



I assent.

[L.S.]

K. K. T. MARA  
President

[19 March 1999]

## AN ACT

### TO AMEND THE PRESIDENT'S PENSION ACT 1994

ENACTED by the Parliament of the Fiji Islands—

*Short title and commencement*

- 1.—(1) This Act may be cited as the President's Pension (Amendment) Act 1999.
- (2) This Act is deemed to have commenced on 18th January 1999.

*Meaning of principal Act*

2. In this Act, 'principal Act' means the Act No. 15 of 1994 known as the President's Pension Act 1994 and printed at page 719 of the *Gazette* for 1994.

*Amendment of long title*

3. The long title to the principal Act is amended by adding after "Fiji" the words "or President or Vice President of the Fiji Islands".

*Addition of section 1*

4. The principal Act is amended by adding as section 1—

*"Short-title and commencement"*

- 1.—(1) This Act may be cited as the Presidential Pensions Act 1994.
- (2) This Act is deemed to have come into force on 1st February 1983."

*Addition of section 2*

5.—(1) The principal Act is amended by adding as section 2—

*“Interpretation*

2.—(1) In this Act, unless the context otherwise requires—

“Governor-General” means a person appointed as Governor-General of Fiji under section 27 of the 1970 Constitution of Fiji;

“President” means a person appointed as—

- (a) President of the Republic of Fiji under section 4 of the Appointment of Head of State and Dissolution of Fiji Military Government Decree 1987;
- (b) President of the Republic of Fiji under section 2 of the Head of State and Executive Authority Decree 1988;
- (c) President of the Republic of Fiji under section 31 of the 1990 Constitution of the Sovereign Democratic Republic of Fiji; or
- (d) President of the Republic of the Fiji Islands under section 90 of the Constitution Amendment Act 1997;

“Vice President” means a person appointed as Vice-President of the Republic of the Fiji Islands under section 90 of the Constitution Amendment Act 1997.

(2) For the purposes of this Act—

- (a) “Governor General” does not include a person who acted as such under section 28 of the 1970 Constitution of Fiji;
- (b) “President” does not include a person who acted as such under section 33 of the 1990 Constitution of the Sovereign Democratic Republic of Fiji;
- (c) “President” and “Vice President” do not include a person who acts as such under section 88(3) of the Constitution Amendment Act 1997; and
- (d) a reference to a person ceasing to be President or Vice President does not include a person ceasing to be such by virtue of a provision relating to removal from office.”.

(2) The existing definitions of “Governor-General” and “President” and the words purporting to be subsection (5) which appear after the long title of the principal Act are repealed.

*Pension payable to Governor-General, President and Vice President*

## 6. Section 3 of the principal Act is amended—

- (a) in subsection (1) by deleting “other than by virtue of his removal from office under section 35 of the Constitution”;
- (b) by adding the following new subsection —  
“(4) In this section, references to the President include references to the Vice-President with effect from 18<sup>th</sup> January 1999.”.

*Right to choose*

## 7. Section 4 of the principal Act is amended—

- (a) by deleting “other than by virtue of section 35 of the Constitution”;
- (b) by adding “or Vice-President” after “President” in the first line.

*Gratuity payment*

## 8. Section 5 of the principal Act is amended in subsection (6)—

- (a) by deleting “or who is acting temporarily as President, as the case may be”;
- (b) in paragraph (a) by deleting “or is acting temporarily as President”;
- (c) in paragraph (b) by deleting “or acted temporarily as President, respectively”;
- (d) by adding “or Vice-President” after “President” wherever it appears.

*Gratuity payable to legal personal representatives*

## 9. Section 6 of the principal Act is amended in subsection (1) by adding “or Vice-President” after “President”.

*Pension payable to surviving widow of President*

## 10. Section 7 of the principal Act is amended by adding “or Vice-President” after “President” in subsections (1) and (2).

Passed by the House of Representatives this 10th day of February 1999.

Passed by the Senate this 1st day of March 1999.