



Terms of Reference for the Review of the Mining Act 1965 & Quarries Act 1939

I, Siromi Turaga, Acting Attorney General of Fiji refer to the Fiji Law Reform Commission (**the Commission**) the review of the Mining Act 1965 & Quarries Act 1939 (**Acts**) for reform in accordance with section 5(2)(c) of the *Fiji Law Reform Commission Act 1979*.

The Commission and the Ministry of Lands and Mineral Resources (**MLMR**) will jointly undertake a comprehensive review of both Acts to make informed recommendations that will assist in its effective and efficient implementation for the nation's needs.

1. Purpose of the Review

The review is to assess the adequacy, effectiveness, and relevance of the existing Acts and to recommend reform that will:

- (i) Modernize the legislative framework for Mineral exploration, mining and mine management;
- (ii) Improve transparency, accountability and efficiency in the administration of mining rights, leases and licenses;
- (iii) Ensure equitable access to land and protection of public interest;
- (iv) Promote sustainable use of land and environmental stewardship; and
- (v) Address any inconsistencies, outdated provision, or legal gaps.

2. Objectives

The key objective of the Review is to undertake a comprehensive analysis of the Acts with a view to making informed recommendations by:

- (i) identifying legal, policy, and institutional gaps and challenges in implementation;
- (ii) bench marking the Acts against regional and international best practices in comparable jurisdictions such as Papua New Guinea, Australia and New Zealand;
- (iii) engaging relevant stakeholders and gathering, eliciting and collating feedback to inform the review;
- (iv) recommending either amalgamation of the Acts or separate amendments or repeals to strengthen the Acts; and

- (v) proposing an implementation road-map for the reformed legal framework.

3. Scope of Works

The scope of the review shall include, but not be limited to:

- conducting legal analysis of all provisions of the Acts;
- reviewing of institutional roles, responsibilities and coordination mechanisms;
- examining and reviewing current assessments and procedures with regard to mining and quarry activities;
- assessing compliance, enforcement and dispute resolution mechanisms;
- evaluating the relationship between the Acts and the *Constitution of the Republic of Fiji 2013* and other related legislation (*Fair Share of Minerals Act 2018, Petroleum (Exploration and Exploitation) Act 1978, Environmental Management Act 2005, State Lands Act 1945, Native Lands Act 1961, State Acquisition of Lands Act 1940, iTaukei Lands Act 1905, iTaukei Land Trust Act 1991, Land Transfer Act 1971, Land Use Act 2010, Explosives Act 1937, Surveyors Act 1969, Customs Tariff Act 1986, Income Tax Act 2015, Investment Fiji Act 2022, Companies Act 2015, Climate Change Act 2021* and any other affected or relevant legislation);
- conducting community consultations with affected stakeholders such as relevant government agencies, traditional authorities, landowners, civil society, private sector, and the general public;
- Identifying overlaps, conflicts, or gaps with other legislation or policy frameworks;
- Making recommendations for reform, including drafting of proposed amendments or new legislation; and
- Addressing any other related matters that arise during the course of this review process.

4. Deliverables

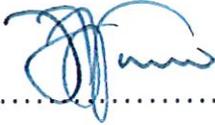
The key deliverables of the review process are:

1. A Final Report with clear recommendations;
2. Clear Drafting Instructions;
3. Draft Revised Acts and/or Regulations (or amalgamation of the Acts)
4. Draft Cabinet Paper

5. Timeline

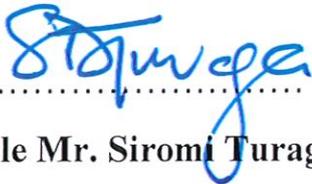
A Final Report, and draft Bill(s) and/or Regulations and draft Cabinet Paper is to be presented to the Acting Attorney-General and the Minister for Lands and Mineral Resources by 31st July 2026.

Approved by the Minister for Lands and Mineral Resources



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Honorable Mr. Filimoni Vosarogo

Issued this ^{04th} day of ^{February}.....2026.



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Honorable Mr. Siromi Turaga

ACTING ATTORNEY GENERAL