

ACT NO. 5 OF 2019

I assent.

J. K. KONROTE
President

[16 May 2019]

AN ACT

TO AMEND THE FIJI INDEPENDENT COMMISSION AGAINST
CORRUPTION ACT 2007

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Fiji Independent Commission Against Corruption (Amendment) Act 2019.

(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 Fiji Independent Commission Against Corruption Act 2007 is referred to as the “Principal Act”.

Section 2 amended

2. Section 2 of the Principal Act is amended in the definition of “Commissioner” by deleting “by the President and includes the Deputy Commissioner appointed under section 6” and substituting “under section 5(1) and includes the Deputy Commissioner and the acting Commissioner appointed under sections 6 and 7”.

Section 5 amended

3. Section 5 of the Principal Act is amended by—

- (a) in subsection (1) after “President”, inserting “on the recommendation of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General”; and
- (b) in subsection (3), deleting “the President may think fit” and substituting “determined by the President acting on the advice of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General”.

Section 6 amended

4. The Principal Act is amended by deleting section 6 and substituting the following—

“Appointment of Deputy Commissioner

6.—(1) The Deputy Commissioner shall be appointed by the President on the recommendation of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General.

(2) The Deputy Commissioner shall hold office on such terms and conditions as determined by the President acting on the advice of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General.”.

Section 7 amended

5. Section 7 of the Principal Act is amended by—

- (a) in subsection (1), deleting “, save where the President otherwise directs, act as Commissioner” and substituting “act as Commissioner, except as otherwise directed by the President on the recommendation of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General”; and
- (b) in subsection (2) after “may”, inserting “, on the recommendation of the Judicial Services Commission following consultation by the Judicial Services Commission with the Attorney-General,”.

Consequential amendment

6. The Prevention of Bribery Act 2007 is amended in section 2 by deleting the definition of “Commissioner” and substituting the following—

““Commissioner” has the meaning given in section 2 of the Fiji Independent Commission Against Corruption Act 2007;”.

Passed by the Parliament of the Republic of Fiji this 15th day of May 2019.