

**ANNEX 1 - RULING AND REFERRAL**

## **XX –RULING Breach of Privilege**

Pursuant to Standing Order 134(1), I have received notification this morning by the Hon. Attorney-General raising a matter of privilege against certain words uttered by Hon. Tupou Draunidalo in Parliament yesterday.

In accordance with Order 134(2), the Hon. Attorney-General has in his notification outlined the facts and the resulting grounds on which the Honourable Attorney-General believes that there has been a breach of privilege.

The facts and the grounds notified by the Honourable Attorney-General are as follows:

*On 1 June 2016, in the morning sitting of Parliament during the debate on the petition to make tertiary education free in Fiji, Hon. Tupou Draunidalo uttered the words “dumb natives” and “you idiot” which are in contravention of Standing Order 62(4)(a) and (d).*

*An audio recording was brought to my attention.*

*HON. T. DRAUNIDALO. - And he implied first in his speech. Calling us dumb natives. You idiot!*

I have considered the matter raised by the Honourable Attorney-General and decide as follows:

Privilege is accorded to everyone in this House as a matter of right. Standing Order 133 which states that every member, and any other person speaking in Parliament has freedom of speech and debate in Parliament, **subject to these Standing Orders.**

Therefore any member can say whatever they want in this House; But what you say in Parliament is subject to the Standing Orders. The dignity and respect of this House must at all times be upheld.

In this regard, Standing Order 62(4) states –

“It is out of order for a member, when speaking, to use-

- (a) offensive words against Parliament or another member;
- (b) treasonable words;