



STANDING COMMITTEE ON ECONOMIC AFFAIRS

Consolidated Review Report of the Accident Compensation Commission, Fiji 2019, 2020 and 2021 Annual Reports



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Acronyms

ACCF – Accident Compensation Commission, Fiji

FNU – Fiji National University

KPIs – Key Performance Indicators

SO – Standing Order

SDGs – Sustainable Development Goals

Chairperson's Foreword

The Standing Committee on Economic Affairs is pleased to submit to Parliament the Consolidated Review Report of the Accident Compensation Commission, Fiji 2019, 2020 and 2021 Annual Reports.

The Accident Compensation Commission, Fiji ("ACCF") was established by the Fijian Government through the introduction of the Accident Compensation Act 2017 to pay no-fault compensation to Fijians as of 1 January 2018 who suffer personal injury or death as a result of an accident in Fiji. From 1 January 2019, the Accident Compensation Commission Fiji (ACCF) has been providing compensation for injuries and deaths as a result of accidents arising in the course of employment, as well as in school premises during school hours.

The Act provides for a scheme through which victims of accidents can be compensated without having to prove fault or negligence, subject to meeting the Act's requirements. Coverage of the no-fault scheme is broader than the previous law, as it extends beyond third parties.

The Committee noted that ACCF collaborates well with key organizations like the Ministry of Health & Medical Services, Ministry of Employment, Land Transport Authority, Fiji Police Force and Legal Aid Commission to deliver their services efficiently.

Furthermore, the Committee noted that there are two sources of funding:

- The Motor Vehicle Accident Levy;
- 40% of the 1% FNU Levy.

Both these levies are deposited in the Accident Compensation Fund Account and are used solely for the purpose of paying compensation under the Accident Compensation Act 2017.

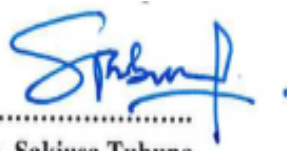
The board informed the Committee that the Act excludes the following:

- Driving under the influence of alcohol over the prescribed limit or under the influence of drugs;
- Failing or refusing to permit a breath test or a specimen of blood to be taken;
- Not holding a valid driving license and failure to comply with all the conditions of the driving license;
- Any injury or death that did not directly arise from the accident;
- Owner of a vehicle who, failed to pay the Motor Vehicle Accident levy;
- Being convicted for any act or omission that directly caused the accident;
- Deliberate self-injury and attempted suicide or suicide;
- Personal injury or death as a result of an accident arising out of and in the course of employment where the injured or deceased person is not a worker.

I would like to take this opportunity to extend our appreciation to the board members of ACCF and the entire team members for making time to present before the Committee.

I would like to thank our Committee Members who were part of the team that produced this report: - Deputy Chairperson Hon. Sashi Kiran, Hon. Premila Kumar, Hon. Tomasi Tunabuna, and Hon. Aliko Bia, alternate member Hon. Alipate Tuicolo. I also thank the secretariat for their invaluable support.

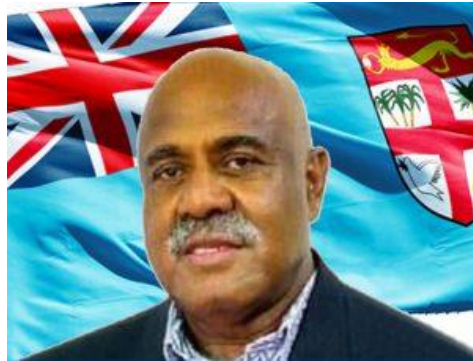
On behalf of the Standing Committee on Economic Affairs, I commend the Consolidated Accident Compensation Commission, Fiji 2019, 2020 and 2021 Review Report to Parliament.



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Hon. Sakiusa Tubuna
Chairperson

Committee Membership

The substantive members of the Standing Committee on Economic Affairs are:



Hon. Sakiusa Tubuna
Chairperson



Hon. Sashi Kiran
Deputy Chairperson



Hon. Premila Kumar
Member



Hon. Tomasi Tunabuna
Member



Hon. Aliko Bia
Member

During the Standing Committee meetings, the following alternate member arose pursuant to Standing Order 115(5)



Hon. Alipate Tuicolo
Alternate Member

Committee Secretariat

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1.0 Introduction

The Standing Committee on Economic Affairs was referred the Accident Compensation Commission, Fiji 2019, 2020 and 2021 Annual Reports, pursuant to Standing Order 38 (2) of the Standing Orders of the Parliament of the Republic of Fiji. The Committee was mandated to review the Annual Reports and table its findings back to Parliament.

1.1 Background

The Accident Compensation Commission, Fiji (“ACCF”) was established by the Fijian Government through the introduction of the Accident Compensation Act 2017 to pay no-fault compensation to Fijians as of 1 January 2018 who suffer personal injury or death as a result of an accident in Fiji. From 1 January 2019, the Accident Compensation Commission Fiji (ACCF) has been providing compensation for injuries and deaths as a result of accidents arising in the course of employment, as well as in school premises during school hours.

The Act provides for a scheme through which victims of accidents can be compensated without having to prove fault or negligence, subject to meeting the Act’s requirements. Coverage of the no-fault scheme is broader than the previous law, as it extends beyond third parties.

1.2 Committee Remit and Composition

The Committee is made up of five (5) Members of Parliament, three (3) of which are Government members and two Opposition members. According to Section 109 (2) (a), the Standing Committee on Economic Affairs is responsible for looking into matters related to economic development, finance, banking, and taxation.

1.3 Procedure and Programme

The Committee began its review of the Annual Reports in September 2024. The review process adopted by the Committee was agreed upon through consensus by the Members to review the report and a summary of this is as follows.

The Committee read through the Annual Reports and discussed matters noted by individual Members. From these discussions, a variety of issues were identified, which the Committee resolved and sought clarifications.

At the end of the review, the Committee made recommendations based on the discussions with stakeholders and on the Annual report's content.

2.0 Findings

From the consideration of the Annual Reports the Committee presents the Findings below:

- 2.1 The Committee commends the Accident Compensation Commission, Fiji for the services they provide, in particular the no fault basis of the compensation paid to families of accident victims for the period under review.
- 2.2 The Committee noted that Key Performance Indicators (“KPIs”), were not included making it difficult to thoroughly assess the performance of Accident Compensation Commission, Fiji.
- 2.3 The Committee noted that Accident Compensation Commission, Fiji did not report on the mandatory Sustainable Development Goals (“SDGs”).
- 2.4 The Committee also noted that expenses were more than the revenue for 2020 and 2021 reporting.
- 2.5 The Committee noted that the outsourcing company named Veritas was engaged to process applications for schools and employment accidents, which was duplication of role with the Ministry of Labour resulting in wastage of resources.
- 2.6 The Committee noted that awareness and education around accidents have been heightened.

3.0 Recommendations

The Committee recommends the following:

- 3.1 That, Accident Compensation Commission, Fiji includes the performance matrix aligned with the KPIs in all future annual reports to justify budgetary allocations.
- 3.2 That, Accident Compensation Commission, Fiji should include relevant SDGs in its annual reports as required by the Parliament, to demonstrate its support to Fiji's commitment towards international goals.
- 3.3 The Committee recommends ACCF conduct a review of processes relating to specificity of locations and comparison of compensations for similar losses.
- 3.4 The Committee recommends restructuring of the ACCF to avoid duplication of roles of processing of applications for schools and employment accidents.
- 3.5 The Committee suggests that ACCF should keep collaborating with different media channels and stakeholders to publicize, educate, and increase awareness about their services, particularly emphasizing the significance of paying the FNU Levy for Workers Compensation.

4.0 Sustainable Development Goals

As part of its review the Committee is also mindful of the requirements of the Standing Orders of Parliament whereby all matters before the Committee are to be reviewed through a gender lens. This is supplemented by the Committee's appreciation of the Parliament's role in contributing towards the Global Agenda. A summary of the activities by the Commission is stated below.

SDG 5 Gender Equality and Empowerment of Women and Girls.

Gender is a critical dimension to Parliamentary scrutiny as stipulated under Standing Order 110(2) requires Committees to consider principle of gender equality to ensure the impact and benefits of on both men and women equally.

The Annual Reports provided portfolios of its Board of Directors and staff composition for the period under review. However, we noted that majority were male for board members and majority were female in staff composition.

SDG 8 Promote Sustained, Inclusive and Sustainable Economic Growth, Full and Productive Employment and Decent Work.

As per the CEO's report for 2021, it is highlighted that the ACCF team continued its emphasis on awareness campaigns regarding motor vehicles, employment and school accidents. This included a focus on the health, safety and wellbeing of workers in Fiji.

5.0 Conclusion

The Standing Committee on Economic Affairs has reviewed the Accident Compensation Commission, Fiji Annual Reports and noted that there are some good initiatives being undertaken relating to no-fault compensation and public awareness.

However, the Committee has identified several key areas to further improve its performance. In particular, duplication of roles of processing of applications for schools and employment accidents that requires an urgent review.

6.0 Committee Members' Signatures

 Hon. Sakiusa Tuburfa Chairperson	
 Hon. Sashi Kiran Deputy Chairperson	 Hon. Premila Kumar Member
 Hon. Tomasi Tunabuna Member	 Hon. Aliko Bia Member

7.0 Annexure

Published evidence

Written evidence, transcripts and supporting documents can be viewed on the Parliament website at the following link:

<https://www.parliament.gov.fj/committees/standing-committee-on-economic-affairs/>