

PASIFIKA COMMUNITIES UNIVERSITY BILL 2026
(BILL NO. 9 OF 2026)

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SCHEDULE—~~FOUNDING MEMBERS~~~~CHURCHES~~ OF THE PASIFIKA
COMMUNITIES UNIVERSITY

BILL NO. 9 OF 2026**A BILL**

FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT AND ADMINISTRATION
OF THE PASIFIKA COMMUNITIES UNIVERSITY AND FOR RELATED
MATTERS

ENACTED by the Parliament of the Republic of Fiji—

PART 1—PRELIMINARY*Short title and commencement*

- 1.**—(1) This Act may be cited as the Pasifika Communities University Act 2026.
- (2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

Interpretation

- 2.** In this Act, unless the context otherwise requires—

“Academic Board” means the Academic Board established under section 24;

“appointed member” means a person appointed to the *Va’atete* Council under section 10;

“Centre” means a centre of the University which organises trainings, outreach programmes, advocacy and awareness which may lead to pre-degree courses;

“Chancellor” or “*Taumoana*” means the Chancellor of the University whose office is established under section 17;

“Council” or “*Va’atele*” means the Council of the University established under section 7;

“Executive Board” means the Executive Board established under section 22;

“Institute” means an institute of the University which is predominantly research focused and provides pre-degree courses;

~~“*Manu folau*” means the office of the Vice-chancellor of the University established under section 19;~~

~~“mMember-church” means a church listed in the Schedule and any other church that the founding member listed in the Schedule and any other founding member affiliated organisation that~~ may be admitted to the membership of the University;

“Minister” means the minister responsible for ~~tertiary~~ education;

“non-voting member” means a person invited by the ~~Va’atele~~Council to attend, participate and give advice during the deliberations of the ~~Va’atele~~Council without the right to vote on any matter before the ~~Va’atele~~Council or to be counted for the purposes of a quorum;

“Pro-Chancellor” or “*Tautai*” means the Pro-Chancellor of the University appointed under section 18;

“School” means a school of the University that offers academic programmes including bachelors degrees and postgraduate degrees;

“special resolution” means a resolution of the ~~Va’atele~~Council that has the approval of not less than 75% of representatives of ~~mMembers-churches~~ present and voting;

~~“Statutes” means the Statutes of the University, and includes any other written enforcement mechanism that is passed by the Va’atele on the recommendation of the Executive Board, Academic Board, Taumoana, Manu folau or any other authorised person;~~

“student” means a student who is enrolled full time or part time at the University;

~~“Taumoana” means the office of the Chancellor of the University established under section 17;~~

~~“Tautai” means the office of the Pro-Chancellor of the University established under section 18;~~

“University” means the Pasifika Communities University; ~~and~~

“University Standards” or “*Tinarae*” means standards, codes, statutes or any other written enforcement mechanism passed by the Council on the recommendation of the Executive Board and Academic Board for the administration of the University; and

~~“*Va’atele*” means the Council of the University established under section 7;~~

“Vice-Chancellor” or “*Manu folau*” means the Vice-Chancellor of the University appointed under section 19.

Objective

3. The objective of this Act is to continue the “Pacific Theological College” as the “Pasifika Communities University”, being an autonomous institution of higher education and—

(a) to provide for the governance, management and administration of the University; and

(b) to provide for matters connected with or incidental to paragraph (a).

PART 2—THE UNIVERSITY

Establishment of University

4.—(1) This section continues the “Pacific Theological College” as the “Pasifika Communities University” for the communities in the Republic of Fiji and other communities of the Pacific that may wish to receive tertiary education.

(2) The University must provide education and training at the post-secondary level, including education and training at the technical and vocational level, consistent with international standards of teaching, research and other academic activities in institutions styled as institutions of higher learning.

(3) The University is a body corporate with perpetual succession and in its corporate name, may—

(a) sue and be sued;

(b) acquire, hold, manage, charge and dispose of real and personal property;

(c) borrow, lend and invest money;

(d) enter into contracts and other legal arrangements;

(e) appoint agents, attorneys and consultants;

(f) fix and charge fees and other charges for services and facilities provided by the University; and

(g) do other acts and things a body corporate may lawfully do.

(4) The University has a common seal which—

- (a) must be judicially noticed by all courts, judges and persons acting judicially;
- (b) must be kept in the custody and manner as the *Va'atele Council* determines;
- (c) may only be affixed to an instrument by the authority of the *Va'atele Council*, authenticated by the signatures of persons duly authorised by the *Va'atele Council* for that purpose; and
- (d) when affixed and authenticated in accordance with paragraph (c), is taken to have been validly executed by the University in the absence of evidence to the contrary.

Powers of University

5.—(1) The University has the following powers—

- (a) to accredit its own academic programs subject to any legal requirements of the appropriate authority;
- (b) to conduct and publish scholarly and scientific research primarily grounded in the vision and mission of the University;
- (ac) institute professorships, lectureships and other offices, whether academic or not, as the University may consider appropriate and to determine their conditions of service and to provide for their discipline;
- (bd) accord the status of facilitators of learning to such persons and for such purposes and periods as the University may from time to time determine;
- (ce) set out the conditions under which persons and categories of persons are to be admitted to the University for the purpose of pursuing any programme or course of study;
- (df) offer awards such as fellowships, scholarships, bursaries, studentships, prizes and other aids to study and research;
- (eg) accept examinations passed and periods of study spent at other universities and other institutions or bodies as equivalent to such examinations and periods of study in the University as the University may determine and to revoke such acceptance at any time;
- (fh) grant and confer certificates and other distinctions or awards of study approved by the University to those who and have qualified for such grant in accordance with the requirements of the University;
- (gi) confer distinctions including honorary degrees on approved persons;
- (hj) on such grounds as it considers to constitute ~~what the University considers to be~~ good cause, to deprive a persons of, or revoke any degrees, diplomas, certificates, ~~or other~~ distinctions or awards granted or conferred by the University;

- (*ik*) determine, demand and receive fees;
 - (*jl*) provide buildings, maintain, manage, deal with, and dispose of and invest in any property, money, assets and rights of the University and enter into any engagements and accept obligations and liabilities;
 - (*km*) establish, maintain, administer and govern institutions for the residence of students and license and supervise such institutions and other places of residence whether or not maintained by the University;
 - (*ln*) raise money and procure contributions to the funds of the University in such manner and for such purposes as the University may from time to time determine;
 - (*mo*) act as trustee or manager of any property, legacy, endowment, bequest or gift held in furtherance of the objects of the University, and invest any funds representing the same;
 - (*np*) give assurances for the payment of any sum or sums of money or the performance of any contract or obligation by any company, body, society or person if the University considers it expedient and consistent with its objective to do so;
 - ~~(*o*) provide, for reward or otherwise, to the extent that the University may consider expedient and consistent with its objects for members of the University, and their families, guests and, where appropriate, for members of the public;~~
 - ~~(*p*) pay travelling expenses to the members of the Va'atele and Executive Board in respect of any travel arising out of and in the course of the exercise of their powers or the performance of their duties;~~
 - ~~(*q*) enter into contracts of insurance, insuring any member of the Va'atele or Executive Board or committees of the Executive Board against loss from personal accident arising out of and in the course of the exercise of their powers or performance of their duties and functions;~~
 - (*rq*) ~~appoint persons~~ to appoint ~~and~~ remove them from office, and determine the conditions of service of staff and to provide for their discipline; and
 - (*sr*) do any act and thing as the University may consider necessary or expedient in order to further its objective.
- (2) The University may exercise its powers inside or outside the Republic of Fiji.

Functions of University

6. The University has the following functions—

- (a) to regulate, administer and organise its functions, procedures and operations in its ~~Statutes~~ University Standards;

- (b) to provide through programmes and courses of study, education opportunities at such levels as the University may determine and to make provision for research and consultancy and for the advancement and dissemination of knowledge in such manner as the University may determine;
- (c) make provision for research, design, development, testing and advisory services and to enter into such arrangements with other institutions or bodies as the University may consider desirable and to charge the users of those services such fees as the University may consider appropriate;
- (d) provide for the discipline of students;
- (e) to provide for the safety and enhancement of learning for students;
- (ef) provide facilities, resources and institutional governance structures that ensure the integrity of the University's academic programmes and promote the well-being of the University's staff, students and other persons undertaking study and research at the University; and
- (fg) determine the conditions under which students and persons or categories of persons may be admitted to the University for the purpose of pursuing any programme or course of study.

PART 3—THE *Va'atele* COUNCIL

Establishment of Va'atele Council

7.—(1) This section establishes the Council of the University ~~called the Va'atele~~.

(2) The *Va'atele* Council is the governing body of the University which has general control over the conduct of the affairs of the University and may exercise all powers conferred on it by this Act and the *Statutes University Standards*.

Membership of Va'atele Council

8.—(1) The *Va'atele* Council consists of the following 35 members—

- (a) 3 *ex officio* members—
 - (i) the *Faumoana* Chancellor who is the chairperson;
 - (ii) the *Tautai* Pro-Chancellor; and
 - (iii) the *Manufo'atu* Vice-Chancellor;
- (b) 20 heads of ~~mMembers~~ churches representing each of those churches;
- (c) a representative of the *Vanua*;
- (d) a representative of the student body association;
- (e) a representative of the employees of the University;
- (f) 2 representatives of the Pacific Ecumenical Communities; and
- (g) 7 non-voting members.

(2) At a meeting of the **Va'atele Council**, a quorum is a simple majority of the members present and at least one-half must be representatives of member churches.

(3) The **Va'atele Council** must meet at least once in every 4 years.

Members-churches

9.—(1) The **Members-churches** of the University are the founding members **churches** listed in the Schedule **or any other church and affiliated organisations that may be admitted as members of the University.**

(2) The **Va'atele Council** may, by special resolution, admit **or remove any member from the Council** ~~any other church as a member church or remove a member church set out in the Schedule.~~

(3) Each member is entitled to appoint one representative of good standing to the Council.

(4) A representative of a member holds office for a term of 4 years and is eligible for reappointment for 1 further term.

(5) A member may at any time revoke the appointment of its representative by written notice to the Chairperson, and must nominate a replacement representative within 30 days of that revocation.

Appointed members

10.—(1) The **Va'atele Council** may, by resolution, appoint any person to participate in the affairs of the **Va'atele Council** as appointed members with full voting rights, where the **Va'atele Council** considers that the person has skills, expertise, experience or a community standing that would contribute to the work and mission of the University.

(2) A person appointed under subsection (1), serves as an appointed member for the period and on terms as the **Va'atele Council** may determine at the time of the appointment.

Non-voting members

11.—(1) The **Va'atele Council** may, by resolution, invite any person to participate in the affairs of the **Va'atele Council** as a non-voting member where the **Va'atele Council** considers that the person has skills, expertise, experience or a community standing that would contribute to the work and mission of the University.

(2) A person invited under subsection (1), serves as a non-voting member for the period and on terms as the **Va'atele Council** may determine at the time of the invitation.

Responsibilities of member churches

12.—(1) The member churches, as owners of the University, are responsible for funding the costs of the operation of the University.

(2) A member church must pay an annual contribution to the University, the amount to be determined by the **Va'atele Council** from time to time.

Powers and functions of Va'atele Council

13. The **Va'atele Council** has the following powers and functions—

- (a) exercises the custody, control and disposition of all property, funds, fees and investments of the University;

- (b) ~~must~~ ensure that the University ~~attains the highest standards of~~ meets or exceed the prescribed standards for excellence in education, training and research;
- (c) must ensure that the University is managed in accordance with any written law and the general principles of good governance and transparency ~~and accountability~~;
- (d) may engage in such joint venture activities that will enable the University to improve its provision of facilities, including the provision of ~~halls of~~ residence to students;
- (e) may determine fees to be paid or charges to be levied, in respect of programmes and courses;
- (f) must, for the purposes of responsible, effective and efficient use of resources, ensure that systems are established for the coordination of activities of the University and for accountability;
- (g) must provide for maintaining the seal of the University and make provisions for the use of the seal;
- (h) may, subject to the provisions of this Act, carry out any activity permitted by law that a body corporate created by law may do, and do such other things as appear to the ~~Va'atele~~Council necessary or expedient for furthering the interests of the University;
- (i) has such other powers, duties and functions as may be conferred ~~upon~~ it by the ~~Statutes~~University Standards; and
- (j) may develop and adopt ~~Statutes~~University Standards of the University when necessary.

~~Va'atele~~Council to promote University's interests

14. The ~~Va'atele~~Council must act to promote the University's interests.

Duties ~~and obligations~~ of members of ~~Va'atele~~Council

15.—(1) Members of the ~~Va'atele~~Council must ensure that the ~~Va'atele~~Council performs its functions and exercises its powers appropriately, effectively and efficiently.

(2) In performing his or her duty ~~and obligation~~, a member of the ~~Va'atele~~Council must—

- (a) act honestly and in the best interests of the University;
- (b) exercise reasonable skill, care and diligence;
- (c) disclose ~~to the Va'atele~~ any conflict of interest that ~~may~~ arises between the member's ~~personal interests~~ and that of the University; and
- (d) not make improper use of their position as a member or information acquired, to gain advantages for the member or another person directly or indirectly.

(3) A member of the ~~Va'atele~~Council and ~~of~~ any of its boards or committees ~~appointed by the Va'atele~~, must fully declare to the ~~Va'atele~~ any who has a direct or indirect financial or other interest in a matter must disclose the interest and must not vote on the matter unless the Council decides otherwise ~~with which they may at any time directly or indirectly be connected and must, unless the Va'atele decides, refrain from voting at meetings of the Va'atele or of such board or committee on any related matter provided that the declared interest, may not disqualify such member for the purpose of constituting a quorum.~~

(4) A member of the ~~Va'atele~~Council or of a board or committee and any employee of the ~~Va'atele~~Council who discloses any material information acquired in the course of his or her obligations under this Act commits an offence.

Protection of members of ~~Va'atele~~Council

16.—(1) ~~No action, suit or other proceeding may be instituted against any member of the Va'atele personally in respect of any act done in good faith or made by the member in execution or intended execution of any function of the Va'atele under this Act. No Civil criminal proceedings lie personally against any member of the Council for anything the member does or has failed to do in course of the exercise or purported exercise of the powers or performance or purported performance of its function under this Act, unless it is shown that the member did not act in good faith or wish reasonable care.~~

(2) Where a member of the ~~Va'atele~~Council is exempt from liability ~~for an act or omission~~ by reason of subsection (1), the ~~Va'atele~~Council is liable for the act or omission to the extent that it would be if the member were the ~~Va'atele~~Council's employee or agent.

PART 4—OFFICERS OF UNIVERSITY

The ~~Faumoana~~Chancellor

17.—(1) This section establishes the office of the ~~Faumoana~~Chancellor of the University who is the ~~Chancellor or~~ titular head of the University.

(2) The ~~Faumoana~~Chancellor—

- (a) presides over ~~Va'atele~~Council meetings;
- (b) confers degrees and awards of the University; and
- (c) performs such other functions as set out in the ~~Statutes~~University Standards.

(3) The Chancellor holds office for a term of 1 year, with the office rotating among the Members in alphabetical order.

The ~~Tautai~~Pro-Chancellor

18.—(1) This section establishes the office of the ~~Tautai~~Pro-Chancellor of the University ~~who is the Pro-Chancellor~~.

(2) ~~In the absence of the Tautai or during a vacancy in the office of the Tautai, the Va'atele may determine such other member of the Va'atele to exercise and perform, subject to the Statutes, all the functions of the Tautai.~~

(2) The Pro-Chancellor is appointed by the Council for a term of 4 years and may be reappointed for 1 further term, but must not serve for more than 8 years in total.

(3) In the absence of the Pro-Chancellor or during a vacancy in the office of the Pro-Chancellor, the Council may appoint such other member of the Council to exercise and perform, subject to the University Standards, all the functions of the Pro-Chancellor.

The Manu'folau Vice-Chancellor

19.—(1) This section establishes ~~the office of~~ the *Manu'folau Vice-Chancellor who is the Vice-Chancellor* of the University.

(2) The *Manu'folau Vice-Chancellor* is the chief executive officer and chief academic officer of the University, whose powers, duties and functions are determined by the *Va'atele Council* and set out in the *Statutes University Standards*.

(3) The Vice-Chancellor is appointed by the Council for a term of 4 years and may be re-appointed for 1 further term, subject to the approval of the Council, but must not served for more than 8 years in total.

Other senior officers

20. The *Manu'folau Vice-Chancellor*, may from time to time, appoint other senior officers of the University in accordance with section 23(4).

Terms and conditions of officers of University

21. The appointment, qualifications, terms and conditions of service, functions, powers, duties, remuneration, allowances, discipline and removal of the officers listed in sections 17 to 20, and other officers of the University as may be established under this Act, are determined by the *Va'atele Council* and provided for by the *Statutes University Standards*.

PART 5 — BODIES OF OR CONNECTED WITH UNIVERSITY

Establishment of Executive Board

22.—(1) This section establishes the Executive Board *that is appointed by the Council* which consists of the following 23 members—

(a) 17 voting members—

- (i) the *Tautai Pro-Chancellor* who is the chairperson;
- (ii) the *Manu'folau Vice-Chancellor*;
- (iii) 5 representatives of the *Va'atele Council*;
- (iv) 5 members with expertise in the areas of governance, academia, human resource management, law and finance;
- (v) a representative of the *Vanua*;
- (vi) 2 representatives of the Pacific Ecumenical Communities;
- (vii) a representative of the facilitators of learning; and
- (viii) a representative of the student body association;

- (b) 6 non-voting members—
 - (i) a person employed by the University as the Academic Dean;
 - (ii) a person employed by the University as the Dean of Research and Strategic Partnership;
 - (iii) a person employed by the University as the Dean of Strategic Visioning;
 - (iv) a person employed by the University as the Registrar;
 - (v) a representative of non-academic employees of the University; and
 - (vi) a representative of the Centres and Institutes; **and**
- (c) the members in subparagraphs (a)(vii) and (viii), and (b)(v) and (vi) each hold office for a term of 1 year **while all other members serve for a period of 4 years;**
- (d) **any vacancy occurring in the membership of the Executive Board must be filled by the Council; and**
- (e) **a vacancy in a position held by —**
 - (i) **an academic staff member;**
 - (ii) **a non academic staff member; and**
 - (iii) **a student,****must be filled by an election conducted by the constituency that the member represents.**

(2) The Executive Board must meet at least 3 times a year.

Powers of Executive Board

23.—(1) The Executive Board has general control over the conduct of affairs of the University and may exercise, on behalf of the University, all powers conferred on the University by this Act, with the exception of powers retained by the **Va'atele Council**.

(2) The Executive Board may implement policies and procedures for the governance of the University.

(3) The Executive Board may establish such subcommittees, whether standing or *ad hoc*, as are necessary to assist it in carrying out its functions, including committees responsible for finance and investment, appointments, audit and risk, and ethics.

(4) The Executive Board may endorse all senior appointments made by the **Mamū fofaū Vice-Chancellor** including appointments at the professorial, academic and senior administrative levels, and appointments to such other positions as the Executive Board may from time to time determine.

(5) The Executive Board may add, amend or repeal policies and procedures and the Academic Board may recommend *StatutesUniversity Standards* to direct and regulate the University academic programme.

(6) On the recommendation of the *Manu folau Vice-Chancellor*, the Executive Board may establish or dissolve a Centre or Institute.

(7) On the recommendation of the Academic Board, the Executive Board may establish or dissolve a School.

(8) It is the duty of the Executive Board to refer to the Academic Board any matter which the Executive Board considers to bear directly on the academic responsibilities of the Academic Board and which has not previously been considered before the Academic Board, or which in the opinion of the Executive Board ought to be dealt with by the Academic Board.

(9) It is the responsibility of the Executive Board to adopt policies to ensure that the principles of academic freedom are preserved and enhanced.

Establishment of Academic Board

24.—(1) This section establishes the Academic Board.

(2) The Academic Board is the Principal academic authority of the University and is responsible for the oversight, development and maintenance of the academic standards and integrity of the University.

(3) The Academic Board is appointed by the Council on such terms and conditions as the Council may determine and comprises of the following—

- (a) Vice-Chancellor as the chair of the Academic Board;
- (b) Academic Dean as the Deputy Chair;
- (c) Registrar;
- (d) Dean of Research and Strategic Partnership;
- (e) Dean of Strategic Visioning;
- (f) Heads of Schools;
- (g) Directors of Centres and Institutes;
- (h) an elected academic from each School;
- (i) Librarian; and
- (j) one student representative.

*Powers and functions of Academic Board***25.—**(1) The Academic Board has the following powers and functions—

- (a) regulate and control all teaching programmes and courses of study and the conditions under which persons may qualify for the various degrees, diplomas, certificates and other distinctions and awards of the University;
~~provided that Statutes relating to any programme or course of study are referred to the Executive Board for comment and that any comment or recommendation that the Executive Board may make must be considered by the Academic Board;~~
- (b) refer any proposed University Standards relating to a programme or course of study to the Executive Board for comment, and consider any comment or recommendation made by the Executive Board;
- (bc) recommend to the Executive Board the institution of degrees, diplomas, certificates and other distinctions and awards;
- (ed) regulate and control the admission of persons and categories of persons to the University for the purpose of pursuing any programmes or courses of study and to regulate their continuance in those programmes or courses of study;
- (de) regulate examinations, tests and methods of assessment and to appoint examiners, assessors and moderators, whether internal or external;
- (ef) confer degrees, diplomas, certificates and other distinctions and awards to persons who have completed a course of study approved by the Executive Board and have qualified for such grant in terms of requirements prescribed by the Executive Board;
- (fg) oversee all research activity of the University, including ethical approvals, research regulations and quality standards;
- (gh) institute or accept awards such as fellowships, scholarships, bursaries, studentships, prizes and other aids to study and research;
- (hi) recommend to the Executive Board the establishment or discontinuance of any academic structure;
- (ij) recommend to the Executive Board appropriate provision for the academic support, personal development and well-being of the students;
- (jk) regulate the discipline of students in relation to academic matters in accordance with any direction made by the Executive Board;
- (kl) recommend to the Executive Board ~~Statutes~~University Standards which relate to the role of the Academic Board;
- (lm) review and make recommendations to the ~~Manu folau~~Vice-Chancellor on staff appointments and promotions;

(*mn*) make recommendations to the Executive Board on the award of honorary degrees; and

(*no*) define and regulate the use of academic dress in the University.

PART 6—MISCELLANEOUS

University Statutes Standards

26.—(1) The *Va’atele Council* may by special resolution amend or repeal *Statutes University Standards*.

(2) Subject to this Act and the *Statutes University Standards*, the *Va’atele Council* may make *Statutes University Standards* for the efficient management and good governance of the academic, administrative and financial affairs of the University.

Academic freedom

27.—(1) The *Va’atele Council* must ensure that academic freedom is preserved and enhanced at the University.

(2) For the purposes of this section, “academic freedom” means the freedom of the University, within the law, including the best traditions of academia and the highest ethical standards—

- (a) to employ and to determine the terms and conditions of its staff;
- (b) for the University to regulate the content of subjects taught at the University, and to determine the mode of teaching and assessment that best promotes learning; and
- (c) for staff and students to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions within the best traditions of advancing such ideas, and to engage in research and publication.

(3) In the performance of its functions, the *Va’atele Council*, the *Executive Board* and management of the University, must act in ways that are consistent with promoting academic freedom at the University.

Regulations

28. The Minister may make regulations to prescribe matters that are required or permitted by this Act to be prescribed or are necessary or convenient to be prescribed for carrying out or giving effect to this Act and generally for achieving the purposes of this Act.

Financial matters

29. The *Va’atele Council* may, through *Statutes University Standards*, provide for and regulate financial matters of the University, including the sourcing and administration of additional funding, the keeping and maintenance of proper books of accounts, and all related matters.

Minister may amend Schedule

30. The Minister may, on the recommendation of the *Va’atele Council*, amend or repeal the Schedule by notice in the Gazette.

Consequential amendment

31. All State documents of any nature whatsoever and all written law are amended by deleting “Pacific Theological College” wherever it appears and substituting “Pasifika Communities University”, unless the context otherwise requires.

PART 7—TRANSITIONAL AND SAVINGS

Continuation of University

32.—(1) From the date of commencement of this Act, the “Pacific Theological College” ceases to operate under the name “The Pacific Theological College” and continues to operate as the “Pasifika Communities University”.

(2) Any term or condition of appointment of a member of the *Va'atete* Council or Board of the Pacific Theological College, and any appointment made to any committee or subcommittee of the Pacific Theological College, continues on the commencement date of this Act and terminates on the date that appointment would have lapsed but for this Act.

(3) From the date of commencement of this Act, all assets, property, rights, liabilities, claims against and rights and obligations under contracts to which the Pacific Theological College is a party, vests in the University without further act, deed, or assurance.

(4) All students of the Pacific Theological College continue to be students of the University and all qualifications do hereby continue to be earned after fulfilment of the academic requirements of the University.

(5) Academic and administrative decisions made by the Council of the “Pacific Theological College” prior to the commencement date of this Act are deemed to have been made under this Act to the extent that the decisions are not inconsistent with this Act.

Officers of University continue in their positions

33. All officers of the University appointed before the commencement of this Act continue to hold office on the same terms and conditions on which they were appointed.

Employees to continue as University employees

34. From the date of commencement of this Act, all employees of the “Pacific Theological College” are deemed to be employees of the University on the existing terms and conditions on which every such person was employed prior to the commencement of this Act.

Employee rights and entitlements to continue

35. All employee rights and entitlements, including leave entitlements and where applicable, pension contributions, accrued or accruing to employees of the “Pacific Theological College” prior to the commencement of this Act, are maintained by such employees after the commencement of this Act.

Students rights and entitlements to continue

36. All existing rights and entitlements of students to their programmes of study and courses are maintained after the commencement of this Act.

SCHEDULE
(Section 9)

**FOUNDING MEMBERS-CHURCHES OF THE PASIFIKA COMMUNITIES
UNIVERSITY**

1. Anglican Church of Melanesia
2. Anglican Diocese of Polynesia
3. Congregational Christian Church in American Samoa
4. Congregational Christian Church of Samoa
5. Cook Islands Christian Church
6. Ekalesia Kelisiano Tuvalu
7. Ekalesia Kerisiano Niue
8. Etaretia Porotetani Maohi
9. Evangelical Church in New Caledonia and the Loyalty Islands
10. Evangelical Lutheran Church of Papua New Guinea
11. Free Wesleyan Church of Tonga
12. Kiribati Uniting Church
13. Methodist Church in Fiji and Rotuma
14. Methodist Church of Samoa
15. Nauru Congregational Church
16. Presbyterian Church of Vanuatu
17. United Church of Christ in the Marshall Islands
18. United Church of Christ in Pohnpei
19. United Church of Papua New Guinea
20. United Church of Solomon Islands

May 2026

PASIFIKA COMMUNITIES UNIVERSITY 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 Pacific Theological College (**‘PTC’**), a long-standing institution providing theological and pastoral education, has operated for 60 years. To expand its mandate, modernise its governance and secure its future as a broader University serving Pacific communities, a transition to the Pasifika Communities University (**‘University’**) is envisioned.
- 1.2 Therefore, the Pasifika Communities University Bill 2026 (**‘Bill’**) seeks to formally provide legal recognition of the University as a University registered and operating within Fiji.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by parliament, the new legislation comes into force on a date or dates appointed by the Minister by notice in the Gazette.
- 2.2 Clause 2 of the Bill provides for the interpretation of terms used throughout the Bill.
- 2.3 Clause 3 of the Bill provides for the objectives which includes the governance, management and administration of the University.
- 2.4 Clause 4 of the Bill establishes the University and further provides that it will be a body corporate with perpetual succession. Under its corporate name, the University may sue and be sued, acquire, hold and dispose of real and personal property, enter into contracts and other legal arrangements and so forth. Clause 4 of the Bill also makes mention of the University’s common seal which is to be judicially noticed and kept in custody as the *Va’atele* (Council) of the University may determine.

- 2.5 Clause 5 of the Bill makes provisions for the powers of the University which *inter alia* includes the powers to institute professorships, lectureships and other offices of the University, to set out conditions for admission to the University, the awarding of fellowships, scholarships and other aids to study and research, to confer distinctions and other honorary degrees, and the power to determine, demand and receive fees.
- 2.6 Clause 6 of the Bill provides for the functions of the University.
- 2.7 Clause 7 of the Bill establishes the *Va'atele* as the governing body of the University with general control over its affairs.
- 2.8 Clause 8 of the Bill makes provision for the membership of the *Va'atele*.
- 2.9 Clause 9 provides for the member churches of the University and the manner in which a member church may be admitted or removed from membership.
- 2.10 Clause 10 of the Bill provides for appointed members of the *Va'atele* with full voting rights, chosen for expertise or standing.
- 2.11 Clause 11 of the Bill makes provision for non-voting members of the *Va'atele* who may be invited for advice but who do not exercise voting rights at meetings of the *Va'atele*.
- 2.12 Clause 12 of the Bill provides for the responsibilities of members churches which includes funding the University through annual contributions.
- 2.13 Clause 13 of the Bill provides for the powers and functions of the *Va'atele* which include custody of property, ensuring excellence, governance, transparency, joint ventures, fee setting, accountability systems and seal maintenance.
- 2.14 Clause 14 of the Bill mandates the *Va'atele* to promote the University's interests.
- 2.15 Clause 15 of the Bill provides for the duties and obligations of *Va'atele* members.
- 2.16 Clause 16 of the Bill protects *Va'atele* members from personal liability for acts done in good faith.
- 2.17 Clause 17 of the Bill provides for the establishment of the office of the *Taumoana* (Chancellor) as titular head of the University, presiding over meetings of the *Va'atele* and conferring degrees.
- 2.18 Clause 18 of the Bill provides for the establishment of the office of the *Tautai* (Pro Chancellor) as the chairperson of the Executive Board.
- 2.19 Clause 19 of the Bill provides for the establishment of the office of the *Manu Folau* (Vice Chancellor) as chief executive officer and chief academic officer of the University with powers, duties and functions determined by the *Va'atele*.

- 2.20 Clause 20 of the Bill allows for the appointment of other senior officers of the University by the *Manu Folau*.
- 2.21 Clause 21 of the Bill provides that the *Va'atele* determines appointment, qualifications, terms, powers, duties, remuneration, discipline and removal of officers of the University.
- 2.22 Clause 22 of the Bill establishes the Executive Board.
- 2.23 Clause 23 of the Bill grants the Executive Board control over University affairs, policy-making, subcommittees, senior appointments, centres, schools, referral of academic matters and safeguarding academic freedom.
- 2.24 Clause 24 of the Bill establishes the Academic Board.
- 2.25 Clause 25 of the Bill grants powers and functions to the Academic Board over teaching, admissions, examinations, awards, research oversight, scholarships, discipline, honorary degrees, academic dress, and recommendations to the Executive Board.
- 2.26 Clause 26 of the Bill provides for University Statutes, with the *Va'atele* empowered to amend or repeal them by special resolution.
- 2.27 Clause 27 of the Bill guarantees academic freedom for staff and students, including freedom to teach, research and express ideas.
- 2.28 Clause 28 of the Bill provides for the Minister's regulation making powers.
- 2.29 Clause 29 of the Bill allows the *Va'atele* to regulate the University's financial matters through Statutes.
- 2.30 Clause 30 of the Bill allows the Minister, on the *Va'atele* recommendation, to amend or repeal the Schedule, by notice in the Gazette.
- 2.31 Clause 31 of the Bill provides for the consequential amendments.
- 2.32 Clauses 32 to 36 of the Bill continues the PTC as the University and provides for transitional provisions, transfers assets, contracts, students, terms of employment for existing staff and the preservation of the rights and entitlements of existing students.

3.0 MINISTERIAL RESPONSIBILITY

- 3.1 The new legislation comes under the responsibility of the Minister responsible for education.

S. D. TURAGA
Acting Attorney-General