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[LEGAL NOTICE NO. 60]

INVESTMENT ACT 2021

**Investment (Foreign Investors Reporting)  
Regulations 2022**

IN exercise of the powers conferred on me by sections 6(6) and 22 of the Investment Act 2021, I hereby make these Regulations—

*Short title and commencement*

1.—(1) These Regulations may be cited as the Investment (Foreign Investors Reporting) Regulations 2022.

(2) These Regulations come into force on the date the Investment Act 2021 comes into force.

*Interpretation*

2. In these Regulations, unless the context otherwise requires—

“foreign investor” has the meaning given by section 2 of the Investment Act 2021;

“Government Data Exchange Platform” means the Government’s official data exchange platform for the sharing of data;

“Investment Fiji” means Investment Fiji continued in existence under section 4 of the Investment Fiji Act 2022; and

“Ministry” means the Ministry responsible for investment.

*Reporting of foreign investment*

3.—(1) A foreign investor must register a business or a company in accordance with the Companies Act 2015.

(2) The Registrar of Companies must request a foreign investor for details regarding the foreign investor’s intended business activities and any foreign business ownership.

(3) The Ministry may access the Government Data Exchange Platform to extract relevant information about a foreign investor.

(4) A foreign investor must provide to the Ministry an update report on the investment activities within 3 months from the date of business or company incorporation.

(5) The report provided by a foreign investor under subregulation (4) must be made in a format as approved by the Ministry.

(6) Any foreign investor who contravenes this regulation commits an offence and is liable on conviction to—

(a) in the case of a natural person, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both; and

(b) in the case of a body corporate, a fine not exceeding \$50,000.

*Confidentiality*

4.—(1) The Ministry and Investment Fiji must treat any data or information as confidential and must only use the data or information for statistical and analytical purposes or to offer after care and other services to assist foreign investors.

(2) Any data or information published by the Ministry and Investment Fiji must be in an aggregate form.

*Offence*

5. Any person who facilitates the improper use or unauthorised disclosure or dissemination of any document or information held with the Ministry or Investment Fiji commits an offence and is liable on conviction to—

(a) in the case of a natural person, a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years or both; or

(b) in the case of a body corporate, a fine not exceeding \$50,000.

Made this 29th day of April 2022.

F. S. KOYA  
Minister for Commerce and Trade

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