

BIOSECURITY ACT 2008

Biosecurity Emergency (Fall Armyworm) Regulations 2025

IN exercise of the powers conferred on me by section 80 of the Biosecurity Act 2008 and on the advice of the Biosecurity Authority of Fiji, I hereby make these Regulations—

Short title and commencement

1.—(1) These Regulations may be cited as the Biosecurity Emergency (Fall Armyworm) Regulations 2025.

(2) These Regulations are deemed to have come into force on 1 May 2025.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“Act” means the Biosecurity Act 2008;

“equipment” means any machinery, tool, vehicle or implement used in agricultural production, transport, post-harvest handling, or field activities, which may come into contact with host plants, soil, or infested material, and has the potential to carry or spread Fall Armyworm (*Spodoptera frugiperda*) and includes tractors, harvesters, ploughs, sprayers, trailers, and irrigation tools; and

“material” means any biological or physical substance or item, including soil, plant debris, compost, mulch, or waste that may harbor, conceal or facilitate the spread of Fall Armyworm (*Spodoptera frugiperda*) and includes any agricultural input or output associated with host plants of the Fall Armyworm (*Spodoptera frugiperda*).

Restriction on movement

3.—(1) Where an area has been declared as a biosecurity emergency area pursuant to section 77 of the Act for Fall Armyworm (*Spodoptera frugiperda*), the movement of material and equipment within the area without prior authorisation from the Authority is prohibited.

(2) Any person who fails to comply with subregulation (1) commits an offence and is liable on conviction to a fine not exceeding \$40,000 in the case of an individual or \$200,000 in the case of a body corporate.

Supplementary powers of biosecurity officer

4. A biosecurity officer may—

(a) take the necessary containment measures to decrease the risk posed by the infestation of Fall Armyworm (*Spodoptera frugiperda*);

(b) treat any infested plant, plant product, material or equipment by way of chemical treatment to contain the spread of Fall Armyworm (*Spodoptera frugiperda*); and

(c) destroy any plant, plant product, material or equipment which he or she reasonably believes to be severely infested with Fall Armyworm (*Spodoptera frugiperda*) and is a biosecurity risk that cannot be adequately contained or mitigated through treatment or other control measures.

Made this 29th day of May 2025.

F. W. R. VOSAROGO
Acting Minister for
Agriculture and Waterways