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# **Elections in Fiji**

## *2018 General Elections*

Frequently Asked Questions

Asia-Pacific

International Foundation for Electoral Systems

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# Frequently Asked Questions

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*Disclosure:*  
*These FAQs reflect decisions made by the Fijian elections authorities as of October 26, 2018, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.*

## When is Election Day?

Election Day is November 14, 2018.<sup>1</sup>

## Who are citizens voting for on Election Day?

Citizens are voting to elect 51 members of Parliament, Fiji's national legislature. The political party that controls a majority or plurality of seats will form a new government and elect a prime minister, who must be the leader of the largest party and a sitting member of Parliament.<sup>2</sup>

## How is Fiji's government structured?

Fiji's government is based on the British Westminster model, and Parliament, the only body endowed with legislative authority, is comprised of 51 members directly elected by Fiji's citizens every four years.<sup>3</sup> The party with the most seats in Parliament forms a majority government, or a coalition, and elects a prime minister, who then forms a cabinet by nominating members of Parliament to lead government ministries that provide government services.<sup>4</sup>

The president, Fiji's formal head of state, is a largely ceremonial role. The president is appointed by Parliament and must be an individual not currently holding office but who has, nevertheless, had a "distinguished career in any aspect of national or international life."<sup>5</sup>

Similar to England, Australia and New Zealand, Fiji's judiciary is legally distinct from the legislative and executive branches and is headed by a Supreme Court, whose justices are appointed by the president following consultation with the attorney general and Judicial Services Commission, a body tasked with "ensuring the efficient functioning of the judiciary."<sup>6</sup> Judges at the lower level are appointed by the Judicial Services Commission.

## What is the election management body?

The Electoral Commission is responsible for overseeing elections and formulating relevant policy and regulations. It consists of seven members who are appointed by the president with advice from the Constitutional Offices Commission, comprised of one chairperson who "is or is qualified to be a Judge" and six others.<sup>7</sup> The commission has the authority to regulate the registration of citizens as voters and regular revision of the register of voters; voter education; the registration of candidates for election; the settlement of electoral disputes; and the monitoring and enforcing of compliance with any written law governing elections or political parties.<sup>8</sup>

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<sup>1</sup> <https://www.feo.org.fj>

<sup>2</sup> 2013 Constitution of the Republic of Fiji, Article 93

<sup>3</sup> 2013 Constitution of the Republic of Fiji, Articles 46, 52, 54, 58

<sup>4</sup> 2013 Constitution of the Republic of Fiji, Article 95

<sup>5</sup> 2013 Constitution of the Republic of Fiji, Articles 83, 84

<sup>6</sup> 2013 Constitution of the Republic of Fiji, Articles 97, 104, 106

<sup>7</sup> 2013 Constitution of the Republic of Fiji, Article 75

<sup>8</sup> 2013 Constitution of the Republic of Fiji, Article 75

The commission governs the Fijian Elections Office (FEO), the body responsible for administering the elections. The FEO is led by the supervisor of elections, who is appointed by the president.<sup>9</sup>

Approximately 11,000 poll workers are expected to work during this election.

## **What electoral system does Fiji use?**

Fiji elects members of Parliament through a multi-member open list system of proportional representation. The number of seats a political party gets in Parliament is worked out by totaling the votes received by each candidate of the political party who have met the 5 percent threshold of the total number of votes cast. Independent candidates unaffiliated with a political party can be elected to Parliament if the number of votes received by each candidate reaches the threshold to be elected.<sup>10</sup> To be awarded a seat in Parliament, each candidate or independent candidate must receive at least 5 percent of the total number of votes cast.<sup>11</sup>

There are no reserved seats for women in Fijian Parliament.

## **Who is running in these elections?**

Candidates who wish to contest the election must be nominated by a political party or nominated as an independent candidate by completing a candidate nomination form and collecting signatures of support from at minimum 1,000 registered voters.<sup>12</sup> No political party may nominate more candidates than the total number of seats in Parliament for a general election and they must rank candidates on the party list in the order which they are to be assigned seats in Parliament.<sup>13</sup>

All candidates must be registered voters residing in Fiji for at least two years immediately preceding the election and not have been a member of the Fijian Elections Office any time in the four years immediately preceding their nomination. Additionally, all candidates must be citizens of Fiji and cannot hold dual citizenship. Candidates must be nominated at the latest 14 days after the issue of the writ of elections. There are currently 235 candidates, of whom 23.8 percent are women and 7.2 percent are 30 years or younger.<sup>14</sup>

## **Who can vote in these elections?**

All Fiji citizens over the age of 18 have the right to vote in all elections and referendums, contest in elections and serve as elected officials.<sup>15</sup> As of October 1, approximately 49.6 percent of the 637,527

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<sup>9</sup> 2013 Constitution of the Republic of Fiji, Article 76

<sup>10</sup> 2013 Constitution of the Republic of Fiji, Article 53

<sup>11</sup> 2013 Constitution of the Republic of Fiji, Article 53

<sup>12</sup> Elections Act of 2014, Articles 25, 27

<sup>13</sup> Elections Act of 2014, Article 26

<sup>14</sup> [FEO 2018 Candidate Statistics](#)

<sup>15</sup> 2013 Constitution of the Republic of Fiji, Article 23

registered voters in Fiji are women, 29.0 percent are 30 years or younger, and 1.3 percent are out of country.<sup>16</sup>

Citizens who are serving a sentence of 12 months or longer imposed by a court in Fiji or abroad, have been legally determined mentally unsound, or have been disqualified from voter registration due to an electoral offense are not eligible to vote.<sup>17</sup>

Voters will be able to cast their ballots at 1,437 polling centers and 2,171 polling stations.<sup>18</sup>

## **Is absentee voting allowed?**

Fijian citizens living abroad, registered voters who are unable to travel to a polling station due to illness, religious beliefs, or work commitments, or voters under detention or sentence of imprisonment are eligible to vote via postal voting. Eligible voters must apply on the Fijian Elections Office's (FEO) website and their ballot must be received by the FEO by 6:00 p.m. on Election Day.<sup>19</sup>

## **How is equal access to the electoral process for persons with disabilities guaranteed?**

Facilities provided at all polling stations must be "reasonably equipped and designed to enable persons with disabilities and other special needs" to participate and vote in secret.<sup>20</sup> All polling locations are required to be located on the ground level and provide ramp access to ensure that locations are accessible for persons with disabilities. Additionally, all polling locations must have voting screens specially designed for persons in wheelchairs.<sup>21</sup>

## **How will votes be counted?**

Votes are counted immediately following the closing of the polls at the respective polling station by the presiding officer and designated election officials. The presiding officer will prepare a Protocol of Results and transmit this to the National Results Centre once witnessed by three election observers or polling agents.<sup>22</sup>

## **Who can observe on Election Day?**

Any person, organization or entity who is invited or appointed by the minister responsible for election may observe the elections.<sup>23</sup> For the upcoming election, the Fijian Elections Office has thus far

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<sup>16</sup> [The FEO: Voter Information](#)

<sup>17</sup> 2013 Constitution of the Republic of Fiji, Article 55

<sup>18</sup> [The FEO: Voter Information](#)

<sup>19</sup> [The FEO: Postal Voting Guidelines](#)

<sup>20</sup> Election Act of 2014, Article 43

<sup>21</sup> Election Act of 2014, Article 44

<sup>22</sup> FEO Voter Information Booklet, Section 11

<sup>23</sup> Election Act of 2014, Article 119

accredited seven observers with the Multinational Observer Group, co-led by Australia, Indonesia and India.<sup>24</sup>

The Multinational Observer Group for the 2014 election included representatives from Australia, India, Indonesia, Canada, Israel, Japan, New Zealand, Republic of Korea, Russia, South Africa, Turkey, the United Kingdom, the United States, the Melanesian Spearhead Group and the European Union.<sup>25</sup>

## **How will election disputes be adjudicated?**

Electoral disputes are brought before the Court of Disputed Returns if the dispute pertains to a) whether a person has been validly elected as a member of Parliament or b) an application for a declaration on whether the seat of a member of Parliament has become vacant.<sup>26</sup> In the case of disputes regarding the valid election of a candidate, petitions may be brought forth by voters in the district concerned, candidates in that election or the attorney general. In the case of disputes related to the declaration of a vacant seat, petitions may be brought forth by a member of Parliament, registered voter or the attorney general.

## **When will official results be announced?**

Provisional results will be available until 7:00 a.m. November 15, 2018 (the day following the election).<sup>27</sup> The final declaration of results and the names of elected candidates are required to be announced within 24 hours of the receipt of the original final protocol of results from all polling stations.<sup>28</sup> This is extendable if the Electoral Commission has credible reasons to do so.

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<sup>24</sup> [The FEO Media Centre](#)

<sup>25</sup> [2014 Fijian Elections: Final Report of the Multinational Observer Group](#)

<sup>26</sup> 2013 Constitution of the Republic of Fiji, Article 66

<sup>27</sup> FEO Voter Information Booklet, Section 11

<sup>28</sup> Election Act of 2014, Article 106

## Resources

- [Election Act of 2014](#)
- [2013 Constitution of the Republic of Fiji](#)
- [The Fijian Elections Office](#)
- [FEO Candidate Manual](#)