

**ACT NO. 35 OF 2017**

I assent.

J. K. KONROTE  
President

[14 July 2017]

**AN ACT****TO AMEND THE OMNIBUS ELECTRONIC FARE TICKETING ACT 2014**

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

**1.**—(1) This Act may be cited as the Omnibus Electronic Fare Ticketing (Budget Amendment) Act 2017.

(2) This Act comes into force on the date the Omnibus Electronic Fare Ticketing Act 2014 comes into force.

(3) In this Act, the Omnibus Electronic Fare Ticketing Act 2014 is referred to as the “Principal Act”.

*Long title amended*

**2.** The long title of the Principal Act is amended by deleting “OMNIBUS”.

*Section 1 amended*

**3.** Section 1 of the Principal Act is amended by deleting “Omnibus”.

*Section 2 amended*

**4.** Section 2 of the Principal Act is amended by—

(a) in paragraph (d) of the definition of “buscard”, deleting “10” and substituting “9”; and

(b) inserting the following new definitions—

“blacklist” means the act of disabling the use of a buscard by the solution provider upon receiving proper and valid notification from the—

(a) registered user of the buscard;

(b) Ministry of Education; or

(c) Department of Social Welfare;

“disposable buscard” means a temporary buscard that is purchased by a person and that does not require registration by a solution provider;”.

*Section 4 amended*

**5.** Section 4 of the Principal Act is amended by—

(a) in subsection (1), deleting “within 60 days from the commencement of this Act” and substituting “on or before 1 October 2017”;

(b) in subsection (2), deleting “following the expiration of the period specified in subsection (1)” and substituting “on or after 1 October 2017”; and

(c) in subsection (3) after “buscard reader”, inserting “on or after 1 October 2017”.

*Section 5 amended*

**6.** Section 5 of the Principal Act is amended by—

(a) in subsection (1) after “buscard”, inserting “to pay for the omnibus fare to his or her destination”;

(b) deleting subsection (4) and substituting the following—

“(4) Notwithstanding anything contained in this section, no person may use cash or voucher to pay an omnibus fare on or after 1 October 2017.”; and

(c) deleting subsection (5) and substituting the following—

“(5) The Minister may prescribe by regulations the circumstances in which a person may use his or her buscard to pay for the omnibus fare of another person.”.

*New section 5A inserted*

7. The Principal Act is amended after section 5 by inserting the following new section—

*“Disposable buscards*

5A.—(1) A passenger may purchase a disposable buscard from a solution provider, top up issuing agent or an omnibus driver.

(2) The Minister may prescribe the following in the MSR—

- (a) the retail value of the disposable buscards;
- (b) the terms of expiry of a disposable buscard; and
- (c) the minimum amount that may be refunded on a disposable buscard to a passenger.

(3) E-money that is not refunded to a passenger upon the expiry date of a disposable buscard must be transferred by the solution provider to a fund prescribed by regulations for the development of information and communication technologies in Fiji.”.

*Section 29 amended*

8. The Principal Act is amended by deleting section 29 and substituting the following—

*“Other passengers*

29.—(1) No other passengers may be issued with a buscard except upon registration with a solution provider.

(2) A solution provider must register other passengers upon the receipt of all necessary information for the purposes of registration.”.

*Section 33 amended*

9. The Principal Act is amended by deleting section 33 and substituting the following—

*“Regulations*

33. The Minister may make regulations to give effect to the provisions of this Act and to prescribe the following penalties—

- (a) a fine not exceeding \$500,000;
- (b) a term of imprisonment not exceeding 10 years; or
- (c) both (a) and (b).”.

*New section 36 inserted*

10. The Principal Act is amended after section 35 by inserting the following new section—

*“Amendments to references to “Omnibus Electronic Fare Ticketing Act 2014”*

36. All written laws and all State documents of any nature whatsoever (including the titles of any written law) are amended by deleting “Omnibus Electronic Fare Ticketing Act 2014” wherever it appears and substituting “Electronic Fare Ticketing Act 2014”, unless the context otherwise requires.”.

Passed by the Parliament of the Republic of Fiji this 14th day of July 2017.