



## Doing Business in Fiji: 2013 Country

### Commercial Guide for U.S. Companies

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## Chapter 1: Doing Business In Fiji

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### Market Overview

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#### Major Trends and Outlook

- The Fiji government forecasts a 2.7 percent growth in 2013, following an estimated growth of 2.5 percent in 2012. The manufacturing, financial intermediation, wholesale and retail, fishing, public administration and defense, and construction sectors were the main drivers of growth in 2012. Severe flooding in early 2012 caused extensive damage to crops and infrastructure. Despite the government's investment in the sugar industry and improvements in mill efficiency, production remains low. The sugar industry remains the largest employer and was once the largest foreign exchange earner. Investor confidence also remains low. The government's GDP forecast in 2013 is \$2.64 billion (F\$4.68 billion). Inflation was at 3.2 percent in January 2013.
- Fiji's trade imbalance continues to deteriorate. Mineral fuels continue to be the country's largest import. Other major imports include machinery, transport equipment, food and manufactured goods. Major exports include sugar, fish, gold, mineral water and garments. Foreign reserves were around \$822.7 million (F\$1.46 billion) by April 2013, sufficient to cover 4.2 months of goods imports.
- Trade between the U.S. and Fiji improved in 2012, with combined trade increasing by 40 percent. According to U.S. Department of Commerce statistics, U.S. exports to Fiji amounted to \$55.56 million, compared to \$42.62 million in 2011. U.S. imports from Fiji also increased to \$188.67 million, compared to \$131.53 million in 2011. The main products imported to the U.S. from Fiji include mineral water, tuna and sugar. U.S. exports to Fiji are mainly aircraft engines, equipment and parts, medical and pharmaceutical preparations, soya beans, telecommunications equipment, and toiletries and cosmetics.

#### Principal Growth Sectors

- The tourism sector remains Fiji's principal economic driver and major source of foreign exchange. The industry contributes an estimated 30 percent of GDP. Visitor arrivals totaled 660,590, a 2.1 percent decrease compared to 2011 due to extreme weather.
- Growth in 2013 is expected to be driven largely by the manufacturing and financial intermediation sectors.

## Government Role in the Economy

- In 2013, the government's projected gross deficit is \$244.82 million (F\$398.97), equivalent to 2.8 percent of GDP. The revenue forecast for 2013 is \$1.19 billion (F\$2.11 billion), with expenditure estimated at \$1.31 billion (F\$2.33 billion).
- Fiji's government controls essential public utilities (water and sewerage), power generation and supply, port management, and ship building. The government is committed to continued structural reforms, including the sale and reform of a number of these public entities.
- In its 2013 Budget, the government allocated \$407 million (F\$722.7 million), around 32 percent of its total expenditure, on capital works. Investment in road infrastructure alone total an estimated \$222.6 million (F\$395.1 million).
- Infrastructure support is fairly reliable in Fiji. There are numerous air and sea connections to the United States, Asia, and the Pacific Region, as well as local air and sea transport to all major centers on the larger islands in the country. Given Fiji's heavy reliance on diesel fuel, the Fiji authorities continue to explore renewable energy alternatives, such as hydro, solar and wind power.
- Domestic and international telecommunication links are relatively reliable. Other service infrastructure, such as insurance, banking, accounting, local transport, investment finance and real estate, are available in urban centers.

## Market Challenges

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Some of the common market challenges experienced in doing business in Fiji include:

- Government-directed reductions in capital borrowing by non-residents;
- Time differences between the United States and Fiji;
- Slow and often inefficient processing of government approvals;
- Poor infrastructure in rural areas;
- Relatively high costs of utilities, especially power and communication; and
- Small population base.

## Market Opportunities

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Hospitality industry supplies and services; consumer goods; agricultural and food processing machinery; data processing and telecommunication equipment; power generation, transmission and distribution equipment; offshore and "back office" data processing; medical services.

To successfully enter the Fiji market, it is essential that American firms have local market expertise. American firms often work with an appropriate business partner in the local market and provide on-going support to ensure an amicable long-term relationship.

- The majority of Fiji's business community is of Indian ethnicity; however, the number of indigenous Fijian businesspersons is growing. While English is widely spoken in Fiji, the cultural and ethnic differences between the United States and Fiji should not be overlooked.
- As Australia and New Zealand companies dominate the local business scene and have a long standing relationship with local companies, American companies need to be prepared to be able to match strong competition from Australia and New Zealand.
- It is highly recommended that due diligence be undertaken prior to entering any contract or making any long-term commitment.

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## COUNTRY FACT SHEET: FIJI

### PROFILE

Population in 2011 (Millions): 1  
 Capital: Suva  
 Government: n/a

### ECONOMY

	2009	2010	2011
Nominal GDP (Current Billions \$U.S.)	2.9	3.2	3.8
Nominal GDP Per Capita (Current \$US)	3,262	3,565	4,244
Real GDP Growth Rate (% change)	-1.3	-0.17	2.1
Real GDP Growth Rate Per Capita (% change)	-2.0	-0.91	1.6
Consumer Prices (% change)	3.7	5.5	8.7
Unemployment (% of labor force)	7.0	7.0	7.0
Economic Mix in 2010: 19.8% All Industries; 15.1% Manufactures; 68.6% Services; 12.1% Agriculture			

### FOREIGN MERCHANDISE TRADE (\$US Millions)

	2009	2010	2011
Fiji Exports to World	629	847	0
Fiji Imports from World	1,437	1,821	0
U.S. Exports to Fiji	31.2	44.0	42.6
U.S. Imports from Fiji	144	179	132
U.S. Trade Balance with Fiji	-113	-135	-88.9
<b>Position in U.S. Trade:</b>			
Rank of Fiji in U.S. Exports	176	166	176
Rank of Fiji in U.S. Imports	111	113	122
Fiji Share (%) of U.S. Exports	0	0	0
Fiji Share (%) of U.S. Imports	0.01	0.01	0.01

#### Principal U.S. Exports to Fiji in 2011:

1. Special Classification Provisions, Nesoi (22.4%)
2. Transportation Equipment (20.5%)
3. Food & Kindred Products (12.4%)
4. Computer & Electronic Products (11.7%)
5. Machinery, Except Electrical (8.4%)

#### Principal U.S. Imports from Fiji in 2011:

1. Beverages & Tobacco Products (48.1%)
2. Food & Kindred Products (32.1%)
3. Fish, Fresh/Chilled/Frozen & Other Marine Products (9.2%)
4. Wood Products (3%)
5. Agricultural Products (2.3%)

### FOREIGN DIRECT INVESTMENT

	2009	2010	2011
U.S. FDI in Fiji (US \$Millions)	38	31	
FDI in U.S. by Fiji (US \$Millions)			

### DOING BUSINESS/ECONOMIC FREEDOM RANKINGS

World Bank Doing Business in 2012 Rank: 60 of 185  
 Heritage/WSJ 2012 Index of Freedom Rank: 105 of 179

Source: Created by USDOC/ITA/OTII-TPIS from many sources: FDI from USDOC, Bureau of Economic Analysis. US Trade from USDOC, Census Bureau, Foreign Trade Division. Fiji Trade with World from United Nations where available. National Macroeconomic data from IMF/World Bank databases including World Economic Outlook and World Development Indicators. WORLD and other country aggregates are summaries of available UN COMTRADE, IMF and other data, and coverage varies over time and by source, but typically represents greater than 85 percent of world trade and production. Note: Principal U.S. Exports and Imports Are 3-digit NAICS Categories.

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## **Chapter 2: Political and Economic Environment**

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/index.htm>

<http://www.state.gov/r/pa/ei/bgn/1834.htm>

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## Chapter 3: Selling U.S. Products and Services

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### Using an Agent or Distributor

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Some local companies are interested in establishing agent or distributor arrangements with foreign companies.

The General Contract Law governs agreements between foreign suppliers and local agents and distributors. It establishes a buyer-seller relationship under a sale of goods contract between the two parties. It is the responsibility of the local agent or distributor to apply for necessary licenses and import permits.

New market entrants should seek an established agent/distributor with good local contacts, market expertise, and technical know-how. U.S. exporters must often provide training, marketing and technical support. Frequent contact with local representatives is critical, especially at the outset, in order to build a good working relationship based on shared values and objectives, and to ensure there are no misunderstandings or communication problems.

The Commercial Section at the U.S. Embassy in Suva can provide valuable assistance in locating potential representatives and acquiring preliminary market data. The staff can also help companies identify agents and distributors.

### Establishing an Office

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The primary forms of business organizations in Fiji are: companies, including branch offices; joint ventures; partnerships; and trading trusts.

U.S. firms may elect either to incorporate a subsidiary or establish a branch office by registering itself as a foreign company. Both approaches are regulated under Fiji's Company Law. U.S. firms may wish to enter into joint-venture arrangements with one or more parties on an unincorporated or incorporated basis.

Contact: Investment Fiji, Chief Executive, P.O. Box 2303, Government Buildings Suva, Telephone: (679) 3315-988, Fax: (679) 3301-783, Email [info@investmentfiji.org.fj](mailto:info@investmentfiji.org.fj), Website <http://www.investmentfiji.org.fj>

## **Franchising**

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There are no restrictions placed by the Fiji government on franchising arrangements. U.S. firms operating in Fiji under franchise agreements include McDonalds, Coca-Cola, and Johnson & Johnson. The small market size imposes some limitations in Fiji, but many companies use Fiji as an export base to other Pacific Island countries.

## **Direct Marketing**

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Direct marketing is used widely in the sale of cosmetics, health products, cleaning and household consumer goods, electrical appliances, and in service businesses. Major U.S. brands in Fiji are General Mills, Tupperware, Amway, Nu-Skin and Avon.

## **Joint Ventures/Licensing**

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The Fiji Government through Investment Fiji encourages joint ventures in Fiji to stimulate local entrepreneurship and the transfer of technical know-how and skills. Joint ventures and licensing agreements are important market entry strategies for American exporters. Joint-venture partnerships offering technology transfer, specialized expertise, and training opportunities are effective mechanisms to reduce costs. Some Fiji firms are actively seeking American joint-venture partners who can provide much needed capital, as well as technical, marketing and management skills, to a business relationship. Fiji firms generally offer assets, local vendor and government contacts, and established business relationships throughout the Pacific region. The Commercial Section at the U.S. Embassy in Suva can provide assistance in locating potential joint-venture partners for American companies.

## **Selling to the Government**

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All requests for proposals and tenders are offered in newspapers and in government publications. Multilateral lending institutions, such as the ADB and World Bank, also sometimes sponsor projects, all open to U.S. bidders.

## **Distribution and Sales Channels**

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Two major channels of distribution are available to U.S. exporters. The first is via large, well-established trading companies with strong financial resources and sales volumes, as well as an extensive presence in many industrial sectors. In many cases, these large traders form marketing or production joint ventures with foreign firms when demand volumes are sufficient to justify local investment. In highly specialized markets, these companies rely on agents who have appropriate contacts or expertise.

The second available channel is through small importers. These importers generally specialize in one line of business where they have proven networks and market know-how.

It is advisable for U.S. companies to perform careful due diligence to assure that a potential agent or distributor is financially healthy and able to fulfill obligations.

### **Selling Factors/Techniques**

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To differentiate themselves from local and third-country competitors, U.S. firms should emphasize their strengths in quality, innovation, technology, and customer service. Fijians have come to expect more and better styles and designs, regular product upgrades, and updated technology from U.S. companies and will often choose U.S. products and services on the basis of "value for money," not just on the basis of cost. Training is an effective means to make potential customers aware of the quality of products and services.

### **Electronic Commerce**

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Despite the development of the country's ITC infrastructure, increased access to the Internet and lowered costs, electronic commerce still has a limited market reach. However, recent notable developments in the consumer to business market segment include the growing popularity of electronic commerce for bill payments through the commercial banks and the newly introduced ticketing systems on public bus services.

### **Trade Promotion and Advertising**

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The majority of Fijians receive information from radio and television. Advertising and trade promotions are important marketing tools in Fiji. In particular, foodstuffs and consumer products should be promoted heavily via a full range of mass media.

There are three commercial free to air stations which companies can promote and advertise their products and services on – Fiji TV, Mai TV, and newcomer FBC TV. There are two major English-language newspapers, "The Fiji Times," and "The Fiji Sun," which largely cater to an urban readership. The Fijian language newspaper "Nai Lalakai" and "Volasiga" can be used for marketing to the Fijian sector of the population, and the Indian-language newspaper "Shanti Dut" for Indo-Fijians.

Companies in Fiji also use two business monthly magazines, "Pacific Business" and "Islands Business" for advertising. There are a few lifestyle magazines including Marama, Turaga, and Living Pacific, which also accept paid advertisements.

Special promotional campaigns are frequently conducted at local shopping centers, hotels, and convention halls. Movie theaters and television are also means of reaching the public. It is advisable to translate all product literature and technical specifications into Fijian and/or Hindustani, Fiji's other two main vernacular languages.

There are two major trade shows held annually where products can be promoted – “Showcase”, a consumer fair held in Suva and organized by Communication Fiji's Total Event company and “HOTEC”, a hospitality show targeting hotels and resorts organized by the Fiji Hotel and Tourism Association.

**Contact:**

The Fiji Times, Fred Wesley, Editor-In-Chief/ Publisher, P.O. Box 1167, Suva,  
Telephone: (679) 3304-111 Fax: (679) 3301-521 Email: timesnews@fijitimes.com.fj,  
Website: [www.fijitimes.com.fj](http://www.fijitimes.com.fj)

Fiji Sun, Peter Lomas, Publisher, Telephone: (679)3307-555, Fax: (679) 3311-455,  
Email: fijisun@fijisun.com.fj, Website: [www.fijisun.com.fj](http://www.fijisun.com.fj)

Fiji TV, Mr. Tarun Patel, Chief Executive Officer, 20 Gorrie St, Suva, Telephone: (679) 3305-100 Fax: (679) 3304-630 Email: info@fijitv.com.fj, Website: [www.fijitv.info](http://www.fijitv.info)

Communications Fiji Ltd, William Parkinson, Managing Director, Telephone: (679) 3314-766 Fax: (679) 3303-748, Email: news@fm96.com.fj, Website: [www.cfl.com](http://www.cfl.com)

Fiji Broadcasting Corporation Ltd, Mr. Riyaz Sayed-Khaiyum, Chief Executive, P.O.Box 334, Suva, Telephone: (679) 3314-333 Fax: (679) 3220-990, Website: [www.fbc.com.fj](http://www.fbc.com.fj)

Mai TV Fiji Ltd, Mr. Richard Broadbridge, Chief Executive, P.O.Box 1365, Suva,  
Telephone: (679) 3275-051 Fax: (679)3275-052, Website: [www.tv.com.fj](http://www.tv.com.fj)

## **Pricing**

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Government controls the prices of certain basic goods, mostly food items, fuel and hardware products. The Fiji Commerce Commission who, in addition to monitoring competition in the market, will regulate the prices of basic goods. Prices of products not monitored by the Commerce Commission are determined by the market.

Contact: Commerce Commission, P.O. Box 5031, Raiwaqa, Telephone: (679) 3372-178  
Fax: (679) 3372-389, Email: helpdesk@commcomm.gov.fj

## **Sales Service/Customer Support**

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All businesses operating in Fiji need to provide warranty service, maintenance contracts for parts and supplies, and return policies.

## **Protecting Your Intellectual Property**

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All U.S. firms entering Fiji should protect themselves by registering their intellectual property. A local attorney that specializes in this area can initiate legal actions to combat piracy. The Copyright Act of 1999 protects products from intellectual property infringement, but enforcement is very weak.

### **Protecting Your Intellectual Property in Fiji:**

Several general principles are important for effective management of intellectual property (“IP”) rights in Fiji. First, it is important to have an overall strategy to protect your IP. Second, IP is protected differently in Fiji than in the U.S. Third, rights must be registered and enforced in Fiji under local laws. Your U.S. trademark and patent registrations will not protect you in Fiji. There is no such thing as an “international copyright” that will automatically protect an author’s writings throughout the entire world. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer copyright protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions.

Registration of patents and trademarks is on a first-in-time, first-in-right basis, so you should consider applying for trademark and patent protection even before selling your products or services in the Fiji market. It is vital that companies understand that intellectual property is primarily a private right and that the US government generally cannot enforce rights for private individuals in Fiji. It is the responsibility of the rights' holders to register, protect, and enforce their rights where relevant, retaining their own counsel and advisors. Companies may wish to seek advice from local attorneys or IP consultants who are experts in Fiji law. The U.S. Commercial Service can provide a list of local lawyers upon request <http://suva.usembassy.gov/attorneys.html>

While the U.S. Government stands ready to assist, there is little we can do if the rights holders have not taken these fundamental steps necessary to securing and enforcing their IP in a timely fashion. Moreover, in many countries, rights holders who delay enforcing their rights on a mistaken belief that the USG can provide a political resolution to a legal problem may find that their rights have been eroded or abrogated due to legal doctrines such as statutes of limitations, laches, estoppel, or unreasonable delay in prosecuting a law suit. In no instance should U.S. Government advice be seen as a substitute for the obligation of a rights holder to promptly pursue its case.

It is always advisable to conduct due diligence on potential partners. Negotiate from the position of your partner and give your partner clear incentives to honor the contract. A good partner is an important ally in protecting IP rights. Consider carefully, however, whether to permit your partner to register your IP rights on your behalf. Doing so may create a risk that your partner will list itself as the IP owner and fail to transfer the rights should the partnership end. Keep an eye on your cost structure and reduce the margins (and the incentive) of would-be bad actors. Projects and sales in Fiji require constant attention. Work with legal counsel familiar with Fiji laws to create a solid contract that includes non-compete clauses, and confidentiality/non-disclosure provisions.

It is also recommended that small and medium-size companies understand the importance of working together with trade associations and organizations to support

efforts to protect IP and stop counterfeiting. There are a number of these organizations, both Fiji or U.S.-based. These include:

- The U.S. Chamber and local American Chambers of Commerce
- National Association of Manufacturers (NAM)
- International Intellectual Property Alliance (IIPA)
- International Trademark Association (INTA)
- The Coalition Against Counterfeiting and Piracy
- International Anti-Counterfeiting Coalition (IACC)
- Pharmaceutical Research and Manufacturers of America (PhRMA)
- Biotechnology Industry Organization (BIO)

## IP Resources

A wealth of information on protecting IP is freely available to U.S. rights holders. Some excellent resources for companies regarding intellectual property include the following:

- For information about patent, trademark, or copyright issues -- including enforcement issues in the US and other countries -- call the STOP! Hotline: **1-866-999-HALT** or register at [www.StopFakes.gov](http://www.StopFakes.gov).
- For more information about registering trademarks and patents (both in the U.S. as well as in foreign countries), contact the US Patent and Trademark Office (USPTO) at: **1-800-786-9199**.
- For more information about registering for copyright protection in the US, contact the US Copyright Office at: **1-202-707-5959**.
- For more information about how to evaluate, protect, and enforce intellectual property rights and how these rights may be important for businesses, a free online training program is available at [www.stopfakes.gov](http://www.stopfakes.gov).
- For US small and medium-size companies, the Department of Commerce offers a "SME IP Advisory Program" available through the American Bar Association that provides one hour of free IP legal advice for companies with concerns in Brazil, China, Egypt, India, Russia, and . For details and to register, visit: [http://www.abanet.org/intlaw/intlproj/iprprogram\\_consultation.html](http://www.abanet.org/intlaw/intlproj/iprprogram_consultation.html)
- For information on obtaining and enforcing intellectual property rights and market-specific IP Toolkits visit: [www.StopFakes.gov](http://www.StopFakes.gov) This site is linked to the USPTO website for registering trademarks and patents (both in the U.S. as well as in foreign countries), the U.S. Customs & Border Protection website to record registered trademarks and copyrighted works (to assist customs in blocking imports of IP-infringing products) and allows you to register for Webinars on protecting IP.
- The U.S. Commerce Department has positioned IP attachés in key markets around the world.

## Due Diligence

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Businesses and investors can hire professional accountancy companies to do due diligence and check bona fides of any company with which they plan to work. There are a number of reputable accountancy firms to provide this service.

The services of a credit bureau can also be obtained through the Data Bureau Ltd, which is affiliated with Baycorp Advantage Ltd. Other resources include business organizations such as the Fiji Chamber of Commerce and Industry, the Fiji American Chamber of Commerce, and Investment Fiji.

Contact: Data Bureau Ltd, G.P.O Box 17910, Suva, Telephone: (679) 330-2400 Fax: 330-4430 (679) 3303227, Email: [info@databureau.com.fj](mailto:info@databureau.com.fj),

Fiji Commerce & Employers Federation, Contact: Mr. Nesbitt Hazelman, Chief Executive Officer, Gorrie St., Suva; Telephone: (679) 331-3188; Fax: (679) 3302183; Email: [ceo@fcef.com.fj](mailto:ceo@fcef.com.fj)

Fiji-US Business Council/ American Chamber of Commerce (Amcham), Maxumise Fiji Ltd, Level 4, FNPF Place, 343 Victoria Parade, P. O. Box 12499, Suva, Telephone: (679) 3305510, Email: [secretariat@fijiamcham.com](mailto:secretariat@fijiamcham.com);

Fiji Retailers Association, P.O. Box 598, Suva, Telephone: (679) 330-3366, Fax: (679) 330-2434, Email: [fijilords@gmail.com](mailto:fijilords@gmail.com).

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The services of a local attorney are required for executing agreements and setting up offices in Fiji. Normally paperwork can be completed quickly and easily. Law firms also advise on the various types of business organizations that can be established, assist in registering firms, and in obtaining permits. Lawyers are needed for registering patents and trademarks and for taking other legal measures to protect products from intellectual property right infringements. Most commercial and civil law is based on the British system. A list of practicing Fijian accountants can be found on the Fiji Institute of Accountants website.

## Web Resources

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Fiji/US Business Council (Amcham affiliate), [www.fijiamcham.com/](http://www.fijiamcham.com/)

Fiji Institute of Accountants, [www.fia.org.fj](http://www.fia.org.fj)

Fiji Times, [www.fijitimes.com.fj](http://www.fijitimes.com.fj)

Fiji Sun, Website: [www.fijisun.com.fj](http://www.fijisun.com.fj)

Fiji Broadcasting Corporation Ltd, [www.fbcl.com.fj](http://www.fbcl.com.fj)

Fiji TV, [www.fijtv.info](http://www.fijtv.info)

Fijilive, [www.fijilive.com](http://www.fijilive.com)

Fiji White Pages, [www.whitepages.com.fj](http://www.whitepages.com.fj)

Fiji Yellow Pages, [www.yellowpages.com.fj](http://www.yellowpages.com.fj)

Fiji Government, [www.fiji.gov.fj](http://www.fiji.gov.fj)

Investment Fiji, [www.investmentfiji.org.fj](http://www.investmentfiji.org.fj)

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## Chapter 4: Leading Sectors for U.S. Export and Investment

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- Information Communication Technology

## Agroprocessing

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	2009	2010	2011	2012 (Jan-Sep)
Major Agro-exports (F\$m)				
• Sugar	187.1	70.09	127.1	89.3
• Molasses	20.8	30.4	16.2	6.7
• Fruit & Vegetables	31.8	37.6	44.3	27.3
• Coconut Oil	4.2	5.5	6.8	5.7
• Timber & Wood Products	36.7	79.6	62.1	48.9
• Yaqona/ Kava	3.9	3.9	5.7	5.1
Exchange Rate: 1 USD = 1.77459 FJD ( <a href="http://www.xe.com">www.xe.com</a> )				

The agriculture sector contributes around 10 percent of GDP. Sugar and the subsistence sectors dominate the agricultural sector. Agro-based exports account for approximately 18 percent of Fiji's total exports, including sugar, lumber, molasses, and coconut oil. Other agricultural exports include ginger, kava, papayas, and fresh vegetables. While most fruit and vegetables are sold fresh, there are a few establishments engaged in processing of local fruits and vegetables, mainly for the domestic market, and in producing fruit juice concentrates (pineapple, orange, guava, mango, passion fruit, and other citrus fruit juices).

To encourage investment in agriculture and agro-processing, the government's tax incentives include a 10-year tax exemption for any new businesses established before 31 December 2014 and with a capital investment of F\$2 million or more. Small and micro-enterprises with maximum turnover threshold of F\$300,000 in selected sectors are also tax exempted. For food processing establishments utilizing at least 50 percent of local produce in local production, businesses can claim a 100 percent of the amount of investment as a deduction.

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Despite the slow development of the agro-processing sector, potential commodities for value-added and niche-market processing include papaya, tomatoes, pineapple, coconut, duruka (*Saccharum edule*), mixed vegetables, guava, mango, and herbal kava products. Potential also exists for snack-food processing of readily available taro, tapioca, breadfruit, and banana. As fruits and vegetables are seasonal crops, processing facilities will need to have flexibility so as to allow processing of all these items, utilizing the same plant throughout the year.

Investment, equipment, and supplies needed to expand and support these industries are in demand. The sector also faces a number of challenges including natural disasters, inadequate infrastructure and high transportation and input costs.

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Investment Fiji: [www.investmentfiji.org.fj](http://www.investmentfiji.org.fj)

Ministry of Primary Industries: [www.agriculture.org.fj](http://www.agriculture.org.fj)

## Tourism & Hospitality

### Overview

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	2009	2010	2011	2012 (forecast)
Hotel Turnover (F\$m)	518	649	n.a.	n.a.
Gross Tourism Earnings (F\$m)	816.5	980	1,074.0	1,111.9
Total Visitor Arrivals	542,186	631,868	675,050	660,590
Exchange Rate: 1 USD = 1.77459 FJD ( <a href="http://www.xe.com">www.xe.com</a> )				

(Source: 2013 Fiji Government Budget)

Tourism remains Fiji's fastest growing industry and is the largest foreign exchange earner. Industry earnings in 2011 exceeded the combined revenues of the country's top 5 merchandise exports (water, gold, sugar, fish, and garments). The industry employs an estimated 40,000 people, directly and indirectly. Gross earnings from tourism in 2012 is expected to exceed \$626.6 million (F\$1.1 billion) and visitor arrivals exceeding 660,000.

Major tourism projects in various stages of construction include the Grand Pacific Hotel, Peppers Naisoso Apartments, and Shangri La.

### Sub-Sector Best Prospects

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The hotel and hospitality industry requires a large variety of products, such as the following:

- Food – dairy products, fruit, vegetables, beverages, condiments
- Building materials
- Furnishings (drapes, carpet, linens)
- Kitchen equipment
- Furniture and appliances
- Sporting equipment
- Toiletries
- Wireless technology & IT related to hotel and guest services

While government is encouraging dependable local production for tourist and up-market consumption to reduce reliance on imports, developing local capacities will take time.

### Web Resources

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Tourism Fiji: <http://www.fijime.com/>

Fiji Islands Hotel & Tourism Association: [www.fihta.com.fj](http://www.fihta.com.fj)

Ministry of Industry, Tourism, Trade & Communications:  
<http://www.tourism.gov.fj/general/default.htm>

south-pacific.travel: <http://www.spto.org>

## Power Generation (Energy)

### Overview

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	2009	2010	2011	2012 (estimated)
Import – Mineral Fuels (F\$m)	720.4	1,100.5	1176.0	1,231.8
Percent of Total Imports (%)	25.7%	31.8%	30.1%	30.6%
Exchange Rate: 1 USD = 1.77459 FJD ( <a href="http://www.xe.com">www.xe.com</a> )				

(Source: Fiji Islands Bureau of Statistics)

The country's energy needs are met from a variety of sources, including hydro and diesel generation, wood, coal, and petroleum products. In 2012, approximately 66.1 percent of electricity generated and distributed on the national grid was produced using renewable sources, compared to 57.3% in 2011. The Fiji Electricity Authority (FEA), the country's main generator, distributor and regulator of electricity, generated 802,853 mega-watt hours (Mwh) in 2012. In 2012, the FEA completed and commissioned the Nadarivatu hydro power station on the main island of Viti Levu. Mineral oil imports in 2012 is estimated to total US\$ 694.1 million (F\$1.1 billion), accounting for 30.6 percent of Fiji's total national import bill. The transport sector is the main consumer of commercial fuel, mostly gas, oil (diesel), and aviation turbine fuel.

With rising fuel costs, Fiji continues to seek alternative energy sources to supplement its heavy dependence on imported fuel. The average electricity mix generated by the FEA in 2011 was 57% hydro, 42% diesel and heavy fuel oil, 1% wind, with the other 4% provided by independent power producers, namely Tropik Wood Industries and Fiji Sugar Corporation. The government is offering 10-year tax holidays to promote the use and production of bio-fuel and more energy efficient technology.

### Sub-Sector Best Prospects

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Given Fiji's heavy reliance on diesel fuel, Fiji is exploring viable alternative energy sources available locally such as hydro, solar, wind and wave energy generation, and hybrids. The use of renewable energy sources is strongly encouraged by government. Government is actively seeking partners in the energy sector, as Fiji explores ways to increase its generation, transmission and distribution infrastructure, both to its urban centers and to rural users. The FEA supplies power to 72 percent of Fiji's population. To electrify isolated villages in rural areas, independent stations are planned. Potential suppliers must work with Fiji government authorities on these projects. The presence of small, isolated population centers on Fiji's smaller islands presents a potentially good market for tailored diesel-powered generation solutions. For rural communities, the government will facilitate the sustainable production and management of solar power and non-grid electrification systems, such as the further development of solar home

systems (SHS), solar power water supply systems, solar systems for schools and clinics, and solar water heating systems for homes and institutions.

## Web Resources

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Fiji Department of Energy: <http://www.fdoe.gov.fj/>

Fiji Electricity Authority: <http://www.fea.com.fj/>

Pacific Power Association: [www.ppa.org.fj](http://www.ppa.org.fj)

Secretariat of the Pacific Community: [www.spc.int](http://www.spc.int)

**Overview**

	2008	2009	2010	2011
Internet Users (per 100 people)	13.0	17.0	20.0	28.0
Mobile Phone Subscriptions (per 100)	71	75	81	84
Exchange Rate: 1 USD = 1.77459 FJD ( <a href="http://www.xe.com">www.xe.com</a> )				

(Source: World Development Indicator Database)

Fiji's telecommunications systems are fairly well developed relative to neighboring Pacific island countries. Growth in this sector is seen in the presence of two mobile phone network providers (Vodafone and Digicel), four licensed Internet service providers, the increase in demand for IT training programs and institutions throughout the country, and the availability of a wider range of products, including wireless technology. Following the opening of the telecommunication market, increased competition has resulted in some reduced cost in urban centers, increased internet penetrations, and mobile phone usage.

With the government's investment promotion agency, Investment Fiji, in active pursuit to attract ICT industries into Fiji from New Zealand, Australia and India, further growth can be expected in this sector should interest from foreign investors result in new investments. ICT businesses approved to operate in Fiji's only tax free zone, on the outskirts of the capital Suva, are exempted from paying tax for 10 years.

**Web Resources**

Digicel Fiji: [www.digicelfiji.com](http://www.digicelfiji.com)

FINTEL: [www.fintel.com.fj](http://www.fintel.com.fj)

Investment Fiji: [www.investmentfiji.org.fj](http://www.investmentfiji.org.fj)

Telecom Fiji: [www.telecomfiji.com.fj](http://www.telecomfiji.com.fj)

Film Fiji: [www.film-fiji.com](http://www.film-fiji.com)

Unwired Fiji Ltd: [www.unwired.com.fj](http://www.unwired.com.fj)

Vodafone Fiji: [www.vodafone.com](http://www.vodafone.com)

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## Chapter 5: Trade Regulations, Customs and Standards

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### Import Tariffs

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Import duties for goods range from 0 to 32 percent. Tariffs rates are, broadly, as follows:

0 percent	Raw materials, pharmaceutical products;
5 percent	Production items and capital goods;
15 percent	Intermediate goods (including most luxury items); and
32 percent	Specific finished goods and protected items.

A 15 percent Value Added Tax (VAT) is applicable on all imports. Businesses registered under the VAT legislation can claim an input tax credit in relation to VAT paid on their imports.

While Fiji's VAT is generally similar to that found in the EU and New Zealand, there are some differences. It is a single-rate tax. The VAT is imposed on imports of all categories of professional services. The importer of such services is required to pay the required VAT to the Inland Revenue Department.

### Trade Barriers

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Exporters to Fiji do not require import licenses for most goods. Most imports are subject to duty. Drawback of duty can be claimed for re-exported goods. Quarantine policies for agricultural products sometimes present a trade barrier.

Contact: Permanent Secretary, Ministry of Industry and Trade, P.O. Box 2118, Government Buildings, Suva, Telephone: (679) 3305-411, Fax: (679) 3302-617

Director General, Fiji Islands Customs Service, GPO Box 175, Suva, Telephone: (679) 3302-322, Fax: (679) 3305-138, Website: [www.frca.org.fj/customs/](http://www.frca.org.fj/customs/)

## **Import Requirements and Documentation**

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The Biosecurity Authority of Fiji must license certain types of agricultural imports, such as rice, dairy, poultry, and meat. The Ministry of Finance issues import licenses for gold and other precious metals. Import licenses for products such as lubricants, transformer and circuit breaker oils, cleansing oils, and hydraulic brake oils are issued by the Ministry of Industry.

## **U.S. Export Controls**

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<http://www.bis.doc.gov/>

## **Temporary Entry**

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There are arrangements for the temporary import of goods for alteration or repair; of goods for public exhibition, trial or entertainment; of specialized goods and equipment not normally available in Fiji to be used solely in connection with some particular project; and of goods for use by temporary residents. The Fiji Islands Customs Service or a local customs agent needs to be contacted prior to the arrival of such goods.

## **Labeling and Marking Requirements**

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All goods manufactured in the United States imported into Fiji must have a "Made in U.S.A" label. In the case of a garment, washing instructions must be attached and fabric content must also be displayed.

For packaged goods, quality certification and weight must be on the label. Labels must also specify the company that produced the goods.

Food items also need to adhere to the Ministry of Health's food safety regulations. For more information contact: Fair Trading Department, Ministry of Industry and Trade, P.O. Box 2118, Government Buildings, Suva, Tel: (679) 3305-411, Fax: (679) 3302-617 Ministry of Health – Food Unit, P.O. Box 2223, Government Buildings, Suva, Tel: (679) 3306-177, Fax: (679) 3221-434

## **Prohibited and Restricted Imports**

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Prohibited imports include weapons, illegal drugs, and pornography. Contact: Director General, Fiji Islands Customs Service, GPO Box 175, Suva, Telephone: (679) 3302-322, Fax: (679) 3305-138, Website: [www.frca.org.fj/customs/](http://www.frca.org.fj/customs/)

## **Customs Regulations and Contact Information**

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All imports into Fiji are subject to classification by the Fiji Islands Customs Service, and rates of duty vary with the type of goods. Imports are subject to import duty (Fiscal Duty and VAT), which is levied in accordance with rates outlined in the schedule of customs tariffs. VAT is fixed at 15 percent. Duty at a higher rate is generally levied on automobiles, ready-made garments, tobacco, liquor, beer, and wines.

For customs requirements: Director General, Fiji Islands Customs Service, P.O. Box 175, Suva, Telephone: (679) 3301-551, fax: (679) 3315-537, Website: [www.frca.org.fj/customs/](http://www.frca.org.fj/customs/)

For standards and quality control: Fair Trading Office, Ministry of Industry and Trade, P.O. Box 2118, Government Buildings, Suva, Telephone:(679) 3305-411, Fax: (679) 3302-617

For quarantine requirements: Chief Executive - Biosecurity Authority of Fiji, Private Mail Bag, Suva, Telephone: (679) 3384-233, Fax: (679) 3385-048

For general questions on trade regulations, customs and standards: Chief Executive, Investment Fiji, P.O. Box 2303, Government Buildings, Suva, Telephone: (679) 3315-988, Fax: (679) 3301-783, Email: [info@investmentfiji.org.fj](mailto:info@investmentfiji.org.fj). Website: [www.investmentfiji.org.fj](http://www.investmentfiji.org.fj)

## Standards

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## Overview

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In 1992, the Fiji Trade Standards and Quality Control Office (FTSQCO) was established by the Trade Standards and Quality Control Decree 1992, to ensure that Fiji's products and services standards are aligned to international standards.

The Trade Standards Advisory Council (TSAC) was formed in conjunction with FTSQCO. The role of the TSAC is to consider and recommend to the Minister for Industry and Trade the declaration of Fiji standards specifications, including for processes, practices, quality, composition, labeling, and codes of practices.

## Standards Organizations

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The FTSQCO is the only standards-setting organization in Fiji and is a full member of the International Organization for Standardization (ISO) since January 1, 2006.

### **NIST Notify U.S. Service**

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries.

**Notify U.S.** is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that can affect your access to international markets. Register online at Internet URL:

<http://www.nist.gov/notifyus/>

## **Conformity Assessment**

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At present there are no conformity assessment bodies.

The National Trade Measurement Laboratory is the only national metrology laboratory. However, manufacturers needing products tested send them to accredited laboratories in Australia or New Zealand, or to the University of the South Pacific's Institute of Applied Science (USP/IAS) laboratory, which is ISO 17025 certified.

## **Product Certification**

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Products carrying the "Fijian Made" brand are required to obtain a license from the Ministry of Industry and Trade and comply with local product content as in the Industry Emblem Decree and Regulations 2011. The brand categories, aimed at promoting and raising the profile of Fijian made products locally and internationally, include 'Fijian Made', 'Fijian Product', 'Fijian Packed', 'Fijian Crafted', 'Fijian Grown', 'Fijian Assembled', 'Fijian Designed', and 'Fijian Sewn'. According to the Budget 2013 documents, a total of 73 companies and 430 products were certified to carry the Fijian Made logo.

## **Accreditation**

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Water bottled in Fiji must be accredited. The Bottled Water Standard requires that facilities bottling water in Fiji provide test results from approved laboratories for accreditation.

## **Publication of Technical Regulations**

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There are approximately 60 standards in place, though not all are technical, covering areas such as building and building material, telecommunication cabling, safety footwear, electrical installation, quality management systems, food, fuel, corporate governance, bottled water, and fireworks. However, the majority of the standards have been adopted from Standards Australia as best practice standards and are voluntary. Two mandatory standards are the Bottled Water Standard Order 2004 and the Fireworks Labeling Standard 2005.

All technical regulations are published in the Fiji Islands Gazette.

### **Labeling and Marking**

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All goods imported from the United States must have a “Made in U.S.A.” label; if a garment, the washing instructions must be attached. Fabric content must also be displayed.

For packaged goods, quality certification and weight must be on the label. Labels must also specify the company that produced the goods.

### **Contacts**

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For more information contact: Department of National Trade Measurement and Standards, Ministry of Industry and Trade, P.O. Box 2118, Government Buildings, Suva, Tel: (679) 3305-411, Fax: (679) 3302-617

### **Trade Agreements**

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Fiji manufacturers enjoy preferential access under a number of multilateral and regional trade agreements. The country is also pursuing further bilateral trade agreements where new diplomatic missions have opened in Brazil, Korea, United Arab Emirates, Indonesia and South Africa.

The South Pacific Regional Trade and Economic Agreement (SPARTECA) grants preferential access for Pacific island exports into Australia and New Zealand. The SPARTECA TCF scheme in particular, which was extended to the end of 2014, is of great benefit to the garment industry. The Melanesian Spearhead Group (MSG) grants market access to MSG member countries including Papua New Guinea, Solomon Islands and Vanuatu. The Generalized Systems of Preferences (GSP) grants preferential access to the United States. Fiji is a party to the Pacific Island Countries Trade Agreement (PICTA) but is presently excluded from participation on the Pacific Agreement on Closer Economic Relations (PACER) Plus negotiations. Although in November 2007, Fiji signed an interim Economic Partnership Agreement (EPA) with the E.U. on trade in goods, replacing the trading section of the Cotonou Agreement, which secures preferential access to the E.U. market for some Fiji exports (notable exceptions being sugar), the EPA agreement is yet to be ratified.

However, the value of these preferences has fallen. In the case of SPARTECA, tariffs in Australia and New Zealand are declining, and all trade arrangements are required to be compatible with WTO rules.

### **Web Resources**

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Investment Fiji, [www.investmentfiji.org.fj](http://www.investmentfiji.org.fj)

Fiji Government, [www.fiji.gov.fj](http://www.fiji.gov.fj)

Fiji Government – Ministry of Foreign Affairs, International Co-operation & Civil Aviation,  
[www.foreignaffairs.gov.fj](http://www.foreignaffairs.gov.fj)

Fiji Islands Customs & Revenue Authority, <http://www.frca.org.fj>

Ministry of Industry and Trade, [www.mit.gov.fj/](http://www.mit.gov.fj/)

Secretariat of the Pacific Community (SPC), [www.spc.org.nc](http://www.spc.org.nc)

Pacific Islands Forum Secretariat, [www.forumsec.org.fj](http://www.forumsec.org.fj)

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## Chapter 6: Investment Climate

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### Openness to Foreign Investment

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The Fijian government assures local and foreign investors that Fiji remains a safe place to invest and do business under the post-2006 military-led government, introducing industry-specific incentives and reducing corporate rates to promote investment. Generally, government restrictions and conditions are designed to ensure that investment is desirable for Fiji's development and the use of its resources. However, in light of political events in Fiji and concerns about the treatment of some established foreign investors by Fiji authorities, potential investors should exercise considerable caution. In 2006, the armed forces commander, Commodore Voreqe "Frank" Bainimarama, overthrew the elected government in a bloodless coup d'etat. The government is now headed by Bainimarama as prime minister. In April 2009, the 1997 Constitution was abrogated, the judiciary dismissed and a state of emergency imposed by the coup regime after the Court of Appeal declared the December 2006 coup and Bainimarama's interim government unlawful. Bainimarama and his government rule by decree. In January 2012, the government lifted the state of emergency and press censorship. Later in the year, it appointed the Constitutional Commission which undertook national consultations on a new constitution toward the promised 2014 election. A draft constitution was presented to the president on December 21, 2012 but was rejected in favor of a draft written by government drafters. A version of the constitution is expected to be adopted later in 2013. The government is making preparations for democratic elections to be held in 2014.

Fiji has a tradition of a strong judiciary where contractual rights are generally upheld. However, post-coup, the independence of the judiciary has come into question, raising concerns about due process of law. Furthermore, all cases challenging the actions of the interim government were dissolved by decree. This prohibits the judiciary from hearing challenges to the actions of the government since April 2009, such as the 2006 coup and the abrogation of the constitution in April 2009.

Tourism, with estimated earnings of F\$1.1 billion (US\$0.628 billion) and visitor arrivals reaching about 702,052 in 2012, is the country's largest foreign exchange earner. Sugar remains of national importance although production is in decline. The government instituted comprehensive reforms to address quality concerns, farm productivity, and mill efficiency. The once large textile industry now comprises a small but stable component of Fiji's exports. Two-way U.S. trade with Fiji is approximately \$175 million. The Fiji government forecasts a 2.7 percent growth in the economy in 2013. The estimated growth of 2.5 percent for 2012 is the country's strongest growth since 2006. Growth in 2013 is expected to be driven by the agricultural, manufacturing, and financial intermediation sectors.

The governmental body Investment Fiji (<http://www.investmentfiji.org.fj/>) is responsible for the promotion, regulation, and control of foreign investment in the interest of national development. Investment Fiji pursues this task in conjunction with relevant government ministries. Government approval is required for all foreign investment in Fiji.

All businesses or enterprises with a foreign-investment component in their ownership are required to apply to the Chief Executive, Investment Fiji, for the issuance of a Foreign Investment Registration Certificate (FIRC) and also pay a requisite application fee of F\$2,875.00 (US\$1,624.40).

Applications for a FIRC are available on-line and the following documents must accompany the application: If a company is being listed as a Shareholder, then a certified copy of the certificate of incorporation and name(s) of those associated with the Shareholding Company; a copy of the Shareholders Agreement and a copy of the Declaration of Shareholders, witnessed or certified by a justice of the peace, lawyer and/or chartered accountant, are to be submitted if local equity contribution is required; a certified copy of the passport bio-data page, together with a recent colored passport size photo of all those associated with the business; a police clearance report from the country of residence in the last 12 months or more; and proof of company registration abroad (if applicable).

Contact: The Chief Executive, Investment Fiji, P.O. Box 2303, Government Buildings, Suva; Telephone: (679) 3315-988; Fax:(679) 3301-783; email: [info@investmentfiji.org.fj](mailto:info@investmentfiji.org.fj); website: <http://www.investmentfiji.org.fj/>

The Foreign Investment Act stipulates that the approval process for investment applications should take no longer than 5 working days. In practice, the process takes between 5-10 working days. Depending on the nature of the business, however, investors may also be required to obtain permits and licenses from other relevant authorities and should be prepared for delays.

Investment areas that have been reserved for Fiji nationals include small scale businesses such as cafeterias, taxis, handicrafts, tailoring, repair of personal/household

goods, plumbing/electrical, plant nurseries, day-care, bakeries, backpacker services, nightclubs, and liquor bar operations. Additionally, there are certain investment activities subject to restrictions. Investment in fishing enterprises require at least 30 percent local equity, while investors in forestry, tobacco production, tourism (cultural heritage), real estate management and development, construction, earthmoving, and inter-island shipping must meet certain minimum investment thresholds. Full listings of reserved and restricted areas can be found at:

<http://www.investmentfiji.org.fj/pages.cfm/for-investors/doing-business-in-fiji/foreign-investment-act-foreign-investment-regulations.html>

Foreign investors can acquire real estate. However, the land situation in Fiji is complex and only a small percentage of land is available for purchase. If the property is larger than one acre, the Minister of Lands must approve the purchase. There are industry-specific incentives for tourism, mining, filmmaking and audio-visual activities, boat building, fishing, logging and saw milling operations, and bus building.

Measure	Year	Index/Ranking
TI Corruption Index	2012	n/a
Heritage Foundation's Economic Freedom Index	2012	57.3 (105)
World Bank's Doing Business Report	2013	60
MCC Gov't Effectiveness	FY2013	-0.27 (25 percent)
MCC Rule of Law	FY2013	-0.44 (19 percent)
MCC Control of Corruption	FY2013	0.03 (53 percent)
MCC Fiscal Policy	FY2013	-2.6 (63 percent)
MCC Trade Policy	FY2013	68.0 (61 percent)
MCC Regulatory Quality	FY2013	-0.16 (47 percent)
MCC Business Start Up	FY2013	0.917 (31 percent)
MCC Land Rights Access	FY2013	0.64 (36 percent)
MCC Natural Resource Mgmt	FY2013	16.4 (16 percent)

## Conversion and Transfer Policies

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The Reserve Bank of Fiji (RBF) relaxed a number of foreign exchange controls in 2013. The RBF raised the commercial banks' delegated authority to process a number of typically larger types of transactions such as profit remittances that may be repatriated. Foreign investors bringing in funds or equipment to invest in Fiji are guaranteed repatriation of their investment profits and capital on the condition that all regulatory requirements are met. Provided all required documentation was submitted, the processing time for remittance applications is approximately three working days. Remittance through parallel markets continues to require prior approval by the Reserve Bank.

The Fiji dollar remains fully convertible. The Reserve Bank has not removed its suspension of offshore investments by non-bank financial institutions and companies. Although no limits were placed on non-residents borrowing locally for some specified

investment activities, the RBF placed a credit ceiling on lending by commercial banks to non-resident controlled business entities.

## **Expropriation and Compensation**

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The foreign investor theoretically has the same right of recourse to the courts and other tribunals of Fiji in respect of the settlement of disputes as a Fijian enterprise. In practice the coup government has acted to assert its interests by decrees affecting affect foreign investors.

Expropriation has not historically been a common phenomenon in Fiji. In 2010, however, through the Natadola Development Decree, the foreign investment certificate of the project developers was cancelled, and its shares in the project forfeited. The government's 2010 Media decree, which limits foreign ownership of media organizations to 10 percent, forced the sale of Australia-based News Limited's controlling stake in the country's oldest and main daily newspaper, the Fiji Times in 2010. Also, in the same year, a director of a major US investor, FIJ Water, was deported, and the same company singularly targeted with an increased export tax, from 0.33 of a cent per liter of water to 15 cents per liter of water.

The 2010 Natadola and Momi Bay Decrees effectively forced the takeover of private assets, extinguished creditors' claims, and excluded the jurisdiction of the courts from the transfer of properties in dispute to the Fiji National Provident Fund (FNPF). This action left no recourse for foreign investors who had filed legal challenges, as those challenges were terminated from the court process by the Natadola and Momi decrees. Further taxes imposed on Fiji Water and other water companies cannot be challenged in the courts, and the decisions of Fiji Revenue and Customs Authority (FRCA) in this respect are also outside the purview of the courts, by government decree.

## **Dispute Settlement**

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The legal system in Fiji developed from British law. Fiji maintains a judiciary consisting of a Supreme Court, Court of Appeal, a High Court, and magistrate courts. The Supreme Court is the final court of appeal.

In April 2009, upon the abrogation of the constitution, the entire judiciary and the Director of Public Prosecutions were dismissed and had to reapply for their jobs, with legal officials considered friendly to the coup regime being re-appointed. To fill vacancies in the judicial system, Fiji has recruited prosecutors and judges on contract from other commonwealth law system countries, such as Sri Lanka.

Both companies and individuals have recourse to legal treatment through the system of local and superior courts. Laws govern all aspects of commercial transactions, including bankruptcy law, and the courts have generally enforced these laws in a transparent and consistent manner. A foreign investor theoretically has the right of recourse to the courts and other tribunals of Fiji with respect to the settlement of disputes, but government decrees have been used to block foreign investors from legal recourse in investment takeovers, tax increases, or write-offs of interest to the government.

Past investment disputes have often focused on land issues, particularly in the logging and tourism sectors. Such disputes have been resolved through labor-management dialogue, government intervention, referral to compulsory arbitration, or through the courts. Fiji is a party to the Convention on the Settlement of Investment Disputes Between States and Nationals of Other States.

The World Bank Doing Business 2013 survey, ranked Fiji 67 out of 185 on the efficiency of the judicial system to resolve a commercial dispute. According to the survey, Fiji required 34 procedures to enforce a contract, took 397 calendar days to complete procedures at a cost of 38.9 percent of the value of the claim.

## Performance Requirements and Incentives

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To support the implementation of newly approved investments, Investment Fiji established a monitoring system to assist companies in obtaining necessary approvals to commence operations. The investing firm must ensure that commercial production begins within 12 months for investments below \$1.25 million (F\$2.5 million) or within 18 months of the date of approval of the project for investments above \$1.25 million (F\$2.5 million).

Foreign investors can apply for incentives following registration with Investment Fiji. Information on incentive packages for investors can be obtained from the Fiji Revenue and Customs Authority (<http://www.frca.org.fj/>). Incentives offered include preferential tax treatment and duty free or low duty treatment of imported materials and equipment. The incentives reflect the Fiji government's long-term concerted efforts to encourage exports and develop priority sectors, including tourism, commercial agriculture, fisheries, forestry, the filmmaking and audio visual industry, and the information technology industry. Fiji also established a tax free region in the northern and maritime island regions of the country to encourage rural development and introduced incentives to encourage investment in bio-fuel and renewable energy.

Tourism incentives include tax-related investment allowances on approved expenditures on tourist boats/ships and approved building and expansion projects. The tourism incentive package for approved large tourism development projects with capital investments of more than F\$7 million and completed before December 31, 2018, may qualify for a 10-year tax holiday. Filmmaking and audio-visual incentives include a 15 percent tax rebate on production costs spent in Fiji. Incentives to encourage investment in the agriculture, fisheries and forestry industry include zero-rated fiscal duty on imported agricultural machineries, equipment and inputs and specialized equipment and machinery for forestry and fisheries and a 10-year tax holiday for commercial agricultural enterprises.

The Ministry for Industry, Tourism, Trade, and Communication and the Ministry for Foreign Affairs, International Cooperation and Civil Aviation control import and export policy. Commercial import policy includes consideration of tariff measures, import restrictions, quota arrangements, and other policies designed to assist development of local industries.

Most imports are subject to import duty, which is levied at various rates in accordance with the Customs Tariff Act of 1986. Such duties may be waived or reduced upon eligibility for investment incentives. Approved ICT businesses for example, are eligible for free fiscal duty and import excise on imports of computers, computer parts and accessories, specialized plant equipment, fittings, and furniture. Most goods may be imported without an import license. However, there are restrictions on the import of a number of products to protect local industries or for the purposes of quarantine. The restrictions are absolute for some products, while others may be imported subject to conditions imposed by statute or under license from the Ministry of Industry, Ministry of Primary Industries, or other relevant ministries or departments. Quotas may be placed on imports of particular products, such as motor vehicles.

## **Right to Private Ownership and Establishment**

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Foreign investors are discouraged from acquiring controlling interest in, or taking over established, locally owned enterprises in Fiji. Permission may be given, however, if such an acquisition or takeover is deemed to be in the national interest. Foreign investors typically operate through a branch or a local subsidiary in Fiji. Formation of both public and private companies is possible, the process taking about two weeks. Registration costs are nominal. The South Pacific Stock Exchange and authorized banks in Fiji are allowed to approve investments by non-resident individuals and businesses in publicly listed companies and in fixed deposit accounts. A public company must have a minimum of seven shareholders, with no maximum; a private company must have a minimum of two shareholders and a maximum of 50. There are no nationality or residence restrictions on shareholders, but applications for the issue of new or additional shares for increased capitalization should be submitted to the Reserve Bank of Fiji for processing before share certificates may be issued to non-residents.

## **Protection of Property Rights**

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Fiji's Copyright Laws are in conformity with World Trade Organization (WTO) Trade Related Aspects of Intellectual Property (TRIPS) provisions. However, while copyright laws adhere to international laws, and provisions are available for companies to register a trademark or petition for a patent in Fiji through the Office of the Administrator General of Trademark, Patents, Designs and Copyrights, the enforcement of these laws remains inadequate. Illegal materials, and illegal reproductions of films, sound recordings and computer programs are widely available throughout Fiji.

Contact: Administrator General, Trademarks, Patents, Designs, Copyrights P.O. Box 2226, Government Buildings, Suva; Telephone: (679) 3312798; Fax: (679) 3300662

## **Land Rights**

Land ownership and usage is a highly complex and sensitive issue in Fiji society. In late December 2006, the post-coup interim government imposed a temporary ban on all land sales after receiving reports of alleged irregularities in the development and sale of land to foreigners but the ban was lifted in 2007.

Land in Fiji falls into three categories: iTaukei land, Crown land, and Freehold land. iTaukei Land (formerly known as native land) refers to the 87.75 percent of the land held by indigenous Fijians under communal tenure relationships. This land, which is reserved for the special use of its owners, may not be sold, only leased. The iTaukei Lands Trust Board (TLTB) is the statutory body responsible for managing native land, including leases. In its post-coup anti-corruption drive, the government dismissed several TLTB officials and undertook major reforms on the regulation of land usage. Through the Land Use decree, the government established in 2011 a “land bank” within the Ministry of Lands and Mineral Resources. The Land Bank is a competitive mechanism to the TLTB of leasing native land. As at October 2012, 4,389 hectares of land from 39 landowning units in Fiji’s 9 provinces had registered with the Land Bank.

Crown Land refers to the 3.95 percent of the land in Fiji owned by the government. Like TLTB land, Government (State) land may not be sold. The availability of Crown land for leasing is usually advertised. This does not, however, preclude consideration being given to individual applications in cases where land is required for special purposes.

Freehold, private land accounts for 8.06 percent of total land area. Investors may lease land, though each lease category has different conditions and terms. Leases may be sold, transferred and amended, but such dealings are subject to the consent of the TLTB and Lands Department.

Government leases for industrial purposes can be up to 99 years with rents reassessed every 10 years. TLTB leases for land nearer to urban locations are normally for 50-75 years. Annual rent is reassessed every 5 years. The maximum rent that can be levied in both cases is 6 percent of unimproved capital value. Leases also usually carry development conditions that require lessees to effect improvements within a specified time.

Apart from the requirements of the TLTB and Lands Department, town planning, conservation and other requirements specified by central and local government authorities affect the use of land. Investors are urged to seek local legal advice in all transactions involving land.

Contacts: Permanent Secretary, Ministry of Lands and Mineral Resources, P.O. Box 2222, Government Buildings Suva; Telephone: (679) 321 1556; Fax: (679) 3302730

General Manager, iTaukei Land Trust Board, P.O. Box 116, Suva; Telephone: (679) 3312733; Fax: (679) 3229696

## **Transparency of Regulatory System**

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Although the government has made some positive efforts, there is a perception among foreign investors of a lack of transparency in government procurement and approval processes. Some foreign investors considering investment in Fiji have encountered lengthy and costly bureaucratic delays, shuffling of permits among government ministries, inconsistent and changing procedures, lack of technical capacity, and slow decision-making. The Biosecurity Authority of Fiji (BAF) regulates all food and animal products entering Fiji and has stringent and costly point-of-origin inspection and quarantine requirements upon foreign goods. United States dairy, fresh food and frozen

food exports face severe bureaucratic hurdles entering the Fiji market. The Fijian franchise of Kentucky Fried Chicken closed its Fiji operations in 2011 after new and costly ingredient point of origin inspection requirements were imposed by BAF. Government claimed the business closed due to poor performance. Investment disputes involving the government have raised serious transparency concerns.

Since the coup, all legislation has been by presidential decree, usually after a nominal period for public or industry consultation.

## **Efficient Capital Markets and Portfolio Investment**

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Fiji has a well-developed banking system supervised by the Reserve Bank of Fiji (RBF). The RBF regulates the Fiji monetary and banking systems, manages the issuance of currency notes, administers exchange controls, and provides banking and other services to government. In addition, it provides lender-of-last-resort facilities and regulates trading bank liquidity.

There are four trading banks with established operations in Fiji: ANZ Bank, Bank of Baroda, Bank of South Pacific, and Westpac Banking Corporation. Fiji's fifth commercial bank and new entrant, Bred Bank opened its operations in November 2012. Non-banking financial institutions also provide financial assistance and borrowing facilities to the commercial community and to consumers. These institutions include the Fiji Development Bank, Fiji National Provident Fund, Housing Authority, Credit Corporation, Merchant Finance, and insurance companies. As of June 2012, total assets of commercial banks amounted to US\$2.8 billion (F\$44.9 billion).

The capital market is regulated and supervised by the RBF. Eighteen companies were listed on the Suva-based South Pacific Stock Exchange in 2012, of which ten experienced positive growth yielding capital gains for investors.

The Fiji dollar is pegged to a basket of currencies of Fiji's principal trading partners, chiefly Australia, New Zealand, the United States, the European Union, and Japan. The U.S. dollar declined through 2011, making U.S. exports more affordable.

## **Competition from State Owned Enterprises**

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SOEs in Fiji do not exercise delegated governmental powers. SOEs benefit from economies of scale, and may be favored in certain sectors. The Fiji Broadcasting Company Ltd (FBCL) is exempt from the Media Decree which governs private media organizations and exposes private media to lawsuits. In some sectors, the Bainimarama government has pursued a policy of opening up or deregulating various sectors of the economy, even those where an SOE had a monopoly status such as international airline routes.

The Ministry of Finance has in the past publicized seeking a rate of return of 10 percent by SOEs. This is not strictly enforced as SOEs have usually not been able to meet a 10 percent rate of return.

SOEs are concentrated in utilities and key services and industries: Air Transport (Air Pacific/Airports Fiji Limited); Sugar Industry (Fiji Sugar Corporation); Utilities (Fiji Water Authority, Fiji Electricity Authority); Tuna processing (Pacific Fishing Company). Essential major services such as utilities and international transportation are dominated by SOEs. The state-run FBCL is exempt from complying with the Media Industry Decree and has been designated an essential industry under the Essential National Industries Decree (ENID).

SOEs follow a normal corporate structure with board of directors and executive management. All SOEs have boards of directors who are appointed by a cabinet minister. Some SOEs have board seats allocated specifically to the heads of certain government departments. Usually the Permanent Secretary for Finance is a board member. There is no explicit requirement for SOEs to consult government before making policy decisions but officials probably do so under coup government scrutiny. There is no Sovereign wealth fund or asset management bureau in Fiji.

All SOEs are required by the legislation establishing them to publish annual reports. Fiji hosts domestic and international auditing firms, and Fijian standards are comparable to international financial reporting standards.

Some SOEs have had difficulty meeting their obligations due to insolvency or inefficiency. The Fiji Sugar Corporation SOE was delisted from the South Pacific Stock Exchange in 2011 as it no longer met solvency requirements.

## **Corporate Social Responsibility**

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Major companies' advertizing often promotes the company's alleged social benefits or charity sponsorships. CSR is a relatively new concept to reach Fiji; mainly multi-national companies practice CSR through charitable foundations. There is no official favoring of CSR-friendly businesses, and consumers tend to seek value for price.

## **Political Violence**

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On January 1, 2012, PM Bainimarama announced the lifting of the state of emergency and press censorship, effective January 7, 2012 but imposed a restrictive Public Order Amendment Decree on January 5, 2012. The requirement for meeting permits under the Public Order Act was lifted to enable meetings to discuss a new constitution in 2012. A Constitution Commission, appointed in May 2012, carried out extensive public consultations and handed over a draft to the President in December 2012. The draft was rejected in favor of a draft written by government drafters. A form of that constitution is expected to be adopted during 2013. Over 500,000 voters have been registered during the national electoral voter registration process from July to December 2012 as Fiji prepares for elections in 2014. There is skepticism among some civil society organizations about the transparency of promised reforms, consultations, and promised 2014 elections. Despite the current government's efforts to avoid political violence, the magnitude of the political changes occurring increases the possibility that civil disturbances might occur.

Fiji had a parliamentary republic form of government, but is currently ruled by decree under the 2006 military coup government led by the armed forces leader and prime minister, Frank Bainimarama. Fiji has suffered four coups d'état in its history: two in 1987, one in 2000 and one in December 2006. The 1997 Constitution was abrogated in April 2009. There was, in addition, a mutiny within the Fiji military in November 2000. In May 2000, then Prime Minister Mahendra Chaudhry and members of his government were held hostage by a group of Fijian nationalists. In the end, Fiji's military intervened, removed the coup leaders, and installed an interim government that remained in power after 2001 general elections. The same government was again returned to office following elections in May 2006 and formed a multi-party cabinet with the Fiji Labor Party until the coup of December 2006.

Fiji remained relatively stable from 2001 to 2006. Mounting tensions between the government and the military peaked in December 2006 when the military staged a repressive but relatively bloodless coup. Parliament was dissolved, the prime minister deposed, and the vice president, government ministers and senior bureaucrats removed from office. In January 2007, the military named an interim government to govern until national elections can be held, with the military commander, Commodore Bainimarama, as prime minister. The military committed numerous human rights violations in attempting to silence critics of the overthrow. It declared a state of emergency and eliminated or restricted many civil rights. In April 10, 2009, following the Court of Appeal ruling that the December 2006 coup and the interim government appointed in January 2007 were unlawful, the 1997 Constitution was abrogated. A state of emergency, which permitted censorship of the media, remained in effect until January 7, 2012. Fiji currently has no constitution, parliament, or national elections, and the judiciary is allegedly subject to government pressure. Under media censorship, most opposition to the government was expressed on overseas blogs.

## **Corruption**

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Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

**U.S. Foreign Corrupt Practices Act:** In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at: <http://www.justice.gov/criminal/fraud/>

**Other Instruments:** It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. Fiji acceded to the UN Convention Against Corruption in 2008, but generally all countries prohibit the bribery and solicitation of their public officials.

**OECD Antibribery Convention:** The OECD Antibribery Convention entered into force in February 1999. As of March 2009, there are 38 parties to the Convention including the United States (see <http://www.oecd.org/dataoecd/59/13/40272933.pdf>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD Antibribery Convention through the U.S. FCPA. Fiji is not a party to the OECD Convention.

**UN Convention:** The UN Anticorruption Convention entered into force on December 14, 2005, and there are 158 parties to it as of November 2011 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. Fiji acceded to the UN Convention Against Corruption in 2008.

**OAS Convention:** In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in March 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of

corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of December 2009, the OAS Convention has 34 parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>) Fiji is not a party to the OAS Convention.

**Council of Europe Criminal Law and Civil Law Conventions:** Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2011, the Criminal Law Convention has 43 parties and the Civil Law Convention has 34 (see [www.coe.int/greco](http://www.coe.int/greco).) Fiji is not a party to the Council of Europe Conventions.

**Free Trade Agreements:** While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and trans-nationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. Fiji does not have an FTA in place with the United States.

**Local Laws:** U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department’s U.S. and Foreign Commercial Service can provide assistance with navigating the host country’s legal system and obtaining a list of local legal counsel.

**Assistance for U.S. Businesses:** The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company’s overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at [www.trade.gov/cs](http://www.trade.gov/cs).

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department’s Advocacy Center and State’s Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy

personnel and through the Department of Commerce Trade Compliance Center “Report A Trade Barrier” Website at [tcc.export.gov/Report\\_a\\_Barrier/index.asp](http://tcc.export.gov/Report_a_Barrier/index.asp).

**Guidance on the U.S. FCPA:** The Department of Justice’s (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department’s present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ’s Fraud Section Website at [www.justice.gov/criminal/fraud/fcpa](http://www.justice.gov/criminal/fraud/fcpa). Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html). More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

*Annual reports by the Auditor General which have highlighted abuses and the misuse of public funds have not been published since 2005. The limited accountability for corruption, inefficient government systems, and lack of effective disciplinary processes pose major challenges to Fiji’s fight against corruption. Fiji’s relatively small population and limited circles of power often lead to personal relationships playing a major role in business and government decisions.*

*Alleged corruption in government and the civil service was cited by the military as a major justification for its overthrow of Fiji’s democratically elected government in 2006. The military itself, however, has suffered from a lack of a transparent budgetary process and has itself evaded the Auditor General’s investigations. In 2007, the government established by proclamation an independent commission against corruption, the Fiji Independent Commission Against Corruption (FICAC), with broad powers of investigation. Some investigations have targeted coup opponents, allegedly at the instigation of the government.*

*Fiji acceded to the UN Convention Against Corruption in 2008.*

### **Anti-Corruption Resources**

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a “Lay-Person’s Guide to the FCPA” is available at the U.S. Department of Justice’s Website at: <http://www.justice.gov/criminal/fraud/fcpa>.
- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: [http://www.oecd.org/departement/0,3355,en\\_2649\\_34859\\_1\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/departement/0,3355,en_2649_34859_1_1_1_1_1,00.html). See

also new Antibribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>.

- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: [http://www.ogc.doc.gov/trans\\_anti\\_bribery.html](http://www.ogc.doc.gov/trans_anti_bribery.html).
- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2009](http://www.transparency.org/policy_research/surveys_indices/cpi/2009). TI also publishes an annual *Global Corruption Report* which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See <http://www.transparency.org/publications/gcr>
- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 213 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See <http://info.worldbank.org/governance/wgi/index.asp>. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://data.worldbank.org/data-catalog/BEEPS>.
- The World Economic Forum publishes the *Global Enabling Trade Report*, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/s?s=global+enabling+trade+report>.
- Additional country information related to corruption can be found in the U.S. State Department's annual *Human Rights Report* available at <http://www.state.gov/g/drl/rls/hrrpt/>.
- Global Integrity, a nonprofit organization, publishes its annual *Global Integrity Report*, which provides indicators for 106 countries with respect to governance and anti-corruption. The report highlights the strengths and weaknesses of national level anti-corruption systems. The report is available at: <http://report.globalintegrity.org/>.

## Bilateral Investment Agreements

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Fiji has negotiated double taxation agreements with the Australia, Japan, Malaysia, New Zealand, Papua New Guinea, the Republic of Korea, Singapore and United Kingdom. Fiji has not entered into a bilateral investment agreement with the United States.

Fiji is party to a number of regional and international trade arrangements, including the South Pacific Regional Trade and Economic Cooperation Agreement (SPARTECA), an interim Economic Partnership Agreement (iEPA) with the EU, and the Generalized System of Preferences (GSP). Under SPARTECA, Fiji has broad, duty-free access to the markets of Australia and New Zealand for its exports, subject to certain exceptions and limitations. In November 2007, Fiji signed an interim EPA (iEPA) on trade in goods, replacing the trading section of the Cotonou Agreement, which secures preferential access to the EU market for some Fiji exports. The interim EPA must be renewed by Jan 1, 2014 or Fiji will lose their preferential trading status. Fiji is also party to the Melanesian Spearhead Group (MSG) and the regional Pacific Island Countries Trade Agreement (PICTA) but is presently excluded from participation in the Pacific Agreement on Closer Economic Relations (PACER) Plus trade negotiations.

### **OPIC and Other Investment Insurance Programs**

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The U.S. Overseas Private Investment Corporation (OPIC) ([www.opic.gov](http://www.opic.gov)) provides investment insurance in Fiji for qualified applicants. The risks of currency convertibility and expropriation are safeguarded under Fiji's foreign-exchange regulations. OPIC provides political risk insurance and loans for qualified projects. Fiji is not a member of the Multilateral Investment Guarantee Agency.

### **Labor**

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The workforce in 2010 was estimated at 364,608, with an estimated labor force participation rate of 61.4 percent. Nearly 93 percent of the workforce has been educated to a secondary school level, and four percent have received a university-level education or post-secondary school technical training.

Fiji continues to face a “brain drain”, with many skilled and professional workers migrating overseas for better working and living conditions. Acute shortages are found in a broad range of fields, including the medical, management, and financial sectors, and for competent trade-skilled people in the construction and tourism industries.

The Ministry of Employment and Industrial Relations has responsibility for the administration of labor laws and the encouragement of good labor relations.

The Employment Relations Act, promulgated by decree in April 2008, consolidates and updates Fiji's labor and employment laws. The legislation mandates that labor disputes be resolved through mediation courts and tribunals. In 2011, the Fiji government also gazetted the Essential National Industries Decree (ENID) regulating union activity in “essential industries”. Named industries include the national airlines, utilities, broadcasting, and banking sectors. The ENID Decree authorizes the Prime Minister to declare any additional industry “essential” at any time. Labor unions in industries deemed essential are subject to specific rules distinct from those under the Employment Relations Act, including limits on the ability to strike. “Essential” industries also face government intervention in collective bargaining agreements if the industry experiences financial loss.

Fiji has been a member of the International Labor Organization (ILO) since 1974 and has ratified 33 ILO conventions of which 30 are in force.

## Foreign-Trade Zones/Free Ports

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To encourage development in the northern and maritime regions of Fiji, each has been declared a Tax Free Region (TFR). Businesses that are established in such a region and meet the prescribed requirements will enjoy a 13-year corporate tax holiday and import duty exemption on raw materials, machinery, and equipment. The Kalabu tax-free zone near the capital, Suva, hosts garment factories with designated tax-free factory status and eligible information communication technology (ICT) companies.

## Foreign Direct Investment Statistics

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Foreign direct investment remains sluggish. According to data provided by Investment Fiji, total foreign direct investment registered from January- September in 2012 totaled US\$123 million (F\$218 million). Registration is a precondition but does not necessarily mean that actual investment will be made.

## Web Resources

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Fiji:

Investment Fiji - <http://www.investmentfiji.org.fj/>

Fijian Government – [www.fiji.gov.fj](http://www.fiji.gov.fj)

Fiji-American Business Council (AmCham) - <http://fijiamcham.com/>

Biosecurity Authority of Fiji (BAF) - <http://www.biosecurityfiji.com/>

Ministry of Lands & Mineral Resources - <http://www.lands.gov.fj>

Reserve Bank of Fiji - <http://www.rbf.gov.fj>

iTaukei Land Trust Board - <http://www.tltb.com.fj/>

Fiji Revenue & Customs Authority - <http://www.frca.org.fj>

Fiji Bureau of Statistics - <http://www.statsfiji.gov.fj>

U.S. Government:

U.S. Embassy Suva, Fiji- <http://suva.usembassy.gov/business.html>

U.S. Foreign Commercial Service, Sydney, Australia- <http://export.gov/australia/>

U.S. Department of Commerce, International Trade Administration - <http://trade.gov/>

OPIC - <http://www.opic.gov>

U.S. Trade & Development Agency - <http://ustda.gov/>

U.S. Food & Drug Administration - <http://www.fda.gov/>

U.S. Foreign Agricultural Service - <http://www.fas.usda.gov/>

USAID Pacific Islands Office, Port Moresby, Papua New Guinea -  
<http://pacificislands.usaid.gov/>

Regional Organizations:

Pacific Islands Private Sector Organization (PIPSO) - <http://www.pipso.org/>

UN International Labor Organization - <http://www.ilo.org/public/english/region/asro/suva/>

Asian Development Bank – South Pacific Sub-regional Office -  
<http://www.adb.org/SPSO/>

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## Chapter 7: Trade and Project Financing

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### **How Do I Get Paid (Methods of Payment)**

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Fiji has a stable financial and banking system, but the international services division of a U.S. or Fiji bank should be consulted for recommendations regarding the best method for a given transaction.

Options for payment include:

- Telegraphic Transfers
- Cash in Advance
- Commercial Bills of Exchange
- An Open Account
- Letters of Credit

A letter of credit is a very secure form of payment and is used frequently for new or unknown clients perceived to offer relatively more risk of nonpayment.

### **How Does the Banking System Operate**

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Fiji has a developed banking system controlled by the Fiji Government through the Reserve Bank of Fiji. The Reserve Bank regulates the Fijian monetary and banking system, manages note issues, administers exchange controls, and provides banking and other services to government. It provides and regulates trading-bank liquidity via the government's monetary policy. In addition to managing the credit environment, the RBF has responsibility for foreign exchange controls and management of Fiji's international reserves position.

There are five commercial banks licensed by the Reserve Bank of Fiji and with established operations in Fiji. The newest entry into the market is Bred Bank (Fiji) Ltd which is part of the French banking group BCPE, the second largest banking group in France. There are also non-bank financial institutions (NBFIs) providing financial assistance and borrowing facilities to the commercial community and to consumers. The non-bank institutions are: the Fiji Development Bank, the Fiji National Provident Fund (FNPF), the Housing Authority, the Credit Corporation, the Merchant Finance & Investment Company Ltd., and a number of insurance companies.

The commercial banks are:

- ANZ Banking Group Limited, P.O. Box 179, Suva, Telephone: (679) 3213-000, Fax: (679) 3213-756
- Bank of Baroda, P.O. Box 47, Suva, Telephone: (679) 3311-402, Fax: (679) 3302-510
- Bank of South Pacific (BSP), Private Mail Bag, Suva, Telephone: (679) 3314-400, Fax: (679) 3303-448
- Bred Bank, Private Mail Bag, Suva, Telephone: (679) 3100-222, Fax: (679) 3100-555
- Westpac Banking Corporation, P.O. Box 238, Suva, Telephone: (679) 3300-666 Fax: (679) 3301-838

Principal credit financial institutions are:

- Credit Corporation, Credit House, 10 Gorrie Street, Suva, Telephone: (679) 3305-744, Fax: (679) 3305-747
- Merchant Finance and Investment Co. Ltd, 91 Gordon Street, Suva, Telephone: (679) 3314-955, Fax: (679) 3300-026
- Fiji Development Bank, 369 Victoria Parade, Suva, Telephone: (679) 3314-866, Fax: (679) 3314-886

Services provided by the banks include: lending, overdraft facilities, full-drawn advances, housing loans, leasing finance, personal loans, bankers opinion, credit card facilities, money transfers/remittances, trade finance, trade enquiries, letters of credit, documentary collections, travelers checks, foreign-currency accounts, forward exchange (restricted to trade) and foreign currency loans (residential and trade).

The assets of all commercial banks in Fiji at the end of September 2012 totaled \$2.85 billion (F\$5.06 billion). A foreign currency exposure policy, introduced in 1997, places limits on banks' net, foreign and open positions, and gross forward, foreign-exchange and sales contracts, in relation to an individual bank's level of capital in Fiji.

## **Foreign-Exchange Controls**

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Exchange control is administered by the Reserve Bank of Fiji through the Exchange Control Act and subsidiary legislation.

The following areas are affected by exchange control:

- transactions in foreign currency;
- transfer of currency into and out of Fiji;
- transfer of property and securities out of Fiji; and
- export and import transactions.

Investments from outside Fiji, overseas equity, loan investment into Fiji, and the flow of funds arising from commercial and private transactions into and out of Fiji are subject to exchange controls.

All commercial banks operating in Fiji, along with non-bank financial institutions, act as agents of the Reserve Bank in matters affected by the Exchange Control Act. Limited authority has been delegated to the commercial banks. The Reserve Bank maintains tight exchange controls on non-resident borrowing. The exchange control policy

guidelines and delegated limits for authorized dealers are highlighted in the following table and can also be found on the Reserve Bank of Fiji's website.

Type of Payments	Effective from January 2013
1. Airline Ticket Sales [applicable only to overseas airlines with offices or agents in Fiji]	<ul style="list-style-type: none"> <li>• Up to \$1,000,000 per application</li> </ul>
2. Charges/Fees/Services <ol style="list-style-type: none"> <li>Freight &amp; Shipping</li> <li>Other Transport Charges</li> <li>Royalty &amp; Commission</li> <li>Patents, Copyright</li> <li>Brokerage &amp; Other Charges to agents and representatives outside Fiji</li> <li>Movie/Film Hire, News Service</li> <li>Repair – domestic air/shipping, other</li> <li>Technical, Professional &amp; Management Fees</li> <li>Advertising</li> <li>Office Expenses</li> <li>Visa Application</li> <li>Re-imburement/refund</li> <li>Software, etc</li> <li>Other</li> </ol> <p>*does not include commercial banks' head office expenses or reimbursement charges</p>	<ul style="list-style-type: none"> <li>• Up to \$500,000 per invoice</li> </ul>
3. Court Order Payments <ul style="list-style-type: none"> <li>• Alimony</li> <li>• Collection of debt</li> <li>• Other</li> </ul>	<ul style="list-style-type: none"> <li>• Up to full amount</li> </ul>
4. Credit Card Payments <ul style="list-style-type: none"> <li>• Personal</li> <li>• Corporate Cards</li> <li>• Cash Drawing</li> </ul>	<ul style="list-style-type: none"> <li>• \$10,000 per month with monthly allowance for top-up of \$5,000</li> <li>• \$20,000 per card per month</li> <li>• \$1,500 per month</li> </ul>
5. Debit Card Facility <ul style="list-style-type: none"> <li>• Monthly usage</li> </ul>	<ul style="list-style-type: none"> <li>• \$10,000 per month</li> </ul>
6. Deposits into F\$ external accounts <ul style="list-style-type: none"> <li>• Salaries &amp; wages from employment in Fiji</li> <li>• Interest payable on the account</li> <li>• Payments from other external accounts</li> <li>• Proceeds of sale of assets/ personal</li> </ul>	<ul style="list-style-type: none"> <li>• Up to the full amount</li> <li>• Up to the full amount</li> <li>• Up to the full amount</li> <li>• Up to \$50,000 per transaction</li> </ul>

<ul style="list-style-type: none"> <li>effects/ claims</li> <li>Income from rental/ directors fees/ gratuity</li> <li>FNPF proceeds</li> <li>Tax refunds</li> <li>Proceeds from sale of foreign currency sourced from external sources or remaining from travel funds uplifted</li> <li>Reimbursement/ living allowance/ fees/ bonds etc. from local sources</li> <li>Other funds from local sources</li> </ul>	<ul style="list-style-type: none"> <li>Up to \$50,000 per annum</li> <li>Up to the full amount</li> <li>Up to the full amount</li> <li>Up to the full amount</li> <li>Up to \$500 per month</li> <li>Up to \$200 per month</li> </ul>
<p>7. Education Expenses</p> <ul style="list-style-type: none"> <li>Paid directly to the education institution</li> <li>Paid directly to the student</li> <li>Scholarship Payments by recognized institution</li> </ul>	<ul style="list-style-type: none"> <li>Up to \$100,000 per student per annum</li> <li>Up to \$10,000 per applicant per annum</li> <li>Up to full amount due</li> </ul>
<p>8. Emigration Allowance</p> <p><b>Source of Funds</b></p> <ul style="list-style-type: none"> <li>Sale of personal assets</li> <li>Maturity of life insurance</li> <li>Death Benefits</li> <li>Rental/Directors Fees</li> <li>Savings/FNPF/Refund</li> <li>Estate Funds</li> <li>Pension</li> </ul>	<ul style="list-style-type: none"> <li>Requires Reserve Bank approval [Restrict to \$500,000 per family per annum]</li> </ul>
<p>9. Gifts</p>	<ul style="list-style-type: none"> <li>Up to \$500 per applicant/beneficiary per annum</li> </ul>
<p>10. Government Department Payments/ Transfers [includes Funding of Offshore Accounts]</p>	<ul style="list-style-type: none"> <li>Up to the full amount</li> </ul>
<p>11. Import Payments</p> <ul style="list-style-type: none"> <li>Goods on board ship or aircraft, or goods landed but awaiting Customs clearance</li> <li>Goods already landed &amp; cleared by the Fiji Customs</li> <li>Prepayment of term bills for goods already landed &amp; cleared by Fiji Customs</li> <li>Advance payment</li> <li>[Payment to a personal account is not delegated]</li> <li>Payment for merchanted goods</li> <li>Payment to 3rd parties for goods</li> </ul>	<ul style="list-style-type: none"> <li>Up to the full payment due for Letters of Credit and Sight Draft arrangements</li> <li>Up to the full payment due</li> <li>Up to \$1.0 million per invoice</li> <li>Up to \$500,000 per invoice</li> <li>Up to \$100,000 per invoice</li> <li>Up to \$100,000 per invoice</li> </ul>

already received	
12. Oil Payments	<ul style="list-style-type: none"> <li>• Requires Reserve Bank approval</li> </ul>
13. Insurance/ Re-insurance Payments Offshore	<ul style="list-style-type: none"> <li>• Up to the full amount [but subject to prior approval of the Insurance Unit of the Reserve Bank]</li> </ul>
14. Lease Payments <ul style="list-style-type: none"> <li>• Aircraft</li> <li>• Fishing &amp; Cruise Vessels</li> <li>• Machinery</li> <li>• Other lease payments</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$500,000 per amount due per annum</li> </ul>
15. Loan Repayment <ul style="list-style-type: none"> <li>• Principal and Interest (excluding up- front fees)</li> <li>• Loan prepayment</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$500,000 per amount due as scheduled</li> <li>• Requires RBF approval</li> </ul>
16. Lottery Tickets Note: Upfront payment of lottery winnings is not permitted	<ul style="list-style-type: none"> <li>• Up to \$500,000 per amount due as scheduled</li> </ul>
17. Maintenance	<ul style="list-style-type: none"> <li>• Up to \$500 per applicant per annum</li> </ul>
18. Medical Expenses <ul style="list-style-type: none"> <li>• Paid directly to the medical institution</li> <li>• Paid directly to the patient</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$100,000 per medical treatment</li> <li>• Up to \$10,000 per applicant per annum.</li> </ul>
19. Offsetting of Foreign Exchange Earnings against Foreign Currency Bills Payable <ul style="list-style-type: none"> <li>• Merchandise Imports</li> <li>• Other</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$100,000 per transaction</li> <li>• Up to \$100,000 per amount due</li> </ul>
20. Offshore Investment <ul style="list-style-type: none"> <li>• FPNF</li> <li>• Non-Bank Financial Institutions (NBFIs)</li> <li>• Companies</li> <li>• Fiji residents</li> </ul>	<ul style="list-style-type: none"> <li>• FPNF, NBFIs and Companies require Reserve Bank approval</li> <li>• For individuals, up to \$15,000 per family or business entity</li> </ul>
21. Pensions/ Superannuation/ Gratuity	<ul style="list-style-type: none"> <li>• Up to full amount</li> </ul>
22. Profit declared and distributed to non-resident shareholders/partners/sole proprietors a) Capital  b) Dividend or Operating Profit	<ul style="list-style-type: none"> <li>• Up to \$500,000 per company per annum</li> </ul>
23. Refund <ul style="list-style-type: none"> <li>• Hotel bookings cancelled</li> <li>• Other (inc. airline tickets sold locally by travel agent)</li> <li>• Tax</li> </ul>	<ul style="list-style-type: none"> <li>• Up to full amount for electronic refund</li> <li>• Up to full amount for electronic refund</li> <li>• Up to full amount per beneficiary</li> </ul>
24. Subscriptions to clubs, societies and	<ul style="list-style-type: none"> <li>• Up to \$10,000 per subscriptions per</li> </ul>

trade organizations including entrance fees.	annum
25. Withdrawal of Investment <ul style="list-style-type: none"> <li>• Sale of Shares/ Assets</li> <li>• Shareholders' Funds</li> </ul>	• Up to \$500,000 per company per annum
26. Wages paid in foreign currency cash to foreign crew members	• Up to \$500 per beneficiary
27. Travel allowance <ul style="list-style-type: none"> <li>○ Fiji Passport holders (excluding emigrants) <ul style="list-style-type: none"> <li>○ Return Ticket</li> <li>○ One Way Ticket</li> </ul> </li> <li>○ Foreign Passport Holders <ul style="list-style-type: none"> <li>○ Sourced directly from the applicant's F\$ external or foreign accounts</li> <li>○ Sourced from F\$ resident account</li> </ul> </li> <li>○ Others (tourist)</li> </ul>	<ul style="list-style-type: none"> <li>• Up to \$10,000 per person per trip</li> <li>• Up to \$5,000 per person per trip</li> <li>• Up to full amount</li> <li>• Up to \$10,000 per person per trip</li> <li>• Up to the full unutilized balance of funds imported and verifiable by documentary evidence.</li> </ul>
28. Miscellaneous Expenses	• Up to \$500 per applicant per trip
Other Facilities: <ol style="list-style-type: none"> <li>1) Foreign Currency- Denominated Business Accounts <ul style="list-style-type: none"> <li>○ Exporters</li> <li>○ Other FX Earners</li> <li>○ Regional or International Organizations</li> </ul> </li> <li>2) Forward Foreign Exchange Cover &amp; Options</li> <li>3) Offshore Borrowing</li> <li>4) Foreign Currency Loans by banks</li> </ol>	<ul style="list-style-type: none"> <li>• Requires Reserve Bank approval</li> <li>• Requires Reserve Bank approval</li> <li>• Fully Delegated</li> <li>• Commercial banks are allowed to write net forward sales contracts up to \$20m per bank</li> <li>• Commercial banks will not be permitted to purchase foreign currency from the Reserve Bank to fund their sales contracts</li> <li>• Up to F\$5.0 million per borrower per annum</li> <li>• Requires Reserve Bank approval – foreign currency must be sourced from bank's own holdings or from external sources not the Reserve Bank</li> </ul>

## U.S. Banks and Local Correspondent Banks

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Australia and New Zealand Banking Group Limited (ANZ) - with Citibank, New York, for drafts; ANZ Bank, New York, for outward telegraph transfers; and Bank of America, San Francisco, for negotiation of checks.

Bank of Baroda – Bank of Baroda, New York branch: <http://www.bankofbaroda-usa.com/>

BSP Fiji – with Bank of America, San Francisco, CA

Westpac Banking Corporation – with Bank of America, San Francisco, CA

## Project Financing

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The Reserve Bank of Fiji's tight exchange control policy guidelines may impact project financing and limit the amount foreign owned companies may borrow from local banks. For local borrowing to non-resident individuals and non-resident controlled companies, the delegated authority to commercial banks was lifted, although this is subject to a ceiling and compliance with the Reserve Bank's debt/equity guidelines.

Multilateral banks such as the Asian Development Bank (ADB) and the World Bank, and some bilateral institutions, offer loans for specific government projects.

## Web Resources

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Export-Import Bank of the United States: <http://www.exim.gov>

Country Limitation Schedule:

<http://www.exim.gov/tools/countrylimitationschedule/index.cfm>

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation:

<http://www.fsa.usda.gov/FSA/webapp?area=about&subject=landing&topic=sao-cc>

U.S. Agency for International Development: <http://www.usaid.gov>

The Australian and New Zealand Banking Group Limited (ANZ): [www.anz.com/fiji/](http://www.anz.com/fiji/)

Bank of Baroda: [www.bankofbaroda-fiji.com](http://www.bankofbaroda-fiji.com)

Bank of the South Pacific: [www.bsp.com.fj](http://www.bsp.com.fj)

Bred Bank (Fiji): [www.bred.com.fj](http://www.bred.com.fj)

Westpac Banking Corporation: [www.westpac.com.fj](http://www.westpac.com.fj)

Credit Corporation, [www.creditcorporation.com.pg/fiji.htm](http://www.creditcorporation.com.pg/fiji.htm)

Fiji Development Bank, [www.fdb.com.fj](http://www.fdb.com.fj)

Reserve Bank of Fiji: [www.rbf.gov.fj](http://www.rbf.gov.fj)

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## Chapter 8: Business Travel

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### **Business Customs**

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Although Fiji has a unique local culture, there are no local business customs, beyond the bounds of normal courtesy, which visitors should feel compelled to observe in normal business transactions. Business in Fiji tends to be conducted in a less formal manner than in many other countries. The use of first names is common. Business meetings often begin with small talk and sometimes proceed more slowly than an equivalent meeting in the United States.

It is advisable to reconfirm business appointments and meeting arrangements. However, U.S. business people should not be unduly surprised when kept waiting beyond scheduled times. Business meetings are generally informal. Ties are suitable. In the government and financial sector, men usually wear collared shirts and ties during work hours. However, very casual attire, including shorts, should be avoided. Evening functions are normally informal (colorful Bula/Aloha shirts, or shirt and tie and slacks or dress, or skirt and blouse), unless otherwise specified. Many offices wear Bula/Aloha shirts on Fridays.

Fiji adopts a relatively conservative approach toward Sunday religious observance. Most retail business is closed on Sunday, but basic services are available. There are sizeable minorities of Hindus and Muslims in the population who have special religious observances regarding food and drink.

Fiji uses the metric system of weights and measures. Dates are written in the order: day, month, year: 1 January 2013 or 01/01/13. In writing numbers, commas denote thousands and periods denote fractions as follows: \$1,000.50, as in the United States. Household electrical current is 220 volt, 50 cycle. Special adapter plugs (Australian standard) are required when connecting U.S. appliances to electrical outlets.

### **Travel Advisory**

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[http://travel.state.gov/travel/travel\\_1744.html](http://travel.state.gov/travel/travel_1744.html)

## **Visa Requirements**

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A passport valid for at least three months beyond the intended period of stay and a ticket for return or onward travel is required. Entry visas are granted on arrival for a stay of up to four months for U.S. nationals. U.S. business people do not require special visas to visit Fiji. Visas may be extended for up to six months on application to the Department of Immigration in Suva, Lautoka or Nadi. It is necessary to have an onward or return ticket and sufficient funds to cover costs. Those wishing to reside and work in Fiji, even on a temporary basis, require proper authority to do so before arrival. In most cases, prospective employers will make necessary arrangements to sponsor such people. Visitors who intend to reside or work must make certain they have satisfied immigration requirements.

U.S. Companies that require travel of foreign businesspersons to the United States should be advised that security evaluations are handled via an interagency process. Visa applicants should go to the following links.

State Department Visa Website: <http://travel.state.gov>

Fiji Embassy in Washington, D.C.: <http://www.fijiembassydc.com/>

State Department Visa Website: <http://travel.state.gov>

U.S. Embassy Suva: [http://suva.usembassy.gov/information\\_for\\_travelers.html](http://suva.usembassy.gov/information_for_travelers.html)

United States Visas.gov: <http://www.unitedstatesvisas.gov/>

## **Telecommunications**

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Fiji's telecommunication systems are fairly well developed, though costly. Fiji has connectivity via the Southern Cross Cable fiber optic network. The high speed network can deliver a 240Gbps (capacity of submarine cable system) and a direct and secure bandwidth from Australia, New Zealand and Hawaii.

Mobile phones are the most common means of communication. There are three mobile service providers including Vodafone Fiji, Digicel & Inkk Mobile. Vodafone Fiji, the country's first mobile service provider boasts more than 750,000 active subscribers. Mobile phones operate on a 900 MHz frequency and any GSM dual band or tri-band mobile phone will work with Vodafone Fiji.

Internet access is available in most urban centers and can also be accessed casually from internet cafes and business bureaus. There are several Internet service providers

(ISP), including Connect, FINTEL's KIDANET, Unwired Fiji Ltd., and mobile service providers Vodafone Fiji and Digicel. While dial-up connections are available in Fiji, there is a greater demand and use of high-speed Broadband, pre-paid Internet access and wireless Internet access.

Telecom Fiji Limited (TFL) is the sole provider of local and national (trunk) telephony services. Its network throughout Fiji and Rotuma consists of 55 telephone exchanges and connects over 101,000 customers in all major towns. The range of products and services offered by TFL include local and national (trunk) telephony services, data services, private leased lines, switched digital data circuits, information processing, maritime telecommunications, and emergency services.

## **Transportation**

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American business travelers to Fiji should not encounter unexpected difficulties and can use normal reservation services for travel and accommodation. Visitors are advised to take into account the requirement to have a valid Fiji visa (obtainable upon arrival), a passport valid for at least three months beyond the intended period of stay, and a ticket for return or onward travel to another country.

Fiji is at the crossroads of the South Pacific, central among the southern Pacific island nations, and a mid-way stop for some flights from Australia and New Zealand to America. On average, there are 27 international flights landing or departing Fiji daily .

Fiji's national carrier, Fiji Airways, flies to six Pacific island nations as well as New Zealand, Australia, Hong Kong and the United States. The airline offers code share flights with American Airlines between Fiji and the United States. Other airlines servicing Fiji are Aircalin, Air New Zealand, Air Niugini, Jetstar, Korean Airlines, Our Airline, Pacific Blue, Qantas and Solomon Airlines.

Fiji has two international airports, both on Viti Levu, the largest island. Most overseas flights arrive and depart from Nadi (pronounced Nandi) on Viti Levu's west coast. The other international airport is on the eastern side at Nausori, outside the capital of Suva. A third port on the outer most Northern island of Rotuma was declared an international port of call in 2008.

Pacific Sun, a Fiji Airways subsidiary, is Fiji's main domestic airline. Turtle Airways and Northern Air provide special chartered flights for specific inter-island routes. Rising fuel costs are resulting in increased inter-island fares.

Visitors to Fiji may drive on a valid driver's license from their home country for the same class of vehicle, or a valid international driver's license. Driving is on the left side of the road. The maximum speed limit on the open road is 80 kilometers per hour (50 mph), and 50 kilometers per hour (30 mph) in urban areas. Rental cars are available from internationally known companies at Fiji's gateway airports and in major urban areas.

## **Language**

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Fiji is an English-speaking country, although Fijian and Hindustani are also widely spoken.

## Health

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Fiji is free from malaria, yellow fever, and many tropical diseases endemic to tropical countries. Typhoid, dengue fever and leptospirosis have periodically been reported. Fiji has a fairly effective medical system, but emergency care is largely restricted to urban centers. Tap water in Suva, Lautoka and the other major towns has been treated but may not always be safe to drink. Bottled water is readily available. Outside of these urban centers and large resorts, tap water should not be considered potable.

## Local Time, Business Hours, and Holidays

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Listed below are national holidays and their dates for 2013.

New Year's Day	January 1
Prophet Mohammed's Birthday	January 28
Good Friday	March 29
Easter Monday	April 1
Fiji Day	October 10
Diwali	November 4
Christmas Day	December 25
Boxing Day	December 26

## Temporary Entry of Materials and Personal Belongings

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Machinery and equipment imported for temporary use and for a specific project in Fiji and then re-exported, may be allowed as "Privileged Goods" on a check-in/check-out basis, without payment of normal duties. Security in the form of a cash or bond must be deposited with the Comptroller of Customs at the time of importation. Upon re-exportation of such goods, the cash deposit will be refunded or bond cancelled. Personal and household effects may be imported free of fiscal/ excise duty, though this is subject to conditions set out by the Fiji Revenue and Customs Authority. For the importation of personal motor vehicles, normal duties must be paid.

## Web Resources

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State Department Visa Website: <http://travel.state.gov>

Centers for Disease Control: <http://www.cdc.gov/travel/>

Fiji Embassy, Washington DC: <http://www.fijiembassydc.com/>

Fiji Immigration Department, <http://www.immigration.gov.fj>

Tourism Fiji, <http://www.fijime.com/>

Investment Fiji, <http://www.investmentfiji.org.fj>

Fiji Government, <http://www.fiji.gov.fj>

Fiji Government – Immigration Department: <http://www.immigration.gov.fj>

Fiji Revenue & Customs Authority: <http://www.frca.org.fj>

FINTEL/KIDANET: <http://www.kidanet.com.fj/>

Telecom Fiji, <http://www.telecomfiji.com.fj>

Vodafone: <http://www.vodafone.com.fj>

Connect Fiji: <http://www.connect.com.fj>

Digicel Fiji: <http://www.digicelfiji.com>

Unwired Fiji: <http://www.unwired.com.fj>

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## Chapter 9: Contacts, Market Research and Trade Events

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- [Trade Events](#)

### Contacts

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The Embassy of the United States of America:

Michael Via, Political & Economic Section Chief  
Cyndee Crook, Commercial Officer  
Repeka Ufiamorat, Economic Assistant

158 Princes Road or P.O. Box 218  
Suva, Fiji  
Telephone: (679) 331-4466  
Fax: (679) 330-8685  
Email: [usembsuva@gmail.com.fj](mailto:usembsuva@gmail.com.fj); [commercial.us.suva@gmail.com](mailto:commercial.us.suva@gmail.com)  
Website: <http://suva.usembassy.gov/business.html>

#### **Fiji:**

Investment Fiji - <http://www.investmentfiji.org.fj/>

Fijian Government – [www.fiji.gov.fj](http://www.fiji.gov.fj)

Fiji-American Business Council (AmCham) - <http://fijiamcham.com/>

Biosecurity Authority of Fiji (BAF) - <http://www.biosecurityfiji.com/>

Ministry of Lands, Mineral Resources & Environment, [www.lands.gov.fj](http://www.lands.gov.fj)

Reserve Bank of Fiji - [www.rbf.gov.fj](http://www.rbf.gov.fj)

iTaukei Land Trust Board - <http://www.tltb.com.fj/>

Fiji Revenue & Customs Authority - [www.frca.org.fj](http://www.frca.org.fj)

Fiji Bureau of Statistics, [www.statsfiji.gov.fj](http://www.statsfiji.gov.fj)

#### **U.S. Government:**

U.S. Embassy Suva, Fiji, Commercial Services:  
<http://suva.usembassy.gov/business.html>

U.S. Foreign Commercial Service, Sydney, Australia: <http://export.gov/australia/U.S.>

Department of Commerce, International Trade Administration: <http://trade.gov>

OPIC [www.opic.gov](http://www.opic.gov)

U.S. Trade & Development Agency: <http://ustda.gov>

U.S. Food & Drug Administration: <http://www.fda.gov>

U.S. Foreign Agricultural Service: <http://www.fas.usda.gov>

USAID Pacific Islands Office, Port Moresby, Papua New Guinea:  
<http://pacificislands.usaid.gov/>

**Regional Organizations:**

Pacific Islands Trade & Invest - <http://www.forumsec.org/pages.cfm/economic-governance/forum-trade-offices/>

Pacific Islands Private Sector Organization (PIPSO) - <http://www.pipso.org/>

UN International Labor Organization, [www.ilo.org/public/english/region/asro/suva/](http://www.ilo.org/public/english/region/asro/suva/)

Asian Development Bank – South Pacific Subregional Office, [www.adb.org/SPSO/](http://www.adb.org/SPSO/)

U.S. Department of State Office of Business Affairs  
Telephone: (202) 746-1625, Fax: (202) 647-3953

U.S. Department Of Agriculture, Foreign Agricultural Service, Trade Assistance and Promotion Office, Telephone: (202) 720-7420

Overseas Private Investment Corporation, Telephone: (202) 336-8799

Fiji Trade Commission, 5777 W. Century Blvd., Suite 205, Los Angeles, CA 90045,  
Telephone: (310) 645-2136, Fax: (310) 645-0851, Email: [jsingh@fijitrade.com](mailto:jsingh@fijitrade.com)

Individual U.S. State Trade Offices: check in U.S. local listings or the Internet.

**COUNTRY TRADE OR INDUSTRY ASSOCIATIONS IN KEY SECTORS:**

Fiji-US Business Council, President, C/- Maxumise Fiji Ltd, Level 4, FNPF Place, 343 Victoria Parade, P. O. Box 12499, Suva; Telephone: (679) 3305510; Email: [secretariat@fijiamcham.com](mailto:secretariat@fijiamcham.com)

Fiji Export Council, Contact: Mr. Jone Cavubati, General Manager, Secretariat, 32 High St., Suva; Telephone: (679) 331-8032; Fax: (679) 331-5575; Email: [info@fijiexportcouncil.com](mailto:info@fijiexportcouncil.com)

Fiji Commerce & Employers Federation, Contact: Mr. Nesbitt Hazelman, Chief Executive Officer, Gorrie St., Suva; Telephone: (679) 331-3188; Fax: (679) 3302183; Email: [ceo@fcef.com.fj](mailto:ceo@fcef.com.fj)

Fiji Grocers Association, Contact: Mr. Sarvendra Dayal, President, P.O. Box 10139, Laucala Beach Estate; Telephone: (679) 3391-155; Fax: (679) 334-0059; Email: [sdoyal@connect.com.fj](mailto:sdoyal@connect.com.fj)

Fiji Retailers Association, Contact: Mr. Himmat Lodhia, President, P.O. Box 598, Suva; Telephone: (679) 330-2466; Fax: (679) 330-2434; Email: [fijilords@gmail.com](mailto:fijilords@gmail.com)

Suva Chamber of Commerce and Industry, Contact Mr. Peter Mazy, President, P.O. Box 337, Government Building, Suva; Telephone: (679) 331-4044; Fax: (679) 330-2188; Email: [dr\\_nurali@alizpacific.com.fj](mailto:dr_nurali@alizpacific.com.fj)/  
[secretariat@suvachamber.org](mailto:secretariat@suvachamber.org)

#### **COUNTRY MARKET RESEARCH FIRMS:**

Tebbutt Research Pty. Ltd., P.O. Box 16851, Suva  
Telephone: (679) 331-5555, Fax: (679) 331-4444

#### **COUNTRY COMMERCIAL BANKS:**

Australian and New Zealand Banking Group Limited (ANZ), ANZ House, 25 Victoria Parade, Suva  
Telephone: (679) 321-3000, Fax: (679) 330-5080, Email: [ebusfj@anz.com](mailto:ebusfj@anz.com)

Bank of Baroda, P.O. Box 47, Suva  
Telephone: (679) 331-1402, Fax: (679) 330-2510, Email: [fiji@bankofbaroda.com](mailto:fiji@bankofbaroda.com)

Bank of the South Pacific (BSP), 98 Renwick Rd, Suva, Private Mail Bag, Suva  
Telephone: (679) 331-4400, Fax: (679) 330-3448

Bred Bank (Fiji), Private Mail Bag , Suva  
Telephone: (679) 310-0222, Fax: (679) 310-0055, Email: [customer.care@bred.com.fj](mailto:customer.care@bred.com.fj)

Westpac Banking Corporation, 1 Thomson St, P.O. Box 238, Suva  
Telephone: (679) 330-0666, Fax: (679) 330-1838, Email: [westpacfiji@westpac.com.au](mailto:westpacfiji@westpac.com.au)

#### **MEDIA:**

Fiji Television Ltd, 20 Gorrie St., P.O. Box 2442, Govt. Bldgs., Suva  
Telephone: (679) 330-5100, Fax: (679) 330-4630, Email: [info@fijitv.com.fj](mailto:info@fijitv.com.fj)

Mai TV Fiji Ltd, Carpenter Street, Raiwai, Suva  
Telephone: (679) 3275-051, Fax: (679) 3275-052, Email: [info@tv.com.fj](mailto:info@tv.com.fj)

Mai Life features magazine, <http://mailife.com.fj>

Fiji Times Ltd, 177 Victoria Parade, P.O. Box 1167, Suva  
Telephone: (679) 330-4111, Fax: (679) 330-1521, Email: [timesnews@fijitimes.com.fj](mailto:timesnews@fijitimes.com.fj)

Sun (Fiji) News Ltd, 12 Amra St., Walu Bay, Private Mail Bag, Suva  
Telephone: (679) 330-7555, Fax: (679) 331-1455, Email: [fijisun@fijisun.com.fj](mailto:fijisun@fijisun.com.fj)

Islands Business International Ltd., 46 Gordon St., P.O. Box 12718, Suva  
Telephone: (679) 330-3108, Fax: (679) 330-1423, Email: [editor@ibi.com.fj](mailto:editor@ibi.com.fj)

The Review Ltd, Ellery St., P.O. Box 12095, Suva  
Telephone: (679) 330-0591, Fax: (679) 330-2852, Email: [info@fijilive.com](mailto:info@fijilive.com)

Fiji Broadcasting Corporation Ltd, 69 Gladstone Rd., P.O. Box 334, Suva  
Telephone: (679) 331-4333, Fax: (679) 331-3606, Email: [newsroom@fbcl.com.fj](mailto:newsroom@fbcl.com.fj)

Communications Fiji Ltd, 231 Waimanu Rd., Private Mail Bag, Suva  
Telephone: (679) 331-4766, Fax: (679) 330-3748, Email: [news@fm96.com.fj](mailto:news@fm96.com.fj)

Fiji Media Council, KPMG ANZ House, Victoria Parade, P.O. Box 11852, Suva  
Telephone/Fax: (679) 331-7055, Email: [rjfpratt@connect.com.fj](mailto:rjfpratt@connect.com.fj)

Pacific Islands News Association (PINA), Level 2, 46 Gordon Street, Damodar Center,  
Private Mail Bag, Suva  
Telephone: (679) 330-3623, Fax: (679) 331-7055, Email [pina@connect.com.fj](mailto:pina@connect.com.fj)

**STOCK EXCHANGE:**

South Pacific Stock Exchange Ltd, 33 Ellery St., P.O. Box 11689, Suva  
Telephone: (679) 330-4130, Fax: (679) 330-4145, Email: [info@spse.com.fj](mailto:info@spse.com.fj)

**TELECOMMUNICATIONS:**

Telecom Fiji Ltd, Ganilau House, Edwards St., Private Mail Bag, Suva  
Telephone: (679) 330-4019, Fax: (679) 330-1765, Email: [contact@tfl.com.fj](mailto:contact@tfl.com.fj)

Fiji International Telecommunications Ltd. (FINTEL), 158 Victoria Parade, P.O. Box 51,  
Suva  
Telephone: (679) 331-2933, Fax: (679) 330-0750, Email: [fintel@connect.com.fj](mailto:fintel@connect.com.fj)

Vodafone Fiji Ltd, 168 Princes Rd., Private Mail Bag, Suva  
Telephone: (679) 331-2000, Fax: (679) 331-2007, Email: [info@vodafone.com.fj](mailto:info@vodafone.com.fj)

Digicel Fiji, P.O. Box 13811, Suva  
Telephone: (679) 331-0200, Fax: (679) 331-0201, Email:  
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Connect, 1 Carpenter St., P.O. Box 13779, Suva  
Telephone: (679) 330-0100, Fax: (679) 330-7237, Email: [info@connect.com.fj](mailto:info@connect.com.fj)

Unwired Fiji Ltd, Kadavu House, Victoria Parade, Suva  
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**CHARTERED ACCOUNTANTS:**

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Telephone: (679) 330-1155, Fax: (679) 330-1312, Email: [suvaoffice@kpmg.com.fj](mailto:suvaoffice@kpmg.com.fj)

PricewaterhouseCoopers, 8th Floor, Civic Tower, P.O. Box 200, Suva  
Telephone: (679) 331-3955, Fax: (679) 330-0981, Email: [jenny.seeto@fj.pwc.com](mailto:jenny.seeto@fj.pwc.com)

AliZ Pacific, 8th Floor Dominion House, Suva  
Telephone: (679)331-4044, Fax: (679)330-2188, Email: [aliz@alizpacific.com.fj](mailto:aliz@alizpacific.com.fj)

Anthony Ho & Associates, 347 Waimanu Rd., P.O. Box 13725, Suva  
Telephone: (679) 330-1472, Fax: (679) 330-3567, Email: [anthonyho@connect.com.fj](mailto:anthonyho@connect.com.fj)

A. Mishra & Co., 2 Lekutu St, Samabula, P.O. Box 206, Suva  
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A. M. Narsey & Co., 63 Marks St., P.O. Box 476, Suva  
Telephone: (679) 331-2695, Fax: (679) 331-2501

Fay Yee & Co, Caines Jannif Building, 1 Victoria Parade, Suva  
Telephone: (679)3317896

G.Lal & Co, Level 10 FNPF Place, 343 Victoria Parade, P.O. Box 855, Suva  
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Telephone: (679) 330-7220, Fax: (679) 330-0631, Email: [ghwhitesideco@connect.com.fj](mailto:ghwhitesideco@connect.com.fj)

H. N. Pande & Co., 3 Berry Rd.P.O. Box 1283, Suva  
Telephone: (679) 331-1512, Fax: (679) 330-5978, Email: [mohn@connect.com.fj](mailto:mohn@connect.com.fj)

I. Naiveli & Co., Lynica House, 3 Goodenough St., P.O. Box 14014, Suva  
Telephone: (679) 330-5395, Fax: (679) 330-5395, Email: [inaiveli@connect.com.fj](mailto:inaiveli@connect.com.fj)

Nandha & Co., Main St., P.O. Box 249, Nadi  
Telephone: (679) 670-0137, Fax: (679) 670-2055, Email: [ck@nandha.com](mailto:ck@nandha.com)

Neil Underhill & Associates, Lot 25 Wailada Lami, P.O. Box 1327, Suva  
Telephone: (679) 336-3968, Fax: (679) 336-3948, Email: [mail@nua.com.fj](mailto:mail@nua.com.fj)

Shyam Narain & Co., 98 Renwick Rd., Suva, P.O. Box 12676, Suva  
Telephone: (679) 330-3188, Fax: (679) 330-3824, Email: [shyamnarain@connect.com.fj](mailto:shyamnarain@connect.com.fj)

HLB Crosbie & Associates, Main St., P.O. Box 1474, Nadi  
Telephone: (679) 670-2430, Fax: (679) 670-2102,  
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Ramani & Co., 95 Sagayam Rd., P.O. Box 270, Nadi  
Telephone: (679) 670-1704, Fax: (679) 670-2051, Email: [ramani@connect.com.fj](mailto:ramani@connect.com.fj)

## **Market Research**

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## **Trade Events**

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Please click on the link below for information on upcoming trade events.

<http://www.export.gov/tradeevents/index.asp>

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## Chapter 10: Guide to Our Services

The President's National Export Initiative aims to double exports over five years by marshaling Federal agencies to **prepare U.S. companies to export successfully, connect them with trade opportunities and support them once they do have exporting opportunities.**

The U.S. Commercial Service offers customized solutions to help U.S. exporters, particularly small and medium sized businesses, successfully expand exports to new markets. Our global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers
- Gain access to the full range of U.S. government trade promotion agencies and their services, including export training and potential trade financing sources

To learn more about the Federal Government's trade promotion resources for new and experienced exporters, please click on the following link: [www.export.gov](http://www.export.gov)

For more information on the services the U.S. Commercial Service offers to U.S. exporters, please click on the following link: <http://suva.usembassy.gov/business.html>  
U.S. exporters seeking general export information/assistance or country-specific commercial information can also contact the **U.S. Department of Commerce's Trade Information Center** at **(800) USA-TRAD(E)**.

To the best of our knowledge, the information contained in this report is accurate as of the date published. However, **The Department of Commerce** does not take responsibility for actions readers may take based on the information contained herein. Readers should always conduct their own due diligence before entering into business ventures or other commercial arrangements. **The Department of Commerce** can assist companies in these endeavors.

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