

Fiji

Women, Business and the Law 2020 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Suva). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Fiji scores 79.4 out of 100**. The overall score for Fiji is higher than the regional average observed across East Asia & Pacific (71.3).

Fiji - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to laws affecting women’s decisions to work, constraints related to marriage, and gender differences in property and inheritance, Fiji gets a perfect score.

Areas for Improvement

However, when it comes to constraints on freedom of movement, laws affecting women's pay, laws affecting women's work after having children, constraints on women's starting and running a business, and laws affecting the size of a women's pension, Fiji could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Fiji is on the indicator related to laws affecting women’s pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, Fiji may wish to consider mandating equal remuneration for work of equal value, and allowing women to work in all the same industries as men.

Recent Reforms (2018-2019)

Parenthood: Fiji introduced five days of paid paternity leave. It also increased the duration of paid maternity leave from 84 to 98 days.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	No	Passport Regulations, Art. 3; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Employment Relations Act 2007, Secs. 6(2) and 77(1)
	Is there legislation on sexual harassment in employment?	Yes	Employment Relations Act 2007, Sec. 76; Human Rights Commission Decree, 2009, Sec. 19(2)
Pay	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> Employment Relations Act 2007, Secs. 110(1)(b) and 230; Human Rights Commission Decree 2009, Sec. 50
	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
Marriage	Are women able to work in the same industries as men?	No	Mining: No restrictions could be located Construction: No restrictions could be located Factories: Wood Preservative Regulations, Sec. 8 Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Domestic Violence Decree 2009
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Employment Relations Act 2007, Sec. 101; Employment Relations (Budget Amendment) Act 2018 (No. 23 of 2018), Sec. 6
	Does the government pay 100% of maternity leave benefits?	No	Employment Relations Act 2007, Sec. 101
	Is there paid paternity leave?	Yes	Employment Relations Act 2007, Sec. 101; Employment Relations (Budget Amendment) Act 2018 (No. 23 of 2018), Sec. 7
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepren.	Is dismissal of pregnant workers prohibited?	Yes	Employment Relations Act 2007, Sec. 104
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Married Women's Property Act, Sec. 3(2)
	Can a woman register a business in the same way as a man?	Yes	Companies Act, Secs. 20-24
Assets	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Married Women's Property Act, Sec. 3 (1)
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Inheritance (Family Provisions) Act of 2004, Sec. 3
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Inheritance (Family Provision) Act of 2004, Sec. 3
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Married Women's Property Act, Sec. 4
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Family Law Act of 2003, Sec. 162
	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Fiji National Provident Fund Regulations 2014, Reg. 3; Fiji National Provident Fund Act (Decree 52) Men: Fiji National Provident Fund Regulations 2014, Reg. 3; Fiji National Provident Fund Act (Decree 52)
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located