

**ACT NO. 31 OF 2025**

I assent.

RATU N. T. LALABALAVU  
President

[9 December 2025]

**AN ACT****TO AMEND THE BURIAL AND CREMATION ACT 1911**

ENACTED by the Parliament of the Republic of Fiji—

*Short title and commencement*

- 1.**—(1) This Act may be cited as the Burial and Cremation (Amendment) Act 2025.
- (2) This Act comes into force on a date or dates appointed by the Minister by notice in the Gazette.
- (3) In this Act, the Burial and Cremation Act 1911 is referred to as the “Principal Act”.

*Section 2 amended*

- 2.** Section 2 of the Principal Act is amended by—
- (a) in the definition of ““body” or “dead body””, deleting “and”;
- (b) after the definition of ““body” or “dead body””, inserting the following new definitions—
- ““body parts” means any part of a human body, whether whole or in sections, including organs, tissues, limbs, bones, ashes or any other anatomical material, whether or not such part is attached to a body, and whether or not it has undergone any process of preservation or dissection;

“burial-grounds” means a cemetery or graveyard that is set aside by the State and is designated for body parts to be interred and includes any structures, vaults, columbaria, mausoleums, memorials, gardens, and other buildings or grounds incidental to such use;”;

- (c) in the definition of “crematorium”, deleting “.” and substituting “; and”; and
- (d) after the definition of “crematorium”, inserting the following new definition—

““Minister” means the Minister responsible for health.”.

*Section 4 amended*

**3.** Section 4 of the Principal Act is amended by deleting “\$200” and substituting “\$5,000”.

*Section 5 amended*

**4.** Section 5 of the Principal Act is amended by—

- (a) in subsection (1), deleting “200 yards” and substituting “200 metres”;
- (b) in subsection (2), deleting “50 yards” and substituting “50 metres”; and
- (c) after subsection (2), inserting the following new subsection—

“(3) This section does not apply to any burial-ground or crematorium that was lawfully established, or for which construction had lawfully commenced on or before the commencement of the Burial and Cremation (Amendment) Act 2025.”.

*Section 7 amended*

**5.** Section 7(3) of the Principal Act is amended by deleting “\$100” and substituting “\$1,000”.

*Section 8 amended*

**6.** Section 8 of the Principal Act is amended by—

- (a) renumbering section 8 as section 8(1);
- (b) deleting “\$50” and substituting “\$1,000”; and
- (c) after subsection (1), inserting the following subsection—

“(2) Where a person is found guilty of an offence under subsection (1), a court may, taking into account the circumstances of the offence, make an order for the offender to undertake community-based corrections under the Community-Based Corrections Act 2018, or any other order the court thinks fit.”.

*Section 13 amended*

7. Section 13 of the Principal Act is amended by—

- (a) in the chapeau, after “body”, inserting “or body parts”;
- (b) in paragraph (b), deleting “and”;
- (c) in paragraph (c), deleting “.” and substituting “;”; and
- (d) after paragraph (c), inserting the following new paragraph—

“(d) the body or body parts are dealt with in such a manner that ensures that any waste products thereof are disposed of in a safe and proper manner.”.

*Section 15 amended*

8. Section 15 of the Principal Act is amended by—

- (a) deleting “permanent secretary” wherever it appears and substituting “Minister”; and
- (b) deleting “\$200” and substituting “\$1,000”.

*Section 16 amended*

9. Section 16 of the Principal Act is amended by—

- (a) deleting “permanent secretary” wherever it appears and substituting “Minister”; and
- (b) deleting “\$200” and substituting “\$1,000”.

Passed by the Parliament of the Republic of Fiji this 4th day of December 2025.