# FIJI





### **KEY FACTS**

#### POPULATION (2020 estimate):

897,254

### AREA (UN 2006):

18,274 sq km

# CAPITAL:

Suva

# CURRENCY:

Fijian dollar (FJ\$)

# **HEAD OF STATE:**

President Jioji Konousi Konrote

# **HEAD OF GOVERNMENT:**

Prime Minister Vorege (Frank) Bainimarama

# FORM OF GOVERNMENT:

democratic republic

#### PARLIAMENTARY SYSTEM:

unicameral

### STATE STRUCTURE:

unitary

#### LANGUAGES:

Fijian, English and Hindi (official)

#### NATIONAL ELECTIONS:

last: 2018, turnout: 71.9%; next: 2022

# **WOMEN IN PARLIAMENT (2018):**

#### LOCAL ELECTIONS:

last: 2005, turnout: 31%; next: postponed

## WOMEN COUNCILLORS

na

## LOCAL GOVERNMENT EXPENDITURE as percentage of total government expenditure 2019/20:

#### **SUMMARY**

Fiji is a democratic republic with three spheres of government: national, provincial and local. There is no reference to local government in the constitution and the main governing legislation is the Local Government Act 1972. The Ministry of Local Government, oversees the 13 municipal councils (two city councils and 11 town councils), while the 14 provincial councils are overseen by the Fijian Affairs Board. There are currently no elected councillors and there are no women special administrators overseeing the councils. In 2019/20 local government expenditure was 0.8% of total government expenditure. Local government can raise revenue through user fees and property taxes, and receives grants from national government for specific services and capital projects. Many locally provided services are implemented in partnership with other government and non-government agencies, including environmental management, public health, water and sanitation services, local economic development and tourism, municipal planning and transport, and social protection.

#### 1. NATIONAL GOVERNMENT

Fiji has a unicameral parliamentary system of government, with a president as head of state and a prime minister as the head of the government.13.1a The president is appointed by parliament under Section 84 of the Constitution of the Republic of Fiji 2013. The parliament consists of 50 members, elected for a four-year term. Parliamentarians are elected under a multi-member open list system of proportional representation. Following the 2018 national election, 19.6% of MPs were women, up from 16.0% following the 2013 elections. 13.1b

#### 2. LEGAL BASIS FOR **LOCAL GOVERNMENT**

### 2.1 Constitutional provisions

There is no reference to local government in Fiji's constitution.<sup>13.2a</sup>

#### 2.2 Main legislative texts

The principal Act is the Local Government Act 1972 (Cap. 125),13.2b which was amended in 2006 to enable councils to enter into partnership, joint venture or other commercial arrangements with other statutory authorities, companies or other legal entities, to carry out their duties. The Act was further amended in 2009 with regard to the composition of councils and the appointment of special administrators, and in 2018 to amalgamate rural local authority areas with municipal councils. Other legislation that governs the development and management of urban areas and the maintenance of their services includes the following:

- Town Planning Act (Cap. 139) 1978
- Subdivision of Land Act (Cap. 140) 1978
- Public Health Act (Cap. 111) 1935
- Business Licensing Act (Cap. 204) 1976 Litter Decree 1991
- Fiji Roads Authority Decree 2012.
- Land Transport Act 2000
- Environment Management Act (2005)
- Shop Opening Hours Act (2006)

- Architects Act 1959 Bicycles Act 1939

Liquor Act 2006

Public Order Act 1969

- Burial and Cremation Act 1911
- Dogs Act 1968
- Drainage Act 1961
- Fair Rents Act 1965.

#### 2.3 Proposed legislative changes

A review of the Local Government Act is underway to facilitate local elections.

## 2.4 Traditional leadership

The chiefs of the 14 provinces are Fiji's traditional leaders. The people of each province look to them for guidance of the vanua (home land) and tikina (province) in relation to matters governing their mataqali (clan) rights. The Ministry of Itaukei provides the link between traditional leaders at the local level and the national government. The members of provincial councils are elected or nominated for a three-year term by the indigenous Itaukei population registered in each province. A 'turaga ni koro' is nominated from each village or koro; several koros combine to form a tikina, and two or more tikinas comprise a province.

# 2.5 National urban policy

An urbanisation policy (Fiji's Urban Policy Action Plan<sup>13.2c</sup> or UPAP 20014) has been implemented to give more decisionmaking powers and responsibilities to councils, in particular for poverty alleviation, given the limited financial bases and resource capacities of councils. There is also a Green Growth policy to promote environmentally friendly development.

## 3. STRUCTURE OF LOCAL GOVERNMENT

# 3.1 Local government within the state

Local government is single-tier in urban areas, where councils are either city or town councils. There are two city councils (Suva and Lautoka) and 11 town councils. In rural areas there are provincial councils





Table 13.1a Distribution of councils and population

| Division          | Province           | Provincial councils | Rural local authorities | Municipal councils |      | Popu-<br>lation lation |            | % rural<br>(2017) |
|-------------------|--------------------|---------------------|-------------------------|--------------------|------|------------------------|------------|-------------------|
|                   |                    | councils            | authorities             | City               | Town | (2017 Census)          | (2019 est) | (2017)            |
| National          | Naitasiri          | 1                   | 1                       | -                  | -    | 177,678                | 185,945    | 16.0              |
|                   | Namosi             | 1                   | 1                       | -                  | -    | 7,871                  | 8,141      | 100.0             |
|                   | Rewa               | 1                   | 1                       | 1                  | 3    | 108,016                | 108,665    | 13.5              |
|                   | Serua              | 1                   | 1                       | -                  | -    | 20,031                 | 20,636     | 65.0              |
|                   | Tailevu            | 1                   | 1                       | -                  | -    | 64,552                 | 65,719     | 68.5              |
| Northern          | Bua                | 1                   | 1                       | -                  | -    | 15,466                 | 15,683     | 96.0              |
|                   | Cakaudrove         | 1                   | 1                       | -                  | -    | 50,469                 | 51,382     | 78.2              |
|                   | Macuata            | 1                   | 2                       | -                  | 2    | 65,983                 | 66,910     | 58.8              |
| Eastern           | Kadavu             | 1                   | -                       | -                  | -    | 10,897                 | 10,831     | 100.0             |
|                   | Lau                | 1                   | -                       | -                  | -    | 9,602                  | 9,316      | 100.0             |
|                   | Lomaiviti          | Т                   | 1                       | -                  | 1    | 15,657                 | 15,783     | 72.9              |
| Western           | Ва                 | 1                   | 3                       | 1                  | 3    | 247,708                | 251,188    | 33.2              |
|                   | Nadroga/<br>Navosa | 1                   | 2                       | -                  | 1    | 58,931                 | 58,814     | 82.5              |
|                   | Ra                 | 1                   | 1                       | -                  | 1    | 30,432                 | 30,371     | 83.2              |
| Outside divisions | Rotuma             | -                   | 1                       | -                  | -    | 1,594                  | 1,607      | 100.0             |
| TOTAL             | 895,537            | 14                  | 17                      | 2                  | n    | 884,887                | 895,537    | 44.1              |

Source: MoLG communication with CLGF and 2017 Census & 2016 average population growth 13.3a

and villages. At the sub-national level, governmental and administrative activities are undertaken through four distinct systems.

The government administration consists of four divisions, each headed by a divisional commissioner and district officer. There are also 14 provincial councils overseen by the Fijian Affairs Board. Local government was first established in Fiji in 1877 and the Local Government Act was enacted in 1972, two years after independence. Under this Act the governance of local government was transferred from appointed to elected councils. Although local government is a creation of the national government, it remains largely autonomous financially and administratively. Legally each council is a body corporate with perpetual succession and a common seal.

In July 2008, the then interim government initiated a major review of local government with a view to improving governance and service delivery by municipal councils, and also aiming to enhance local government processes. This led to the government deciding to play a more active role in monitoring the responsiveness and accountability of city and town councils. In 2012 the role of councils in the administration and maintenance of streets, under Section 108 of Division 4 of the principal Act, was transferred to the Fiji

Roads Authority in line with the Fiji Roads Authority Decree 2012.

# 3.2 Ministerial oversight

Local government falls within the portfolio of the Ministry of Local Government (MoLG).13.3b The Department of Local Government is responsible for administering the Local Government Act 1972 (Cap. 125), including monitoring compliance by councils and providing advice and support. More recently, the Department of Local Government has expanded its mandate to deliver capacity-building programmes to help strengthen governance and leadership within councils. MoLG has wide authority over councils. The minister has the power to create a council, to upgrade an existing town to city status and to alter boundaries. Where there is a failure of governance in a council, the minister has the power to suspend or dissolve a council and appoint an administrator to carry out the functions of the council. There is also a Local Government Committee appointed by the minister to carry out such enquiries as it deems necessary, as well as other functions assigned or referred to it under the Local Government Act. Whilst the Local Government Act enables a council to make by-laws prescribing forms, fees and other matters necessary or convenient for the peace, good order and government of the municipality, the Minister of Local

Government must approve all by-laws and regulations made by a council.

#### 3.3 Council types

Local government in Fiji is unitary and comprises three types of council: municipal, rural and, on Rotuma, an island council. There are also provincial councils which are part of Fiji's traditional government system. Local government has a special committee system. Section 27(1) of the Local Government Act provides for standing committees. A council may delegate to a committee any of the powers and duties. conferred or imposed upon the council by the provisions of the Act, other than those to borrow money, set a rate, make by-laws, execute a contract, or institute an action. Typical committees are: finance; health and markets; town planning and sub-division of land; traffic and public transport; and infrastructure and works.

**3.3.1 Municipal councils:** According to the Act, members of municipal councils are elected for a three-year term by universal suffrage. The heads of divisions, districts and rural local authorities are appointed public servants.

**3.3.2 Rural local authorities** come under the Ministry of Health. Their officials are public servants.

#### 3.3.3 Rotuma island council was

established under the Rotuma Act 1978. Its membership includes the chiefs of the seven districts on Rotuma and one elected member for each district. The district officer, the most senior medical officer, and the most senior agricultural officer are ex-officio advisory members without voting powers.

### 4. ELECTIONS

Local government elections are overseen by the Electoral Commission<sup>13,4a</sup> established under Section 75 of the Constitution and Electoral Act 1998. The voting age is 18; however voting is not compulsory. Prior to 2008, local government elections were held every three years. An amendment to the Local Government Act in February 2006 extended the term to four years; however this was subsequently reversed in July 2008 (promulgated in December 2009). Local elections were not held in October 2008 resulting in the expiry of the term of the councils and the appointment of administrators in February 2009. There are currently appointed special administrators overseeing local government.

# 4.1 Recent local elections

The most recent local government elections were held in Oct/Nov 2005 and turnout was 31%. Councils have been suspended and elections postponed since 2009.





Table 13.1b Women councillors and mayors following the last two local elections

| Election           | 20 | 02    | 2005 |       |
|--------------------|----|-------|------|-------|
| Councillors        | #  | %     | #    | %     |
| Female councillors | na | na    | 21   | 13.3  |
| Male councillors   | na | na    | 137  | 86.7  |
| Total councillors  | na | 100.0 | 158  | 100.0 |
| Chairpersons       | #  | %     | #    | %     |
| Female mayors      | na | na    | na   | na    |
| Male mayors        | na | na    | na   | na    |
| Total mayors       | na | 100.0 | na   | 100.0 |

# Source: MoLG correspondence with CLGF<sup>13.4b</sup>

#### 4.2 Voting system

There are currently no elected councillors. Previous elections have used a multimember open list system of proportional representation, under which each voter has one vote, with each vote being of equal value, in a single national electoral roll comprising all registered voters. In April 2019, a motion to reinstate local elections was voted down by the parliament.

#### 4.3 Elected representatives

There are currently no elected councillors.

# 4.4 Women's representation

Currently there are no elected councillors and none of the special administrators are women. Following the last local government elections in 2005, 13.3% (21/158) women were elected countrywide. Three councils (Sigatoka, Nausori and Tavua) had no women representatives.

# 5. SYSTEMS FOR COMMUNITY INVOLVEMENT

# 5.1 Legal requirement and5.2 Implementation

The Local Government Act 1972 and other Acts make provision for involving and informing people and civil society. These include:

- publicising proposals for boundary changes, with objections being heard at public hearings organised by the Local Government Committee
- publication by the council in a local newspaper of its balance sheet, and a statement of income and expenditure, together with the report of its auditor
- inspections of valuations entered in the rate book
- public notification of planning schemes and proposals for re-zoning land use
- public consultation on specific issues.

Councils have also developed special initiatives to involve the public in particular programmes, such as community safety and crime prevention,

and for environmental management

#### 5.3 ICT use in citizen engagement

including clean-up campaigns.

There is currently no formal e-government programme for local government, although a few councils have ICT budget plans in place. All councils have email addresses and websites.<sup>13.5</sup> There is common software for council accounting and human resource management. Investment has also been made in public libraries as a facilitator of e-government.

### 6. ORGANISED LOCAL GOVERNMENT

**6.1 National local government association** There is no local government association.

# 7. INTERGOVERNMENTAL RELATIONS

Intergovernmental relations between councils and the MoLG are predominantly formal. The legal relationships are set out in the Local Government Act 1972. The capacity-building activities currently being facilitated by the Department of Local Government have resulted in improved informal relations with councils over the last three years. Certain council functions link with those undertaken by statutory authorities (eg the Housing Authority, the Sports Council and the Visitors' Bureau),

but councils have no representation on the boards of these bodies.

#### 8. MONITORING SYSTEMS

The Local Government Act's Section 57 details the auditing requirements for councils. Council accounts are audited annually by the auditor general and, together with the auditor general's report, are tabled in parliament.

Although councils are financially independent, the Minister of Local Government has powers over certain financial matters and councils are required to submit for approval:

- annual budget estimates
- monthly financial statements and activity reports
- annual financial reports
- resolutions to increase fees or charges or create new fees or charges
- loan applications that exceed 5% of the recurrent estimated gross revenue of the council (applications exceeding 15% require the approval of the Minister of Finance).

#### 9. FINANCE, STAFFING AND RESOURCES

#### 9.1 Local government expenditure

In 2019/20 aggregate local government expenditure was 0.8% of total government expenditure, down from 1.2% in 2017/18. The main items of expenditure are administration, ratepayer services, maintenance, interest on borrowings, and debts/depreciation.

#### 9.2 Locally raised revenue

The main sources of revenue are typically rates, market fees, business licences, building and development application fees, property rentals and user fees (eg market fees and car parking charges, park and hall hire fees, taxi and bus station fees and waste collection charges. Councils are responsible for collecting rates and user fees. As at December 2018, over 20% of all ratepayers in the country were in arrears with their rates, although this proportion is down from around 50% in 2013.

Table 13.2a Aggregate income and expenditure for local government 2017/18

| Income                 | FJ\$       | Expenditure            | FJ\$       |
|------------------------|------------|------------------------|------------|
| Centre-local transfers |            | Administration         |            |
| Restricted             | na         | Staff                  | na         |
| Unrestricted           | na         | Property               | na         |
| Locally raised revenue |            | Services               |            |
| Property taxes         | na         | Interest on borrowings |            |
| Licences and fees      | na         | Water                  | na         |
| Other                  | na         | Road maintenance       | na         |
| TOTAL INCOME           | 58,000,000 | TOTAL EXPENDITURE      | 53,000,000 |

Source: MoLG communication with CLGF





Table 13.2b Local government expenditure as a percentage of total government expenditure 2014-2019

|  | 2014<br>actual FJ\$m | 2017/18<br>budget FJ\$m | 2018/19<br>budget FJ\$m |
|--|----------------------|-------------------------|-------------------------|
| Total government expenditure   | 2,883.3              | 4.357                   | 4,650                   |
| Total local government expenditure   | 42.4                 | 53.0                    | na                      |
| Local government expenditure as a percentage of total government expenditure | 1.5%                 | 1.2%                    | na                      |

#### Source: MoLG communication with CLGF and national budget statement<sup>13.9</sup>

#### 9.3 Transfers

There is no formal policy of revenuesharing. In 2014 the government allocated FJ\$3m of grants to be shared among the 13 urban councils through its Challenge and Invest Fund for specific capital works, under the Urban Policy Action Plan.

#### 9.4 Loans

Councils are permitted to borrow, subject to ministerial approval.

#### 9.5 Local authority staff

Local government staff are recruited by the council special administrator, who also has the power to dismiss. In 2010 national government staff were deployed to local government, particularly new townships such as Rakiraki. The Local Government Act's Section 35 requires each council to appoint a town clerk/ chief executive officer, a building surveyor, a health inspector and other such officers as the council considers necessary for the efficient discharge of its functions. The national government determines the salary of the town clerk/ chief executive officer and other senior staff. Each council determines its own staffing structure. With the exception of Suva and Lautoka City Councils and Nasinu, Nausori and Nadi Town Councils none have in-house professional staff for planning, engineering and legal functions. A number of councils find it difficult to retain a full establishment of professional staff, and there is strong support for the creation of a pool of professional planners, urban designers, engineers, lawyers, accountancy/audit staff and environmental/waste management specialists who could be contracted out to councils to deliver the required services.

# 10. DISTRIBUTION OF SERVICE DELIVERY RESPONSIBILITY

# 10.1 Overview of local government service delivery responsibility

The powers and duties of councils are set out in the Local Government Act 1972, Section 88(1). This requires a council to 'do all such things as it lawfully may and as it considers expedient to promote the health, welfare and convenience of the inhabitants of the municipality'. Specific functions elaborated in the Act include the establishment and maintenance of

public utility services, including public transportation and public works; public health; markets; recreation facilities; refuse collection; town planning; environmental management; town beautification; libraries;, car parking; and the construction and maintenance of drainage. Councils may exercise all or any of the functions set out in the Act. It is common for councils to contract some services out to the private sector - for example waste removal, street cleaning, and maintenance activities/

# **10.2 ICT use in service delivery** No information is available.

# 10.3 The role of local government in achieving the UN Sustainable Development Goals (SDGs)

The prime minister's statement to the UN General Assembly confirmed that 'Fiji's commitment to the 2030 global sustainable development agenda is absolute and is a cornerstone of our national policies'. This commitment was reconfirmed in July 2017 when the prime minister stated that 'national governments alone cannot achieve the transformation needed. Which is why the Grand Coalition that Fiji is leading is so important. Because decisive climate action must also come from state and local governments throughout the world, from civil society, from business and citizens everywhere.' 1510b

#### **REFERENCES AND USEFUL WEBSITES**

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- 13.2a Constitution www.fiji.gov.fj/Govt--Publications/Constitution.aspx
- 13.2b Fiji Local Government Act http://extwprlegs1.fao.org/docs/ pdf/fij99044.pdf
- 13.2c Urban Development Planning www.adb.org/sites/default/files/ project-document/79548/47237-001-tar.pdf
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- 13.3b Ministry for Local Government, www.fiji.gov.fj/Government-Directory/Ministries-and-Department.aspx
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- 13.9 Based on figures in Table 2 and total government expenditure in the 2014, 2017/18 and 2018/19 in the annual budget statements www.fiji.gov.fj/getattachment/a515fdb6-9878-4603-872d-48d27ecfb274/2014-Budget-Estimates-(pdf).aspx and www.fiji.gov.fj/getattachment/6cebcb91-a3a5-4098-8465-0749ecac1157/Fiji-Focus-Issue-13-Volume-9---July-1,-2018.aspx
- 13.10a Prime minister's statement on achievement of SDGs www.foreignaffairs.gov.fj/ media-publications/mediarelease/869-pm-s-statement-onachievement-of-sdgs
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- 13.11b Knowledge hub www.clgf.org.uk/ resource-centre/knowledge-hub
- 13.11c UNDP HDR Fiji profile http://hdr. undp.org/en/countries/profiles/FJI



Annex 13a Summary of service provision in different spheres of government in Fiji

|  | Delivering authority Remarks                               |   |   |        |  |
|--|--|---|---|--------|--|
| Services                                       | National government Provincial government Local government |   |   |        |  |
| GENERAL ADMINISTRATION                         |  |   |   | Remark |  |
| Police   | •  |   |   |        |  |
| Fire protection                                | -  |   |   |        |  |
| Civil protection                               | -  |   |   |        |  |
|  |  |   | _ |        |  |
| Criminal justice                               |  |   |   |        |  |
| Civil status register                          |  |   |   |        |  |
| Statistical office                             | _  |   |   |        |  |
| Electoral register                             | •  |   |   |        |  |
| EDUCATION                                      |  |   |   |        |  |
| Pre-school (kindergarten and nursery)          | •  |   |   |        |  |
| Primary  | •  |   |   |        |  |
| Secondary                                      | •  |   |   |        |  |
| Vocational and technical                       | •  |   |   |        |  |
| Higher education                               | •  |   |   |        |  |
| Adult education                                | •  |   |   |        |  |
| SOCIAL WELFARE                                 |  |   |   |        |  |
| Family welfare services                        | •  |   |   |        |  |
| Welfare homes                                  |  |   |   |        |  |
| Social security                                |  |   |   |        |  |
| PUBLIC HEALTH                                  |  |   |   |        |  |
| Primary care                                   |  |   |   |        |  |
| Hospitals                                      | •  |   |   |        |  |
| Health protection                              |  |   |   |        |  |
| HOUSING AND TOWN PLANNING                      |  |   |   |        |  |
| Housing  |  |   |   |        |  |
| Town planning                                  |  |   |   |        |  |
| Regional planning                              |  |   |   |        |  |
| TRANSPORT                                      | <del>-</del>   |   |   |        |  |
| Roads  |  |   |   |        |  |
| Transport                                      | _  |   |   |        |  |
|  |  |   | _ |        |  |
| Urban roads                                    | •  | • |   |        |  |
| Urban rail                                     | _  |   |   |        |  |
| Ports  | _  |   |   |        |  |
| Airports                                       | •  |   |   |        |  |
| ENVIRONMENT AND PUBLIC SANITATION              |  |   |   |        |  |
| Water and sanitation                           | •  |   |   |        |  |
| Refuse collection and disposal                 |  | • | • |        |  |
| Cemeteries and crematoria                      | •  |   |   |        |  |
| Slaughterhouses                                |  | • |   |        |  |
| Environmental protection                       |  |   |   |        |  |
| Consumer protection                            | •  |   |   |        |  |
| CULTURE, LEISURE AND SPORTS                    |  |   |   |        |  |
| Theatres and concerts                          |  |   |   |        |  |
| Museums and libraries                          |  |   |   |        |  |
| Parks and open spaces                          |  |   |   |        |  |
| Sports and leisure facilities                  |  |   | _ |        |  |
| Religious facilities                           |  |   | _ |        |  |
| UTILITIES                                      |  |   |   |        |  |
| Gas services                                   |  |   |   |        |  |
| District heating                               |  |   |   |        |  |
| _  | -  |   |   |        |  |
| Water supply                                   | :  |   |   |        |  |
| Electricity                                    | -  |   |   |        |  |
|  |  |   |   |        |  |
| ECONOMIC                                       | _  |   |   |        |  |
| ECONOMIC<br>Agriculture, forests and fisheries | •  | _ | _ |        |  |
| ECONOMIC                                       | - :  |   |   |        |  |



 $\blacksquare$  sole responsibility service  $\blacksquare$  joint responsibility service  $\blacksquare$  discretionary service