

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 35

WEDNESDAY, 18th SEPTEMBER

2019

[LEGAL NOTICE NO. 84]

PASSPORTS ACT 2002

Travel Documents Regulations 2019

In exercise of the powers conferred on me by section 21 of the Passports Act 2002, I hereby make these Regulations—

Short title and commencement

- 1.—(1) These Regulations may be cited as the Travel Documents Regulations 2019.
- (2) These Regulations come into force on the date of publication in the Gazette.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“applicant” means a person who applies for a Fijian passport under these Regulations; and

“personal identifier” means the identifiers specified in Schedule 1, including any identifier in digital form.

Application for a Fijian passport

- 3.—(1) An application for a Fijian passport must—

- (a) be made to a passport officer;
- (b) be accompanied by the applicable fee as set out in Schedule 2; and
- (c) where applicable, be submitted with the following—
 - (i) the applicant’s personal identifier which must be provided in person to a passport officer;
 - (ii) the applicant’s original birth certificate;
 - (iii) a valid national photo identification of the applicant or in the case of an applicant who does not have a valid national photo identification, a statutory declaration confirming the identity of the applicant pursuant to the Statutory Declarations Act 1970;
 - (iv) in the case of an application for a diplomatic passport, the letter of appointment of the applicant and a letter of support from the Ministry responsible for foreign affairs;
 - (v) if the applicant is married and would like to use his or her married name, the original marriage certificate;
 - (vi) if the applicant is a divorcee, the final court order for dissolution of the marriage;

- (vii) if the applicant is a surviving spouse, the original death certificate of the deceased spouse;
- (viii) if the applicant has changed his or her name by deed poll, the deed poll;
- (ix) if the applicant has acquired citizenship by naturalisation or registration, the original certificate of citizenship;
- (x) if the applicant is a child, the original documents required for the purpose of section 4 of the Act; and
- (xi) if the applicant is an adopted child, a certified copy of the final adoption order of the court.

(2) When applying for a new passport, the applicant must appear in person in order for the passport officer to verify the personal identifier of the applicant unless the requirement for appearance in person is waived by a passport officer in accordance with regulation 4.

(3) A document submitted with an application must be retained by the passport officer, except that original documents may be returned to the applicant provided a copy is also supplied by the applicant for retention.

(4) The passport officer may, as he or she considers necessary, require an applicant to provide such further evidence in relation to an application.

(5) A diplomatic passport is to be issued in accordance with the guidelines set by Cabinet.

(6) The passport officer may waive any requirements under this regulation in respect of the issuance of an emergency passport.

Waiver of requirement to appear in person

4.—(1) Notwithstanding anything contained in these Regulations, a passport officer may waive the requirement that an applicant appears in person if the passport officer is satisfied that the applicant's circumstances necessitate such waiver and provided the applicant complies with this regulation.

(2) An applicant who is unable to appear in person must submit to a passport officer—

- (a) an application in the approved form and accompanied by the prescribed fee;
- (b) a statutory declaration pursuant to the Statutory Declarations Act 1970 stating the circumstances that prevent him or her from appearing in person;
- (c) 2 clear prints of recent, front-on, head and top of shoulders coloured photographs of the applicant, exactly 3.5 cm by 4.5 cm in size, one of which must be witnessed on the reverse by the person witnessing the application; and
- (e) where applicable, the documents listed in regulation 3(1)(c).

(3) The following persons may witness an application under this regulation, including the photograph of the applicant—

- (a) a member of Parliament;

- (b) a member of a city or town council;
- (c) a member of a provincial council;
- (d) a member of an advisory council;
- (e) a legal practitioner;
- (f) a commissioner for oaths;
- (g) a Judge, Magistrate or justice of the peace;
- (h) a public officer, including a teacher and a member of the Fiji Police Force, Fiji Corrections Service and the Republic of Fiji Military Forces, of or above the position of administrative officer or equivalent;
- (i) an employee of a company, statutory body, bank or other financial institution who holds a middle management position or above;
- (j) a religious minister or priest who has been registered as a marriage officer under the Marriage Act 1968; or
- (k) any professional person registered as such under a written law.

Urgent processing of passports

5.—(1) If an application for a Fijian passport is required by the applicant to be processed as a matter of urgency, the applicant may request that the application be processed with such urgency, subject to the payment of an urgent processing fee as set out in Schedule 2.

(2) The passport officer must issue the passport to the applicant within 24 hours provided the application meets the full requirements under these Regulations.

Emergency passports

6.—(1) A passport officer may issue an emergency passport in accordance with section 9(1) of the Act.

(2) An emergency passport must not be renewed.

Validity of Fijian passports

7.—(1) A standard Fijian passport is valid for 10 years from the date of issuance unless the Minister approves another period.

(2) An emergency passport is valid for a period of up to 12 months from the date of issuance, for a single or return journey only.

Endorsement of Fijian passport

8.—(1) An application for an endorsement for a Fijian passport must—

- (a) be made to a passport officer; and
- (b) be submitted together with—
 - (i) any documentary proof of the matter intended to be endorsed in the passport;
 - (ii) the valid passport; and
 - (iii) the applicable fee as set out in Schedule 2.

(2) The passport officer may, as he or she considers necessary, require an applicant to provide such further evidence or documents in relation to an application under this regulation.

Renewal of Fijian passport

9.—(1) A person may apply to a passport officer for the renewal of his or her Fijian passport if—

- (a) his or her passport has expired;
- (b) his or her passport will expire in less than 6 months from the date of lodgment of the application; or
- (c) there are no unused pages remaining in his or her passport.

(2) An application for the renewal of a Fijian passport must be submitted together with—

- (a) the applicable fee as set out in Schedule 2;
- (b) a valid national photo identification of the applicant or in the case of an applicant that does not have a valid national photo identification, a statutory declaration confirming the identity of the applicant pursuant to the Statutory Declarations Act 1970;
- (c) the last held passport of the applicant; and
- (d) where any of the applicant's details, submitted to a passport officer for the issuance of the last held passport, has subsequently changed, the original of any official document verifying the change.

(3) The passport officer may, as he or she considers necessary, require an applicant to provide such further evidence or documents in relation to an application under this regulation.

Replacement of valid Fijian passport

10.—(1) A person may apply to a passport officer for the replacement of his or her valid Fijian passport for any reason, including if his or her passport has been stolen or is lost or damaged.

(2) An application for the replacement of a Fijian passport must be submitted together with—

- (a) a statutory declaration pursuant to the Statutory Declarations Act 1970 stating the circumstances necessitating the replacement;
- (b) the applicable fee as set out in Schedule 2;
- (c) a valid national photo identification of the applicant or in the case of an applicant that does not have a valid national photo identification, a statutory declaration confirming the identity of the applicant pursuant to the Statutory Declarations Act 1970; and
- (d) for the replacement of a damaged passport or for any other reason where the passport is in the possession of the applicant, the valid passport.

(3) The passport officer may, as he or she considers necessary, require an applicant to provide such further evidence or documents in relation to an application under this regulation.

(4) A person whose valid Fijian passport has been stolen or is lost must make every effort to recover the lost or stolen passport.

Fees and charges

11.—(1) For the purposes of these Regulations and the Act, the fees for a passport application are set out in Schedule 2.

(2) A fee payable to a Fijian mission in another country must be paid in the currency of that country converted at the rate of exchange prevailing at the time of payment rounded to the next highest integral of currency of that country.

(3) The Minister may, on the recommendation of the Director, waive the payment of any fee set out in Schedule 2.

Procedures for appeals

12.—(1) If an application for the issuance of a Fijian passport is refused, the passport officer must—

- (a) within 3 working days, inform the applicant in writing of the decision and reason for the decision; and
- (b) inform the applicant of the right to appeal and the procedures to be followed.

(2) If an appeal is received by a passport officer, the passport officer must prepare the record of the matter and submit it with the grounds of appeal to the Minister within 5 working days after receiving the notice of appeal for the Minister's consideration pursuant to section 17 of the Act.

Transitional

13.—(1) A passport issued prior to the commencement of these Regulations remains valid until the expiry of the term of the passport or the cancellation or replacement of the passport in accordance with written law.

(2) Subject to regulation 4, a person who has lodged an application for a Fijian passport prior to the commencement of these Regulations but has not been issued a Fijian passport must provide his or her personal identifier in person to a passport officer within 3 months from the commencement of these Regulations.

(3) If a person described in subregulation (2) does not provide his or her personal identifier in person to a passport officer within the specified timeframe in order to be issued the type of passport applied for, he or she must—

- (a) pay the difference between the fee already paid by the person and the relevant fee under Schedule 2 of the passport applied for; and
- (b) comply with the requirements for an application under these Regulations.

Revocation

14. The Passports Regulations 1971 is revoked.

Made this 18th day of September 2019.

J. V. BAINIMARAMA
Prime Minister and Minister responsible for immigration

SCHEDULE 1
(Regulation 2)

Personal Identifiers

1. A person's fingerprint or handprint taken using paper and ink, digital scanning technology or otherwise.
2. A recent front-on, head and top of shoulders photograph of the applicant, exactly 3.5 cm by 4.5 cm in size, one of which must be witnessed on the reverse by the person witnessing the application, or other electronic image of the applicant's face and shoulders.
3. A person's signature.

SCHEDULE 2
(Regulation 9)

Fees

Category of fees	Fee (VAT Exclusive) \$
Standard passport	
1. Ordinary processing – new or renewal	183.49
2. Urgent processing – new or renewal	252.29
Emergency passport	
3. Ordinary processing	252.29
Official passport	
4. Ordinary processing	229.36
5. Urgent processing	275.23
Diplomatic passport	
6. Ordinary processing	229.36
7. Urgent processing	275.23
Miscellaneous – for all types of passports	
8. Urgent processing – new or renewal (weekend/public holidays)	557.80
9. Ordinary processing – stolen/lost/damaged and valid	366.97
10. Urgent processing – stolen/lost/damaged and valid	477.06
11. Endorsement of passport	137.61

Category of fees	Fee (VAT Exclusive) \$
12. Change of application –	
– Change of application from ordinary processing to urgent processing	114.68
– Change of application from ordinary processing to urgent processing during the weekend/public holiday	376.15