

CHAPTER 7 INTERPRETATION

INTERPRETATION ACT

ARRANGEMENT OF SECTIONS

PART I—PRELIMINARY

SECTION

1. Short title.

PART II—GENERAL PROVISIONS OF INTERPRETATION

2. Interpretation of terms and application.
3. Amendments in relation to certain expressions.

PART III—GENERAL PROVISIONS IN RELATION
TO WRITTEN LAW

4. Acts to be published in Gazette, and to be public Acts.
5. Commencement of Acts and reserved Bills.
6. Division of sections.
7. Applied Acts to be read with necessary modifications.
8. Citation of imperial enactments and applied Acts, Judicial notice.
9. Construction of reference to imperial enactments and applied Acts.
10. Mode of citing laws.
11. Effect of amendments to laws.
12. Schedule and tables to be part of written laws.
13. Subdivision of written laws.
14. Time when written law comes into operation.
15. Repealed written law not revived.
16. Repeal of amended law to include amendments.
17. Repeal and substitution.
18. Provisions respecting amended written law and effect of repealing written law.
19. Effect of repeal of Act on subsidiary legislation.
20. Effect of expiry of written law.

PART IV—SUBSIDIARY LEGISLATION

21. Publication and commencement of subsidiary legislation.
22. Retrospective operation of subsidiary legislation.
23. Construction of subsidiary legislation.
24. Exercise of powers between publication and commencement of Act.
25. General provisions with respect to power to make subsidiary legislation.
26. Reference to written laws and subsidiary legislation.
27. Acts done under subsidiary legislation.
28. Fees and charges.

PART V—DELEGATION OF STATUTORY
POWERS AND DUTIES

29. Miscellaneous functions.
30. Delegation of statutory powers and duties.
31. Appeals may be heard by any fit and proper person.

PART VI—GENERAL PROVISIONS REGARDING POWERS, DUTIES
AND APPOINTMENTS AND
THE EXERCISE AND SIGNIFICATION
THEREOF

SECTION

32. Signification of orders, etc., of Governor-General.
33. Signification of orders, etc., of Cabinet.
34. When Governor-General not obliged to consult Cabinet.
35. Powers and duties to be exercised and performed from time to time.
36. Powers and duties of holder of office.
37. Registrar-General and Administrator-General.
38. Appointment of officers by name or office.
39. Reference to holder of office includes person discharging functions of that office.
40. Power to appoint substantively pending retirement, etc. of existing office holder.
41. Construction of enabling words.
42. Power to appoint chairman, etc. of board, etc.
43. Power to appoint public officer to service on board, etc.
44. Power to appoint to include power to suspend, dismiss, etc., and to appoint, etc.
45. Power to appoint alternate or temporary members.
46. Power to appoint when Government is a member.
47. Powers of board, etc., not affected by vacancy, etc.
48. Affixing of common seal.
49. Power of majority to act.

PART VII—GENERAL PROVISIONS REGARDING
TIME AND DISTANCE

50. Standard time.
51. Computation of time.
52. Provisions where no time prescribed.
53. Construction of power to extend time.
54. Measurement of distances.

PART VIII—GENERAL PROVISIONS REGARDING
LEGAL PROCEEDINGS AND PENALTIES

55. Evidence of signature of Governor-General, Prime Minister, Minister or other officers.
56. Law Officers.
57. *Ex Officio* proceedings not to abate on death, etc.
58. Imposition of penalty no bar to civil action.
59. Provisions as to offences under two or more laws.
60. Penalties prescribed may be maximum penalties, but may be cumulative.

61. Disposal of forfeits.
62. Disposal of fines and penalties.

PART IX—GENERAL MISCELLANEOUS
PROVISIONS

63. Gazette to be evidence of matters therein.
64. Power to issue licences, etc., subject to conditions.
65. Rectification of errors.
66. Questions in relation to proprietary units.
67. Act for which payment required need not be performed until payment made.
68. Deviation from forms.

PART X—GENERAL PROVISIONS REGARDING
THE CROWN

69. References to Crown.
70. Saving of rights of Crown.
71. Act to bind Crown.

INTERPRETATION

*Ordinance Nos. 11 of 1967, 33 of 1968, 27 of 1970,
Order 8th Oct. 1970,
Acts Nos. 4 of 1971, 4 of 1976, 24 of 1976, 19 of 1977.*

AN ACT TO MAKE BETTER PROVISION IN THE LAW RELATING TO
THE CONSTRUCTION, INTERPRETATION AND PUBLICATION OF THE
LAW AND FOR MATTERS INCIDENTAL THERETO
[1st September, 1967]

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Interpretation Act.

PART II—GENERAL PROVISIONS OF INTERPRETATION

Interpretation of terms and application

2.—(1) In this Act and in every other written law and in all public documents enacted, made or issued before or after the commencement of this Act the following words and expressions shall have the meanings hereby assigned to them respectively unless there is something in the subject or context inconsistent with such construction or unless it is therein otherwise expressly provided:—

“act” used with reference to an offence or civil wrong, includes a series of acts, and words which refer to acts done extend to illegal or tortious omissions;

*“Act” means any Act of Parliament and includes an Ordinance;

* Inserted by Order 8th October, 1970.

- “aircraft” includes gliders, helicopters, seaplanes, flying boats, airships and aerial balloons;
- “alien” means any person who is not a British subject, a British protected person or a citizen of the Republic of Ireland;
- “amend” includes repeal, revoke, rescind, cancel, replace, add to or vary, and the doing of any two or more of such things simultaneously or in the same written law or instrument;
- “applied Act” means any Act of *the Imperial Parliament for the time being applied to Fiji by virtue of the provisions of any Act;
- ||“archipelagic waters” means the archipelagic waters of Fiji as defined in subsection (1) of section 4 of the Marine Spaces Act; (Cap. 158A)
- °“barrister and solicitor” means a person entitled to practise as such in the Court of Appeal, the Supreme Court or courts subordinate thereto under the provisions of the law for the time being applicable to legal practitioners;
- “British subject” means a person who is a British subject by virtue of any provision of the British Nationality Act 1948 of the United Kingdom;
- *“Cabinet” means the Cabinet established by the Constitution;
- “Chapter”, “Part”, “regulations”, “rule”, “Schedule” and “section” denote respectively a Chapter, Part, regulation, rule and section of, and a Schedule to, the written law in which the word occurs; and “paragraph” and “subsection” denote respectively a paragraph of the regulation, rule, section or subsection, and a subsection of the section, in which the word occurs; and sub-paragraph denotes a sub-paragraph of a paragraph;
- “child” means a person under the age of fourteen years;
- “city” has the meaning given to that expression in the Local Government Act; (Cap. 125)
- “cognizable” used with reference to an offence, means that any police officer may arrest without warrant any person whom he suspects upon reasonable grounds of having committed that offence;
- “coin” means coin legally current in Fiji;
- “commencement” used with reference to any written law means the date on which the same came or comes into operation;
- “Commissioner” means an administrative officer in charge of a Division;
- “Consolidated Fund” means the Consolidated Fund specified in section †119 of the Constitution;
- ‡“Constitution” means the Constitution established for Fiji as amended from time to time;
- “consular officer” means consul-general, consul, vice-consul, consular agent and any person for the time being authorised to discharge the duties of consul-general, consul or vice-consul;
- “contravene” in relation to any requirement or condition prescribed in any written law or in any grant, permit, lease, licence or authority granted

* Inserted by Order 8th October, 1970.
 † Amended by Order 8th October, 1970.
 ‡ Inserted by Ordinance No. 27 of 1970.
 ° Amended by Act No. 4 of 1976.
 || Inserted by Act 19 of 1977.

- by or under any written law, includes a failure to comply with that requirement or condition;
- “court” means any court of Fiji of competent jurisdiction;
- “Court of Appeal” means Her Majesty’s Court of Appeal for Fiji or any court substituted therefor for the hearing and determining of appeals from the Supreme Court;
- “Crown Agents” or “Crown Agents for the Colonies” means the persons for the time being acting as Crown Agents for Oversea Governments and Administrations or any of them;
- “Crown land” has the same meaning as in the Crown Lands Act;
- (Cap. 132)
- “definition” means the interpretation given by any written law to any word or expression;
- “district officer” means any person appointed by the †Minister as a district officer and includes a Commissioner and any other administrative officer assigned to a Division;
- “Division” means any area of Fiji that may, from time to time, be declared by the †Minister by notice in the Gazette to be a Division for the purposes of administration;
- “document” includes any publication and any matter written, expressed or described upon any substance by means of letters, figures, or marks, or by more than one of those means, which is intended to be used or may be used for the purpose of recording that matter;
- “export” means to take or cause to be taken out of Fiji or the waters thereof;
- “father” in the case of any person whose personal law permits adoption, includes an adoptive father;
- †“Fiji” means the State of Fiji comprising all islands lying between the fifteenth and twenty-second degrees of south latitude and between the one hundred and seventy-seventh degree of west longitude and the one hundred and seventy-fourth degree of east longitude from the meridian of Greenwich, and the island of Rotuma and its Dependencies, that is to say, all islands lying between the twelfth degree and the fifteenth degree of south latitude and between the one hundred and seventy-fifth degree and the one hundred and eightieth degree of east longitude from the meridian of Greenwich;
- “financial year” means the period from the first day of January to the thirty-first day of December, both days inclusive;
- “functions” include powers, duties, authorities and jurisdiction;
- “Gazette” means the *Fiji Royal Gazette* published by the order of the Government of Fiji and includes supplements thereto and any Extraordinary Gazette so published;
- “general notice” means any announcement not of a legislative character made by or with the authority of the †Governor-General or a Minister in the Gazette;
- “Government” means the Government of Fiji;
- “Government analyst” includes any assistant or other analyst employed by the Government;

† Amended by Order 8th October, 1970.

- “Government bacteriologist” includes any assistant or other bacteriologist duly qualified employed by the Government;
- “Government Printer” means the Government Printer of Fiji, and any other printer authorized by or on behalf of the †Governor-General to print any written law or any other document of the Government;
- *“Governor-General” means the Governor-General and Commander-in-Chief of Fiji and includes an acting Governor-General;
- *“House of Representatives” means the House of Representatives of Fiji;
- “imperial enactment” means any Act of Parliament *of the United Kingdom, any Order in Council or any Letters Patent;
- “Imperial Parliament” means the Parliament of the United Kingdom;
- “import” means to bring or to cause to be brought into Fiji or the waters thereof;
- “infant” or “minor” means a person under twenty-one years of age;
- °“internal waters” means the internal waters of Fiji as defined in section 3 of the Marine Spaces Act; (Cap. 158A)
- “judge” means the Chief Justice of Fiji or any judge of the Supreme Court, and includes any person appointed temporarily to be or to act as a judge of the Supreme Court;
- ‡“judicial proceedings” includes any proceeding at or taken in or before any court, tribunal, commission of inquiry, or person, in which evidence may be taken on oath;
- “land” includes messuages, tenements and hereditaments, corporeal or incorporeal, of any tenure and description, and whatsoever may be the estates therein;
- “legislature” when used with reference to a country or territory of the Commonwealth (other than the United Kingdom) for which *the Imperial Parliament or Her Majesty in Council are competent to make laws, means the Authority, other than Parliament or Her Majesty in Council, competent to make laws for that country or territory;
- “magistrate” means any person appointed to hold a magistrate’s court under the Magistrates’ Courts Act; (Cap. 14)
- “master” used with reference to a ship, vessel or boat, means any person (except a pilot or harbour master) having for the time being control or charge of the ship, vessel or boat;
- “medical officer” means a medical practitioner in the service of the Government;
- “medical practitioner” means a person for the time being duly registered or licensed as a medical practitioner under the Medical and Dental Practitioners Act; (Cap. 255)
- †“Minister” means the Minister responsible for the administration of the Act, or department of the Government, concerned;
- “month” means a calendar month;
- “oath” and “affidavit” in the case of persons for the time being allowed by law to affirm or declare instead of swearing, include affirmation and

‡ Inserted by Ordinance No. 33 of 1968.

† Amended by Order 8th October, 1970.

* Inserted by Order 8th October, 1970.

° Inserted by Act 19th July, 1977.

- declaration; and "swear", in the like case, includes "affirm" and "declare";
- "occupy" includes use, inhabit, be in possession of or enjoy the premises in respect whereof the word is used, otherwise than as a mere servant or for the mere purpose of the care, custody or charge thereof;
- "offence" means any crime, felony, misdemeanour or contravention or other breach of, or failure to comply with, any written law, for which a penalty is provided;
- "officer" or "public officer" means a person in the permanent or temporary employment of the Government of Fiji including a person appointed under the Fijian Affairs Act; (Cap. 120)
- *"Order in Council" means an Order made by Her Majesty in Council;
- "Ordinance" includes this Act, and any other Ordinance or applied Act;
- ‡"Parliament" means the Parliament of Fiji or either House of Parliament as the context may require;
- "person" and "party" include any company or association or body of persons, corporate or unincorporate;
- "pilot" in relation to an aircraft means any person having for the time being control or charge of the aircraft;
- "police officer" and terms and expressions referring to ranks in the Fiji Police Force, bear the meanings respectively assigned to them by the Police Act; (Cap. 85)
- "power" includes any privilege, authority or direction;
- "prescribed" means prescribed by the †Act in which the word occurs or by any subsidiary legislation;
- *"Privy Council" means the Lords and others for the time being of Her Majesty's Most Honourable Privy Council;
- "property" includes money, goods, choses in action, land and every description of property, whether movable or immovable; and also obligations, easements and every description of estate, interest and profit, present or future, vested or contingent, arising out of or incident to property as herein defined;
- *"proprietary unit" in the case of native land means the proprietary unit registered under the provisions of the Native Lands Act as being the owner of such land; (Cap. 133)
- "province" bears the same meaning as in the Fijian Affairs Act; (Cap. 120)
- "publication" includes all written and printed matter, and any record, tape, wire, perforated roll, cinematograph film or other contrivance by means of which any word or ideas may be mechanically or electrically produced, reproduced, represented or conveyed, and everything, whether of a nature similar to the foregoing or not, containing any visible representation, or by its form, shape or in any manner capable of producing, reproducing, representing or conveying words or ideas, and every copy and reproduction of any publication;

† Inserted by Order 8th October, 1970.

* Inserted by Ordinance No. 33 of 1968.

‡ Inserted by Order 8th October, 1970 and by Order 20th November, 1970.

- “public holiday” means any day which is a public holiday by virtue of the Public Holidays Act; (Cap. 101)
- “public place” includes every place to which the public are entitled or permitted to have access whether on payment or otherwise;
- “registered” used with reference to a document or the title to any immovable property means registered under the provisions of any written law for the time being applicable to the registration of such document or title;
- “rule” includes a rule of court, a by-law and a regulation;
- “rules of court” when used in relation to any court means rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of such court;
- “Secretary of State” means one of Her Majesty’s Principal Secretaries of State;
- †“Senate” means the Senate of Fiji;
- “ship”, “vessel” or “boat” respectively include anything made or used for the conveyance by water of human beings or of property;
- “sign” in relation to a person who is unable to write his name includes his mark;
- “son” in the case of any person whose personal law permits adoption, includes an adopted son;
- “statutory declaration” if made—
- (a) in Fiji, means a declaration made under the Statutory Declarations †Act; (Cap. 43)
 - (b) in the United Kingdom or any country or territory of the Commonwealth means a declaration made before a justice of the peace, notary public, commissioner for oaths or other person having authority therein under any law for the time being in force to take or receive a declaration;
 - (c) in any other place means a declaration made before a *Fiji or British consular officer or pro-consul or before any person having authority under any Act of Parliament for the time being in force to take or receive a declaration;
- “street” or “road” includes any highway, street, road, bridge, square, court, alley, lane, bridleway, footway, parade, thoroughfare, passage or open space to which the public are entitled or permitted to have access whether on payment or otherwise;
- “subsidiary legislation” means any legislative provision (including †an appointment of any person or a transfer or delegation of powers or duties) made in exercise of any power in that behalf conferred by any written law by way of by-law, notice, order, proclamation, regulation, rule, rule of court or other instrument;
- “Supreme Court” means Her Majesty’s Supreme Court of Fiji;
- ‡“territorial seas” means the territorial seas of Fiji as defined in section 5 of the Marine Spaces Act; (Cap. 158A)
- “town” has the meaning given to that expression in the Local Government Act; (Cap. 125)

* Inserted by Ordinance No. 33 of 1968.

† Inserted by Order 8th October, 1970.

“the United Kingdom” means Great Britain and Northern Ireland;

“will” includes codicil;

“writing” and expressions referring to writing includes printing, lithography, typewriting, photography and other modes of representing or reproducing words in visible form;

“written law” means all *Acts (including this Act) and all subsidiary legislation;

“year” means a year reckoned in accordance with the British calendar;

“young person” means a person who is fourteen years of age or upwards and under the age of seventeen years.

(2) Where any word or expression is defined in any written law, such definition shall extend, *mutatis mutandis*, to the grammatical variations and cognate expressions of such word or expression.

(3) In every written law, except where a contrary intention appears, words and expressions importing the masculine gender include females.

(4) In every written law, except where a contrary intention appears, words and expressions in the singular include the plural and words and expressions in the plural include the singular.

(5) Where any written law authorizes or requires any document to be served by post, whether the expression “serve” or “give” or “send” or any other expression is used, then, unless a contrary intention appears, the service shall be deemed to be effected by properly addressing to the last known postal address of the person to be served, prepaying and posting, by registered post, an envelope containing the document, and, unless the contrary is proved, to have been effected at the time at which the envelope would be delivered in the ordinary course of the post.

(6) Where any written law authorizes or requires any notice or document to be served, then unless the contrary intention appears, such notice or document may be served either—

(a) by delivering it to the person on whom it is to be served;

or

(b) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at their registered or principal office or sending it in a prepaid envelope addressed to the secretary or clerk of the company or body at that office.

(7) For the purpose of any written law, unless the context otherwise requires—

(a) a person shall be regarded as a Fijian or as a native if, and shall not be so regarded unless, his father or any of his earlier male progenitors in the male line is or was the child of parents both of whom are or were indigenous inhabitants of *Fiji or any island in Melanesia, Micronesia or Polynesia; and

(b) a person shall be regarded as an Indian if, and shall not be so regarded unless, his father or any of his earlier male progenitors in the male line is or was the child of parents both of whom are or were indigenous inhabitants of the subcontinent of India:

* Inserted by Order 8th October, 1970.

† Inserted by Ordinance No. 33 of 1968.

‡ Inserted by Act 19 of 1977.

Provided that, where the identity of the father of any person cannot be ascertained, the male progenitors of that person may instead be traced through that person's mother.

†(8) For the purposes of any written law the certificate of the Attorney-General shall be sufficient proof that any country or territory is or was a country or territory of the Commonwealth at the date specified in such certificate.

Amendments in relation to certain expressions

3. Except where the context otherwise requires or where the subject or context is inconsistent with the following amendments:—

- (a) the *Governor-General may proclaim the replacement of the word "native" by the word "Fijian" in any written law in accordance with the correct grammatical context and from the date of the said proclamation all references to "native" in that written law and in all instruments, documents and legal proceedings relating thereto shall be construed as references to the new proclaimed expression;
- (b) where in any written law, instrument, document or legal proceeding in force, made or proceeding at the commencement of this Act, the words "Colony" or "Colony of Fiji" are used or appear, they shall be replaced from such date by the word "Fiji";
- (c) where any Ordinance, including any Ordinance which is referred to as a Code, was in force on the 10th day of October, 1970, the word "Ordinance" used with reference to any such Ordinance in the provisions of any written law or in any document or legal proceeding may be replaced by the word "Act". *(Inserted by No. 24 of 1976 s. 13.)*

PART III—GENERAL PROVISIONS IN RELATION TO
WRITTEN LAW

†Acts to be published in Gazette, and to be public †Acts

4. Every †Act shall be published in the Gazette, shall be a public †Act and shall be judicially noticed.

Commencement of †Acts

5.—(1) Subject to the provisions of subsection (2), an †Act assented to by the †Governor-General shall come into operation on the day on which it is published in the Gazette.

(2) If it is enacted in the †Act that the †Act or any provision thereof shall come or be deemed to have come into operation on some other day, the †Act or, as the case may be, such provision shall come or be deemed to have come into operation accordingly.

Division of sections

6. Every section of an †Act shall have effect as a substantive enactment without introductory words.

Applied Acts to be read with necessary modifications

7. Any applied Act shall, subject to the †Act giving it force or application in or to Fiji, be read with such formal alterations as to names, localities, courts, officers,

* Amended by Order 8th October, 1970.

† Inserted by Ordinance No. 33 of 1968.

persons, moneys, penalties, or otherwise as may be necessary to make the same applicable to the circumstances, and in particular any reference to a Probate Court, Bankruptcy Court or Admiralty Court, or similar expression, shall be construed as a reference to the Supreme Court exercising the appropriate jurisdiction.

Citation of imperial enactments and applied Acts, ‡Judicial notice.

8. Any imperial enactment or applied Act may be cited by its short title or citation, if any, or by reference to the regnal or calendar year in which it was passed and its Chapter or number ‡and shall be judicially noticed.

Construction of reference to imperial enactments and applied Acts

9. A reference in any written law to any imperial enactment or to any applied Act, or to any provision, part or division thereof, shall, unless a contrary intention appears, be construed as a reference to the same as the same may be amended from time to time and as a reference to any such imperial enactment or applied Act, or to any provision, part or division thereof, substituted therefor, if such amendment or substitution extends or applies to Fiji.

Mode of citing laws

10.—(1) Where any written law is referred to, it shall be sufficient for all purposes to cite such written law either by the short title or citation, if any, by which it is made citable, or, in the case of an †Act, by the year in which it was made and its number among the †Acts of that year, or, in the case of any revised edition of the written law issued under any †Act providing for the issue of a revised edition, by its short title or its Chapter number; and the reference may in all cases be made according to the copies of †Acts printed by the Government Printer or by any printer appointed by or on behalf of the †Governor-General to print such revised edition.

(2) Any such citation of a written law shall, unless a contrary intention appears, be construed as a reference to such written law as amended from time to time by any other †Act or written law.

Effect of amendments to laws

11. Where any written law is amended by any subsequent written law, the original law together with all amendments thereto shall be read and construed together from the date of commencement of the amendments or retrospectively, as the case may be, and the short title or citation of the original law shall be construed to include all written law covered by the same short title or citation.

Schedule and tables to be part of written laws

12. Every schedule to or table in any written law shall, together with any notes thereto (unless a contrary intention appears), be construed and have effect as part of such written law.

Subdivision of written laws

13. When a written law is divided into Chapters, Parts, titles or other subdivisions, the fact and particulars of such division and subdivision shall, with or without express mention thereof in such written law, be taken notice of in all courts and for all purposes whatsoever.

† Amended by Order 8th October, 1970.

‡ Inserted by Ordinance No. 33 of 1968

Time when written law comes into operation

14. Where any written law, or part thereof, came or comes into operation on a particular day, it shall be deemed to have come or shall come into operation immediately on the expiration of the day next preceding such day.

Repealed written law not revived

15. Where any written law repealing in whole or in part any former written law is itself repealed, such last repeal shall not revive the law or provisions before repealed unless words are added reviving such written law or provisions.

Repeal of amended law to include amendments

16. Where any written law which has been amended by any other written law is itself repealed, such repeal shall, unless a contrary intention appears, include the repeal of all those provisions of other written law, by which such first-mentioned written law has been amended.

Repeal and substitution

17. Where any written law repeals wholly or partially any former written law and substitutes provisions for the written law repealed, the written law shall remain in force until the substituted provisions come into operation.

Provisions respecting amended written law and effect of repealing written law

18.—(1) Where in any written law a reference is made to another written law, such reference shall, except where the context otherwise requires, be deemed to include a reference to such last-mentioned written law as the same may from time to time be amended.

(2) Where a written law repeals and re-enacts, with or without modification, any provision of a former written law, references in any other written law to the provisions so repealed, shall, unless a contrary intention appears, be construed as references to the provisions so re-enacted.

(3) Where a written law repeals in whole or in part any other written law, then, unless a contrary intention appears, the repeal shall not—

- (a) revive anything not in force or existing at the time at which the repeal takes effect; or
- (b) affect the previous operation of any written law so repealed or anything duly done or suffered under any written law so repealed; or
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under any written law so repealed; or
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any written law so repealed; or
- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing written law had not been made.

Effect of repeal of Act on subsidiary legislation

19. Where any †Act or part of an †Act is repealed, subsidiary legislation issued under or made in virtue thereof, shall, unless a contrary intention appears, remain in force, so far as it is not inconsistent with the repealing †Act, until it has been revoked or repealed by subsidiary legislation issued or made under the provisions of such repealing †Act, and shall be deemed for all purposes to have been made thereunder.

Effect of expiry of written law

20. Upon the expiry of any written law, the provisions of sub-section (3) of section 18 shall apply as if such written law had been repealed at the time of such expiry.

PART IV—SUBSIDIARY LEGISLATION

Publication and commencement of subsidiary legislation

21. All subsidiary legislation shall be published in the Gazette, shall be judicially noticed and shall come into operation on the day of such publication, or, if it is enacted either in the subsidiary legislation or in some other written law that such subsidiary legislation shall come into operation on some other day then, it shall come into operation accordingly.

Retrospective operation of subsidiary legislation

22. Any subsidiary legislation may be made to operate retrospectively to any date, not being a date earlier than the commencement of the written law under which such subsidiary legislation is made, but so, however, that no person shall be made or become liable to any penalty whatsoever in respect of any act committed or of the failure to do anything before the day on which such subsidiary legislation is published in the Gazette.

Construction of subsidiary legislation

23. Where any †Act confers power to make or issue any subsidiary legislation, expressions used in the subsidiary legislation shall, except where a contrary intention appears, have the same respective meanings as in the †Act conferring the power, and any reference in such subsidiary legislation to “the †Act” shall mean the †Act conferring the power to make such subsidiary legislation.

Exercise of powers between publication and commencement of †Act

24. Where an †Act is not to come into operation immediately on the publication thereof and confers powers to make any appointment, to make any subsidiary legislation, to prescribe forms or to do any other things for the purposes of the †Act, such powers may, unless a contrary intention appears, be exercised at any time after the publication of the †Act, but so, however, that any subsidiary legislation or any instrument made in exercise of such power shall not, unless a contrary intention appears in the †Act or the contrary is necessary for bringing the †Act into operation, come into operation until the †Act comes into operation.

† Amended by Order 8th October, 1970.

General provisions with respect to power to make subsidiary legislation

25. Where an †Act confers power on any person or authority to make or issue subsidiary legislation, the following provisions shall, unless a contrary intention appears, have effect with reference to the making of such subsidiary legislation—

- (a) when any subsidiary legislation purports to be made or issued in exercise of a particular power or powers, it shall be deemed also to be made or issued in exercise of all other powers thereunto enabling;
- (b) no subsidiary legislation shall be inconsistent with the provisions of any †Act;
- (c) subsidiary legislation may at any time be amended by the person or authority for the time being lawfully empowered or authorised to make or issue such subsidiary legislation:

Provided that, where such person or authority has been replaced wholly or in part by another person or authority, the power conferred upon the original person or authority may be exercised by that other person or authority concerning all matters or things as if he or it were the original person or original authority;

- (d) where any †Act confers power on any person or authority to make or issue subsidiary legislation for any general purpose, and also for any special purposes incidental thereto, the enumeration of the special purposes shall not be deemed to derogate from the generality of the powers conferred with reference to the general purpose;
- (e) there may be annexed to the breach of any subsidiary legislation such penalty, not exceeding four hundred dollars or such term of imprisonment not exceeding six months, or both such fine and such imprisonment, as the person or authority making or issuing the subsidiary legislation may think fit;
- *(f) a reference in an †Act to an †Act, including a reference in an †Act to the same †Act, shall be deemed to include reference to subsidiary legislation made or to be made under the †Act to which the reference applies.

Reference to written laws and subsidiary legislation

26. Any reference to a written law in any other written law shall include a reference to any subsidiary legislation made under the written law to which reference is made.

Acts done under subsidiary legislation

27. An act shall be deemed to be done under any †Act or by virtue of the powers conferred by any †Act or in pursuance or execution of or under the authority of any †Act, if it is done under or by virtue of or in pursuance of subsidiary legislation made under any power contained in that †Act.

Fees and charges

28.—(1) Where any †Act confers powers on any person or authority to make or issue subsidiary legislation whereby provision may be made in respect of fees or

† Amended by Order 8th October, 1970.

* Inserted by Ordinance No. 33 of 1968 and amended by Order 8th October, 1970.

other charges, such subsidiary legislation may provide for all or any of the following matters:—

- (a) specific fees or charges;
- (b) maximum or minimum fees or charges;
- (c) maximum and minimum fees or charges;
- (d) the payment of fees or charges either generally or under specified conditions or in specified circumstances; and
- (e) the reduction, waiver or refund, in whole or in part, of any such fees or charges, either upon the happening of a certain event or in the discretion of a specified person or authority.

(2) Where any reduction, waiver or refund, in whole or in part, of any fees or charges is provided for, such reduction, waiver or refund may be expressed to apply or be applicable either generally or specifically—

- (a) in respect of certain matters or transactions or classes of matters or transactions;
- (b) in respect of certain documents or classes of documents; or
- (c) when any event happens or ceases to happen;
- (d) in respect of certain persons or classes of persons; or
- (e) in respect of any combination of such matters, transactions, documents, events or persons or authorities,

and may be expressed to apply or be applicable subject to such conditions as may be specified in the subsidiary legislation or in the discretion of any person or authority specified therein.

PART V—DELEGATION OF STATUTORY POWERS AND DUTIES

**Miscellaneous functions*

29.—(1) Where at the 4th day of September, 1970, any functions are vested in or conferred upon any public officer by or under the provisions of any Act otherwise than by delegation, such functions, notwithstanding any provision to the contrary but subject to the provisions of subsection (3) shall be deemed to be vested—

- (a) in the Minister charged with responsibility for the Act; or
- (b) if no Minister is charged with responsibility or to avoid doubt, in such Minister as the †Prime Minister may specify,

and may be delegated by the Minister in accordance with the provisions of this Act:

Provided that until a Minister delegates such functions (but always without prejudice to the performance thereof by him) they shall, subject to his directions, be exercised by the public officer specified in such Act in accordance with the provisions thereof.

(2) Where, by or under any Act, any functions are vested in, or conferred upon a Minister or Assistant Minister, whether by delegation or otherwise, the †Prime Minister may, if from any cause during any period such Minister or Assistant Minister is unable to exercise such functions, direct that they may be performed and exercised by a Minister or Assistant Minister designated by the

† Amended by Order 8th October, 1970.

* Inserted by Ordinance No. 27 of 1970. The 4th September 1970 was the date of commencement of that Ordinance.

†Prime Minister, subject to such conditions, exceptions and qualifications as the †Prime Minister may direct, which in the case of delegated functions, shall be subject to such conditions, exceptions and qualifications as may be contained in the original delegation.

(3) The provisions of subsections (1) and (2) shall not apply to functions conferred upon or vested in—

- (a) the †Governor-General;
- (b) any judge whether of the Court of Appeal or of the Supreme Court or any magistrate;
- (c) any public officer performing judicial functions under the provisions of any Act;
- (d) any public officer who under the Constitution is not under the control of any Minister;
- (e) any public officer where appeal lies from a decision of a public officer to the Minister;
- (f) any member of the Fiji Military Forces or any police officer.

(4) For the purposes of this section "performing judicial functions" means the holding of proceedings in which evidence may be taken on oath.

Delegation of statutory powers and duties

30.—(1) Where, by or under any Act, any functions are conferred upon or vested in the †Governor-General or the †Cabinet it shall be lawful for the †Governor-General or the †Cabinet to delegate the functions conferred upon or vested in him to any Minister.

(2) Where, by or under any Act, any functions are conferred upon, vested in or delegated to any Minister, it shall be lawful for the Minister to delegate such functions to any Assistant Minister or public officer.

(3) Such delegation as aforesaid shall be signified by notice in the Gazette and may be made subject to such conditions, exceptions or qualifications as are specified in such notice.

(4) Subject to the provisions of subsection (6) nothing in this section shall authorize the †Governor-General or the †Cabinet to delegate—

- (a) any power to issue warrants;
- (b) to make proclamations; or
- (c) any function, the delegation of which is expressly prohibited by law.

(5) Nothing in this section shall authorize any Minister to delegate—

- (a) any power to make rules; or
- (b) any power to decide any appeal; or
- (c) any function, the delegation of which is expressly prohibited by the delegation or by law.

(6) Notwithstanding the provisions of subsection (4), where, by or under any Act, any power is to be signified by proclamation it may be delegated but upon delegation such signification (other than by the †Governor-General or by the †Cabinet) shall be by notice in the Gazette.

Appeals may be heard by any fit and proper person

31. Where, by or under the provisions of any Act, an appeal against the decision of any person or authority is made to the †Governor-General, the Cabinet or any Minister, it shall be lawful for the †Governor-General, the †Cabinet or the

† Amended by Order 8th October, 1970.

Minister, as the case may be, to appoint any fit and proper person for the purposes of hearing such an appeal and of advising as to the decision that should be made thereon.

PART VI—GENERAL PROVISIONS REGARDING POWERS, DUTIES
AND APPOINTMENTS AND THE EXERCISE AND SIGNIFICATION
THEREOF

Signification of orders, etc., of †Governor-General

32. Where any written law *(including any Order in Council) confers or imposes upon the †Governor-General a power or duty to make any subsidiary legislation or appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty or exercise any other power or perform any other duty, the exercise of such power or the performance of such duty by the †Governor-General may, unless a contrary intention appears, be signified under the hand of a Minister, †any Permanent Secretary to a Ministry or any Assistant Secretary:

Provided that proclamations and warrants shall be made or issued only under the hand of the †Governor-General.

Signification of orders, etc., of †Cabinet

33. Where any written law confers or imposes upon the †Cabinet the power or duty to make any subsidiary legislation or any appointment, give any directions, issue any order, authorize any thing or matter to be done, grant any exemption, remit any fee or penalty or exercise any other power or perform any other duty, it shall be sufficient if the exercise of such power or the performance of such duty by the †Cabinet is signified under the hand of the person for the time being appointed as the Secretary to the †Cabinet.

When Governor-General not obliged to consult †Cabinet

34. Where any power is conferred upon the †Governor-General by or under any Act, he shall not be obliged to consult the †Cabinet in the exercise of that power unless it is expressed, in whatever terms, to be a power exercisable by the †Cabinet.

Powers and duties to be exercised and performed from time to time

35. Where any written law confers any power or imposes any duty, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion arises.

Powers and duties of holder of office

36. Where any written law confers any powers or imposes any duty on the holder of any office as such, then, unless a contrary intention appears, the power may be exercised and the duty shall be performed by the person for the time being holding that office.

† Amended by Order 8th October, 1970.

* Inserted by Ordinance No. 33 of 1968.

**Registrar-General and Administrator-General*

37. Where, by or under any written law, anything is appointed or allowed to be done by the Registrar-General or by the Administrator-General, the same may also be lawfully and for all purposes effectually done by any person gazetted as a Legal Officer, Senior Legal Officer or Principal Legal Officer and assigned to the Office of the Administrator-General.

Appointment of officers by name or office

38. Where, by or under any written law, the †Governor-General, any Minister or any public officer or public body is empowered to appoint or name a person to have and exercise any powers or perform any duties, the †Governor-General, such Minister or such officer or body may either appoint a person by name or direct the person for the time being holding any office designated by the †Governor-General, such Minister, or by such officer or body, to have and exercise such powers or perform such duties; and thereupon, or from the date specified by the †Governor-General, by such Minister or by such officer or body, the person appointed by name or the person holding the office aforesaid shall have and may exercise such powers or perform such duties accordingly.

Reference to holder of office includes person discharging functions of that office

39. In any written law, instrument, warrant or process of any kind, any reference to a person holding an office shall include a reference to any person for the time being lawfully discharging the functions of that office.

Power to appoint substantively pending retirement, etc., of existing office holder

40.—(1) Where the substantive holder of any public office constituted by or under any written law is on leave of absence pending relinquishment by him of such office, or has been instructed by the †Government to take up a special duty or is otherwise absent, it shall be lawful for another person to be appointed, substantively to the same public office.

(2) Where two or more persons are holding the same office by reason of an appointment made in accordance with subsection (1), then, for the purpose of all written law and in respect of every power conferred or duty imposed upon the holder of such office, the person last appointed to the office shall be deemed to be the holder thereof.

Construction of enabling words

41. Where any written law confers power upon any person to do or to enforce the doing of any act or thing, all such powers shall be deemed to be also conferred as are necessary to enable the person to do or to enforce the doing of the act or thing.

Power to appoint chairman, etc., of board, etc.

42. Where by or under any written law power is given to any person or authority to appoint any board, commission, committee or similar body, it shall be lawful for such person or authority, as the case may be, unless a contrary intention appears, to appoint a chairman, a deputy chairman, a vice-chairman and a

† Amended by Order 8th October, 1970.

* Inserted by Act No. 4 of 1976.

secretary of such board, commission, committee or similar body and to make rules governing the procedure of such board, commission, committee or similar body.

Power to appoint public officer to service on board, etc.

43. Where by or under any written law power is given to any person or authority to appoint any persons to be members of any board, commission, committee or similar body, it shall be lawful for such person or authority, as the case may be, unless a contrary intention appears, so to appoint, by his official designation, any public officer, and, on such appointment and until such appointment shall be revoked or otherwise determined, the person for the time being holding the office in question shall be a member of such board, commission, committee or similar body.

Power to appoint to include power to suspend, dismiss, etc., and to appoint, etc.

44. Where by or under any written law a power or duty is conferred or imposed upon any person or authority to make any appointment or to constitute or establish any board, commission, committee or similar body, then, unless a contrary intention appears, the person or authority having such power or duty shall also have the power to remove, suspend, dismiss or revoke the appointment, of, and to re-appoint or reinstate, any person appointed in the exercise of the power or duty, or to revoke the appointment, constitution or establishment of, or dissolve, any board, commission, committee or similar body appointed, constituted or established, in exercise of such power or duty, and to re-appoint, reconstitute or re-establish the same:

Provided that where the power or duty of such person or authority so to act is exercisable only upon the recommendation, or is subject to the approval or consent, of some other person or authority, then such powers shall, unless a contrary intention appears, be exercisable only upon such recommendation or subject to such approval or consent.

Power to appoint alternate or temporary members

45. Where by or under any written law any board, commission, committee or similar body, whether corporate or unincorporate, is established, then, unless a contrary intention appears, any person or authority who is by such written law empowered to appoint any or all of the members thereof may—

- (a) appoint one or more duly qualified persons to be alternate members of the same, and any one such alternate member may attend any meeting of the same when a substantive member is temporarily unable to attend;
- (b) appoint a duly qualified person to be a temporary member of the same in the place of any substantive member who is precluded by illness, absence from Fiji or other cause from exercising his function as such, and, when attending any meeting of such board, commission, committee or similar body, such alternate or temporary member shall be deemed for all purposes to be a member of the same.

**Power to appoint when Government is a member*

46. Where the Government is a member of, or is entitled to send or appoint a nominee, representative or proxy to represent it at, or to vote at, any meeting of,

* Inserted by Act No. 18 of 1973.

any company, board, commission, committee or similar association or body of persons, whether corporate or unincorporate, the Minister may appoint a person to represent the Government, and the person so appointed shall be entitled to exercise at such meeting the same powers on behalf of the Government which it could exercise if it were an individual.

Powers of board, etc., not affected by vacancy, etc.

47. Where by or under any written law any board, commission, committee or similar body, whether corporate or unincorporate, is established, then, unless a contrary intention appears, the powers of such board, commission, committee or similar body shall not be affected by—

- (a) any vacancy in the membership thereof; or
- (b) any defect afterwards discovered in the appointment or qualification of a person purporting to be a member thereof.

Affixing of common seal

48. Where by or under any written law any board, commission, committee or similar body is constituted to be a body corporate having perpetual succession and a common seal, and any document required to be sealed with such common seal, then, in the absence of express provision to the contrary, such common seal shall be affixed by the chairman, or manager of, or secretary to, such board, commission, committee or similar body and shall be authenticated by the signature of such chairman, manager or secretary, as the case may be.

Power of majority to act

49. Save as is otherwise expressly provided by any written law, where any act or thing may or is required to be done by more than two persons, a majority of them may do it.

PART VII—GENERAL PROVISIONS REGARDING TIME AND DISTANCE

Standard time

50. The mean time of the one hundred and eightieth meridian of longitude east of Greenwich in England shall be deemed and is hereby declared to be standard time throughout Fiji, and whenever an expression of time occurs in any written law and whenever the doing or not doing anything at a certain time of day or night or during a certain part of the day or night has an effect in such written law such time shall, unless it is otherwise specifically stated, be held to be standard time throughout Fiji as declared by this section.

Computation of time

51. In computing time for the purpose of any written law, unless a contrary intention appears—

- (a) a period of days from the happening of an event or the doing of any act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done;

- (b) if the last day of the period is a Saturday, Sunday or a public holiday (which days are in this section referred to as excluded days), the period shall include the next following day, not being an excluded day;
- (c) where any act or proceeding is directed or allowed to be done or taken on a certain day, then, if that day happens to be an excluded day, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards, not being an excluded day;
- (d) where an act or proceeding is directed or allowed to be done or taken within any time not exceeding six days, excluded days shall not be reckoned in the computation of the time.

Provisions where no time prescribed

52. Where no time is prescribed or allowed within which anything shall be done, such thing shall be done without unreasonable delay, and as often as due occasion arises.

Construction of power to extend time

53. Where in any written law a time is prescribed for doing any act or taking any proceeding, and power is given to a court or other authority to extend such time, then, unless a contrary intention appears, such power may be exercised by the court or other authority although the application for the same is not made until after the expiration of the time prescribed.

Measurement of distances

54. In the measurement of any distance for the purposes of any written law that distance shall, unless a contrary intention appears, be measured in a straight line on a horizontal plane.

PART VIII—GENERAL PROVISIONS REGARDING LEGAL PROCEEDINGS AND PENALTIES

**Evidence of signature of †Governor-General, Prime Minister, Minister or other officers*

55. Where the fiat, consent or authority of the †Governor-General, the Prime Minister, a Minister or any person whose appointment is specified in the Constitution is necessary before any prosecution or action is commenced, any document purporting to bear the fiat, consent, or authority of the †Governor-General, the Prime Minister, a Minister or person holding an appointment specified in the Constitution shall be received as prima facie evidence in any proceeding without proof being given that the signature to such fiat, consent or authority is that of the †Governor-General, the Prime Minister, a Minister or such person, as the case may be.

Law Officers

56. Any power conferred or duty imposed by any written law on the Attorney-General may, unless a contrary intention appears, be exercised or performed by the Solicitor-General ‡ or the Director of Public Prosecutions if the Attorney-General is unable to act owing to illness or absence.

* Inserted by Ordinance No. 27 of 1970.

† Amended by Order 8th October, 1970.

‡ Inserted by Order 8th October, 1970.

"Ex officio" proceedings not to abate on death, etc.

57. Any criminal proceedings taken by or any civil proceedings taken by or against any person in virtue of his office shall not be discontinued or abated by his death, resignation or absence or removal from office, but may be carried on by or against, as the case may be, the person for the time being holding that office.

Imposition of penalty no bar to civil action

58. The imposition of a penalty or fine by or under the authority of any written law shall not, in the absence of express provision to the contrary, relieve any person from liability to answer for damages to any person injured.

Provisions as to offences under two or more laws.

59. Where an act or omission constitutes an offence under two or more written laws, the offender shall, unless a contrary intention appears, be liable to be prosecuted and punished under any of such laws, but shall not be liable to be punished twice for the same offence.

Penalties prescribed may be maximum penalties, but may be cumulative

60.—(1) Where in any written law a penalty is prescribed for an offence under that law, such provision shall, unless a contrary intention appears, mean that the offence shall be punishable by a penalty not exceeding the penalty prescribed.

(2) Where in any written law more than one penalty is prescribed for an offence, the use of the word "and" shall, unless a contrary intention appears, mean that the penalties may be inflicted alternatively or cumulatively.

Disposal of forfeits.

61.—(1) Where any animal or thing is by any written law declared, or is under any written law adjudged by any court or other authority, to be forfeited, it shall, in the absence of express provision to the contrary, be forfeited to the Crown, and the net proceeds thereof, if it is ordered by a competent authority to be sold, shall be paid into the Consolidated Fund, unless other provision is made.

(2) Nothing in this section shall affect any provision in any written law whereby any portion of any fine or forfeit or of the proceeds of any forfeit is expressed to be recoverable by any person or may be granted by any authority to any person.

Disposal of fines and penalties.

62. Any fine or penalty imposed by or under the authority of any written law shall, in the absence of express provision to the contrary, be paid into the Consolidated Fund.

PART IX—GENERAL MISCELLANEOUS PROVISIONS*Gazette to be evidence of matters therein*

63. All printed copies of the Gazette, purporting to be printed by the Government Printer, shall be admitted in evidence by all courts and in all legal proceedings whatsoever without any proof being given that such copies were so published and printed and shall be taken and accepted as evidence of the written law, appointments, notices and other publications, therein printed and of the

matters and things contained in such written law, appointments, notices and publications respectively.

Power to issue licences, etc., subject to conditions

64. Where any written law confers a power to issue any licence, permit or authorization, then, unless a contrary intention appears, such licence, permit or authorization may be issued subject to such conditions, not inconsistent with that law, as the authority issuing it deems expedient.

**Rectification of errors*

65.—(1) The Attorney-General may, by order published in the Gazette, rectify any printing error appearing in any written law (other than in an applied Act).

(2) Every order made under the provisions of this section shall be laid †before Parliament without unreasonable delay and if a resolution is passed at the next meeting of †Parliament held after the meeting at which the order is so laid that the order be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of any new order.

**Questions in relation to proprietary units.*

66.—(1) Where any question arises as to whether any person is a member of a proprietary unit, a certificate under the hand of a commissioner that such person is a member of any such unit, shall be prima facie evidence thereof in any judicial proceedings.

(2) For the purposes of this section, “commissioner” means a commissioner of native lands appointed under the Native Lands Act or a person authorized by him in writing by notice in the Gazette.

(Cap. 133)

Act for which payment required need not be performed until payment made

67.—(1) Where any person, public officer or local authority is required to do anything for which a fee is to be paid or a charge made under any written law, such person, public officer or local authority may decline to do that thing until the fee is paid or until payment of the charge is made, or, where the precise amount of the payment to be made cannot be ascertained until the thing has been done, until there is paid such an amount as may be estimated to be the correct amount by the person or public officer, or the responsible officer of the local authority, required to do the thing.

(2) Where a thing has been done for which an estimated amount has been paid, such amount shall be adjusted to the correct amount either by means of a further payment or by a refund of the amount overpaid.

Deviation from forms

68. Save as is otherwise expressly provided, whenever any form is prescribed by any written law, an instrument or document which purports to be in such form shall not be void by reason of any deviation therefrom which does not affect the substance of such instrument or document, or which is not calculated to mislead.

* Inserted by Ordinance No. 33 of 1968.

† Amended by Order 8th October, 1970.

PART X—GENERAL PROVISIONS REGARDING THE CROWN

References to Crown

69. In this Act and in all other written law, whether enacted or made before or after the commencement of this Act, references to the Sovereign reigning at the time of the enactment or making of the written law or to the Crown, shall, unless a contrary intention appears, be construed as references to the Sovereign for the time being.

Saving of rights of Crown

70. No written law shall in any manner whatsoever affect the rights of the Crown unless it is therein expressly provided, or unless it appears by necessary implication that the Crown is bound thereby.

Act to bind Crown

71. This Act shall bind the Crown.

SUBSIDIARY LEGISLATION

CHAPTER 7

INTERPRETATION

SECTION 2—ADMINISTRATIVE DIVISIONS

Made by the Governor

Notices 5th January, 1957 (in force 15th January, 1967)

(1) The Central Division, comprising the provinces of Naitasiri, Namosi, Rewa, Serua and Tailevu.

(2) The Eastern Division, comprising the provinces of Kadavu, Lau and Lomaiviti.

26th April, 1945 (in force 1st May, 1945), 22nd June, 1949

(3) The Northern Division, comprising the provinces of Bua, Cakaudrove and Macuata.

(4) The Western Division, comprising the provinces of Ba, Nadroga and Navosa and Ra.

DELEGATIONS

See individual Chapters

Controlled by Ministry of the Attorney-General