

# PwC Fiji Bulletin

30 March 2020

## In this issue:

- **Fiji nationwide curfew**
- **Public Health Act**

## Fiji nationwide curfew

The Hon. Prime Minister has announced a nationwide curfew from 10pm to 5am daily from Monday, 30 March 2020 to minimise non-essential movement of people and in a bid to contain COVID-19

Industries and certain service providers who require staff to do shift work or may need staff to address emergency calls will be allowed to continue and their employees will be allowed to reach their destinations. In this regard, we understand that these industries and service providers would need to ensure that all staff who are required to work during the curfew hours carry the following:

- (i) A company Photo ID card or in the absence of a company ID, a valid National Photo ID (e.g. Voter ID, Joint ID or Driver's License);
- (ii) A letter issued by the company to the staff member (on the company's letterhead) advising that the individual is required to work during that specific time; and
- (iii) National Contact Centre telephone contact (where applicable) to verify the claims of the staff member. In the absence of a contact centre, the name and contact details of an appropriate officer should be provided.

Contracted service providers (e.g. taxi or bus operators<sup>1</sup>, port service providers such as tug operators or line port service providers, etc.) would need to carry the following:

- (i) A letter from the contracting company (on the company's letterhead) that they the contractor is a service provider for the company and is required to work during the curfew period; and
- (ii) National Contact Centre telephone contact (where applicable) to verify the claims of the service provider. In the absence of a contact centre, the name and contact details of an appropriate officer should be provided.

We understand that businesses were also required to provide the following information to the Ministry of Industry, Trade and Tourism by 10am on Sunday, 29 March 2020<sup>2</sup>:

- (i) List of employees who would work during the curfew period;

<sup>1</sup> Normal taxi and bus operations will not be allowed during the curfew times.

<sup>2</sup> We have sought clarification from the Ministry of Industry, Trade and Tourism on whether employers could provide the information at a later date as a number of employers may not have been aware of these requirements.

- (ii) Scanned copies of their company Photo ID or other valid ID that will be used during this period:
- (iii) List of company vehicle registration numbers, private vehicle registration numbers and contracted taxis or buses registration numbers; and
- (iv) National Contact Centre telephone number. In the absence of a contact centre, the name and contact details of an appropriate officer should be provided.

Businesses may contact the Ministry of Industry, Trade and Tourism, using the following email addresses or phone:

- Permanent Secretary for Industry, Trade and Tourism  
Email: shaheen.ali@govnet.gov.fj  
Phone: 990 5898
- Director Economics  
Email: kartik.pratap@govnet.gov.fj  
Phone: 990 7421
- Director Trade  
Email: mahek.fj@gmail.com  
Phone: 990 5596
- Senior Economic Planning Officer  
Email: payle.chand@govnet.gov.fj  
Phone: 9200 779



## **Fiji Public Health Act 1035 and related amendments**

The Fiji Government has announced various measures under the Public Health Act (hereinafter referred to as the “Act”) to contain the spread of COVID-19.

Section 69 of the Act gives the Minister, the Permanent Secretary for Health, the Central Board of Health, local authorities and a medical officer of health various powers for the purposes of preventing the occurrence or of checking the spread of any infectious disease in Fiji.

As part of the COVID-19 Response Budget, various fines under the Act were increased and any person in contravention is now, on conviction, liable to a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both (previously only a fine ranging from \$20 to \$40).

Please refer to Appendix A for details of some of these fines.

Please contact us if you have any questions or queries in relation to this Bulletin or any other matters.

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## Appendix A

### Public Health Act – Fines and imprisonment terms<sup>3</sup>

Section reference	Provision	Fines previously	Revised fines / implications
69(5)(b)	Every person who wilfully disobeys the order of a medical officer of health (or inspector authorized by a medical officer of health) for the removal of any person suffering or suspected to be suffering from any infectious disease to a hospital or other place where such person can be effectually isolated; or who obstructs or delays or in any way interferes with the prompt execution thereof.	Fine not exceeding \$40.	On conviction, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both.
70	<p>Every person who in any way directly or indirectly by act or default –</p> <p>(a) obstructs or hinders the Permanent Secretary or a medical officer of health in the exercise of his functions and powers (under section 69 for preventing the occurrence or of checking the spread of any infectious disease in Fiji) or obstructs or hinders any inspectors or other person acting with the authority or by direction of the Permanent Secretary or a medical officer of health; or</p> <p>(b) does anything which the medical officer of health in the exercise of the aforesaid functions and powers forbids to be done; or</p> <p>(c) refuses, delays or neglects to comply with any direction or requirement of a medical officer of health or fails to afford reasonable assistance to a medical officer of health in the exercise of the aforesaid functions and powers.</p>	Fine not exceeding \$40 and in the case of a continuing offence to a further fine not exceeding \$40 for every day on which the offence is continued.	On conviction, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both.

<sup>3</sup> This is not an exhaustive list.

Section reference	Provision	Fines previously	Revised fines / implications
74(1)	<p>Every person -</p> <p>(a) while to his own knowledge suffering from any infectious disease wilfully is in any public place without having taken proper precautions against the spread of infection; or</p> <p>(b) while in charge of any person suffering as aforesaid takes him into or allows him to be in any public place without having taken proper precautions against the spread of infection; or</p> <p>(c) while suffering as aforesaid enters any public conveyance or while in charge of any person so suffering takes him into any public conveyance without in every such case notifying the driver or conductor of the fact; or</p> <p>(d) being the owner, driver or conductor of a public conveyance fails or neglects to disinfect the conveyance or cause the same to be disinfected forthwith after it has to his knowledge been entered by any person suffering as aforesaid.</p>	Fine not exceeding \$20.	On conviction, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both.
77	Where an unauthorised person enters or leaves an isolation hospital, camp or station.	Fine not exceeding \$40.	On conviction, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both.

Section reference	Provision	Fines previously	Revised fines / implications
75(1)	<p>Every person who-</p> <p>(a) lends, sells, transmits or exposes any things which to his knowledge have been exposed to infection from any infectious disease unless they have first been effectively disinfected or proper precautions have been taken against spreading the infection; or</p> <p>(b) lets for hire any house or part of a house to be shared or occupied in common by or with any person who to his knowledge is suffering from any infectious disease; or</p> <p>(c) lets for hire any house or part of a house in which there then is or within the previous six months has been any person to his knowledge suffering from any notifiable infectious disease unless the house or part thereof as the case may be and all things therein liable to infection have been effectually disinfected to the satisfaction of a medical officer of health before the person hiring goes into occupation; or</p> <p>(d) when letting or negotiating to let to any person for hire any house in which any person suffering from an infectious disease is then living or any part of any such house does not disclose that fact.</p>	Fine not exceeding \$20.	On conviction, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both.