



STANDING COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS

Report on the Review of the Passports Bill (Bill No. 7 of 2026)



PARLIAMENT OF THE REPUBLIC OF FIJI
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CHAIRPERSON'S FOREWORD



The Passports Bill was referred to the Standing Committee on Justice, Law and Human Rights scrutinise and to return a report of its findings to Parliament.

The Passports (Amendment) Bill 2026 (**'Bill'**) seeks to amend the Passports Act 2002 (**'Act'**) to rename the Act as the Travel Documents Act 2002. The amendment will 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.

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.

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.

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.

Consideration was also given to the impact of the Bill on Fiji's efforts in meeting its targets of the sustainable development goals (SDG).

I would like to thank the Honourable Members of the Justice, Law and Human Rights Committee for their deliberations and input; Hon. Faiyaz Koya (Deputy Chairperson), Hon. Jone Usamate, Hon. Ratu Josaia Niudamu, Hon. Sachida Nand and Hon. Ratu Isikeli Tuiwailevu.

I, on behalf of the Committee, commend the **Passports Bill (Bill No. 7 of 2026)** to the Parliament and seek support of all the members of this August house for the Bill.



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HON. RATU RAKUITA VAKALALABURE
CHAIRPERSON

COMMITTEE COMPOSITION

The Standing Committee on Justice, Law and Human Rights ('Committee') is established under Section 70 of the *Constitution of the Republic of Fiji* and Standing Order 109 of the *Standing Orders of the Parliament of the Republic of Fiji*. The Committee consists of the following Members:



Hon. Ratu Rakuita
Vakalalabure
(Chairperson)



Hon. Faiyaz Koya
(Deputy Chairperson)



Hon. Jone Usamate
(Member)



Hon. Sachida Nand
(Member)



Hon. Ratu Isikeli
Tuiwailevu
(Member)



Hon. Ratu Josaia
Niudamu
(Member)

COMMITTEE SECRETARIAT

Supporting the Committee in its work is a group of dedicated Parliament Officers who make-up the Committee Secretariat and are appointed and delegated by the Secretary-General to Parliament pursuant to Standing Order 15 (3)(i). The Secretariat team is made of the following Parliament officers:

- Mr. Jackson Cakacaka – Senior Committee Clerk
- Ms. Alumita Cabealawa – Deputy Committee Clerk
- Mr. Jeke Rokotuiloma – Assistant Committee Clerk

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1.0 INTRODUCTION

1.1 Background

The Standing Committee on Justice, Law and Human Rights, referred to as the ("**Committee**"), was assigned the Passports Bill 2025 for review on May 2026. The Bill was referred to the Committee in accordance with SO 51(2), which tasked the Committee with the examination of the Bill and the responsibility to report on its findings in a subsequent Parliament Sitting.

1.2 Procedure and Program

The Committee has conducted a thorough review of the Passports Bill 2025 (Bill No. 7 of 2026). This report outlines the findings, observations, and recommendations of the Committee regarding the Bill.

The Committee examined the Bill in detail, reviewing each clause and engaging in deliberations. Following this, the Committee invited the responsible Ministry to provide a briefing on the objectives and intentions behind the proposed amendments. To ensure transparency and inclusivity, the Committee then opened the process to public participation by calling for submissions from citizens and other stakeholders, which was advertised through Parliament's official social media platforms.

The Committee was mindful of the provisions on Standing Order 111(1)(a) and ensured that its meetings were open to the public and the media, except during such deliberations and discussions to develop and finalise the Committee's observations and this Report.

1.3 Committee Remit

The Standing Committee on Justice, Law, and Human Rights, in accordance with Standing Order 109 of Parliament's Standing Orders, is tasked with several duties. As outlined in Standing Order 110, these include scrutinizing each Bill referred to it by Parliament and review any subordinate legislation presented in Parliament that falls under its purview.

2.0 PASSPORTS BILL (BILL NO. 7 of 2026)

2.1 Introduction

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. 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.

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.

3.0 COMMITTEE'S DELIBERATION AND ANALYSIS OF THE BILL

3.1 Initial Reading of the Bill and Deliberation by the Committee

The Committee had extensive discussions on the provisions of the Bill and resolved that it be prudent to firstly hear the views of the public specifically the stakeholders on this very important proposed legislation. The public consultation would then allow the Committee to gauge the public's perspective on the Bill before deliberating further, whilst also bearing in mind the requirements as set down by Parliament in referring the Bill to the Committee.

3.2 Bill Summary

By way of consensus, the Committee agreed that it would be prudent to include the necessary issues that the proposed law intends to address. This would readily give the reader of this Report with the aforementioned information regarding the Bill, which is summarized below;

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.

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.

Clause 3 amends section 1 of the Act to rename the Act as the Travel Documents Act 2002.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Clause 19 of the Bill amends the remaining terminology throughout the Act to align to the proposed changes in the Bill.

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.

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.

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.

3.3 In-depth Analysis of the Clauses of the Bill

The Committee then held extensive discussions on the Clauses and identified certain provisions that merit proper consideration. These discussions resulted in the identification of a few issues, which the Committee placed as priority issues raised by the Ministry of Immigration to be further discussed and deliberated on with the drafters.

Based on the initial reading of the clauses, the Committee compared the content of the submissions made on the Bills and the main issues noted from these discussions are as follows:

Clause 3

Pursuant to clause 3, the Committee noted the proposed amendment replacing “Passports” with “Travel Documents” and questioned its consistency with the “Passport Act 2002” title. It was clarified that the change reflects that travel documents are part of the application process leading to a national passport. Therefore, the Bill’s name remains appropriate, as acquiring travel documents is a necessary step toward obtaining a passport.

Clause 6(1)

The Committee identified a grammatical error and recommended deleting the word “to” after “surrender passport” to ensure correct wording.

Clause 7(1)(c)

The Committee sought clarification on why the provision extends to official passports when the clause is specifically intended for diplomatic passports.

Clause 7(1)(b)(ii)

The Committee sought clarification on the meaning of “*representative of the state*” and was informed that such a representative will be determined by the Cabinet. The criteria which Cabinet may envision for representatives of the State may be inferred by assessing the difference between an Official Passport and a Diplomatic Passport. An Official Passport may be issued to offices listed in the Schedule who are statutory office holders. However, they hold these passports by virtue of their office alone and the entitlement does not extend to the family members. A Diplomatic Passport on the other hand may be issued to a wider range of current or former public officers or persons who may be required to represent the State internationally. They do not grant automatic full diplomatic status (as the granting of status is governed by the Vienna Convention on Diplomatic Relations 1961) but States are at liberty to issue these travel documents based on domestic criteria to facilitate ease of travel. It will ultimately be up to Cabinet to determine the specific

representatives who will be issued a Diplomatic Passport as a representative of the State.

Clause 7(c)

The Committee sought clarification on why the Ministry of Foreign Affairs holds sole authority to endorse applications for official passports.

It was advised that the proposed section 7(c) vests the authority in relation to Diplomatic Passports and not Official Passports. Diplomatic Passports are issued to heads of Fiji missions and their diplomatic staff and representatives of the State. As these are both primarily a form of State representatives for the purpose of international relations, their purpose must first be confirmed by the Ministry responsible for Fiji's international relations. The Ministry is the office best placed to verify the purposes for which the passport is to be issued.

Clause 9(2)(a)

The Committee is of the view that Cabinet should be the sole authority to endorse passports, as they are official government documents; however, under the current amendment, this authority is vested in the Permanent Secretary for Immigration.

Clause 22(3)

The Committee sought clarification on the grounds under which the Minister may grant exemptions for individuals to enter or leave Fiji without proper documentation.

This section summarises how the Bill aligns with Fiji’s NDP, which serves as the national framework for localising the SDGs. In terms of Immigration Laws, the NDP is very clear that the immigration laws must be reviewed with an improved efficiency of service delivery and strengthened border enforcement and policy frameworks.¹ Some key features of the bill that relate to Fiji’s NDP are illustrated in the table below.

NDP Pillar / Principle	NDP Objective	Relevant Bill Provisions	Explanation
Good Governance (Pillar 3) - Focus Area 7: Committing to Governance, Institutional and State-Owned Entity Reforms	Efficiency, transparency, institutional strengthening	Expansion from “passports” to “Fiji Travel Documents” framework – Clause 2 & 3	Aligns with NDP focus on modernising legal frameworks and improving administrative efficiency across institutions
People Empowerment (Pillar 2) – Focus Area 5: Uplifting	Inclusivity, rights based approach, access to services	Right of citizens to travel documents (constitutional) -	Supports NDP emphasis on equitable access and social inclusion—ensuring
Socioeconomic Wellbeing.			citizens can participate in mobility, employment, and opportunities
Economic Resilience (Pillar 1) – Focus Area 2: Fostering International and Regional Relations	Human rights, inclusivity, no one left behind	Inclusion of Refugee Travel Documents & Certificate of Identity – Clause 5	Consistent with NDP commitment to strengthen sovereignty, security and prosperity through strong relations and meaningful engagement so that the people achieve prosperous and worthwhile lives
Good Governance (Pillar 3) – Focus Area 7: Committing to Governance, Institutional and State-Owned Entity Reforms.	Ensure the safety and wellbeing of Fiji and all Fijians - Invest in infrastructure and technology development	Introduction of biometric-capable travel documents – Clause 4	Supports technology adoption (R&D & innovation) and strengthens border/security systems, contributing to stability

¹ Fiji’s National Development Plan 2025 – 2029 is available on the Ministry of Finance website: [National Development Plan - Ministry Of Finance](#)

People Empowerment - (Pillar 2) – Focus Area 5: Uplifting Socioeconomic Wellbeing.	uplifting the social wellbeing of the people which will include protection of children.	Child protection safeguards – Clause 8	Supports NDP commitment to child protection and safeguarding vulnerable populations
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3.4 Submission received via public consultation

There was no submission received from the public in relation to the Passports Bill 2025.

3.6 Sustainable Development Goals Impact Analysis

Consideration was placed on SDGs 8, 10, and 16, as these goals align with the Bill's focus on 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.

SDG 8 – Decent Work and Economic Growth

Immigration laws regulate the movement of workers, including foreign labour, helping ensure fair recruitment, lawful employment, and protection of labour standards. This supports economic growth while reducing exploitation.

SDG 10 – Reduced Inequalities

Well-regulated migration policies contribute to safe, orderly, and responsible migration (Target 10.7), ensuring equal treatment under the law and reducing discrimination against migrants.

SDG 16 – Peace, Justice and Strong Institutions

Immigration legislation strengthens governance, border control, compliance mechanisms, and enforcement frameworks. It promotes rule of law, transparency, and accountable institutions in managing migration.

In this regard, the Committee following its review of the Bill, fulfilled its obligation as prescribed under Section 110(2) of the Standing Orders of Parliament.

3.7 Outcome of Review

The outcomes of the review are reflected in the revisions to the Passports Bill proposed by the Committee to Parliament.

We are firmly of the view that the revisions made maintain the spirit of the intent of the original bill, whilst making improvements in key areas that have been highlighted in this report.

Clause 7(c)

Committee noted that the provision vests the authority. in relation to Diplomatic Passports and not Official Passports. The Committee recommended that “*Official*” be deleted and replaced with “*Diplomatic*”.

Clause 22

Committee recommended that the “*Secretary-General to Parliament*” and “*Secretary to Cabinet*” be included in the list of Offices eligible for an Official Passports

4.0 CONCLUSION

As highlighted above in its deliberations, the Committee has conducted extensive public consultations and consulted independent legal experts in the Solicitor-General’s Office for the purpose of improving the current draft Bill.

At the conclusion of the review, the Committee believes that the proposed amendments are adequate for achieving the objectives of the **Passports Bill 2025**.

The Committee through this report commends the ***Passports Bill (Bill No. 7 of 2026)*** to the Parliament.

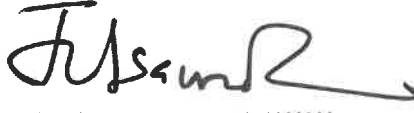
MEMBER'S SIGNATURES



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Hon. Ratu Rakuira Vakalalabure
(Chairperson)



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Hon. Faiyaz Koya
(Deputy Chairperson)



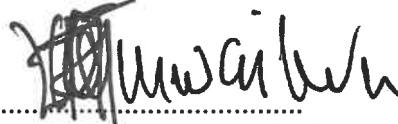
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Hon. Jone Usamate
(Member)



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Hon. Ratu Josaia Niudamu
(Member)



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Hon. Sachida Nand
(Member)



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Hon. Ratu Isikeli Tuiwailevu
(Member)

DATE: 26/05/26