

**EXTRAORDINARY
GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**

No. 47

TUESDAY, 31st DECEMBER

2019

[LEGAL NOTICE NO. 104]

BUSINESS LICENSING ACT 1976

**Local Government (Business Licence) (Amendment)
Regulations 2019**

In exercise of the powers conferred on me by section 17(1) of the Business Licensing Act 1976, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Local Government (Business Licence) (Amendment) Regulations 2019.

(2) These Regulations come into force on 1 January 2020.

(3) In these Regulations, the Local Government (Business Licence) Regulations 1995 is referred to as the “Principal Regulations”.

Regulation 3 amended

2. Regulation 3 of the Principal Regulations is amended after “Regulations” by inserting “accompanied by the processing fee of \$20.00 (VEP)”.

Regulation 4 amended

3. Regulation 4 of the Principal Regulations is amended by deleting “certified true”.

Regulation 29 inserted

4. The Principal Regulations are amended after regulation 28 by inserting the following new regulations—

“Home-based business

29. A person carrying out a home-based business must—

- (a) reside on the property where the business is carried out;
- (b) not use advertisements or signage such as billboards not more than one square meter in size;
- (c) not use mechanical or electrical equipment that is noisy or causes nuisance or disturbance to the neighbours;
- (d) not store or display any material or equipment associated with the business outside the property where the business is carried out including the garage, verandah or the lawn;
- (e) not change the principal structure of the property where the business is carried out;

- (f) not create any pedestrian or vehicular traffic or parking in excess of what is normal for that neighbourhood; and
- (g) not employ more than 3 employees.

Notification to the council and relevant agencies

30. A licence holder must notify the council and relevant agencies of any change in address, legal structure, number of employees, nature of the business or structural changes to the building where the business is carried out during the period of the licence.”.

Schedule 1 amended

5. The Principal Regulations are amended by deleting Schedule 1 and substituting the following—

“SCHEDULE 1
(Regulation 3)

APPLICATION FOR ISSUE/RENEWAL/TRANSFER OF BUSINESS LICENCE

Reference no.:		
Name of City/Town Council:		
1. Information Required		
Name of business to be licensed:		
Business name registration no.: <i>(Evidence of registration to be attached to this application)</i>		
Date of business name registration:		
Business TIN:		
Owner’s name(s):		
Postal address:		
Telephone no.: <i>(Office hours)</i>	Telephone no.: <i>(After hours)</i>	
2. Business Category of Applicant		
Individual trading under:	Partnership trading under:	Company:
(i) Own name <input type="checkbox"/>	Partner(s) name(s):	(i) Public <input type="checkbox"/>
(ii) Registered business name <input type="checkbox"/>		(ii) Private <input type="checkbox"/>
		(iii) Foreign <input type="checkbox"/>
No. of employees:		

3. Information of Operation of Business(es)		
	Location	Type of business (<i>Refer to Designation of Businesses Requiring Licence</i>)
(i)		
(ii)		
(iii)		
4. Declaration		
<p>If granted the licence(s), I/We undertake to comply with all applicable laws throughout the period of the licence(s).</p> <p>I/We declare that I/We confirm that the licence(s) applied for in this application are only for the business(es) carried out under the business name(s) under which this application is made.</p> <p>I/We understand that to carry out the business(es) listed in this application without appropriate licence(s) is in contravention of section 5 of the Business Licensing Act 1976.</p> <p>I/We hereby declare that the information provided is true and correct. I/We understand that section 8(3) of the Business Licensing Act 1976 and the provisions of the False Information Act 2016 apply to this application.</p>		
Name(s):		
Position(s) held:		
Signature(s):		
Date:		
ID: (Please provide or attach a photographic identification)		
5. Additional Information		
<p>(a) If an applicant is required to have a business name registered under Division 4 of Part 3 of the Companies Act 2015, the applicant must produce to the satisfaction of the City/Town Council that the business name has been duly registered under those provisions of the Companies Act 2015.</p> <p>(b) Paragraph 2 can be fulfilled by attaching a copy of the certificate of registration of business name (if required).</p> <p>(c) All new businesses classified as low risk must comply with all relevant legal and regulatory requirements within 6 months of obtaining the business licence. Further information on these requirements can be found at https://www.bizfiji.com/.</p> <p>(d) All businesses classified as high risk must not start a business until all the relevant regulatory requirements are complied with. Please refer to the Designation of Businesses Requiring Licence and https://www.bizfiji.com/ for Risk Categories.</p> <p>(e) All businesses are required to notify the City/Town Council and relevant agencies of any change in address, legal structure, number of employees, nature of the business or structural changes to the building where the business is carried out during the period of the licence.</p> <p>(f) An applicant carrying out a home-based business must—</p> <ul style="list-style-type: none"> (i) reside on the property where the business is carried out; (ii) not use advertisements or signage such as billboards not more than one square meter in size; (iii) not use mechanical or electrical equipment that is noisy or causes nuisance or disturbance to the neighbours; (iv) not store or display any material or equipment associated with the business outside the property where the business is carried out including the garage, verandah or the lawn; (v) not change the principle structure of the property where the business is carried out; (vi) not create any pedestrian or vehicular traffic or parking in excess of what is normal for that neighbourhood; and (vii) not employ more than 3 employees.” 		

Schedule 2 amended

6. The Principal Regulations are amended by deleting Schedule 2 and substituting the following—

“SCHEDULE 2
(Regulation 6)

BUSINESS LICENCE FORM

CITY/TOWN COUNCIL	
being the licensing authority under the Business Licensing Act 1976 for the municipality of _____ hereby issues this	
BUSINESS LICENCE	
Account no.: _____ <i>(Licence key)</i>	Licence no.: _____ <i>(Certificate no.)</i>
Name of licensee: _____ <i>(Business name)</i>	
Designated business: _____ <i>(Licence description)</i>	
Place of business: _____ <i>(Business location)</i>	
R. R. No.: _____ of _____	
Fee paid: _____	
Date issued: ____ / ____ / ____	
Expiry date: ____ / ____ / ____	
_____ <i>for Chief Executive Officer</i>	

NOTE:

1. This licence is issued without prejudice and subject to the Town/City Council reserving the right to prosecute if the licensee does not hold a current health permit or in any way contravenes health or town planning laws or any other law in force.
2. All new businesses classified as low risk must comply with all relevant legal and regulatory requirements within 6 months of obtaining the business licence. Further information on these requirements can be found at <https://www.bizfiji.com/>.

3. All businesses classified as high risk must not start a business until all the relevant regulatory requirements are complied with. Please refer to Designation of Businesses Requiring Licence and <https://www.bizfiji.com/> for Risk Categories.
4. The licensee is required to inform the City/Town Council and relevant agencies of any change in address, legal structure, number of employees, nature of the business or structural changes to the building where the business is carried out during the period of the licence.
5. A licensee carrying out a home-based business must—
 - (a) reside on the property where the business is carried out;
 - (b) not use advertisements or signage such as billboards not more than one square meter in size;
 - (c) not use mechanical or electrical equipment that is noisy or causes nuisance or disturbance to the neighbours;
 - (d) not store or display any material or equipment associated with the business outside the property where the business is carried out including the garage, verandah or the lawn;
 - (e) not change the principal structure of the property where the business is carried out;
 - (f) not create any pedestrian or vehicular traffic or parking in excess of what is normal for that neighbourhood; and
 - (g) not employ more than 3 employees.

**THIS LICENCE MUST BE DISPLAYED IN A PROMINENT PLACE AT THE
PLACE OF BUSINESS.
IT IS AN OFFENCE TO NOT DO SO.”.**

Made this 31st day of December 2019.

P. D. KUMAR
Minister for Local Government