BILL NO. 4 OF 2026

A BILL

FOR AN ACT TO AMEND THE PUBLIC HEALTH ACT 1935

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Public Health (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 Public Health Act 1935 is referred to as the "Principal Act".

Section 1A inserted

2. The Principal Act is amended after section 1 by inserting the following new section—

"*Application*

1A. This Act applies to the whole of Fiji.".

Section 2 amended

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

(a) in the definition of "animal", inserting "bird, dog," before "horse";

(b) deleting the definition of "bakehouse";

(c) after the definition of "bakehouse", inserting the following new definition—

""birds" means domestic and wild fowl such as a chickens, ducks, goosegeese, turkeys, guinea fowl, pigeons, and any other avian species kept or bred for food, sport, ornamental purposes, or as a pets;";

(d) deleting the definition of "common lodging house" and substituting the following—

""common lodging-house" means a form ofclass of lodging house not being a hotel, inn or public house in which affordable accommodation in which the inhabitants who are not members of one family are lodged together in the same room or rooms for the purposes of eating or sleeping is provided for a short period and persons not forming the same family, are allowed to inhabit one common room and includes backpackers dormitories, school dormitories, labourers' quarters or any other form of short term, cheap accomodation;";

(e) deleting the definition of "conveniences" and insertingsubstituting the following definitions—

""convenience" means essential infrastructure and sanitation facility designed to promote public health and hygiene which includes a water supply system, latrines, sanitary facilityies, surface and subsurface drainage systems, and any other installations or structures intended to prevent the accumulation of waste and ensure sanitary conditions;"; and

(f) after the definition of "conveniences", inserting the following new definition—

"conveyances" means a vehicle, vessel, or other means of transport, whether mechanical or otherwise, used or capable of being used for the carriage of a person, animal, or good from one place to another;";

(fg) deleting the definition of "district" and substituting the following—

""district" means a geographically defined area of jurisdiction and administrative responsibility assigned to a specific local authority;";

(gh) deleting the definition of "food";

(hi) deleting the definition of "house let as lodgings" and substituting the following definitions—

""house let as lodgings" means a hotel, and residential property where an individual room or space is rented out, offering accommodation to multiple people boarding house, guest house or any building, vessel, caravan or house on wheels, or part of a house including the veranda thereof, which is used for or occupied for the business of receiving guests;";

"infectious disease" means—

(a) any disease caused by a specific infectious agent or its toxic products that arises through the transmission of that agent or its products from an infected person, animal or inanimate reservoir to a susceptible host;

(b) any disease listed in Schedule 1; or

(c) any other disease that the Minister may declare temporarily or permanently to be an infectious disease for the purposes of this Act;";

(~~ij~~) in the definition of "laundry", deleting "for profit";

(~~jk~~) in the definition of "medical officer of health", deleting "of health";

(~~kl~~) deleting the definition of "occupier" and substituting the following—

""occupier" includes—

(a) a person who is in physical possession of a premises;

(b) a person who has responsibility for and control over the condition of the premises or any activity carried on in it, or control over any person allowed to enter the premises; or

(c) a person who, for the time being receives rent of the premises whether as a principal or as an agent or trustee for another person, or receives the rent if the premises is on let, or is responsible for the payment of municipal tax, notwithstanding there being more than one occupier of the same premises;";

(~~lm~~) in the definition of "personal effects, goods, premises, drains, vehicles and local vessels subject to isolation" after "~~Permanent Secretary~~medical officer", inserting ", medical practitioner";

(~~mn~~) in the definition of "persons subject to isolation" after "~~Permanent Secretary~~medical officer", inserting ", medical practitioner";

(~~no~~) in the definition of "privy accommodation", deleting "privy" and substituting "sanitary facility"; and

(~~op~~) deleting the definition of "selling, sale and sold".

Section 4 amended

4. The Principal Act is amended by deleting section 4 and substituting the following—

"*Members of Board*

(1) The Board consists of the Permanent Secretary and 7 other members as follows—

(a) a person who is not a public officer as appointed by the Minister;

(b) a person who is qualified in or has extensive experience in public or environmental health as appointed by the Minister;

(c) a licensed medical practitioner registered under the Medical and Dental Practitioner Act 2010, as appointed by the Minister;

(d) a legal practitioner admitted and enrolled as a practitioner of the High Court of Fiji under the Legal Practitioners Act 2009, as appointed by the Minister;

(e) a person qualified in construction and civil engineering, as appointed by the Minister;

(f) the Chief Executive Officer of the Consumer Council of Fiji or his or her nominee; and

(g) the Director responsible for local government or his or her nominee.

(2) Subject to subsection (4), a member of the Board is appointed for a term of 3 years.

(3) On the expiration of a term of office, a member of the Board is eligible for reappointment for a single term only.

(4) The Minister may remove a member of the Board from office if the member—

(a) becomes mentally or physically incapable of carrying out official duties satisfactorily; or

(b) is guilty of neglect of duty or dishonourable conduct.

(5) The office of a member of the Board becomes vacant if the member—

~~*(a)* dies;~~

(~~*b*~~*a)* completes a term of office and is not reappointed;

(~~*c*~~*b)* resigns by providing written notice to the Minister; or

(~~*d*~~*c)* is removed from office by the Minister pursuant to subsection (4).

(6) A quorum of the Board is 5 members.

(7) At a meeting of the Board, the chairperson, or in his or her absence, a member elected by the other members present, presides.

(8) At a meeting of the Board, the decision of the majority of members present prevails and in the case of an equality of votes on any decision, the person presiding has a casting vote.".

Sections 5A, 5B, 5C, 5D and 5E inserted

5. The Principal Act is amended after section 5 by inserting the following new sections—

"*Functions of Board*

5A. The functions of the Board are to—

(a) report on its own initiative or at the request of the Minister, on any matter relating to public and environmental health;

(b) initiate, carry out or oversee programmes and activities designed to improve or promote public and environmental health;

(c) keep the operation, administration and enforcement of this Act under review and to recommend to the Minister any legislative or administrative change it considers appropriate;

(d) consider and report to the Minister on regulations proposed to be made under this Act; and

(e) carry out any other functions or duty assigned to it by the Minister or under this Act.

Delegation of powers of the Board

5B.—(1) The Board may, by instrument in writing, delegate any of its powers or functions under this Act.

(2) In the event of an absence or a delay in the appointment of the members of the Board, the Permanent Secretary ~~or the National Health Advisor~~ or Head of Environmental Health may temporarily perform the functions of the Board, until the time that the appointment of members are effected by the Minister.

Appointment and registration of officers of the Board

5C.—(1) For the purposes of this Act, the Minister may appoint the Head of Environmental Health to perform ~~any~~such functions and duties prescribed by this Act or by-laws or regulations made thereunder.

(2) The Board is the registration authority for all environmental health practitioners, and no person may perform the function of an environmental health practitioner for any local authority unless he or she has been duly registered by the Fiji Institute of Environmental Health, established under the Allied Health Practitioners Act and appointed by the Board.

General powers of supervision of the Board

5D.—(1) Subject to this Act the Board has and exercises the general powers of supervision and inspection over all local authorities and may give directions and make orders for the due compliance with its directions as the Board sees fit.

(2) The Board, on it being proved to its satisfaction that any local authority has made default in performing its duty under this Act with respect to the removal of any nuisance or sources of water, land, air, and noise pollution, or any complaints that are of public and environmental health in nature or the institution of any proceedings of the duty in the matter of the default, and in addition the Board may summon the local authority to carry out all the appropriate works or institute any proceedings that Board considers necessary.

(3) If the duty referred to in subsection (2) is not performed within the time limit as prescribed by the order, the Board may appoint persons to perform any duty or may institute any proceedings and do any act which the local authority might have instituted or done for that purpose, and is entitled to recover from the local authority in default any expenses in and about the proceedings or act as the Board incurs and are not recovered from any other person and have not been incurred in any unsuccessful proceeding.

Board may exercise powers of local authority

5E. The Board may, in addition to the powers and authorities conferred on it by this Act, exercise all the powers and authorities vested in a local authority by this Act within the district of that local authority.".

Section 6 amended

6. Section 6 of the Principal Act is amended by—

(a) in the heading, deleting "Regulations" and substituting "Rules of procedure of the Board"; and

(b) deleting "make regulations" and substituting "make rules".

Section 7 amended

7. Section 7 of the Principal Act is amended by deleting "officers of health" and substituting "practitioners".

Section 8 amended

8. Section 8 of the Principal Act is amended by deleting "may from time to time appoint a secretary to the Board and any officers and servants as may be necessary" and substituting "must appoint the Head of Environmental Health as the secretary to the Board and any other officer to assist the Head of Environmental Health in the discharge of his or her duties".

Sections 8A ~~and~~, 8B, 8C, 8D and 8E inserted

9. The Principal Act is amended after section 8 by inserting the following new sections—

"*Role of secretary to the Board*

8A. The secretary to the Board is responsible for providing administrative support to the Board and carrying out any functions assigned by the Board.

Role of the chairperson of local authority

8B.—(1) It is the duty of ~~T~~the chairperson of the local authority is to ensure that resolutions of the local authority are carried into effect.

(2) If, in the interest of the public health, it is necessary that any notice be served or any action taken which the local authority is authorised to take under the Act, and it is impracticable to call a meeting of the local authority, ~~a~~such notice may be served or action taken by the chairperson of the local authority for and on behalf of the local authority, provided that such action is reported to the local authority at the next meeting, but no subsequent resolution of the local authority may invalidate any prior action taken by the chairperson for and on behalf of the local authority.".

Establishment of Rural Local Authority

8C.—(1) This section establishes the Rural Local Authority.

(2) Members of the Rural Local Authority are appointed by the Minister on the recommendation of the Board.

(3) The Rural Local Authority consist of a chairperson and 11 other members as follows—

(a) the Environmental Health Manager as the secretary to the authority;

(b) a provincial administrator;

(c) a *Roko Tui* (Provicial Office);

(d) the Chairperson of the District Advisory Council;

(e) a subdivisional medical officer;

(f) the provincial head of the National Fire Authority or his or her representative;

(g) a divisional health inspector;

(h) a person nominated by the Central Board of Health;

(i) a person, not being a public servant, who in the opinion of the Board represents the interests of the relevant local community;

(j) a legal practitioner, with not less than 5 years post-admission experience; and

(k) a civil engineer, with not less than 5 years post qualification experience.

(4) In the event of a delay in the appointment of the members of the Rural Local Authority, the Chairperson may temporarily perform the functions of the Rural Local Authority, until the time that the appointment of members is effected by the Minister.

(5) Subject to the provisions of subsection (7) and (8), a member of the Rural Local Authority is appointed for a term of 3 years.

(6) Upon the expiration of a term of office, a member of the Rural Local Authority is eligible for reappointment for a single term only.

(7) The Board may remove a member of the Rural Local Authority from office if the member—

(a) becomes mentally or physically incapable of carrying out official duties satisfactorily; or

(b) is guilty of neglect of duty or dishonourable conduct.

(8) The office of a member of the Rural Local Authority becomes vacant if the member—

(a) completes a term of office and is not reappointed;

(b) resigns by providing written notice to the Board; or

(c) is removed from office by the Board pursuant to subsection (7).

(9) The quorum at a meeting of the Rural Local Authority is 7 members.

(10) At a meeting of the Rural Local Authority, the Chairperson, or in his or her absence such member as the other members present may elect, will preside.

(11) At a meeting of the Rural Local Authority, the decision of the majority of members present prevails and in the case of an equality of votes on any decision, the person presiding has a casting vote.

Functions of the Rural Local Authority

8D. The functions of the Rural Local Authority are to—

(a) report on its own initiative or at the request of the Minister through the Board, on any matter relating to public and environmental health;

(b) carry out or oversee programmes and activities designed to improve or promote public and environmental health;

(c) ensure the continued operation, administration and enforcement of this Act and to recommend to the Minister through the Board any legislative or administrative change it considers appropriate;

(d) consider and report to the Minister through the Board on regulations proposed to be made under this Act; and

(e) carry out any other function or duty assigned to it by the Minister through Board or under this Act.

Officers of the Rural Local Authority

8E. The Board may appoint on such terms and conditions as it thinks fit, such Environment Health Practitioners as may be necessary or expedient for carrying out its functions and duties.

Section 10 amended

10. Section 10(1) of the Principal Act is amended by—

(a) deleting paragraph *(b)* and substituting the following—

"*(b)* in rural districts, any person or body may appoint;"; and

(b) after paragraph *(c)*, inserting the following new paragraphs—

"*(d)* for any part of Fiji which is not included in either an urban or rural sanitary district the Board is the local authority for that part; and

(e) the subdivisional Environmental Health Managers are the Secretary to the rural local authority.".

Section 11 amended

11. Section 11 of the Principal Act is amended by—

(a) in subsection (1), deleting "sanitary inspectors" and substituting "environmental health practitioners"; and

(b) deleting subsection (3) and substituting the following—

"(3) A quorum of a local authority, unless otherwise provided for, consists of at least ~~5~~7 members of the local authority provided that where a medical practitioner or an environmental health practitioner is a member of the local authority, one of the members forming the quorum must be either a medical practitioner or an environmental health practitioner.".

Section 12 amended

12. Section 12 of the Principal Act is amended by deleting subsection (2) and inserting the following—

"(2) Where the Board is satisfied that a local authority has defaulted on its duties under this Act regarding the removal of any nuisance or source of pollution or concerning any public and environmental health complaint, or the institution of any proceeding or enforcement of any regulation or by-law, the Board may—

(a) issue an order setting a deadline for the performance of that duty; and

(b) summon the local authority to a hearing to show cause why it should not be directed to carry out any necessary work or institute any proceeding the Board deems appropriate.

(3) Where the local authority fails to perform the duty outlined in subsection (2) within the time specified, the Board may—

(a) appoint a person to perform the duty;

(b) institute proceedings or take any action the local authority could have taken under this Act; and

(c) recover from the local authority any expenses incurred in doing so, provided the expense is not recovered from another party or spent on an unsuccessful proceeding.".

Section 16 amended

13. Section 16 of the Principal Act is amended after subsection (2) by inserting the following new subsections—

"(3) The Board must scrutinise any design for the purpose of water supply or sewerage or the disposal of sewage during normal times or as a measure of emergency.

(4) The Board must issue an approval or temporary approval for the design for the purpose of water supply or sewerage or the disposal of sewage during any normal time or as a measure of emergency.

(5) The Board has the power to—

(a) recommend and approve the design of a new water and sewerage system that must be adopted in the interest of public health, provided that any approval granted under this subsection is valid for a period of 3 years and must be renewed on expiry;

(b) revoke the use and design of water and sewerage work if the continued use presents a risk of becoming a nuisance; and

(c) issue a fixed penalty notice to any person who designs and installs water and sewerage work that present a risk to public health.".

Sections 16A, 16B and 16C inserted

14. The Principal Act is amended after section 16 by inserting the following new sections—

"*Powers of Head of Environmental Health*

16A. For the purposes of enforcing this Act and the regulations and any by-law of the local authority relating to public and environmental health, the Head of Environmental Health on presentation of a means of identification may, at any reasonable time—

(a) enter any place or premises and inspect the same;

(b) take a sample of any water, beverage, clothing, or bedding, for the purpose of conducting any test or analysis to determine whether it constitute, creates, or contributes to, an insanitary condition;

~~*(c)* order any person he or she has reason to believe suffers from a communicable disease to submit for a medical examination by a duly qualified medical officer of health or medical practitioner;~~

(~~d~~c) in the case of an epidemic~~, or a~~ threat~~ened of an~~ epidemic of ~~a communicable~~an infectious disease, or public health emergency, order any person whom he or she has reason to believe has or ~~is likely to~~ might contract the ~~communicable~~infectious disease to be ~~examined, vaccinated, inoculated, or immunised, or to take any prophylactic or curative medical treatment or measure~~ isolated or quarantine upon the advice of medical practitioners;

(ed) order an insanitary condition on, or in connection with, any premises to be abated by the owner or occupant or both within a time as may be specified in the order;

(fe) order any premises that constitutes an insanitary condition to be vacated; and

(gf) order any structure or building that is or constitutes an unsanitary condition that cannot be abated, or, after an order made under paragraph *(f)*, is not abated within the time specified in the order, to be demolished.

Powers of environmental health practitioner

16B. The Head of Environmental Health may, by written instrument, delegate any of the powers vested in him or her under section 16A to any environmental health practitioner and any such delegation may be general or limited to a specific purpose and may be revoked at any time.

Obstruction in the performance of duty

16C. Any person who obstructs the Head of Environmental Health or any officer acting on his or her behalf in the performance of his or her duty under this Part commits a summary offence and is liable on conviction to a fine of $500 or to imprisonment for a period of 3 months or both.".

Section 18 amended

15. Section 18 of the Principal Act is amended by deleting "erected" and substituting "constructed".

Section 19 amended

16. The Principal Act is amended by deleting section 19 and substituting the following—

"*Notice to be given and plan furnished*

19. An owner or lessee who intends to utilise any area of land for the construction of a dwelling house or building for business purposes must—

(a) comply with the provisions under section 7 of the Town Planning Act 1946 and its regulations; and

(b) give notice in writing to the local authority and must together with the notice, furnish a plan of the site showing the access thereto and the course of the proposed drainage for the approval of the local authority.".

Section 21 amended

17. Section 21 of the Principal Act is amended by deleting "medical officer of health, assistant medical officer of health" and substituting "environmental health practitioner".

Section 23 amended

18. Section 23 of the Principal Act is amended by deleting "$2" and substituting "$50".

Section 30 amended

19. Section 30 of the Principal Act is amended by—

(a) in the heading, deleting "privies" and substituting "sanitary facility";

(b) renumbering section 30 as section 30 (1);

(c) in subsection (1)—

(i) deleting "dustbin" wherever it appears and substituting "wastebin"; and

(ii) deleting "dustbins" and substituting "wastebins"; and

(d) after subsection (1), inserting the following new subsection—

"(2) Any building used as a health care facility must be equipped with a healthcare waste management plan.".

Section 31 amended

20. Section 31 of the Principal Act is amended by—

(a) in the heading, deleting "privies" and substituting "sanitary facilities"; and

(b) deleting "privy and dustbin" and substituting "sanitary facility and wastebin".

Section 32 amended

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

(a) in the heading, deleting "privy or dustbin" and substituting "sanitary facility or wastebin"; and

(b) deleting "privy or dustbin" and substituting "sanitary facility or wastebin".

Section 35 amended

22. Section 35 of the Principal Act is amended by—

(a) in the heading, deleting "privies and dustbins" and substituting "sanitary facility and wastebin"; and

(b) deleting "privies and dustbins" and substituting "sanitary facility and wastebin".

Section 37 amended

23. Section 37 of the Principal Act is amended by—

(a) in the heading, deleting "cesspits" and substituting "septic tank";

(b) deleting "medical officer of health or sanitary inspector" wherever it appears and substituting "environmental health practitioner";

(c) deleting "cesspit" wherever it appears and substituting "septic tank"; and

(d) deleting "dustbin" wherever it appears and substituting "wastebin".

Section 39 amended

24. Section 39(1) of the Principal Act is amended by deleting "Board may, with the approval of the Minister," and substituting "Minister may, in consultation with the Board and the Minister responsible for local government".

Section 55 amended

25. Section 55 of the Principal Act is amended by—

(a) in the chapeau—, deleting " a fine not exceeding $20 for creating the nuisance and also to a further fine not exceeding $1" and substituting "a prescribed penalty for creating the nuisance and";

~~(i) deleting "$20" and substituting "$1,000"; and~~

~~(ii) deleting "also to a further fine not exceeding $1" and substituting "an abatement notice will be issued for rectification of any nuisance under this section where a failure to comply with the abatement notice served will incur a further fine of $1,000";~~

(b) in paragraph *(a)*—

(i) deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner"; and

(ii) in paragraph *(a)*, after "same;", deleting "or";

(c) in paragraph *(b)*, deleting " . " and substituting " ; or"; and

(d) after paragraph *(b)*, inserting the following new paragraph—

"*(c)* there is an accumulation of stagnant or slop water under or near a dwelling-house or building for at least 12 hours after an environmental health practitioner has required the occupier to remove the same.".

Section 56 amended

26. The Principal Act is amended by deleting section 56 and substituting the following—

"*Certain nuisances may be abated summarily*

56. For the purposes of this Act, but without limiting the generality of the term, each of the following is taken to be "nuisance"—

(a) any premises, in the opinion of the environmental health practitioner, is in a state as to be injurious or prejudicial to public and environmental health;

(b) any waste, stagnant water, sullage, water from a drain or any accumulation or deposit of filth or other offensive matter;

(c) the contents of a sanitary facility or drain belonging to a dwelling house or building that is permitted to escape;

(d) a swamp, pool, ditch, gutter, eaves gutter, pipe, septic tank, drain, ash pit, refuse pit, sanitary facility, garbage bin, washing place, well, watercourse, water, tank, barrel, sink, sanitary convenience, collection of sullage water, receptacle containing stagnant water, or other accumulation of water, in a state as to be—

(i) injurious or prejudicial to public and environmental health; or

(ii) a breeding ground for mosquitoes or disease-bearing insects;

(e) any premises or part of a construction or in a state as to be injurious to public and environmental health;

(f) stable, cowshed or other building in which any animals or birds are kept in a manner or in numbers as to be injurious or prejudicial to public and environmental health;

(g) keeping or rearing animal or bird of any description so kept as to be injurious to public and environmental health;

(h) an accumulation or deposit that is injurious or prejudicial to public and environmental health;

(i) any house or part of a house or premises whose residents are provided with less than 4.8 square metres of unobstructed floor space, and that in the opinion of the environmental health officer the premises has become overcrowded and dangerous or injurious or prejudicial to the health of the residents whether or not of the same family;

(j) any work, trade or business that in the opinion of the environmental health practitioner is offensive to the public;

(k) any schoolhouse, school dormitories, workplace, shop, office, factory, warehouse or other place of business—

(i) that is unclean as to be offensive to the public or injurious to health;

(ii) that is not ventilated in a way that renders harmless, so far as practicable, any gases, vapours, dust or other impurities—

(A) that are generated in the course of the work carried on in the workplace;

(B) that are injurious or prejudicial to public and environmental health; or

(C) that is so overcrowded while work is carried on that it is dangerous or injurious or prejudicial to the health of persons employed in the workplace; and

(iii) that is not provided with sufficient approved sanitary facilities;

(l) any building, or premises emitting noise in a way as to be a nuisance;

(m) a chimney emitting smoke in a way as to be a nuisance;

(n) the infestation of any place or premises by—

(i) rats, mice or vermin; or

(ii) any form of insect life declared by regulation to be injurious or prejudicial to public and environmental health;

(o) any offensive trade or business carried on that is injurious to health or unnecessarily offensive to the public;

(p) any noxious matter or water flowing or discharged from any premises into any public street or into any gutter or side channel of any street, or harbour, river, pond or ditch or upon any foreshore that is offensive to the public or injurious to health;

(q) any churchyard, cemetery or place of sepulchre so situated or crowded or otherwise conducted to be offensive or injurious to public and environmental health;

(r) any well or water source or water supply system constructed or maintained in a manner injurious to health; or

(s) any other matter or thing, activities, discharges, or premises, that in the opinion of the Board should be prescribed as being a nuisance.

Clasification of nuisances

56A.—(1) A nuisance referred to under section 56 must be classified in accordance with the regulations.

(2) Without limiting subsection (1), regulations may classify nuisances according to—

(a) the severity of the nuisance;

(b) the nature or use of the premises;

(c) the category of person responsible for the nuisance;

(d) the degree of actual or potential harm to public or environmental health; and

(e) any other prescribed matter.".

Section 57 amended

27. Section 57 of the Principal Act is amended by—

~~*(a)* in subsection (1) after ", if satisfied of the existence of a nuisance,", inserting "issue fixed penalty of $1,0500 and"; and~~

(b) in subsection (4), deleting "deleting to a fine not exceeding $20" and substituting "~~$1,000~~to the prescribed penalty".

Section 59 amended

28. Section 59 of the Principal Act is amended by—

(a) in subsection (6), deleting "not exceeding $40" and substituting "~~$1,000~~as prescribed in the regulations";

(b) in subsection (8), deleting "not exceeding $20 a day during his or her default" and substituting "~~$100~~as prescribed in the regulations"; and

(c) in subsection (9), deleting "not exceeding $4 a day while he or she so acts" and substituting "~~$100~~as prescribed in the regulations".

Section 60 amended

29. Section 60 of the Principal Act is amended in subsection (3) by deleting "$2" and substituting "~~$100~~the prescribed penalty for".

Section 63 amended

30. Section 63 of the Principal Act is amended by—

(a) in subsection (1)—

(i) deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner"; and

(ii) in paragraph *(a)*, deleting "section 56*(g)*" and substituting "section 56*(i)*"; and

(b) in subsection (2), deleting "not exceeding $40" and substituting "~~$500~~as prescribed in the regulations".

Section 64 amended

31. Section 64(2) of the Principal Act is amended ~~in subsection (2)~~ by deleting "for the time being" and substituting "the ~~current~~occupier or".

Sections 66 and 66A amended

32. The Principal Act is amended by deleting section 66 and substituting the following—

"66. Any person who—

(a) causes any drain, sanitary facility or wastebin to be a nuisance or injurious to health;

(b) wilfully damages any water supply apparatus, pipe or work connected thereto;

(c) wilfully impedes or wilfully interferes with the water supply;

(d) improperly and unlawfully uses the water supply apparatus, pipe or work connected thereto; or

(e) wilfully engages in rearing and grazing of animals, logging, farming, fishing activities which may contaminate any water supply or water source,

commits an offence and liable on conviction to a fine ~~not exceeding $500~~ or ~~to~~ imprisonment ~~for a~~ term ~~not exceeding 3 months or both~~as prescribed in the regulations.

66A Regulations

66A.—(1) The Board may, with the approval of the Minister, make regulations prescribing matters required or permitted by this Part to be prescribed or that are necessary or convenient for carrying out or giving effect to this Part, including regulations prescribing—

(a) the classification of nuisances according to severity;

(b) categories of persons, premises, trades, businesses or industries;

(c) the criteria for determining the severity of a nuisance;

(d) fixed penalties and penalty units applicable to each class of nuisance;

(e) penalties for failure to comply with an abatement notice;

(f) the form and content of abatement notices;

(g) enforcement procedures; and

(h) any other matter necessary for the effective administration of this Part.

(2) Regulations made must prescribe the following penalties for the purposes of an abatement notice—

(a) for an offence under this Part—

(i) in the case of an individual, a fine not exceeding $300; and

(ii) in the case of a body corporate, a fine not exceeding $10,000; and

(b) for failure to comply with an abatement notice—

(i) in the case of an individual, a fine not exceeding $1,000; and

(ii) in the case of a body corporate, a fine not exceeding $10,000.".

Section 69 amended

33. Section 69 of the Principal Act is amended by—

(a) deleting the chapeau and substituting the following—

"For the purposes of preventing the occurrence or of checking the spread of any infectious disease in Fiji and generally for carrying out the provisions of this Part, the Minister may exercise the power—"

(b) deleting subsection (1);

(c) in subsection (3)*(l)*, deleting " . " and substituting " ; and ";

(d) after subsection (3)*(l)*, inserting the following new paragraph—

"*(m)* to appoint Divisional Outbreak Response Teams (DORT) and Sub-Divisional Outbreak Response Teams (SDORT).";

(e) in subsection (4)—

(i) deleting "Powers of local authorities"; and

(ii) after "premises" wherever it appears, inserting "vessels, aircraft, conveyances,";

(f) in subsection (5)—

(i) deleting "Duties and powers of a medical officer of health" and substituting "A medical practitioner has the following powers—";

(ii) in paragraph *(a)*, deleting "A medical officer of health shall advise", and substituting "advising";

(iii) in paragraph *(b)*, deleting "A medical officer of health or inspector authorised thereto in writing by a medical officer of health in any case";

(iv) in paragraph *(b)* deleting "medical officer of health or the inspector" and substituting "medical practitioner";

(v) in paragraph *(c)*, deleting "Whenever a medical officer of health" and substituting "where he or she";

(vi) in paragraph *(d)*, deleting "medical officer of health or any medical practitioner authorised in that behalf by a medical officer of health may" and substituting "to";

(vii) in paragraph *(e)*, deleting "medical officer of health and any inspector or other person authorised in that behalf by a medical officer of health may" and substituting "to";

(viii) in paragraph *(f)*, deleting "shall a medical officer of health or any inspector or assistant or other person" and substituting, "may a medical practitioner"; and

(ix) in paragraph *(g)*, deleting "medical officer of health" and substituting "medical practitioner"; and

(g) after subsection (5), inserting the following new subsections—

"(6) An environmental health practitioner duly authorised by the Minister has the power to—

(a) at any reasonable time enter or inspect premises and assess conditions that may contribute to disease transmission;

(b) issue notices of non-compliance;

(c) enforce quarantine and isolation measures, ensuring compliance with directives aimed at limiting disease transmission;

(d) issue directions for the safe burial of persons who have died from an infectious disease;

(e) direct safe management of infectious healthcare waste, ensuring proper handling, treatment and disposal to minimise contamination risks;

(f) obtain environmental samples of food, water and swabs to determine sources of infection;

(g) execute and monitor the closing and prohibition orders, ensuring that affected premises remain closed and prohibited activities as directed by the Permanent Secretary;

(h) obtain information of infected persons through interviews, active surveillance and targeted screening programs;

(i) locate and plot cases on the Quantum Geographical Information System (QGIS); and

(j) cleanse or disinfect any premises or any article necessary from preventing the spread or limiting or eradicating the infection of any infectious disease or otherwise for preventing danger to health or rendering any premises fit for occupation.

(7) Any person who wilfully disobeys an order issued under this section, or who obstructs, delays, or in any way interferes with its prompt execution, or who knowingly publishes or disseminates false information with the intention of causing others to disobey or fail to comply with the order, commits an offence and is liable to a fine not exceeding $10,000.".

Section 70 amended

34. Section 70 of the Principal Act is amended by deleting "medical officer of health" wherever it appears and substituting "environmental health practitioner".

Section 71 amended

35. Section 71 of the Principal Act is amended in the heading by deleting "Notification" and substituting "Surveillance and notification".

Section 78 amended

36. Section 78 of the Principal Act is amended in the chapeau after "Any" by inserting "environmental health practitioner or".

Section 79 amended

37. Section 79 of the Principal Act is amended by—

(a) renumbering section 79 as section 79(1); and

(b) after subsection (1), inserting the following new subsection—

"(2) an environmental health practitioner must supervise and ensure the safe removal of any goods or articles referred to in subsection (1).".

Section 85 amended

38. Section 85 of the Principal Act is amended by—

(a) in subsection (1)*(c)*, deleting "sanitary inspector" and substituting "environmental health practitioner";

(b) in subsection (2), deleting "sanitary inspector" and substituting "environmental health practitioner";

(c) in subsection (3), deleting "$40" and substituting "$~~1,05~~00"; and

(d) in subsection (5), deleting "$50" and substituting "$1,000".

Section 89 amended

39. Section 89 of the Principal Act is amended by deleting "$20" and substituting "$2,000".

Section 90 amended

40. Section 90(2) of the Principal Act is amended by deleting "$10" and substituting "$500".

Section 92 amended

41. Section 92 of the Principal Act is amended by—

(a) after subsection (1), inserting the following new subsection—

"(1A) Pursuant to subsection (1), no person may be registered to operate a common lodging house without providing the following to the local authority—

(a) proof of registration for tax purposes;

(b) proof of registration of the common lodging business;

(c) proof of ownership of the property concerned;

(d) waste management plan; and

(e) any other document as may be required by the local authority from time to time."

(b) in subsection (2), deleting "Evidence".

Section 95 amended

42. Section 95 of the Principal Act is amended by deleting "$10" and substituting "$~~5~~1,000".

Section 96 amended

43. Section 96 of the Principal Act is amended by—

(a) deleting "$10" and substituting "$1,000"; and

(b) deleting "$4" and substituting "$100".

Section 98 amended

44. Section 98 of the Principal Act is amended in paragraph *(c)* by—

(a) deleting "privy" and substituting "sanitary facilities"; and

(b) deleting "dustbin" and substituting "wastebin".

Section 103 amended

45. Section 103 of the Principal Act is amended by—

(a) in paragraph *(a)*, deleting "found to contain any of the immature stages of the mosquito" and substituting "that pose a risk of becoming breeding grounds of mosquitoes";

(b) in paragraph *(b)*, deleting "found to contain any of the immature stages of the mosquito" and substituting "that pose a risk of becoming breeding grounds for mosquitoes"; and

(c) after paragraph *(b)*, deleting "shall be nuisances liable to be dealt with in the manner hereinbefore provided for the treatment of nuisances" and substituting "are considered a nuisance".

Section 104 amended

46. Section 104 of the Principal Act is amended by—

(a) in the heading, deleting "bottles etc" and substituting "receptacles retaining water"; and

(b) after "water" inserting "and become potential breeding grounds for mosquitoes".

Section 105 amended

47. Section 105 of the Principal Act is amended by—

(a) in subsection (1), deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner";

(b) in subsection (2)—

(i) deleting "20 yards" and substituting "20 metres"; and

(ii) deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner"; and

(c) in subsection (3), deleting "medical officer of health" wherever it appears and substituting "environmental health practitioner".

Section 106 amended

48. Section 106 of the Principal Act is amended by—

(a) in the heading, after "Wells", inserting ", boreholes";

(b) renumbering section 106 as section 106 (1);

(c) in subsection (1), deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner";

(d) after subsection (1), inserting the following new subsection—

"(2) Any inlet and outlet pipe of a water tank and any other water-storage vessel must be fitted with a durable, corrosion-resistant mesh or other suitable screening material with apertures fine enough to prevent the entry of dirt, debris, and mosquitoes.".

Section 107 amended

49. The Principal Act is amended by deleting section 107 and substituting the following—

"*Gutters may be required to be perforated*

107. The environmental health practitioner may by written notice require the occupier or owner of any premises upon or attached to which is a gutter, pipe, groove or waterway used or intended for carrying off water from any roof or other place to cause the same to be constructed in a manner to prevent stagnation of water and the harbouring of mosquitoes and if any person served with a notice fails to comply with the provisions within the time specified in the notice, he or she commits an offence under this Part.".

Section 108 amended

50. Section 108 of the Principal Act is amended by deleting "Divisional Director for Health Services" and substituting "environmental health practitioner".

Section 109 amended

51. Section 109 of the Principal Act is amended by deleting "Divisional Director for Health Services" and substituting "environmental health practitioner".

Section 110 amended

52. Section 110 of the Principal Act is amended by deleting "$10" and substituting "$~~1,05~~00".

Section 111 amended

53. Section 111 of the Principal Act is amended by deleting "any sanitary inspector" and substituting "an environmental health practitioner".

Section 112A inserted

54. The Principal Act is amended after section 112 by inserting the following new section—

"*General ship sanitation inspection*

112A.—(1) Any environmental health practitioner, duly authorised by the Divisional Director for Health Services, may conduct routine sanitary inspection of any ship.

(2) During routine inspection, the environmental health practitioner must ensure that—

(a) the ship is free of vermin, including rats, mosquitoes or other vectors of medical importance;

(b) there is no seepage or direct discharge of blackwater or waste from holding tanks;

(c) there is sufficient ratio of waste bins;

(d) there is an adequate system in place for collection, storage, and disposal of waste;

(e) portable water supply is available and free from contamination;

(f) any kitchen, cooking and dining area is free from contamination; and

(g) any sanitary facility provided is of good working condition.".

Section 117 amended

55. The Principal Act is amended by deleting section 117 and substituting the following—

"*Abatement notice for nuisance by ships*

117.—(1) The ~~master or~~ owner of a ship, upon the existence of a nuisance being ascertained commits an offence and is liable to a fine of $200 and an abatement notice requiring that such nuisance be rectified.

(2) The ~~master or~~ owner of a ship that fails to comply with the abatement notice referred to in subsection (1) within the specified time commits a further offence and is liable on conviction to a fine of $1,000 or to imprisonment for a period not exceeding 6 months or both.".

Section 118 amended

56. Section 118 of the Principal Act is amended by deleting "with all proper assistants, workmen and servants from time to time and forcibly if need be" and substituting ", and any authorised environmental health practitioner".

Sections 120A, 120B, 120C, 120D and 120E inserted

57. The Principal Act is amended after section 120 by inserting the following new sections—

"*Water quality standards and monitoring*

120A.—(1) To ensure that any water for drinking or domestic purposes is free from any contaminant that may pose a health risk, the Board must require any local authority to establish routine sampling programmes, and conduct any tests as it deems necessary.

(2) Sanitary surveys must be carried out of all water sources available to the public as often as necessary, and the results of which must promptly be communicated to any person or establishment responsible for the protection and distribution of water to the public.

Presence of contaminant at source of drinking water supply

120B. Upon the Board determining after testing, or believes on other reasonable or probable grounds, that water in a well, borehole, public water supply system, or water supply system, except a private well or private borehole, poses a significant health risk as a result of the presence of a contaminant in the water source, the Board—

(a) must require the local authority of the district to take appropriate action as the local authority considers advisable and necessary in order to ensure that—

(i) access to the source of the water is closed or barred, temporarily or permanently;

(ii) alternate portable water is provided; and

(iii) there is a formal estimation of the health risk to the public;

(b) may serve notice on the owner of the well, public water supply system, or water supply system—

(i) to install a new permanent well or to provide an alternate source that provides water of a quality at least equivalent to and that is as convenient as the water provided before the significant health risk occurred for all the customers of the water, if the Board is satisfied that it would be impossible or impracticable to eliminate the significant health risk; and

(ii) to take further measures as the Board considers advisable and necessary.

Presence of contaminant at point of consumption of drinking water

120C. If the Board determines after testing or believes on other reasonable or probable grounds, that water in a well, public water supply system, or water supply system, except a private well or private borehole, poses a significant health risk because of the presence of a contaminant in the water at the point of consumption, the Board must require the local authority of the district to take the appropriate action as the Board considers advisable and necessary in order to ensure that—

(a) access to the source of the water is closed or barred, temporarily or permanently;

(b) water is temporarily or permanently provided;

(c) the significant health risk is eliminated, if the Board is satisfied, that it would be possible and practicable to do so; and

(d) may serve notice on the owner of the well, public water supply system, or water supply system to—

(i) give notice all consumers of the water of the significant health risk posed by it in accordance with directions set out in the notice within the time period stipulated in the said notice;

(ii) provide safe water temporarily, at the owner's expense, to all consumers of the water in amounts sufficient to enable the consumers adequately to meet their requirements until the significant health risk is eliminated;

(iii) install a new permanent well or to provide an alternate source that provides water of a quality and quantity at least equivalent to and that is as convenient as the water provided before the significant health risk occurred for all consumers of the water, if the Board is satisfied that it would be impossible or impracticable to eliminate the significant health risk; and

(iv) take further measures as the Board considers advisable.

Board to take measures when water supply poses health risk at source and point of consumption

120D. If the Board determines upon testing, or believes, on other reasonable and probable ground, that water in a well, public water supply system or water supply system, except a private well or private borehole, may in the circumstances pose a significant health risk in the future—

(a) at the source, the Board may take measures as it considers necessary in order to ensure that the possible future significant health risk is prevented, eliminated, minimised or otherwise appropriately dealt with and the quality of the water is improved if necessary; and

(b) at the point of consumption, the board may take measures as the Board considers advisable and necessary in order to ensure that the possible future significant health risk is prevented, eliminated, minimised or otherwise appropriately dealt with the quality of the water is improved necessary.

Penalty for polluting water supply

120E.—(1) Any person who in any way defiles or pollutes or permits or sufferers drainage or refuse from his or her land to flow into or be deposited in any way water source, stream, lake, pond, or reservoir forming part of the water supply of the district of a local authority, or a village or settlement, is liable on conviction to a fine not exceeding $1000 or to a term of imprisonment not exceeding 3 months or to both.

(2) Where the local authority is of the opinion that a water supply may become polluted in consequence of a particular activity, the local authority may by notice in writing addressed to the person responsible for the activity, require the person to—

(a) take specified action to prevent pollution of the water supply within such time as the local authority specifies in the notice; or

(b) desist from the activity.

(3) Any person who fails to comply with a notice prescribed in subsection (2) commits an offence and is liable on conviction to a fine of $1,000 or to a term of imprisonment not exceeding 3 months or to both such fine and imprisonment.".

Section 121 amended

58. Section 121 of the Principal Act is amended by deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner".

Section 123 amended

59. Section 123 of the Principal Act is amended by—

(a) deleting "$10" and substituting "$200"; and

(b) deleting "$4" and substituting "$20".

Section 124 amended

60. Section 124 of the Principal Act is amended by—

(a) in the heading after "Well", inserting ", borehole";

(b) renumbering section 124 as section 124(1);

(c) in subsection (1)—

(i) after "well" wherever it appears, inserting "or borehole"; and

(ii) deleting "medical officer of health or the sanitary inspector" wherever it appears and substituting "environmental health practitioner";

(d) after subsection (1), inserting the following new subsections—

"(2) Sanitary facilities must—

(a) be constructed not less than 50 metres away from the nearest well or borehole; and

(b) not to be constructed uphill from any water course, stream, lake, pond or reservoir forming part of a the water supply of the district of the local authority.

(3) Any person that constructs a sanitary facility within 50 metres from a well or borehole commits an offence and liable on conviction to fine not exceeding $5000 or imprisonment for a term not exceeding 6 months or both.".

Section 125 amended

61. Section 125 of the Principal Act is amended by deleting "medical officer of health or sanitary inspector" and substituting "environmental health practitioner".

Section 127 amended

62. Section 127 *(b)* of the Principal Act is amended after "supply" by inserting ", safe storage of solid waste,".

Section 128 amended

63. Section 128 of the Principal Act is amended by—

(a) deleting "$200" and substituting "$2,000"; and

(b) deleting "$4" and substituting "$100".

Section 130 amended

64. The Principal Act is amended by deleting section 130 and substituting the following—

"Recovery of costs and expenses

130.—(1) Where a local authority has expended funds for which the property owner is legally responsible under this Act or any contractual agreement, the authority may seek recovery of those funds, plus accrued interest at a rate not exceeding 5% per annum, calculated from the date of formal notice of demand until full payment.

(2) The recovery referred to in subsection (1) may be pursued against the individual or entity holding legal title to the property at the time the relevant improvements or services were completed whereupon until full satisfaction of the outstanding expenses and interest, a statutory lien may be placed on the property concerned.".

Section 132 amended

65. The Principal Act is amended by deleting section 132 and substituting the following—

"132. The Board of any local authority may appear before any court or in any legal proceedings by an environment health practitioner or by any officer or member authorised generally or in respect of any special proceedings by resolution of such Board or local authority, and an environment health practitioner or any officer or member so authorised is at liberty to institute and carry on any proceeding which the Board or local authority is authorised to institute and carry on under section 131.".

Section 135 amended

66. The Principal Act is amended by deleting section 135 and substituting the following—

"*Nuisance caused by existing on premises of 2 or more owners*

135.—(1) In the instance where a nuisance arises from the combined action or negligence of multiple parties, or originates from properties under shared ownership, legal action may be initiated against one or more of those parties without requiring proceedings against all the parties.

(2) Nothing contained in subsection (1) precludes the parties named in the proceedings from seeking contribution from any other liable parties, where such a right to contribution exists under applicable law.".

Section 140 deleted

67. The Principal Act is amended by deleting section 140.

Section 141 amended

68. Section 141 of the Principal Act is amended by—

(a) deleting "$10" and substituting "$5,000"; and

(b) deleting "$4" and substituting "$500".

Schedule 1 amended

69. The Principal Act is amended by deleting Schedule 1 and substituting the following—

SCHEDULE 1
(Sections 2 and 68)

NOTIFIABLE DISEASES AND CONDITIONS

Interpretation

1.—(1) In this Schedule, "Yes" in Column 3 or Column 4 of a Table means that notification of the disease or condition specified in Column 2 is required to be made by—

(a) a medical practitioner, where "Yes" appears in Column 3; and

(b) a laboratory, where "Yes" appears in Column 4.

(2) A dash (—) in Column 3 or Column 4 means that notification by the person specified in that Column is not required.

(3) Where an item is divided into sub-items, notification of each sub-item is required in accordance with Column 3 and Column 4 of that sub-item.

PART 1—URGENT NOTIFICATION

(Immediate notification by telephone)

Division 1—Category A diseases and conditions

(Full patient demographic details to be provided)

TABLE 1

Column 1 Item	Column 2 Disease or condition	Column 3 Medical practitioner	Column 4 Laboratory
1.	Acute flaccid paralysis	Yes	—
2.	Anthrax	Yes	Yes
3.	Botulism	Yes	Yes
4.	Cholera	Yes	Yes
5.	Crusted scabies	Yes	Yes
6.	Diphtheria	Yes	Yes
7.	Influenza (unsubtypeable)	—	Yes
8.	Measles	Yes	Yes
9.	Meningococcal disease	Yes	Yes
	(a) penicillin resistance	—	Yes
10.	Mpox	Yes	Yes
11.	Paratyphoid	Yes	Yes
	(a) fluoroquinolone resistance	—	Yes

12.	Plague	Yes	Yes
Column 1 Item	**Column 2 Disease or condition**	**Column 3 Medical practitioner**	**Column 4 Laboratory**
13.	Poisoning arising from chemical contamination of the environment	Yes	Yes
14.	Poliomyelitis	Yes	Yes
15.	Rabies	Yes	Yes
16.	Severe acute respiratory infection (SARI)	Yes	—
17.	Typhoid	Yes	Yes
	(a) resistance to third-generation cephalosporins (3GC), carbapenems or fluoroquinolones	—	Yes
18.	Viral haemorrhagic fever	Yes	Yes
19.	Yellow fever	Yes	Yes

Division 2—Outbreaks and clusters

(An outbreak or cluster of any of the following diseases)

TABLE 2

Column 1 Item	***Column 2 Disease or condition***	***Column 3 Medical practitioner***	***Column 4 Laboratory***
1.	Cryptosporidiosis	Yes	Yes
2.	Dengue fever	Yes	Yes
3.	Food poisoning	Yes	Yes
4.	Giardiasis	Yes	Yes
5.	Hepatitis A or hepatitis E	Yes	Yes
6.	Leptospirosis	Yes	Yes
7.	Ross River virus	Yes	Yes
8.	Shigellosis	Yes	Yes

Public health emergencies and other threats

2. In addition to the diseases and conditions specified in Table 1 and Table 2, a medical practitioner and a laboratory must notify immediately by telephone any—

(a) public health emergency of international concern;

(b) emerging infectious disease;

(c) unusual health event;

(d) outbreak; or

(e) other public health threat of national or international significance,

as determined or notified by the Permanent Secretary responsible for health and medical services.

PART 2—ROUTINE NOTIFICATION

(Weekly notification by reporting form)

Division 1—Category B diseases and conditions

(Full patient demographic details to be provided)

TABLE 3

Column 1 Item	Column 2 Disease or condition	Column 3 Medical practitioner	Column 4 Laboratory
1.	Brucellosis (including undulant fever)	Yes	Yes
2.	Chikungunya	Yes	Yes
3.	Ciguatera fish poisoning	Yes	—
4.	Cryptosporidiosis	—	Yes
5.	Cytomegalovirus (CMV)	—	Yes
6.	Dengue fever	Yes	Yes
7.	Diarrhoea (severe infection)	Yes	—
8.	Dysentery	Yes	—
9.	Encephalitis	Yes	Yes
10.	Food poisoning	Yes	—
11.	*Haemophilus influenzae* type b (Hib)	—	Yes
	(a) ampicillin resistance	—	Yes
12.	Hepatitis B	Yes	Yes
13.	Hepatitis C	Yes	Yes
14.	Influenza	—	Yes
15.	Invasive pneumococcal disease	Yes	Yes
16.	Legionellosis	Yes	Yes
17.	Leprosy	Yes	Yes
18.	Leptospirosis	Yes	Yes
19.	Listeria	—	Yes
20.	Lymphatic filariasis	Yes	Yes
21.	Malaria	Yes	Yes
22.	Melioidosis	Yes	Yes
23.	Meningitis (non-meningococcal)	Yes	Yes
24.	Multi-drug resistant organisms, including—	Yes	Yes
	(a) Candida auris	—	Yes
	(b) carbapenem-resistant organisms (CRO)	—	Yes
25.	Ophthalmia neonatorum (gonococcal)	Yes	—
26.	Pertussis	Yes	Yes

Column 1 Item	Column 2 Disease or condition	Column 3 Medical practitioner	Column 4 Laboratory
27.	Respiratory syncytial virus (RSV)	—	Yes
28.	Rheumatic fever	Yes	—
29.	Ross River virus	Yes	Yes
30.	Rotavirus	Yes	Yes
31.	Rubella (acute)	Yes	Yes
32.	Rubella (congenital rubella syndrome)	Yes	—
33.	SARS-CoV	—	Yes
34.	Sexually transmitted infections—		
	(a) chlamydia	Yes	Yes
	(b) gonorrhoea	Yes	Yes
	(i) antimicrobial resistance	—	Yes
	(c) herpes	Yes	—
	(d) syphilis (stage to be stated)	Yes	Yes
35.	Shigellosis	—	Yes
36.	Streptococcus pneumoniae	—	Yes
37.	Tetanus	Yes	Yes
38.	Tetanus neonatorum	Yes	Yes
39.	Tuberculosis—	Yes	Yes
	(a) pulmonary	Yes	—
	(b) non-pulmonary	Yes	—
	(c) rifampicin resistance	—	Yes
40.	Zika	Yes	Yes

Division 2—Aggregate notification

(Aggregate number only: number of cases, ethnicity, age and sex)

TABLE 4

Column 1 Item	Column 2 Disease or condition	Column 3 Medical practitioner	Column 4 Laboratory
1.	Acute respiratory infection (ARI) in children under 5 years	Yes	—
2.	Chickenpox (varicella)	Yes	Yes
3.	Conjunctivitis	Yes	—
4.	Diarrhoea (mild infection)	Yes	—
5.	Hand, foot and mouth disease (HFMD)	Yes	—
6.	HIV (progression to AIDS)	Yes	Yes
7.	Infected scabies	Yes	—

8.	Influenza-like illness	Yes	—
Column 1 Item	**Column 2 Disease or condition**	**Column 3 Medical practitioner**	**Column 4 Laboratory**
9.	Mumps	Yes	Yes
10.	Puerperal pyrexia	Yes	—
11.	Sexually transmitted infection syndromes—		
	(a) anorectal discharge syndrome (ADS)	Yes	—
	(b) genital ulcer syndrome (GUS)	Yes	—
	(c) inguinal bubo syndrome (IBS)	Yes	—
	(d) lower abdominal pain in women(LAP)	Yes	—
	(e) urethral discharge or dysuria syndrome in males (UDS)	Yes	—
	(f) neonatal conjunctivitis syndrome (NCS)	Yes	—
	(g) vaginal discharge syndrome (VDS)	Yes	—
12.	Trachoma	Yes	Yes

Deaths associated with aggregate notifications

3. Despite Division 2 of this Part, any death associated with a disease or condition specified in Table 4 must be notified as an individual case, with full patient demographic details.

Schedule 2 amended

6970. Schedule 2 to the Principal Act is amended by—

(a) after "Arsenic recovery works", inserting "Asphalt plant";

(b) after "Arsenic recovery works", inserting "Automotive repair workshop";

(c) after "Cattle and Pig yards and sale yards", inserting "Collection and storage of used bottles (Recyclers)";

(d) after "Fellmongery", inserting "Fibreglass manufacturing";

(e) after "Fish curing or cleaning", inserting "Flax pulping";

(f) after "Inflammable liquid factories", inserting "Kava pounding";

(g) after "Nightsoil collection and disposal (sanitary depot)", inserting "Ore Extraction";

(h) after "Nightsoil collection and disposal (sanitary depot)", inserting "Quarry"; and

(i) after "Sulphuric, nitric or hydrochloric acid works", inserting "Tyre threading".

Office of the Attorney-General
Suvavou House
Suva

March 2026

PUBLIC HEALTH (AMENDMENT) 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 Public Health (Amendment) Bill 2026 (**'Bill'**) seeks to amend the Public Health Act 1935 (**'Act'**) to provide for updated policy procedures and to increase compliance of the Act.

2.0 CLAUSES

2.1 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.

2.2 Clause 2 of the Bill inserts a new section 1A to provide that the Act applies to the whole of Fiji.

2.3 Clause 3 amends section 2 of the Act and introduces new definitions and amends existing ones.

2.4 Clause 4 amends section 4 of the Act by updating the constitution of the Central Board of Health (**'Board'**) as well as matters incidental to the meetings of the Board.

2.5 Clause 5 inserts new sections 5A, 5B, 5C, 5D and 5E to the Act to provide for the functions, powers, and composition of the Board.

2.6 Clause 6 amends the heading of section 6 of the Act so that it reflects the purpose of the section, which is rules of procedure of the Board.

2.7 Clause 7 amends section 7 of the Act by replacing officers of health with medical practitioners.

2.8 Clause 8 amends section 8 of the Act by appointing the Head of Environmental Health as the Secretary to the Board.

2.9 Clause 9 inserts new sections 8A and 8B, which define the role of the Secretary to the Board and the role of the Chairperson of local authority.

2.10 Clause 10 amends section 10 of the Act by providing for environmental health managers or any person appointed by the Minister to be the local authority in rural areas.

2.11 Clause 11 amends section 11 of the Act by deleting the outdated term of sanitary inspectors and replacing it with environmental health practitioners. Clause 11 also provides for the quorum of a local authority which must include an environmental health practitioner.

2.12 Clause 12 amends section 12 of the Act by modernising the clause to allow the local authority to make orders compelling persons to remove any nuisance or unclean water in their premises and any person who fails to comply with an order may have legal proceedings instituted against him or her.

2.13 Clause 13 amends section 16 of the Act by giving the Board of Health power to scrutinise and authorise water and sewage infrastructure and designs.

2.14 Clause 14 inserts new sections 16A, 16B and 16C which outline the powers of head of environmental health, environmental health practitioner as well as makes it an offence to obstruct these persons from performing their duties.

2.15 Clause 15 amends section 18 of the Act by replacing the word “erected” with the more relevant word of “constructed”.

2.16 Clause 16 amends section 19 of the Act by requiring an owner to comply with the Town Planning Act before the construction a new building.

2.17 Clause 17 amends section 21 of the Act by replacing medical officer of health with the modern term of environmental health practitioner.

2.18 Clause 18 amends section 23 of the Act by increasing the fine from $2 to $50.

2.19 Clause 19 amends section 30 of the Act by providing that all healthcare facilities must have waste management plans. This also updates terms such as wastebin.

2.20 Clause 20 amends section 31 of the Act by inserting updated terms of sanitary facilities and wastebins.

2.21 Clause 21 amends section 32 of the Act by inserting updated terms of sanitary facilities and wastebins.

2.22 Clause 22 amends section 35 of the Act by inserting updated terms of sanitary facilities and wastebins.

2.23 Clause 23 amends section 37 of the Act by inserting updated terms of septic tanks and environmental health practitioner.

2.24 Clause 24 amends section 39 of the Act by making it a requirement of the local authority to consult the Minister responsible for local government when making regulations related to buildings.

2.25 Clause 25 amends section 55 of the Act by increasing the fine and inserting updated terms of environmental health practitioner.

2.26 Clause 26 amends section 56 of the Act by updating the list of activities that are likely to constitute a nuisance.

2.27 Clause 27 amends section 57 of the Act by increasing the level of fixed penalty for causing a nuisance up to $1,000.

2.28 Clause 28 amends section 59 of the Act by increasing the fine for non-compliance with an order to rectify a nuisance up to $1,000 and a daily fine of $100 for every day in which the nuisance persists.

2.29 Clause 29 amends section 60 of the Act by increasing the fine from $2 to $100.

2.30 Clause 30 amends section 63 of the Act by proving for the use of the updated term of environmental health practitioner as well as increasing the fine for obstructing an environmental health practitioner up to $500 from $40.

2.31 Clause 31 amends section 64 of the Act by deleting the phrase “time being” and substituting “current”.

2.32 Clause 32 amends section 66 of the Act by updating the list of activities that constitute nuisance in relation to public water and drains and increases the fine thereof to $500.

2.33 Clause 33 amends section 69 of the Act by giving the Permanent Secretary the power to establish specialised response teams to respond to emerging infectious diseases. It also provides for additional powers of environmental health practitioners to respond to infectious diseases.

2.34 Clause 34 amends section 70 of the Act by providing for the updated term of environmental health practitioner.

2.35 Clause 35 amends section 71 of the Act by providing for medical practitioners to not only notify when an infectious disease occurs, but to also establish surveillance systems.

2.36 Clause 36 amends section 78 of the Act by limiting persons who may apprehend a person who has an infectious disease and is due for isolation to only environmental health practitioners.

2.37 Clause 37 amends section 79 of the Act by requiring environmental health practitioner to safely destroy any goods, articles or clothes that are exposed to an infectious disease.

2.38 Clause 38 amends section 85 of the Act by providing for the updated term of environmental health practitioner. Fines in this section are also revised upwards to $1000.

2.39 Clause 39 amends section 89 of the Act by revising the penalty fee upwards from $20 to $2,000.

2.40 Clause 40 amends section 90 of the Act by reviewing the fee for offensive trades upwards from $10 to $500.

2.41 Clause 41 amends section 92 of the Act by providing for homeowners to first register and meet the requirements of the local authority before running a lodging business such as “AirBnB”.

2.42 Clause 42 amends section 95 of the Act by reviewing upwards the penalty fee for obstructing the local authority from inspecting a premises.

2.43 Clause 43 amends section 96 of the Act by reviewing upwards, the penalty fee for using an unregistered premises.

2.44 Clause 44 amends section 98 of the Act by providing for the updated terms of sanitary facilities and wastebin.

2.45 Clause 45 amends section 103 of the Act by outlining the conditions in which it may be considered a risk of breeding mosquitoes.

2.46 Clause 46 amends section 104 of the Act by expanding the section to include receptacles or anything capable of breeding mosquitoes as a nuisance.

2.47 Clause 47 amends section 105 of the Act by providing for the updated terms of environmental health practitioner and changing the units of measurement from yards to meters.

2.48 Clause 48 amends section 106 of the Act by providing for the updated terms of environmental health practitioner, boreholes and water tanks.

2.49 Clause 49 amends section 107 of the Act by providing that an environmental health practitioner may by notice, require the owner of a property to repair, fix or reconstruct any gutters to prevent the accumulation of stagnant water which may harbour mosquitoes.

2.50 Clause 50 amends section 108 of the Act by providing for the updated terms of environmental health practitioner.

2.51 Clause 51 amends section 109 of the Act by providing for the updated terms of environmental health practitioner.

2.52 Clause 52 amends section 110 of the Act by reviewing upwards the fee for noncompliance with the sections regarding mosquitoes.

2.53 Clause 53 amends section 111 of the Act by providing for the updated terms of environmental health practitioner.

2.54 Clause 54 inserts a new section 112A, which outlines general hygiene requirements for ships.

2.55 Clause 55 amends section 117 of the Act by reviewing upwards the fee payable by a master of a ship for failing to meet the prescribed sanitary requirements.

2.56 Clause 56 amends section 118 of the Act by providing for the updated terms of environmental health practitioner.

2.57 Clause 57 inserts new sections 120A, 120B, 120C, 120D, and 120E which relate to sanitary requirements regarding water supply and the prevention of contamination to such water supplies.

2.58 Clause 58 amends section 121 of the Act by providing for the updated terms of environmental health practitioner.

2.59 Clause 59 amends section 123 of the Act by reviewing upwards, the fee for contaminating a water source.

2.60 Clause 60 amends section 124 of the Act by providing for the updated terms of environmental health practitioner and borehole. The section is further amended by requiring that water sources must be located at a prescribed minimum distance from sanitary facilities.

2.61 Clause 61 amends section 125 of the Act by providing for the updated terms of environmental health practitioner.

2.62 Clause 62 amends section 127 of the Act by providing for the Minister to make regulations regarding the storage of solid waste generated by laundromats.

2.63 Clause 63 amends section 128 of the Act by reviewing upwards, the general penalty for breaches of by-laws and regulations.

2.64 Clause 64 amends section 130 of the Act by updating the clause which empowers the local authority to take legal proceedings against the owner of a property to pay to the authority, any funds that the authority may have spent in the course of enforcing the Act.

2.65 Clause 65 amends section 132 of the Act by providing for the updated terms of environmental health practitioner.

2.66 Clause 66 amends section 135 of the Act by updating the clause which allows the local authority to institute legal proceedings against any one person where a property in breach of this Act has multiple owners.

2.67 Clause 67 deletes section 140 of the Act.

2.68 Clause 68 amends section 141 of the Act by reviewing upwards, the general penalty for offences which do not have a specified penalty in the Act.

2.69 Clause 69 amends Schedule 2 to the Act, by inserting new forms of business activity which may constitute nuisance.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Minister responsible for health.

S. D. TURAGA
Acting Attorney-General

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