

Fiji Development Bank Act 1966 – For Reference Only

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FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

Table of Amendments

Fiji Development Bank Act 1966 (No 47 of 1966) commenced on 1 July 1967, as amended by:

Amending Legislation	Date of Commencement
Fiji Development Bank (Amendment) Ordinance 1967 (No 30 of 1967)	22 March 1968
Constitution (Statutory Amendments) Order (LN 112 of 1970)	8 October 1970
Fiji Development Bank (Amendment) Act 1974 (No 14 of 1974)	24 May 1974
Fiji Development Bank (Amendment) Act 1978 (No 21 of 1978)	22 December 1978
Fiji Development Bank (Amendment) Act 1980 (No 17 of 1980)	5 September 1980
Higher Salaries Commission Act 1983 (No 11 of 1983)	1 December 1983
Fiji Development Bank (Amendment) Decree 1989 (No 6 of 1989)	10 March 1989
Native Lands (Amendment) Decree 2011 (No 7 of 2011)	1 March 2011
Revised Edition of the Laws (Consequential Amendments) Act 2016 (No 31 of 2016)	1 December 2016
Personal Property Securities Act 2017 (No 45 of 2017)	31 May 2019
Stamp Duties (Repeal) Act 2020 (No 16 of 2020)	1 August 2020
Fiji Development Bank (Amendment) Act 2022 (No 47 of 2022)	2 September 2022
Higher Salaries Commission Act 2023 (No 24 of 2023)	16 October 2023

Search within this Act and its subsidiary legislation

Search

FIJI DEVELOPMENT BANK ACT 1966

PART 1 PRELIMINARY [ss 1, 2]

[FDB 1] s 1 Short title

[FDB 2] s 2 Interpretation

PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]

PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]

PART 4 ADVANCES TO FARMERS [ss 21–31]

PART 5 GENERAL PROVISIONS [ss 32–44]

Subsidiary Legislation



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

AN ACT TO ESTABLISH THE FIJI DEVELOPMENT BANK AND FOR PURPOSES CONNECTED THEREWITH

PART 1 PRELIMINARY [ss 1, 2]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

AN ACT TO ESTABLISH THE FIJI DEVELOPMENT BANK AND FOR PURPOSES CONNECTED THEREWITH

PART 1 PRELIMINARY [ss 1, 2]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 1] Short title

1 This Act may be cited as the Fiji Development Bank Act 1966.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 2] Interpretation

2 In this Act, unless the context otherwise requires—

Bank means the Fiji Development Bank established under the provisions of section 3;

Board means the Board constituted under the provisions of section 4;

borrower means any person or company to whom an advance has been made under the provisions of this Act or the Personal Property Securities Act 2017 and includes his or her or its personal representatives, successors and assigns;

[def am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

chairperson and **deputy chairperson** means the chairperson and deputy chairperson, respectively, of the Board;

collateral has the same meaning as defined under the Personal Property Securities Act 2017;

[def insrt Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

director means a member of the Board of the Bank;

farmer means the owner or tenant of any land which is or is intended to be used for agricultural or pastoral purposes;

member means a member of the Board;

notification means the notification for which provision is made in section 25; and

tenant means a lessee, a tenant at will or a holder of a right of occupancy, and includes a licensee and a holder of an approval notice to lease issued by the State or by the iTaukei Land Trust Board.

[def am Decree 7 of 2011 s 4, effective 1 March 2011]

Search within this Act and its subsidiary legislation

Search

– FIJI DEVELOPMENT BANK ACT 1966

– PART 1 PRELIMINARY [ss 1, 2]

[FDB 1] s 1 Short title

[FDB 2] s 2 Interpretation

– PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]

[FDB 3] s 3 Establishment of Bank

[FDB 4] s 4 The Board

[FDB 5] s 5 Functions of the Bank

[FDB 6] s 6 Transfer to Bank of assets and liabilities of the Agricultural and Industrial Loans Board

[FDB 7] s 7 Appointment of officers and employees

[FDB 8] s 8 Bank to act in accordance with instructions of Minister

[FDB 9] s 9 Procedure and meetings of the Board

[FDB 10] s 10 Power to make rules

[FDB 11] s 11 Power to appoint committees and to delegate

+ PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]

+ PART 4 ADVANCES TO FARMERS [ss 21–31]

+ PART 5 GENERAL PROVISIONS [ss 32–44]

+ Subsidiary Legislation



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 3] Establishment of Bank

3 (1) There is hereby established a bank to be called the Fiji Development Bank.

(2) The Bank shall be a body corporate with perpetual succession and a common seal and shall, under the name of the Fiji Development Bank, be capable of suing and being sued, and of purchasing or otherwise acquiring, holding and alienating property, real or personal, and of doing or performing such acts and things as bodies corporate may by law do and perform, subject to the provisions of this Act.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 4] The Board

4 (1) The operations of the Bank shall be controlled by a Board consisting of such number of members to be called directors as shall be appointed thereto by the Minister.

[subs (1) am LN 112 of 1970 O 137, effective 8 October 1970]

(2) No person shall serve as a director who is, at the time of his or her appointment or later becomes—

- (a) a member of Parliament;
- (b) a member of the Board of, or an officer or employee of, the Reserve Bank; or
- (c) a director, officer or employee of a company in possession of a valid licence granted under the provisions of the Banking Act 1995.

[subs (2) am Act 14 of 1974 s 2, effective 24 May 1974]

(3) The directors shall, subject to the pleasure of the Minister, hold office for not more than 3 years from the dates of their respective appointments but any director shall be eligible for reappointment.

[subs (3) am LN 112 of 1970 O 137, effective 8 October 1970]

(4) The Minister shall appoint a chairperson and a deputy chairperson from among the directors.

[subs (4) am LN 112 of 1970 O 137, effective 8 October 1970]

(5) If any director is, without the permission of the chairperson, absent from meetings of the Board for more than 3 consecutive months, his or her office as a director shall thereupon become vacant.

[subs (5) insrt Act 14 of 1974 s 2, effective 24 May 1974]

(6) Where any director is temporarily incapacitated from performing his or her functions as such by reason of his or her temporary absence from Fiji or for any other cause, the Minister may appoint a person temporarily to be a director during such period of incapacity and, during such period, such person shall be deemed to be a director for all purposes to the exclusion of the director so temporarily incapacitated.

[subs (6) am LN 112 of 1970 O 137, effective 8 October 1970]

(7) A director may resign at any time by giving notice in writing to the Minister.

[subs (7) insrt Act 14 of 1974 s 2, effective 24 May 1974]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 5] Functions of the Bank

5 The functions of the Bank shall be to facilitate and stimulate the promotion and development of natural resources, transportation and other industries and enterprises in Fiji and, in the discharge of these functions, the Bank shall give special consideration and priority to the economic development of the rural and agricultural sectors of the economy of Fiji.

[s 5 am Act 14 of 1974 s 3, effective 24 May 1974; Act 17 of 1980 s 2 effective 5 September 1980]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 6] Transfer to Bank of assets and liabilities of the Agricultural and Industrial Loans Board

6 On 1 July 1967—

- (a) the Agricultural and Industrial Loans Board shall cease to exist as a body corporate;
- (b) all the assets and real and personal property of every description including things in action and any interest in real or personal property and all the powers, rights and privileges in connection therewith or appertaining thereto which immediately before 1 July 1967 were vested in the Agricultural and Industrial Loans Board shall forthwith vest in the Bank, freed and discharged from any trust whatsoever, but subject nevertheless to the provisions of this Act;
- (c) all liabilities and obligations of the Agricultural and Industrial Loans Board which may have existed prior to 1 July 1967 shall be transferred to and be assumed by the Bank; and
- (d) any advance granted by the Agricultural and Industrial Loans Board and transferred to the Bank under the provisions of this section shall, for the purposes of this Act, be deemed to be an advance granted by the Bank under the provisions of this Act.

[s 6 am Ordinance 30 of 1967 s 2, effective 22 March 1968]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 7] Appointment of officers and employees

7 (1) The Board may appoint a manager and such other officers and employees as it considers necessary for the proper carrying out of the provisions of this Act.

[subs (1) subst Act 11 of 1983 Sch 2, effective 1 December 1983; am Act 47 of 2022 s 2, effective 2 September 2022]

(1A) The manager shall be paid such salary as is determined from time to time in accordance with Higher Salaries Commission Act 2023.

[subs (1A) insrt Act 11 of 1983 Sch 2, effective 1 December 1983; am Act 31 of 2016 s 74, effective 1 December 2016; Act 24 of 2023 s 31 and Sch 2, effective 16 October 2023]

(1B) The other officers and employees of the Board shall be paid such salaries as the Board from time to time determines.

[subs (1B) insrt Act 11 of 1983 Sch 2, effective 1 December 1983; am Act 31 of 2016 s 74, effective 1 December 2016; Act 47 of 2022 s 2, effective 2 September 2022; Act 24 of 2023 s 31 and Sch 2, effective 16 October 2023]

(2) It shall be lawful for the Board to provide for the establishment and maintenance of a Superannuation Scheme or a Provident Fund Scheme for the benefit of the officers and employees of the Bank and, in any such scheme, different provisions may be made for different classes of officers and employees.

[subs (2) am Act 47 of 2022 s 2, effective 2 September 2022]

(3) The persons who, immediately before 1 July 1967, held offices under the Agricultural and Industrial Loans Board shall be deemed, on that date, to be transferred to the service of the Bank and to hold office thereunder on the like terms and conditions of employment, including provision for superannuation, as if they had originally been appointed to the service of the Bank.

(4) All officers and employees of the Bank shall make and subscribe to a declaration of secrecy before a justice of the peace.

[subs (4) am Act 47 of 2022 s 2, effective 2 September 2022]

[s 7 am Act 47 of 2022 s 2, effective 2 September 2022]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 8] Bank to act in accordance with instructions of Minister

8 In carrying out its powers, duties and functions under the provisions of this Act, the Bank shall act in accordance with any general policy instructions given to it from time to time by the Minister, provided that if, in the opinion of the Board, any such policy instruction is likely to affect adversely the finances or securities of the Bank, the chairperson shall make a written report to that effect to the Minister in which case the Government shall assume responsibility for the results of such policy instructions.

[s 8 am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 9] Procedure and meetings of the Board

9 (1) The Board shall meet at such times as may be necessary for the transaction of business, and such meetings shall be held at such place and time and on such days as the Board may determine.

(2) The chairperson, or in his or her absence the deputy chairperson, or, where the chairperson and the deputy chairperson are both absent, such director as the other directors present may elect, shall preside at all meetings of the Board.

[subs (2) am Ordinance 30 of 1967 s 3, effective 22 March 1968]

(3) Four directors shall form a quorum at any meeting of the Board.

[subs (3) subst Act 14 of 1974 s 4, effective 24 May 1974]

(4) The decisions of the Board shall be by majority vote and, in addition to an original vote, in any case in which the voting is equal the chairperson or deputy chairperson presiding at the meeting shall have a casting vote.

(5) Any director who has any financial or personal interest in any matter before it shall disclose such interest to the Board and shall take no part in the discussion on any such matter nor vote thereon.

(6) Minutes in proper form of each meeting shall be kept by an officer of the Bank and shall be confirmed by the chairperson or the deputy chairperson, as the case may be, as soon as practicable thereafter at a subsequent meeting.

(7) The Board may co-opt any one or more persons to attend any particular meeting of the Board for the purposes of assisting or advising the Board, but no such co-opted person shall have any right to vote.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 10] Power to make rules

10 The Board shall have power to make rules—

- (a) subject to the provisions of section 9, to regulate the proceedings of the Board;
- (b) for the custody and use of the common seal and the manner in which documents, cheques and instruments of any description shall be signed or executed on behalf of the Bank;
- (c) prescribing, subject to the approval of the Minister, the rates of any remuneration to be paid to directors in respect of service on the Board, and of any travelling and subsistence allowances to be drawn by directors, and the circumstances in which they may be drawn;
- (d) generally for the exercise of its powers and duties under the provisions of this Act.

[s 10 am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 11] Power to appoint committees and to delegate

11 Subject to the provisions of this Act, the Board may delegate to any officer of the Bank, director or committee of the Board the power and authority to carry out on its behalf such duties, and upon and subject to such conditions, as the Board may determine.

Search within this Act and its subsidiary legislation

Search

FIJI DEVELOPMENT BANK ACT 1966

PART 1 PRELIMINARY [ss 1, 2]

PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]

PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]

[FDB 12] s 12 Capital

[FDB 13] s 13 Funds and resources of the Bank

[FDB 14] s 14 Security

[FDB 15] s 15 Investments

[FDB 16] s 16 Borrowing powers

[FDB 17] s 17 Powers of expenditure

[FDB 18] s 18 Powers of the Bank

[FDB 19] s 19 Power to deal in shares etc

[FDB 20] s 20 Agents

PART 4 ADVANCES TO FARMERS [ss 21–31]

PART 5 GENERAL PROVISIONS [ss 32–44]

Subsidiary Legislation



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 12] Capital

12 (1) The authorised capital of the Bank shall be \$8,000,000 and may be increased from time to time by such amount as may be proposed by the Board and approved by the Minister.

[subs (1) am LN 112 of 1970 O 137, effective 8 October 1970]

(2) All capital stock of the Bank, as and when subscribed, shall be for the sole account of the Government and shall not be transferable or subject to encumbrance. No reduction of capital shall be effected except by a resolution of Parliament.

[subs (2) insrt Act 14 of 1974 s 5, effective 24 May 1974; am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 13] Funds and resources of the Bank

13 The funds and resources of the Bank shall consist of—

- (a) all funds at the disposal of the Agricultural and Industrial Loans Board immediately before the commencement of this Act;
- (b) the sum of £500,000 which shall be paid to the Bank by the Government in 2 instalments of £250,000, the first on the commencement of this Act and the second on 2 January 1968;
- (c) such sums as may be appropriated to the Bank in the annual estimates of the Government or by resolution of Parliament;
- (d) all sums received by or falling due to the Bank in respect of the repayment of any loan made by the Bank or the interest payable in respect of any such loan;
- (e) moneys earned or arising from any property, investments, mortgages or debentures acquired by or vested in the Bank;
- (f) any property, mortgages, debentures or investments acquired by or vested in the Bank;
- (g) sums borrowed by the Bank on overdraft from another bank or otherwise for the purpose of meeting any of its obligations or discharging its functions or providing necessary working capital;
- (h) sums raised from the issue of bonds and debentures;
- (i) all other sums or property which may in any manner become payable to or vested in the Bank in respect of any matter incidental to its powers and duties.

[s 13 am Decree 6 of 1989 s 2, effective 10 March 1989]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 14] Security

14 (1) The Bank may, in its absolute discretion, accept any form of security in respect of money owing to the Bank or may dispense altogether with the giving of security.

(2) In determining whether or not to provide finance for any project, the Bank shall have regard primarily to the prospects of that project becoming or continuing to be successful, and shall not be bound to have regard to the value of the security available.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 15] Investments

15 Moneys standing to the credit of the Bank may from time to time be invested in securities authorised by the provisions of any Act for the time being in force relating to the investment of trust funds, and the Bank may from time to time sell any or all of such securities.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 16] Borrowing powers

16 (1) The Bank may from time to time, with the consent of the Minister, borrow such sums as are required by it to meet any of its obligations, discharge any of its functions or provide necessary working capital, and the Bank may with the like consent—

(a) issue and sell bonds and debentures; and

(b) issue promissory notes, certificates of deposit and other instruments acknowledging or evidencing a borrowing or the terms of borrowing.

[subs (1) subst Decree 6 of 1989 s 3, effective 10 March 1989]

(2) The bonds referred to in subsection (1) may be issued by the Bank in such denominations, in such form and upon such terms and conditions as the Board, with the approval of the Minister, may prescribe.

[subs (2) am LN 112 of 1970 O 137, effective 8 October 1970]

(3) The repayment of any sums borrowed under the provisions of this section and the payment of interest thereon may be guaranteed by the Government.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 17] Powers of expenditure

17 The Bank may from its funds and resources—

- (a) make payments of any expenses lawfully incurred by the Bank including survey, legal, audit and other fees, costs and charges;
- (b) make payment of any other expenses, costs or expenditure properly incurred or accepted by the Board in pursuance of the purposes of the Bank under the provisions of this Act;
- (c) make purchases of plant, equipment and any other stores and materials and acquire land and erect buildings and carry out any other works and undertakings in the discharge of its functions under this Act;
- (d) provide housing for officers and employees of the Bank, guarantee loans to its officers and employees for housing and make advances to its officers and employees;
- (e) acquire by purchase, exchange or otherwise any freehold or leasehold land or buildings, and sell, let, alienate, mortgage, charge or otherwise deal with all or any of such land or buildings.

[s 17 am Act 47 of 2022 s 2, effective 2 September 2022]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 18] Powers of the Bank

18 (1) Notwithstanding the provisions of the Banking Act 1995, for the purpose of carrying out its functions under the provisions of this Act, the Bank is empowered to carry on banking business.

(2) Without limiting the generality of the provisions of subsection (1), the Bank shall have power in addition to any other powers conferred on it by this Act—

- (a) to accept money on deposit;
- (b) to lend money on such terms and conditions as it may determine;
- (c) to buy, sell, discount and rediscount bills of exchange, promissory notes and Treasury Bills;
- (d) to buy and sell securities issued by the Government or by any statutory body in Fiji;
- (e) to establish credits and give guarantees;
- (f) to issue bills and drafts and affect transfers of money;
- (g) to underwrite loans and issues of capital;
- (h) to subscribe to stocks, shares, bonds or debentures;

- (i) to manage, control or supervise any project considered by it to be for the economic benefit of Fiji by nominating directors or advisers or otherwise collaborating with the sponsors of any such project;
- (j) to establish, sell shares of, invest in and manage any project considered by it to be for the economic benefit of Fiji;
- (k) to acquire, exchange, sell or lease land for the purpose of industrial sites or for any project considered by it to be for the general economic benefit of Fiji;
- (l) to lay out estates for sale or lease;
- (m) to provide advice and assistance to industrial enterprises or for any other enterprise considered by it to be for the economic benefit of Fiji;
- (n) to receive in consideration of the services rendered by it such commission as may be agreed upon and to make charges in respect of services rendered and facilities provided by it;
- (o) to promote any scheme of such other nature as may be approved by the Minister;
- (p) to do any thing incidental to or consequential upon any of its powers or functions.

[subs (2) am LN 112 of 1970 O 137, effective 8 October 1970]

(3) In exercising its powers under the provisions of subsection (2), the Bank may impose such terms and conditions as it, in its discretion, deems expedient including the making of loans by instalments or by the issue of purchase orders, and may from time to time vary any such terms and conditions.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 19] Power to deal in shares etc

19 (1) In addition to the powers conferred upon it by section 18, the Bank, or any subsidiary thereof, may engage, either as principal or agent, in the business of acquiring, holding, selling, exchanging and otherwise dealing in shares, stocks, debentures, bonds, Treasury Bills or securities of the Government, any statutory body, including the Bank, or any company registered under the Companies Act 2015.

(2) The provisions of section 506 of the Companies Act 2015 shall not apply to the Bank or any subsidiary thereof in the exercise of the powers conferred upon it by this section.

[s 19 insrt Act 21 of 1978 s 2, effective 22 December 1978; am Act 31 of 2016 s 74, effective 1 December 2016]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 20] Agents

20 In the exercise of its powers and performance of its functions, the Bank may appoint a person to act as agent of the Bank and may, on the request of any bank licensed under the Banking Act 1995, appoint such bank to be an agent of the Bank for the receipt and transmission of applications for the provision of finance by the Bank.

Search within this Act and its subsidiary legislation

Search

– FIJI DEVELOPMENT BANK ACT 1966

+ PART 1 PRELIMINARY [ss 1, 2]

+ PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]

+ PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]

– PART 4 ADVANCES TO FARMERS [ss 21–31]

[FDB 21] s 21 Advances to farmers

[FDB 22] s 22 Applications for advances

[FDB 23] s 23 Conditions of loan

[FDB 24] s 24 Advances to farmers to constitute first charge

[FDB 25] s 25 Notifications

[FDB 26] s 26 Release of charges on repayment

[FDB 27] s 27 Enforcement of security

[FDB 28] s 28 Sale and assignment of sugar cane contracts

[FDB 29] s 29 Application of moneys

[FDB 30] s 30 Power to insure

[FDB 31] s 31 Rights of a surety

+ PART 5 GENERAL PROVISIONS [ss 32–44]

+ Subsidiary Legislation



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 4 ADVANCES TO FARMERS [ss 21–31]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 4 ADVANCES TO FARMERS [ss 21–31]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 21] Advances to farmers

21 In respect of loans made to farmers for agricultural or pastoral purposes, the provisions of this Part shall have effect.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 22] Applications for advances

22 (1) Where a farmer is desirous of obtaining an advance from the Bank under the provisions of this Part, he or she may make application in such form as the Bank may from time to time prescribe and the Bank may require the particulars in such form to be verified in such manner, whether by way of statutory declaration or otherwise, as it may consider fit.

(2) The Bank shall consider each application on its merits and may, in its absolute discretion—

- (a) refuse any advance;
- (b) grant any advance without any security;
- (c) grant any advance secured in the manner provided in sections 24 and 25; or
- (d) grant any advance on any other form of security which the Bank may consider fit either *in lieu* of or in addition to the form of security referred to in paragraph (c).

(3) Where the Bank decides to grant to a farmer an advance under the provisions of subsection (2)(c) or (d) and the form of security required by the Bank creates a charge on any land held by that farmer as a tenant, the Bank shall forthwith cause a notice specifying the land to be so charged to be served on every lessor or landlord of such land whereupon, the provisions of any Act or of any covenant or condition to the contrary notwithstanding, the consent of every such lessor or landlord to such charge shall be deemed to have been granted unless notice to the contrary is served by such lessor or landlord on the Bank within 21 days of the service on him or her of the notice first hereinbefore mentioned.

(4) The Bank on making an advance under the provisions of this section may require the farmer to sign a receipt in the prescribed form.

[s 22 am Ordinance 30 of 1967 s 4, effective 22 March 1968; Act 14 of 1974 s 7, effective 24 May 1974]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 23] Conditions of loan

- 23 (1)** Subject to the provisions of subsection (2), every farmer to whom an advance is granted under the provisions of section 22(2)(c) shall observe the following covenants and conditions, which covenants and conditions shall be deemed to be implied in any notification registered under the provisions of this Part—
- (a) that the farmer shall repay such advance, together with interest thereon, at the rate and at the times specified by the Bank either at the time of making the advance or at any subsequent time, and shall pay all expenses of enforcement and realisation incurred by the Bank in connection with or arising out of the loan;
 - (b) that the farmer shall produce at such intervals as may be required by the Bank an account showing the manner in which the advance has been expended, and such account may be verified on oath or in such other manner as may be required by the Bank;
 - (c) that the farmer shall at all times uphold and maintain cultivation on the land specified in the notification, and maintain in a good state of repair and condition all buildings, fixtures, improvements, chattels, collateral and other property specified in the notification, so that the security for the advance does not deteriorate in value;
 - (d) that the farmer shall permit the Bank by its authorised officers to enter into and upon the land specified in the notification to view and inspect the state of repair of the buildings, fixtures, improvements, chattels, collateral, crops and other property the subject of any charge created under the provisions of this Part;
 - (e) subject to the provisions of the Personal Property Securities Act 2017, that the farmer shall furnish to the Bank full information as to any sale of the produce of the land specified in the notification and shall dispose of the purchase money from such sale in accordance with the written directions of the Bank, and shall inform the Bank of any contract for the sale of such produce immediately upon entering into such contract;

- (f) subject to the provisions of the Personal Property Securities Act 2017, that the farmer shall, if the Bank so directs, give an order on the purchaser of any produce referred to in paragraph (e), or on the person to whom such produce is delivered to be marketed, to the effect that the money, or such portion thereof as the Bank may direct, arising from the sale of such produce shall be paid to the Bank, and any money or any part thereof so paid may at the discretion of the Bank be applied towards repayment of the advance and interest thereon or be paid to the farmer;
- (g) that the farmer shall furnish to the Bank in writing full information as to the letting by him or her of any land, or of any buildings upon the land, specified in the notification, and shall dispose of the rent derived from such land or buildings in such manner as the Bank may direct in writing;
- (h) that the farmer shall, if the Bank so directs, give written instructions to the tenant of any portion of the land, or of any buildings upon the land, specified in the notification, to pay any sum due or accruing due by way of rental of such land or buildings, or such part thereof as the Bank may direct, to the Bank, and any money so paid to the Bank may be applied towards repayment of the advance and interest thereon or be paid to the farmer;
- (i) that the farmer will pay all rents, rates, taxes, insurance premiums and other outgoings from time to time chargeable against the land specified in the notification;
- (j) that, when the land specified in the notification is leasehold, the farmer will observe and perform all the covenants and conditions contained in the lease or implied by law;
- (k) that the farmer will, at all times during the continuance of the charge, duly and promptly comply with the provisions and requirements of any Act relating to or to the use of the land, buildings, collateral or other property the subject of any charge created under the provisions of this Act;

- (l) that the farmer will not during the continuance of the charge remove, from the land specified in the notification, any buildings or other structural improvements erected thereon;
- (m) that the farmer has good right and absolute authority to create a charge under the provisions of this Act over the land, buildings, fixtures, improvements, chattels, crops and other property specified in the notification, and that he or she will at any time after the creation of the charge make, do and execute all such further acts, deeds and assurances for the further assurance of all or any of the said property unto the Bank and enabling the Bank to obtain and retain possession of the same as may by the Bank be lawfully required;
- (n) that the Bank shall be entitled to make good any default by the farmer in compliance with the covenants and conditions contained in this section and under any other applicable law and that the Bank shall be entitled to add the sum or sums so paid to the principal moneys due under the charge and the same shall bear interest at the rate set out in the notification; and
- (o) that the farmer has good right and absolute priority to grant a security interest under the provisions of the Personal Property Securities Act 2017 over the collateral and that the farmer must at any time after the creation of the security interest permit, make, do and execute all such further acts, deeds and assurances for the further assurance of all or any of the said collateral unto the Bank and enabling the Bank to secure its interest in the collateral and in the event of default obtain possession of the same as may by the Bank be lawfully required.

[subs (1) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(2) Where the Bank accepts in respect of an advance made to a farmer any form of security under the provisions of section 22(2)(d) the covenants and conditions set out in paragraphs (a) to (o) inclusive of subsection (1) shall also be deemed to be implied in such form of security and any reference to “the notification” in the provisions of those paragraphs shall be construed as a reference to the document or documents securing such advance.

[subs (2) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

[s 23 am Ordinance 30 of 1967 s 5, effective 22 March 1968; Act 14 of 1974 s 8, effective 24 May 1974]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 24] Advances to farmers to constitute first charge

24 Subject to the provisions of this Act and the Personal Property Securities Act 2017, any advance granted to a farmer, together with interest thereon and all costs, charges and expenses properly incurred by the Bank in making or securing the advance or preparatory or incidental to the enforcement of the security, shall, until repayment in full, subject only to any prior registered estate, interest, charge, encumbrance or right registered under the provisions of this or any other Act, be—

- (a) a first charge upon the whole of the crops specified in the notification, whether such crops are then or are intended to be thereafter sown or grown on the land specified in the notification, and the produce of such crops or the proceeds thereof if and when sold and converted into money such crops, on severance from the land;
- (b) a first charge on all the right, title and interest of the farmer in the land specified in the notification and in all buildings, structures, improvements and fixtures from time to time on or about such land;
- (c) a charge on all collateral belonging to the farmer and specified in the notification.

[s 24 am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 25] Notifications

25 (1) The Bank may, in any case where any charge is created under the provisions of this Part over collateral, cause a notice of the security interest to be filed in the registry established under the Personal Property Securities Act 2017.

[subs (1) subst Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(2) Where the title to any land, or any estate or interest therein, charged under the provisions of this Part, is registered under the provisions of the Land Transfer Act 1971, the Bank shall forward a further copy of the notification to the Registrar of Titles who shall enter on the instrument of title to such land, estate or interest a memorandum of such notification as a charge against such land, estate or interest.

(3) Notwithstanding any provision of the Land Transfer Act 1971, to the contrary immediately upon registration under the provisions of subsection (2), all persons dealing with the land, buildings and other improvements thereon which is subject to any charge created under the provisions of this Part, shall be deemed to have notice of every such charge, and any such dealing shall, subject to the provisions of this Act, be subject to the charges created under the provisions of this Part.

[subs (3) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(4) The effectiveness, amendment, continuation and termination of a notice of a security interest made under subsection (1) relating to any collateral is governed by the Personal Property Securities Act 2017.

[subs (4) subst Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(5)

[subs (5) rep Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(6) Subject to the Personal Property Securities Act 2017, where, under the terms of any notification or notice of a security interest registered under this section, an advance granted by the Bank to a farmer is declared to include further advances which may be granted by the Bank to that farmer the notification or notice of the security interest shall be deemed to apply to and to take effect in respect of all such further advances as are granted to the farmer.

[subs (6) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(7) Any notification may be varied by a written memorandum signed by or on behalf of the Bank and countersigned by the farmer and the provisions of subsections (1), (2) and (3) relating to registration and filing of a notice shall apply to such memorandum in the like manner as they apply to the notification and notice of the security interest.

[subs (7) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(8)

[subs (8) rep Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

[s 25 am Ordinance 30 of 1967 s 7, effective 22 March 1968; Act 45 of 2017 s 114 and Sch, effective 31 May 2019]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 26] Release of charges on repayment

26 (1) On repayment by a farmer of all amounts due to the Bank in respect of any advance granted to him or her under the provisions of section 22, the Bank shall give a receipt therefor and thereupon the charges created under the provisions of this Part in respect of such advance and interest shall be released, provided that in any case, whether or not such amounts, or any part thereof, have been repaid, the Bank may, in its absolute discretion, by writing release totally or partially any such charge.

(2) Where any charge has been totally or partially released under the provisions of subsection (1) the Registrar of Titles shall, upon production to him or her of a receipt or written release signed by or on behalf of the Bank, endorse on the notification or other document registered with him or her relating to such charge a memorandum indicating the extent to which such charge has been released.

(3) Where any charge is registered under the Registrar of Titles prior to the commencement of the Personal Property Securities Act 2017, and such charge has been re-registered under the Personal Property Securities Act 2017, the Bank on repayment by a farmer of all amounts due to the Bank in respect of any advance granted under section 22, must cause a termination to be filed under the Personal Property Securities Act 2017.

[subs (3) insrt Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(4) If any charge totally released under the provisions of subsection (1) relates to land, or any estate or interest therein, which is registered under the provisions of the Land Transfer Act 1971, the Registrar of Titles shall, upon production to him or her of copy of such receipt or written release cause the charge against such land estate or interest to be discharged.

[subs (3) renum as subs (4) Act 45 of 2017 s 114 and Sch, effective 31 May 2019]



FUJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 27] Enforcement of security

27 (1) If any farmer to whom an advance is granted under the provisions of section 22(2)(c) —

- (a) defaults in the payment of any moneys payable by him or her to the Bank and secured under the provisions of this Part; or
- (b) fails to observe any of the covenants and conditions specified in section 23, or any additional condition imposed by the Bank, then—
 - (i) if the land specified in the notification is the subject of an instrument of title registered under the provisions of the Land Transfer Act 1971, the provisions of sections 75 to 81, inclusive of the Property Law Act 1971 shall, *mutatis mutandis*, apply as though the charge created under the provisions of section 23(b) were a mortgage registered under the provisions of that Act;
 - (ii) if the land specified in the notification is not the subject of an instrument of title registered under the provisions of the Land Transfer Act 1971, the Bank shall have power to order the sale of, and to sell the right, title, estate or interest of such farmer in such land or any part thereof subject to all prior charges, encumbrances, interests and rights registered under the provisions of this or of any other Act and still subsisting and outstanding;
 - (iii) the Bank shall have power to order the sale of all or any part of the collateral or other property subject to the charge created by the provisions of this Part, other than such property as is subject to the provisions of either of paragraphs (i) or (ii), subject to all prior charges, encumbrances, interests and rights registered under the provisions of this or of any other Act and still subsisting or outstanding.

[subs (1) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(2) Every sale made in pursuance of the powers of sale conferred by subsection (1) shall be by public auction or by private treaty as the Bank may consider appropriate, and notice of such sale shall be given—

- (a) in any case where the amount owing to the Bank by the farmer does not exceed \$100, by the posting of a notice upon the land and in at least 2 other places in the vicinity of the land not less than 3 weeks before the day fixed for sale, or, at the option of the Bank, by advertisement in accordance with the provisions of paragraph (b);
- (b) in any other case by advertisement appearing at least 3 times in any one newspaper published and circulating in Fiji.

(3) The Bank may, at any time before any sale advertised under the provisions of subsection (1), postpone such sale either generally or to some specified day or cancel such sale.

(4) In the circumstances referred to in subsection (1) and where any crops are the subject of any charge created under the provisions of this Act, the Bank may enter into possession of such crops and cultivate them to maturity and reap and carry away and sell the same in which case the provisions of subsections (2) and (3) shall apply to any such sale.

(5) In the event the property to be sold consists of collateral subject to the Personal Property Securities Act 2017, the provisions related to the enforcement of the security interest created under that Act are also available to the Bank, including the provision that notwithstanding anything to the contrary in the Personal Property Securities Act 2017, the rights and remedies provided in any other law including this Act, must continue to be available to the Bank.

[subs (5) insrt Act 45 of 2017 s 114 and Sch, effective 31 May 2019]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 28] Sale and assignment of sugar cane contracts

28 Where under the provisions of this or any other Act, the Bank sells any land, or any right, title, estate or interest therein, of a farmer to whom an advance is granted by the Bank under this Part, the Bank shall have the power, subject to the provisions of the Sugar Industry Act 1984, to sell and assign to the purchaser any sugar cane contract granted in respect of such land or any part or parts thereof under the provisions of that Act.

[s 28 insrt Ordinance 30 of 1967 s 10, effective 22 March 1968]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 29] Application of moneys

- 29** (1) All moneys received by the Bank under the provisions of this Part from the sale of any land, crops, chattels, collateral or other property shall be applied—
- (a) firstly, towards payment of all costs, charges and expenses properly incurred and incidental to the sale including, in the case of crops, the taking of possession, cultivating, harvesting and gathering thereof;
 - (b) secondly, with regard to collateral, to the satisfaction of any obligation secured by any security interest which has priority under the Personal Property Securities Act 2017;
 - (c) thirdly, towards payment of all amounts owing by the farmer to the Bank and charged upon such land, crops, chattels, collateral and other property, under the provisions of this Part;
 - (d) fourthly, towards payment of all amounts owing by the farmer in respect of any subsequent charges or encumbrances existing over any such land, crops, chattels, collateral and other property of which the Bank has notice, in the order of their respective priorities; and
 - (e) finally, the residue, if any, shall be paid to the farmer.

[subs (1) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

- (2) Where the amount payable to the Bank under the provisions of subsection (1) is insufficient fully to discharge the indebtedness of the farmer to the Bank, the farmer shall be liable to pay the balance of such indebtedness forthwith upon the demand of the Bank.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 30] Power to insure

30 (1) Subject to the provisions of subsection (2) the Bank may insure and keep insured any insurable property the subject of any charge created under the provisions of this Part against loss or damage as the Bank may consider appropriate, in such office, in such name or names and in such amounts as the Bank may determine, and the premiums, stamp duties paid before 1 August 2020 and other moneys paid in respect of such insurance shall be added to and form part of the loan secured by such charge and shall bear interest at the prescribed rate as from the date of payment by the Bank.

[subs (1) am Act 16 of 2020 s 4 and Sch, effective 1 August 2020]

(2) Where any property required to be insured under the provisions of subsection (1) is already insured, the Bank may effect additional insurance thereon to the extent and amount, if any, which the Bank may deem necessary.

(3) The receipt of the Bank for any moneys payable under any policy held by the Bank in respect of any fixtures, chattels, crops, collateral or other property the subject of any charge created under the provisions of this Part shall be sufficient discharge therefor.

[subs (3) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(4) All money received pursuant to any claim under any policy of insurance upon any fixtures, chattels, crops, collateral or other property the subject of any charge created under the provisions of this Part shall be applied at the election of the Bank either in or towards the discharge of the amounts secured to the Bank or in making good the loss or damage in respect of which the money is received.

[subs (4) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 31] Rights of a surety

31 The provisions of section 19 of the Indemnity, Guarantee and Bailment Act 1881 shall apply to any surety who guarantees the repayment of an advance granted to a farmer under this Part.

[s 31 subst Ordinance 30 of 1967 s 11, effective 22 March 1968]

Search within this Act and its subsidiary legislation

Search

- FIJI DEVELOPMENT BANK ACT 1966
 - + PART 1 PRELIMINARY [ss 1, 2]
 - + PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]
 - + PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]
 - + PART 4 ADVANCES TO FARMERS [ss 21–31]
 - **PART 5 GENERAL PROVISIONS [ss 32–44]**
 - [FDB 32] s 32 Rights of Bank in case of default
 - [FDB 33] s 33 Repayment before agreed period
 - [FDB 34] s 34 Examination
 - [FDB 35] s 35 Accounts and audit
 - [FDB 36] s 36 Bad debts
 - [FDB 37] s 37 Report
 - [FDB 38] s 38 Protection of Bank
 - [FDB 39] s 39 Personal liability of director
 - [FDB 40] s 40 Offences and penalties
 - [FDB 41] s 41 False statements
 - [FDB 42] s 42 Service upon Bank
 - [FDB 43] s 43 Service by Bank
 - [FDB 44] s 44 Regulations

+ Subsidiary Legislation



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 5 GENERAL PROVISIONS [ss 32–44]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

PART 5 GENERAL PROVISIONS [ss 32–44]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 32] Rights of Bank in case of default

32 (1) Any payment to the Bank in respect of an advance granted by it under the provisions of this Act shall first be applied towards the payment of interest accrued due to the Bank at the date of such payment and the balance, if any, shall be applied towards the repayment of the advance.

[subs (1) insrt Ordinance 30 of 1967 s 12, effective 22 March 1968]

(2) Subject to the provisions of the Personal Property Securities Act 2017 with respect to a charge over collateral, where any borrower who is under a liability to the Bank by reason of an advance made under the provisions of this Act makes any default in repayment or otherwise fails to comply with the terms upon which such advance has been granted, the Bank may, without prejudice to any other rights or remedies which it may possess, take over the management of the business of such borrower as well as the right to sell and realise the property pledged, mortgaged, charged or assigned to the Bank.

[subs (2) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(3) Any transfer of property made by the Bank in exercise of its powers of sale and realisation under the provisions of subsection (2) and, in the case of any land, or any estate or interest therein, the subject of an instrument of title registered under the provisions of the Land Transfer Act 1971, under the provisions of that Act, shall vest in the transferee all rights in or to the property transferred as if the sale had been made by the owner of the property.

(4) Subject to the Personal Property Securities Act 2017, the Bank shall have the same rights and powers with respect to goods manufactured or produced wholly or partly from goods forming part of any security held by it, as it had with respect to the original goods.

[subs (4) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(5) Where the Bank takes over the management of the business of a borrower under the provisions of subsection (2), it shall be deemed to be the owner of such business and may sue and be sued in the name of the owner of such business.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 33] Repayment before agreed period

33 (1) The Bank may at any time accept payment of the whole or any part of an advance or of any interest payable before the time when such repayment or payment is due upon such terms and conditions as the Bank may think fit.

(2) Notwithstanding any agreement to the contrary, and without prejudice to any other rights or remedies it may possess, the Bank may by notice require any borrower forthwith to discharge his or her liabilities to the Bank if—

- (a) it appears to the Bank that false or misleading information in any material particular was given in the application for the loan or advance; or
- (b) the loan or advance has not been applied for the purposes for which it was made by the Bank; or
- (c) the borrower has failed to comply with the terms of his or her agreement with the Bank; or
- (d) there is reasonable apprehension that the borrower is unable to pay his or her debts or that proceedings for liquidation may be commenced in respect thereof or that the collateral or performance of an obligation subject to a charge under the Personal Property Securities Act 2017 is at risk, as defined in section 20(2) of the Personal Property Securities Act 2017; or
- (e) the property or collateral pledged, mortgaged, charged or assigned to the Bank as security is not insured and kept insured by the borrower to the satisfaction of the Bank, or, in the opinion of the Bank, depreciates in value by more than 20%, and further security to the satisfaction of the Bank is not given as may be required by it; or
- (f) without the permission of the Bank, any property of the borrower, whether forming part of any security or otherwise, is removed or sold or otherwise disposed of; or
- (g) for any reason it is necessary in the opinion of the Bank to protect the interests of the Bank,

and any security given by the borrower to the Bank may be realised accordingly.

[subs (2) am Act 45 of 2017 s 114 and Sch, effective 31 May 2019]

(3) If any advance is to be made by instalments, the Bank may order that any instalment due to be advanced, whether by way of cash payment or purchase order, shall be withheld until the Bank is satisfied that such instalment will be applied for the purpose for which the loan or advance was granted.

(4) Where default is made in the payment upon the due date of any interest owing to the Bank in respect of any advance granted by it under the provisions of this Act the Bank shall be entitled, until that interest is paid, to charge interest thereon at the same rate as interest is chargeable on the advance.
[subs (4) insrt Ordinance 30 of 1967 s 13, effective 22 March 1968]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 34] Examination

34 (1) When the Bank has made any loan, advance or investment in any form, the Bank may, at any time while any such loan, advance or investment is extant—

- (a) make or cause to be made such examination as to the affairs of the borrower or his or her business as it considers necessary; and
- (b) require financial statements in such detail as it may determine to be submitted by the borrower at such intervals as it may require.

(2) The Bank may appoint any of its officers or any other person or persons authorised in writing by the Bank to make an examination under the provisions of this section, and the borrower shall produce to such officer or person all the relevant books, documents and other matters and things necessary for purposes of the examination.

(3) Any officer of the Bank appointed under the provisions of this section or any other person authorised in writing by the Bank in that behalf may, at all reasonable times, enter upon any land or premises in respect of which any loan, advance or investment by the Bank has been made and may examine the same.

(4) Any person who—

- (a) fails to submit any financial statement or to produce any book, document or other matter or thing as required by or under the provisions of this section; or
- (b) wilfully obstructs any officer of the Bank or other authorised person in carrying out any examination under the provisions of this section, shall be guilty of an offence.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 35] Accounts and audit

35 The Bank shall keep accounts of its transactions and such accounts shall be audited by an auditor approved by the Minister. An auditor so approved shall be a chartered accountant registered under the provisions of the Fiji Institute of Accountants Act 1971.

[s 35 am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 36] Bad debts

36 The Bank may, with the approval of the Minister, write off bad debts.

[s 36 am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 37] Report

37 (1) The Bank shall, as soon as possible after the end of each financial year, submit to the Minister a report containing—

(a) an account of its transactions throughout the year; and

(b) a statement of the accounts of the Bank duly audited in accordance with the provisions of section 35.

[subs (1) am LN 112 of 1970 O 137, effective 8 October 1970]

(2) A copy of the report together with the report of the auditor shall be printed and laid before Parliament as soon as possible after the end of the year to which the report relates.

[subs (2) am LN 112 of 1970 O 137, effective 8 October 1970]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 38] Protection of Bank

38 (1) No act done or proceeding taken under the provisions of this Act shall be questioned on the ground of the existence of any vacancy on, or any defect in the constitution of the Board.

(2) Any minute made touching a meeting of the Board or of a committee of the Board shall, if duly signed by the chairperson or the manager of the Bank, be receivable in evidence in all legal proceedings without further proof, and every meeting of the Board or a committee in respect of which minutes have been so made shall be deemed to have been duly convened and held and all members thereof to have been duly qualified to act.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 39] Personal liability of director

39 No director, officer or employee of the Bank shall be personally liable for any act or default done or omitted to be done in good faith in the course of the operations of the Bank.

[s 39 am Act 47 of 2022 s 3, effective 2 September 2022]



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 40] Offences and penalties

40 (1) Any person who knowingly applies any loan, advance or investment made by the Bank or any part thereof under the provisions of this Act to any purpose other than that authorised by the Bank shall be guilty of an offence and shall on conviction be liable to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 2 years, or to both such fine and imprisonment.

(2) Any person who disposes of any property forming the whole or part of any security pledged, mortgaged, charged or assigned to the Bank, other than with the authority of the Bank, shall be guilty of an offence and shall on conviction be liable to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 2 years, or to both such fine and imprisonment.

(3) Any person convicted of an offence under the provisions of section 34(4) shall be liable to a fine not exceeding \$200 or to imprisonment for a term not exceeding 6 months, or to both such fine and imprisonment.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 41] False statements

41 Any person who willfully fails to disclose any material information within his or her knowledge, or who wilfully makes any statement which he or she knows to be false or does not believe to be true, for the purposes of securing a loan from, or an investment in any form by, or assistance in any form or any facility from, the Bank, is guilty of an offence and on conviction shall be liable to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 2 years, or to both such fine and imprisonment.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 42] Service upon Bank

42 Service upon the Bank of any notice, order or other document shall be effected by delivering the same or by sending it by registered post to the manager of the Bank.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 43] Service by Bank

43 Subject to the provisions of section 27 relating to the notices required in connection with the exercise of the power of sale conferred by that section, any notice, order or other document required to be served by the Bank under the provisions of this Act may be served—

- (a) personally; or
- (b) by delivering it at or on the premises in which the person to be served resides or carries on business, and by leaving the same with any person apparently above the age of 18 years resident or employed at such premises; or
- (c) by posting it by pre-paid letter addressed to the last known place of abode or business of the person to be served; or
- (d) by affixing it on any conspicuous part of any land, building or premises the subject of such notice, order or other document; or
- (e) in any case where the person to be served is, or after inquiry appears to be, absent from Fiji, by service upon the agent of the person to be served; or
- (f) in any case where the address or place of abode or business of the person to be served is not known to the Bank, by advertisement in a newspaper published and circulating in Fiji.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 16 October 2023

[FDB 44] Regulations

44 The Minister may make regulations for the carrying out of the provisions of this Act, and in particular without prejudice to the generality of the foregoing—

- (a) prescribing the fees payable and the forms to be used under the provisions of this Act; and
- (b) prescribing the procedures to be followed in the registration of documents under the provisions of this Act.

[s 44 am LN 112 of 1970 O 137, effective 8 October 1970]

Search within this Act and its subsidiary legislation

Search

- FIJI DEVELOPMENT BANK ACT 1966
 - + PART 1 PRELIMINARY [ss 1, 2]
 - + PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]
 - + PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]
 - + PART 4 ADVANCES TO FARMERS [ss 21–31]
 - + PART 5 GENERAL PROVISIONS [ss 32–44]
- Subsidiary Legislation
 - FIJI DEVELOPMENT BANK (FORMS) REGULATIONS 1967
 - [FDB 10,005] reg 1 Short title
 - [FDB 10,010] reg 2 Forms
 - + [Schedules]
 - + FIJI DEVELOPMENT BANK (FEES) REGULATIONS 1977



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

Table of Amendments

Fiji Development Bank (Forms) Regulations 1967 (LN 63 of 1967) commenced on 14 July 1967, as amended by:

Amending Legislation	Date of Commencement
Stamp Duties (Repeal) Act 2020 (No 16 of 2020)	1 August 2020



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

[FDB 10,005] Short title

1 These Regulations may be cited as the Fiji Development Bank (Forms) Regulations 1967.



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

[FDB 10,010] Forms

2 The forms appearing in the Schedule shall be used for the purposes of the Act in respect of the matters specified in them.

Search within this Act and its subsidiary legislation

Search

- FIJI DEVELOPMENT BANK ACT 1966
 - + PART 1 PRELIMINARY [ss 1, 2]
 - + PART 2 ESTABLISHMENT AND MANAGEMENT OF BANK [ss 3–11]
 - + PART 3 FUNDS AND POWERS OF THE BANK [ss 12–20]
 - + PART 4 ADVANCES TO FARMERS [ss 21–31]
 - + PART 5 GENERAL PROVISIONS [ss 32–44]
- Subsidiary Legislation
 - FIJI DEVELOPMENT BANK (FORMS) REGULATIONS 1967
 - [FDB 10,005] reg 1 Short title
 - [FDB 10,010] reg 2 Forms
 - [Schedules]
 - [FDB 10,110] SCHEDULE FORMS
 - [FDB 10,115] FORM 1 APPLICATION FOR LOAN AGRICULTURAL
 - [FDB 10,120] FORM 2 FIJI DEVELOPMENT BANK RECEIPT
 - [FDB 10,125] FORM 3 NOTIFICATION
 - [FDB 10,130] FORM 4 RENEWAL OF REGISTRATION OF NOTIFICATION
 - [FDB 10,135] FORM 5 RECEIPT AND RELEASE OF CHARGE
- + FIJI DEVELOPMENT BANK (FEES) REGULATIONS 1977



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020



FUJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

[FDB 10,110]

SCHEDULE FORMS

[Sch am Act 16 of 2020 s 4 and Sch, effective 1 August 2020]

FUJI DEVELOPMENT BANK



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

**[FDB 10,115] FORM 1 APPLICATION FOR LOAN
AGRICULTURAL**

The attention of applicants is drawn to the sections of the Act which appear at the foot of this application form.

Date of application:	For Office Use Only	
Application fee to accompany this form.	Date received	File No
	Fee payable	
	Amount paid	
	Receipt No	Date
Application fees are non-refundable.		

All Questions to be answered and in block letters, if not applicable, insert NA or Nil, as appropriate

1. Name: Father's Name:

2. Occupation:

3.	Age of applicant:	Male	Married	Unmarried
		Female	Widower	Widow

(Delete one)

(Delete all but one)

4.	Number of dependants living with applicant	Names	Sex	Age

5. Postal address:

6. Place of residence (if not as above):

7. Assets now owned:

(a) Land now owned or occupied by the applicant:

Title No	Name of Land	District	Area	Expiry Date	Annual Rental

Please add any further relevant information concerning applicant's tenure of the above land—

(b) Existing improvements on above-described land:

(1) Buildings:

(2) Crops and/or plantations:

(3) Any other improvements:

(c) Livestock:

(d) Implements:

(e) Other chattels:

(f) Any other assets:

8.	(a) Are the above assets the personal property of the applicant and offered and available as security for the loan; (b) If not specify reason: (c) If subject to prior encumbrance, specify details:
9.	Debts owing, to whom and amount:
10.	Brief directions, describing how the Bank's inspector may reach the property owned or occupied by the applicant:
11.	Category of farming: (ie cane, rice, coconuts etc).....
12.	Amount of loan required:.....
13.	Has finance for this project been sought elsewhere:.....
14.	Capital available: (cash on hand).....
15.	Project (detailed proposed expenditure of 12 and 14 above):.....
16.	Estimated income from project:.....
17.	Terms of repayment offered:.....

CERTIFICATE

I/We do hereby certify that the statements and other details contained herein are true, accurate and complete in every particular.

Signed:

Witness:

Designation:

and address

of witness:

NB—The following documents should be forwarded with this application—

1. Land title (if not available, state reason).
2. Current rent receipt (if applicable).
3. Cane contract, if any (if not available, state reason).

Your attention is drawn to the following sections of the Fiji Development Bank Act 1966—

(Here sections 32, 33, 40 and 41 of the Act to be set out.)



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

**[FDB 10,120] FORM 2 FIJI DEVELOPMENT BANK RECEIPT
(Section 22(4))**

RECEIVED from the Fiji Development Bank the sum of dollars cents.
By way of advance.

\$ c.

I UNDERTAKE to produce to the Bank upon request in accordance with section 23(b) of the Fiji Development Bank Act 1966 an account showing the manner in which the above advance was expended and if so required by the Bank to verify such account on oath or as may be required by the Bank.

Signed.....

Witness:

Date.....

For official use only

File No.....

Name.....



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

[FDB 10,125] FORM 3 NOTIFICATION

BOOK	FOLIO
.....	
TITLES OFFICE NO.....	

FIJI DEVELOPMENT BANK

NOTIFICATION

(Section 25)

NOTIFICATION is hereby given that the FIJI DEVELOPMENT BANK (hereinafter referred to as "the Bank" has granted to

(hereinafter with executors administrators and assigns referred to as "the Farmer") an advance particulars whereof are given hereunder:

SIGNED on behalf of the bank:

.....

SIGNED by the Farmer after the contents hereof had been read over and explained to
the Farmer in the language when the Farmer appeared fully to understand the meaning }
and effect thereof in the presence of:

Designation.....

Registered on..... at
..... m.

Registered on..... at
..... m.

REGISTER OF NOTIFICATIONS

NOTIFICATION NO.....

BOOK FOLIO
.....

.....
.....
Registrar of Titles

.....
.....
Registrar of Titles

LODGED BY:

DATE:

Certificate as to section 22(3):

I certify that the Bank has complied with section 22(3) of the Act and that the requisite consents *(a) have been obtained (b) are deemed to have been obtained.

*(Delete (a) or (b) as applicable)

Signed for the Bank.....

Designation.....

MEMORANDUM OF PRIOR REGISTERED ESTATE ETC
TO WHICH CHARGE IS SUBJECT:

SCHEDULE OF ADDITIONAL CONDITIONS:



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

**[FDB 10,130] FORM 4 RENEWAL OF REGISTRATION OF NOTIFICATION
(Section 25)**

FIJI DEVELOPMENT BANK

BOOK..... FOLIO.....

I of
Fiji make oath and say as follows:

1. THAT I am the of the Fiji Development Bank and am authorised on behalf of the said Bank to make this affidavit.
2. THAT the charge referred to in the Notification registered in the Register of Notifications Book Folio still subsists.

SWORN by the said

at this }

day of 20

Before me:

A Commissioner for Oaths

Registered on at
.....m.

Register of Notifications

Book..... Folio.....

.....
.....
.....

Registrar of Titles

Lodged by:

Date:



FIJI DEVELOPMENT BANK ACT 1966

Last Updated: 01 August 2020

**[FDB 10,135] FORM 5 RECEIPT AND RELEASE OF CHARGE
(Section 26)**

FIJI DEVELOPMENT BANK

IN THE MATTER OF NOTIFICATION BOOK

FOLIO registered with the Registrar
of Titles.

The FIJI DEVELOPMENT BANK acknowledges having received repayment of the advances granted under section 22 of the Fiji Development Bank Act 1966 to
and secured by the charges referred to in the above-described Notification(s) which said charges are hereby released.

Dated the day of 20 .

Signed for and on behalf of the FIJI
DEVELOPMENT BANK

.....

Designation.....

			Registered on	at
			m.	
				
				<i>Registrar of Title</i>

Lodged by:

Date:

Search within this Act and its subsidiary legislation

Search

FIJI DEVELOPMENT BANK ACT 1966

Subsidiary Legislation

FIJI DEVELOPMENT BANK (FORMS) REGULATIONS 1967

FIJI DEVELOPMENT BANK (FEES) REGULATIONS 1977

[FDB 11,140] reg 1 Short title

[FDB 11,145] reg 2 Fees

[Schedules]



FIJI DEVELOPMENT BANK ACT 1966

Table of Amendments

Fiji Development Bank (Fees) Regulations 1977 (LN 166 of 1977) commenced on 1 December 1977, as amended by:

Amending Legislation	Date of Commencement
----------------------	----------------------



FIJI DEVELOPMENT BANK ACT 1966

Table of Amendments

Fiji Development Bank (Fees) Regulations 1977 (LN 166 of 1977) commenced on 1 December 1977, as amended by:

Amending Legislation	Date of Commencement
----------------------	----------------------



FIJI DEVELOPMENT BANK ACT 1966

[FDB 11,140] Short title

1 These Regulations may be cited as the Fiji Development Bank (Fees) Regulations 1977.



FIJI DEVELOPMENT BANK ACT 1966

[FDB 11,145] Fees

2 The fees set out in the Schedule shall be charged and paid in respect of the various acts and matters herein referred to.



FIJI DEVELOPMENT BANK ACT 1966

[FDB 11,245]

SCHEDULE FEES

<i>Item</i>	<i>Description of Fees</i>	<i>Amount</i>
1.	Registration of notification with the Registrar of Titles—	\$
	(a) For land specified in section 5 of Land Transfer Act 1971, (or with titles).....	2
	(b) For other property.....	1
	(c) Each additional instrument of title under item 1(a) above.....	1
2.	Search fee for each notification.....	.20
3.	Renewal of notification.....	1
4.	Release of notification.....	1
5.	(a) Release of notification when registered under item 1(a) above.....	2
	(b) Each additional instrument of title.....	1
6.	Cancellation of notification when default has been made.....	2
7.	Memorial on notification.....	1
8.	Variation of notification.....	2