”;

““ordinary Fiji Passport” means a Fiji Passport issued under section 4(1)(a) which is not—

(a) an Emergency Passport;

(b) an Official Passport; or

(c) a Diplomatic Passport;”;

““Permanent Secretary” means the permanent secretary responsible for immigration;”;

““Refugee Travel Document” means an NFTRD issued under section 18;”;

““Temporary Travel Certificate” means an NFTRD issued to a Fiji Citizen under section 12;”;

““travel document” means a valid passport or other travel document which is issued by or on behalf of the Government of any country, including Fiji, for the primary purpose of international travel, and which—

(a) contains a photograph and a personal description of the holder;

(b) may incorporate a contactless integrated circuit including the capability of biometric identification of the holder;

(c) purports to establish the identity, nationality or citizenship of the holder; and

(d) gives a right of entry or re-entry to that country;”;

(b) deleting subsection (2).

Part 2 amended

5. The Principal Act is amended by deleting Part 2 and substituting the following—

“PART 2—FIJI TRAVEL DOCUMENTS*Division 1—Right to Fijian Travel-Related Documents**Right to FTRD*

3.—(1) Every citizen of Fiji has the right to apply for and be issued an FTRD pursuant to section 21(2) of the Constitution of the Republic of Fiji.

(2) Notwithstanding subsection (1), this right is limited by conditions provided under this Act.

*Division 2—Fijian Travel-Related Documents**Subdivision 1 — Fiji Passport**Issue of Fiji Passport*

4.—(1) The Permanent Secretary may issue any of the following types of Fiji Passports to a Fijian citizen—

- (a) an ordinary Fiji Passport;
- (b) an Emergency Passport, if it is not reasonably practicable to issue an ordinary Fiji Passport to a person who applies for and is entitled to one;
- (c) an Official Passport, if a person is eligible under section 5;
- (d) a Diplomatic Passport, if a person is eligible under section 7.

(2) A citizen who wishes to be issued a Fiji Passport must apply to the Permanent Secretary in the approved form, which may include an electronic form, and with the prescribed fee.

(3) A Fiji Passport must be issued in the form approved by the Minister.

(4) The Permanent Secretary may only issue one type of Fiji Passport to a person, except for an Official Passport or a Diplomatic Passport which may be issued in addition to an ordinary Fiji Passport.

Official Passport

5.—(1) A person is eligible for an Official Passport if the person is a Fijian citizen and—

- (a) is a person who holds an office listed in the Schedule; or
- (b) is a member of a disciplined force who will be travelling on peacekeeping duties.

(2) Cabinet may, by notice in the Gazette, vary the list in the Schedule to add or remove the list of eligible offices.

(3) An application under subsection (1)(b) must be endorsed by the Commander of the Republic of Fiji Military Forces, Commissioner of Police or Commissioner of the Fiji Corrections Service, ~~as applicable at the end of the person's duties.~~

(4) The Minister may, by notice in the Gazette, prescribe a list of countries within which an Official Passport issued to an applicant under subsection (1)(b) may be used.

(5) A holder of an Official Passport issued under subsection (1)(b)—

- (a) may only use the passport as a travel document while travelling to a country that is included in the list of countries prescribed by the Minister under subsection (4); and
- (b) must not use the passport for any personal travel within any of the countries prescribed under subsection (4).

(6) A member of the disciplined force who contravenes subsection (5) is subject to disciplinary action as determined by the Commander of the Republic of Fiji Military Forces, Commissioner of Police or Commissioner of the Fiji Corrections Service, as applicable.

Return of Official Passport at end of duties

6.—(1) The holder of an Official Passport must surrender the passport to—

- (a) if the passport is issued to a person under section 5(1)(a), to an immigration officer if he or she is no longer eligible to hold the Official Passport under section 5; or
- (b) if the passport is issued to a member of a disciplined force under section 5(1)(b), to the Commander of the Republic of Fiji Military Forces, Commissioner of Police or Commissioner of the Fiji Corrections Service, as applicable ~~at the end of the person's duties.~~

(2) The Permanent Secretary may return an Official Passport that has been surrendered under subsection (1)(a) to a person if the person again becomes eligible for the passport.

(3) The Commander of the Republic of Fiji Military Forces, Commissioner of Police or Commissioner of the Fiji Corrections Service, as applicable, may return an Official Passport to a member of a disciplined force if the person is again returning to travel on peacekeeping duties.

(4) A member of the disciplined force who contravenes subsection (1) is subject to such disciplinary action as may be determined by the Commander of the Republic of Fiji Military Forces, Commissioner of Police or Commissioner of the Fiji Corrections Service, as applicable.

Diplomatic Passport

7.—(1) A person is eligible for a Diplomatic Passport if—

- (a) the person is a Fiji citizen;

- (b) the person is—
 - (i) the head of a Fiji mission or a member of the diplomatic staff of a Fiji mission, within the meaning of Article 1 of the Vienna Convention on Diplomatic Relations 1961; or
 - (ii) subject to subsection (2), a representative of the State; and
- (c) the application for the ~~Official~~Diplomatic Passport is endorsed by the ministry responsible for foreign affairs.

(2) Cabinet may by notice in the Gazette prescribe the criteria that determines the eligibility of a person under subsection (1)(b)(ii) and no person may be issued a Diplomatic Passport under that subsection until the criteria is satisfied.

(3) The spouse or child of a person eligible under—

- (a) subsection (1)(b)(i) is also eligible for a Diplomatic Passport; or
- (b) subsection (1)(b)(ii) may be eligible to a Diplomatic Passport with the approval of Cabinet.

Grounds for refusal to issue Fiji Passport

8.—(1) The Permanent Secretary may refuse to issue a Fiji Passport to a person on any of the following grounds—

- (a) the person is a child and the exceptions under subsection (2) do not apply to the child;
- (b) there is in force a warrant issued in Fiji for the arrest of the person;
- (c) the person is required, by an order of a court, or under a condition of parole or of bail, to remain in Fiji or to refrain from obtaining a Fiji Passport;
- (d) the person already holds a Fiji travel document and despite a duly made order to surrender that document under this Act, refuses to surrender it; or
- (e) the Minister has made a declaration in relation to the person under subsection (4).

(2) The Permanent Secretary may issue a Fiji Passport to a citizen of Fiji who is a child only if—

- (a) the child provides written consent from ~~each~~ parent or guardian;
- (b) the child provides a copy of an order of a court permitting the child to leave Fiji;
- (c) the Permanent Secretary is satisfied that—
 - (i) by reason of a family crisis, the child urgently requires the passport to enable him or her to travel outside Fiji; and

- (ii) if the child's parents' or guardians' written consent has not been obtained, that person cannot be readily contacted; or
- (d) the Permanent Secretary is satisfied that there are special circumstances warranting the issue of the passport and its issue would be in accordance with any guidelines issued under subsection (3).

(3) The Minister may issue written guidelines relating to the issuing of a Fiji Passport to a child, including the circumstances which amount to a family crisis, and in doing so must be guided by the primary consideration of the best interests of the child.

(4) The Minister may declare in writing that a Fiji Passport must not be issued to a person if the Minister has formed the opinion that the person would be likely to engage in conduct that—

- (a) might prejudice the security of Fiji;
- (b) might endanger the health or physical safety of other persons; or
- (c) might interfere with the rights and freedoms of other persons, as set out in the International Covenant on Civil and Political Rights,

and the Minister considers that, in the circumstances, action to prevent that person engaging in that conduct should be taken by way of not issuing a Fiji Passport to that person.

Endorsement of Fiji Passports

9.—(1) The Permanent Secretary may, at any time, make an endorsement on a Fiji passport with the effect of limiting or enabling additional characteristics for its use in accordance with subsection (2).

(2) The endorsement may—

- (a) restrict the countries in respect of which the Fiji Passport is valid;
- (b) make the passport valid in respect of countries for which, except for the endorsement, it would not be valid; or
- (c) specify particulars the Permanent Secretary thinks fit.

Validity of Fiji Passports

10.—(1) Unless the Minister prescribes a different period, an ordinary Fiji Passport or Diplomatic Passport is valid—

- (a) for a child below the age of 16 years, for 5 years from the date of issuance; and
- (b) for a person of 16 years of age and above, for 10 years from the date of issuance.

(2) An Emergency Passport is valid for a period of up to 12 months from the date of issuance.

(3) An Official Passport is valid for a period of 10 years from the date of issuance.

Cancellation of Fiji Passports

11.—(1) The Permanent Secretary may cancel a Fiji Passport and upon cancellation, the passport is void.

(2) Without limiting subsection (1), the Permanent Secretary may cancel a Fiji Passport if the Permanent Secretary—

- (a) becomes aware of circumstances which, if they had existed immediately before the passport was issued (whether or not they did exist at that time) may have or would have prevented the issue of the passport;
- (b) becomes aware that the person—
 - (i) is no longer a Fijian citizen;
 - (ii) for an Official Passport issued under section 5(1)(a), is no longer the holder of an office listed in the Schedule;
 - (iii) for a Fijian official passport issued under section 5(1)(b), is no longer a member of the disciplined force;
 - (iv) for a Diplomatic Passport, no longer meets the criteria set out under section 7;
- (c) becomes aware that the passport has been lost, stolen, damaged, defaced or destroyed; or
- (d) has formed an opinion that the person to whom the passport was issued is likely to engage in conduct that—
 - (i) might prejudice the security of Fiji;
 - (ii) might endanger the health or physical safety of other persons; or
 - (iii) might interfere with the rights and freedoms of other persons, as set out in the International Covenant on Civil and Political Rights,

and the Permanent Secretary considers that, in the circumstances, action to prevent the person engaging in that conduct should be taken by way of cancelling the passport.

Subdivision 2—Temporary Travel Certificates

Issue of Temporary Travel Certificates

12.—(1) The Permanent Secretary may issue a Temporary Travel Certificate to a Fiji citizen who—

- (a) is outside Fiji;

- (b) urgently needs to return to Fiji; and
- (c) is unable to apply for a Fiji Passport due to circumstances beyond the person's control.

(2) A Fiji citizen who wishes to be issued a Temporary Travel Certificate must apply to the Permanent Secretary in the approved form, which may include an electronic form, and with the prescribed fee.

(3) A Temporary Travel Certificate must be issued in the form approved by the Minister.

(4) A Temporary Travel Certificate may only be used once for travel from destination outside Fiji to Fiji, including any necessary transit destination on the route to Fiji.

Grounds for refusal

13.—(1) The Permanent Secretary may refuse to issue a Temporary Travel Certificate to a person on any of the following grounds—

- (a) the person is a child and the exceptions under subsection (2) do not apply to the child; or
- (b) the Minister has made a declaration in relation to the person under subsection (4).

(2) The Permanent Secretary may issue a Temporary Travel Certificate to a Fijian citizen who is a child only if—

- (a) written consent from **aeach** parent or guardian is provided;
- (b) a copy of an order of a court permitting the child to return to Fiji is provided; or
- (c) the Permanent Secretary is satisfied that—
 - (i) by reason of a family crisis, the child urgently requires the passport to enable him or her to travel to Fiji; and
 - (ii) if the child's parents' or guardians' written consent has not been obtained, that person cannot be readily contacted; or
- (d) the Permanent Secretary is satisfied that there are special circumstances warranting the issue of a Temporary Travel Certificate and its issue would be in accordance with any guidelines issued under subsection (3).

(3) The Minister may issue written guidelines relating to the issuance of a Temporary Travel Certificate to a child, including the circumstances which amount to family crisis and in doing so must be guided by the primary consideration of the best interests of the child.

(4) The Minister may declare in writing that a Temporary Travel Certificate must not be issued to a person if the Minister has formed the opinion that the person is likely to engage in conduct that—

- (a) might prejudice the security of Fiji;
- (b) might endanger the health or physical safety of other persons;
or
- (c) might interfere with the rights and freedoms of other persons,
as set out in the International Covenant on Civil and Political Rights,

and the Minister considers that, in the circumstances, action to prevent that person engaging in that conduct must be taken by way of not issuing a Temporary Travel Certificate to the person.

Validity period of Temporary Travel Certificate

14. A Temporary Travel Certificate must be used within the period specified in the Temporary Travel Certificate.

Cancellation of Temporary Travel Certificate

15.—(1) The Permanent Secretary may cancel a Temporary Travel Certificate and upon cancellation, the Temporary Travel Certificate is void.

(2) Without limiting subsection (1), the Permanent Secretary may cancel a Temporary Travel Certificate if the Permanent Secretary—

- (a) becomes aware of circumstances which, if they had existed immediately before the Temporary Travel Certificate was issued (whether or not they did exist at that time) may have or would have prevented the issue of the Temporary Travel Certificate;
- (b) becomes aware that the person is no longer a Fiji citizen;
- (c) becomes aware that the Temporary Travel Certificate has been lost, stolen, damaged, defaced or destroyed; or
- (d) has formed an opinion that the person to whom the Temporary Travel Certificate was issued is likely to engage in conduct that—
 - (i) might prejudice the security of Fiji;
 - (ii) might endanger the health or physical safety of other persons;
or
 - (iii) might interfere with the rights and freedoms of other persons,
as set out in the International Covenant on Civil and Political Rights,

and the Permanent Secretary considers that, in the circumstances, action to prevent the person engaging in that conduct should be taken by way of cancelling the Temporary Travel Certificate.

Division 3—Non-Fijian Travel-Related Documents

Non-Fijian Travel-Related Documents

16.—(1) If a person is eligible under this Act, the Permanent Secretary may issue one of the following NFTRDs to the person—

- (a) a Certificate of Identity; or
- (b) a Refugee Travel Document.

(2) A person who wishes to be issued an NFTRD must apply to the Permanent Secretary in the approved form and with the prescribed fee.

(3) Notwithstanding subsection (2), an application for a Refugee Travel Document does not require the payment of a fee.

(4) An NFTRD must be issued in the form approved by the Minister.

Certificates of Identity

17.—~~(1)~~ A person is eligible for a Certificate of Identity if the person—

- (a) is not a Fiji citizen;
- (b) is about to leave Fiji; and
- (c) is unable to obtain a passport from a consular representative of the country of which the person claims to be a national.

~~(2) A person is also eligible for a Certificate of Identity if the person is a Fijian citizen in another country who has lost his or her passport, or whose passport has expired, and who has an immediate need to return to Fiji.~~

Refugee Travel Document

18. A person is eligible for a Refugee Travel Document if the person has been recognised as a refugee in Fiji under Part 6 of the Immigration Act 2003.

Grounds for refusal

19.—(1) The Permanent Secretary may refuse to issue an NFTRD to a person on any of the following grounds—

- (a) the person is a child and the exceptions under subsection (2) do not apply to the child;
- (b) there is in force a warrant issued in Fiji for the arrest of the person;
- (c) the person is required, by an order of a court, or under a condition of parole or of bail, to remain in Fiji or to refrain from obtaining a travel document; or
- (d) the Minister has made a declaration in relation to the person under subsection (4).

(2) The Permanent Secretary may issue an NFTRD to a child only if—

- (a) written consent from ~~aeach~~ parent or guardian is provided;

- (b) a copy of an order of a court permitting the child to leave Fiji;
- (c) the Permanent Secretary is satisfied that—
 - (i) by reason of a family crisis, the child urgently requires the NFTRD to enable him or her to travel outside Fiji; and
 - (ii) if the child's parent's or guardian's written consent has not been obtained, that person cannot be readily contacted; or
- (d) the Permanent Secretary is satisfied that there are special circumstances warranting the issue of the NFTRD and its issue would be in accordance with any guidelines issued under subsection (3).

(3) The Minister may issue written guidelines relating to the issuing of an NFTRD to a child and in doing so must be guided by the primary consideration of the best interests of the child.

(4) The Minister may declare in writing that an NFTRD must not be issued to a person if the Minister has formed the opinion that the person would be likely to engage in conduct that—

- (a) might prejudice the security of Fiji;
- (b) might endanger the health or physical safety of other persons; or
- (c) might interfere with the rights and freedoms of other persons, as set out in the International Covenant on Civil and Political Rights,

and the Minister considers that, in the circumstances, action to prevent that person engaging in that conduct should be taken by way of not issuing an NFTRD to that person.

Validity of NFTRD

20. The Permanent Secretary may issue an NFTRD for the following periods of validity—

- (a) for a Certificate of Identity, up to one year from the date of issuance; and
- (b) for a Refugee Travel Document, 5 years from the date of issuance.

Cancellation of NFTRD

21.—(1) The Permanent Secretary may cancel an NFTRD and upon cancellation the NFTRD is void.

(2) Without limiting subsection (1), the Permanent Secretary may cancel an NFTRD if the Permanent Secretary—

- (a) becomes aware of circumstances which, if they had existed immediately before the NFTRD was issued (whether or not they did exist at that time) may have or would have prevented the issue of the NFTRD by virtue of section 16;

- (b) becomes aware that the person is no longer eligible for the NFTRD;
- (c) becomes aware that the NFTRD has been lost, stolen, damaged, defaced or destroyed; or
- (d) has formed an opinion that the person to whom the document was issued is likely to engage in conduct that—
 - (i) might prejudice the security of Fiji;
 - (ii) might endanger the health or physical safety of other persons; or
 - (iii) might interfere with the rights and freedoms of other persons, as set out in the International Covenant on Civil and Political Rights,

and the Permanent Secretary considers that, in the circumstances, action to prevent the person engaging in that conduct should be taken by way of cancelling the NFTRD.

Prohibition against leaving or entering Fiji without travel documents

22.—(1) Subject to subsection (3), no person may leave or enter Fiji unless he or she is in possession of a valid travel document.

(2) An immigration officer—

- (a) may request that every person leaving or entering Fiji produce his or her travel document; and
- (b) may only permit the person to enter or leave in Fiji if the officer is satisfied that the travel document is a valid travel document under this section.

(3) The Minister may exempt, upon or subject to conditions the Minister thinks fit to impose, any person or specified class of persons from compliance with subsection (1).

(4) In this section a “valid travel document” means a travel document—

- (a) issued by or on behalf of the Government of a country of which the holder is a national or citizen; and
- (b) for a person entering Fiji, will expire more than 6 months after the date of entry of the holder.”.

Renumbering of sections 11 to 22

6. The Principal Act is amended by renumbering sections 11 to 22 as sections 23 to 34.

Section 23 amended

7. Section 23 of the Principal Act is amended by—

- (a) in the heading, deleting “passport” and substituting “Fiji Travel Document”;

- (b) deleting “passport has been cancelled under section 8” and substituting “Fiji Travel Document has been cancelled under this Act”; and
- (c) deleting “of \$1,000 and to imprisonment for 6 months” and substituting “not exceeding \$5,000 or imprisonment for a term not exceeding one year or both”.

*Section 24 amended***8.** Section 24 of the Principal Act is amended by—

- (a) in the heading, deleting “passports” and substituting “Fiji Travel Document”;
- (b) deleting “passport or an endorsement of such a passport” and substituting “Fiji Travel Document or an endorsement of a Fiji Passport”; and
- (c) deleting “of \$2,000 and to imprisonment for 12 months” and substituting “not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both”.

*Section 24A inserted***9.** The Principal Act is amended after section 24 by inserting the following new section—*“Offences relating to Official Passports***24A.** Any person who—

- (a) makes any unauthorised alteration, addition, deletion to or in any Official Passport issued under this Act;
- (b) issues a Official Passport without lawful authority;
- (c) issues or produces a document that is false with the intent that the false document should be used, acted on or accepted as an Official Passport; or
- (d) uses or issues the Official Passport to any other person or for any other purpose contrary to the intention of sections 4 and 5,

commits an offence and is liable on conviction to a fine not exceeding “\$100,000 or imprisonment for a term not exceeding 10 years or both.”.

*Section 25 amended***10.** Section 25 of the Principal Act is amended by—

- (a) in the heading, deleting “passport” and substituting “travel documents”
- (b) deleting subsections (1) and (2) and substituting the following—

“(1) An immigration officer or a police officer may take from a person and retain possession of a travel document (whether a Fiji Travel Document or a travel document issued by or on behalf of the government of a foreign country) that the officer reasonably suspects is in the wrongful possession of the person.

(2) A person who is in wrongful possession of a Fiji Travel Document or a travel document issued by or on behalf of the government of a foreign country must, on demand, immediately deliver the travel document to the immigration officer or police officer.”; and

- (c) in subsection (3), deleting “of \$1,000 and to imprisonment for 6 months” and substituting “not exceeding \$50,000 or imprisonment for a term not exceeding 5 years or both”.

Section 26 amended

11. Section 26 of the Principal Act is amended by—

- (a) in the heading, deleting “passport etc” and substituting “Travel documents”;
- (b) in subsection (1)—
- (i) in paragraph (a), deleting “Fijian passport or a passport (issued by or on behalf of the government of a foreign country) that has been obtained, or is reasonably suspected by a passport officer,” and substituting “Fiji Travel Document or a travel document issued by or on behalf of the government of a foreign country) that has been obtained, or is reasonably suspected by”;
- (ii) in paragraph (b), deleting “Fijian passport or a passport (issued by or on behalf of the government of a foreign country) that has been used, or is reasonably suspected by a passport officer,” and substituting “Fiji Travel Document or a travel document (issued by or on behalf of the government of a foreign country) that has been used, or is reasonably suspected by”;
- (c) in subsection (2), deleting “a passport officer, an immigration officer or a police officer to forthwith deliver up the document to the passport officer, an immigration officer or any police officer commits an offence and is liable on conviction to a fine of \$2,000 and to imprisonment for 12 months” and substituting “an immigration officer or a police officer to immediately deliver up the document to the immigration officer or any police officer commits an offence and is liable on conviction to a fine not exceeding \$50,000 or imprisonment for a term not exceeding 5 years or both”.

Section 27 amended

12. Section 27 of the Principal Act is amended by—

- (a) in the heading, deleting “passports” and substituting “Fiji Travel Document”;
- (b) in subsection (1), deleting “a passport officer, who knowingly makes any alteration, addition, deletion, endorsement or erasure to or in any passport” and substituting “the Permanent Secretary or his or her delegate, who knowingly makes any alteration, addition, deletion, endorsement or erasure to or in any Fiji Travel Document”;

(c) in subsection (3)—

- (i) in paragraph (a)(i), deleting “Fijian passports” and substituting “Fiji Travel Documents”;
- (ii) in paragraph (b), deleting “Fijian passport” and substituting “Fiji Travel Document”;
- (iii) in paragraph (c), deleting “passport” and substituting “travel documents”;
- (iv) in paragraphs (d) and (e), deleting “Fijian passport” wherever it appears and substituting “Fiji Travel Document”;
- (v) in paragraph (f), deleting “passport” and substituting “travel document”; and
- (vi) deleting “, on conviction, to a fine of \$10,000 and to imprisonment for 5 years” and substituting “on conviction to a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years or both.”.

Section 28 amended

13. Section 28 of the Principal Act is amended by—

- (a) in subsection (1), deleting “to a fine of \$1,000 and to imprisonment for 6 months” and substituting “on conviction to a fine not exceeding \$50,000 or imprisonment for a term not exceeding 5 years or both”; and
- (b) in subsection (2), deleting “of \$1,000 and to imprisonment for 6 months” and substituting “not exceeding \$50,000 or imprisonment for a term not exceeding 5 years or both”.

Section 29 amended

14. Section 29 of the Principal Act is amended by deleting subsection (1) and substituting the following—

“(1) In this section, “reviewable decision” means a decision of the Permanent Secretary under Part 2.”.

Section 30 amended

15. Section 30(1) of the Principal Act is amended by deleting “section 17” wherever it appears and substituting “section 29”.

Section 32 amended

16. The Principal Act is amended by deleting section 32 and substituting the following—

“Delegation of Permanent Secretary’s powers

32.—(1) The Permanent Secretary may delegate in writing all or any of powers, functions or duties conferred on the Permanent Secretary under this Act either generally or in respect of any area in Fiji, or for such periods or purposes as the Permanent Secretary may in writing specify, to an immigration officer or a public officer or class of public officer, and may revoke or vary the delegation.

(2) Even if a power, function or duty has been delegated, the Permanent Secretary may continue to exercise and perform that power, function and duty.”.

Section 33 amended

17. Section 33 of the Principal Act is amended by—

- (a) in paragraphs (a) and (c), deleting “Fijian passports” wherever it appears and substituting “Fiji Travel Documents”;
- (b) in paragraph (b), deleting “or endorsement of Fijian passports” and substituting “of Fiji Travel Documents or endorsement of Fiji Passports”; and
- (c) in paragraph (f), deleting “section 17” and substituting “section 29”.

Section 34 amended

18. Section 34 of the Principal Act is amended by—

- (a) in the heading after “Repeals”, inserting “transitions”; and
- (b) after subsection (2), inserting the following new subsections—

“(3) At the commencement of the Passports (Amendment) Act 2026—

- (a) an application for a Fijian Passport or for an endorsement of a Fijian Passport made prior to the commencement of the Passports (Amendment) Act 2026, the processing of which had not been completed, is to be processed under the provisions of this Act which were in force prior to the commencement of the Passports (Amendment) Act 2026;
- (b) an application for a Certificate of Identity made prior to the commencement of the Passports (Amendment) Act 2026, the processing of which had not been completed, is to be processed under the provisions of the Immigration Act 2003 which were in existence prior to the commencement of the Passports (Amendment) Act 2026;
- (c) any valid Fijian Passport or endorsement of a Fijian Passport issued under the provisions of this Act prior to the commencement of the Passports (Amendment) Act 2026 continues according to its tenor until expiry, or until it is cancelled under this Act;
- (d) any valid Certificate of Identity issued under the provisions of the Immigration Act 2003 prior to the commencement of the Passports (Amendment) Act 2026 continues according to its tenor until expiry, or until it is cancelled under this Act;
- (e) a designation made by the Director of Immigration under section 20 of this Act as it was and as numbered before the commencement of the Passports (Amendment) Act 2026, remains valid but may be revoked under section 32 of this Act.

(4) In subsection (3), “Fijian Passport” has the meaning it had under section 2 of this Act prior to the commencement of the Passport (Amendment) Act 2026”.

Amendments to terms

19. The Principal Act is amended by—

- (a) deleting “Director of Immigration” wherever it appears throughout the Act and substituting “Permanent Secretary”; and
- (b) deleting “a passport officer” wherever it appears and substituting “the Permanent Secretary”.

Schedule inserted

20. The Principal Act is amended after section 34 by inserting the following new schedule—

“SCHEDULE
(Section 5(1)(a))

LIST OF OFFICES ELIGIBLE TO AN OFFICIAL PASSPORT

- 1. A member of Parliament;
- 2. The Solicitor-General of Fiji;
- 3. The Chief Registrar of the High Court of Fiji;
- 4. A commissioner of the Constitutional Offices Commission;
- 5. A commissioner of the Judicial Services Commission;
- 6. A commissioner of the Public Service Commission;
- 7. A permanent secretary appointed under section 127 of the Constitution.²²;
- 8. The Secretary-General to Parliament;
- 9. The Secretary to Cabinet.”.

Repeal

21. The Passports (Amendment) Act 2020 is repealed.

Consequential amendments

22. The laws listed in the Schedule are amended as set out in that schedule.

SCHEDULE
(Section 22)

CONSEQUENTIAL AMENDMENTS

Biosecurity Act 2008

1. The Biosecurity Act 2008 is amended in section 96(8)(a) by deleting “Director of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”.

Fiji Independent Commission Against Corruption Act 2007

2. The Fiji Independent Commission Against Corruption Act 2007 is amended in section 13(1)(e) by deleting “Director of Immigration” and substituting “Permanent Secretary under the Travel Documents Act 2002”.

Fiji National Provident Fund Act 2011

3. The Fiji National Provident Fund Act 2011 is amended by —
 - (a) in section 104(4)(b), deleting “Permanent Secretary or the Director of the Department of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”; and
 - (b) in sections 106(4)(b) and 107(3)(b), deleting “Permanent Secretary of the Department of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”.

Sea Ports Management Act 2005

4. The Sea Ports Management Act 2005 is amended in section 24(3)(c) by deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Security Industry Act 2010

5. The Security Industry Act 2010 is amended in section 5(2)(f) by deleting “Department of Immigration” and substituting “the ministry responsible for immigration”.

Tax Administration Act 2009

6. The Tax Administration Act 2009 is amended in section 31 by deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”.

Tertiary Scholarship and Loans Act 2014

7. The Tertiary Scholarship and Loans Act 2014 is amended in section 18 by deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”.

Value Added Tax Act 1991

8. The Value Added Tax Act 1991 is amended in Schedule 4 in paragraph 3 in the definition of “student’s permit” by deleting “Director of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”.

Accident Compensation (Employment Accidents) Regulations 2018

9. The Accident Compensation (Employment Accidents) Regulations 2018 is amended in regulation 16 by —

- (a) in subregulations (4) and (5), deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
- (b) in subregulation (6), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Accident Compensation (School Accidents) Regulations 2018

10. The Accident Compensation (School Accidents) Regulations 2018 is amended in regulation 8 by —

- (a) in subregulations (4) and (5), deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
- (b) in subregulation (6), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Customs (Infringement Notices) Regulations 2018

11. The Customs (Infringement Notices) Regulations 2018 is amended in regulation 7 by —

- (a) in subregulations (4) and (5), deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
- (b) in subregulation (6), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Excise (Infringement Notices) Regulations 2018

12. The Excise (Infringement Notices) Regulations 2018 is amended in regulation 7 by —

- (a) in subregulations (4) and (5), deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
- (b) in subregulation (6), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Fiji Revenue and Customs Service (Information Sharing) Regulations 2019

13. The Fiji Revenue and Customs Service (Information Sharing) Regulations 2019 is amended in the Schedule in paragraph 40 by deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Immigration Regulations 2007

14. The Immigration Regulations 2007 is amended in regulation 34(1)(d) by deleting “Director of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”.

Income Tax (Exempt Income) Regulations 2016

15. The Income Tax (Exempt Income) Regulations 2016 is amended in the Schedule in Part 4 in paragraph (5) by deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Land Transport (Traffic Infringement Notice) Regulations 2017

16. The Land Transport (Traffic Infringement Notice) Regulations 2017 is amended in regulation 7 by—
 - (a) in subregulations (2) and (3), deleting “Director of Immigration” wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
 - (b) in subregulation (4), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Ozone Depleting Substances Regulations 2010

17. The Ozone Depleting Substances Regulations 2010 is amended in regulation 24(3) (c) by deleting “Director of Immigration” and substituting “Permanent Secretary of the ministry responsible for immigration”.

Tax Administration (Infringement Notices) Regulations 2018

18. The Tax Administration (Infringement Notices) Regulations 2018 is amended in regulation 7 by—
 - (a) in subregulations (4) and (5), deleting “Director of Immigration wherever it appears and substituting “Permanent Secretary of the ministry responsible for immigration”; and
 - (b) in subregulation (6), deleting “Department of Immigration” and substituting “ministry responsible for immigration”.

Office of the Attorney-General
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Suva

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PASSPORTS (AMENDMENT) BILL 2026

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 Passports (Amendment) Bill 2026 (**‘Bill’**) seeks to amend the Passports Act 2002 (**‘Act’**) to rename the Act as the Travel Documents Act 2002 and to ensure that the Act sets out a comprehensive framework for all official travel documents issued by the Ministry of Immigration, such as Fiji passports (ordinary, emergency, diplomatic and official), certificates of identity and Refugee Travel Documents.
- 1.2 The Bill sets out the rules for the issue, validity, term, cancellation and return of Fiji Travel Documents and confirms the right of every Fiji citizen to a Fijian Travel-Related Document.
- 1.3 The Bill also seeks to increase the current penalties for offences provided under the Act as they are currently quite low and do not serve as an adequate deterrent for breaches of the Act.
- 1.4 Finally, the Bill seeks to provide for other administrative and operational adjustments, such as reflecting the change from the department of immigration to a ministry, empowering the Permanent Secretary for Immigration to be the legal authority to issue passports as opposed to a passport officer, providing for the delegation powers of the Permanent Secretary, setting out transitional arrangements for the proposed changes and consequentially amending other laws to ensure they are aligned to the proposed changes.

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 the long title of the Act for clarity and to reflect the Act's coverage of all travel documents rather than only passports.
- 2.3 Clause 3 amends section 1 of the Act to rename the Act as the Travel Documents Act 2002.
- 2.4 Clause 4 of the Bill amends section 2 of the Act to insert the definitions for terms used in the Act and to align existing definitions to the changes proposed by the Bill.
- 2.5 Clause 5 of the Bill deletes and replaces Part 2 of the Act. The current Part 2 of the Act primarily provides for the issue and cancellation of passports, including emergency and official passports. The new proposed Part 2 is divided into 3 Divisions where Division 1 sets out the right of every Fijian citizen to a Fijian Travel Document provided the person meets the conditions provided in that Part and Division 2 sets out the framework for the issue, conditions, validity period and cancellation of Fiji Passports, such as Ordinary Passports, Emergency Passports, Official Passports and Diplomatic Passports. Division 3 sets out the governing framework for other Fiji Travel Documents which are issued to non-citizens, such as certificates of identity and Refugee Travel Documents.
- 2.6 Clause 6 of the Bill amends the Act to renumber sections 11 to 22 as sections 23 to 34, to reflect the changes made by clause 5, which adds more provisions to the Act.
- 2.7 Clause 7 of the Bill amends the newly numbered section 23 of the Act to align the terminology and cross-referencing to the new terms and section numbers of the Act and increase the penalty for the offence of failing to deliver a cancelled Fiji Travel Document when required by notice in writing. The current penalty of \$1,000 and imprisonment for 6 months is to be increased to \$5,000 and imprisonment for a maximum period of one year or both.
- 2.8 Clause 8 of the Bill amends the newly renumbered section 24 of the Act to align the terminology and cross-referencing to the new terms and section numbers of the Act and increase the penalty for the offence of obtaining a Fiji Travel Document by false pretences. The current penalty of \$2,000 and imprisonment for 12 months is to be increased to \$10,000 and imprisonment for a maximum period of 5 years or both.
- 2.9 Clause 9 of the Bill amends the Act to insert a new section 24A after the newly renumbered section 24. The offences provision is the current offences provision under section 9E of the Act, which is under Part 2 relating to the issue of passports rather than Part 3, which provides for offences and penalties. The Bill seeks to move the offences provision to Part so the structure of the Act is better organised.

- 2.10 Clause 10 of the Bill amends the newly renumbered section 25 of the Act to align the terminology to the new terms of the Act and increase the penalty for the offence of failing to comply with a demand from an immigration officer or police officer for the return of a passport that the officer reasonably believes is wrongfully in the possession of the person. The current penalty of \$1,000 and imprisonment for 6 months is to be increased to a maximum penalty of \$50,000 or imprisonment for a maximum period of 5 years or both.
- 2.11 Clause 11 of the Bill amends the newly renumbered section 26 of the Act to align the terminology to the new terms of the Act and increase the penalty for the offence of obtaining a prescribed travel document by means of a false or misleading statement. The current penalty of \$2,000 and imprisonment for 12 months is to be increased to a maximum penalty of \$50,000 or imprisonment for a maximum period of 5 years or both.
- 2.12 Clause 12 of the Bill amends the newly renumbered section 27 of the Act to align the terminology to the new terms of the Act and increase the penalty for the offence of altering a passport without lawful authorisation. The current penalty of \$10,000 and imprisonment for 5 years is to be increased to a maximum penalty of \$100,000 or imprisonment for a maximum period of 10 years or both.
- 2.13 Clause 13 of the Bill amends the newly renumbered section 28 of the Act to increase the general penalty for an offence against the Act or regulations for which no penalty is provided. The current penalty of \$1,000 and imprisonment for 6 months for the principal offence and inciting, aiding or abetting the offence is to be increased to a maximum penalty of \$50,000 or imprisonment for a maximum period of 5 years or both.
- 2.14 Clause 14 of the Bill amends section 29 of the Act to align to the proposed shifting of the authority to issue, cancel or refuse a passport from passport officers or the Director of Immigration to the Permanent Secretary.
- 2.15 Clause 15 of the Bill amends section 30(1) of the Act to correct the cross-referencing in the provision to reflect the changes in numbering proposed by the Bill.
- 2.16 Clause 16 of the Bill deletes the newly renumbered section 32 of the Act which empowers the Director of Immigration to authorise public officers to exercise the powers of a passport officer under the Act, other than the power of to cancel a passport. As the powers to issue and deal with passports are being shifted to the Permanent Secretary under the Bill, clause 16 deletes the current provision and inserts a new provision which empowers the Permanent Secretary to delegate his or her powers under the Act to an immigration officer or public officer.

- 2.17 Clause 17 of the Bill amends the newly renumbered section 33 of the Act to align the terminology to the new terms of the Act correct the cross-referencing in the provision to reflect the renumbered provisions of the Act.
- 2.18 Clause 18 of the Bill amends section 34 of the Act to provide for transitional and savings arrangements to reflect the changes proposed in the Bill. Upon commencement of the Act, any passport or endorsement applications submitted before its commencement but still pending will continue to be processed under the previous provisions of the Act, while pending applications for certificates of identity will be processed under the pre-existing Immigration Act 2003. Passports and endorsements issued before the amendment will remain valid until their expiry or cancellation under the current Act, and certificates of identity issued under the Immigration Act 2003 before commencement will likewise remain valid until expiry or cancellation.
- 2.19 Clause 19 of the Bill amends the remaining terminology throughout the Act to align to the proposed changes in the Bill.
- 2.20 Clause 20 of the Bill amends the Act to insert a new schedule which provides the list of officeholders who are entitled to a Official Passport.
- 2.21 Clause 21 of the Bill repeals the Passports (Amendment) Act 2020 (**‘2020 Amendment’**) which was enacted by Parliament in 2020 but never commenced. A few of the proposed amendments under the Bill were proposed under the 2020 Amendment, however, as it did not enter into force, a few have become obsolete due to administrative and operational changes. The Bill thus seeks to repeal the 2020 Amendment and incorporate and update its proposed changes for better legislative efficiency.
- 2.22 Clause 22 of the Bill provides for consequential amendments to the laws listed in the Schedule to the Bill. These amendments seek to align the 18 listed laws to the terminology changes under the Bill.

3.0 MINISTERIAL RESPONSIBILITY

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

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