

LAWS OF FIJI
CHAPTER 73

COUNTER-INFLATION

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*Acts Nos. 11 of 1973, 19 of 1975,
13 of 1977, 12 of 1981, 11 of 1983*

AN ACT TO ESTABLISH THE PRICES AND INCOMES BOARD;
TO AFFORD POWERS OF CONTROL OVER PRICES, CHARGES,
REMUNERATION, DIVIDENDS AND RENTS; AND FOR
CONNECTED PURPOSES

[30th June 1973]

PART I-PRELIMINARY

Short title

- 1.-(1) This Act may be cited as the Counter-Inflation Act.
- (2) Save as expressly provided by the provisions of this Act, this Act shall prevail over the provisions of any other written law which relates to prices, charges, remuneration, dividends and rents.

Interpretation

- 2. In this Act, unless the context otherwise requires-

"Board" means the Prices and Incomes Board established under section 3;

"business" includes any trade, profession or vocation, and the expression "in the course of business" shall be construed accordingly;

"charge" includes a charge for the performance of services being in the course of business, including any charge for the application of any process to goods and any rates made or levied by a council under the Local Government Act;

(Cap. 125.)

"employee" means any person who has entered into or works under a contract of service with an employer, whether the contract is for manual labour, clerical work or otherwise, is expressed or implied, is entered into orally or in writing, and whether it is a contract of service or apprenticeship or learnership, or a contract personally to execute any work or labour;

"employer" means any person or any firm, corporation or company, public authority or body of persons who or which has entered into a contract of service to employ any person, and includes the Government or any local government authority;

"inspector" means a person appointed under the provisions of section 15;

"maximum price" means the maximum price for goods or services fixed under the provisions of section 18;

"officer" when used with reference to an organisation, includes any member of the executive committee thereof and any officer of a branch thereof;

"organisation" means a trade union or other association of persons which is representative of employees or employers, as the case may be;

"price" includes a charge of any description, and includes any price for the sale of goods, being prices in the course of business;

"rent", in relation to the letting or continued letting by any person of any premises under any tenancy, includes-

(a) any sum payable to that person under that tenancy, notwithstanding that such sum is designated as a payment additional to the rent; and

(b) any goods or services to which that person is entitled under that tenancy if the value of such goods or services has been quantified in terms of money;

but shall not include any sum attributable to any rates or charges levied under the Local Government Act, Electricity Act, Water Supply Act, Sewerage Act or Drainage Act and paid or payable by that person in respect of, or in connection with, those premises;

(Inserted by Act 12 of 1981, s.2.)

(Caps. 125; 180; 144; 128 and 143.)

"retail" when used in relation to any sale, means a sale by a retailer to a consumer;

"retail price" means the price paid or payable for goods sold by retail;

"retailer" means a trader who sells goods to a consumer;

"service" includes-

(a) any service supplied or carried on for hire or reward by any person engaged in trade or business;

(b) any rights or privileges for which remuneration is payable in the form of royalty or tribute;

(c) any rights under an agreement for the provision of board or lodging;
"trader" means any person who in connection with any business carried on by him sells, has sold, or proposes to sell any goods, or who supplies or who carries on any service;
"wholesale" means the sale or supply of goods to a person for the purpose of resale or for use by such person in his trade or business;
"wholesale price" means the price paid or payable for goods sold by wholesale.
(Amended by Act 19 of 1975, s.2.)

PART II-ESTABLISHMENT AND MEMBERSHIP OF PRICES AND INCOMES BOARD

Establishment of Board

3.-(1) There is hereby established a board to be known as the Prices and Incomes Board, which shall be a body corporate and by that name shall have perpetual succession and a common seal. The Board may sue and be sued in respect of matters, whether relating to contract, tort or otherwise, arising in connection with the exercise of its powers or the carrying on of its functions under them provisions of this Act.

(2) Service of any document on the secretary of the Board shall be deemed to be service on the Board.

(Amended by Act 19 of 1975, s.3.)

Constitution of Board

4.-(1) The Board shall consist of one member who shall be appointed by the Minister and shall hold office for a term not exceeding five years.

(2) There shall be a secretary of the Board who shall be appointed by the Minister. The secretary shall not be entitled to vote at meetings of the Board.

(3) All orders or directions made or given by the Board shall be given under the hand of the secretary.

(4) The Board shall in the exercise of its functions under this Act, act in accordance with any general or special directions as to the policy to be followed given to it from time to time by the Minister and published by him in the Gazette.

(5) Subject to the provisions of this Act, the Board may regulate and determine its own procedure.

(Substituted by Act 19 of 1975, s.4.)

Conflict of interest

5. The member of the Board shall fully declare to the Minister any financial or other interest with which he may at any time be directly or indirectly connected.

(Substituted by Act 19 of 1975, s.6.)

Disclosure of information

6. The member of the Board or any servant or agent of the Board shall not, except for the purpose of the performance of his duties or the exercise of his powers under this Act, or when lawfully required to do so by any court or under the provisions of any written law, disclose any material information acquired in the performance of his duties, or in the exercise of his powers, under this Act.

(Amended by Act 19 of 1975, s.7.)

PART III-FUNCTIONS AND POWERS OF BOARD

Functions of Board

7. The functions of the Board shall be-

- (a) to exercise any of the powers and carry out all of the functions and duties conferred or imposed upon it under the provisions of this Act; and
- (b) such other functions in relation to prices and incomes as the Minister may from time to time by regulation determine.

(Amended by Act 19 of 1975, s.8.)

Powers of Board

8. The Board shall have power to do all things necessary or convenient to be done in connection with, or incidental to, the performance of its functions and, in particular, and without limiting the generality of the foregoing, the Board may employ such agents, and employees as it may from time to time consider necessary for the efficient performance of its functions.

Salary of secretary and other employees

8A.-(1) The Board shall pay the secretary of the Board such salary as is determined from time to time by the Higher Salaries Commission.

(2) Subject to the provisions of the Higher Salaries Commission Act, other officers and servants of the Board shall be paid such salaries as the Board from time to time determines.

(Inserted by Act 11 of 1983, s.27 and Sched. 2.)

Goods and services

9.-(1) The Board may, with the approval of the Minister, by order, fix and declare the maximum price or charges by any person (including the Crown) in the course of business for the sale of goods or the performance of services, either generally or in any specified part of or place in Fiji.

(Amended by Act 19 of 1975, s.10.)

(2) Before making or giving an order or notice under this section (other than one which only removes or lessens a restriction), the Board shall, subject to the provisions of section 10, give fourteen days' notice in the manner prescribed in subsection (3) to the person selling the goods or performing the services which would be subject to the restriction, and shall afford to such person an opportunity of making representations to the Board which, unless the Board otherwise directs, shall be in writing.

(3) If it appears to the Board to be impracticable to give notice under subsection (2) to all the persons selling the goods or performing the services, it shall instead give fourteen days' notice by publication in the Gazette and in such other ways as it may consider appropriate of its intention to make the order and shall afford to all those persons an opportunity of making representations to the Board which, unless the Board otherwise directs, shall be in writing.

Remuneration

10.-(1) The Board may, with the approval of the Minister, by order, restrict or regulate the payment of remuneration of any kind.

(Amended by Act 19 of 1975, s. 10.)

(2) Before making or giving an order or notice under this section (other than one which only removes or lessens a restriction), the Board shall, subject to the provisions of section II, give fourteen days' notice in the manner prescribed in subsection (3) to the person paying the remuneration which would be subject to the restriction and to any organisation which appears to the Board to be concerned, and shall afford to such person or organisation an opportunity of making representations to the Board which, unless the Board otherwise directs, shall be in writing.

(3) If it appears to the Board-

(a) that it is impracticable to give notice under subsection (2) to all the persons paying the remuneration; or

(b) in any case, that a substantial number of those receiving the remuneration are not represented by any organisation,

the Board shall instead publish fourteen days' notice in the Gazette and in such other ways as it may consider appropriate of its intention to make the order and shall afford to all those persons an opportunity of making representations to the Board which, unless the Board otherwise directs, shall be in writing.

(4) Where an order under this section is contravened, the liability for the contravention attaches to the person paying the remuneration.

(5) Where an order under subsection (1) has restricted or regulated the payment of any kind of remuneration, it shall be an offence and illegal to enter into any agreement or arrangement whereby the employer makes to, or for the benefit of, the employee some payment, whether called remuneration or not, to compensate for the remuneration which has been restricted or regulated.

Dividends

11.-(1) The Board shall have power, subject to the approval of the Minister, to restrict the declaration or payment of dividends by companies.

(Amended by Act 19 of 1975, s.11.)

(2) The powers conferred by subsection (1) shall be exercisable by order, or by notice given to the company, or each of the companies, affected by the notice.

(3) Without prejudice to the generality of subsection (1), an order or notice under this section may-

- (a) provide for the basis on which any comparison is to be made with the declaration or payment of any earlier dividends by the companies concerned;
- (b) prohibit any company to which it applies from making any such distribution as may be specified in the order or notice;
- (c) prohibit any such company from assuming any obligation, whether conditional or otherwise, to make any such distribution as may be so specified.

Rents

12.-(1) Subject to the provisions of section 33, but notwithstanding the provisions of any other written law, the Board may, with the approval of the Minister, by order, restrict increases of rent in respect of the letting or continued letting by any person or class of persons (including the Crown) of any premises under any tenancy.

(Amended by Act 19 of 1975, s.10.)

(2) Any order made under subsection (1) may include provisions excluding, adapting or modifying any provisions contained in, or having effect under, any written law which relates to rent, and in the exercise of any power to make subsidiary legislation under any such written law regard may be had to matters connected with the operation of this section.

Power to require notification of increases

13.-(1) The Board may, with the approval of the Minister, in any case or class of case as appears appropriate, by order, make provision to require that at least twelve weeks' written notice is given to it by any person of any proposed increase in any price, charge,

remuneration, dividend, or rent in time to consider whether the Board should exercise the powers conferred by this Act in order to restrict those increases.

(Amended by Act 19 of 1975, s. 10 and 12 of 1981, s.3.)

(2) Any order made under the provisions of subsection (1) may provide that, until the end of the period given for consideration of the proposed increase by the Board, any implementation of the increase constitutes a contravention of the order.

Inquiries

14.-(1) The Board may, with the approval of the Minister, hold such inquiries, either in public or in camera, as it considers necessary or desirable for the discharge of its functions under this Act; and may at any such inquiry direct that any person appearing as a witness be examined on oath, and administer an oath accordingly, or, instead of so directing, require the person examined to make and subscribe a declaration of the truth of the matter respecting which he is examined.

(Amended by Act 19 of 1975, s. 12.)

(2) If any person who is to give evidence at any such inquiry held in public so requests at the hearing, or by a notice in writing served on the secretary of the Board before the date of the hearing, the public shall be excluded from the hearing while that person gives his evidence.

(3) For the purposes of any inquiry under this Act, the Board may by summons require any person to attend, at such time and place as is specified in the summons, to give evidence on any matter so specified, being a matter in question at the inquiry.

(Amended by Act 19 of 1975, s. 12.)

(4) Any person required to give evidence under this section or having an interest in the subject-matter of an inquiry shall be permitted to be represented at the inquiry by a barrister and solicitor or other person of his own choice.

(5) A person who refuses or wilfully neglects to attend in obedience to a summons issued under this section or to give evidence as required by such a summons shall be guilty of an offence.

Inspectors

15.-(1) The Board may appoint inspectors for the purposes of this Act.

(2) It shall be the duty of an inspector-

(a) to exercise, under the special or general directions of the Board, the powers conferred by the provisions of subsection (1) of section 16;

- (b) to report to the Board any breach of the provisions of this Act which comes to his notice;
- (c) if so authorised in writing by the Board, although he may not be a barrister and solicitor, to institute, prosecute and conduct any legal proceedings in respect of any offence against any of the provisions of this Act;
- (d) to give such assistance to the Board in the execution of its powers and functions under this Act as it may direct.

Power to obtain information

16.-(1) The Board or an inspector may, for the purposes of this Act, by notice, require any person-

- (a) to furnish, whether by periodical returns or by other means, such estimates, returns or other information as may be specified or described in the notice;
- (b) to keep such records as may be so specified or described in respect of any business carried on by him or them; or
- (c) to produce for inspection to the Board or an inspector any documents so specified or described in any notice given under this subsection.

(Amended by Act 13 of 1977, s.21.)

- (2) The Board may, for the purposes of this Act, by order or by notice in writing-
 - (a) require any class of person specified in the order or notice to furnish to the Board such periodical or other returns containing estimates or other information as may be so specified or described; or
 - (b) require any person carrying on a business, or any class of person who carries on a business to keep such records as may be so specified or described.

- (3) Any person who-
 - (a) refuses or wilfully neglects to comply without reasonable cause with any order or notice under this Act;
 - (b) in furnishing any estimate, return or other information in compliance with such an order or notice, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular;
 - (c) with intent to deceive, produces in compliance with such an order or notice a document which is false in a material particular;
 - (d) in keeping any records in compliance with any requirement of this Act knowingly or wilfully makes any entry which he knows to be false in a material particular, or makes use of any such entry which he knows to be false; or
 - (e) in furnishing information in connection with an application for approval or consent under the provisions of this Act makes any statement, or produces or

makes use of any document, which to his knowledge is or may be misleading, false or deceptive in a material particular,
shall be guilty of an offence.

(4) No person shall be compelled, in complying with any such notice, to give any information which he could not be compelled to give in evidence in proceedings before any court.

(5) Nothing in this section shall be taken to require a person who has acted as a barrister and solicitor for any person to disclose any privileged communication made to him in that capacity.

Publication of information, advice and annual report

17. The Board may arrange for the publication, in such form and in such manner as it may consider appropriate, of such information and advice with respect to the application of any provisions of this Act, or the discharge of any of the Board's functions, as may appear to it to be expedient and shall transmit to the Minister an annual report to be laid before Parliament.

(Amended by Act 19 of 1975, s. 13.)

PART IV-PROVISIONS RELATING TO PRICES FOR
GOODS AND SERVICES

Manner in which maximum price fixed

18. An order made under the provisions of subsection (1) of section 9 may direct that the maximum price shall not exceed a specified sum or may prescribe the manner in which the maximum price shall be ascertained and may-

- (a) fix different maximum prices for the same classes of goods or services having regard to the terms upon which and the conditions and circumstances in which the goods are manufactured, imported or sold or the services provided; and
- (b) prescribe alternative methods by which the maximum price may be ascertained for the same or different classes of goods.

Proportionate prices

19. Where the quantity of goods sold or offered for sale is greater or less than the quantity specified in an order made under the provisions of subsection (1) of section 9 such goods shall, subject to any express provision to the contrary in the order, be sold or offered for sale at the proportionately increased or diminished price as the case may be.

Board may vary order

20. The Board may, with the approval of the Minister, by order or by notice in writing addressed to any trader, cancel or vary the terms of any order made under the provisions of subsection (1) of section 9 as regards the goods or services specified in such order or exempt any goods from the operation of such order.

(Amended by Act 19 of 1975, s.10.)

Prohibited acts

21. No person shall-

- (a) sell or buy or agree or offer to sell or buy goods at a greater price than the maximum price fixed and declared by an order made under the provisions of subsection (1) of section 9;
- (b) provide or agree to provide or obtain or agree to obtain services at a greater price than such maximum price;
- (c) in the course of business apply different methods of fixing or ascertaining the prices of goods or services with intent to evade the provisions of this Act;
- (d) except with the written permission of the Board sell or agree to sell any goods or provide or offer to provide any service subject to a condition requiring the buying of any other goods or the provisions of any other services.

Refusal to sell at maximum price

22. No person carrying on the business of the sale of goods and having goods available and no person engaged in supplying or carrying on any service shall, except with reasonable cause, the onus of proving which shall be upon him, refuse to sell goods or supply any service to any person tendering immediate payment at the maximum price fixed and declared for such goods or services by an order made under the provisions of subsection (1) of section 9.

Prices to be indicated

23.-(1) A trader having goods for sale in respect of which an order has been made under the provisions of subsection (1) of section 9 shall keep displayed in a prominent position on the premises in which such goods are kept or offered for sale a list showing clearly for the information of the public the maximum price of such goods fixed by such order.

(2) The Board may cause lists of such maximum prices to be printed in such languages as it may deem expedient and may require any trader to exhibit the same in the manner mentioned in subsection (1).

(3) The Board may with regard to any specified goods, with the approval of the Minister, by order require that a person having such goods for sale by retail shall cause the same to be legibly and conspicuously marked with the price for the information of the public.
(Amended by Act 19 of 1975, s.14.)

Invoice

24. A trader who sells by wholesale any goods the maximum price of which has been fixed by an order made under the provisions of subsection (1) of section 9 shall supply at the time of sale to every purchaser an invoice containing the following particulars and shall retain a copy of such invoice-

- (a) the name and address of the seller and purchaser;
 - (b) the date;
 - (c) a description of the goods;
 - (d) the quantity of goods;
 - (e) the price charged;
 - (f) such other particulars as the Board may, with the approval of the Minister, by order require generally or with reference to certain goods or classes of goods.
- (Amended by Act 19 of 1975, s. 14.)

Records

25.-(1) Every trader shall keep to the satisfaction of the Board such records and accounts, including stock and costing records, as are customary and proper in the type of business carried on by him.

(2) The Board may, by notice in writing, direct any trader to keep such other records and accounts as are specified in the notice.

(3) No trader shall, without the consent of the Board, destroy any document whatever relating wholly or in part to any business carried on by him or to any goods or services until a period of three years has elapsed since the documents originated.

Transaction not invalid

26. A transaction shall not be invalid by reason only that it involves an offence under this Act; but the person paying a price or charge in excess of that fixed and declared under the provisions of this Act shall be entitled to recover the excess of any price or charge so paid by him over such fixed and declared price unless he himself has aided, abetted or procured the commission of the offence.

PART V-MISCELLANEOUS

Expenses

27.-(1) The expenses incurred by the Board in the performance of its functions under this Act shall be subject to the Annual Budget or supplementary provisions approved by the Minister and paid out to the Board in the form of a grant.

(2) The Board shall keep proper accounts and other records in respect of its operations and shall cause to be prepared a statement of account in respect of each financial year.

(3) The accounts of the Board shall be audited annually by an auditor appointed by the Board with the approval of the Minister.

(4) After the end of each financial year, as soon as the accounts of the Board have been audited, a copy of the statement of account together with a copy of any report made by the auditor on that statement or the accounts of the Board shall be transmitted by the Board to the Minister to be laid before Parliament.

(Substituted by Act 19 of 1975, s. 15.)

Allowances

28. The member of the Board shall be paid such remuneration, travelling and other allowances as the Minister may, from time to time, direct.

(Substituted by Act 19 of 1975, s. 16.)

Regulations

29. The Minister may, make regulations generally for the purpose of carrying out the provisions of this Act and to enable the Board to carry out the duties and to exercise the functions conferred on it by this Act.

(Amended by Act 19 of 1975, s. 17.)

Offences

30.-(1) A person who contravenes or fails to comply with any of the provisions of this Act or of any order, notice or requirement lawfully made or given thereunder shall be guilty of an offence.

(2) Subject to the provisions of subsection (3), where an offence under this Act committed by a body corporate is proved to have been committed with the knowledge, consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar official of the body corporate or any person who was

purporting to act in any such capacity, he, as well as the body corporate, shall be liable to be proceeded against and on conviction shall be liable accordingly.

(3) In proceedings for an offence under subsection (2) against an officer of a trade union in respect of action taken by him in his capacity as such an officer it shall be a defence to show that he was acting within the scope of his authority on behalf of the trade union.

(4) Nothing contained in or having effect under this Act, and nothing made an offence by this section, shall give rise to any criminal or tortious liability for conspiracy or to any other liability in tort.

Offences by unincorporated bodies

31.-(1) This section shall have effect as respects any unincorporated body, whether an organisation or not.

(2) If anything made an offence under the provisions of this Act is done by a person within the scope of his authority on behalf of such an unincorporated body, that body shall be guilty of an offence under that provision, and shall be liable to be proceeded against and on conviction shall be liable as if the offence had been committed by that body.

(3) Subsection (3) of section 30 shall apply to an official of an unincorporated organisation as it applies to an officer of a trade union.

(4) Where an offence is alleged to have been committed under this Act by an unincorporated body-

(a) proceedings for the offence shall be brought in the name of that body (and not in that of any of its members);

(b) for the purpose only of any such proceedings any rules of court relating to the service of documents shall have effect as if that body were a body corporate.

Penalties

32. Every person who commits an offence under this Act shall be liable on conviction to a fine not exceeding \$2,000.

Exclusions

33.-(1) The provisions of this Act-

(a) shall not affect the powers of the Native Land Trust Board under the provisions of the Native Land Trust Act;

(Cap. 134.)

(b) shall not, in so far as it relates to rents, apply to a lease or licence of native land granted by the Native Land Trust Board;

(c) shall not affect the provisions of the Banaban Lands Act;

(Cap. 124.)

(d) shall not, in so far as it relates to rents, apply to agricultural land as defined in the Agricultural Landlord and Tenant Act;

(Cap. 270.)

(e) shall not affect the provisions of the Rotuma Lands Act;

(Cap. 138.)

(f) shall not apply to any goods or services where such application would be inconsistent with any international agreement or arrangement to which Fiji is a party;

(g) shall not apply to any charges relating or incidental to international freight and passenger traffic;

(h) shall not apply to prices paid on the last sale of goods exported or re-exported from Fiji.

(2) The Minister may, by order, exclude from the provisions of this Act or of any part of this Act such persons or classes of persons as he may consider necessary or desirable.

(Amended by Act 19 of 1975, s. 18.)

Controlled by Ministry of Finance.

CHAPTER 73

COUNTER-INFLATION

SECTION 4-DIRECTIONS TO THE PRICES AND INCOMES BOARD

Directions 4 January 1985,*

15 February 1985.

** See Legal Notices Nos. 1 of 1985, 8 of 1985.*

1. That in fixing the maximum wholesale and retail prices of the following items, a percentage mark-up formula be adopted:-

(1) rice, white or polished, of all types;

(2) fish, crustaceans, and molluscs, canned (with or without other ingredients) excepting crab, lobster, mussels, oysters, prawns, shrimps, Canadian salmon, fish canned locally and caviar;

(3) corned beef and corned mutton excepting corned beef and corned mutton canned locally, canned (with or without other ingredients);

(4) baby milk of all types and other milk, powdered, evaporated or condensed (with or without other ingredients);

(5) edible oils of all types;

(6) butter (imported);

(7) margarine;

- (8) lighting kerosene;
- (9) agricultural pesticides of all types (imported);
- (10) fertilizers (imported) falling within Chapter 31 of the Fiji Customs Tariff;
- (11) veterinary medicaments (imported) falling within Heading 30:03 of the Fiji Customs Tariff;
- (12) netting and fencing of iron or steel wire (imported) falling within Heading 73:27 of the Fiji Customs Tariff;
- (13) barbed iron or steel wire (imported) falling within Heading 73:26 of the Fiji Customs Tariff;
- (14) barbed wire (local);
- (15) potatoes (imported);
- (16) onions (imported);
- (17) cladding and boards-all types (imported) falling within Headings 44:15, 44:16, 44:17, 44:18 and 48:08/09 of the Fiji Customs Tariff;
- (18) plywood-all types (local);
- (19) Medicines-Ethical falling within Chapters 28-30 of the Fiji Customs Tariff;
- (20) dried leguminous vegetables shelled, whether or not skinned or split (imported);
- (21) Ghee (imported);
- (22) Salt (imported);
- (23) Prepared foods obtained by swelling or roasting of cereals or cereal products (imported);
- (24) Baby food (imported);
- (25) Dripping (imported);
- (26) Milo (imported);
- (27) Ovaltine (imported);
- (28) Cocoa Powder (imported);
- (29) Garlic (imported);
- (30) Goat Meat (imported);
- (31) Sheep Meat (imported);
- (32) Footwear (imported);
- (33) Detergents (imported);
- (34) Stationery and related commodities (imported);
- (35) Text Books used by educational institutions (imported);
- (36) Tyres and tubes (imported);
- (37) Storage Batteries (imported); and
- (38) Motor Vehicle Parts and Accessories (Essential Parts only).

2. That the maximum wholesale and retail prices or charges for the following commodities and services be fixed and declared by the Board by Order under section 9 of the Act:-

- (1) inter-island shipping and barge freight rates;
- (2) motor spirit;
- (3) Gas-oil (diesoline);
- (4) Solvent gasoline, unleaded and undyed;
- (5) Pre-mixed outboard fuel;
- (6) flour of all types;
- (7) sharps of all types;
- (8) bread (except bread sold as part of a meal);
- (9) tea;
- (10) butter (local);
- (11) biscuits (cabin crackers and breakfast crackers);
- (12) washing soap; and
- (13) Medicines-Patent.

3. That the maximum selling prices for Liquefied Pressure Gas (cooking gas) be fixed and declared by the Board by Order under section 9 of the Act.

4. That the maximum ex-factory prices for the following commodities be fixed and declared by the Board by Order under Section 9 of the Act:-

- (1) Plywood of all types;
- (2) Flour, sharps, atta, bran, pollard and other wheaten products;
- (3) Rice (imported brown and milled in Fiji);
- (4) Edible Oils;
- (5) Powdered Milk (locally packed); and
- (6) Margarine.

5. That the maximum ex-factory, wholesale and retail prices of building materials shall be the ex-factory, wholesale and retail prices charged for building materials at the close of business on 17 January 1985, subject to such increases as may be approved by the Prices and Incomes Board.

*Directions 9 November 1984**

* See Legal Notice No. 95 of 1984.

1. That the Board shall, by order, make provision to require that the following measures are effected forthwith:

- (1) All remunerations and incomes including wages, charges, salaries and rental will be frozen at their current levels.

(2) Dividends will be held at levels existing in the previous financial year of each business.

2. That the range of items under price control will be expanded with the exception of locally produced goods.

Directions 29 January 1986+

+ See Legal Notice No. 8 of 1986.

The Board shall make provision to require that with effect from 1 January 1986 increases in wages and salaries, the total amounts paid out by companies by way of dividends, charges for services, and rents are limited to 2.25%.

The Directions to the Prices and Incomes Board, 1984 published as Legal Notice 95 of 1984 are amended accordingly.

SECTION 9-COUNTER-INFLATION (SERVICES) (CONTROL) ORDER

Legal Notice 14 of 1986

Short title and commencement

1.-(1) This Order may be cited as the Counter-Inflation (Services) (Control) Order.

(2) This Order shall be deemed to have come into operation on 1 January 1986.

Interpretation

2. In this Order, "person" means an individual or a firm, corporation or company, public authority or body or persons supplying a service, and includes the Government or a local government authority.

Prohibition on increases in charges for services

3. A person shall not make a charge for a service supplied by him after 25 November 1984 and before 1 January 1986 at a rate which exceeds the charge made for the supply of that service before 9 November 1984.

Restriction on increases in charges for services

4. A person shall not make a charge for a service supplied by him after 31 December 1985 at a rate which is more than 2.25% more than the charge made for the supply of that service before 1 January 1986.

SECTION 10 – COUNTER-INFLATION (REMUNERATION) (CONTROL) ORDER

Legal Notice 15 of 1986

Short title and commencement

- 1.-(1) This Order may be cited as the Counter-Inflation (Remuneration) (Control) Order.
- (2) This Order shall be deemed to have come into operation on 1 January 1986.

Interpretation

2. In this Order, "remuneration" includes salary, wages, bonuses, commissions and any other benefit, facility or advantage, whether in money or otherwise, paid or provided to an employee by his employer.

Prohibition on increases in remuneration

3. An employer shall not pay or provide remuneration to an employee for work done at any time after 25 November 1984 and before 1 January 1986 at a rate which exceeds the rate of remuneration last paid or provided by the employer for the same kind of work before 9 November 1984.

Restriction on increases in remuneration

4. An employer shall not pay or provide remuneration to an employee for work done at any time after 31 December 1985 at a rate which is more than 2.25% more than the rate of remuneration last paid or provided by the employer for the same kind of work before 1 January 1986.

Provisions of Order to prevail

5. The provisions of this Order shall prevail over any contract of service in so far as that contract governs the remuneration of an employee for work done after 25 November 1984 and such contract shall be deemed to be amended so that-
 - (a) the remuneration of the employee for work done after 25 November 1984 and before 1 January 1986 shall not exceed the rate at which it was last paid or provided by the employer for the same kind of work before 9 November 1984; and
 - (b) the remuneration of the employee for work done after 31 December 1985 shall be such amount as is agreed between the employer and employee being an amount which is not more than 2.25% more than the rate of remuneration last paid or provided by the employer for the same kind of work before 1 January 1986.

SECTION 11-COUNTER-INFLATION (DIVIDENDS)
(CONTROL) ORDER

Legal Notice 9 of 1986

Short title and commencement

1.-(1) This Order may be cited as the Counter-Inflation (Dividends) (Control) Order.

(2) This Order shall be deemed to have come into operation on 1 January 1986.

Restriction on increase in dividends payment

2. A company shall not after 31 December 1985 pay out by way of dividends an amount which is more than 2.25% more than the corresponding amount paid out by way of dividends in the previous financial year.

SECTION 12-COUNTER-INFLATION (RENTS) (CONTROL) ORDER

Legal Notice 10 of 1986

Short title and commencement

1.-(1) This Order may be cited as the Counter-Inflation (Rents) (Control) Order.

(2) This Order shall be deemed to have come into operation on 1 January 1986.

Prohibition on increase in rent

2. Subject to clause 5, a person shall not charge in respect of the period starting 9 November 1984 and ending 31 December 1985 rent in respect of the letting or continued letting of premises under a tenancy in excess of the rent applicable to those premises on 9 November 1984.

Restriction on increases in rent

3. After 31 December 1985 a person shall not charge rent in respect of the letting or continued letting of premises under a tenancy at a rate which is more than 2.25% more than the rate applicable to those premises on 31 December 1985.

Provision of Order to prevail

4. Subject to clause 5, the provisions of this Order shall prevail over any contract insofar as that contract governs the payment of rent after 8 November 1984 and any such contract shall be deemed to be amended so that the rent payable after that date shall not exceed the rent permitted under this Order.

Exception

5. Clause 2 does not prevent an increase in the rent charged by a person in accordance with a determination made by the Board in respect of a proposed increase of rent of which due notice was given to the Board under the Counter-Inflation (Notification of proposed increase in rent) Order, 1981 before 9 November 1984.

Saving

6. Nothing in this Order affects the application of the Counter-Inflation (Notification of proposed increases in rent) Order, 1981.

SECTION 13-COUNTER-INFLATION (NOTIFICATION OF PROPOSED
INCREASES IN RENT) ORDER

Legal Notice 136 of 1981

(Made by the Prices and Incomes Board)

Short title

1. This Order may be cited as the Counter-Inflation (Notification of proposed increases in rent) Order.

Twelve weeks' notice

2. At least 12 weeks' written notice shall be given to the Prices and Incomes Board of any proposed increase in any rent in respect of the letting or continued letting by any person or class of persons (including the Crown) of any premises under any tenancy to which the Act applies.

Implementation pending notice

3. Until the end of the period of the notice referred to in paragraph 2, any implementation of the proposed increase shall constitute a contravention of this Order.

SECTION 33-COUNTER-INFLATION (NOTIFICATION OF PROPOSED
INCREASES IN RENT) ORDER (EXEMPTION) ORDER

Legal Notice 78 of 1984

Short title, etc.

1. This Order may be cited as the Counter-Inflation (Notification of Proposed Increases in Rent) Order (Exemption) Order and shall be deemed to have come into force on 1 July 1982.

Exemption from Provisions of Counter-Inflation

(Notification of Proposed Increases in Rent) Order

2.-(1) Subject to subclause (2), the Counter-Inflation (Notification of Proposed Increases in Rent) Order shall not apply in respect of quarters provided by the Government to public officers.

(2) Subclause (1) shall not have effect in respect of any quarters unless the rent paid in respect of those quarters-

(a) is an amount equal to 8% or less of the basic salary of the public officer occupying the quarters; and

(b) does not exceed the amount specified in the following table.

TABLE

Type of Quarters Maximum Allowed Rental

Special grade	\$1,600 a year
Grade I and II	\$1,400 a year
Grade III	\$1,200 a year
Grade IV	\$1,000 a year
Grade V	\$ 270 a year
Grade VI and below	\$ 480 a year.

SECTION 33 – COUNTER-INFLATION (FUEL COMPANIES EXCLUSION)

ORDER

Order 7 February 1974*

* See Legal Notice No. 30 of 1974.

(Made by the Minister)

Short title

1. This Order may be cited as the Counter-Inflation (Fuel Companies) Exclusion Order.

Exclusion from section 22

2. The following companies shall be excluded from the provisions of section 22 of the Act in relation to the sale of petroleum products:-

BP (Southwest Pacific) Limited;

Mobil Oil Australia Limited;

Shell Company (Pacific Islands) Limited.

Controller by the Ministry of Finance

Source: <http://www.wipo.int/portal/en/>