
ELECTORAL ACT 2014

Limitations on Election Campaign Rules 2026

Rules adopted by the Electoral Commission under section 155(1) of the Electoral Act 2014.

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Part 1 – Preliminary Provisions

1. Short Title and Commencement

- (1) These Rules may be cited as the Campaign Limitations Rules 2026.
- (2) These Campaign Limitation Rules come into effect on 20 October 2026.

2. Definitions

- (1) In these Campaign Limitation Rules, unless a contrary intention appears:
 - “Act” means the Electoral Act 2014;
 - “Member of Parliament” means a Member of Parliament who is a member of or affiliated to a political party, or who is nominated or intending to nominate as a candidate at the next general election;
 - “Parliamentary Grant” means the funds allocated to political parties in Parliament;
 - “reverse onus” means the burden of proving a particular defence or exception, once the prosecution has proved the relevant facts beyond reasonable doubt; and
 - “state resources” include the Parliamentary Grant and any equipment or resources funded wholly or partly by or from the Parliamentary Grant.
- (2) In these Campaign Limitation Rules, unless a contrary intention appears words not defined in subrule (1) have the same meaning as defined in the Act.

3. Purpose

- (1) These Campaign Limitation Rules are adopted under section 155(1) of the Electoral Act 2014 to complement the provisions in Part 4 of the Act pertaining to Election Campaigns.

4. Application

- (1) These Campaign Limitation Rules are to be read together with the Act. In the event of any inconsistency, the Act shall prevail.

Part 2 – Limitation on use of State Resources

5. Prohibition on the use of State resources

- (1) For the purposes of section 113(2) and (2A) of the Act, where in the performance of his or her duties as a public officer the public officer provides information or security services in relation to the conduct of campaign activities:
 - (a) the information or security services provided must be within the ordinary duties of the public officer; and
 - (b) the onus of proving the matters set out in this sub-rule is on the public officer.
- (2) For the avoidance of doubt, a Personal Staff Officer or Executive Support Officer (however described) to a Member of Parliament is a public servant for the purposes of section 113, and any campaign message they deliver is not exempted under section 113(2A) or this Rule.
- (3) For the purposes of section 113(4A) of the Act, where in the conduct of campaign activities a person uses a Government vehicle for the purposes of providing security:
 - (a) the quantum of the security provided, including the number and type of vehicles involved and security staff, must not exceed that which is used by the person for non-campaign activities unless the relevant Fiji authority has determined by means of a formal Security Threat Assessment that the increased level of security provided is required for the person during the particular event or activity; and
 - (b) the vehicle must not carry additional passengers or goods (including campaign materials) that would not be carried by the person for non-campaign activities; and
 - (c) the onus of proving the matters set out in this sub-rule is on the person who uses the vehicle.

6. Use of incumbency

- (1) Any activity prohibited in this Rule is a prohibited campaign.
- (2) Except as provided in the Act or in this Rule, it is prohibited for any Member of Parliament, political party or candidate or anyone acting on their behalf to use any State resources in any activity that is connected to any campaign. This includes, but is not limited to the use of State:
 - (a) equipment for preparing or printing campaign materials;
 - (b) communication networks for distributing campaign messages;
 - (c) transportation or shipping facilities, for transporting campaign materials or campaigners; and
 - (d) premises for conducting any meetings, or preparing any materials or communications, pertaining to campaigning.
- (3) Sub-rule (2) does not apply where State resources are ordinarily used to provide services to the public for a fee, and the person conducting the

campaign activities pays the same fee as the public for the use of the service. This includes, but is not limited to:

- (a) printing services;
 - (b) freight services;
 - (c) transportation; and
 - (d) venue hire.
- (4) When performing any duty of a Member of Parliament (including Ministerial duties), it is prohibited for a Member of Parliament or any person acting on their behalf to communicate any campaign message or activity by any means, whether verbally or in writing or otherwise.
- (5) For the purposes of this Rule, and without limiting the definition of “campaign” in section 2 of the Act, during the campaign period:
- (a) the following communications by any means made by or on behalf of a Member of Parliament, political party or candidate are deemed to be campaign messages unless the person so communicating proves otherwise:
 - (i) any communication that reflects the achievements of a Member of Parliament or political party in Parliament during the current term of Parliament (up to and including the date of the general election); and
 - (ii) any communication that reflects a lack of achievement of a Member of Parliament or political party in Parliament during the current term of Parliament (up to and including the date of the general election); and
 - (b) any communication by any means made by or on behalf of a Member of Parliament, political party or candidate that pertains to a period after the dissolution of Parliament shall be presumed to be a campaign message unless the person so communicating proves otherwise.
- (6) In this Rule, the reverse onus may be discharged by satisfactory evidence that the communication was solely a factual communication made in the ordinary discharge of a statutory, parliamentary, ministerial, emergency, or public safety function, required to be performed at that time and the communication contained no express or implied election-related message.

7. Standard of proof

- (1) For the avoidance of doubt, where these Rules prescribe a reverse onus the standard of proof is the civil standard (balance of probabilities).

Part 3 – Other Limitations on Campaigning

8. Where it is prohibited to campaign

- (1) This Rule is in addition to the limitations and restrictions set out in Part 4 of the Act.
- (2) It is prohibited to campaign or place campaign materials:
 - (a) while public servants or Members of Parliament are performing their duties, including during events at which one or more Members of Parliament is a speaker or presenter; and
 - (b) in the premises (including the outside grounds up to the perimeter of the premises) of any public library.
- (3) It is prohibited to campaign or place campaign materials in any of the following premises (including the outside grounds up to the perimeter of the premises) whether public or private:
 - (a) any childcare center or early childhood facilities;
 - (b) any hospital;
 - (c) any aged care facility;
 - (d) any prison or detention facility; or
 - (e) any premises of any public office as defined in section 163(1) of the Fiji Constitution 2013.
- (4) For the purposes of this Rule, “premises (including the outside grounds up to the perimeter of the premises)” includes any premises regardless of whether they are owned or leased, shared with other occupants or facilities that are not proscribed in this Rule, and any carpark allocated to the premises.
- (5) Nothing in this Rule limits or affects the power of the Supervisor to designate public places for the placement of campaign materials in accordance with section 112(3) of the Act.