GOVERNMENT OF FIJI GAZETTE SUPPLEMENT

No. 33   **FRIDAY, 21st NOVEMBER**   **2025**

[LEGAL NOTICE NO. 65]

ACCESS TO BUSINESS FUNDING ACT 2025

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Commencement Notice

IN exercise of the powers vested in me by section 1(2) of the Access to Business Funding Act 2025, I hereby appoint 1 December 2025 as the commencement date of sections 1 to 12 and 25 to 32 of the Access to Business Funding Act 2025.

Dated this 19th day of November 2025.

E. Y. IMMANUEL
Minister for Commerce and
Business Development

[LEGAL NOTICE NO. 66]

ACCESS TO BUSINESS FUNDING ACT 2025

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Access to Business Funding (Small Offer) Regulations 2025

IN exercise of the powers conferred on me by section 30 of the Access to Business Funding Act 2025, and in consultation with the regulator, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Access to Business Funding (Small Offer) Regulations 2025.

(2) These Regulations come into force on 1 December 2025.

Interpretation

2. In this Order, unless the context otherwise requires—

"Act" means the Access to Business Funding Act 2025; and

"contact details" means the—

    (a) physical address of place of business;

    (b) postal address;

    (c) telephone number including mobile number; and

    (d) e-mail address.

Requirements for basic information package

3. A basic information package must contain the following—

    (a) full name of the offeror;

    (b) offeror's business registration number;

    (c) physical and postal address in Fiji for service of documents on the offeror;

    (d) offeror's contact details;

    (e) permanent address in Fiji for service of documents on the offeror;

    (f) for each director of the offeror—

        (i) full name;

        (ii) nationality;

        (iii) country of residence; and

        (iv) contact details,

    (g) a list of shareholders of the offeror and their shareholdings;

    (h) names and contact details of the offeror's lawyers and accountants;

    (i) schedule of the offeror's assets and liabilities;

    (j) statement of the amount of the funds to be raised by the offer;

    (k) statement of how the offeror will apply the funds to be raised by the offer;

    (l) an undertaking by the offeror and each director that, for the purposes of the offer or any dispute arising out of the offer, services of documents at the permanent address for service is valid and effective for service upon the offeror and each director; and

    (m) statement by each director of the offeror that—

        (i) the director has approved the basic information package; and

        (ii) warrants the truth and accuracy of the contents of the package.

Guidelines to be issued by the regulator

4.—(1) The regulator may issue written guidelines for the purposes of supporting the implementation of Part 2 of the Act.

(2) Without limiting subregulation (1), the guidelines may provide for—

    (a) the approved form and content of an offer document for a small offer;

    (b) the process to be followed in making a small offer; and

    (c) any other matter necessary or desirable to give effect to Part 2 of the Act.

(3) An offeror making a small offer must have regard to any guidelines issued by the regulator under this regulation.

Wholesaler investors and participation in small offers

5.—(1) For the purposes of paragraph *(g)* of the definition of wholesaler investor in section 2 of the Act, a person is a wholesale investor if the person has had an annual gross income of at least $100,000 for each of the person's 2 most recently completed income tax years immediately preceding the making of the offer.

(2) A wholesaler investor prescribed under subregulation (1) may participate in a small offer provided that the total amount invested by the wholesale investor in the small offer does not exceed $50,000.

(3) A small offer may be made to both retail and wholesale investors, including those prescribed under subregulation (1) provided that the total number of investors to whom the offer is made does not exceed the 48-investor limit.

Made this 19th day of November 2025.

E. Y. IMMANUEL
Minister for Commerce and
Business Development