



STANDING COMMITTEE ON JUSTICE, LAW AND HUMAN RIGHTS

Report on the Review of the Electoral Amendment Bill (Bill No. 29 of 2026)



PARLIAMENT OF THE REPUBLIC OF FIJI
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CHAIRPERSON'S FOREWORD



The Electoral Amendment Bill 2026 was referred to the Standing Committee on Justice, Law and Human Rights to scrutinise and return a report of its findings to Parliament.

The Bill seeks to amend the Electoral Act 2014 to modernise Fiji's electoral framework, improve voter participation, streamline electoral processes, and introduce a revised system for electoral offences and penalties.

In carrying out its mandate, the Committee conducted a thorough examination of the Bill and carefully considered its implications on Fiji's democratic processes and electoral administration. The Committee undertook a clause-by-clause analysis of the proposed amendments and assessed their potential impact on voters, candidates, political parties, the Electoral Commission, and the Fijian Elections Office. Particular attention was given to provisions relating to campaign regulations, postal voting, voter accessibility, electoral offences, and the powers and responsibilities of election management bodies.

The Committee noted that the Bill proposes significant reforms, including the removal of the 48-hour blackout period prior to polling day, the reduction of campaign-free zones near polling venues from 300 metres to 100 metres, the expansion of eligibility for postal voting, the allowance of assistive learning and speaking devices for persons with disabilities, and the establishment of distinct categories of corrupt and illegal electoral practices with corresponding penalties. The Bill also seeks to provide greater flexibility in electoral administration and enhance public access to electoral information.

Throughout its consideration of the Bill, the Committee remained guided by the principles of democratic participation, electoral integrity, transparency, accessibility, and fairness. The Committee carefully weighed the objectives of reducing barriers to voter participation while ensuring that adequate safeguards remain in place to protect the credibility and integrity of Fiji's electoral system.

Following its deliberations and careful consideration of submissions received from relevant stakeholders, the Committee was satisfied that the Bill generally achieved its intended objective of strengthening and modernising Fiji's electoral framework. Throughout its scrutiny of the Bill, the Committee engaged with stakeholders to seek clarification on specific provisions and to assess the practicality and effectiveness of the proposed amendments. These consultations assisted the Committee in ensuring that the legislative changes would be capable of effective implementation and would contribute to a more robust and responsive electoral system.

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, Hon. Ratu Isikeli Tuiwailevu and Hon. Salen Kumar for sitting in as an alternate member and contributing to the Committee's deliberations during its consideration of the Bill.

I, on behalf of the Committee, commend the *Electoral Amendment Bill (Bill No. 29 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 Electoral Amendment Bill 2026 for review on 21 August 2026. The Bill was referred to the Committee in accordance with SO 51, 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 Electoral Amendment Bill (Bill No. 29 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 legislations. 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 ELECTORAL AMENDMENT BILL (BILL NO. 29 of 2026)

2.1 Introduction

The Electoral (Amendment) Bill 2026 aims to update Fiji's election laws to make elections more accessible, fair, and easier to administer. The Bill proposes changes that would allow more people to participate in the electoral process, including expanding eligibility for postal voting and improving accessibility for persons with disabilities.

The Bill also seeks to relax certain campaign restrictions, simplify electoral procedures, strengthen oversight of elections, and introduce a clearer system for categorising and penalising electoral offences.

3.0 COMMITTEE'S DELIBERATION AND ANALYSIS OF THE BILL

3.1 Initial Reading of the Bill and Deliberation by the Committee

During its clause-by-clause review, the Committee noted that several provisions of the Electoral (Amendment) Bill 2026 introduced significant changes to Fiji's electoral framework. The Committee observed that Clause 2 introduced new definitions, including "corrupt electoral practice", "illegal electoral practice" and "discarded ballot paper", while Clauses 3 to 5 strengthened governance and accountability by limiting certain powers of the Supervisor of Elections, clarifying conflict-of-interest procedures, and ensuring that candidates remained eligible throughout the electoral process. The Committee also noted that Clauses 6 to 11 primarily reclassified existing offences as either corrupt electoral practices or illegal electoral practices under a new penalty framework.

The Committee further noted that the Bill relaxed several campaign restrictions. Clause 12 removed the 48-hour campaign blackout period and reduced campaign-free zones around polling venues from 300 metres to 100 metres, while Clause 29 made similar amendments relating to election advertising. In addition, Clauses 13 and 14 expanded access to postal voting and provided greater flexibility for the administration of pre-poll voting when affected by emergencies, adverse weather conditions or other disruptions. The Committee considered that these amendments were intended to improve voter participation and provide greater operational flexibility for election administrators.

The Committee also observed that the Bill modernised voting and counting procedures. Clause 9 allowed the use of assistive learning and speaking devices by persons with disabilities in polling stations. Clauses 16 to 20 improved electoral administration by authorising recounts for quality assurance purposes, requiring discarded ballot papers to be counted and accounted for, changing the publication of provisional results from continuous

to periodic updates, and replacing references to the “party list” with the “Final National Results Tally”. The Committee noted that these measures strengthened the transparency, accuracy and inclusiveness of the electoral process.

The Committee further noted that Clauses 21 to 45 focused largely on the categorisation of electoral offences. In particular, Clause 30 introduced a new section 135A which established a comprehensive penalties framework for electoral offences. Under the proposed framework, corrupt electoral practices attracted more serious penalties, including substantial fines, imprisonment and voter registration disqualification, while illegal electoral practices attracted lower but clearly prescribed monetary penalties. The Committee considered that the amendments provided a more structured and proportionate approach to addressing electoral misconduct.

Finally, the Committee noted that the Bill further liberalised campaign activities by allowing political parties and candidates to provide transportation and refreshments to voters, provided that such assistance was not used to influence voting decisions. The Committee also observed that Clause 27 strengthened the role of the Electoral Commission by empowering it to regulate campaign activities and providing an appeals mechanism in relation to decisions of the Supervisor of Elections. Furthermore, Clause 46 removed the prohibition on political campaigning at educational institutions, while Clause 47 empowered the Electoral Commission to make rules governing the conduct of referendums.

Table: Key Areas of Change in the Electoral (Amendment) Bill 2026

Area of Change	Amendment Introduced	Relevant Clauses
1. Offence Classification and Penalties	Consolidates more than 30 separate offence provisions into two overarching categories, namely "corrupt electoral practice" and "illegal electoral practice", with maximum penalties centralized under a new section 135A.	Clauses 2, 6, 8, 9(b), 10, 11, 12(d), 15, 21-25, 26(c), 28(a), (c), 29(c), 30-42(a), 44-46(b)
2. Campaign Period and Polling-Day Restrictions	Removes the 48-hour pre-election campaign blackout period and limits campaign restrictions to polling day only. Reduces the restricted campaign-free zone around polling venues from 300 metres to 100 metres, or such distance prescribed by Electoral Commission Rules.	Clauses 12(a), (c), (e), 29(a), (b), 42(b), 43
3. Statutory Declaration Requirements	Removes the requirement for statutory declarations when lodging objections under section 30 or applying for postal voting under section 67, replacing them	Clauses 7, 13(b)

	with a signed declaration affirming the information is true and correct.	
4. Postal Voting and Pre-Poll Arrangements	Expands postal voting eligibility to include voters absent because of family or other significant commitments. Empowers the Electoral Commission to approve additional grounds and introduces requirements relating to publication and variation of pre-poll schedules.	Clauses 13(a), 14
5. Accessibility for Persons with Disabilities	Exempts assistive learning and speech devices from the general prohibition on electronic devices within polling stations, improving accessibility for persons with disabilities.	Clause 9(a)
6. Ballot Reconciliation and Publication of Results	Requires discarded ballot papers to be included in ballot reconciliation processes, changes results publication requirements from continuous to periodic reporting, and replaces the term "party list" with "Final National Results Tally".	Clauses 17, 18, 19, 20
7. Recount Procedures	Strengthens recount provisions by expressly authorising the Supervisor of Elections to direct recounts for quality assurance purposes and confirms that an official recount may overturn an earlier decision made by a presiding officer.	Clause 16
8. Electoral Commission Regulatory and Rule-Making Powers	Expands the Electoral Commission's authority to regulate campaign activities through Rules, empowers the Supervisor of Elections to direct the amendment or cancellation of non-compliant activities, and grants rule-making powers concerning the conduct of referendums.	Clauses 27, 47
9. Candidate Eligibility and Conflict of Interest	Clarifies that nominated candidates must continue to satisfy eligibility requirements after nomination and confirms that a declared conflict of interest requires recusal from the relevant decision-making process rather than resignation.	Clauses 4, 5
10. Voter Assistance and Other Liberalising Provisions	Permits free transportation of voters to and from polling venues, allows refreshment provision outside the restricted campaign area, removes certain campaign expenditure obligations, and	Clauses 26(a), 28(b), 46(a)

	lifts restrictions on campaigning within educational institutions.	
11. Powers of the Supervisor of Elections	Removes provisions relating to the Supervisor of Elections' powers under section 6(1B) and 1(c), together with the associated explanatory note concerning potential misuse or perceived impact on political debate.	Clause 3

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 section 2 of the Act and introduces the definition of new key terms as a result of amendments made to sections 91 and 100, and insertion of new section 135A of the Act.

Clause 3 of the Bill amends section 6 of the Act to ensure that the power of the Supervisor of Elections ('SOE') is not misused and does not have a real or perceived impact on free political debates.

Clause 4 of the Bill amends section 13 of the Act to better clarify the process for declaring a conflict of interest by the Electoral Commission, SOE and electoral officials. In the situation of a conflict of interest, the person does not resign but can step down from participating in the decision to which the conflict of interest relates.

Clause 5 of the Bill amends section 23 of the Act to specify and ensure that in the event a vacancy arises, the next available candidate from the National Results Tally must continue to meet the prescribed eligibility criteria.

Clause 6 of the Bill amends section 24 of the Act to categorise the offence under section 24 as an illegal electoral practice.

Clause 7 of the Bill amends section 30 of the Act by removing the requirement for a statutory declaration to be made when raising an objection.

Clause 8 of the Bill amends section 52 of the Act to categorise the offence under section 52 as a corrupt electoral practice.

Clause 9 of the Bill amends section 53 of the Act by ensuring that persons with disabilities who use assistive learning or speaking devices are not caught out in the prohibited use of electronic devices in a polling station. Clause 9 of the Bill also categorises the offence under section 53 as an illegal electoral practice.

Clause 10 of the Bill amends section 60 of the Act to categorise the offence under section 60(4) as an illegal electoral practice.

Clause 11 of the Bill amends section 62 of the Act to categorise the offence under section 62(3) as an illegal electoral practice.

Clause 12 of the Bill amends section 63 of the Act to reduce the campaign boundary from a radius of 300 metres to 100 metres or to a limit as determined by the Electoral Commission. It also removes the 48-hour backout period prior to polling day. Clause 12 of the Bill also amends section 63 to categorise the offences under section 63 as illegal electoral practices.

Clause 13 of the Bill amends section 67 of the Act to extend eligibility for postal voting to voters who are absent from their polling station due to family or other significant commitments and provide for the Electoral Commission to approve additional grounds for postal voting. Clause 13 of the Bill also removes the requirement for statutory declarations for postal voting.

Clause 14 of the Bill amends the Act by inserting a new section 82A to accommodate changes in the schedule caused by any of the following i.e. an interrupting event:

- (a) any force majeure event;
- (b) any request by a village or other venue for the postponement of pre-poll voting; or
- (c) any other circumstance that in the opinion of the Supervisor delays or interrupts the ability of election officials to conduct pre-poll voting or to remain at a pre-poll venue.

Clause 15 of the Bill amends section 83 of the Act to categorise the offence under section 83(16) as a corrupt electoral practice.

Clause 16 of the Bill amends section 89 of the Act to authorise the SOE to undertake a recount of any ballot box for quality assurance purposes.

Clause 17 of the Bill amends section 91 of the Act to include in the count any discarded ballot papers.

Clause 18 of the Bill amends section 100 of the Act to ensure that all ballot papers are accounted for after the count which includes discarded ballot papers.

Clause 19 of the Bill amends section 102A of the Act to address the risks inherent when continuously publishing provisional results throughout the counting process. Instead, the total number of votes for candidates is to be published periodically throughout the tabulation process.

Clause 20 of the Bill amends section 105 of the Act to reflect that it is the Final National Results Tally that is used which sets out the number of votes for each candidate.

Clause 21 of the Bill amends section 110 of the Act to categorise the offence under section 110(2) as an illegal electoral practice.

Clause 22 of the Bill amends section 110A of the Act to categorise the offence under section 110A(8) as an illegal electoral practice.

Clause 23 of the Bill amends section 111 of the Act to categorise the offence under section 111(3) as an illegal electoral practice.

Clause 24 of the Bill amends section 112 of the Act to categorise the offence under section 112(4) as an illegal electoral practice.

Clause 25 of the Bill amends section 113 of the Act to categorise the offence under section 113(5) as a corrupt electoral practice.

Clause 26 of the Bill amends section 114 of the Act to allow for a political party, candidate or their representative to provide free transportation to and from a polling venue, food or refreshments to voters provided that they do not influence or attempt to influence a person's vote. Clause 26 of the Bill also categorises the offence under section 114(2) as a corrupt electoral practice.

Clause 27 of the Bill amends section 115 of the Act to enable the Electoral Commission to regulate campaign activities for organisations under section 115. Clause 27 also empowers the SOE to direct that an activity be cancelled or amended if it does not comply with the Electoral Commission Rules. It also provides a right of appeal to the Electoral Commission when a person does not accept the decision of the SOE.

Clause 28 of the Bill amends section 116 of the Act to categorise the offences under section 116(4B) and (5) as an illegal electoral practice and a corrupt electoral practice, respectively. Clause 28 of the Bill also allows for a level playing field for all parties to campaign by removing the costing of financial commitments.

Clause 29 of the Bill amends section 118 of the Act to remove the 48 hour black out period prior to polling day. Clause 29 also categorises the offence under section 118(4) as an illegal electoral practice.

Clause 30 of the Bill amends the Act by inserting a new section 135A which provides categorises for all electoral offences as either a corrupt electoral practice or an illegal electoral practice, with clearly defined penalties for each category.

Clause 31 of the Bill amends section 136 of the Act to categorise the offence under section 136 as a corrupt electoral practice.

Clause 32 of the Bill amends section 137 of the Act to categorise the offences under section 137(1) and (3) as a corrupt electoral practice and an illegal electoral practice, respectively.

Clause 33 of the Bill amends section 138 of the Act to categorise the offence under section 138(1) and (2) as a corrupt electoral practice and an illegal electoral practice, respectively.

Clause 34 of the Bill amends section 139 of the Act to categorise the offences under section 139 as corrupt electoral practices.

Clause 35 of the Bill amends section 140 of the Act to categorise the offences under section 140 as corrupt electoral practices.

Clause 36 of the Bill amends section 141 of the Act to categorise the offence under section 141 as a corrupt electoral practice.

Clause 37 of the Bill amends section 142 of the Act to categorise the offence under section 142 as a corrupt electoral practice.

Clause 38 of the Bill amends section 143 of the Act to categorise the offence under section 143 as an illegal electoral practice.

Clause 39 of the Bill amends section 144 of the Act to categorise the offences under section 144 as an illegal electoral practice.

Clause 40 of the Bill amends section 144A of the Act to categorise the offence under section 144A as a corrupt electoral practice.

Clause 41 of the Bill amends section 145 of the Act to categorise the offence under section 145 as an illegal electoral practice

Clause 42 of the Bill amends section 146 of the Act to reduce the 300 metre radius to 100 metres as a consequence to the amendment made to section 63. Clause 42 also categorises the offence under section 146 as an illegal electoral practice.

Clause 43 of the Bill amends section 147 of the Act to reduce the 300 metre radius to 100 metres as a consequence to the amendment made to section 63.

Clause 44 of the Bill amends section 148 of the Act to categorise the offences under section 148 as illegal electoral practices.

Clause 45 of the Bill amends section 149 of the Act to categorise the offences under section 149(1), (2) and (3) as an illegal electoral practice and corrupt electoral practice, respectively. Clause 46 of the Bill amends section 150 of the Act to remove the prohibition on campaigns conducted at educational institutions.

Clause 46 also categorises the offence under section 150 as an illegal electoral practice.

Clause 47 of the Bill amends section 155 of the Act to empower the Electoral Commission to make Rules relating to the conduct of a referendum.

3.3 In-depth Analysis of the Clauses of the Bill

During its clause-by-clause analysis of the Electoral (Amendment) Bill 2026, the Committee identified several provisions requiring further consideration:

- **Clause 2 (Interpretation):** The Committee noted that the definitions of “**corrupt electoral practice**” and “**illegal electoral practice**” refer to the penalties prescribed under section 135A. However, the definitions do not clearly identify the specific offences to which those penalties apply. The Committee therefore sought clarification on how offences are linked to the respective categories.
- **Clause 7 (Section 30 Amendment):** The Committee observed the removal of the word “**statutory**” from the declaration requirement. Members noted that a statutory declaration carries legal consequences for false statements and sought clarification on the rationale for removing this safeguard.
- **Clause 8 (Section 52 Amendment):** The Committee recommended that the wording “**which is a corrupt electoral practice**” be amended to “**which is deemed a corrupt electoral practice**” to provide greater legal certainty and clarity.
- **Clause 14(3)(c):** The Committee suggested a drafting amendment whereby the phrase “**promptly advised to the Electoral Commission**” be amended to “**promptly advise the Electoral Commission**” to improve grammatical consistency.
- **Clause 18 (Section 100 Amendment):** The Committee sought clarification on the distinction between “**rejected**” ballot papers and “**discarded**” ballot papers, and the policy rationale behind replacing the former with the latter.
- **Clause 19 (Section 102A Amendment):** The Committee requested clarification on the difference between publishing results “**continuously**” and “**periodically**”, including the practical implications and reason for the proposed change.
- **Clause 20 (Section 105 Amendment):** The Committee sought clarification on the distinction between the existing term “**party list**” and the proposed term “**Final National Results Tally**”, including the purpose and effect of the amendment.
- **Clause 47 (Section 155 Amendment):** The Committee expressed reservations regarding the proposal to empower the Electoral Commission to make rules relating to the conduct of a referendum. Members noted that the Constitution may reserve law-making authority on referenda to Parliament and therefore requested clarification on the constitutional validity of the proposed provision.

3.4 Submission received via public consultation

All the submissions received during the public consultation were considered and deliberated on extensively. The main points and issues noted from the submissions are summarised below.

Electoral Commission and the Fijian Elections Office

The Joint Submission by EC & FEO on 3 Bills outlines the views of the Electoral Commission and the Supervisor of Elections on Bills No. 29, 30 and 31 of 2026. The submission explained that the primary focus of the Bills is to strengthen electoral administration, address recommendations made in previous Multilateral Observer Group (MOG) reports and modernise Fiji's electoral framework. A key feature supported by both institutions is the review and reclassification of electoral offences into two categories: corrupt electoral practices and illegal electoral practices. They considered this approach more proportionate as serious offences would attract voter disqualification for an entire electoral cycle, while minor breaches would no longer carry imprisonment penalties.

With respect to the Electoral (Amendment) Bill 2026, the submission generally supported most proposed amendments. The Commission welcomed measures to reduce the campaign blackout period to polling day only, lower campaign boundaries around polling venues from 300 metres to 100 metres, ease postal voting requirements, provide flexibility for pre-poll scheduling during unforeseen events, and improve election result reporting processes. The Commission also endorsed provisions that support persons with disabilities through the use of assistive devices at polling venues. However, concerns were raised regarding the removal of restrictions on displaying party symbols and banners during the blackout period, and the proposal to allow political parties and candidates to provide transport and refreshments to voters, noting the difficulty in enforcing safeguards against undue influence.]

The submission also addressed campaign financing and foreign influence. While supporting greater flexibility for organisations engaged in electoral information activities, the Commission recommended maintaining robust oversight through Commission Rules. It further supported removing manifesto costing requirements due to compliance challenges experienced in previous elections. The Commission also endorsed changes to offence penalties and supported amendments that would enhance the Commission's authority to issue rules relating to campaign activities and referenda. Several drafting corrections were recommended throughout the Bill to improve clarity and legal consistency.

Regarding the Electoral (Registration of Voters) (Amendment) Bill 2026, the Commission supported amendments that align voter eligibility and disqualification provisions with the 2013 Constitution. It particularly endorsed the establishment of a

Corrupt Electoral Practices List, which would record persons convicted of serious electoral offences and disqualify them from voter registration for four years. The Commission viewed this as an important accountability mechanism that reinforces electoral integrity. It further recommended that the list be publicly available and published alongside voter registration updates to promote transparency and public confidence.

In relation to the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2026, the Commission strongly supported introducing campaign expenditure limits for candidates and political parties as a means of creating a more level electoral playing field. However, it expressed significant reservations about the proposed removal of donation limits and foreign donation restrictions. The submission warned that voters should be able to know who is funding campaigns before casting their ballots and proposed a system requiring disclosure of donations exceeding \$10,000 within ten days of receipt. The Commission also cautioned against permitting unrestricted foreign donations, noting that many established democracies continue to prohibit or strictly limit such contributions to protect against foreign influence in elections.

The Electoral Commission and Supervisor of Elections considered the three Bills to be positive steps towards modernising Fiji's electoral system and addressing long-standing concerns identified by international observers. Nevertheless, they recommended several amendments, drafting corrections and safeguards to ensure the legislation remains practical, transparent, enforceable and consistent with democratic principles and sound electoral administration.

National Council for Persons with Disabilities (NCPD)

The National Council for Persons with Disabilities (NCPD) welcomed the opportunity to provide submissions on Bills 30 of 2026 and generally supported the proposed electoral reforms. The Council acknowledged that the Bills contained measures aimed at improving participation, accessibility, transparency and electoral integrity. However, it submitted that further amendments were necessary to ensure persons with disabilities could participate in elections independently, privately, safely and on an equal basis with other citizens.

NCPD supported the recognition of assistive devices at polling stations and noted that such devices would assist persons with disabilities, particularly those with visual impairments, to participate more independently in the voting process. The Council also supported the provision for free transportation to polling venues but recommended safeguards to prevent undue influence on voters and called for greater accessibility requirements for transport services. It further supported the removal of the 48-hour campaign blackout period, noting that additional time would allow persons with

disabilities to access and process election information in accessible formats. The Council also supported the expansion of postal voting eligibility and recommended that persons with restricted mobility be automatically entitled to postal voting. Additionally, it supported reducing the restricted campaign area from 300 metres to 100 metres, provided that campaign activities did not obstruct access routes or facilities used by persons with disabilities.

University of Fiji

The University of Fiji supported the objectives of electoral reform contained in Bill No. 29 (Electoral Amendment Bill 2026), Bill No. 30 (Electoral Registration of Voters Amendment Bill 2026), and Bill No. 31 (Political Parties Amendment Bill 2026). However, it recommended that all three Bills proceed only with amendments and clarifications to safeguard electoral integrity, transparency, accountability, and voter rights.

The University raised concerns regarding the reclassification of electoral offences into "corrupt electoral practices" and "illegal electoral practices," noting potential inconsistencies with constitutional provisions and uncertainty regarding electoral petitions. It expressed concern over the removal of the Supervisor of Elections' compulsory information-gathering powers, the relaxation of campaign restrictions through the removal of the 48-hour blackout period and reduction of polling-place boundaries from 300 metres to 100 metres, and the substantial reduction of penalties for serious offences such as bribery, undue influence and personation from up to 10 years imprisonment to a maximum of 2 years. The submission also questioned provisions permitting free transport and refreshments for voters, the relaxation of restrictions on foreign-funded electoral activities, and broad powers relating to recounts and pre-poll schedule changes. It recommended clearer safeguards, stronger enforcement mechanisms, coordinated commencement with related Bills, and a comprehensive review of the proposed penalty framework.

Social Empowerment Education Programme

The Social Empowerment Education Programme (SEEP) generally supported the objectives of the Electoral (Amendment) Bill No. 29 of 2026, recognising that many of the proposed reforms would improve electoral accessibility, participation, transparency and administration. In particular, SEEP welcomed provisions expanding postal voting, removing the 48-hour campaign blackout period, reducing campaign-free zones around polling stations, enhancing accessibility for persons with disabilities, permitting free

transportation and refreshments for voters, and introducing a clearer framework for electoral offences and penalties.

Despite these positive reforms, SEEP argued that the Bill contained significant compliance and enforcement gaps that should be addressed before implementation. The submission identified concerns regarding the absence of mechanisms to monitor whether candidates continue to meet eligibility requirements after nomination. While Clause 5 introduced an ongoing obligation for candidates to remain eligible, the Bill did not specify who would monitor compliance, investigate breaches, determine eligibility disputes, or remove an ineligible candidate from the ballot. SEEP warned that this could result in ineligible candidates contesting elections and create costly post-election disputes.

SEEP also raised concerns regarding transparency in the publication of provisional election results. It opposed replacing the requirement for results to be published “continuously” with publication “periodically”, arguing that reduced transparency could undermine public confidence, increase misinformation, and limit stakeholders’ ability to monitor the counting process. The organisation recommended retaining continuous publication or, alternatively, requiring updates at specified intervals.

Regarding pre-poll arrangements, SEEP welcomed new provisions requiring publication of schedule changes through websites, social media and radio, but argued that protections remained insufficient. It recommended extending notice periods, strengthening safeguards for schedule alterations, and ensuring comprehensive voter education before pre-poll voting commenced.

The submission generally supported the removal of the 48-hour campaign blackout period and the reduction of the campaign-free boundary around polling venues from 300 metres to 100 metres. SEEP considered these changes to be more consistent with democratic freedoms and easier to administer while maintaining appropriate safeguards against voter intimidation.

SEEP expressed concern about the expanded recount powers granted to the Supervisor of Elections under Clause 16. The organisation argued that the term “quality assurance” was undefined and could permit recounts without clear criteria. It further noted the absence of an appeal mechanism for recount decisions and recommended that any recount capable of overturning a presiding officer's decision be subject to review by the Electoral Commission.

The organisation supported the new classification of electoral offences into “corrupt electoral practices” and “illegal electoral practices” but objected to the automatic four-year voter disqualification imposed on persons convicted of corrupt electoral practices. SEEP argued that voting is a fundamental democratic right and recommended that disqualification be imposed only where justified by the seriousness of the offence and

determined on a case-by-case basis. It also recommended limiting the proposed Corrupt Electoral Practices List to serious offences and providing review rights for affected individuals.

SEEP welcomed Clause 27, which introduced a right of appeal against directions issued by the Supervisor of Elections. However, it argued that appeal rights should be extended to other significant powers under the Bill, including recount decisions, to ensure consistency and procedural fairness. The organisation also recommended that Electoral Commission Rules be published before enactment and subjected to parliamentary scrutiny.

A central concern of SEEP was the timing of the reforms. The organisation noted that Fiji was already within the constitutional election period and argued that implementing approximately 47 electoral amendments shortly before a general election could create confusion, undermine certainty, and leave insufficient time for electoral officials, political parties and voters to understand and adapt to the new rules. It therefore recommended delaying implementation until after the next general election or introducing reforms gradually.

Fiji Women's Rights Movement

The Fiji Women's Rights Movement (FWRM) supported the overall objective of the proposed electoral reform Bills 29, 30 and 31 of 2026, recognising their potential to improve the administration, accessibility, transparency and integrity of Fiji's electoral system. However, FWRM emphasised that electoral reform should be assessed not only on administrative efficiency but also on whether all eligible citizens, particularly women and vulnerable groups, could participate freely, safely, equally and meaningfully in the electoral process.

With respect to the Electoral (Amendment) Bill 2026, FWRM supported provisions requiring candidates to remain eligible throughout the electoral process but recommended clear procedures, transparency and avenues for appeal to ensure fairness. It welcomed the recognition of assistive learning and speaking devices at polling stations, noting that the amendment promoted accessibility and independent participation for persons with disabilities. FWRM also raised concerns regarding the reduction of the restricted campaign area from 300 metres to 100 metres and the removal of the 48-hour campaign blackout period, recommending stronger safeguards against intimidation, harassment, coercion, misinformation and discriminatory abuse. The organisation further supported expanded postal voting eligibility and more flexible pre-poll voting arrangements but stressed the need for accessible communication, transparency, clear eligibility criteria and protections against misuse. It also called for

transparent recount procedures and stronger safeguards governing the provision of free transportation and refreshments to voters to prevent political influence.

FWRM urged that consideration be given to broader electoral reforms aimed at increasing women's political participation. These included temporary special measures such as reserved seats, political party quotas, targeted campaign financing, leadership development programmes and measures to address barriers within political parties. The organisation also highlighted the need to combat political violence, intimidation and harassment, particularly against women and LGBTQI+ persons, and recommended improved collection of gender-disaggregated and equality-sensitive electoral data.

People's Star Network (PSN)

PSN expressed significant concern about provisions allowing candidates and political parties to provide free transportation and refreshments to voters. While acknowledging that transport assistance may be necessary for some voters, particularly the elderly and persons with disabilities, the submission argued that such support should be provided through a neutral mechanism rather than by political parties. It also recommended retaining a meaningful campaign blackout period and a larger neutral zone around polling stations to protect voter autonomy and minimise polling-day influence.

The submission additionally raised concerns about reduced polling station boundaries, the use of branded campaign vehicles near polling stations, changes to pre-poll voting schedules, and appeal processes relating to campaign activities. It recommended clearer legal criteria, enhanced transparency and expedited appeals where decisions could affect campaign events or candidate participation.

Mosmi Bhim

The submission welcomed the removal of the 48-hour media blackout period, noting that it would allow media organisations to continue informing the public and scrutinising key electoral stakeholders right up until polling day. It also supported the relaxation of donation and reporting requirements, increased fundraising opportunities for political parties, the reduction of declaration requirements for candidates, the provision of transportation and refreshments for voters, and the reduction of the polling venue buffer zone from 300 metres to 100 metres. In addition, the reduction of the disqualification period for former prisoners from eight years to four years was praised as a less discriminatory approach that supports broader democratic participation.

Broader Electoral Reform Concerns

The submitter regretted that the Bills did not address wider electoral reforms, including the creation of multiple constituencies, reserved seats for women and Rotumans, term limits for the Prime Minister, removal of the five percent threshold for parliamentary representation, and restrictions preventing coup perpetrators who enjoy immunity from contesting elections. It was argued that electoral thresholds should be removed and that all penalties and convictions under electoral laws should be subject to review by a court or another independent forum to safeguard the right to justice.

Recommendation 1: Reduce Harsh Electoral Penalties

The submitter argued that the fines and penalties proposed under the Bills remain excessively high and disproportionate to Fiji's economic realities. It was noted that many Fijians earn between FJ\$10,000 and FJ\$30,000 annually and that fines of FJ\$20,000 to FJ\$40,000 would discourage ordinary citizens from participating in politics. The submission recommended a penalty-unit system similar to those used in Australian jurisdictions and proposed that electoral fines be linked to Fiji's minimum wage. It suggested a minimum fine of FJ\$200 and a maximum fine of FJ\$10,400 for most offences, with an upper limit not exceeding FJ\$30,000.

Recommendation 2: Remove Restrictions on Opinion Polls and Research

The submission opposed maintaining restrictions on opinion polls, surveys and election-related research during the seven days before polling day. The Submitter argued that these restrictions limit freedom of expression, academic research and media freedom. The submitter criticised requirements allowing the Electoral Commission to issue guidelines regulating opinion polls and election-related research, arguing that universities and media organisations already operate under ethical standards and should not be subject to additional restrictions.

A copy of the oral and written submission can be obtained from the online "Appendices" of the Report, which can be accessed via the Parliament website: www.parliament.gov.fj

3.6 Sustainable Development Goals Impact Analysis

The Committee notes that the Electoral (Amendment) Bill 2026 contributes directly to **SDG 16 (Peace, Justice and Strong Institutions)**, particularly Targets 16.6 and 16.7, through measures aimed at enhancing electoral transparency, accountability, inclusiveness and public participation in democratic processes.

The Bill also supports **SDG 10 (Reduced Inequalities)** by expanding access to voting through improved postal voting provisions and accommodations for persons with disabilities, and indirectly advances **SDG 5 (Gender Equality)** by promoting equal opportunities for political participation by all eligible voters.

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 Electoral Amendment Bill proposed by the Committee to Parliament.

Whilst the Committee remained firmly of the view that the proposed revisions preserved the spirit and intent of the original Bill, it noted reservations regarding certain clauses, on which some members expressed dissenting views.

3.7.1. Proposed Amendments to the Bill

No.	Bill and Act	Recommendation by the Committee
1.	Bill: <i>Section 63 amended</i> 12. Section 63 of the Principal Act is amended by— (a) in subsection (2)— (i) in the chapeau, deleting “In the 48 hour period prior to polling day and on” and substituting “On”; and (ii) deleting paragraph (b); (b) after subsection (2), inserting the following new subsection— “(2A) For the purpose of subsection (2), “campaign” does not include the display of a party or candidate name, logo, symbol or acronym.”; Act: (2) In the 48 hour period prior to polling day and on the polling day until the close of polling at all polling stations, it is strictly prohibited for any person to— (a) engage in any campaign, including any broadcast, advertisement or publication and distribution of any campaign material; (b) display slogans, banners, posters, flag or colours of a political party or a candidate in the election; (c) approach voters for the purposes of campaigning; or	Deletion of Clause 12(b) of the Bill. The Committee recommended removing subsection (2A) because party names, logos and symbols are part of political campaigning. Allowing them to be displayed during the restricted period could weaken the purpose of the campaign ban and continue to influence voters before and on polling day.

	(d) distribute in any manner (including through telephone, internet, email, social media or other electronic means) any campaign material or communicate political messages, including calls to vote for or against a particular political party or candidate in the election.	
2.	Bill: 26. Section 114 of the Principal Act is amended by— (a) after subsection (1), inserting the following new subsection— “(1A) Notwithstanding subsection (1), a political party, candidate or their representative may provide a voter or voters— (a) free transportation directly to or from the polling venue to which the voter is assigned; and (b) free refreshments for immediate consumption during the journey or outside the 100 metre radius at the polling venue, provided that the political party, candidate or their representative does not influence or attempt to influence a person’s vote.” Act: 114 (1) During the campaign period, but till one week prior to polling day, candidates and their representatives, either personally or through other persons, to put on offer in any election money, gift, material goods of any value (except for campaign material) or services free of charge, to sell goods or services to persons at a preferential price, or to promise to provide any monetary fund, gift, material goods or of any value for the purpose of gaining or influencing votes. (2) Any person who contravenes this section commits an offence and shall be liable upon conviction to a fine not exceeding \$50,000 or to a term of imprisonment not exceeding 10 years, or to both.	New Clause 1A(c) (1B) A candidate, save for voting purposes, must not be present in, or within the immediate vicinity of, any shed, tent, or other structure erected for the purpose of gathering persons on polling day.”; and Rationale: The Committee recommended that candidates should not be allowed to remain in or near sheds, tents, or gathering places set up on polling day. The Committee considered that this would help prevent voter influence, maintain the integrity of the election process, and ensure voters can make their choices freely.

3.	Bill: 47. Section 155(1) of the Principal Act is amended by— (a) in paragraph (ca), deleting “by political parties and candidates”; (b) in paragraph (e), after “;”, deleting “and”; (c) in paragraph (f) deleting “.” and substituting “; and”; and (d) after paragraph (f), inserting the following new paragraph— “(g) the conduct of a referendum.” Act: 155 (1) The Electoral Commission may make Rules relating to— • (a) registration of political parties; • (b) voter registration and maintenance of the Register of Voters; • (c) nomination of candidates; • (ca) campaign activity by political parties and candidates; • (d) conduct of polling, counting and tabulation of results; • (e) determination of the number of members of Parliament, allocation of seats and declaration of results; and • (f) fixing and adjudication of complaints and appeals. (2) Any Rules adopted by the Electoral Commission must not be contrary to or inconsistent with the provisions of the Constitution and this Act.	Deletion of Clause 47(d) of the Bill. Rationale: The Committee was of the view that the administration and conduct of referenda should be governed by dedicated referendum legislation rather than through the Electoral Commission's general rule-making powers under the Electoral Act. The Committee considered that referenda are distinct electoral events with unique legal and procedural requirements and should therefore be regulated under a separate legislative framework.
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3.7.2. Non-Consensus on Clauses 12 and 26

During its consideration of the Electoral (Amendment) Bill 2026, the Committee encountered several matters on which members held differing views. Whilst the Committee acknowledged and respected the various perspectives expressed, it considered it necessary for this Report to record those differences in the interest of transparency. The following clauses therefore set out the issues that gave rise to the object of these clauses.

Clause 12 on 24-hour blackout period

Clause 12 of the Bill amends section 63 of the Act to reduce the campaign boundary from a radius of 300 metres to 100 metres or to a limit as determined by the Electoral Commission. It also removes the 48-hour blackout period prior to polling day. Clause 12 of the Bill also amends section 63 to categorise the offences under section 63 as illegal electoral practices.

The proposed removal of the 48-hour blackout period represents a significant shift in Fiji's electoral framework. The blackout period was originally designed to provide voters with a period of calm and reflection immediately before polling day, free from political advertising, campaigning and other forms of electoral influence. The underlying principle was that, after a lengthy campaign period, voters should be afforded sufficient time to consider the information presented to them and make an informed decision without being subjected to last-minute persuasion efforts.

Members who opposed the amendment, including Hon. Jone Usamate and Hon. Faiyaz Koya, argued that removing the blackout period would defeat the purpose for which the provision was introduced. In their view, allowing campaign activities to continue right up to polling day could expose voters to continuous political messaging and influence at a time when they should be afforded an opportunity for independent reflection. They contended that the blackout period serves as an important safeguard for voter autonomy and helps to promote thoughtful and informed decision-making at the ballot box.

Furthermore, concerns were raised that the absence of a blackout period may encourage intensified campaigning in the final hours before voting, potentially giving greater advantage to parties and candidates with more resources to sustain media and campaign activities until polling day. As such, the Members were of the view that retaining the 48-hour blackout period would better uphold the integrity of the electoral process and preserve a dedicated period for voters to reflect on their choices without undue external influence.

Clause 26 on Free Transportation and Food on Polling Day

Clause 26 of the Bill amends section 114 of the Act to allow for a political party, candidate or their representative to provide free transportation to and from a polling venue, food or refreshments to voters provided that they do not influence or attempt to influence a person's vote. Clause 26 of the Bill also categorises the offence under section 114(2) as a corrupt electoral practice.

Clause 26 of the Electoral (Amendment) Bill 2026 amends section 114 of the Electoral Act 2014 to permit a political party, candidate, or their representative to provide voters with free transportation directly to and from their assigned polling venue, as well as free food or refreshments for immediate consumption during the journey or outside the 100-metre campaign boundary at a polling venue. Such assistance is only permitted provided

that the political party, candidate or representative does not influence, or attempt to influence, a person's vote. The clause also classifies breaches of section 114(2) as a corrupt electoral practice.

The intention behind the amendment is to make voting more accessible, particularly for individuals who may face difficulties travelling to polling stations due to distance, cost, age, disability, or other practical barriers. By allowing transportation and refreshments, the amendment seeks to facilitate voter participation and remove obstacles that may discourage eligible voters from casting their ballot.

However, concerns were raised by some Members of the Committee regarding the potential implications of the provision. In relation to free transportation, Hon. Jone Usamate argued that such assistance should be limited to rural and remote areas where geographical challenges make access to polling venues difficult. Meanwhile, Hon. Faiyaz Koya expressed concern that providing transportation may be perceived as a form of vote buying, as voters may feel a sense of obligation towards the party or candidate that provided the service.

Similarly, both Hon. Jone Usamate and Hon. Faiyaz Koya opposed the provision allowing candidates and political parties to provide food or refreshments to voters. The Members argued that such benefits could also be perceived as inducements and may undermine public confidence in the fairness of the electoral process. Hon. Faiyaz Koya further submitted that the amendment may disadvantage smaller political parties and independent candidates who lack the financial resources to provide such services, thereby creating an uneven playing field among electoral contestants. Consequently, it was suggested that the provisions relating to food and refreshments be omitted from the Bill.

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 **Electoral Amendment Bill 2026**.

The Committee through this report commends the *Electoral Amendment Bill (Bill No. 29 of 2026)* to the Parliament.

MEMBER'S SIGNATURES



.....
Hon. Ratu Rakuita Vakalalabure
(Chairperson)



.....
Hon. Jone Usamate
(Member)



.....
Hon. Ratu Josaia Niudamu
(Member)



.....
Hon. Sachida Nand
(Member)



.....
Hon. Ratu Isikeli Tuiwailevu
(Member)