

ACT NO. 1 OF 2017

I assent.

J. K. KONROTE
President

[14 February 2017]

AN ACT

TO AMEND THE PUBLIC ORDER ACT 1969

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

- 1.—(1) This Act may be cited as the Public Order (Amendment) Act 2017.
- (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 Order Act 1969 is referred to as the “Principal Act”.

Section 8 amended

2. The Principal Act is amended by deleting section 8 and substituting the following—

“Permits for meetings and processions

- 8.—(1) Subject to subsection (2), any person may organise or convene a meeting or procession in a public place without the need for a permit under this Act.

(2) Any person who wishes to organise or convene a meeting or procession on or in a public park or public road shall first make an application for a permit to the appropriate authority and, unless the appropriate authority is satisfied for good reason that such a meeting or procession is likely to prejudice the maintenance of peace or good order, the appropriate authority shall issue a permit specifying—

- (a) in the case of a meeting, the purpose for which, and the place or times at which or between which, such meeting may be held and such other conditions as the appropriate authority may think fit to impose;
- (b) in the case of a procession, the purposes for which, and routes of which, and the times at which or between which, such procession may pass and such other conditions as the appropriate authority may think fit to impose; and
- (c) the name or names of the person or persons to whom such a permit is issued.

(3) Every application for a permit under subsection (2) shall be made in writing to the appropriate authority at least 7 days, or within such lesser time as the applicant may specify in any particular case, prior to the date on which the applicant proposes to organise or convene a meeting or procession.

(4) The requirement to obtain a permit under subsection (2) shall not apply to processions solely in connection with marriages or funerals.

(5) Every person to whom a permit is issued under subsection (2) shall be responsible for the due observance of all the conditions specified in the permit.

(6) The appropriate authority may, in the appropriate authority's discretion, refuse to grant a permit under subsection (2) to any person or organisation that has on any previous occasion failed to comply with any condition imposed with respect to any meeting or procession, or any person or organisation that has on any previous occasion organised any meeting or procession which has prejudiced peace, public safety or good order or which has engaged in racial or religious vilification.

(7) For the purposes of subsection (2) and section 10(1)(a), "public park or public road" means any highway, public street, public road, public park or garden, any sea beach, river bank, public bridge, wharf, jetty, lane, footway, square, court, alley or passage whether a thoroughfare or not."

Section 9 amended

3. Section 9 of the Principal Act is amended by deleting subsection (2).

Section 10 amended

4. Section 10(1) of the Principal Act is amended by deleting paragraph (a) and substituting the following—

“(a) takes part in a meeting or procession on or in a public park or public road for which no permit has been issued under section 8(2);”

Passed by the Parliament of the Republic of Fiji this 8th day of February 2017.