

# 1540 COMMITTEE MATRIX OF FIJI

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

## OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:

Fiji

Date of Report:

4 February 2008

Date of Committee Approval:

Legally binding instruments, organizations, codes of conduct, arrangements, statements and other issues.		YES	if YES, relevant information (i.e. signing, accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)
1	Nuclear Non-Proliferation Treaty (NPT)	X	Deposit 29 August 1972	
2	Nuclear Weapons Free Zone/ Protocol(s)	X	The South Pacific Nuclear Free Zone Treaty ( the Treaty of Rarotonga) (deposit 4 October 1985)	
3	Convention for the Suppression of Acts of Nuclear Terrorism	X	Deposit 15 May 2008	
4	Convention on Physical Protection of Nuclear	X	Deposit 23 May 2008	

	Material (CPPNM)			
5	2005 Amendment to the CPPNM	X	Deposit 22 June 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	X	Deposit 10 October 1996	
7	Chemical Weapons Convention (CWC)	X	Deposit 20 January 1993	
8	Biological Weapons Convention (BWC)	X	Deposit 4 September 1973	
9	Geneva Protocol of 1925	X	Deposit 21 March 1973	
10	Other Conventions/Treaties	X	<p>State party to 16 of 19 universal legal Instruments against terrorism including the following relevant to resolution 1540:</p> <p>1997 International Convention for the Suppression of Terrorist Bombings</p> <p>1999 International Convention for the Suppression of the Financing of Terrorism</p> <p>2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation</p> <p>2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf</p> <p>2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation</p> <p>Convention to Ban the Importation Into Forum Islands Countries of Hazardous and Radioactive Wastes and to Control the Transboundary Movement and Management of Hazardous Wastes within the South Pacific Region ( Waigani Convention)</p>	
11	International Atomic Energy Agency (IAEA)	X	Since 2 November 2012	
12	Hague Code of Conduct (HCOC)	X	Subscribed 22 April 2003	
13	Other Arrangements	X	Member of the Proliferation Security Initiative (PSI)	
14	General statement on non-possession of WMD	X	State reported that it does not possess, manufacture or trade in nuclear, chemical and biological weapons	
15	General statement on commitment to disarmament and non-proliferation	X	State reported that it supports prohibition, destruction and elimination of weapons of mass destruction;...opposes proliferation of such weapons and their means of delivery;...supports all international initiatives and arrangements with objective of suppression of...proliferation	
16	General statement on non-provision of WMD and related materials to non-State actors	X	State reported that it does not support or provide any form of assistance to non-State actors to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery	

17	Other <sup>1</sup>	X	<p>Asia/Pacific Group on Money Laundering (APG)</p> <p>INTERPOL</p> <p>World Health Organization (WHO)</p> <p>World Organisation for Animal Health (OIE)</p> <p>International Maritime Organization (IMO)</p> <p>Pacific Island Forum (PIF)</p> <p>Oceania Customs Organisation (OCO)</p> <p>Egmont Group (of FIUs)</p> <p>World Customs Organization (WCO) and its Framework of Standards to Secure and Facilitate Global Trade (SAFE) Programme</p> <p>Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and of the European Community and its Member States (Cotonou Agreement)</p>	
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1. Including, as appropriate, information with regard to membership in relevant international, regional or sub-regional organizations.

## OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

Does national legislation exist which prohibits persons or entities to engage in one of the following activities? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document of national implementation law	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture/produce	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Sections 2, 3, 10  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
2	acquire	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 15  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
3	possess	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Sections 4, 10  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
4	stockpile/store	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 10  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	

5	develop		X		<b>CW:</b> Chemical Weapons Convention Act 2005, Section 9		X		<b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
6	transport	?	?	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 22	?	?	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51- 53 and Schedule	
7	transfer	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 10 (sell)  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51- 53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
8	use	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 4  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9 Crimes Decree 2009, sections 260, 262, 270 regarding poison  <b>BW:</b> Crimes Decree 2009, Sections 260, 262 regarding noxious thing, 371 spreading infectious disease to animals	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51- 53 and Schedule  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10 Crimes Decree 2009, sections 260, 262, 270 regarding poison  <b>BW:</b> Crimes Decree 2009, Sections 260, 262 regarding noxious thing, 371 spreading infectious disease to animals	
9	participate as an accomplice in abovementioned activities	?	X	?	<b>NW/CW/BW:</b> Crimes Decree 2009, Section 45  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 9	?	?	?	<b>NW/CW/BW:</b> Crimes Decree 2009, Section 45  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
10	assist in abovementioned activities	?	X	?	<b>NW/CW/BW:</b> Crimes Decree 2009, Section 45  <b>CW:</b> Chemical Weapons Convention Act 2005,	?	X	?	<b>NW/CW/BW:</b> Crimes Decree 2009, Section 45  <b>CW:</b> Chemical Weapons Convention Act 2005,	

					Section 9				Sections 9-10	
11	finance abovementioned activities	X	X	X	<b>NW/CW/BW:</b> Financial Transactions Reporting Act No. 22, 2004 Financial Transactions Reporting Regulations of 2007	X	X	X	<b>NW/CW/BW:</b> Financial Transactions Reporting Act No. 22, 2004 - Financial Intelligence Unit under the FTR since 2006 (FIU previously interim since 2003) Financial Transactions Reporting Regulations of 2007	
12	abovementioned activities related to means of delivery <sup>2</sup>									
13	involvement of non-State actors in abovementioned activities	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003  <b>CW:</b> Chemical Weapons Convention Act 2005	?	X	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 9-10	
14	Other	X	X	X	<b>NW/CW/BW:</b> A Counter-Terrorism and Trans-national Organized Crime Model Bill under consideration contains a number of offences relevant to res. 1540; the term “weapon” in the Bill includes firearms, chemical, biological or nuclear weapons. The Bill also contains proposed offences of unauthorized import/export or transportation of nuclear material, as well as on receiving, possessing, using, transferring ...dispersing, stealing nuclear material to cause death or serious injury...	X	X	X	<b>NW/CW/BW:</b> 2006 interagency Counter-Terrorism Officials Group (CTOG) meets regularly as coordinating body for CT activities, including issues as relevant to 1540. A Counter-Terrorism and Trans-national Organized Crime Model Bill under consideration contains a number of offences relevant to res. 1540; the term “weapon” in the Bill includes firearms, chemical, biological or nuclear weapons.	

2. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons, that are specially designed for such use.

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials<sup>3</sup>**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties and others				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W*		N W	C W	B W		
1	Measures to account for production	X	X	X	<b>NW:</b> INFCIRC/192  <b>CW/BW:</b> Environment Management Act of 2005, Section 35  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 10	?	X	X	<b>NW:</b> Radiation Health Decree 2009 contains penalties in each appropriate section; Sections 103-104 establish Radiation Health Board  <b>CW/BW:</b> Environment Management Act of 2005, Sections 36-38, 45-47  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 9-10	
2	Measures to account for use	X	X	?	<b>NW:</b> INFCIRC/192 Radiation Health Decree 2009: Sections 9-10 require licenses for possession and use  <b>CW/BW:</b> Environment Management Act of 2005, Section 35  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 10  <b>BW:</b> Biosecurity Promulgation 2008, Section 66 (internal control survey); 76 authorised release of biocontrol agents	X	X	?	<b>NW:</b> Radiation Health Decree 2009 contains penalties in each appropriate section; Sections 103-104 establish Radiation Health Board  <b>CW/BW:</b> Environment Management Act of 2005, Sections 36-38, 45-47  <b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 9-10  <b>BW:</b> Biosecurity Promulgation 2008, Sections 67-70, 71 offence and penalty	

3	Measures to account for storage	X	X	?	<p><b>NW:</b> INFCIRC/192 Radiation Health Decree 2009: Sections 14, 51 and 130 require licenses for storage Sea Ports Management Regulations of 2008, Section 87</p> <p><b>CW/BW:</b> Environment Management Act of 2005, Section 35</p> <p><b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 10</p>	X	X	?	<p><b>NW:</b> Radiation Health Decree 2009: penalties in each appropriate section; Sections 103-104 establish Radiation Health Board Sea Ports Management Regulations of 2008, penalties: Section 118 and Schedule</p> <p><b>CW/BW:</b> Environment Management Act of 2005, Sections 36-38, 45-47</p> <p><b>CW:</b> Chemical Weapons Convention Act 2005, Sections 5-7 and 9-10</p>	
4	Measures to account for transport	X			<p><b>NW:</b> Radiation Health Decree 2009: Sections 10-11 licenses for transport</p>	?			<p><b>NW:</b> Radiation Health Decree 2009: Contains penalties in each appropriate section</p>	
5	Other measures for accounting			X	<p><b>BW:</b> Biosecurity Promulgation 2008, Section 81: biosecurity records and register</p>			X	<p><b>BW:</b> Biosecurity Promulgation 2008, Section 89: Minister in consultation with Ministers of foreign affairs and trade may with approval of Cabinet enter into bilateral or multilateral international cooperation agreements with countries or IOs for effective international control in biosecurity matters. Authority in that context may exchange information and contribute to development of international (phyto) sanitary standards.</p>	
6	Measures to secure production	?			<p><b>NW:</b> Radiation Health Decree 2009, Sections 24-30: Radiation Safety and Protection Plans</p>	?			<p><b>NW:</b> Radiation Health Decree 2009: penalties in each appropriate section; Sections 103-104, which establish the Radiation Health Board</p>	
7	Measures to secure use	X			<p><b>NW:</b> Radiation Health Decree 2009, Sections 24-30: Radiation Safety and Protection Plans</p>	X			<p><b>NW:</b> Radiation Health Decree 2009: penalties in each appropriate section; Sections 103-104, which establish the Radiation Health Board</p>	
8	Measures to secure storage	X	X	X	<p><b>NW/CW/BW:</b> IMO ISPS Code implementation</p>	X	X	X	<p><b>NW/CW/BW:</b> IMO ISPS Code implementation</p>	



					<b>NW:</b> Radiation Health Decree 2009, Sections 24-30: Radiation Safety and Protection Plans  <b>CW/BW:</b> Arms and Ammunition Act 2003, Section 13, 37				<b>NW:</b> Radiation Health Decree 2009: penalties in each appropriate section; Sections 103-104, which establish the Radiation Health Board  <b>CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule	
9	Measures to secure transport	X	?	?	<b>NW/CW/BW:</b> IMO ISPS Code implementation  <b>NW:</b> Radiation Health Decree 2009, Sections 24-30: Radiation Safety and Protection Plans	X	?	?	<b>NW/CW/BW:</b> IMO ISPS Code implementation  <b>NW:</b> Radiation Health Decree 2009, contains penalties in each appropriate section	
10	Other measures for securing									
11	Regulations for physical protection of facilities/ materials/ transports	?	?	?	<b>NW/CW/BW:</b> Sea Ports Management Regulations of 2008, Sections 64-66	?	?	?	<b>NW/CW/BW:</b> IMO ISPS Code implementation National Civil Aviation Security Program Sea Ports Management Regulations of 2008, penalties: Section 118 and Schedule	
12	Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials	X	X	X	<b>NW/CW/BW:</b> Environment Management Act of 2005, Section 35  <b>NW:</b> Ionizing Radiations Act  <b>BW:</b> Biosecurity Promulgation 2008, Section 81 – register	X	X	X	<b>NW/CW/BW:</b> Environment Management Act of 2005, Sections 14: Waste and Pollution Control Administrator, 36-38, 45-47  <b>NW:</b> Ionizing Radiations Act: Permanent Secretary for Health	
13	Reliability check of personnel	?		X	<b>NW:</b> Radiation Health Decree 2009: access  <b>BW:</b> Biosecurity Promulgation 2008, Section	?		X	<b>NW:</b> Radiation Health Decree 2009: Radiation Health Board  <b>BW:</b> Biosecurity Promulgation 2008, Section	

				81(5)(b) in register			81(5)(b) register maintained by Biosecurity Authority	
14	Measures to account for/secure/ physically protect means of delivery							

3. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

\* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument) )

**OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials (NW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National regulatory authority	X	Radiation Health Decree 2009	X	Radiation Health Decree 2009, Sections 103-104, to establish Radiation Health Board	
2	IAEA Safeguards Agreements	X	Safeguards Agreement, in force 22 March 1973 (INFCIRC/192) Additional Protocol, in force 14 July 2006	X	Safeguards Agreement, in force 22 March 1973 (INFCIRC/192) Additional Protocol, in force 14 July 2006	
3	IAEA Code of Conduct on Safety and Security of Radioactive Sources					
4	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources					
5	IAEA Incident and Trafficking Database					
6	Other Agreements related to IAEA					
7	Additional national legislation/regulations related to nuclear materials including CPPNM					
8	Other	X	Environment Management Act 2005, Part 5, 35	X	National Civil Aviation Security Program	

**OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials (CW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	National CWC authority	X	Chemical Weapons Convention Act 2005, Section 5	X	Ministry of Home Affairs and Immigration	
2	Reporting Schedule I, II and III chemicals to OPCW	X	Chemical Weapons Convention Act 2005, Section 5	X	Chemical Weapons Convention Act 2005, Section 5: National Authority to make notifications and declarations	
3	Account for, secure or physically protect "old chemical weapons"					
4	Other legislation/ regulations controlling chemical materials					
5	Other	?	Cabinet has approved the review of the Pharmacy and Poisons Act of 1938 (Cap 115) to regulate Internet Dispensing, regarding risk of unapproved drugs, etc, (release 22/2/10)	X	National Civil Aviation Security Program	

**OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials (BW specific)**

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized?		National legal framework		Enforcement: civil/criminal penalties and others		Remarks
		YES	if YES, source document	YES	if YES, source document	
1	Regulations for genetic engineering work					
2	Other legislation/ regulations related to safety and security of biological materials					
3	Other	X	Biosecurity Promulgation 2008, Section 107: repeals Animals Importation Act, Animals (Contagious Diseases) Act and Plant Quarantine Act 1982; Explanatory Memorandum indicates general effect to significantly update animal and plant quarantine legislation and related management of biosecurity risks at the border and other measures Cabinet has approved the review of the current Pharmacy and Poisons Act (Cap 115) to regulate Internet Dispensing, regarding risk of unapproved drugs, etc, (22 February 10)	X	Ministry of Agriculture, Sugar & Land Resettlement serves as the WTO contact point for Sanitary and Phytosanitary measures IMO ISPS Code implementation National Civil Aviation Security Program	

# OP 3 (c) and (d) and related matters from OP 6 and OP 10 - Controls of NW, CW and BW, including Related Materials

Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW, CW, BW and Related Materials? Can violators be penalized?		National legal framework				Enforcement: civil/criminal penalties, and measures of implementation, etc				Remarks
		YES			if YES, source document	YES			if YES, source document	
		N W	C W	B W		N W	C W	B W		
1	Border control	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended to 2010 Customs (Prohibited Imports and Exports) Regulations 1986, as amended to 2010 Fiji Islands Revenue and Customs Authority (FIRCA) Act 1998 amended to 2010 Marine Spaces Act 1978, Section 32 inter alia Sea Ports Management Act of 2005 Sea Ports Management Regulations of 2008  <b>BW:</b> Biosecurity Promulgation 2008, Section 18: Minister may by order designate biosecurity points of entry	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended to 2010, borders points under Customs control Sea Carriage of Goods Act 1928: Schedule Article IV, 6 (dangerous goods) Marine Spaces Act 1978, Section 38 Fiji Islands Revenue and Customs Authority (FIRCA), Customs Division, Border Control Division Sea Ports Management Act 2005, Sections 34-40; creates Fiji Ports Corporation owned by government; conducts security risk assessment of ports of entry Sea Ports Management Regulations of 2008  <b>BW:</b> Biosecurity Promulgation 2008, Section 18: offence	
2	Technical support of border control measures					X	X	X	<b>NW/CW/BW:</b> Biosecurity Authority / Quarantine & Inspection Division: x-ray machines screen all international mail sent to Fiji, and luggage CCTV at Port of Suva ASYCUDA++	
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and	?	?	?	<b>NW/CW/BW:</b> Arms and Ammunition Act of 2003, Sections 10 and 23	?	?	?	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Sections 51-53 and Schedule Commissioner of Police	

	technology									
4	Enforcement agencies/authorities	X	X	X	<b>NW/CW/BW:</b> Fiji Islands Revenue and Customs Authority (FIRCA) Act 1998 amended to 2010 Combined Law Agency Group (CLAG) and National Border Security Committee (BSE) both inter-departmental and (to) meet regularly to discuss policy and operational issues related to border security.  <b>BW:</b> Biosecurity Promulgation 2008, Part 2, Sections 8-13	X	X	X	<b>NW/CW/BW:</b> Fiji Islands Revenue and Customs Authority (FIRCA), Customs Division, Border Control Division, including a Customs Marine Unit Combined Law Agency Group (CLAG) and National Border Security Committee (BSE) both inter-departmental and (to) meet regularly to discuss policy and operational issues related to border security.  <b>BW:</b> Biosecurity Promulgation 2008, BioSecurity Authority to carry out activities of Quarantine & Inspection Division (Ministry of Agriculture and Primary Industries (MAPI)), responsible for administering Fiji's biosecurity system	
5	Export control legislation in place	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended to 2010 Customs (Prohibited Imports and Exports) Regulations 1986, as amended to 2010 Arms and Ammunition Act of 2003, Section 19  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14 Health and Safety at Work Act 1996  <b>BW:</b> Biosecurity Promulgation 2008. Part 6, Section 44: Authority may specify biosecurity measures in addition to biosecurity certification requirements of receiving country prior to export; 46: biosecurity export clearance required if an intended export requires (phyto)sanitary certificate for importing country or biosecurity measures applied under Section 44(2) regarding international agreements specifications.	X	X	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Sections 24: Minister may prohibit through Gazette; 51-53 Minister and Commissioner of Police  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14 Health and Safety at Work Act 1996  <b>BW:</b> Biosecurity Promulgation 2008, Part 6, Sections 42: offence to export without a biosecurity export clearance; 44: Authority may specify biosecurity measures in addition to biosecurity certification requirements of receiving country prior to export	
6	Licensing provisions	?	X	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003	?	X	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003	

					<b>NW:</b> Radiation Health Decree 2009 Part 2  <b>CW:</b> Chemical Weapons Convention Act 2005, Article 9  <b>BW:</b> Biosecurity Promulgation 2008, Sections 32, 34, 35 regarding import clearance; 44, 43, 45, 46: biosecurity export clearance required if an intended export requires (phyto)sanitary certificate for importing country or biosecurity measures applied under Section 44(2) regarding international agreements specifications.				<b>NW:</b> Radiation Health Decree 2009 Part 2  <b>CW:</b> Chemical Weapons Convention Act 2005, Article 9  <b>BW:</b> Biosecurity Promulgation 2008, Section 42: offence if no clearance for item requiring biosecurity export clearance; Schedule 5: penalties.	
7	Individual licensing	?	X	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003  <b>NW:</b> Radiation Health Decree 2009 Part 2  <b>CW:</b> Chemical Weapons Convention Act 2005, Article 9  <b>BW:</b> Biosecurity Promulgation 2008, Sections 32, 34, 35 regarding import clearance; 44, 43, 45, 46: biosecurity export clearance required if an intended export requires (phyto)sanitary certificate for importing country or biosecurity measures applied under Section 44(2) regarding international agreements specifications.	?	X	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule  <b>NW:</b> Radiation Health Decree 2009 Part 2  <b>CW:</b> Chemical Weapons Convention Act 2005, Article 9  <b>BW:</b> Biosecurity Promulgation 2008, Section 42: offence if no clearance for item requiring biosecurity export clearance; Schedule 5: penalties.	
8	General licensing									
9	Exceptions from licensing	?	?	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003 Part 3 Art. 5	?	?	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51-53 and Schedule	



				<b>BW:</b> Biosecurity Promulgation 2008, Section 38: exemption from biosecurity import specifications or requirement for an import permit under this section are not exempt from requirement for biosecurity import clearance				<b>BW:</b> Biosecurity Promulgation 2008, Section 38: exemption from biosecurity import specifications or requirement for an import permit under this section are not exempt from requirement for biosecurity import clearance	
10	Licensing of deemed export/visa								
11	National licensing authority	?	?	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003 Part 3 Art. 6  <b>BW:</b> Biosecurity Promulgation 2008, Section 8	?	?	X	<b>NW/CW/BW:</b> Arms and Ammunition Act 2003, Section 51- 53 and Schedule  <b>BW:</b> Biosecurity Promulgation 2008, Sections 8 establishes Biosecurity Authority
12	Interagency review for licenses								
13	Control lists		X		<b>CW:</b> Chemical Weapons Convention Act 2005, Schedule		X		<b>CW:</b> Chemical Weapons Convention Act 2005, Article 9
14	Updating of lists								
15	Inclusion of technologies								
16	Inclusion of means of delivery								
17	End-user controls		X	?	<b>CW:</b> Chemical Weapons Convention Act 2005, Section 9  <b>BW:</b> Biosecurity Promulgation 2008, Section 44: Authority may specify biosecurity measures in addition to biosecurity certification requirements of receiving country prior to export; 46: biosecurity export clearance		X	?	<b>CW:</b> Arms and Ammunition Act 2003, Sections 51- 53 Chemical Weapons Convention Act 2005, Section 9  <b>BW:</b> Biosecurity Promulgation 2008, Section 44: Authority may specify biosecurity measures in addition to biosecurity certification requirements of receiving country prior to export; 46: biosecurity export clearance

					required if an intended export requires (phyto)sanitary certificate for importing country or biosecurity measures applied under Section 44(2) regarding bilateral agreements specifications.				required if an intended export requires (phyto)sanitary certificate for importing country or biosecurity measures applied under Section 44(2) regarding bilateral agreements specifications.	
18	Catch all clause									
19	Intangible transfers									
20	Transit control	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010 Customs (Prohibited Imports and Exports) Regulations, as amended 2010 Arms and Ammunition Act 2003, Section 22  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14  <b>BW:</b> Biosecurity Promulgation 2008, Section 40	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010  <b>CW/BW:</b> Customs (Prohibited Imports and Exports) Regulations, as amended 2010 Arms and Ammunition Act 2003, Sections 51-53  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14  <b>BW:</b> Biosecurity Promulgation 2008, Section 40 offence and Schedule 5 penalties	
21	Trans-shipment control	?	X	?	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010 Customs (Prohibited Imports and Exports) Regulations 1986, as amended 2010  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14	?	X	?	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010  <b>NW/CW:</b> Customs (Prohibited Imports and Exports) Regulations 1986, as amended 2010  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14	

22	Re-export control								
23	Control of providing funds	?	?	?	<b>NW/CW/BW:</b> Financial Transactions Reporting Act (FTR Act) 2004, revises Proceeds of Crime Act 1998	?	?	?	<b>NW/CW/BW:</b> Financial Transactions Reporting Act (FTR Act) 2004, revises Proceeds of Crime Act 1998 Financial Intelligence Unit
24	Control of providing transport services								
25	Control of importation	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010 Customs (Prohibited Imports and Exports) Regulations, as amended 2010 ?(N)3. Arms and Ammunition Act 2003, Section 19  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14 Health and Safety at Work Act 1996  <b>BW:</b> Biosecurity Promulgation 2008 Sections 16, 17, 33, 34, 35, 81	X	X	X	<b>NW/CW/BW:</b> Customs Act of 1986, as amended 2010 Customs (Prohibited Imports and Exports) Regulations, as amended 2010 ?(N)3. Arms and Ammunition Act 2003, Sections 51-53  <b>CW:</b> Chemical Weapons Convention Act 2005, Section 14 Health and Safety at Work Act 1996  <b>BW:</b> Biosecurity Promulgation 2008. Biosecurity Authority, Sections 16, 17, 33, 34, 81 (register to include prohibited imports); 91-97 and Schedule 5: offences and penalties
26	Extraterritorial applicability		X		<b>CW:</b> CWC Act 2005, Section 3: applies to Fijians extraterritorially and to the Exclusive Economic Zone		X		<b>CW:</b> CWC Act 2005, Section 3: applies to Fijians extraterritorially and to the Exclusive Economic Zone
27	Other	X	X	X	<b>NW:</b> A Counter-Terrorism and Trans-national Organized Crime Model Bill under consideration contains a number of offences relevant to res. 1540, including proposed offence of unauthorised import/export or transportation of nuclear material  <b>NW/CW:</b> Marine Spaces Act 1978	X	X	X	<b>NW/CW/BW:</b> Customs Service is a member of CAPERS and SPLEXNET information sharing networks.  <b>NW/CW:</b> Combined Law Agency Group (CLAG) and National Border Security Committee (BSE)

				<p><b>CW:</b> Combined Law Agency Group (CLAG) and National Border Security Committee (BSE) both inter-departmental and (to) meet regularly to discuss policy and operational issues related to border security.</p> <p><b>BW:</b> Biosecurity Promulgation 2008, Section 107: repeals Animals Importation Act, Animals (Contagious Diseases) Act and Plant Quarantine Act 1982; Explanatory Memorandum indicates general effect to significantly update animal and plant quarantine legislation and related management of biosecurity risks at the border and other measures. Cabinet approved Marine (Amendment) Decree 2010, Sea Port Management (Amendment) Decree 2010, Declaration of Pilotage Areas (Amendment) Order 2010, and Marine (STCW Convention) (Amendment) regulations 2010</p>		<p>both inter-departmental and (to) meet regularly to discuss policy and operational issues related to border security. Implementation of ISPS Code</p> <p><b>BW:</b> Changes in port security pursuant to IMO requirements FIRCA intends to get more machines to scan imports and exports related to UNSC resolutions National Border Security Committee and four regional committees meet regularly Combined Law Agency Group (CLAG) to be reformed to provide regular inter-agency forum for coordination of policy and operational activities for law enforcement and border-security agencies, including on issues relevant to res. 1540.</p>	
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## OP 6, 7 and 8 (d) - Control lists, Assistance, Information

Can information be provided on the following issues?		YES		Remarks
1	Control lists - items (goods/ equipment/ materials/ technologies)			
2	Control lists - other			
3	Assistance offered	X	With technical and financial assistance, Fiji would be a leading advocate of Res. 1540 in the region and assist neighbours in implementing the resolution	
4	Assistance requested	X	Drafting of legislation and development of a regulatory infrastructure; Development of the national controlled goods regime; Capacity-building including training for border security and related agencies; Strengthening of institutions; WCO assessment / diagnostic mission to identify possible future assistance needs in the area of border security.  Provision of any other appropriate resources (financial, technical or otherwise) deemed necessary for fulfilling UNSCR 1540 obligations.	
5	Point of Contact for assistance			
6	Assistance in place (bilateral/multilateral)	X	Fiji participated in dedicated sub-regional OCO-OPCW training course for customs authorities and representatives of National Authorities from Pacific Islands States on Technical Aspects of the Transfers' regime of the Chemical Weapons Convention; Nadi, Fiji, 30 June -2 July 2010 WCO Columbus assistance programme, phase 2 - Implementation, started (diagnostic mission completed) Workshop on Radiological Material Security and Safety in the Pacific, organized by Government of New Zealand, 28 April 2009, Port-Vila, Vanuatu Australian Government in 2007 sponsored non-proliferation workshop to which relevant agencies including private and public sectors participated; workshop was follow-up to IAEA Workshop held in Sydney, 2006. Fiji has received IAEA assistance in the area of nuclear security. UNODC/TPB-PIF: 2007-2009, sub-regional workshops on Counter-terrorism, Legislative Implementation	
7	Work with and inform industry	X	Committed to maintaining transparent work relationship with all sectors of the economy, including the private sector, civil society and the public; the CTOG, Combined Law Agency Group (CLAG) and National Border Security Committee are represented by government bodies that also have similar relationship; consultations with all relevant government agencies, civil society and the public held prior to treaty ratification or drafting of legislation or policy.	

			Quarantine Awareness	
8	Work with and inform the public	X	Committed to maintaining transparent work relationship with all sectors of the economy, including the private sector, civil society and the public; the CTOG, Combined Law Agency Group (CLAG) and National Border Security Committee are represented by government bodies that also have similar relationship; consultations with all relevant government agencies, civil society and the public held prior to treaty ratification or drafting of legislation or policy. Quarantine Awareness	
9	Point of Contact			
10	Other <sup>4</sup>			

4. Information may include references to voluntary implementation national action plan and visits to States, at their invitation, by the 1540 Committee.