



THE LOCAL GOVERNMENT SYSTEM IN

FIJI ISLANDS



1 INTRODUCTION

The Republic of the Fiji Islands consists of 332 islands – of which 110 are inhabited – in the South Pacific ocean, covering a land area of 18,333 sq km. The two major islands are Viti Levu, on which the capital Suva is situated, and Vanua Levu. Fiji Islands includes the Dependency of Rotuma, an island with a land area of 43 sq km, 465 km to the north. Fiji Islands has an estimated population of 918,675.¹

Fiji Islands is a unitary state. The head of state is the president, who must be an indigenous Fijian. The Great Council of Chiefs (Bose Levu Vakaturaga), the highest-ranking members of the traditional chief system, appoint a president for a five-year term and may reappoint for a second five-year term. The president is advised on matters of national importance by a presidential council and the Great Council of Chiefs.

Fiji Islands has a bicameral legislature – a House of Representatives and a Senate. The House of Representatives has 71 members elected under a system of alternative preference voting for a five-year term: 25 are elected on open rolls and 46 on communal (ethnic) rolls with a distribution of 23 to

indigenous Fijians, 19 to Indo-Fijians, one to Rotuma Islanders and three to others. Voting is compulsory, with universal adult suffrage at age 21.² The president appoints the 32 members of the Senate for a five-year term: 14 are appointed on the advice of the Great Council of Chiefs, 9 on the advice of the prime minister, 8 on the advice of the leader of the opposition, and one on the advice of the Council of Rotuma.

The head of government is the prime minister and is appointed by the president. The president also appoints the cabinet members, who must be members of the House of Representatives, on the advice of the prime minister. The cabinet must be multi-party but only if the party gets at least 10% of the vote. Cabinet representation is proportional to the vote percentage.

Fiji Islands has four administrative divisions – central, eastern, western and northern. In urban areas, the local government system comprises 2 cities and 10 town councils. There are 14 provincial councils responsible for Fijiian affairs protecting the rights of the indigenous population. Areas not covered by the provincial councils and the urban authorities have 17 rural advisory councils, which represent the interests of Indo-Fijians and minority communities.

Rotuma has its own island council, established under the Rotuma Act of 1978. Its membership includes the chiefs of the seven districts 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.³

The contribution of local government to GDP in 2001 was 6.5%.⁴

2 POLITICAL AND ORGANISATIONAL STRUCTURE

2.1 Position of local government within the state

In the 1990s the government embarked on a public enterprise reform programme to increase efficiency and productivity, and to obtain greater accountability. Full-scale implementation began following the Public Enterprise Act 1996, involving reorganising the activities of public enterprises, transforming their status to that of limited

companies, and converting them partially or totally into private organisations. Certain local services (such as electricity supply in towns) and some provided by municipal councils (such as fire services) have been amalgamated to become national services.⁵

The government is also pursuing civil service reforms and reviewing the operation of the principal Act for local government. In 1997 the Constitution Review Commission was set up to make recommendations and resulted in the revised constitution adopted in 1997. The commission did not recommend the recognition of local government in the constitution, but did recommend reviewing the main Local Government Act.

The last general election for the House of Representatives was held in May 2005. It was won by the Soqosoqo Duavata ni Lewenivanua (SDL) Party with 32 seats. The Fiji Labour Party (FLP) secured 27 seats, and five other parties gained six seats or fewer.

This parliament was suspended in December 2006 following a military coup. Commonwealth Heads endorsed the decision to suspend Fiji from all Commonwealth councils until democratic elections are held. Elections are due to be held in 2009.

The minister for local government in the Ministry of Local Government and Urban Development oversees the role and functions of the municipal councils as stipulated in the Local Government Act 1985 (Cap 125). 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).

The Local Government Committee is appointed by the minister under Section IV of the Local Government Act (Cap 125) to carry out the functions and undertake the enquiries assigned or referred to it under the provisions of the Act.

The minister has the power to upgrade an existing town to city status, to create a council, and to alter boundaries, the latter two based on the recommendations of the Local Government Committee. The minister also approves by-laws and regulations.⁶

The minister has the power to dismiss a council and appoint an administrator. That power has been exercised in respect of one city and one town council.⁷ There have been cases of suspension of individual councillors.

The four divisions of the country and districts are administrative. They have as heads divisional commissioners and district officers whose main function is to coordinate all government services and development activities.

Divisional and district development committees, which have public officials and private individuals as members, prepare programmes for development to be carried out with public funds. The development priorities of the Fijian and Indo-Fijian minority communities feed into this system through the provincial councils and the rural advisory committees.

3 LEGAL BASIS FOR LOCAL GOVERNMENT

3.1 Constitutional provisions

The amended constitution of 1997 is silent on the subject of local government. The Constitution Review Commission considered that the constitution should not expressly recognise local government or guarantee local government autonomy.⁸

Average	19,863
Smallest	1,096
Largest	87,975

3.2 Main legislative texts

The principal act is the Local Government Act 1985 (Cap 125), which was amended in 2006, to grant more powers to the ministry and councils such as allowing participation in PPPs.

4 LOCAL GOVERNMENT ORGANISATIONAL STRUCTURE

4.1 Main divisions

Municipal councils are single-tier authorities in the urban areas. Councils may be designated as city or town councils. All councils have the same responsibilities. There are currently two city and ten town councils.

4.2 Distribution of local government and population

The average population of the city and town councils is 19,863. The smallest is Levuka with a population of 1,096. The capital city

Suva has the largest population, of 87,975, if its peri-urban population is included. Nasinu is the largest council with a wholly urban population of 80,000. Some 43% of the total population lives in urban areas.

5 DEMOCRATIC AND POLITICAL STRUCTURES IN LOCAL GOVERNMENT

Local elections are conducted under the first-past-the-post system. Unlike national elections, voting is not compulsory. Councillors serve a term of four years.

The mayor, who is the leader of the council, is elected annually by the councillors and may be re-elected for further one-year terms.

There is a ward system, with between three and five councillors per ward. The Electoral Commission determines the number of councillors that constitute a council, and the number of councillors per ward. Each ward has the same number of adult inhabitants, but the Electoral Commission may vary this to take account of geographical features, means of communication, and density and mobility of the population. The democratic system is uniform across the municipal councils. Councils conduct their business through committees.

The Local Government Act 1985 (Cap 125) and other Acts make provisions 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 the auditor
- Inspections of valuations entered in the rate book

- Public notification of planning schemes and proposals for re-zoning land use.

There are few town meetings, but councils have taken special initiatives to involve the public in particular programmes (eg in Suva City for health promotion, and in Lautoka City for traffic management). Meetings between councillors and ratepayers are usually semi-formal.

Some 15% of councillors are women. There is currently one woman mayor (Levuka) and two female town clerks. The Women’s Rights Movement in Fiji Islands has called on political parties to adopt an affirmative action policy that provides an enabling environment to encourage women to stand as candidates.¹⁰

5.1 Municipal councils

Under Section 27(1) of the Local Government Act (Cap 125), a council may appoint standing or special committees. The 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 market
- Town planning and sub-division of land
- Traffic and public transport
- Infrastructure and works.

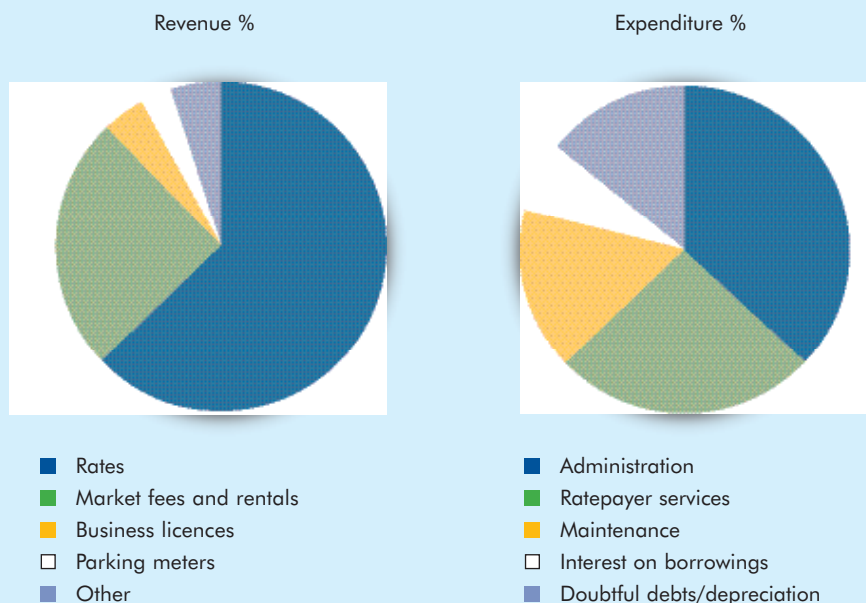
The mayor is part-time. The council recommends a mayoral allowance which must be approved by the minister. There are no executive committees or cabinets.

5.2 Local government staffing

Staff are recruited by the local authority, which has the power to hire and dismiss.

Municipality	No. of councillors	Area (hectares)	Population	
			Urban	Peri-urban
Suva (city)	20	2,048	77,366	10,609
Lautoka (city)	16	1,607	36,083	7,191
Ba	15	327	6,314	8,402
Nadi	15	577	9,170	21,714
Sigatoka	9	127	1,597	6,265
Lami	11	680	10,556	8,372
Nausori	12	167	5,744	15,873
Labasa	12	360	6,491	17,604
Savusavu	9	800	2,652	2,318
Levuka	8	67	1,096	2,650
Tavua	9	100	1,283	1,136
Nasinu	21	4,500	80,000	-
Total	157		238,352	102,134

Figure 1. Local government income and expenditure in Fiji Islands



However, the national Higher Salaries Commission determines the salary of the town clerk/chief executive officer, and those of other senior staff if their salaries exceed certain limits. There is no deployment of central government staff to local government.

By law each council must appoint a town clerk/chief executive officer, a building surveyor and a health inspector. The town clerk/chief executive officer is the head of the paid service.

Typically, a number of directors report to the town clerk/chief executive officer with responsibility for engineering, health, building, finance and administration services. Professional and technical staff are accountable to their service directors.

Many councils find it difficult to retain a full establishment of professional staff, and there are attempts to remedy this using volunteer consultant services.¹¹

There is a growing trend for councils to contract out to the private sector a number of services enabling them to reduce their establishments. Such services may include waste removal, street cleaning, and other maintenance activities.

5.3 Independent scrutiny

Council accounts are audited annually by the Auditor General and these, together with the Auditor General's report, are tabled in parliament.

Auditing requirements are specified in section 57 of the Local Government Act (Cap 125) (inserted by Act 26 of 1980).

Under section 42(3) of the Constitution Amendment Act 1997, the ombudsman is the chairperson of the Human Rights Commission and has the mandate to

investigate complaints of abuses of human rights and also to promote education and awareness of human rights in Fiji Islands. (The Human Rights Commission was established under Section 42 of the 1997 Constitution and the Human Rights Commission Act 1999.)

6 DISTRIBUTION OF SERVICE DELIVERY COMPETENCE

Under section 88(1) of the Local Government Act 1985 (Cap 125) a council has the power 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'.

Local authorities are involved in the development of roads and parks, refuse collection and disposal, health and environmental protection, economic promotion and tourism.

They also have discretionary powers to establish and maintain public utility services including transportation and the construction and maintenance of public works necessary or beneficial to the community (see Annex A).

7 FINANCE

7.1 Revenue

The total aggregate revenue for 2001 was F\$18,474,476 (US\$7,956,620).¹² The main sources of revenue were:

1. Rates	63%
2. Market fees and rentals	25%
3. Business licences	4%
4. Parking meters	3%
5. Other	5%

Councils are responsible for collecting rates and user fees.

7.2 Revenue-sharing

There is no formal policy of revenue-sharing. However, councils are required to transfer to central government 5% of revenues collected under section 16 of the Business license Act 1978 (Cap 204).

The government provides grants on a fifty-fifty match-funding basis (Challenge Fund) for infrastructure projects that benefit the poor, under the new Urban Policy Action Plan.

7.3 Expenditure

In 2001 the aggregate expenditure of local councils was F\$16,516,383 (US\$7,113,343). The main items of expenditure were:

1. Administration	37%
2. Ratepayer services	26%
3. Maintenance	16%
4. Interest on borrowings	7%
5. Doubtful debts/depreciation	14%

Councils are permitted to set deficit budgets, but it is not encouraged.

8 ORGANISATIONS OF LOCAL GOVERNMENT

The Fiji Islands Local Government Association (FLGA) is recognised in law under the Local Government Act (Cap 125). Membership is voluntary, with the association being funded by member contributions. The main functions are to:

- Provide opportunities for municipal councils constituted under the Local Government Act (Cap 125) to be consulted on matters of mutual interest
- Disseminate information concerning local government matters and provide a common educational centre for all municipal councils
- Foster and promote common enterprise between constituent councils
- Watch over and protect the interests, rights and privileges of members and take action in relation to any subject or legislation affecting any members
- Procure legal opinions, prosecute or defend test cases or engage in any other legal proceedings in respect of matters of general interest to members and generally promote the efficient functioning of local government so far as it affects the municipalities in Fiji Islands.

9 INTERGOVERNMENTAL RELATIONS

Intergovernmental relations between the councils and the ministry are predominantly formal.¹³ The legal relationships are set out in the Local Government Act.

There is an ongoing relationship between the ministry and the Fiji Islands Local Government Association (FLGA) especially with

regard to proposals for legislative change. The FLGA pressed, unsuccessfully, for local government to be recognised in the last review of the constitution.

Certain council functions link with those undertaken by statutory authorities (e.g. the Housing Authority, the Sports Council and the Visitors' Bureau), but councils have no representation on their boards.¹⁴

10 E-GOVERNMENT

The Fiji Islands Strategic Development Plan 2003 - 2005 had as one of its policy objectives 'to introduce e-government in order to raise the efficiency of service delivery'.¹⁵ The coordinating body is the Fiji Islands Land Information Council (FLIC).

The Fiji Islands Government has a website, Fiji Government Online,¹⁶ which links central government ministries and departments. Parliament launched its website in March 2003, with funding from the UK government.¹⁷ Both sites are concerned with information provision at this stage in their development. Internet and email services are available at central government level.

Currently there is no local e-government strategy, but councils are developing corporate plans and Suva City Council has a website. Development funding is a key issue. Suva City Library has launched a free internet service for schoolchildren, and similar community projects are planned to provide computers for Lautoka City and Labasa Town.¹⁸ Councillors do not yet have access to internet and email services.

In 2004 there were 61,000 internet users in Fiji Islands, about 6.7% of the population.¹⁹

11 ENVISAGED REFORMS

As part of the larger public-sector review referred to in section 2, a review of local government has taken place, but there remains areas where further review is needed. It is expected that a number of Acts that impact on local government functions will be amended. In addition to the principal Local Government Act 1985 (Cap 125), these include the Public Health Act 1985, the Town Planning Act 1978, the Sub-divisional Land Act 1978, the Land Transport Authority Act 1998, the Shop (Regulation of Hours of Employment) Act and the Litter Decree 1991, and are in the process of finalisation.

12 MISCELLANEOUS

Local Government New Zealand (LGNZ) is developing proposals for a partnership with FLGA as part of a capacity-building programme for local governments in the Pacific, initiated by the CLGF. The CLGF Pacific Project has just completed Phase 1 to support good governance at local level and strengthen

capacity of local government.

The FLGA is hoping to establish further sister-city relationships with the USA, through Sister Cities International (SCI) which promotes programmes on technology, environment, healthcare and public safety issues. At present Suva City has links in Papua New Guinea, China, Korea and the USA. Levuka Town has a link in Hawaii.²⁰

The Training and Productivity Authority of Fiji (TPAF) provides ongoing training, to which local authorities contribute a levy equivalent to 1% of their payroll.²¹

12.1 Traditional leaders

The Great Council of Chiefs is recognised in the constitution and has responsibility for appointing the president. Historically it has advised the government on matters of indigenous Fijian welfare, custom and economic and social interests. The constitution also provides for the protection of Fijian land and customs upholding the hierarchical structures of the indigenous people, who make up 51% of the population. The Fijian Affairs Board, constituted under the Fijian Affairs Act 1978 (Cap 120), governs all matters concerned with the administration of indigenous Fijian affairs.

In the Fijian administrative system, the basic unit is the koro (village) headed by the Turagani-koro, elected or appointed by the villagers. Several koro form a tikina (a district), and each of the provinces consists of a number of tikina. Each province is governed by a council with an executive head, the Roko Tui, whose appointment is approved by the Fijian Affairs Board.²²

The government has recently adopted a 20-year development plan for the enhancement of participation of indigenous Fijians and Rotumans in the socio-economic development of Fiji Islands.²³

The Urban Fijian Programme Unit within the Ministry of Fijian Affairs has, as part of its remit, to address the issues surrounding the inclusion of Fijian villages within the boundary of a municipality. Many urban areas now have villages within their boundaries, or Fijian villages in the peri-urban areas.

Some 83% of the land is owned by indigenous Fijians, while 9% is state land and 8% is freehold. Urban development in Fiji Islands has reached a position where state and freehold land are developed, and future development would have to be carried out on land owned communally by indigenous Fijian clans.

13 SUMMARY

Fiji Islands has an established local government system in urban areas, although service delivery is restricted by its revenue resources, since central government support is

rare. There is no constitutional recognition.

The system functions in a multi-ethnic society, with constitutional protection given to indigenous Fijians and the Fijian culture. Government also protects the rights of Indo-Fijians and minority communities.

References

- 1 CIA World Factbook 2007
- 2 Fiji Government Online at www.fiji.gov.fj
- 3 'Rotuma: The Changing Nature of Customary Authorities', *Journal of Pacific History* (undated)
- 4 Fiji Islands Statistics Bureau
- 5 'Local government in Asia and the Pacific: A Comparative Study - Fiji Country Paper', UNESCAP, undated (1998/9)
- 6 'Local government partnerships to enhance development and reduce poverty in the Pacific: A proposal', Local Government New Zealand, August 2002
- 7 'Integrating environmental considerations into the economic decision-making process', UNESCAP, undated (2000?)
- 8 Ibid.
- 9 Population figures are taken from the 1996 Census which included a new peri-urban category in view of the 'urbanisation' of Fiji Islands. Nasinu was incorporated in 2000 and its population is not recorded on the same basis. Councillor numbers, other than Nasinu, are taken from the UNESCAP (1998/9?) report
- 10 Fiji Islands Broadcasting News, September 2002
- 11 'Local Government in Asia and the Pacific: A Comparative Analysis of Fifteen Countries', A H Aliani, UNESCAP, July 2002
- 12 Based on an exchange rate of F\$2.3219 = US\$1, *Financial Times*, 29 June 2001
- 13 The provincial councils and the rural advisory committees have similar relationships with their respective ministries, the Ministry of Fijian Affairs and the Ministry for Regional Development and Multi-ethnic Affairs
- 14 Ibid.
- 15 Govt. Of Fiji, Parliamentary Paper No. 72 of November 2002
- 16 www.fiji.gov.fj
- 17 www.parliament.gov.fj
- 18 www.itc.gov.fj/launch.html
- 19 CIA World Factbook 2007
- 20 Fiji-US sister-city relations approved, Government press release, 27 March 2003
- 21 A H Aliani, op. cit.
- 22 Fiji Islands Today 2000, Ministry of Information
- 23 Parliament of Fiji Islands, Parliamentary Paper No. 73 of 2002.

Service	Delivering authority			Remarks
	Federal government	Province/Territory	Local authority	
GENERAL ADMINISTRATION				
Police	●			
Fire protection	●			
Civil protection	●	●	●	
Criminal justice	●			
Civil justice	●			
Civil status register	●			
Statistical office	●			
Electoral register	●			
EDUCATION				
Pre-school	●		●	Also private
Primary	●		●	Also private
Secondary	●		●	Also private
Vocational and technical	●			
Higher education	●			
Adult education	●			
SOCIAL WELFARE				
Kindergarten and nursery				
Family welfare services	●			
Welfare homes	●			
Social security	●			
PUBLIC HEALTH				
Primary care	●		●	
Hospitals	●			
Health protection	●	●		
HOUSING AND TOWN PLANNING				
Housing	●			
Town planning	●	●		
Regional planning	●			
TRANSPORT				
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				
Theatre and concerts		●		
Museums and libraries	●	●		
Parks and open spaces		●		
Sports and leisure		●		
Religious facilities				
UTILITIES				
Gas services				
District heating	●			
Water supply	●			
Electricity	●			
ECONOMIC				
Agriculture, forests and fisheries	●		●	
Economic promotion	●	●	●	
Trade and industry	●	●		
Tourism				