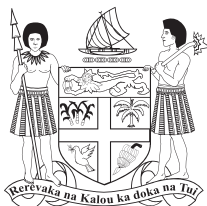


ACT NO. 34 OF 2026

I assent.

RATU N. T. LALABALAVU
President

[2 October 2026]

AN ACT**TO AMEND THE ELECTORAL ACT 2014**

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Electoral (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 Electoral Act 2014 is referred to as the “Principal Act”.

Section 2 amended

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

(a) deleting the definition of “corrupt practice” and substituting the following—

““corrupt practices” has the meaning given under section 163(1) of the Constitution;”; and

(b) inserting the following new definitions—

““corrupt electoral practice” means any of the corrupt practices or an offence for which the penalty is prescribed in section 135A(1);”;

“discarded ballot paper” means a ballot paper that is found in the polling station regardless of whether it has been completed or not;”; and

“illegal electoral practice” means an illegal practice or offence for which the penalty is prescribed in section 135A(2);”.

Section 6 amended

- 3.** Section 6 of the Principal Act is amended by deleting subsections (1B) and (1C).

Section 13 amended

- 4.** Section 13(3) of the Principal Act is amended after “office” by inserting “for the purpose of that decision”.

Section 23 amended

- 5.** Section 23 of the Principal Act is amended after subsection (7) by inserting the following new subsection—

“(8) A person nominated as a candidate must continue to meet the eligibility criteria under this section after he or she has been nominated.”.

Section 24 amended

- 6.** Section 24(3) of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 30 amended

- 7.** Section 30(2)(d) of the Principal Act is amended by deleting “statutory”.

Section 52 amended

- 8.** Section 52(4) of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 53 amended

- 9.** Section 53 of the Principal Act is amended by—

- (a) in subsection (9) after “device”, inserting “except assistive learning or speaking devices”; and
- (b) in subsection (11), deleting “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” and substituting “which is an illegal electoral practice”.

Section 60 amended

- 10.** Section 60(4) of the Principal Act is amended by deleting “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” and substituting “which is an illegal electoral practice”.

Section 62 amended

- 11.** Section 62(3) of the Principal Act is amended by deleting “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” and substituting “which is an illegal electoral practice”.

*Section 63 amended***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 (4), inserting the following new subsection—

“(4A) In this section, “100 metre radius” means the 100 metre radius or such other boundary limit as determined by the Electoral Commission in accordance with Rules of the Electoral Commission.”;
- (c) in subsection (6), deleting “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” and substituting “which is an illegal electoral practice”; and
- (d) deleting “300 metre radius” wherever it appears and substituting “100 metre radius”.

*Section 67 amended***13.** Section 67 of the Principal Act is amended by—

- (a) in subsection (7)—
 - (i) in paragraph (d)(ii), deleting “or”;
 - (ii) in paragraph (e)—
 - (A) after “work”, inserting “, family or other significant”; and
 - (B) after “day”, deleting “.” and substituting “; or”; and
 - (iii) after paragraph (e), inserting the following new paragraph—

“(f) any other ground approved by the Electoral Commission.”; and
- (b) in subsection (8)—
 - (i) deleting “statutory”; and
 - (ii) after “applicant”, inserting “that to the best of his or her knowledge and belief, the information in the application is true”.

*Section 82A inserted***14.** The Principal Act is amended after section 82 by inserting the following new section—*“Notice of pre-poll*

82A.—(1) The notice of pre-poll published by the Electoral Commission under section 82(3) must also be published on the website and social media platform of the Fijian Elections Office, and broadcast on radio.

(2) The Supervisor may authorise a departure from the schedule set out in the notice of pre-poll only—

- (a) if an interrupting event occurs; or
- (b) in any other circumstance approved by the Electoral Commission; and
- (c) if the requirements set out in subsection (3) are complied with.

(3) When the Supervisor authorises a departure under subsection (2), the departure from the pre-poll schedule and the reason for it must be—

- (a) promptly published on the website and social media platform of the Fijian Elections Office, and be broadcast on radio where practicable;
- (b) promptly notified to political parties, independent candidates, observers and the media, by the most practicable means;
- (c) promptly advised to the Electoral Commission; and
- (d) reported in the joint post election report submitted under section 14.

(4) For the purposes of this section, “interrupting event” means—

- (a) any *force majeure* event as defined in section 2;
- (b) any request by a village or other venue for the postponement of pre-poll voting; and
- (c) any other circumstance that in the opinion of the Supervisor delays or interrupts the ability of election officials to deploy to or remain at a pre-poll venue.”.

Section 83 amended

15. Section 83(16) of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 89 amended

16. Section 89(6) of the Principal Act is amended by—

- (a) deleting “conduct a” and substituting “instruct or conduct the”; and
- (b) after “box”, inserting “for quality assurance and notwithstanding any provision in this Act, an official undertaking of a recount may overturn a previous decision of the presiding officer”.

Section 91 amended

17. Section 91(1)(c) is amended after “papers” by inserting “and discarded ballot papers,”.

Section 100 amended

18. Section 100(1)(c) of the Principal Act is amended by deleting “rejected” and substituting “discarded”.

Section 102A amended

19. Section 102A of the Principal Act is amended by deleting “continuously” and substituting “periodically”.

Section 105 amended

20. Section 105(2) of the Principal Act is amended by deleting “party list” wherever it appears and substituting “Final National Results Tally”.

Section 110 amended

21. Section 110(2) of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 110A amended

22. Section 110A(8) of the Principal Act is amended by deleting “and is liable on conviction to a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both” and substituting “which is an illegal electoral practice”.

Section 111 amended

23. Section 111(3) of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 112 amended

24. Section 112(4) of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 113 amended

25. Section 113(5) of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 114 amended

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.”;

(c) after subsection 1(A), inserting the following new subsection—

“(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

(d) in subsection (2), deleting “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” and substituting “which is a corrupt electoral practice”.

Section 115 amended

27. Section 115 of the Principal Act is amended by—

(a) in subsection (1) after “matter”, inserting “unless in compliance with the Rules of the Electoral Commission”; and

(b) after subsection (2), inserting the following new subsections—

“(2A) The Supervisor may direct any person, organisation or entity, including a person employed or engaged by any such person, organisation or entity, to amend or cancel an activity that does not comply with the Rules issued by the Electoral Commission.

(2B) A person, organisation or entity directed under subsection (2A) to amend or cancel an activity may appeal the decision of the Supervisor to the Electoral Commission within 3 days of the Supervisor’s decision, and the Electoral Commission must issue its decision within 3 days thereafter.”.

Section 116 amended

28. Section 116 of the Principal Act is amended by—

(a) in subsection (4B), deleting “and is liable on conviction to a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both” and substituting “which is an illegal electoral practice”;

(b) deleting subsections (4C) and (4D); and

(c) in subsection (5), deleting “, (4) or (4C) 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” and substituting “or (4) commits an offence which is a corrupt electoral practice”.

Section 118 amended

29. Section 118 of the Principal Act is amended by—

(a) in subsection (1), deleting “During the 48 hour period prior to the polling day and on” and substituting “On”;

- (b) deleting subsection (2); and
- (c) in subsection (4), deleting “and shall be liable upon conviction to a term of imprisonment not exceeding 5 years” and substituting “which is an illegal electoral practice”.

Section 135A inserted

30.—(1) The Principal Act is amended after section 135 by inserting the following new section—

“Penalties for corrupt electoral practice and illegal electoral practice

135A.—(1) Any person who commits an offence which is a corrupt electoral practice is liable on conviction to a term of imprisonment not exceeding 2 years or to a fine not exceeding—

- (a) \$100,000 in the case of a political party;
- (b) \$40,000 in the case of a candidate or polling agent; or
- (c) \$10,000 in any other case,

or to both fine and imprisonment, and is disqualified from registering on the National Register of Voters for a period of 4 years.

(2) Any person who commits an offence which is an illegal electoral practice is liable on conviction to a fine not exceeding—

- (a) \$40,000 in the case of a political party;
- (b) \$20,000 in the case of a candidate or polling agent; or
- (c) \$5,000 in any other case.”.

Section 136 amended

31. Section 136 of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 137 amended

32. Section 137 of the Principal Act is amended by—

- (a) in subsection (1), deleting “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” and substituting “which is a corrupt electoral practice”; and
- (b) in subsection (3), deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 138 amended

33. Section 138 of the Principal Act is amended by—

- (a) in subsection (1), deleting “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” and substituting “which is a corrupt electoral practice”; and

- (b) in subsection (2), deleting “and shall be liable upon conviction to a term of imprisonment not exceeding 5 years” and substituting “which is an illegal electoral practice”.

Section 139 amended

34. Section 139 of the Principal Act is amended by deleting “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” wherever it appears and substituting “which is a corrupt electoral practice”.

Section 140 amended

35. Section 140 of the Principal Act is amended by deleting “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” wherever it appears and substituting “which is a corrupt electoral practice”.

Section 141 amended

36. Section 141 of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 142 amended

37. Section 142 of the Principal Act is amended by deleting “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” and substituting “which is a corrupt electoral practice”.

Section 143 amended

38. Section 143 of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 144 amended

39. Section 144 of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” wherever it appears and substituting “which is an illegal electoral practice”.

Section 144A amended

40. Section 144A(4) of the Principal Act is amended by deleting “and is liable on conviction to a fine not exceeding \$50,000 or imprisonment for a term not exceeding 5 years or both” and substituting “which is a corrupt electoral practice”.

Section 145 amended

41. Section 145 of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 146 amended

42. Section 146 of the Principal Act is amended by—

- (a) in subsection 1(d), deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”; and
- (b) deleting “300 metre radius” wherever it appears and substituting “100 metre radius”.

Section 147 amended

43. Section 147(1) of the Principal Act is amended by deleting “300 metre radius” wherever it appears and substituting “100 metre radius”.

Section 148 amended

44. Section 148 of the Principal Act is amended by deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” wherever it appears and substituting “which is an illegal electoral practice”.

Section 149 amended

45. Section 149 of the Principal Act is amended by—

- (a) in subsection (1), deleting “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” and substituting “which is an illegal electoral practice”; and
- (b) in subsections (2) and (3), deleting “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” wherever it appears and substituting “which is a corrupt electoral practice”.

Section 150 amended

46. Section 150 of the Principal Act is amended by—

- (a) deleting paragraph (c); and
- (b) deleting “and shall be liable upon conviction to a fine not exceeding \$10,000 or to a term of imprisonment not exceeding 5 years, or to both” and substituting “which is an illegal electoral practice”.

Section 155 amended

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”; and
- (c) in paragraph (f) deleting “.” and substituting “; and”

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