

REGISTRATION OF SEX OFFENDERS ACT 2021  
(ACT NO. 39 OF 2021)

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**ACT NO. 39 OF 2021**

I assent.

J. K. KONROTE  
President

[22 September 2021]

**AN ACT**

TO PROVIDE FOR THE ESTABLISHMENT OF A REGISTER OF SEX OFFENDERS, THE REGISTRATION AND REPORTING OBLIGATIONS OF SEX OFFENDERS AND FOR RELATED MATTERS

ENACTED by the Parliament of the Republic of Fiji—

**PART 1—PRELIMINARY***Short title and commencement*

- 1.**—(1) This Act may be cited as the Registration of Sex Offenders Act 2021.  
(2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.

*Interpretation*

- 2.** In this Act, unless the context otherwise requires—

“authorised person” means a person appointed by the Commissioner under section 7(3);

“child” means an individual who has not reached the age of 18 years;

“child-related employment” means employment involving contact with a child in connection with—

- (a) child protection services;
- (b) educational institutions;
- (c) community centres, remand centres, youth residential centres, youth supervision units or youth justice centres;
- (d) refuges or other residential facilities used by children;
- (e) paediatric or maternity wards of hospitals;
- (f) clubs, associations or movements, including of a cultural, recreational or sporting nature, that provide services or conduct activities for, or directed at, children or whose membership mainly comprises children;
- (g) religious organisations;
- (h) child minding services;
- (i) providing, on a publicly-funded or commercial basis, a transport service specifically for children;
- (j) coaching or private tuition services for children;
- (k) counselling or other support services for children;
- (l) overnight camps for children regardless of the type of accommodation or of the number of children involved;
- (m) school crossing services, being services provided by people employed to assist children to cross roads on their way to or from school;
- (n) providing, on a commercial basis and not merely incidental to or in support of other business activities—
  - (i) an entertainment or party service specifically for children;
  - (ii) gym or play facilities specifically for children; or
  - (iii) photography services specifically for children; or
- (o) talent competitions or pageants held for children on a commercial basis and not merely incidental to or in support of other business activities;

“Commissioner” means the Commissioner of Police;

“Commissioner of Corrections” means the Commissioner of the Fiji Corrections Service;

“corresponding law” means a law of a foreign jurisdiction that—

- (a) provides for a person who has been convicted by a court of law for an offence to report in that jurisdiction information about himself or herself and to keep that information current for a specified period; or
- (b) is prescribed by regulations as a corresponding law;

“corresponding offence” means an offence under the laws of a foreign jurisdiction that is the same or substantially similar to a sexual offence;

“corresponding sex offender” means a person who has been convicted of a corresponding offence in a foreign jurisdiction;

“employment” has the meaning given in section 4 of the Employment Relations Act 2007;

“immigration officer” has the meaning given in section 2(1) of the Immigration Act 2003;

“initial report” means the first report made, or required to be made, by a sex offender under section 13;

“juvenile” has the meaning given in section 2 of the Juveniles Act 1973;

“Minister” means the Minister responsible for justice;

“police station” includes a community police post;

“register” means the Register of Sex Offenders established under section 6;

“relevant personal information” means the information specified in section 12(1);

“remote sex offender” means a sex offender who resides—

- (a) more than 100 kilometres from the nearest police station;
- (b) on an island where there is no police station; or
- (c) in an area where transportation from the area to the nearest police station is reasonably likely to be a challenge;

“reporting obligation” means a reporting obligation under this Act or any regulations made under this Act;

“reporting period” means the period prescribed by regulations;

“representative” means—

- (a) in the case of a child, the parent or legal guardian of the child;
- (b) in the case of a person who has a mental disorder, mental illness or who is of unsound mind, the legally appointed representative of the person; and