

HONOURS AND AWARDS ACT, 1995

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**FIJI**

**ACT NO. 7 OF 1995**



I assent.

[L.S.]

K. K. T. MARA  
President

[8 March 1995]

## **AN ACT**

**TO PROVIDE FOR THE ESTABLISHMENT OF  
HONOURS AND AWARDS OF FIJI**

ENACTED by the Parliament of Fiji—

### **PART I—PRELIMINARY**

*Short title*

1. This Act may be cited as the Honours and Awards Act, 1995.

*Commencement*

2. This Act shall come into force on the day it is published in the *Fiji Republic Gazette*.

*Interpretation*

3. In this Act, unless the context otherwise requires—

‘Chancellor’ means the Chancellor of the Order of Fiji;

‘College’ means the College of Honour;

'Order' means the Order of Fiji;

'President' means the President and Commander-in-Chief of the Sovereign Democratic Republic of Fiji;

'relevant Minister' means the minister responsible for the administration of a Government department or ministry for the time being;

'Secretary' means the secretary of the Order of Fiji.

## PART II—ESTABLISHMENT OF HONOURS AND AWARDS

### *Establishment of Honours and Awards*

4.—(1) There shall be established, under this Act, an honours and awards system for Fiji.

(2) The President shall be the fount of all honours and awards for Fiji.

(3) The President shall establish the Order of Fiji and such other orders, decorations as he thinks fit.

(4) The President shall issue charters and regulations in establishing honours and awards under subsection (3) of this Section.

### *Chancellor of the Order of Fiji*

5.—(1) There shall be a Chancellor of the Order who shall be the President.

(2) The Chancellor shall be the Principal Companion in the General Division.

(3) The President, upon ceasing to hold office as President, shall continue to be a member of the Order in the General Division in the Companion class.

(4) The Chancellor shall be responsible for the administration of the Order of Fiji.

### *Functions of the Chancellor*

6. The functions of the Chancellor shall be—

- (a) with the advice of the College of Honour, to—
- (i) appoint members of the Order in the General Division;
  - (ii) approve any award of the Medal of the Order in the General Division;
  - (iii) approve any award for civilian bravery;
  - (iv) approve any other honour or medal for decoration that may be referred to the College under this Act;
- (b) upon recommendation by the relevant Minister, to—
- (i) appoint members of the Order in the Military Division;

- (ii) approve the grant of all awards of the Medal of the Order in the Military Division;
- (iii) approve the grant of all awards for the uniformed disciplined services;
- (iv) approve the grant of all awards for the Civil Service Medal;
- (v) approve the grant of any other award established under this Act requiring the recommendation of a relevant Minister.

*Secretary*

7.—(1) There shall be a Secretary of the Order who shall be appointed by the Public Service Commission after consultation with the President.

(2) The terms and conditions of the appointment of the Secretary shall be determined by the Public Service Commission.

(3) The Secretary shall be a public officer.

*Functions of the Secretary*

8.—(1) The functions and duties of the Secretary shall be to—

- (a) maintain the records of the Order and of the College of Honour;
- (b) manage the affairs of the Order and the College;
- (c) act in accordance with any general direction given by the College or the Chancellor;
- (d) perform all such other functions or duties as the College or the Chancellor may, from time to time, direct.

(2) The Public Service Commission may employ such other staff as it thinks necessary to assist the Secretary in the performance of his or her functions and duties.

*College of Honour*

9.—(1) There shall be a College to be known as the College of Honour consisting of a Chairperson and 4 other members to be appointed by the President for a term of 2 years.

(2) Subject to the provisions of this Act, the College shall assist and advise the President in the administration of this Act.

(3) A member, on the expiration of his or her term, is eligible for re-appointment.

(4) If any of the members, by reason of any temporary incapacity, is unable at any time to perform the duties of his or her office, the President may appoint a temporary substitute member, upon such terms and conditions as the President may prescribe.

(5) The President may appoint a member as Chairperson to act in place of the Chairperson during his or her absence for any reason.

(6) A vacancy in the membership of the College shall not impair the right of the remaining members to act.

(7) Three members of the College shall constitute a quorum.

(8) Notwithstanding the provisions of this Section, the College shall regulate its own procedure.

(9) Notwithstanding subsection (5) of this Section, the members present at any meeting may nominate a member present to preside in that particular meeting.

*Functions and Duties of the College of Honour*

10.—(1) The functions and duties of the College shall be to—

- (a) consider nominations for the appointment to the order or the grant of the Medal of the Order in the General Division;
- (b) recommend to the President—
  - (i) the appointment of a member of the Order in the General Division; or
  - (ii) an award of the Medal of the Order in the General Division; or
  - (iii) an award for civilian bravery; or
  - (iv) any other award that may be established under this Act;
- (c) advise the President on such other matters concerning this Act as the President may, from time to time, refer to the College;
- (d) perform all such other duties as the President may, from time to time, direct.

(2) Where a member of the College is nominated as a member of the Order or for a decoration for civilian bravery such nomination shall be solely considered by the President without reference to the College.

*Recommendation for other awards*

11. The relevant Minister shall recommend directly to the President the following—

- (a) the appointment of a member of the Order or for the grant of the Medal of the Order in the Military Division;
- (b) an award for military operational gallantry or leadership;
- (c) other awards for the uniformed disciplined services including awards for overseas services;
- (d) an award for the Civil Service Medal;
- (e) any other award or decoration that may be established under this Act under the control of a relevant Minister.

### PART III—GENERAL PROVISIONS

#### *Announcement and Investiture*

12.—(1) There shall be an annual list of honours and awards granted to be announced and published by notification in the *Fiji Republic Gazette* on Ratu Sukuna Day in each year or on such other day as the President may determine.

(2) The investiture of honours and awards shall be made on the Fiji Day holiday in each year and notwithstanding subsection (1) of this Section, the President may announce the grant of an honour or award and conduct its investiture whenever necessary.

(3) All grant of honours and awards shall be published by notification in the *Fiji Republic Gazette* except for certain routine issues of service medals where delegation may be made to the relevant Minister.

#### *Decision to be final*

13. Any decision made by the President for the grant of an honour or award shall be final and shall not be challenged or quashed in any court of law.

#### *Offences*

14.—(1) It is an offence for any person to—

- (a) accept or obtain from any person, for himself or herself or for any other person, any gift, money or valuable consideration as an inducement or reward for obtaining or assisting to obtain an honour or award to any person;
- (b) give or offer or propose to give or offer any gift, money or valuable consideration as an inducement for obtaining or to assist in obtaining the grant of an honour or award for himself or herself or any other person;
- (c) obtain any honour or award by fraud;
- (d) wear any medal which such person is not entitled or authorised to wear;
- (e) wear any device resembling any medal with intent to deceive;
- (f) claim any honour or award without lawful authority or entitlement;
- (g) make or proposes to make any counterfeit medal resembling any current medal without lawful authority;
- (h) give a false or misleading statement with intent to deceive for the purpose of obtaining an honour or award.

(2) In this Section, unless the context otherwise requires, 'medal' means any medal created and established under this Act.

(3) Any person found guilty of an offence under this Act is liable on conviction to imprisonment for a term not exceeding 6 months or a fine not exceeding \$500 or to both such fine and imprisonment.

Passed by the House of Representatives this twentieth day of February, in the year of our Lord one thousand, nine hundred and ninety-five.

Passed by the Senate this first day of March, in the year of our Lord one thousand, nine hundred and ninety-five.