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 2021.

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

Part 7 amended

2. Part 7 of the Public Health Act 1935 is amended after section 82 by inserting the following—

“Division 5—Infringement Notices

Interpretation of this Division

82A. In this Division, unless the context otherwise requires—

“authorised officer” means a police officer or any other person authorised by the Minister for the purposes of this Division;

“fixed penalty” means a penalty specified in, and payable on receipt of, an infringement notice; and
“infringement notice” means a notice prescribed by regulations and issued by an authorised officer pursuant to section 82B.

Infringement notices

82B.—(1) Subject to this Division, if an authorised officer has reason to believe that a person has committed an offence under this Part or any subsidiary legislation made under this Part for which a fixed penalty is payable, the authorised officer may issue an infringement notice to the person.

(2) The infringement notice must—

(a) name the person to whom the infringement notice is issued;
(b) specify the particulars of the offence;
(c) specify the fixed penalty that the person named on the infringement notice is required to pay; and
(d) specify any other information prescribed by regulations.

Regulations for the issuance of infringement notices

82C. The Minister may make regulations prescribing matters that are required to be prescribed or are necessary or convenient to be prescribed for the issuance of infringement notices, including—

(a) the offences for which infringement notices may be issued;
(b) the fixed penalties for prescribed offences;
(c) the manner, form and timeframes for which infringement notices are to be issued;
(d) the actions a person may undertake on receipt of an infringement notice; and
(e) other penalties that a person to whom an infringement notice has been issued may be liable to, including—

(i) a late payment fee; and
(ii) notwithstanding anything contained in any other written law, the closure of businesses.

Division 6—Regulations”.

Passed by the Parliament of the Republic of Fiji this 3rd day of June 2021.