

THE ELECTORAL COMMISSION
Republic of Fiji



FOREWORD OF THE CHAIRPERSON AND ELECTORAL COMMISSION MEMBERS

It is our great privilege to deliver the 2022 Annual Report of the Electoral Commission (EC) in accordance with Section 75(4) of the Constitution of the Republic of Fiji 2013.

The year 2022 was a year of real progress for the EC towards creating more transparency and voter ownership in the system of the Fijian Elections.

Prior to the 2022 General Election, the EC carried out various activities in line with the relevant laws to ensure that the 2022 General Election was going to be carried out in a free and fair manner.

Some of the key highlights for the year included awarding the Parliamentary seats that were left vacant by their predecessor, adopting opinion poll guidelines, writ to return of the writ workshop, and attending events such as the launch of the "Know Your Election" awareness drive and a stakeholder forum on enhancing voter participation.

Upon the issuance of the Writ by the His Excellency, Ratu Wiliame Katonivere, the total registered voters for the 2022 General Election was 693,915 compared to 637,527 in the 2018 General Election. The green voter card had expired and the blue voter card replaced it which included the voter's polling venue.

Moreover, in this General Election, there were nine (9) registered political parties and two (2) independent candidates. A total of 343 candidates contested 55 seats in Parliament.

The Generation Election commenced with the Postal Voting process beginning November 18, 2022, Pre-Poll on December 5th – 9th, 2022, and Election Day was held on December 14, 2022, a declared public holiday for the purpose of voting.

During Writ to Return of the Writ, the EC ensured that every single electoral process was monitored and completed successfully. This was to ensure that the 2022 General Election was done in a transparent manner, hence, the EC was on the ground visiting polling venues, counting centres and result centres.

The EC acknowledges that on the evening of December 14, 2022, an anomaly occurred with the Results App, however, it was rectified later in the night and thoroughly explained by the former Supervisor of Election, Mr Mohammed Saneem in a Press Conference.

The protocol of results was handed over to the EC on December 18, 2022 for Seat Allocation. The EC completed the calculation of Seat Allocation on December 19, 2022 and returned the Writ to His Excellency the President on the same day.

While details are listed in the report, the members of the Electoral Commission and I wish to take this opportunity to thank the former Supervisor of Elections, the staff of the Fijian Elections Office and the EC Secretariat for their dedication, commitment and enthusiasm in ensuring that the 2022 General Election was a successful, free, fair, and credible election.

Best Wishes for 2023!

Mukesh Nand Chairperson of the Electoral Commission

EXECUTIVE SUMMARY

- 1. Pursuant to section 75(4) of the Constitution of the Republic of Fiji 2013 ["Constitution"], the Electoral Commission ["EC"] is required to submit a report of its activities to H.E. the President and a copy is to be submitted to Parliament.
- 2. This report is for the period of 01 January 2022 to 31 December 2022 to make it in line with the calendar year.
- 3. The EC received considerable support from development partners and visits to Australia, New Zealand and India ECs to observe their respective electoral operations which were informative and beneficial.
- 4. The EC developed a 50 day Writ to Return of Writ Plan, monitored Pre-Poll, Polling venues and Postal voting, oversaw the secure storage of the Election materials including Ballot Papers, and monitored the electoral process from 31 October 2022 till the Return of Writ on 19 December 2022.
- 5. Key activities of the EC for 2022 included the following:
 - EC Meetings;
 - Nationwide Voter Registration Drive and the Know Your Election Campaign Launched by the Chairperson Mr Mukesh Nand;
 - Meeting with Political Parties Chairperson Mr Mukesh Nand co-chaired with the former Supervisor of Elections ["SoE"];
 - Attending the Stakeholders Forum on Enhancing Voter Participation;
 - Signing Agreement with the Australian High Commission for Funding of Audit of National Register of Voters;
 - Launch of the Pilot Community Elections Advocate Training of Trainers Community Engagement Project Chairperson Mr Mukesh Nand;
 - Launch of the Presiding Officers Training Chairperson Mr Mukesh Nand;
 - Announcement on the Official Campaign Period;
 - Participation in the Mock Election dress rehearsal;
 - EC Writ to Return of Writ Workshop:
 - Attending the Launch of Provisional Voter List, Election Readiness Survey
 - Report, Easy Voting Steps Guide and Accreditation Form for the 2022 General Election;
 - Updating the International Community on Election Preparation Chairperson Mr Mukesh Nand and former SoE.
- 6. The EC was sufficiently funded to ensure it was able to meet its responsibilities as per the legal framework.

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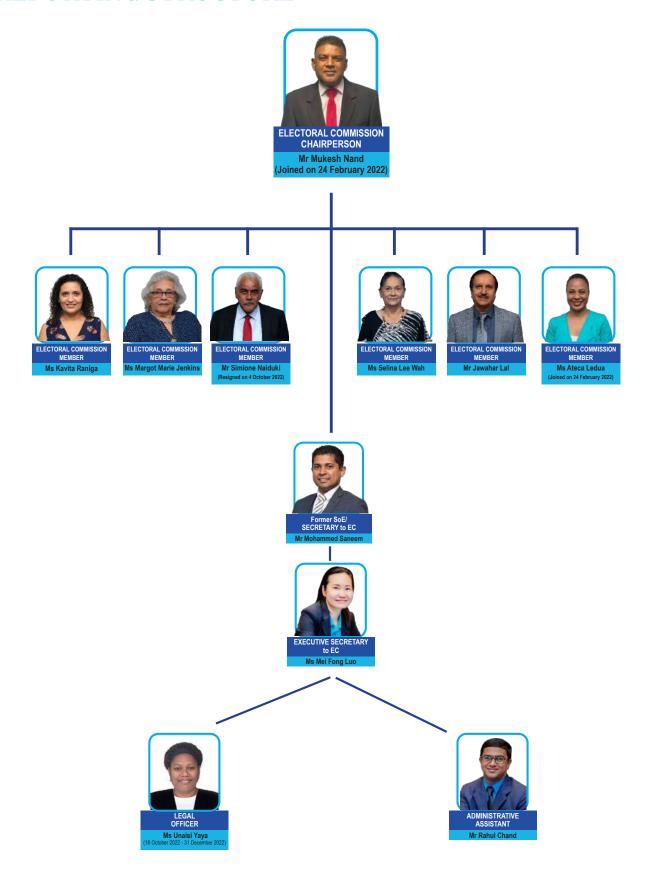
INTRODUCTION

Pursuant to section 75(4) of the Constitution, the EC must deliver its Annual Report to his Excellency the President, Ratu Wiliame Maivalili Katonivere [CF, MSD] ["President"] and the Secretary-General to the Parliament.

The EC has the responsibility for the registration of voters and the conduct of free and fair elections in accordance with the written law governing elections and any other relevant law, and in particular for the registration of citizens as voters, and the regular revision of the Register of Voters; voter education; the registration of candidates for election; the settlement of electoral disputes, including disputes relating to or arising from nominations, but excluding election petitions and disputes subsequent to the declaration of election results; and monitoring and enforcing compliance with any written law governing elections and political parties.

This Report will provide all the activities that were conducted and attended by the EC in the year 2022. All the roles and responsibilities of EC were executed successfully prior to and during the 2022 General Election.

REPORTING STRUCTURE



Movement of Electoral Commission Members

For the first couple of months of 2022, the EC had only six (6) Members, (the former Chairperson Mr Suresh Chandra resigned on 20 November 2021). EC Member Mr Jawahar Lal was nominated by the Members as the Acting Chairperson to Chair the meetings. The President appointed Mr Mukesh Nand and Ms Ateca Ledua on 24 February 2022 as EC Chairperson and EC member respectively. Ms Mere Roden resigned on 23 February 2022.

The former EC member Mr Simione Naiduki resigned from the EC on 04 October 2022. After his resignation the EC consisted of a Chairperson and five (5) members, and no other appointments were made there after.

The current EC consists of the following persons':

Mr Mukesh Nand, Chairperson
Ms Margot Marie Jenkins, Member of EC
Ms Kavita Raniga, Member of EC
Mr Jawahar Lal, Member of EC
Ms Selina Lee Wah, Member of EC
Ms Ateca Ledua, Member of EC

INSTITUTIONAL SUPPORT

2.1 Secretariat

The EC secretariat is staffed with two (2) full time individuals (the Executive Secretary and Administrative Assistant). They both work alongside the Secretary of the EC. During the 50 days Writ to Return of Writ period, a short term staff member also joined the team as Legal Officer from 18 October till 31 December 2022.

The secretariat has undertaken to write the EC's own reports and other correspondence such as minutes of meetings. The EC meetings were also handled through a proper minute recording system and practice.

The secretariat mainly arranges the meetings and looks after the administration works of the EC. These include facilitating all the administrative activities for the EC members such as printing and delivering of meeting documents, arrangement of transportation, sitting allowance, publication of Notice, Media release and advertising of Expression of Interest for the audit of National Register of Voters, and so forth to ensure that the EC to discharge its duties effectively.

The secretariat also keeps and updates various registers as per the requirements of the Electoral Act 2014 to ensure that information is recorded properly and as per good practice.

In addition, the Secretariat also facilitated the appointment of new Members of Parliament by the EC and provided overall support for the administration of the EC's calendar of events for 2022.

Furthermore, the EC secretariat facilitated various workshops to prepare EC members for the 2022 General Election. It also facilitated overseas visits to Election Management Body for the Chairperson and EC Members.

2.2 Budget

The Commission has its own budget since 2020 and prepares its budget for each financial year to cater for the operational expense.

For the year 2022, the Commission received two (2) separate approved budgets from the Ministry of Economy. One was the Operational Budget for the financial year 2022-2023 and the other one is the Election budget which was only for Election purposes.

Table 1.0 below shows the Electoral Commission Budget & Expenditure for January 2022 – December 2022;

Activities	Total Budget January 2022-December 2022	Total Expenditure January 2022-December 2022
Information Technology Expenses	3,136.28	377.88
Electoral Commission Allowance	254,790.00	127,530.00
Legal Fees	41,939.00	-
Marketing Costs	61,698.86	42,302.47
Personnel Emoluments Expense	85,494.08	76,706.12
Postage and Courier Expense	2,030.65	294.49
Office Administration Expense	36,921.00	13,983.52
Telecommunication Expenses	6,549.00	274.31
Travel and Accommodation Expense	104,339.33	24,670.83
Financial Expense	200.00	102.60
EC and Office Meeting Expense	18,500.00	7,118.22
VAT Expenses	32,012.00	11,733.07
Operating Expense - Total	647,610.20	304,667.93

The actual breakdown of the EC Budget and Expenditure Report from 01 January 2022 to 31 December 2022 is reflected on "Appendix 6" of this Report.

2.3 Electoral Commission Allowances

The Chairperson and EC members are employed on a part time basis. They are required to meet (either Face-to-Face, virtual or via electronic mediums) to discuss issues pertaining to their responsibilities as set out in Section 75 of the Constitution.

All Electoral Commission members are remunerated with a sitting allowance of \$500FJD per day when a meeting is held and also for work undertaken on behalf of the EC as and when required. This is inclusive of KYE awareness visitations, meetings with Fiji's political parties, NGO's, Civil Society Organisations, Media, Fiji Police Force and other important stakeholders, participating in forums and workshops, dealing with complaints, appeals, Polling observation, reviews and monitoring and other activities in the ordinary cause of business.

In addition, the EC members are also entitled to meal allowance of \$50FJD per day which is not paid directly to them. Rather, it was agreed that the EC secretariat will arrange for their meals accordingly and within the allocated budget.

3.0 THE ELECTORAL COMMISSION'S WORK IN 2022

During the year of 2022 the EC's work included the following:

3.1 Electoral Commission Meetings

The EC met Twenty Two (22) times in 2022.

- The EC held 11 meetings from January 2022 December 2022. These were the monthly EC meeting which was to discuss the general matters and correspondence of the EC
- The EC held 11 Election Mode meetings from November 2022 December 2012. These meetings were to discuss all matters relating to the 2022 General Election including complaints and correspondence pertaining to the 2022 General Election.

3.2 Statements by Chairperson and EC Members - Media Engagements

Table 2.0 - Media Engagements

No.	Date	Activities		
1.	18 January 2022	Confirming the EC is operating; Media release		
2.	25 February 2022	Launch of Nationwide Voter Registration Drive and the "Know Your Election" Campaign". Media statement by the Chairperson of EC		
3.	08 March 2022	"Know Your Election (KYE)" Awareness Campaign for 2022 General Election in Ovalau Island. Media statement by the Chairperson of EC		
4.	14 March 2022	Dismissed of Appeal from Humanity Opportunity Prosperity Equality (HOPE); Media release		
5.	17 March 2022	Commencement of Campaign Period; Media release		
6.	18 March 2022	Meeting with Political Parties. Media statement by the EC Chairperson		
7.	18 March 2022	Use of Name on Certificate of Citizenship for Verification of Name; Media release		
8.	30 March 2022	Stakeholders Forum on Enhancing Voter Participation, Opening Speech by the EC Chairperson		
9.	30 March 2022	Stakeholders Forum on Enhancing Voter Participation; Session 1: Voter Turnout and Survey. Speech by the EC Chairperson		
10.	30 March 2022	Stakeholders Forum on Enhancing Voter Participation, Session Topic: Regional EMB Initiatives in Enhancing Voter Participation. Speech by the EC member Ms Kavita Raniga		
11.	30 March 2022	Stakeholders Forum on Enhancing Voter Participation, Closing Speech by the EC Chairperson		
12.	31 March 2022	Signing Agreement with the Australian High Commission for Funding of Audit of National Register of Voters; Media statement by the EC Chairperson		
13.	31 March 2022	Australia supporting the EC on an independent audit of the National Register of Voters; Media release		
14.	12 April 2022	EC conducts One-day Electoral Planning Workshop; Media release		
15.	19 April 2022	Launch of the Pilot Community Elections Advocate Training of Trainers Community Engagement Project; Media statement by the EC Chairperson		

No.	Date	Activities		
16.	19 April 2022	Launch of the Presiding Officers Training; Media statement by the EC Chairperson		
17.	20 April 2022	Bonanza Draw for the Nationwide Voter Registration Drive; Media statement by the EC Chairperson		
18.	21 April 2022	Political Party Electoral Processes Workshop; Media statement by the EC Chairperson		
19.	25 April 2022	Announcement on the Official Campaign Period; Media statement by the EC Chairperson		
20.	02 May 2022	EC and Fijian Elections Office ["FEO"] Sign MOU with the International Foundation for Electoral Systems ["IFES"]; Media release		
21.	25 May 2022	Communications to Electoral Commission; Media release		
22.	30 June 2022	Vehicle Handover at FEO Warehouse; Media statement by the EC Chairperson		
23.	05 July 2022	Public Opinion Poll Guidelines for the 2022 General Election adopted by the EC; Media release		
24.	06 July 2022	Official Handover of Braille materials from US Charge d'Affaires; Media statement by the EC Chairperson		
25.	12 August 2022	Fiji Labour Party Complaint against the Fiji Police Force for Breach of S111(1) of the Electoral Act 2014 dismissed; Media release		
26.	18 August 2022	Launch of the FEO Results App; Media statement by the EC Chairperson		
27.	30 August 2022	The EC finds that the Fiji Sun Breaches the Opinion Poll Guidelines; Media release		
28.	08 September 2022	Opening of the 2022 General Election Media Training; Media statement by the EC Chairperson		
29.	09 September 2022	KYE Bonanza Draw; Media statement by the EC Chairperson		
30.	15 September 2022	Launch of Provisional Voter List, Election Readiness Survey Report, Easy Voting Steps Guide and Accreditation Form for the 2022 General Election; Concluding Remarks by the EC Chairperson		
31.	19 September 2022	Election Preparation Update to the International Community; Media statement by the EC Chairperson		
32.	04 October 2022	Handover Ceremony for Indelible Ink; Media statement by the EC Chairperson		
33.	20 October 2022	The EC dismisses National Federation Party's Complaint; Media release		
34.	27 October 2022	MOU Signing between Ministry of Rural & Maritime Development, MITT and Transport & Land Transport Authority; Media statement by the EC Chairperson		
35.	30 October 2022	Announcement of 2022 General Election; Media statement by the EC Chairperson		
36.	31 October 2022	Issuance of Writ of Elections; Media statement by the EC Chairperson		
37.	31 October 2022	EC approves the Notice of Nomination; Media release		
38.	01 November 2022	Notice of Nominations; Media statement by the EC Chairperson		
39.	14 November 2022	Public Notice - Appeals and Objections; Media release		
40.	16 November 2022	Close of Appeals and Objections; Media release		

No.	Date	Activities	
41.	16 November 2022	EC finalizes appeals and objections: 343 Candidates in the 2022 General Election; Media release	
42.	05 December 2022	Launch of Pre-Poll; Media statement by the EC Chairperson at Nasele Community Hall, Naitasiri	
43.	12 December 2022	2022 EVP Welcome Dinner; Media statement by the EC Chairperson	
44.	13 December 2022 Election Day Reminder; Media statement by the EC Chairperson		
45.	14 December 2022	Election Day Announcement; Media statement by the EC Chairperson	
46.	14 December 2022	2022 Election Night Dinner - EVP; Media statement by the EC Chairperson	
47.	14 December 2022	After Receiving Results from the Supervisor of Elections; Media statement by the EC Chairperson	
48.	16 December 2022	Manual Counting; Media release by the Commission	
49.	19 December 2022	Declaration of Results and Seat Allocation; Media statement by the EC Chairperson	

3.3 Various Events attended by the Electoral Commission;

Table 3.0 Event attended by the Commission

No.	Date	Activities		
1.	25 February 2022	KYE (Know Your Election) Awareness Drive Launch; Attended by EC Chairperson		
2.	26 February 2022 to 14 April 2022	KYE (Know Your Election) Awareness Drive visitations		
3.	07 March 2022	Participated in the third virtual International Election Visitors' Program (IEVP) on 7th March, 2022 during the General Elections to State Legislative Assemblies of Goa, Punjab, Manipur, Uttarakhand and Utta of India; Attended virtually by EC Chairperson		
4.	09 March 2022	FEO IWD (International Women's Day celebration; Attended by EC Members Ms Margot Jenkins and Ms Ateca Ledua		
5.	14 March 2022	The President and the First Lady Madam Filomena Katonivere's Commonwealth Day Morning Tea Reception at the State House, Suva; Attended by EC Chairperson		
6.	30 March 2022	Stakeholders Forum for Voter Participation		
7.	31 March 2022	Signing Agreement with the Australian High Commission for Funding of Audit of National Register of Voters; Attended by the EC Chairperson		
8.	12 April 2022	EC Writ to Writ Workshop		
9.	19 April 2022	Launch of the Pilot Community Elections Advocate Training of Trainers Community Engagement Project; Attended by EC Chairperson		
10.	19 April 2022	Launch of the Presiding Officers Training; Attended by EC Chairperson		
11.	20 April 2022	Bonanza Draw for the Nationwide Voter Registration Drive; Attended by EC Chairperson		

No.	Date	Activities
12.	25 April 2022	Announcement on the Official Campaign Period; Launch of FEO Complaint Portal and Candidate Handbook;
13.	27 April 2022	Ball Draw Simulation Exercise; Attended by EC Chairperson
14.	02 May 2022 to 24 May 2022	Election simulation Exercise
15.	16 May 2022 to 24 May 2022	2022 Federal Election in Australia; attended by EC Chairperson and former SoE
16.	28 May 2022	One to One session with Ms Stasi Turnbull on Effective Public Speaking and Engagement training for EC Chairperson
17.	16 June 2022 to 19 June 2022	Knowledge Exchange Program: By-Election in Tauranga, New Zealand; Attended by EC Chairperson, Supervisor of Elections, Executive Secretary to the EC and staff from FEO - Manager IT, Manager Public Relations and Manager Assets
18.	27 June 2022	Matariki (Maori New Year) at the NZ High Commissioner's resident in Suva; Attended by EC Chairperson
19.	30 June 2022	Handover of Vehicles by the High Commission of Indian ["HCI"] and Launch of National Polling Venue Directory; Attended by EC Chairperson
20.	06 July 2022	Handover of Braille Materials by Chargé d'affaires of the Embassy of the United State of America ["USA"] to FEO and Election Disability Access Working Group ["EDAWG"] Members; Attended by EC Chairperson
21.	12 July 2022 to 13 July 2022	EC Workshop - Election Readiness
22.	13 July 2022	Presentation of the 2021 EC Annual Report to H.E the President at the State House
23.	18 July 2022	Dinner Reception at the HCI in honour of Mr Saurabh Kumar Secretary (East) Ministry of External Affairs, Govt of India; Attended by EC Chairperson
24.	20 July 2022	Presentation of the 2021 EC Annual Report to the Hon Speaker of the Parliament at the Parliament House office; Attended by EC Chairperson
25.	27 July 2022 to 28 July 2022	Fimilarization visit to the EC of India; attended by EC Chairperson, EC member Mrs Kavita Raniga and former SoE
26.	15 August 2022	Dinner Reception to Celebrate the 75yrs of India's Independence at GPH Britannia Hall, Suva; Attended by EC Chairperson
27.	18 August 2022	Launch of the FEO Results App; Attended by EC Chairperson
28.	07 September 2022	H.E the President's Constitution Day Reception; Attended by EC Chairperson
29.	08 September 2022	Opening of the Media Training organised by FEO; Attended by EC Chairperson
30.	09 September 2022	Bonanza Draw for the Nationwide Voter Registration Drive; Attended by EC Chairperson
31.	15 September 2022	Launch of Pre-election Survey; Launch of Provisional National Voter List; International Democracy Commemoration;
32.	16 September 2022	The Indian Technical & Economic Cooperation Day Reception at India House, Suva; Attended by EC Chairperson

No.	Date	Activities
33.	19 September 2022	International Community Update via ZOOM; Attended by EC Chairperson
34.	04 October 2022	Handover ceremony of Indelible Ink from HCI
35.	27 October 2022	MOU signing between FEO and Ministry of Rural & Maritime Development, MITT and Transport & Land Transport Authority; Attended by EC Chairperson and EC Member Ms Kavita Raniga
36.	05 November 2022	SOE's Presentation on Voter List at Civic Center
37.	12 December to 14 December 2022	Election Visitor Program

3.4 Audit of the National Register of Voters

The EC decided to do an audit on the National Register of Voters in September 2021 as per recommendation from the Multinational Observers Group's report on the 2018 General Election.

The EC then advertised the Expression of Interest twice locally and internationally, inviting tenders to audit the Fiji National Register of Voters in November 2021 and August 2022 respectively. Both Expression of Interest were given about a month's time for bidders to bid, however, there were no suitable tenders.

The EC deliberated this in the meeting and decided to re-advertise the Expression of Interest of the audit of Fiji's National Register of Voters after the 2022 General Election.

The EC was able to secure aid from the Government of Australia represented by the Department of Foreign Affairs and Trade to meet the audit fees amounting to \$165,000AUD and signed the agreement on 31 March 2022. The postponement of the audit was also informed to the Government of Australia.

The EC is confirming it is still pursuing the audit of the National Register of Voters as a priority.

3.5 Meeting with Political Parties

The EC and the FEO held meetings with Political Parties in its effort to discuss Election-related matters. Details of the meetings are as follows:

- EC and FEO meeting with Political Parties- 18 March 2022 at the FEO Conference Room, Headquarters, Suva;
- EC and FEO meeting with Political Parties- 21 April 2022 at the Conference Room of Suvavou House, Level 9, Suva;
- EC Chairperson opened the Logistic Workshop for Political Parties- 12 November at Civic Center;

3.6 Meeting with Diplomatic Corps

The EC conducted various meetings with the Diplomatic Corps during the year.

The list of meetings with Diplomatic Corps are as follows:

Table 4.0 Meeting with Diplomatic Corps

No.	Date	Activities
1.	11 May 2022	EC Chairperson meeting with the Finland Ambassador Her Excellency Satu Mattila-Budich
2.	13 May 2022	EC Chairperson meeting with the New Zealand High Commissioner to Fiji Her Excellency Ms Charlotte Darlow
3.	30 August 2022	EC Chairperson meeting with the New Zealand Delegations leaded by Felicity Buchanan (Special Adviser, Ministry of Foreign Affairs and Trade, New Zealand)
4.	20 October 2022	EC Chairperson meeting with the High Commissioner of British to Fiji Dr. Brian James
5.	04 November 2022	EC Chairperson meeting with the United Nations Resident Coordinator for the Fiji Multi-Country Office, Mr. Sanaka Samarasinha

3.7 Overseas Visitors Program Participation

Three Invitations for overseas visitors' programs on electoral matters were received.

The first event was the 2022 Federal Election in Australia from 16 May 2022 till 21 May 2022, it was attended by the EC Chairperson and the former SoE.

The second event was the Tauranga by-election in New Zealand. This was held on 18 June 2022, the event was attended by the EC Chairperson, former SoE, and senior staffs of FEO.

The third event was on a familiarization visit to the Election Commission of India from 27 July 2022 to 28 July 2022. This was attended by EC Chairperson Mr Mukesh Nand, EC Member Kavita Raniga and the former SoE.

Note: All costs for the participants were funded by the Australian Electoral Commission, New Zealand Electoral Commission except for the visit to the Election Commission of India.

3.8 The Electoral Commission Decisions for 2022

The EC made 31 Decisions during their meeting from January 2022 to December 2022

- i. EC Meeting #01/22; Decision #01/2022

 Decision of EC Award of Seat in Parliament to Mr Jone Antonio Rabici Seniloli.
- ii. EC Meeting #01/22; Decision #02/2022 Pre-poll venues to be used by the Discipline Forces in the 2022 General Election.
- iii. EC Electronic Meeting #01/22; Decision #03/2022

 Decision of EC Award of vacant seat in Parliament to Howard Robin Thomas Politini.
- iv. EC Virtual Meeting #02/22; Decision #04/22
 Approval of the Polling Day Presiding Officer's Manual and Polling Day Workers Manual.
 Approval for the electronic version of the Provisional Voter List to cost \$1,000.00 and subsequent updates will be free for the year 2022.

- v. EC Meeting #03/22; Decision#05/2022
 Approval of the use of Birth Registration Data from the Births, Deaths and Marriage
 Registry to verify the name of an Applicant applying for voter registration or update of voter details.
- vi. EC Meeting #03/22; Decision #06/2022 Appeal - Ms Tupou Draunidalo - HOPE Party Leader.
- vii. EC Meeting #04/2022; Decision #07/2022 Declaration by the EC - Commencement of Campaign Period.
- viii. EC Meeting #04/2022; Decision #08/2022 Approved the FEO to use the Certificate of Citizenship for verification of name for eligible Fijian voters born overseas in the absence of the birth certificate.
- ix. EC Meeting #05/2022; Decision #09/2022 Approved the following under Section 115 of the Electoral Act 2014:
 - Procedure, Brochure, Guidelines for Application, Application Form and Appeal Form.
- x. EC Electronic Meeting #03/2022; Decision #10/2022

 Decision of the EC Award of Seat in Parliament to Ms Mere Tuisalalo Naulumatua.
- xi. EC Meeting #06/2022; Decision #11/2022 Approved the following:
 - Close of Pre-poll venues (Lakeba Police Station, Suva Remand Centre and Lautoka Remand Centre).
 - Opening of new polling venue (Overseas Headquarters Saint Stephens FEO Shed, Suva.
- xii. EC Meeting #06/2022; Decision #12/2022 Approval of the special polling arrangement procedure for Overseas Registered Voters.
- xiii. EC Meeting #06/2022; Decision #13/2022
 Adopted Opinion Poll Guidelines published by European Society for Opinion and
 Marketing Research (ESOMAR) and World Association for Public Opinion Research
 (WAPOR) for the purposes of evaluating public opinion polls in relation to Elections in
 Fiii.
- xiv. EC Meeting #08/2022; Decision #14/2022 Approval of the Guidelines on Opinion Polls, Surveys and Research
- xv. EC Meeting #08/2022; Decision #15/2022 Approval of the Packing of Books of Ballot Papers in Customized Cardboard Containers.
- xvi. EC Meeting #09/2022; Decision #16/2022 Approval of the Declaration Form for the 2022 General Election.
- xvii. EC Election Mode Meeting #02/2022; Decision #17/2022

Approved to suspend the trade union elections including all other small-scale elections that have been conducted by the FEO until the Return of the Writ for the 2022 General Election.

- xviii. EC Election Mode Meeting #02/2022; Decision #18/2022 Notice - Postal Voting Application Form must be accompanied by the Statutory of the Applicant.
- xix. EC Election Mode Meeting #02/2022; Decision #19/2022 Approved the following pursuant to Section 67(7)(c) of the Electoral Act 2014:
 - 245 registered voters under pre-trial detention or sentence of imprisonment less than 12 months are eligible to vote in the 2022 General Election and the said 245 registered voters vote by postal voting.
- xx. EC Election Mode Meeting #02/2022; Decision #20/2022
 Approval of the rules with respect to an Appeal against the decision of the Supervisor of Elections to reject a nomination to be a candidate and rules with respect to an Objection to the nomination of a candidate.
- xxi. EC Election Mode Meeting #03/2022; Decision #21/2022 Appeal - Mr Amjad Ali (Nomination by The People's Alliance)
- xxii. EC Election Mode Meeting #03/2022; Decision #22/2022 Appeal - Mr Bulivou Sigatabu Ratu (Nomination by Social Democratic Liberal Party).
- xxiii. EC Election Mode Meeting #03/2022; Decision #23/2022 Appeal - Mr Hajarat Ali (Nomination by Social Democratic Liberal Party).
- xxiv. EC Election Mode Meeting #03/2022; Decision #24/2022 Objection by Mr Sundar Singh (Alvick Avhikrit Maharaj and Jone Usamate of FijiFirst).
- xxv. EC Election Mode Meeting #03/2022; Decision #25/2022 Appeal - Mr Seremaia Tui (Nomination by Social Democratic Liberal Party).
- xxvi. EC Election Mode Meeting #03/2022; Decision #26/2022 Appeal - Ms Naomi Navoce, Ms Marama Korina Waibuta, Mr Salacieli Taubera Gasara and Mr Vetaia Vuinakelo (Nomination by Unity Fiji).
- xxvii. EC Election Mode Meeting #03/2022; Decision #27/2022 Appeal - Mr Mohammed Rieaz Khan(Nomination by Unity Fiji).
- xxviii. EC Election Mode Meeting #03/2022; Decision #28/2022 Appeal - Mr Ratu Ifereimi Buaserau Camaisala(Nomination by Unity Fiji).
- xxix. EC Election Mode Meeting #03/2022; Decision #29/2022 Guideline on the use of School Halls and Premises During Campaign Period.
- xxx. EC Election Mode Meeting #04/2022; Decision #30/2022 Notice of Poll and Notice of Pre-Poll.

xxxi. EC Election Mode Meeting #06/2022; Decision #31/2022 The EC received the following manuals from FEO:

- Polling Day Presiding Officers Manual 2022
- Polling Day Workers Manual 2022
- Presiding Officers Pre-Poll Manual 2022
- Presiding Officers Record Book (Election Day)
- Presiding Officers Record Book (Pre-Poll)
- Hub Leaders Manual 2022
- Area Officers Manual 2022
- Polling Day Workers Task Sheet
- Missorted Ballot Papers Task Sheet

4.0 The 2022 GENERAL ELECTION

4.1 Issue of the Writ

The Writ for the 2022 General Election was issued by the President to the EC Chairperson, Mr Mukesh Nand at the State House on 31 October 2022 at 10.00am.

4.2 Nomination of Candidates

Following the issuance of the Writ, candidate nomination commenced on 1 November 2022 and closed at 4pm on 14 November 2022. The FEO approved 341 nominations from nine registered political parties and two (2) nominations from independent candidates.

All nominating Political Parties were required to submit their nominations in the approved form, accompanied with a deposit of \$1,000FJD per candidate. Also, the two(2) independent candidates were required to submit their nominations in the approved form, accompanied with a deposit of \$1,000FJD per candidate and 1,000 signatures.

4.3 Withdrawal of Nominations

The deadline for withdrawal of nominations was 12 noon on 15 November 2022 and there was no withdrawal received from any candidate.

4.4 Objection

Objections were received from the public against the nomination of a candidate. The objection period closed at 4pm on 15 November 2022 and was handled by the EC.

Two (2) objections to candidate nomination were received and the details are provided as follows;

Table 5.0 Objections to candidates nonimation

No.	Candidate	Party	Objector	Party/Other	EC Decision
001/22	Alvick Avhikrit Maharaj	FijiFirst	Sundar Singh	Private	Dismissed
002/22	Jone Usamate	FijiFirst	Sundar Singh	Private	Dismissed

4.5 Appeals

Appeals were received from candidates whose nominations were rejected by the SoE. The appeal period closed at 4pm on 15 November 2022 and was handled by the EC.

The EC had three (3) days to make a decision after the close of the appeal period.

There was 10 appeals received and details are provided as follows;

Table 6.0 Appeals to candidates nonimation

No	Candidate	Party	EC Decision
A01/22	Amjad Ali	The People's Alliance	Dismissed
A02/22	Bulivou Sigatabu Ratu	Social Democratic Liberal Party	Dismissed
A03/22	Hajarat Ali	Social Democratic Liberal Party	Dismissed
A04/22	Ratu Ifereimi Buaserau Camaisau	Unity Fiji	Dismissed
A05/22	Seremaia Tui	Social Democratic Liberal Party	Dismissed
A06/22	Salacieli Taubera Gasara	Unity Fiji	Dismissed
A07/22	Maraia Korina Marama Waibuta	Unity Fiji	Dismissed
A08/22	Naomi Navoce	Unity Fiji	Dismissed
A09/22	Vetaia Vuinakelo	Unity Fiji	Dismissed
A10/22	Mohammed Rieaz Khan	Unity Fiji	Upheld

4.6 Notice of Poll

Pre-Poll

In exercise of the powers conferred upon the EC under Section 82(3) of the Electoral Act 2014, the EC published the venues where pre-poll voting shall take place and the dates and hours upon which the Fijian Elections Office will attend at those venues for the conduct of pre-poll voting.

Poll

Following the conclusion of the Nominations process, the EC noted that the number of Candidates nominated for the General Election is greater than the number of seats in Parliament and therefore, in exercise of the powers conferred upon the EC under Section 35 (1) of the Electoral Act 2014, the EC published the following:

- (i) Name, residential address, occupation and voter number of each candidate for the 2022 General Election;
- (ii) Addresses of all polling stations and venues established for the purpose of taking votes during polling; and
- (iii) Polling on Election Day, 14 December 2022, to commence at 7:30am until 6:00pm.

4.7 Candidate Ball Draw

On 15 July 2021, the EC conducted a barrel draw in the presence of political parties, stakeholders, and the media and approved 173 as the first number on the ballot paper for the 2022 General Election. This was to ensure compliance with section 36(7) of the Electoral Act 2014 which required that the 3 digit number used in the previous election must not be used in the next election.

The National Candidates List Draw was held on 16 November, 2022 at the Civic Centre Auditorium. This venue was central and sufficiently large enough to cater for the expected number of guests. Pursuant to section 36 of the Electoral Act 2014, it was done in the presence of the public including the media, international observers, multinational observer group and political parties. The draw was also broadcasted live on FBC TV and on social media.

Three hundred and forty-three (343) white table tennis balls (equal to the number of Candidates whose nominations were accepted) were numbered from 173 to 515 and placed inside a specially designed barrel.

The names of Candidates were announced in alphabetical order with the last name appearing before the first name as required in section 36 of the Electoral Act 2014. The SoE called out the number drawn for that announced Candidate name. The entire process was repeated until the numbers had been allocated to every Candidate.

The National Candidates List showed the Candidates number, their name and their photograph. The National Candidates List was prepared and published in the Gazette and the daily newspapers the following day, as well as broadcasted on radio and social media. Copies of the National Candidates List were provided to the EC, registered Political Parties and their Candidates, as well as copies displayed at all FEO sub-offices for public viewing. The National Candidates List was also displayed on billboards and standees placed around the country.

The Voter Instruction Booklet contained the National Candidate List and was widely distributed to all the voters.

4.8 Other works for the 2022 General Election

Table 7.0 Other works for the 2022 General Election

Date	Activities
17 November 2022	Visit to the Printery for printing of Ballot Paper; The first batch of Ballot papers delivered from Star Printery to FEO warehouse; Demo of Storage of Ballot Papers; Postal Voting Processing Centre;
27 November 2022	Visit to the Warehouse for packing of Pre-Poll ballot boxes;
03 December 2022	Attended the Packing of sensitive materials for Polling

4.9 Pre-Poll Site Visits

The EC launched the Pre-Poll at the Nasele Community Hall polling station in Naitasiri on the 5 December 2022 as it marked the commencement of Pre-Polling for the 2022 General Election.

The EC members observed the voting at the various Pre-Poll venues starting from Tuesday 06 December 2022 till 09 December 2022, this included the Central, Western and the Northern Divisions.

Pre-Poll Voting was conducted at 613 venues for 77,907 registered voters with 109 venues in the Central Division, 175 venues in the Western Division, 140 venues in the North and 189 venues in the Eastern Division for the 2022 General Election.

4.10 Election Day

On 14 December 2022, the members of the EC went individually to observe at various polling stations throughout Fiji, except for the Eastern division which had been largely covered by Pre-Poll. The Polling Stations began operations at 7:30am and closed at 6.00pm to begin counting. Polling Agents and Multinational Observers were permitted into the Polling Stations. The FEO ensured that the maximum

number of voters at any Polling Station was 650. Voters were assigned to a Polling Station closest to their residential address.

There were a total of 855 Polling Venues and 1,437 Polling Stations assigned for Election Day. 606,092 registered voters with 316 venues in the Central Division, 303 venues in the Western Division, 202 venues in the Northern, 33 venues in the Eastern Division and one (1) for overseas voters for the 2022 General Election.

All the election materials required for polling including Voter Lists and ballot papers were delivered to Presiding Officers at their Polling Stations either on Tuesday 13 December or early morning on Wednesday, 14 December. Polling Day Workers who were recruited and had signed their contract were required to attend a briefing at an allocated time with their Presiding Officer.

All votes taken on Election Day were counted at the respective Polling Stations. The results were transmitted by Presiding Officers to a toll free dedicated number at the National Results Centre.

The Presiding Officers were required to paste the pink copy of the Protocol of Results (POR) outside the polling station before sending the original copy of POR to the National Results Centre.

On completion of the Count, all election materials were packed and collected by the Hub Leaders. These materials were then transported to the various Area Offices under the escort of the Fiji Police Force Officers.

All sensitive election materials collected on December 14 were securely stored at the FEO warehouse in Suva by 17 December 2022.

The presence of Police Officers at all Polling Stations during the delivery and collection of election materials demonstrated to the general public that the process was secure and safe at all times.

The turnout for the 2022 General Election was 473,910 out of 693,915 registered voters making up 68.30%. The total number of invalid votes was 3,326 out of the total votes 473,910 amounting to 0.70%.

The 2022 General Election took place on the 14th of December in a peaceful and conducive environment.

4.11 Final National Results Tally, Declaration of Results and Allocation of Seats

From the night of 14 December 2022, the FEO employed staff to count all votes including pre-poll and postal votes. The EC observed this process as well.

As the count progressed, the provisional results were progressively made available on the FEO Apps. However, the posting of the provisional results was terminated due to an 'anomaly' in the data. Immediately, the FEO Result App was taken offline on the evening of 14 December 2022 to rectify the error. The MOG, media and the general public were immediately notified by FEO. The error was resolved after a few hours and the FEO Results App was restored with correct data. Then at 7am on 15 December 2022, the provisional result update ceased and the Final National Results Tally began, based on the original protocols of results from each polling station.

Following the anomaly FEO Result App event, the EC had been receiving complaints from number of individuals demanding manual counting of the votes for the 2022 General Election. The Commission took note of the contents of the complaints and decided to publish a media release to confirm that the FEO Results App is not used to count votes but is used to upload the data after the protocol of results is

entered in the Result Management Information System (RMIS).

On Sunday 18 December 2022 at 4.00pm, the EC received the Final National Results Tally from the SoE in accordance with Section 103 of the Electoral Act 2014.

It proceeded to allocate the seats of Parliament in accordance with the Electoral Act 2014. On 19 December 2022, the EC announced the names of the 55 candidates elected to Parliament.

Enclosed copy of the Allocation of Seat Form and Declaration of Results (Appendix 3)

4.12 Return of Writ

The Writ for the 2022 General Election was returned by the Chairperson of the EC, Mr Mukesh Nand to the President of the Republic of Fiji, His Excellency Ratu Wiliame Maivalili Katonivere, at 2.00pm on 19 December 2022 at the State House.

Enclosed copy of the Return of the Writ (Appendix 4)

- 4.13 Complaints during the 2022 General Election (Appendix 5)
- 4.14 Meeting with various Stakeholders for the 2022 General Election
 - 1st Meeting with the MOG Team on 14 November 2022
 - 2nd Meeting with the MOG Co Lead Team on 11 December 2022

4.15 Legal Challenges

At the conclusion of the 2022 General Election, there was no petition filed against the EC. However, a judicial review was filed on 25 November 2022 by Seremaia Tui also known as Seremaia Tuiteci, case number JR 05 of 2022. The matter is currently before the court.

4.16 Beyond 2022 General Election

The EC continues to assess and monitor its responsibilities in the key areas of active electoral management, efficient polling services and some targeted education and public awareness programs.

During the coming year, as we move towards the next general election and our first opportunity to publicly demonstrate progress, the EC will continue to focus on improving the processes that guide our service delivery, monitoring our performance, ensuring acceptability of the election processes.

5.0 EXPRESSION OF GRATITUDE

I express my sincere gratitude to New Zealand, Australia and India for providing me and the EC Members direct exposure to elections at an opportune time and Australia's, New Zealand's and India's support in preparation for our election.

The EC is very grateful to the former SoE as the Secretary and FEO team for their support.

Furthermore, the EC would like to acknowledge the hard work team of the EC Secretariat. The team has been steadfast with their work and provide immense support to me and the EC members.

Dated this		day of	January 2023
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Mukesh Nand

Chairperson of the Electoral Commission



REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

> Ref: Meeting Number 01/22 Decision Number 01/2022

DECISION OF ELECTORAL COMMISSION - AWARD OF SEAT IN PARLIAMENT

The Electoral Commission, having held a meeting on 20 January, 2022 have resolved the followings:

- As per section 64(1) of the 2013 Constitution of the Republic of Fiji, Jone Atonio Rabici Seniloli, candidate number 578, having secured 1683 votes in the 2018 General Election is the highest ranked out of the candidates of the SODELPA who did not get elected to Parliament but is still available to serve.
- 2. The Electoral Commission approves the awarding of the vacant parliamentary seat to Jone Atonio Rabici Seniloli.

Dated this 20th day of January 2022.

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 01/22 Decision Number 02/2022

The Electoral Commission, having held a meeting on 20 January, 2022 has approved the following:

 In accordance with section 82(2) and Section 39(3) of the Electoral Act 2014, the EC approves the Pre-Poll venues to be used by the Disciplined Forces in the 2022 General Election, the registration plans and processes for the Disciplines Forces.

Dated this 20th day of January 2022.

Commissioner

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Electronic Medium Meeting Number 01/22 Decision Number 03/2022

DECISION OF ELECTORAL COMMISSION – AWARD OF SEAT IN PARLIAMENT

The Electoral Commission, having held a meeting through the use of electronic medium on 2 February, 2022 have resolved the followings:

- As per section 64(1) of the 2013 Constitution of the Republic of Fiji, Howard Robin Thomas Politini, candidate number 560, having secured 409 votes in the 2018 General Election is the highest ranked out of the candidates of the FijiFirst who did not get elected to Parliament but is still available to serve.
- 2. The Electoral Commission approves the awarding of the vacant parliamentary seat to Howard Robin Thomas Politini.

Dated this 2nd day of February 2022.

Member of the Electoral Commission

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 0255 Website: www.electoralcommission.org.fj

Ref: Meeting Number 02/22 Virtual Meeting Number 02/22 Decision Numbers 04/22

The Electoral Commission, having held a virtual meeting on 8 February 2022, has resolved the following:

- In accordance with Section 155 (1) (d) of the Electoral Act 2014, the Electoral Commission approves the Polling Day Presiding Officer's Manual and Polling Day Workers [PDWs] Manual.
- The Electoral Commission has also approved that for the year 2022 the electronic version of the Provisional Voter list will cost \$1,000.00 and subsequent updated version will be free.

Dated this 8th day of February 2022

MARGOT JENKINS

Member of the Electoral Commission

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 0255 Website: www.electoralcommission.org.fj

Ref: Meeting Number 03/22 Electronic Medium Meeting Number 02/22 Decision Numbers 05/22

The Electoral Commission, having held a virtual meeting on 23 February 2022, has approved the following:

 The use of Birth Registration Data from the Birth, Deaths and Marriage Registry to verify the name of an Applicant applying for voter registration or update of voter details.

Dated this 23rd day of February 2022

MARGOT/ENKINS

Member of the Electoral Commission

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 0255 Website: www.electoralcommission.org.fj

> Ref: Meeting Number 03/22 Decision Number 06/22 Appeal Number 01/22

Appellant: Ms Tupou Draunidalo - HOPE Party Leader

- The Electoral Commission, received an appeal from Ms Tupou Draunidalo ["the Appellant"] under Section 30 of the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013 ["Act"] appealing the decision of the Registrar of Political Parties ["Registrar"] dated 10 February 2022.
- The Registrar had de-registered Humanity, Opportunity, Prosperity and Equality ["HOPE"] as a political party in Fiji following its failure to submit audited financial accounts for the financial year 2020.
- 3. The particulars of the decision appealed are as follows:
 - On 12 April 2021, the Registrar of Political Parties found that HOPE was in breach of section 26(2) of the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013 [Act]. Consequently, to ensure compliance with the law, the Registrar, in accordance with section 19(1) of the Act, issued the party with a Notice to remedy the breach and in exercise of the discretion under section 19(3), the Registrar suspended the party until it had remedied the breach.
 - In the same notice, in accordance with section 19(2) of the Act, the Registrar clearly outlined the particulars of the breach and then directed that the party remedy the breach within 60 days or show cause why the party should not be de-registered.
 - 3. At the end of the 60 days period and up until today, it is noted that HOPE has not remedied the Breach and neither has it shown cause to the Registrar why it should not be deregistered.
 - 4. On 14 June 2021, the Registrar made enquiries via email with the Registered Officer of the party on the status of the compliance. It was noted in the response that the party was unable to remedy the breach and it needed more time due to COVID-19 restrictions.

- 5. It is noted that as at 10 February 2022, the party has failed to submit the audited accounts for the year 2020 as required under section 26(2) of the Act. Given the above, HOPE has failed to remedy the breach despite being given the requisite time under the law as well as additional time (approximately more than 6 months) in light of COVID-19 limitations.
- 6. Section 19(5) of the act states:

 "The Registrar shall deregister a political party which has not remedied the breach or contravention or complied with the Act as required by the Registrar under subsection (2)."
- 7. Noting that as at the date of this letter, the Party has not remedied the breach, and therefore, in exercising section 19(5) of the Act, HOPE is hereby de-registered."
- 4. Following receipt of the Appeal, the Electoral Commission conducted a hearing on 25 February 2022 allowing the Appellant and the Registrar to provide submissions on the appeal. At this hearing, the Chairperson, Mr. Mukesh Nand recused himself from the hearing as he noted that his law firm was currently handling another matter involving the Appellant. Thereafter the meeting was chaired by Mr. Jawahar Lal.
- 5. The Appellant provided an extensive list of grounds in appeal. The key contentions of the appeal are as follows:
 - a. The Appellant was unable to secure the services of any audit firm despite vigorous efforts by her and therefore the Party could not comply with the law
 - b. That the Registrar could have used his discretion and instead could have applied section 26 (3) of the Act to get the accounts audited by the Auditor General or another auditor of his choice.
 - c. The Electoral Commission should set aside the Registrar's decision to deregister HOPE.
- 6. The Registrar in response submitted as follows:
 - a. The Party admits that it was in breach of the Act and despite being given the usual statutory timeframe to remedy the breach, the Appellant failed to do so for a further 7 months since the expiry of the statutory timeframe.
 - b. The Appellant is required to comply with section 26(2) which it has clearly failed to do so.
 - c. The Registrar, is not required by law to order an audit under section 26(3) of the Act in cases where he has invoked section 19 of the Act. In-fact, the

Registrar is limited by Section 19(5) of the Act where a Party fails to remedy the breach of the Act.

- 7. During submissions, the Appellant submitted that she contacted auditors and she received email and verbal declines. According to the Appellant only one auditor came close to auditing and that was Ramani & Company who was to audit the single account with a single transaction of a deposit of \$500. However, the said firm declined in June 2021. The Appellant also stated that she approached the auditors who audited her law firm however she has not received a reply from them.
- 8. The Appellant submitted that after the audit of the law firm, she asked the auditors again in December, 2021 to consider auditing the party's account with one transaction in 2020 but she didn't receive a response. According to the Appellant, at all material times the Registrar had all of the relevant information, the bank name, branch, number and activity which was disclosed to him immediately after the account was set up.
- 9. The Appellant submitted that the Registrar was informed the unsuccessful efforts to retain an auditor. She also informed that the lack of availability of an auditor is not a matter which the HOPE party can control, and HOPE is without fault in this matter. The Appellant highlighted that the emails and updates to the Registrar of the difficulties in finding the auditor dated 12 April 2021, 15/17 June 2021 and 22 September 2021 clearly showed good cause why the party should not be deregistered in the circumstances which were outside the party's control.
- 10. The Appellant also submitted that the Registrar was wrong at law to deregister the party as the party has shown cause under Section 19(2) Act as to why the party should not be deregistered.
- 11. The Registrar submitted that a letter was given to the Appellant regarding the suspension of HOPE. According to the Registrar, the political party was required to submit audited accounts by 31st March 2021. The Registrar also highlighted that as per the Appellant's submission, she admits that she failed to meet the deadline established under the law and she also admitted that the party was suspended to rectify the breach as per section 19 of the Act.
- 12. The Registrar submitted that the law is very specific to say that where a political party contravenes the provision of the Act, the Registrar shall deregister the party. However, before deregistering a political party the Registrar is required to do three things. Firstly, inform the political party in writing of the particulars of the breach or contravention which was done by the Registrar and admitted by the Appellant.

- 13. Secondly, to inform the party of the intention to de-register the Political party and thirdly to direct the political party to remedy the breach or contravention within 60 days or otherwise show cause why the party should not be deregistered. On 12 April 2021 the Registrar gave the party 60 days to comply and submit the audited accounts.
- 14. The Registrar explained that he decided to suspend the party so the party can focus entirely on remedying the breach. The party suspension was for 30 days so that the Registrar can monitor compliance and at the end of the 30 days if party had not remedy the breach the party will be again suspended to ensure that the party fully complies. The Registrar submitted that at the end of the 43rd day it was found that the party did not remedy the breach and continued the suspension for the remainder of the 30 day period.
- 15. On 14 June 2021, the Registrar wrote to the party on without prejudice basis where the Registrar reviewed the circumstances because of the travel, movement and partial movement restrictions due to COVID-19. The Registrar sought an update on 14 June 2021 because HOPE failed to give the audited account and 60 days under Section 19 2(c) of the Act was exhausted without any remedy.
- 16. The Appellant replied to the letter with a comprehensive email in which she outlined that she didn't find an auditor and there was lot of restrictions in place from the Ministry which prevented her from approaching the auditors and getting things done. The Appellant also gave details of the auditors she attempted to engage but was unsuccessful.
- 17. Furthermore, the Electoral Commission noted that the Appellant gave list that she contacted for auditing however not all the declines were attached to the submission.
- 18. The Registrar de-registered the Party in February 2022 due to the continued non-compliance.
- 19. In his submissions, the Registrar submitted that after crossing another financial year being 2021 the matter got more compounded because the second audit now is due under the law and there is continued breach.
- 20. After hearing from both of the parties, the Electoral Commission has noted that the Party had contravened section 26(2) of the Act and it does not find that the Registrar, having allowed over 7 months to the Party to remedy the breach, had not acted unreasonably.
- 21. The Commission is further of the view that it is the onus on the party officials to ensure adherence to financial disclosure laws and in this case, critical disclosures were not filed within the time required by law.

 $22. \, Therefore, the \, Electoral \, Commission \, dismisses \, the \, appeal.$

Dated 28th February 2022

RGOT IENKINS

Member of the Electoral Commission

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 04/22 Decision Numbers 07/22

DECLARATION BY THE ELECTORAL COMMISSION

COMMENCEMENT OF CAMPAIGN PERIOD

In accordance with Section 109A of the Electoral Act 2014, the Electoral Commission has determined that the campaign period for the 2022 General Election shall commence on the 26^{th} of April, 2022 and end 48 hours prior to the date of the General Election as announced by the President.

Dated this 17th day of March 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 04/22 Decision Numbers 08/22

The Electoral Commission, having held a meeting on 17 March 2022, has issued the following directive:

 In accordance with Section 155(1) (b) of the Electoral Act 2014, the Electoral Commission hereby allows the Fijian Elections Office to use the Certificate of Citizenship for verification of name for eligible Fijian voters born overseas in the absence of the birth certificate.

Dated this 17th day of March 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 0255 Website: www.electoralcommission.org.fj

Ref: Meeting Number 05/22 Decision Numbers 09/22

The Electoral Commission, having held a Face-to-Face meeting on 25 April 2022, has approved the following:

- 1. Procedure for Approval under Section 115 of the Electoral Act 2014.
- 2. Brochure for Approval for activity under Section 115 of the Electoral Act 2014.
- 3. Guidelines for Application under Section 115 of the Electoral Act 2014.
- 4. Application Form for Approval under Section 115 of the Electoral Act 2014.
- 5. Appeal Form on Application for Approval under Section 115 of the Electoral Act 2014.

Dated this 25th day of April 2022

MUKESH NAND



APPROVAL UNDER SECTION 115 OF THE ELECTORAL ACT 2014

Announcement of Election Day

Receipt of Application

Application Form is received from Applicant. Attached to the Application Form are the relevant supporting documents.

Checking

FEO checks that the Application Form has been completed and then issues an application number.

Approval

Upon verification, the Supervisor of Elections ['SoE'] notifies the Applicant in writing whether the application has been approved or requests the Applicant to amend the application to be in compliance with the Electoral laws and FEO policies and procedures.

Verification

FEO checks the Application Form and relevant supporting documents if it is in compliance with the Electoral laws and FEO policies and procedures.

Amended Application

Applicant re-submits amended application. This is verified again for compliance before it is submitted to SoE for approval. If amended application is not approved then applicant can appeal the SoE's decision to the Electoral Commission ['Ec'] under Section 155 of the Electoral Act 2014.

Appeals

If the application has been rejected, the Applicant may appeal to the EC against the SoE's decision on the application within 24 hours of receipt of the decision. The Applicant is required to complete the Appeal on Application for Approval to the Electoral Commission under section 155 of the Electoral Act 2014 Form.

EC Ruling

The EC makes the decision about the appeal within three (3) days of receipt of the appeal. This decision is relayed to the Appellant by 12:00pm following the day the decision was made. The EC's decision is final.

Contact us:

Phone: +679 331 6225 Email: info@feo.org.fj

Web: www.feo.org.fj | Facebook: @Fijianelectionsoffice

HEADQUARTERS
59-63 High Street, Toorak, Suva.
P. O. Box 2528,
Government Building, Suva,



the Electoral Act section 115 of activity under Approval for 2014





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HEADQUARTERS

59-63 High Street, Toorak, Suva. P. O. Box 2528, Government Buildings, Suva.

LAUTOKA OFFICE

36 Vitogo Parade, Lautoka. P. O. Box 2528, Government Buildings, Suva.

Legal Aid Building, Jaduram Street, Labasa. P. O. Box 2528, Government Buildings, Suva.

can appeal to the EC by submitting the Appeal

on Application for Approval to the Electoral Commission under section 155 of the Electoral Act 2014 Form with other documents relat-

An Applicant who had applied for approval and whose application was not approved by the SoE

HOW TO APPEAL SoE's DECISION?

org.fj or hand delivered to: Fijian Elections Office, HQ 59-63 High Street, Toorak, Suva. Applications to the EC can be submitted by Email to: secretariat@electoralcommission.

P.O.Box 2528, Government Buildings, Suva.

LABASA OFFICE

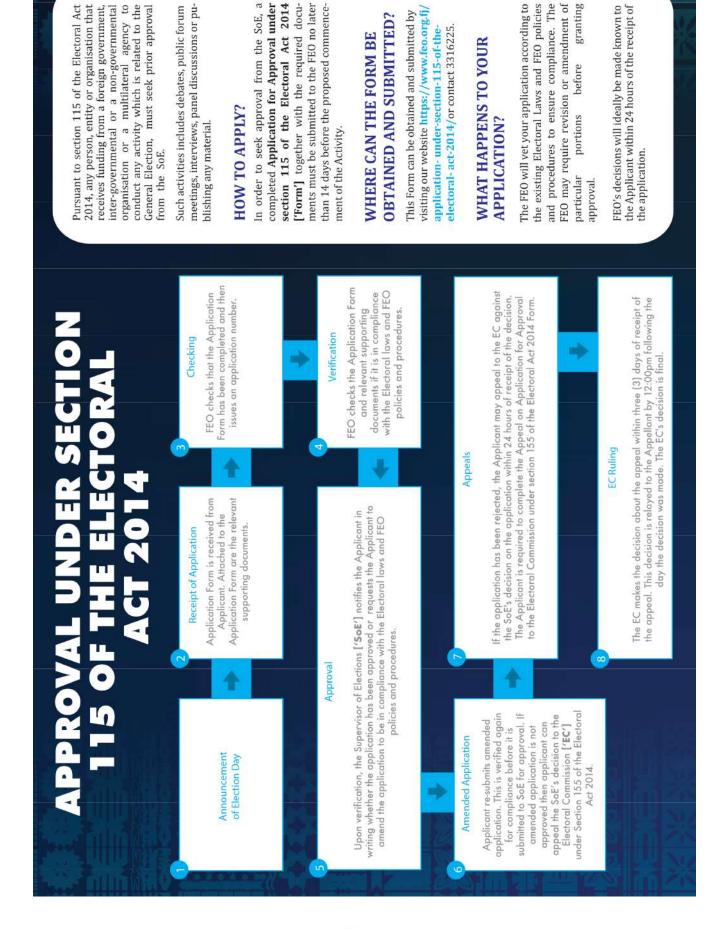
2022 General Election

The EC may make a decision within 3 days

ing to the decision of the SoE.

of receipt of Appeal and the decision will be relayed to the Appellant by 12:00pm following the day the decision was made. The EC's decision

granting



REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva. P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 0255 Fax: +679 331 9513 Website: www.feo.org.fj

Guidelines for Applications under s115 of the Electoral Act 2014

- 1. Pursuant to section 115 of the Electoral Act 2014, any person, entity or organization (including any person employed or engaged by any such person, entity or organization) ['Applicant'] that receives any funding or assistance from a foreign government, inter-governmental or non governmental organization or multilateral agency to engage in, participate in or conduct any campaign (including organizing debates, public forum, meetings, interviews, panel discussions or publishing any material) ['Activity'] that is related to the election or any election issue or matter will be required to seek approval from the Supervisor of Elections prior to undertaking the Activity.
- 2. Applicants must submit a completed 'Application for Approval under s115 of the Electoral Act 2014 Form' to the Fijian Elections Office ['FEO'] no later than 14 days before the proposed commencement of the Activity.
- 3. Application forms must accompany any content/ material or prop and particulars of the Activity in sufficient quantity and form to allow the FEO to make the necessary compliance checks prior to granting approval.
- 4. The FEO may peruse materials submitted to it and inorder to facilitate approval, may require for revision or amendment of particular portions of the materials in the case of publications.
- 5. The FEO will give regard to the accuracy of the description of election procedures explained in the materials to be utilized in the Activity when considering approvals. Depending on the nature of the materials submitted to the FEO, decisions will ideally be made known to the Applicant within 24 hours of the receipt of the application.
- Applications can be submitted by Email to <u>csoinfo@feo.org.fi</u> or Hand delivered to: Fijian Elections Office, St Stephen's Building, Victoria Parade, Suva.

All correspondence to be addressed to the Chairperson



APPLICATION FOR APPROVAL UNDER SECTION 115 OF THE ELECTORAL ACT 2014

Instructions					
 Use a tick (✓) where appropriate. Use BLOCK LETTERS to complete the form. Use Black or Blue pen ONLY. Approvals only required following announcement of E 	lection date.				
PART A: DETAILS OF APPLICANT					
Name of Organisation:					
Source of Funding: Foreign Government Inter-Governmental	Non-Governmental Organisation Multilateral Agency				
	Name of Source)				
Address of the Organisation:					
	Designation:				
Phone Contact of Liaison Officer:					
Email Address of Liaison Officer:					
Email radies of Embol Officer,					
PART B: ACTIVITY DETAILS					
The Applicant is organising the following activity:					
Debate Public Forum Panel Discussion Publication of Materi	Meeting Interview als Others				
Please explain briefly details about your activity. (Use extra sheet if necessary. Attach it to this form.)					
	,,,,,,,, .				
,44					
NOTE: Supporting documents to be attached to this form. (Please refer to instructions)					
Name of Liaison Officer: Date:					
FOI	R OFFICIAL USE				
Date of Application:					
Application Number:					
Form Completed:	Supporting Documents Submitted:				
Decision Provided:					

APU FORM

INSTRUCTIONS

1. How to Apply

To apply you need to submit the following to us:

- A completed form.
- Supporting document of proposed activity. Please refer to table below:

Detail of Activity	Supporting Documents		
Debate	Participants resume Topic to be debated Program Speakers resume Topic to be discussed Program		
Public Forum/Panel Discussion			
Meeting	Participants resume Agenda		
Interview	Interviewer's resume Interviewee's resume Interview questions Date, Time and Venue of Interview		
Publication of Materials	Copy of the materials to be published Brief summary of publishing the materials		

2. When to submit

Once the Election Date is announced, you are required to apply to FEO when organising the activity that you have specified in this form.

The form is to be submitted no later than fourteen (14) days before the initial date of the activity that has been specified in this form.

3. Where to submit

This form can be submitted to the following:

Email: csoinfo@feo.org.fi Hand Delivered: St Stephen's Building, Victoria Parade, Suva.

For any further clarifications please do not hesitate to contact us on 3316225 or email to csoinfo@feo.org.fi

APULFORM 212

To the Electoral Commission 59-63 High Street

TOORAK

INSTRUCTION

- 1. Write in BLOCK LETTERS
- 2. Place a tick (✓) in a box when required
- 3. Form can be submitted by email to secretariat@electoralcommission.org-fi or hand delivered to HQ 59-63 High Street, Toorak, Suva. P.O. Box 2528, Government Buildings, Suva.

Appeal on Application for Approval to the Electoral Commission under section 155 of the Electoral Act 2014

			application dated				
L,	Details of Decision						
2.		n support of our appeal we provide the following information and or documents (if insufficient pace attach, additional pages to this appeal form):					
	5- 5- 1-m Y-1		Appellant's Details				
Na	ame of Organ	nisation					
d	dress of Organ	nisation					
lai	me of Liaison	Officer:	De:	signation:			
he	one Contact: _		Email Address:				
OI	Official Use	Only:					
Rε	ate & Time eceived by ommission		Appeal Decision		Date Candidate/SoE Advised		

AAA.FORM 1/1

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Electronic Medium Meeting Number 03/22 Decision Number 10/2022

DECISION OF ELECTORAL COMMISSION – AWARD OF SEAT IN PARLIAMENT

The Electoral Commission, having held a meeting through the use of electronic medium on 11 May, 2022 have resolved the followings:

- As per section 64(1) of the 2013 Constitution of the Republic of Fiji, Mere Tuisalalo Naulumatua, candidate number 743, having secured 1,659 votes in the 2018 General Election is the highest ranked out of the candidates of the Social Democratic Liberal Party 'SODELPA' who did not get elected to Parliament but is still available to serve.
- 2. The Electoral Commission approves the awarding of the vacant parliamentary seat to Ms Mere Tuisalalo Naulumatua.

Dated this 11th day of May 2022.

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 6/22 Decision Number 11/22

In accordance with Section 41 (7) (8) of the Electoral Act 2014, the Electoral Commission approves the publication of the Provisional Polling Venues List with the following changes:

- Approves to close Pre-Poll venues (Lakeba Police Station, Suva Remand Centre, and Lautoka Remand Centre);
- (ii) Approves the opening of the new polling venue (Overseas Headquarters Saint Stephens FEO Shed, Suva);

The approved Provisional Polling Venue List are available from the Electoral
Commission Website
www.electoralcommission.org.fi

Dated this 5th day of July 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 6/22 Decision Number 12/22

In accordance with Section 40(6) and 41(9) of the Electoral Act, 2014 and Section 55(6)(b) Constitution of the Republic of Fiji, 2013, the Electoral Commission approves the special polling arrangement procedure for Overseas Registered Voters.

Dated this 5th day of July 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 6/22 Decision Number 13/22

In accordance with Section 75(3) of the 2013 Constitution of the Republic of Fiji and Section 3(1)(h) of the Electoral Act 2014, the Electoral Commission has adopted the opinion poll guidelines published by European Society for Opinion and Marketing Research (ESOMAR) and World Association for Public Opinion Research (WAPOR) for the purposes of evaluating public opinion polls in relation to elections in Fiji.

Dated this 5th day of July 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 8/22 Decision Number 14/22

Guidelines on opinion polls, surveys and research

The Electoral Commission, having held a Face-to-Face meeting on 09 September 2022, has adopted the following guidelines pursuant to section 110A of the Electoral Act:

- Any person who wishes to conduct opinion polls, surveys or research must notify the Electoral Commission seven (7) days prior to commencing the opinion polls, survey or research;
- Any person conducting the opinion polls, surveys or research must submit the methodology to the Electoral Commission prior to commencing the same; and
- The opinion polls, surveys and research must comply with the European Society for Opinion and Marketing Research (ESOMAR) and World Association for Public Opinion Research (WAPOR) guidelines adopted by the Electoral Commission.

For any further clarification please do not hesitate to contact the Supervisor of the Elections.

Dated this 9th day of September 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 8/22 Decision Number 15/22

Packing of Books of Ballot Papers in Customized Cardboard Containers

The Electoral Commission, having held a face-to-face meeting on 09 September 2022, has approved the following pursuant to section 100 (2) of the Electoral Act 2014:

- Fijian Elections Office to use customized cardboard ballot paper transportation containers for the packing and transportation of the unused ballot papers after the count in the 2022 General Election, should the number of candidates be more than 320
- 2. All used ballot papers must be packed and transported only in the ballot box under proper secure mechanisms.
- 3. If the number of candidates is less than 320, the Fijian Elections Office will continue to use the current packing and transportation mechanisms which is the transportation of ballot papers in the ballot box before and after the General Election.

Dated this 9th day of September 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Meeting Number 9/22 Decision Number 16/22

Declaration Forms for the 2022 General Election

The Electoral Commission, having held a Face-to-Face meeting on 15 September 2022, has approved the following declaration forms for the 2022 General Election pursuant to section 2 of the Electoral Act 2014:

- Form 1 Declaration of Assets & Income (Political Party Candidates & Independent Candidates);
- Form 2 Declaration of Assets, Income & Offices held in a corporation or other organisations (Political Parties' Candidates & Independent Candidates);
- Form 3 Declaration of Monies Received, Sources of Funds, Income & Expenditure (Political Parties' Candidates & Independent Candidates);
- 4. Form 4 Declaration of Assets and Liabilities (Registered Political Parties); and
- Form 5 Declaration of Assets, Liabilities, Income & Expenditure (Registered Political Parties).

Dated this 15th day of September 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 02/22 Decision Number 17/22

In accordance with Section 3(1)(h) of the Electoral Act 2014, the Electoral Commission has approved the suspension of trade union elections including all other small-scale elections that has been conducted by the Fijian Elections Office until the Return of Writ for the 2022 General Election.

Dated this 3rd day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

> Ref: Election Mode Meeting Number 02/22 Decision Number 18/22

(ELECTORAL ACT 2014)

NOTICE

(Section 67(8))

In accordance with section 67(8) of the Electoral Act 2014, the Postal Voting Application Form must be accompanied by the statutory declaration of the Applicant.

The Fijian Elections Office **['FEO']** has incorporated the Statutory Declaration in the Postal Voting Application Form. Section 3 of the Statutory Declarations Act 1970 requires that:

"A statutory declaration <u>made in Fiji for use in Fiji</u> must be made before qualified persons such as (but not limited to) a <u>Notary Public or Commissioner for Oaths</u>, a Barrister and Solicitor and a <u>Iustice</u> of the <u>Peace</u>."

In the case of persons who are living outside of Fiji, section 4 of the Statutory Declarations Act applies. Section 4 states:

"A statutory declaration made in a country other than Fiji for use in Fiji...shall be made before a notary public, Commissioner for Oaths or any other person authorized by the law of that country to administer an oath there for the purpose of a judicial proceeding."

Furthermore, according to the Chief Justice ['CJ'] Directive No. 1 of 2016, the statutory declaration directive is a guide for qualified persons who are required under the law to carry out their Commissioner for Oaths duties. The CJ's directive are as follows;

- 1. Proof of identification should be asked for when witnessing statutory declarations.
- 2. Acceptable cards to be used for identification [if valid and up to date] are;
 - a. Voter Registration Card.
 - b. Driver's License.
 - c. FNPF Card.
 - d. Passport.
 - e. Tax Identification Card.

- Qualified persons are not to witness a family member's statutory declaration form or
 affidavit as this may involve a conflict of interest as a Commissioner where the
 qualified person will not be independent of the persons or issues involved.
- 4. Qualified persons should avoid witnessing or signing documents originating from their work place if it may lead to a conflict of interest in the future.

The above rules and guidelines will assist all voters and persons holding the offices authorized to take declarations in completing the Postal Vote Applications. The FEO will apply the above provisions in the law when determining Postal Vote Applications.

Dated this 4th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 02/22 Decision Number 19/22

The Electoral Commission, having held a Face-to-Face meeting on 14 November 2022, has approved the following pursuant to Section 67(7)(c) of the Electoral Act 2014:

- i. 245 registered voters under pre-trial detention or sentence of imprisonment of less than 12 months are eligible to vote in the 2022 General Election; and
- ii. that the said 245 registered voters vote by postal voting.

Dated this 14th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 02/22 Decision Number 20/22

The Electoral Commission, having held a Face-to-Face meeting on 14 November 2022, has approved the following:

- In accordance with Section 155 of the Electoral Act 2014, the Electoral Commission makes the following rules attached herein with respect to an Appeal against the decision of the Supervisor of Elections to reject a nomination to be a candidate.
- 2. In accordance with Section 155 of the Electoral Act 2014, the Electoral Commission makes the following rules attached herein with respect to an Objection to the nomination of a candidate.

Dated this 14th day of November 2022

MIIKECH NAND

The Electoral Commission

In accordance with s.155 of the Electoral Act 2014, the Electoral Commission makes the following rules with respect to an Objection to the nomination of a candidate:

Objection Rules

- 1) Only a person who is a registered voter may object to the nomination of a candidate in accordance with s.30 (1) of the Electoral Act.
- 2) The Objection must be in writing to the Electoral Commission and the objector must:
 - a) Set out full name as it appears in the Register of Voters or voter lists, the address and the voter number of the person objecting;
 - b) Set out the ground or grounds of the objection;
 - c) Set out the facts giving rise to the ground or grounds of the objections; and
 - d) Contain a statutory declaration that the person objecting has made a conscientious effort to ascertain the truth of those facts and that they are true to the best of his or her knowledge and belief.
- 3) An Objection must be in the form prescribed in Attachment B to these rules. An Objection must be lodged by no later than 4pm on the day following the close of nominations for the election.
- 4) The ground(s) for the Objection, together with the facts giving rise to the grounds must be directly related to criteria set out at (2) above and to no other matter. The Objector can provide such statements or materials as they wish, but these must directly relate to the grounds and the facts.
- 5) The Electoral Commission will decide the Objection within three (3) days of its receipt and payment of the lodgement fee. The decision of the Electoral Commission will be notified to the Objector, the Candidate and Supervisor of Elections.
- 6) The decision of the Electoral Commission will be in writing.
- 7) The decision of the Electoral Commission shall be final.
- 8) A lodgement fee of \$100 VIP applies to each Objection and the fee must accompany the Objection. The fee will be refunded to the Objector should the Electoral Commission uphold the Objection.

The Electoral Commission

In accordance with s.155 of the Electoral Act the Electoral Commission makes the following Rules with respect to an appeal against the decision of the Supervisor of Elections to reject a nomination to be a candidate:

Candidate Nomination Appeal Rules

- 1. Only a person who has applied for nomination as a candidate, and whose application was not accepted by the Supervisor of Elections may appeal under s.31 of the Electoral Act 2014.
- 2. The appeal to the Electoral Commission under of the Act must be in writing, in the format for an appeal. An appeal must be lodged no later than 4pm on the day following the close of nominations for the election. The form is attached to this Rule as Attachment A.
- 3. The ground(s) for an appeal must directly relate to the decision of the Supervisor and to no other matter. The appeal ground(s) must be clearly stated to the Electoral Commission in the appeal form. The appellant may provide such statements or materials as they wish, but these must directly relate to the decision of the Supervisor.
- 4. Upon receipt of the appeal, the Electoral Commission must provide a copy of the appeal to the Supervisor and provide the Supervisor with an opportunity to respond to the appeal within such time as determined by the Electoral Commission.
- 5. The Electoral Commission will decide the appeal within three (3) days of the receipt of the appeal. The decision of the Commission will be notified to both the appellant and the Supervisor of Elections as soon as possible but no later than 12pm on the day following its decision.
- 6. The decision of the Electoral Commission will be in writing.
- 7. The decision of the Electoral Commission shall be final.

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

> Ref: Election Mode Meeting Number 03/22 Decision Number 21/22 Appeal No: A01/22

Appellant: Mr Amjad Ali - Nomination by "The People's Alliance"

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of Amjad Ali ["Appellant"]. The Appellant asserts that he is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission noted that, in order to qualify for nomination, a candidate must meet the requirements of section 23 of the Electoral Act, 2014 which states the following;

- 23.— (1) A person is not eligible to be elected as a member of Parliament unless duly nominated as a candidate in the election.
- (2) A candidate for election to Parliament may be nominated by a registered political party or nominated as an independent candidate in accordance with the procedures prescribed in this Act.
- (3) A person is not eligible to be nominated as a candidate unless he or she is a registered voter, and a person who has been disqualified from voting by an order of a court under section 151 shall for this purpose be regarded as not registered to vote.
- (4) A person is eligible to be nominated as a candidate for election to Parliament only if the person—
- (a) is a citizen of Fiji, and does not hold citizenship of any other country;
- (b) is registered in the Register of Voters;
- (c) is ordinarily resident in Fiji for at least 2 years immediately before being nominated;
- (d) is not an undischarged bankrupt;
- (e) is not a member of the Electoral Commission, and has not been a member of that Commission at any time during the 4 years immediately before being nominated;
- (f) is not subject to a sentence of imprisonment when nominated;

- (g) has not, at any time during the 8 years immediately before being nominated, been convicted of any offence under any law for which the maximum penalty is a term of imprisonment of 12 months or more; and
- (h) has not been guilty of any offence under a law relating to elections, registration of political parties or registration of voters, including any offence prescribed under this Act.
- (5) For the purposes of subsection (4) (c), a person shall only qualify to be ordinarily resident in Fiji for at least 2 years immediately before being nominated, if that person has been present and living in Fiji for an aggregate period of not less than 18 months out of the 2 years immediately before being nominated; and
- (6) Notwithstanding anything contained in subsection (5), any person who has been out of Fiji for official Government business or duties or has been holding an official Government position in any other country, shall be deemed to be ordinarily resident in Fiji for the purposes of subsection (4) (c).
- (7) For the purpose of verification, the Supervisor may make enquiries and, where necessary, require the person to provide the necessary authorisations and declarations to the relevant authorities to assist with the enquiries.

The Electoral Commission, upon receipt of the Appeal, required the SoE to provide all the documents that were obtained by him during the verification process of the nomination of the Appellant. These documents and the evidence provided by the Appellant were carefully scrutinized to determine if the Appellant have met the requirements set out in section 23, and in doing so, the Electoral Commission noted the Appellant has not compiled with section 23(4)(c) whereby the Appellant was out of the country for 6 months and 15 days.

Furthermore, based on the response received from SoE, we have also been informed that The People's Alliance has already filed a replacement for the Candidate. By doing so, The People's Alliance has reached the maximum number of Candidates being 55 for the election. The Electoral Commission has noted that under section 26(2) of the Electoral Act 2014, a political party must not nominate more than the total number of seats in Parliament.

Section 26(2) of the Electoral Act, it states as follows:

"The total number of candidates which a political party may nominate for any general election must not be more than the total number of seats in Parliament, and the total number of candidates which a political party may nominate for any by-election must not be more than the total number of vacant seats in Parliament for which the by election is being held."

In our findings, the Electoral Commission notes that the appellant does not satisfy the requirement of section 23 and 26(2) of the Electoral Act. Therefore, the Electoral Commission has decided that the Appeal is dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 22/22 Appeal No: A02/22

Appellant: Mr Bulivou Sigatabu Ratu - Nomination by "Social Democratic Liberal Party"

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of Bulivou Sigatabu Ratu ["Appellant"]. The Appellant asserts that he is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission has perused the Appellant's appeal and upon forwarding the same to the SoE, the Electoral Commission has been duly informed by SoE that the Appellant's nomination was withdrawn by the *Social Democratic Liberal Party* prior to the finalization of the nominations.

In light of the same, the Electoral Commission is in the view that there is no basis for this appeal since the Appellant's nominations has been duly withdrawn by the Party that had presented it. Therefore, the appeal is dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 23/22 Appeal No: A03/22

Appellant: Mr Hajarat Ali- Nomination by Social Democratic Liberal Party

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of Hajarat Ali ["Appellant"]. The Appellant asserts that he is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission has perused your appeal and upon forwarding the same to the SoE, the Electoral Commission has been duly informed by him that your nomination was withdrawn by the *Social Democratic Liberal Party* prior to the finalization of the nominations.

In light of the same, we are of the view that there is no basis for this appeal since your nominations has been duly withdrawn by the *Party* that had presented it. Therefore, the appeal is dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 24/22 Objection No: 001/22

Objector: Mr Sundar Singh

The Electoral Commission ["EC"] has perused the objection that the Objector has filed against Mr. Alvick Avhikrit Maharaj and Mr. Jone Usamate in relation to their nomination that has been approved by the Supervisor of Elections. The EC has noted that the Act requires any objections to be specifically on the grounds that nominations does not comply with the requirements of the Act or the Constitution.

In perusing the Objector's objection, the EC is of the view that the grounds that the Objector has raised do not meet the criteria required by the Act or the Constitution and therefore cannot be sustained. The Objector's objections are therefore dismissed against both candidates.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 25/22 Appeal No. A05/22

Appellant: Mr. Seremaia Tui - Nomination by Social Democratic Liberal Party

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of Seremaia Tui. The Appellant asserts that he is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission noted that, in order to qualify for nomination, a candidate must meet the requirements of section 23 of the Electoral Act, 2014 which states the following;

- 23.— (1) A person is not eligible to be elected as a member of Parliament unless duly nominated as a candidate in the election.
- (2) A candidate for election to Parliament may be nominated by a registered political party or nominated as an independent candidate in accordance with the procedures prescribed in this Act.
- (3) A person is not eligible to be nominated as a candidate unless he or she is a registered voter, and a person who has been disqualified from voting by an order of a court under section 151 shall for this purpose be regarded as not registered to vote.
- (4) A person is eligible to be nominated as a candidate for election to Parliament only if the person—
- (a) is a citizen of Fiji, and does not hold citizenship of any other country;
- (b) is registered in the Register of Voters;
- (c) is ordinarily resident in Fiji for at least 2 years immediately before being nominated;
- (d) is not an undischarged bankrupt;
- (e) is not a member of the Electoral Commission, and has not been a member of that Commission at any time during the 4 years immediately before being nominated;
- (f) is not subject to a sentence of imprisonment when nominated;
- (g) has not, at any time during the 8 years immediately before being nominated, been convicted of any offence under any law for which the maximum penalty is a term of

imprisonment of 12 months or more; and

- (h) has not been guilty of any offence under a law relating to elections, registration of political parties or registration of voters, including any offence prescribed under this Act.
- (5) For the purposes of subsection (4) (c), a person shall only qualify to be ordinarily resident in Fiji for at least 2 years immediately before being nominated, if that person has been present and living in Fiji for an aggregate period of not less than 18 months out of the 2 years immediately before being nominated; and
- (6) Notwithstanding anything contained in subsection (5), any person who has been out of Fiji for official Government business or duties or has been holding an official Government position in any other country, shall be deemed to be ordinarily resident in Fiji for the purposes of subsection (4) (c).
- (7) For the purpose of verification, the Supervisor may make enquiries and, where necessary, require the person to provide the necessary authorisations and declarations to the relevant authorities to assist with the enquiries.

The Electoral Commission, upon receipt of the Appeal, required the SoE to provide all the documents that were obtained by him during the verification process of the nomination of the Appellant. These documents and the evidence provided by the Appellant were carefully scrutinized to determine if the Appellant have met the requirements set out in section 23.

The appellant contended that the SoE erred in fact when he relied on the criminal records from the Police in which a conviction is listed. He averred that the conviction in fact belonged to another person with similar name. In its response to the EC, the SoE provided copies of the charge sheet for the offence in which the date of birth matched the appellant. The SoE also furnished the EC with records from the National Register of Voters which showed that the appellant had changed his name after the conviction had been recorded. The EC does not accept his argument and finds that the appellant provided falsified information to the EC and attempted to mislead the EC.

In our findings, the Electoral Commission notes that the appellant does not satisfy the requirement of section 23 of the Electoral Act and therefore the Electoral Commission has decided that the Appeal is dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 26/22 Appeal No: A06,07,08,09/22

The Electoral Commission has received Appeals against the decision of the Supervisor of Elections ["SoE"] to disqualify the nominations of the following persons:

- a. Naomi Navoce;
- b. Marama Korina Waibuta;
- c. Salacieli Taubera Gasara; and
- d. Vetaja Vujnakelo.

The Appellants assert that they are duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission noted that, in order to qualify for nomination, a candidate must meet the requirements of section 23 of the Electoral Act, 2014 which states the following;

- 23.— (1) A person is not eligible to be elected as a member of Parliament unless duly nominated as a candidate in the election.
- (2) A candidate for election to Parliament may be nominated by a registered political party or nominated as an independent candidate in accordance with the procedures prescribed in this Act.
- (3) A person is not eligible to be nominated as a candidate unless he or she is a registered voter, and a person who has been disqualified from voting by an order of a court under section 151 shall for this purpose be regarded as not registered to vote.
- (4) A person is eligible to be nominated as a candidate for election to Parliament only if the person—
- (a) is a citizen of Fiji, and does not hold citizenship of any other country;
- (b) is registered in the Register of Voters;

- (c) is ordinarily resident in Fiji for at least 2 years immediately before being nominated;
- (d) is not an undischarged bankrupt;
- (e) is not a member of the Electoral Commission, and has not been a member of that Commission at any time during the 4 years immediately before being nominated;
- (f) is not subject to a sentence of imprisonment when nominated;
- (g) has not, at any time during the 8 years immediately before being nominated, been convicted of any offence under any law for which the maximum penalty is a term of imprisonment of 12 months or more; and
- (h) has not been guilty of any offence under a law relating to elections, registration of political parties or registration of voters, including any offence prescribed under this Act.
- (5) For the purposes of subsection (4) (c), a person shall only qualify to be ordinarily resident in Fiji for at least 2 years immediately before being nominated, if that person has been present and living in Fiji for an aggregate period of not less than 18 months out of the 2 years immediately before being nominated; and
- (6) Notwithstanding anything contained in subsection (5), any person who has been out of Fiji for official Government business or duties or has been holding an official Government position in any other country, shall be deemed to be ordinarily resident in Fiji for the purposes of subsection (4) (c).
- (7) For the purpose of verification, the Supervisor may make enquiries and, where necessary, require the person to provide the necessary authorisations and declarations to the relevant authorities to assist with the enquiries.

The Electoral Commission, upon receipt of the Appeals, required the SoE to provide all the documents that were obtained by him during the verification process of the nomination of the Appellants. These documents and the evidence provided by the Appellants were carefully scrutinized to determine if the Appellants have met the requirements set out in section 23.

In our findings, the Electoral Commission notes that the Appellants did not file with the Supervisor of Elections their nominations and the Unity Fiji ['Party'] actually took it back

with them. The Party did not also pay any fees for the nominations and as such the Party cannot claim that the nominations were accepted and then rejected.

By not paying the fee, the Party failed to carry out the actual process for nomination as required under the Electoral Act, 2014. Therefore, the Electoral Commission has decided that the Appeals are dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 27/22 Appeal No: A10/22

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of Mohammed Rieaz Khan.

The Appellant asserts that he is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission noted that, in order to qualify for nomination, a candidate must meet the requirements of section 23 of the Electoral Act, 2014 which states the following;

- 23.— (1) A person is not eligible to be elected as a member of Parliament unless duly nominated as a candidate in the election.
- (2) A candidate for election to Parliament may be nominated by a registered political party or nominated as an independent candidate in accordance with the procedures prescribed in this Act.
- (3) A person is not eligible to be nominated as a candidate unless he or she is a registered voter, and a person who has been disqualified from voting by an order of a court under section 151 shall for this purpose be regarded as not registered to vote.
- (4) A person is eligible to be nominated as a candidate for election to Parliament only if the person—
- (a) is a citizen of Fiji, and does not hold citizenship of any other country;
- (b) is registered in the Register of Voters;
- (c) is ordinarily resident in Fiji for at least 2 years immediately before being nominated;
- (d) is not an undischarged bankrupt;
- (e) is not a member of the Electoral Commission, and has not been a member of that Commission at any time during the 4 years immediately before being nominated;
- (f) is not subject to a sentence of imprisonment when nominated;
- (g) has not, at any time during the 8 years immediately before being nominated, been convicted of any offence under any law for which the maximum penalty is a term of imprisonment of 12 months or more; and

(h) has not been guilty of any offence under a law relating to elections, registration of political parties or registration of voters, including any offence prescribed under this Act.

(5) For the purposes of subsection (4) (c), a person shall only qualify to be ordinarily

 $resident \, in \, Fiji \, for \, at \, least \, 2 \, years \, immediately \, before \, being \, nominated, \, if \, that \, person \, has$

been present and living in Fiji for an aggregate period of not less than 18 months out of

the 2 years immediately before being nominated; and

(6) Notwithstanding anything contained in subsection (5), any person who has been out

of Fiji for official Government business or duties or has been holding an official

Government position in any other country, shall be deemed to be ordinarily resident in

Fiji for the purposes of subsection (4) (c).

(7) For the purpose of verification, the Supervisor may make enquiries and, where

necessary, require the person to provide the necessary authorisations and declarations

to the relevant authorities to assist with the enquiries.

The Electoral Commission, upon receipt of the Appeal, required the SoE to provide all the documents that were obtained by him during the verification process of the nomination of the Appellant. These documents and the evidence provided by the Appellant were carefully scrutinized to determine if the Appellant has met the requirements set out in

section 23.

In our findings, the Electoral Commission notes that the Appellant satisfies the requirement of section 23 of the Electoral Act and therefore the Electoral Commission has decided that the Appeal is upheld and the Electoral Commission directed the Supervisor of Elections to place the Appellant's name on the Register of Candidates.

Dated this 15th day of November 2022

Mukesh Nand

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 28/22 Appeal No: A04/22

Appellant: Mr Ratu Ifereimi Buaserau Camaisala - Nomination by "Unity Fiji"

The Electoral Commission has received an Appeal against the decision of the Supervisor of Elections ["SoE"] to disqualify the nomination of **Ratu Ifereimi Buaserau Camaisau**. The Appellant asserts that he or she is duly qualified to be nominated under the Electoral Act 2014 ["Act"].

The Electoral Commission noted that, in order to qualify for nomination, a candidate must meet the requirements of section 23 of the Electoral Act, 2014 which states the following;

- 23.— (1) A person is not eligible to be elected as a member of Parliament unless duly nominated as a candidate in the election.
- (2) A candidate for election to Parliament may be nominated by a registered political party or nominated as an independent candidate in accordance with the procedures prescribed in this Act.
- (3) A person is not eligible to be nominated as a candidate unless he or she is a registered voter, and a person who has been disqualified from voting by an order of a court under section 151 shall for this purpose be regarded as not registered to vote.
- (4) A person is eligible to be nominated as a candidate for election to Parliament only if the person—
- (a) is a citizen of Fiji, and does not hold citizenship of any other country;
- (b) is registered in the Register of Voters;
- (c) is ordinarily resident in Fiji for at least 2 years immediately before being nominated;
- (d) is not an undischarged bankrupt;
- (e) is not a member of the Electoral Commission, and has not been a member of that Commission at any time during the 4 years immediately before being nominated;
- (f) is not subject to a sentence of imprisonment when nominated;
- (g) has not, at any time during the 8 years immediately before being nominated, been convicted of any offence under any law for which the maximum penalty is a term of imprisonment of 12 months or more; and
- (h) has not been guilty of any offence under a law relating to elections, registration of political parties or registration of voters, including any offence prescribed under this Act.
- (5) For the purposes of subsection (4) (c), a person shall only qualify to be ordinarily resident in Fiji for at least 2 years immediately before being nominated, if that person has been present and living in Fiji for an aggregate period of not less than 18 months out of the 2 years immediately before being nominated; and

- (6) Notwithstanding anything contained in subsection (5), any person who has been out of Fiji for official Government business or duties or has been holding an official Government position in any other country, shall be deemed to be ordinarily resident in Fiji for the purposes of subsection (4) (c).
- (7) For the purpose of verification, the Supervisor may make enquiries and, where necessary, require the person to provide the necessary authorisations and declarations to the relevant authorities to assist with the enquiries.

The Electoral Commission, upon receipt of the Appeal, required the SoE to provide all the documents that were obtained by him during the verification process of the nomination of the Appellant. These documents and the evidence provided by the Appellant were carefully scrutinized to determine if the Appellant have met the requirements set out in section 23.

In our findings, the Electoral Commission notes that the appellant does not satisfy the requirement of section 23 of the Electoral Act and therefore the Electoral Commission has decided that the Appeal is dismissed.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number 03/22 Decision Number 29/22

Guideline on the use of School Halls and Premises During Campaign Period

The Electoral Commission makes the following guidelines for Political parties, candidates and their representatives on the use of school halls and premises during the campaign period:

- School premises must only be used after school hours and in the weekends and public holidays.
- 2. All campaign posters and materials placed in the school premises during the use must be removed and cleaned at the end of the use.
- 3. Arrangements for the use of the school premises must be made in writing and must only be made with the owners/ committee operating the school and not with teachers or executive heads of the school and the political party, candidate or their representative must pay the fee as charged by the school owners/committee.
- 4. School owners/committee will have the right to decide on allowing the use of the school premises or to refuse the same.
- 5. Government owned schools are not to be used for any campaign.
- 6. For the purposes of these guidelines, 'schools' include primary or secondary schools only.

Dated this 15th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

Ref: Election Mode Meeting Number:04/22 Decision Number 30/22

Notice of Poll & Pre-poll

The Electoral Commission, having held a Face-to-Face meeting on 16 November 2022, has approved the Notice of Poll and Notice of Pre-poll for the 2022 General Election pursuant to Section 35 and Section 82 (3)-(4) of the Electoral Act 2014.

Dated this 16th day of November 2022

MUKESH NAND

REPUBLIC OF FIJI

59 - 63 High Street, Toorak, Suva P. O. Box 2528, Government Buildings, Suva. Phone: +679 331 6225 Website: www.electoralcommission.org.fj

> Ref: Election Mode Meeting Number 06/22 Decision Number 31/22

The Electoral Commission on the 5^{th} of December 2022 received manuals from the Fijian Elections Office ["FEO"]. The manuals consist of operational procedures which are required to conduct the election.

The manuals are;

- i. Polling Day Presiding Officers Manual 2022;
- ii. Polling Day Workers Manual 2022;
- iii. Presiding Officers Pre-Poll Manual 2022;
- iv. Presiding Officers Record Book (Election Day);
- v. Presiding Officers Record Book (Pre-Poll);
- vi. Hub Leaders Manual 2022;
- vii. Area Officers Manual 2022;
- viii. Polling Day Workers Task Sheet; and
- ix. Missorted Ballot Papers Task Sheet.

The Electoral Commission being further informed that the manuals comply with the FEO procedures on elections approves the manuals for use by the FEO as directed by the Supervisor of Elections under Section 11 of the Electoral Act 2014.

Dated this 5th day of December 2022

MUKESH NAND



CONSTITUTION OF THE REPUBLIC OF FIJI

GENERAL ELECTION OF MEMBERS OF PARLIAMENT

2022

WRIT FOR ELECTION

(Section 59(1))

By His Excellency RATU WILIAME MAIVALILI KATONIVERE, the President of the Republic of Fiji, in exercise of the powers conferred under section 59(1) of the Constitution of the Republic of Fiji.

RATU WILIAME MAIVALILI KATONIVERE PRESIDENT OF THE REPUBLIC OF FIJI

To the ELECTORAL COMMISSION of Fiji

WHEREAS by virtue of the Constitution of the Republic of Fiji, it has become necessary to hold an election of members to sit and vote in Parliament.

NOW THEREFORE in exercise of the powers conferred under section 59(1) of the Constitution of the Republic of Fiji and section 21 of the Electoral Act 2014 and on the advice of the Prime Minister, I command you to cause an election to be held according to law, of fifty five (55) members to sit and vote in Parliament and I appoint the sixth hour past noon on the 31st day of October 2022 to be the time and date before which the registration of voters for the election is to be made and I hereby direct that you must receive the nominations of candidates at the Fijian Elections Office situated at St Stephen's Building, Victoria Parade, Suva, by twelve noon on the 14th day of November 2022 and in the event that the election is contested, you must cause a poll to be taken on the 14th day of December 2022 and that you may cause pre-poll voting and postal voting prior to the 14th day of December 2022 and I command you to endorse the names of the candidates elected as members of Parliament and return this Writ on or before the 28th day of December 2022.

Given under my hand at Suva this 31st day of October 2022.

RATU WILIAME MAIVALILI KATONIVERE President of the Republic of Fiji

THE ELECTORAL COMMISSION CANDIDATE ALLOCATION FORM 2022

Divisors	FijiFirst	SODELPA	NFP	The People's Alliance
	200246	24172	41830	168581
S.	(200246)	(24172)	(41830)	(68581)
	(100123)	(12086)	(20915)	84291)
8	(66749)	(8057)	(13943)	(56194)
	(50062)	6043	10458	42145)
;	(40049)	4834	(8366)	(33716)
5	(33374)	4029	6972	(28097)
	(28607)	3453	5976	24083
3	(2503)	3022	5229	21073
				18731)
	22250)	2686	4648	
10	20025	2417	4183	(6858)
1	18204)	2197	3803	(5326)
12	16687)	2014	3486	14048)
13	15404	1859	3218	12968
4	14303	1727	2988	(12042)
15	13350	1611	2789	(11239)
16	12515	1511	2614	(10536)
17	11779	1422	2461	9917)
18	(11125)	1343	2324	9366
19	(10539)	1272	2202	(8873)
20	(10012)	1209	2092	8429
21	9536	1151	1992	(6028)
22	(9102)	1099	1901	7663
23	8706)	1051	1819	7330
24	8344)	1007	1743	7024
25	(8010)	967	1673	6743
		1197		
26	7702	930	1609	6484
27	7417	895	1549	6244
28	7152	863	1494	6021
29	6905	834	1442	5813
30	6675	806	1394	5619
31	6460	780	1349	5438
32	6258	755	1307	5268
33	6068	732	1268	5109
34	5890	711	1230	4958
35	5721	691	1195	4817
36	5562	671	1162	4683
37	5412	653	1131	4556
38	5270	636	1101	4436
39	5135	620	1073	4323
40	5006	604	1046	4215
41	4884	590	1020	4112
42	4768	576	996	4014
100	1 1,2452.50	1000	973	3920
43	4657	562		3831
44	4551	549	951	
45	4450	537	930	3746
46	4353	525	909	3665
47	4261	514	890	3587
48	4172	504	871	3512
49	4087	493	854	3440
50	4005	483	837	3372
51	3926	474	820	3306
52	3851	465	804	3242
53	3778	456	789	3181
54	3708	448	775	3122
55	3641	1.00	1.12	3065

Signature: Mukesh Nand Chairperson of the Electoral Commission

ELECTORAL ACT 2014

GENERAL ELECTION OF MEMBERS OF PARLIAMENT 2022

NAMES OF CANDIDATES ELECTED AS MEMBERS OF THE PARLIAMENT OF THE REPUBLIC OF FIJI

IN accordance with section 106(1) (b) of the Electoral Act 2014, the Electoral Commission hereby declares that the following candidates have been elected as members of the Parliament of the Republic of Fiji-

Akbar, Rosy Sofia Qereqeretabua, Lenora Salusalu Bainimarama, Josaia Voreqe Rabuka, Sitiveni Ligamamada Bainivalu, Alitia Vakatai Bavou Cirikiyasawa Bala, Parveen Kumar Ravu, Kalaveti Vodo

Bia, Aliki Rayalu, Vatimi Tidara Tuinasakea Kaunitawake

Bulitavu, Mosese Drecala Reddy, Mahendra Chand, Hem Saukuru, Jese

Ditoka, Sakiasi Raisevu Sayed-Khaiyum, Aiyaz Gavoka, Viliame Rogoibulu Seruiratu, Inia Batikoto Immanuel, Esrom Yosef Sharma, Rinesh Rajesh

Kamikamica, Manoa Seru Nakausabaria Singh, Agni Deo
Kiran, Sashi Singh, Charan Jeath
Kirpal, Sanjay Salend Tabuya, Lynda Diseru
Koroilavesau, Semi Tuleca Tikoduadua, Pio
Koya, Faiyaz Siddiq Tubuna, Sakiusa

Kumar, Premila Devi Tuinaceva, Naisa Tatau Kumar, Shalen Tuisawau, Ro Filipe Qaranigio

Lal, Ketan Kirit Tuiwailevu, Isikeli

Lalabalavu, Ratu Atonio Rabici Tunabuna, Tomasi Niuvotu Maharaj, Alvick Avhikrit Turaga, Siromi Dokonivalu

Naivalurua, Ioane Usamate, Jone

Nalumisa, Maciu Katamotu Vakalalabure, RT Rakuita Solesole Sauramaeva

Nand, Joseph Nitya Vanawalu, Iliesa Sovui

Nath, Vijay Vasu, Ifereimi

Naupoto, Viliame Vocea, Jovesa Rokuta

Niudamu, Ratu Josaia Bulavakarua Vosarogo, Filimoni Wainiqolo Rasokisoki

Pillay, Viam Waqainabete, Ifereimi

Prasad, Biman Chand

Dated this 19th day of December 2022

MUKESH NAND

CONSTITUTION OF THE REPUBLIC OF FIJI

GENERAL ELECTION OF MEMBERS OF PARLIAMENT 2022

RETURN OF WRIT FOR ELECTION

President of the Republic of Fiji

IN accordance with section 106(2) of the Electoral Act 2014, the Electoral Commission hereby returns unto you the names of those persons elected on the 19 December 2022 as members of the Parliament of the Republic of Fiji.

Names of candidates elected as members of the Parliament of the Republic of Fiji-

Akbar, Rosy Sofia Qereqeretabua, Lenora Salusalu
Bainimarama, Josaia Voreqe Rabuka, Sitiveni Ligamamada
Bainivalu, Alitia Vakatai Bavou Cirikiyasawa
Bala, Parveen Kumar Ravu, Kalaveti Vodo

Bia, Aliki Rayalu, Vatimi Tidara Tuinasakea Kaunitawake

Bulitavu, Mosese Drecala Reddy, Mahendra Chand, Hem Saukuru, Jese

Ditoka, Sakiasi Raisevu Sayed-Khaiyum, Aiyaz
Gavoka, Viliame Rogoibulu Seruiratu, Inia Batikoto
Immanuel, Esrom Yosef Sharma, Rinesh Rajesh
Kamikamica, Manoa Seru Nakausabaria Singh, Agni Deo
Kiran, Sashi Singh, Charan Jeath

Kiran, Sashi Singh, Charan Jeath
Kirpal, Sanjay Salend Tabuya, Lynda Diseru
Koroilavesau, Semi Tuleca Tikoduadua, Pio
Koya, Faiyaz Siddiq Tubuna, Sakiusa
Kumar, Premila Devi Tuinaceva, Naisa Tatau
Kumar, Shalen Tuisawau, Ro Filipe Qaraniqio

Lal, Ketan Kirit Tuiwailevu, Isikeli

Lalabalavu, Ratu Atonio Rabici Tunabuna, Tomasi Niuvotu Maharaj, Alvick Avhikrit Turaga, Siromi Dokonivalu

Naivalurua, Ioane Usamate, Jone

Nalumisa, Maciu Katamotu Vakalalabure, RT Rakuita Solesole Sauramaeva

Nand, Joseph Nitya Vanawalu, Iliesa Sovui

Nath, Vijay Vasu, Ifereimi Naupoto, Viliame Vocea, Jovesa Rokuta

Niudamu, Ratu Josaia Bulavakarua Vosarogo, Filimoni Wainiqolo Rasokisoki

Pillay, Viam Waqainabete, Ifereimi

Prasad, Biman Chand

Dated this 19th day of December 2022

MUKESH NAND

Complaints recieved by the Electoral Commission

No.	Date Received	Details of Complainant	Nature of	Outcome
C01/22	26/01/2022	Mr Ganeshwar Chand	Complaint Elections Office does not have any email address for a voter to send written queries	The EC noted that FEO had been liaising with the complainant.
C02/22	28/06/2022	Mr Kelese	SODELPA Candidate misleading Rabi Voters	The complaint was forwarded to former SoE for further action on 05/07/2022
C03/22	02/07/2022	Mr Deo Raju	Serving of Notice under Section 144A of Electoral Act 2014	The complainant was informed that his grievances is being dealt with by FEO
C04/22	05/08/2022- The email by Fiji Labour Party was directly sent to the EC Chairperson, however the Chairperson was out of the country, the email was forwarded to the secretariat on 11/08/2022	Mr Mahendra Chaudhary – Registered Officer/Leader	Complaint against the Fiji Police Force-Breach of s111(1) of the Electoral Act 2014	The EC wrote to Commissioner of Police on 11/08/2022 to respond to the Complaint made by FLP. The Commissioner of Police responded on 12/08/2022. The EC responded to Mr Mahendra Chaudhary via letter and email on 12/08/22 providing its decision: "The EC is of the view that the Fiji Police Force is conducting these investigations and are well within the ambits of the laws that bind Fiji Police Force. The EC also of the view that the actions of the Fiji Police Force do not breach s111(1) of the Electoral Act 2014"
C05/22	The Complaint was dated 05/10/2022, However it was sent to Chairperson on 06/10/2022 via email.	Ms Leba Seini Nabou - Secre- tary General	Complaint of Vote Buying for FijiFirst by Mr Mohammed Sareem	The EC wrote to Mr Mohammed Sareem and FijiFirst respectively to respond to the complaint. EC responded to Ms Leba Seini Nabou via letter and email on 18/10/2022 providing its decision: "The EC has carefully analysed the complaint and the response from the Respondent. The EC accepts that the Respondent is not a representative of any political party.

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C06/22	13/10/2022	Mr Mahendra Chaudhary – Reg- istered Officer/ Leader (Fiji Labour Party)	Complaint Against FijiFirst - Placement of Campaign Material on Public Building	He is a private individual who operates a social media account which is a platform for political discourse. It is the EC's finding that the Respondent has not breached any provisions of the Electoral Act 2014 and the NFP's complaint is accordingly dismissed." The EC responded to Mr Mahendra Chaudhary via letter and email on 18/10/2022 providing its decision: "The EC noted that the Campaign Material has been removed within the timeframe given by the SoE hence no further action is
C07/22	21/10/2022	Mr Mahendra Chaudhary – Registered Officer/ Leader (Fiji Labour Party)	Involvement of FEO staff in alleged unlawful activity S13 of the Electoral Act	required." The EC responded to Mr Mahendra Chaudhary via letter and email on 24/10/2022 providing its decision: "The EC have received the response to the complaint from the SoE and the EC is satisfied that the staff are working within the Electoral Act 2014 under an initiative of the FEO which will be announced in due course. The EC had already been briefed on this and we are satisfied that it will be an essential program for the success of the general election. We advise against any alarm. The EC accepted the information from the SoE and found that the program or FEO's staff are not in breach of the Electoral Act 2014. The EC dismissed the complaint accordingly."

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C08/22	01/11/2022	Mr Michael Ng	Poor Telephone Service	The EC forwarded the Complaint to FEO for their action on 01 November 2022. The FEO called Michael Ng few times however his phone was "unreachable". Mr Michael Ng returned the call around 12:37pm. The FEO staff explained to Michael Ng and apologized for the inconvenience caused. Michael Ng called FEO regarding Postal Voting, which the FEO staff was able to assist him.
C09/22	15/11/2022	Mr Isikeli Nakato	Complaint against Mr. Sitiveni Rabuka (then)	The EC responded to Mr Isikeli Nakato via letter on 30/11/2022 providing its decision: "The EC noted that Mr Rabuka's nomination as a candidate for the election to Parliament has been approved by the FEO as Mr Rabuka has met the requirements that are stipulated in the Act that governs the nomination processes. The EC notes that Mr Rabuka has met all the necessary requirements in accordance with the Act and your complaint lacks merit, therefore the Commission dismisses your complaint."
C10/22	17/11/2022	Ms Asenaca Delailomaloma	Request for a Voter Card Number	The EC forwarded the Complaint on 17/11/2022 to FEO for their action.

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C11/22	18/11/2022	Mr Sachuda Mudaliar	Query on 5% threshold	The EC responded to Mr Sachuda Mudaliar via letter and email on 24/11/2022 oproviding its clarification: "Section 104 (3) of the Electoral Act 2014 which states that Political Parties or Independent Candidates that do not meet the 5% threshold will not qualify for seat allocation."
C12/22	18/11/2022	Mr Kamlesh Prasad	Voters Roll	The EC responded to Mr Kamlesh on 24/11/2022 providing its decision: "The EC wishes to highlight that the SoE is not required under the law to publish the voter list online, as the information that is obtained in the voter list contains confidential information of every registered voter in Fiji and Overseas. Therefore, the EC will not allow the online publication of the voter list."
C13/22	24/11/2022	Mr Mesulame Sauvolili	Breach of Section 112 of the Electoral Act 2014– Complaint against Mr. Alex O' Connor (FijiFirst Candidate)	The EC forwarded the complaint to SoE on 25 November for further action.
C14/22	26/11/2022	Mr Kaushik Prasad	Review of Candidate 235 – Nitish Sharma	The EC forwarded the Complaint to SoE for further action on 27 November 2022

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C15/22	29/11/2022	Mr James Manulevu	Indelible Ink - 2022 Election	The EC responded on 01 December 2022 providing its decision: "The EC addressed that the marking of the Indelible Ink on a voter's finger as per section 53 (2)(d) is the final proof that a voter has voted and should not be allowed into the polling station. However, if a voter is able to remove the indelible ink by whatever force of nature then there are other four systems as mentioned above to verify that the voter has voted and should prevent a voter from casting a second vote."
C16/22	30/11/2022	Mr Ganesh Prasad	Integrity of Elections	The EC responded on 05 December 2022 providing its decision: "The EC wishes to highlight that the voter list contains the confidential information of every registered voter in Fiji and Overseas and will not be made available for public viewing unless approved by the EC. Therefore, the EC wishes to inform you that you have been given the approval to view the Voter List provided you make arrangements with the FEO on the time and day you wish to visit the FEO Headquarters at 59-63 High Street, Toorak for viewing. Kindly be informed that you will not take pictures or obtain a copy of the Voter List upon viewing. The EC wishes to highlight that Section 1163(c) of the Act prohibits the use of any language that threatens or incites violence,

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
				however after full view of the video and online publication of the local news that dates back to the event, the EC noted that the Political Party cautioned the public of the consequences of certain manifestos that have been campaigned and did not threat or incite violence. Therefore, in light of the above the EC dismisses your claims of threats and violence as stated in Concern Cluster No. 2 of your letter."
C17/22	04/12/2022	Ms Audhraji	Postal vote registration	The EC forwarded the complaint to FEO on 14/11/2022 for their action
C18/22	09/12/2022	Mr Sundar Singh	FijiFirst Manifesto	The EC responded on 12 December 2022 providing its decision: "The EC writes to respond that your complaint does not fall within the ambits of Section 116 of the Electoral Act 2014 which elaborates on the provisions of Campaign Rules for an election. The EC having noted the above will not proceed further with your complaint and dismisses the same."

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C19/22	10/12/2022	Mr Mohammed Yunus	Postal Vote & Complaint Against SoE	The EC responded on 12 December 2022 providing its decision: "The EC wishes to highlight that according to Section 41(9) of the Electoral Act 2014 states that overseas voters who are registered to vote but have not applied for postal voting may vote in Suva on December 14, 2022, from 7:30 a.m. to 6 p.m. Kindly note that overseas voters are advised to vote at Saint. Stephens FEO Shed in Suva on election day."
C20/22	14/12/2022	Mr Nirlesh Chand	Unable to change the polling venue	The EC responded on 16 December 2022 providing its decision: "The EC noted your letter and wishes to address that according to Section 50(1) of the Electoral Act, 2014 ["Act"] states that a registered voter is entitled to vote only at the polling station at which he or she is assigned according to the voter list of the polling station. Therefore, in light of the above provision of the Act, the EC wishes to address that you can only vote in the polling venue that you are assigned to vote in and you are not to permitted by to vote anywhere else."
C21/22	14/12/2022	Ms Roselyne Singh	Not able to vote	The EC forwarded the complaint to FEO on 16/12/2022 for their action.

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C22/22	14/12/2022	Mr Kritesh Prasad	Black out Period	The EC responded on 16 December 2022 providing its decision: "The EC noted your letter and wishes to address that the FEO had addressed the public upon receiving complaints during the 48 hours black out period to adhere to the provisions of the Electoral Act, 2014 concerning campaign restrictions. The EC wishes to highlight that the FEO had carried out due course of the blackout period monitoring and any breach of the Act has been dealt with accordingly."
C23/22	15/12/2022	Maleli Sovea Laisenia	Demand for Manual Counting	The EC responded on 16 December 2022 providing its decision: "We refer to your various request demanding of the manual counting of the votes in the Election and we write to respond that the votes are actually being counted manually by the FEO staff by using ballot papers in the presence of Political Parties Agents and we hope that the same clarifies your request.

No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C24/22	15/12/2022	Maca Moce, Ilisapeci Sagale, Elisha Joshua, Litiana Tiqe, Caqinatoba Vikaili	Demand Manual Counting	As to the request on explanations for the anomaly in the provisional results
C25/22	15/12/2022	Isaiah Delaitelau	Demand for Manual Counting	published on the night of 14 December 2022, we
C26/22	15/12/2022	Jioji Masivesi Cakacaka	Manual Counting of 2022 Votes	are of the view that the former SoE has provided sufficient clarity to the
C27/22	15/12/2022	Sosiceni Caunivalu	Demand for full manual counting of votes of the National Election 2022	media regarding the same. We note that the app has been rectified and results were
C28/22	15/12/2022	Levani Delaivuna	As a registered voter I demand another ballot recount but done manually	published thereafter and we hope the same clarifies your request."
C29/22	15/12/2022	Eneriko Ratuloaloa	No credibility in FEO Software = No credible vote counting system in place	
C30/22	15/12/2022	Alini Qalivutu	Demand of a manual counting	
C31/22	15/12/2022	Meresiana Kula Basaga	Manual Recounts of Votes	
C32/22	15/12/2022	Miliana Halafi	Manual Count of Votes	
C33/22	15/12/2022	Samu Namosimalua	Complaint regarding Elections count process	
C34/22	15/12/2022	Vini Qica	Elections count process	
C35/22	15/12/2022	Gladys Evans	Manual Recount	
C36/22	15/12/2022	Alitia Namosimalua	Complaint regarding Elections count process	
C37/22	15/12/2022	Viliame Baleisuva	Result of the 2022 General Election	
C38/22	15/12/2022	Sauvuni Naulumatua	Demand for manual recount	
C39/22	15/12/2022	Kamlesh Prasad	Manual Recounts of ballots	
C40/22	16/12/2022	Betty Hay	Election Results	
C41/22	16/12/2022	Sireli Kini	2022 General Election Vote count	

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No.	Date Received	Details of Complainant	Nature of Complaint	Outcome
C42/22	16/12/2022	No Name	Vote Count results	The EC noted that the complainant gave wrong personal details. The complaint was regarded as hoax.
C43/22	17/12/2022	Lucricia Thompson	Missing Vote	The EC noted and forwarded the complaint on 17 November 2022 to FEO.
C44/22	18/12/2022	Jone Tukana	FEO app discrepancy	The EC responded on 23 December 2022 providing its decision: "The EC noted your complaint and the FEO have rectified the same."

Electoral Commission Budget and Expenditure Report from January 2022 to 31 December 2022.

	Total Budget January 2022- December 2022	Total Expenditure January 2022- December 2022
Information Technology Expenses		
Software Lic & Maint Contract	3,136.28	377.88
Information Technology Expenses - Total	3,136.28	377.88
Electoral Commission Allowance		
Electoral Commission Allowance	254,790.00	127,530.00
Electoral Commission Allowance-Total	254,790.00	127,530.00
Legal Fees		
Legal fees	41,939.00	-
Legal Fees - Total	41,939.00	-
Marketing Costs		
Publication	58,017.86	42,302.47
Advertising Expense	2,081.00	-
SIGNAGES	1,600.00	-
Marketing Costs-Total	61,698.86	42,302.47
Personnel Emoluments Expense		
FNPF Contribution	13,416.50	8,092.58
Salaries	71,165.96	67,921.12
FNU Levy	711.62	677.84
OHS Expense	200.00	14.58
Personnel Emoulments Expense - Total	85,494.08	76,706.12
Postage and Courier Expense		
Postage	1,744.00	-
Freight	286.65	294.49
Postage and Courier Expense-Total	2,030.65	294.49
Office Administration Expense		
Repair and Maintenance of office	200.00	119.72
Stationery Expenses	419.00	-
Printing - Stationery	11,640.00	5,532.45
Hire of Venue	2,358.00	-
Purchase of office supplies	1,237.21	913.10
Catering	212.79	212.79
Hire of tent/shed/partition	20,854.00	7,205.46
Office Administration Expense-Total	36,921.00	13,983.52
Telecommunication Expenses	, , , , , , , , , , , , , , , , , , ,	
Telecom - Telephone	5,000.00	-
Mobile Phone Expenses	1,250.00	-
EC phone	299.00	274.31
Telecommunication Exp - Total	6,549.00	274.31

	Total Budget January 2022- December 2022	Total Expenditure January 2022- December 2022
Travelling and Accomodation Expense		
Accomodation - Local	35,574.70	11,160.94
Travelling Meals	875.00	163.00
Vehicle Repairs & Maintenance	1,825.00	1,027.98
Vehicle Fuel	2,181.70	1,589.05
Vehicle Registration/Road Tax	300.00	-
Transportation - Rental	15,000.00	-
Travelling - Air fare & Boat fare	48,582.93	10,729.86
Travel and Accomodation Expense-Total	104,339.33	24,670.83
Financial Expense		
Bank Fees & Charges	200.00	102.60
Financial Expense - Total	200.00	102.60
EC and Office Meeting Expense		
Meetings	18,500.00	7,118.22
EC and Office Meeting Expense - Total	18,500.00	7,118.22
VAT Expenses	32,012.00	11,733.07
Operating Expense - Total	647,610.20	304,667.93





PHOTO GALLERY









Meeting with Political Parties on 18 March 2022

EC attended the Launch of Pre-election Survey, Launch of Provisional National Voter List and the International Democracy Commemoration event on 15 September 2022



Community virtually on 19 September 2022



ink from the High Commissioner of India to the Republic of Fiji, His Excellency Mr Palaniswamy Subramanyan Karthigeyan on 4 October 2022



The EC at the dispatching of Ballot Box from Star Printery on 17 November 2022

November 2022

at the Gymnasium on Election Day 14 December 2022



The EC at the Official Database Flush Media Walkthrough at the Result Centre on 15 December 2022



The EC Chairperson recieved the Final Results from the SoE on 18 December 2022



The Electoral Commission for the 2022 General Election

EC meeting with MOG Co leads on 11 December 2022



EC Chairperson returned the Writ to H.E. the President of the Republic of Fiji at the State House on 19 December 2022

Group photo after the return of Writ

EC Meeting

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