

ACT NO. 29 OF 2026

I assent.

RATU N. T. LALABALAVU
President

[2 October 2026]

AN ACT**TO AMEND THE HIV/AIDS ACT 2011**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the HIV/AIDS (Amendment) Act 2026.

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

(3) In this Act, the HIV/AIDS Act 2011 is referred to as the “Principal Act”.

Section 2 amended

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

““harm reduction programme” means a harm reduction programme for which the Minister issues written directions under section 46;”.

Section 46 inserted

3. The Principal Act is amended after section 45 by inserting the following new section—

“Harm reduction programmes

46.—(1) The Minister may issue written directions to the Ministry, the Board or any authorised person to carry out a harm reduction programme necessary to prevent the spread of HIV/AIDS.

(2) Harm reduction programmes may permit any of the following—

- (a) distribution, free of charge—
 - (i) skin penetrative instruments, including razors, needles and syringes;
 - (ii) condoms, condom lubricant and any other means of prevention of HIV transmission;
 - (iii) pre-exposure and post-exposure prophylaxis; or
 - (iv) any other treatment or means of preventing HIV transmission;
- (b) provision of access to facilities for the safe return and management of items under paragraph (a)(i);
- (c) provision of targetted counselling services, information and HIV/AIDS awareness materials;
- (d) facilitation of referrals to HIV/AIDS treatment, rehabilitation, mental health and other health and social support services; or
- (e) any other measure approved by the Minister on the recommendation of the Board necessary for the purposes of this Act.

(3) A person who, in accordance with a harm reduction programme, possesses, supplies, distributes, collects, receives, transports or disposes of any items mentioned under subsection (2)(a) or any other harm reduction materials is not guilty of an offence under any written law by reason only of that conduct.

(4) Subsection (3) applies only to the extent that the conduct is reasonably necessary for the establishment, operation or delivery of a harm reduction programme.

(5) A person does not incur criminal or civil liability for anything done or omitted to be done in good faith in the establishment, operation or delivery of a harm reduction programme.”.

Passed by the Parliament of the Republic of Fiji this 1st day of October 2026.