

MINISTRY OF ECONOMY CIRCULAR

MINISTRY OF ECONOMY

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CIRCULAR NO: 08/2017

FROM: Permanent Secretary for Economy
TO: All Ministries and Departments

Date: 25 October 2017
File No: Fin 47/4

SUBJECT: PER DIEM RATES AND ALLOWANCES FOR OVERSEAS TRAVEL

- 1.0 This Circular sets out the criteria to be applied in the calculation of per diem rates and allowances for overseas travel.
- 1.1 This Circular is deemed to come into effect on 29 September 2016. Per diem rates and allowances for any official overseas travels made from 29 September 2016 must be calculated in accordance with this Circular. This also applies to any overseas official travels made during this period whereby the revised rates will apply from 29 September 2016.
- 1.2 This Circular replaces and supersedes all previous Circulars on per diem rates and allowances.
- 1.3 This Circular should be read in conjunction with the Parliamentary Remunerations Act 2014 and the Resolution of Parliament on 29 September 2016 ('Resolution').
- 1.4 The calculation of the daily allowance of HE the President, Hon. Prime Minister, Ministers and Assistant Ministers, shall include all days of travel excluding date of departure from Fiji and date of arrival into Fiji.
- 1.5 As stipulated in the Resolution, the Hon. Prime Minister who may be accompanied by spouse is eligible for travel insurance for overseas travels. Furthermore, Cabinet Ministers and Assistant Ministers are eligible for travel insurance for official meetings. Accordingly please note that the provision of overseas travel insurance will be coordinated through the Ministry of Economy.

- 1.6 Attached as Appendix 1 is the varying scenarios for the application of the appropriate per diem rates and allowances.
- 1.7 The Ministry of Economy is responsible for all matters pertaining to per diems.
- 1.8 Ministries and Departments are required to contact the Executive Support Group of the Ministry of Economy before travel to obtain the applicable per diem rates.
- 1.9 Permanent Secretaries must ensure that this Circular is brought to the attention of all officers in your Ministries and Departments that not only travel but also those that are responsible for calculating per diems and air travel.
- 1.10 For any further clarification on the content of this Circular, please contact Mrs Elina Lobendahn-Volavola on telephone 3221311 or email elina.volavola@economy.gov.fj



Makereta Konrote
Permanent Secretary for Economy

Attached.

As per distribution:

Official Secretary, Office of the President
Permanent Secretary for the Office of the Prime Minister
Solicitor General
Permanent Secretary for I-Taukei Affairs
Permanent Secretary for Defence & National Security
Permanent Secretary for Employment, Productivity & Industrial Relations
Permanent Secretary for Foreign Affairs
The Auditor General
Supervisor of Elections
The Chief Registrar

Secretary General to Parliament
Director Public Prosecutions
Director Meteorological Services
Acting Permanent Secretary for Justice
Commissioner of Corrections Services
Acting Permanent Secretary for Communications
Permanent Secretary for the Civil Service
Permanent Secretary for Rural & Maritime Development
Commander, Republic of Fiji Military Forces
Commissioner of Police
Permanent Secretary for Education, Heritage & Arts
Permanent Secretary for Health & Medical Services
Permanent Secretary for Women, Children & Poverty Alleviation
Permanent Secretary for Youth & Sports
Permanent Secretary for Agriculture
Permanent Secretary for Fisheries
Acting Permanent Secretary for Forests
Permanent Secretary for Lands & Mineral Resources
Director Mineral Resources
Permanent Secretary for Industry, Trade & Tourism
Director Sugar
Permanent Secretary for Public Enterprises
Permanent Secretary for Local Government, Housing & Environment
Permanent Secretary for Infrastructure & Transport
Acting Permanent Secretary for Waterways
Manager, Information Technology & Computing Services
Government Printer
Government Statistician
Director Immigration

APPENDIX 1

PER DIEM AND ALLOWANCE CALCULATION FOR OVERSEAS TRAVEL

SECTION		PER DIEM AND ALLOWANCE PAYABLE
1	HE President	UN per diem rate plus 50% top up plus a daily allowance of FJ\$300. (as per paragraph 1.3)
2	Hon. Prime Minister	UN per diem rate plus 250% top up plus a daily allowance of FJ\$600. (as per paragraph 1.3)
3	Hon. Ministers	UN per diem rate plus 200% top up plus a daily allowance of FJ\$500. (as per paragraph 1.3)
4	Hon. Assistant Ministers	UN per diem rate plus 100% top up plus a daily allowance of FJ\$300. (as per paragraph 1.3)
5	Permanent Secretaries	UN per diem rate plus 15% top up.
SECTION	DONOR FUNDED TRIP	
6	Fully funded trip (donor provides for air travel, accommodation, meals and/or per diem allowance).	<p>(a) No per diem is applicable for the trip if the donor is providing for air travel, accommodation, 3 meals and reasonable incidentals such as local travel or per diem allowance for 3 meals and reasonable incidentals.</p> <p>(b) For HE the President/Hon. PM/ Ministers/ Assistant Ministers, the daily allowance as per sections 1-4 above will be payable.</p>

7	Fully funded trip (donor provides for air travel, accommodation and 3 meals)	<p>20% OF THE UN PER DIEM RATE PER DAY TO COVER INCIDENTALS.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>20% of US\$200 = <u>US\$40 per day</u></p> <hr/> <p>(b) For Permanent Secretaries, the 20% of the UN per diem rate shall be calculated as 20% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate) =US\$230 The amount payable is 20% of US\$230 which is <u>US\$46 per day.</u></p> <hr/> <p>(c) For Assistant Ministers, the 20% of the UN per diem rate shall be calculated as 20% of the sum of the UN per diem rate plus the 100% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$200 (100% of the per diem rate) = US\$400 The amount payable is 20% of US\$400 which is <u>US\$80 per day</u></p>
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		<p>(d) For Ministers, the 20% of the UN per diem rate shall be calculated as 20% of the sum of UN per diem plus the 200% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$400 (200% of the UN per diem rate) = US\$600 The amount payable is 20% of US\$600 which is <u>US\$120 per day</u></p> <hr/> <p>(e) For Hon PM, the 20% of the UN per diem rate shall be calculated as 20% of the sum of UN per diem rate plus the 250% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$500 (250% of the per diem rate) = US\$700 The amount payable is 20% of US\$700 which is <u>US\$140 per day</u></p> <hr/> <p>(f) For HE President, the 20% of the UN per diem rate shall be calculated as 20% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) = US\$300 The amount payable is 20% of US\$300 which is <u>US\$60 per day.</u></p>
8	Partially funded trip (donor provides for air travel, accommodation	<p>25% OF THE UN PER DIEM RATE PER DAY TO COVER 1 MEAL AND INCIDENTALS.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p>

	and 2 meals only)	<p>25% of US\$200 = <u>US\$50 per day</u></p> <hr/> <p>(b) For Permanent Secretaries, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate) =US\$230 The amount payable is 25% of US\$230 which is <u>US\$57.50 per day</u></p> <hr/> <p>(c) For Assistant Ministers, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 100% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$200 (100% of the UN per diem rate) =US\$400 The amount payable is 25% of US\$400 which is <u>US\$100 per day</u></p> <hr/> <p>(d) For Ministers, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 200% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$400 (200% of the per diem rate) = US\$600 The amount payable is 25% of US\$600 which is <u>US\$150 per day</u></p>
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		<p>(e) For Hon PM, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 250% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$500 (250% of the per diem rate) = US\$700 The amount payable is 25% of US\$700 which is <u>US\$175 per day</u></p>
		<p>(f) For HE President, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300 The amount payable is 25% of US\$300 which is <u>US\$75.00 per day</u></p>
9	Partially funded trip (donor provides for air travel, accommodation and 1 meal only)	<p>35% OF THE UN PER DIEM RATE PER DAY TO COVER 2 MEALS AND INCIDENTALS.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>35% of US\$200 = <u>US\$70.00 per day</u></p> <p>(b) For Permanent Secretaries, the 35% of the UN per diem rate shall be calculated as 35% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate)</p>

		<p>=US\$230 The amount payable is 35% of US\$230 which is <u>US\$80.50 per day</u></p> <hr/> <p>(c) For Assistant Ministers, the 35% of the UN per diem rate shall be calculated as 35% of the sum of the UN per diem rate plus the 100% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$200 (100% of the per diem rate) =US\$400 The amount payable is 35% of US\$400 which is <u>US\$140 per day</u></p> <hr/> <p>(d) For Ministers, the 35% of the UN per diem rate shall be calculated as 35% of the sum of the UN per diem rate plus the 200% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$400 (200% of the per diem rate) =US\$600 The amount payable is 35% of US\$600 which is <u>US\$210 per day</u></p> <hr/> <p>(e) For Hon PM, the 35% of the UN per diem rate shall be calculated as 35% of the sum of the UN per diem rate plus the 250% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$500 (250% of the per diem rate) =US\$700 The amount payable is 35% of US\$700 which is <u>US\$245 per day</u></p>
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		<p>(f) For HE President, the 35% of the UN per diem rate shall be calculated as 35% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300</p> <p>The amount payable is 35% of US\$300 which is <u>US\$105.00 per day</u></p>
10	Partially funded trip (donor provides for air travel and accommodation only)	<p>45% OF THE UN PER DIEM RATE TO COVER 3 MEALS AND INCIDENTALS.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>45% of US\$200 = <u>US\$90.00per day</u></p> <hr/> <p>(b) For Permanent Secretaries, the 45% of the UN per diem rate shall be calculated as 45% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate) =US\$230</p> <p>The amount payable is 45% of US\$230 which is <u>US\$103.50 per day.</u></p>

(c) For Assistant Ministers, the 45% of the UN per diem rate shall be calculated as 45% of the sum of the UN per diem rate plus the 100% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$200 (100% of the per diem rate)
=US\$400

The amount payable is 45% of US\$400 which is US\$180 per day

(d) For Ministers, the 45% of the UN per diem rate shall be calculated as 45% of the sum of the UN per diem rate plus the 200% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$400 (200% of the per diem rate)
=US\$600

The amount payable is 45% of US\$600 which is US\$270 per day

(e) For Hon PM, the 45% of the UN per diem rate shall be calculated as 45% of the sum of the UN per diem rate plus the 250% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$500 (250% of the per diem rate)
=US\$700

The amount payable is 45% of US\$700 which is US\$315 per day

		<p>(f) For HE President the 45% of the UN per diem rate shall be calculated as 45% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300 The amount payable is 45% of US\$300 which is <u>US\$135.00 per day.</u></p>
SECTION	GOVERNMENT FUNDED TRIP	
11	Fully funded trip (Government provides for air travel and per diems to cover, accommodation, three meals and incidentals)	<p>(a) Full UN per diem rate per day is applicable.</p> <p>(b) For HE President/Hon. Prime Minister/ Ministers/ Assistant Ministers and Permanent Secretaries, full UN per diem per day as set out in sections 1-5 are applicable, respectively.</p>
12	Civil Servants who accompany and are required to reside at the same hotel as HE the President/Hon Prime Minister/ Ministers/ Assistant Ministers	In addition to the applicable per diem, payment will be made to meet hotel/accommodation cost and any related expenses.
SECTION	OFFICIAL HOSTING OF EVENTS/FUNCTIONS WHILST OVERSEAS	
13	HE President/Hon Prime Minister	Reimbursement of all expenditure related to hosting of official events/functions shall be payable upon production of receipts.

14	Ministers/ Assistant Ministers	Reimbursement of all expenditure related to hosting of official events/functions shall be payable upon production of receipts and following approval of the Hon. Prime Minister

SECTION	TRANSIT
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	DONOR FUNDED TRAVEL
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15	For donor funded travel and donor provides for transit allowance (to cover meals/incidentals).	No per diem is applicable.
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	GOVERNMENT FUNDED TRAVEL AND DONOR FUNDED TRAVEL WHERE NO TRANSIT ALLOWANCE IS PROVIDED
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16	Each transit point up to 3 hours.	10% of the per diem rate of the transit point to be payable only for officers below the rank of Permanent Secretary. For example, if the UN per diem rate is US\$200, then the calculation shall be: 10% of US\$200 = <u>US\$20.00</u>
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17	Each transit point greater than 3 hours and up to 8 hours.	25% OF THE PER DIEM RATE OF THE TRANSIT POINT TO BE PAYABLE TO COVER MEALS AND INCIDENTALS. (a) For example, if the UN per diem rate is US\$200, then the calculation shall be:
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		<p>25% of US\$200 which is <u>US\$50.00</u></p> <hr/> <p>(b) For Permanent Secretaries, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate) =US\$230 The amount payable is 25% of US\$230 which is <u>US\$57.50</u></p> <hr/> <p>(c) For Assistant Ministers, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 100% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$200 (100% of the per diem rate) =US\$400 The amount payable is 25% of US\$400 which is <u>US\$100 per day</u></p> <hr/> <p>(d) For Ministers, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 200% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$400 (200% of the per diem rate) =US\$600 The amount payable is 25% of US\$600 which is <u>US\$150 per day</u></p>
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		<p>(e) For Hon PM, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 250% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$500 (250% of the per diem rate) =US\$700 The amount payable is 25% of US\$700 which is <u>US\$175 per day</u></p> <hr/> <p>(f) For HE President, the 25% of the UN per diem rate shall be calculated as 25% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300 The amount payable is 25% of US\$300 which is <u>US\$75.00</u></p>
18	Each transit point greater than 8 hours and up to 12 hours.	<p>50% OF THE PER DIEM OF THE TRANSIT POINT TO BE PAYABLE TO COVER MEALS, INCIDENTALS, AND/OR ACCOMMODATION.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>50% of US\$200 which is <u>US\$100.00</u></p> <hr/> <p>(b) For Permanent Secretaries, the 50% of the UN per diem rate shall be calculated as 50% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate)</p>

=US\$230

The amount payable is 50% of US\$230 which is US\$115.00.

(c) For Assistant Ministers, the 50% of the UN per diem rate shall be calculated as 50% of the sum of the UN per diem rate plus the 100% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$200 (100% of the per diem rate)
=US\$400

The amount payable is 50% of US\$400 which is US\$200 per day

(d) For Ministers, the 50% of the UN per diem rate shall be calculated as 50% of the sum of the UN per diem rate plus the 200% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$400 (200% of the per diem rate)
=US\$600

The amount payable is 50% of US\$600 which is US\$300 per day

(e) For Hon PM, the 50% of the UN per diem rate shall be calculated as 50% of the sum of the UN per diem rate plus the 250% top up.

For example, if the UN per diem rate is US\$200, then the calculation shall be:

US\$200 + US\$500 (250% of the per diem rate)
=US\$700

The amount payable is 50% of US\$700 which is

		<p><u>US\$350 per day</u></p> <p>(f) For HE President, the 50% of the UN per diem rate shall be calculated as 50% of the sum of the UN per diem rate plus the 50% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300</p> <p>The amount payable is 50% of US\$300 which is <u>US\$150.00</u></p>
19	Each transit point greater than 12 hours.	<p>(a) Full per diem rate of the transit point is applicable.</p> <p>(b) For HE President/Hon. Prime Minister/ Ministers/ Assistant Ministers and Permanent Secretaries, full UN per diem as set out in sections 1-5 are applicable, respectively.</p> <p>(c) For the Civil Servants who accompany and are required to reside at the same hotel as HE the President/Hon Prime Minister/ Ministers/Assistant Ministers, full UN per diem rate is applicable and any further payment as provided for in Section 12.</p>
GOVERNMENT FUNDED TRAVEL AND DONOR FUNDED TRAVEL WHERE NO PER DIEM FOR EARLY CHECK-IN AND/OR CHECK-OUT IS PROVIDED		
20	Arrival time at hotel at destination is up to 3 hours prior to standard	(a) No per diem is applicable.

	hotel check-in time.	<p>(b) For HE President/Hon. Prime Minister/ Ministers/ Assistant Ministers and Permanent Secretaries, full UN per diem as set out in sections 1-5 are applicable, respectively.</p> <p>(c) For the Civil Servants who accompany and are required to reside at the same hotel as HE the President/Hon Prime Minister/ Ministers/Assistant Ministers, full UN per diem rate is applicable and any further payment as provided for in Section 12.</p>
21	Arrival time at hotel at destination is more than 3 hours prior to standard hotel check-in time.	<p>(a) Full UN per diem is applicable.</p> <p>(b) For HE President/Hon. Prime Minister/ Ministers/ Assistant Ministers and Permanent Secretaries, full UN per diem as set out in Sections 1-5 are applicable, respectively.</p> <p>(c) For the Civil Servants who accompany and are required to reside at the same hotel as HE the President/Hon Prime Minister/ Ministers/Assistant Ministers, full UN per diem rate is applicable and any further payment as provided for in Section 12.</p>
22	Standard hotel check-out time is less than 6 hours to flight departure time.	<p>15% OF THE PER DIEM RATE PER DAY IS APPLICABLE.</p> <p>(a) For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>15% of US\$200 which is <u>US\$30.00</u></p>

		<p>(b) For Permanent Secretaries, the 15% of the UN per diem rate shall be calculated as 15% of the sum of the UN per diem rate plus the 15% top up.</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$30(15% of the per diem rate) =US\$230</p> <p>The amount payable is 15% of US\$230 which is <u>US\$34.50</u></p>
		<p>(c) For Assistant Ministers, the 15% of the UN per diem rate shall be calculated as 15% of the sum of the UN per diem rate plus the 100% top up</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$200 (100% of the per diem rate) =US\$400</p> <p>The amount payable is 15% of US\$400 which is <u>US\$60 per day</u></p>
		<p>(d) For Ministers, the 15% of the UN per diem rate shall be calculated as 15% of the sum of the UN per diem rate plus the 200% top up</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$400 (200% of the per diem rate) =US\$600</p> <p>The amount payable is 15% of US\$600 which is <u>US\$90 per day</u></p>

		<p>(e) For Hon PM, the 15% of the UN per diem rate shall be calculated as 15% of the sum of the UN per diem rate plus the 250% top up</p> <p>For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$500 (250% of the per diem rate) =US\$700</p> <p>The amount payable is 15% of US\$700 which is <u>US\$105 per day</u></p> <hr/> <p>(f) For HE President, the 15% of the UN per diem rate shall be calculated as 15% of the sum of the UN per diem rate plus the 50% top up. For example, if the UN per diem rate is US\$200, then the calculation shall be:</p> <p>US\$200 + US\$100 (50% of the per diem rate) =US\$300</p> <p>The amount payable is 15% of US\$300 which is <u>US\$45.00</u></p>
23	Standard hotel check-out time is greater than 6 hours to flight departure time	<p>(a) Full UN per diem is applicable.</p> <hr/> <p>(b) For HE President/Hon. Prime Minister/ Ministers/ Assistant Ministers and Permanent Secretaries, full UN per diem rate as set out in Sections 1-5 are applicable, respectively.</p> <hr/> <p>(c) For the Civil Servants who accompany and are required to reside at the same hotel as HE the President/Hon Prime Minister/ Ministers/Assistant Ministers, full UN per diem rate is applicable and any further payment as provided for in Section 12.</p>