

**FRIDAY, 22<sup>ND</sup> MAY, 2015**

The House resumed at 9.45 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

**PRESENT**

All the honourable Members were present, except the honourable Prime Minister and Minister for *iTaukei* Affairs and Sugar Industry; the honourable Minister for Fisheries and Forests; the honourable Minister for Education, Heritage and Arts; the honourable Minister for Health and Medical Services; the honourable Leader of the Opposition; the honourable Dr. B.C. Prasad; the honourable Roko T.T.S. Draunidalo; the honourable P. Singh; the honourable Ratu N.T. Lalabalavu; the honourable V.R. Gavoka; the honourable Ratu I.D. Tikoca; the honourable S.D. Karavaki; the honourable J. Dulakiverata; the honourable S. V. Radrodro; the honourable Ratu S.V. Nanovo; the honourable Ratu K. Kiliraki; the honourable Ratu S. Matanitobua; the honourable N. Nawaikula; the honourable A.M. Radrodro; the honourable M. Leawere and the honourable A.T. Vadei.

**MINUTES**

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move:

That the Minutes of the sitting of Parliament held on Thursday, 21st May, 2015 as previously circulated, be taken as read and be confirmed.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

**COMMUNICATION FROM THE CHAIR**

Acknowledgment of Visitors

Honourable Members, I warmly welcome all of you joining us in the Public Gallery, and I also welcome those who are seeing the proceedings on television, internet and listening to the radio. Thank you for taking interest in your Parliament. You are invited to join us in the refreshment at the end of this sitting.

Capacity Building Programme – MPs

Honourable Members, I would like to remind you of the capacity building events that is going to be held in Suva starting next Monday, which will run for three days. Please note that the registration will commence from 8.30 a.m. I also take this opportunity to encourage all honourable Members to confirm their attendance for the Forum on key development issues from 8<sup>th</sup> to 11<sup>th</sup> June. The Secretariat will be forwarding the relevant documents later today for both events.

Uncorrected Daily Hansard

For your information, honourable Members, I have been informed by *Hansard* that the verbatim notes will be ready later today due to the length of the sitting time yesterday.

**BILLS – FIRST READING**

HON. LEADER OF GOVERNMENT N PARLIAMENT.-Madam Speaker, I beg to move:

That Standing Orders be suspended to allow the first reading of the Bill, for an Act to amend the Employment Relations Promulgation and for related matters to be moved immediately during the sitting today.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 51, I move that:

- a) the Employment Relations Amendment Bill 2015 be considered by Parliament without delay the Bill must be immediately referred to the Standing Committee on Justice, Law and Human Rights
- b) the Standing Committee on Justice, Law and Human Rights must report on the Bill to Parliament in the July session of Parliament;
- c) that upon presentation of the Report by the Standing Committee on Justice, Law and Human Rights, Parliament shall consider the Report in the July session; and
- d) the Bill shall be debated and voted upon by Parliament in the July session.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

Question put.

MADAM SPEAKER.- Seeing as there is no opposition, the motion is in the affirmative. The Bill is now listed in the order paper for second reading in July.

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### PRESENTATION OF PETITIONS

MADAM SPEAKER.- Since the honourable Aseri Radrodro is not present today, we will skip that Petition.

### QUESTIONS AND REPLIES

#### Oral Questions

MADAM SPEAKER.- The first oral question for today will be presented by the honourable Aseri Radrodro, who again is not present this morning, so we will not be able to have that question tabled.

The second oral question is for the honourable Viliame Gavoka, who is also not present today, and we will not table that question.

The third oral question will be asked by the honourable Mikaele Lewawere, who is also not present today, so we will not table that question.

We will move on to the fourth oral question and I invite the honourable Jilila Kumar to ask her question.

#### REACH Programme (Question No. 132/2015)

HON. J.N. KUMAR asked the Government, upon notice:

Can the honourable Minister for Youth and Sports inform the House, enlighten the House what strategies are available within the Ministry of Youth and Sports to reach out to the needs of youth in urban and rural isolated communities and what are the challenges faced by the Ministry to meet the needs?

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, the honourable Acting Prime Minister, Members of Parliament. I must thank the honourable Member for the question posed on the strategies on reaching the needs of youths in urban and rural isolated communities.

Madam Speaker, the Ministry of Youth and Sports is responsible for the formulation and the implementation of youth policies and programmes that target the holistic development of youth and realising the standard of sports participation in the country.

Madam Speaker, in Fiji, youths are considered as those between the ages of 15 and 35. According to the 2007 Population Census, the total youth population comprises of 36 per cent of the national total population. Out of these, 51.3 per cent of youth population are male and the remaining 48.6 per cent are female. Similarly, Census also showed that 45.3 per cent of youths reside in rural areas, while the larger 54.7 reside in urban areas.

Madam Speaker, as you know, the Ministry of Youth facilitates empowerment, capacity building and training programmes to both rural and urban youth clubs, including monitoring projects and progress of youth clubs and organisations registered with us. These are the youth clubs that are registered under Government.

Currently, Madam Speaker, the Ministry has a total of 65 staff, 52 of which are Established and 13 are Government Wage Earners. The Ministry's challenge as posed from the question Madam Speaker, that we are a small Ministry serving a significant portion of the population which hinders the progress of the development. If we take, Madam Speaker, the population and compare it against the number of officers in the Ministry, you'd find Madam Speaker that the ratio is relatively very low. For example, the Central Division has a total of five officers in the Ministry, who look after the Central Division with 133,274 youth. Madam Speaker, the youth officers' population ratio is about 1 officer to 27 youth.

Madam Speaker, the other challenge faced by the Ministry is the accessibility to reach some of the youth clubs. One restriction due to the settlements and villages being too remote and could not be reached either by communication network or the roads network.

Strategies in place for these challenges for maritime youth clubs, we have consulted with the former Ministry of Infrastructure and Transport that for those maritime youth clubs that are not accessible by roads, we are in consultation if they can provide outboard motors and boats to those clubs. This is in Tunuloa, Tawake, Udu Point and Yasawa. We will conduct trainings for those youth clubs on transport equipment before they are distributed.

The challenge that we have for communication networks, we have consultations with Telecom and Digicel, where youth clubs that are not covered by Vodafone. So we have purchased a Vodaphone Viti-Set network that is being installed in the Yavitu Youth Centre to cater for youth clubs around the Babaceva areas. The whole of Babaceva are not accessible by roads, and also by communication network. So, that is a plus to the youth clubs around that area that we have installed a Viti-Set through Telecom.

Strategies for the Ministry: in a concerted effort, Madam Speaker, to address the lack of human resources in the Ministry, we are making arrangements to strengthen the coordination of youth development work by establishing 14 Youth Administrator positions in the coming years to be deployed to the Office of the Provincial Administrator. Madam Speaker, these Youth Administrators will look after youths under the District Advisory Council, those that are not under Provincial Administration, and we have the Youth Coordinators and Youth Workers, who are chosen by the Provincial Councils. The Youth Administrators deployed under the Provincial Administrators will look after youth of other denominations under the Divisional Advisory Councils. So, we have come up with this plan to ask the Ministry of Finance to have an extra 14 Youth Administrators in the coming Budget.

Madam Speaker, the Youth Administrators will coordinate all youth development activities with the boundaries of the Provincial Administrators, using the Integrated Rural Development Framework that is currently being used by the Government. They will also supervise and receive reports from youth workers in the iTaukei communities, and in urban-based District Youth Councils.

Madam Speaker, the Ministry will be working in partnership with the Ministry of iTaukei Affairs in getting more youth coordinators and youth workers from the province. As of now, after the last six months discussing with workers on the ground, the feedbacks were very positive and some problems they are facing are the lack of field workers. In some provinces and districts, they are visited in every six months and some are not visited. So, we are having consultation with the Ministry of iTaukei Affairs and the Ministry of Rural and Maritime Development in realising this initiative.

Madam Speaker, those are the responses to the question posed on the Ministry of Youth and Sports this morning.

MADAM SPEAKER.- Thank you. The honourable Lorna Eden.

HON. L. EDEN.- Supplementary question, Madam Speaker. Do you have links with other youth training institutions such as Navuso and Tutu Training Centres?

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, I must thank the honourable Eden for her question. Yes, we are in consultation through other Ministries that are more in working directly with Tutu and Navuso, but we are in consultation with the two youth groups in Tutu Training Centre and Navuso Agriculture School.

MADAM SPEAKER.- Thank you. The honourable Balmindar Singh.

HON. B. SINGH.- Madam Speaker, the honourable Minister had alluded in his answer the ratio of 1:27,000 youths in the Central/Eastern Division. I ask the honourable Minister, with your current Budget, will you be able to reach out to these 1:27,000 youths?

HON. LT. COL. L.B. TUITUBOU.- Yes, Madam Speaker, I have just mentioned that we have a concerted effort to address this lack of human resources and getting 14 Youth Administrators so that they can be distributed evenly, and are also consulting with the I Taukei Affairs Board in getting more youth coordinators and youth workers in order to address this challenge.

MADAM SPEAKER.- Thank you. I give the floor to the honourable Alivereti Nabulivou.

HON. A. NABULIVOU.- Madam Speaker, how does the Ministry of Youth and Sports determine its strategies and its effectiveness or relevance in meeting the needs of rural and urban youths?

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, I must thank the honourable Member for his question.

Yes, after meeting with the youth clubs around the rural and maritime areas, we conducted trainings. We work on their needs and their demands. We sought to change our strategies by delivering the service to them, which is like handing over training, but for the last few months that we have been talking with the youth and visiting the youth clubs in the rural and maritime areas, they have identified the challenges that they face and have also come up with type of training that they need. From there, we will form our strategy to offer and give them the demand that they are requesting. Thank you, Madam Speaker.

MADAM SPEAKER.- There being no other supplementary question, we will move on to the fifth oral question, and I give the floor to the honourable Sanjeet Patel.

Initiatives in Processing of Lease Applications  
(Question No. 133/2015)

HON. S. PATEL asked the Government, upon notice:

Can the honourable Minister for Lands and Mineral Resources enlighten the House, what initiatives has the Ministry put in place to address the complaints against the Ministry in delays to the processing of the lease applications?

HON. M. VUNIWAQA (Minister for Lands and Mineral Resources).- Madam Speaker, I guess the delays of processes at the Ministry of Lands is no secret. The Ministry itself is undertaking a few initiatives right now to address the delay issue. One of them is the review of the internal organisation structure. It is an internal review, looking at core capacities or the job descriptions that we have and re-aligning it to our core functions.

Another one which I had mentioned in this august House before is the continuous review of our Standard Operating Procedures which is currently in draft form. It is work in progress, we are monitoring timelines as I speak, on applications that come into the Ministry to see if the timelines we have put in the draft Standard Operating Procedures do accord with what is on the ground in practice.

The third one is an upgrading of the Fiji Land Information System of Lease as it is known. Upgrading, I mean, there is a project in place - a harmonisation project, a team which is dedicated to that to try and, first of all, make sure that what is on the ground is reflected in the physical files that we have, and once we get that information on the files, this is updated into a database, the Fiji Land Information System to clean the data in there. We believe that with the numerous applications that come to the Ministry, it will, at the end of the day, a technology will assist us a lot in improving our efficiencies in that area.

Infrastructural development, we have ventured into the use of motor bikes as a means of transport for rural areas to inspect our leases, especially out in the rural - the Western and Northern Divisions.

There are challenges, we are still facing challenges each day. We still have a lot of instances where our timelines are not met which is why all these initiatives, when they do come together, I do believe, Madam Speaker, that we will be in a better position come the end of the year.

MADAM SPEAKER.- Thank you. Supplementary question from the honourable Samuel Vunivalu.

HON. S. VUNIVALU.- A supplementary question, Madam Speaker. Can the honourable Minister explain as to what other options or plans are there to improve the lease delay issue or can the Ministry help those who are in need to extend their lease as we have numerous complaints from the farmers?

MADAM SPEAKER.- Thank you. Honourable Minister.

HON. M. VUNIWAQA.- Extension of leases, the delay might be the issue. There is no issue in relation to extension of leases. What we look at, when a lease comes to an end, there is an inspection carried out to make sure that the conditions of the lease have been fulfilled during the currency of the lease. A renewal is based on whether that land was effectively efficiently used for the purpose that Government leased it out for, especially in the agricultural sector, a very important sector in our country. It is an area that we give priority to, and a lot of emphasis on. The processing of applications for renewal in the agricultural leases.

A lot of issues emanating from the agricultural sector the leases relating to that, one is a non-use of the land for the agricultural purpose it was given for. This has led to, Madam Speaker, over the years, I am talking about 30-40 years where agricultural leases have been given by the State, but then they have been converted illegally into subdivisions. Now, we have people who have paid money to build a home on those leases. So, basically the use of the land has changed from agriculture to a settlement which Government is now looking into, obliged to give these squatters a tenure. It is an issue that we are also addressing at a policy level. We are very closely looking at it now, to see how we can address it through policy and working with the Ministry of Agriculture and relevant stakeholders, to see how we can further strengthen this area of state leases.

MADAM SPEAKER.- Thank you. The honourable Balmindar Singh.

HON. B. SINGH.- Madam, Speaker, I wish to ask a supplementary question to the Minister for Lands. Can the honourable Minister advise this august House if there is a process of renewing the agriculture lease from 30 years to 99 years, and also if they will modernise and reform the Act?

HON. M. VUNIWAQA.- Madam Speaker, it is a promise that was made by FijiFirst in its Manifesto and we are implementing it, we are about to launch it. The grant of agricultural leases, the practice has been that it is being given for 30 years, but we have promised the Fijian farmers that in relation to agricultural leases, this will be extended to a term of 99 years for all renewals.

The second part of the question, the review of the State Lands Act; the Ministry has also been allocated a budget this year by the Ministry of Finance to look at a few pieces of laws that regulate its functions, one of it being the State Lands Act which govern land administration.

There is an internal review like I said, which is happening now on the organisational structure. There is also a Policy and Research Team at the moment that is looking at possible sections to address in relation to the State Lands Act and other relevant Acts.

MADAM SPEAKER.- Thank you. I give the floor to the honourable Joeli Cawaki.

HON. CDR. J.R. CAWAKI.- Supplementary question, Madam Speaker. I understand the primary question is the delay in the processing. Can I ask the Minister; is there any plans of decentralising to other parts of the country? Decentralising in terms of the office, setting up office in Rakiraki and other parts of the country. Also, decentralising some of the decision making. I understand decision making is very centralised in Suva

HON. M. VUNIWAQA.- Madam Speaker, one of the first initiatives I referred to is the organisational restructure, the internal review that is happening.

Yes, decentralisation is something that has been on the books for quite a while. The issue is building the capacities in the different Divisions to ensure that the decisions that are made at the end of the day, are the correct decisions. So it is something that is work in progress. We need to build up our capacities as well, and yes, we do believe that at the end of the day, decentralisation would be the best thing to do. That would ease the processing of applications that come to the Ministry every day. Our first project would be in Nausori, setting up an office there just to try and ease the load from the Central/Eastern Division processing of applications.

MADAM SPEAKER.- Thank you, the honourable Semi Koroilavesau.

HON. CDR S.T. KOROILAVESAU.- Supplementary question, Madam Speaker. I would like to ask the honourable Minister of Lands, she stated about the agricultural land being subdivided and given as residential leases by private people that were given agricultural lease. My question is, are there any actions being taken to recover the money that have been paid by the tenants that have leased the land and converted the land themselves, the original leases, to recover to recover the conversion of agricultural land into these residential sub-lease?

HON. M. VUNIWAQA.- Madam Speaker, like I said, when they convert the use of the land without the consent of the Director of Lands, that is a breach of their lease. So, if they do come back wanting to formalise the subdivision which they have done illegally, there is a penalty that is imposed. That is part of procedures, but in those cases where those leases have actually expired, so it is the squatters on the land who come directly to us. If it is a recovery of money that squatters have paid, usually this transactions occur outside of our knowledge. It is something we are looking into seriously now because of the conversion of agricultural leases, it is happening a lot in the divisions and it is something we are trying to address right now.

MADAM SPEAKER.- There be no other supplementary question, and we will move on to the sixth oral question, and I invite the honourable Alvick Maharaj to take the floor.

House Fire Victims  
(Question No. 134/2015)

HON. A A. MAHARAJ asked the Government, upon notice:

Can the Minister of Local Government, Housing, Environment, Infrastructure and Transport explain to the House the Government's Programme that is in place to assist house fire victims?

MADAM SPEAKER.- Thank you. The Minister for Local Government, Housing, Environment, Infrastructure and Transport.

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure & Transport).- Madam Speaker, I suppose I am the last speaker during this sitting and as usual, I need to make some remarks before I respond.

The whole country must know that Friday is dedicated to Opposition and it is limited to Government to present its business, and I would like to record my disappointment that the Opposition is not here.

HON. MEMBERS.- Hear! Hear!

HON. P.B. KUMAR.- Madam Speaker in the 2015 budget, \$1 million grant is allocated to assist the Fijian families whose homes have been destroyed by fire. From the grant, Madam Speaker, \$5000 is allocated for a family, upon all requirements are met.

Madam Speaker who are eligible for this type of grant? Those whose homes have been destroyed in an accidental fire; whose annual household income is below \$50 000; who has a proper land document, and whose house is not insured.

Madam Speaker since the commencement of this Emergency Assistant Programme in January, which was launched by the honourable Prime Minister, Government, through my Ministry has assisted a total of 10 house fire victims' families, with a total grant of \$50,000. Madam Speaker this initiative is from the Fiji-First Government. Thank you.

MADAM SPEAKER.- Thank you supplementary question, the honourable Samuela Vunivalu.

HON. S. VUNIVALU.- Madam Speaker, a supplementary question to the honourable Minister. Indeed, there is a need for the Government to help or to assist those who are victims of fire. As we know, I think the Minister for Welfare do allow \$1000 and is allocated to them, but this money is very less when compared to the large amount of money or property which has been destroyed. I have seen this in Nasau, Nadi.

My question is this - I am coming to the question, we are not Opposition and we are just on this side of the House.

(Laughter)

That is the problem because in various days you always say that we are also the Opposition.

Can the Ministry help that family in Nasau, they were only given \$1000. Thank you Madam Speaker.



MADAM SPEAKER.- Thank you, honourable Minister.

HON. P.B. KUMAR.- Madam Speaker, the honourable Member has stated that \$1000 is correct. That is from the Ministry of Social Welfare and it is the immediate assistance that is provided to the family and should be within 24 hours so that they have the needful.

As for the grant from the Ministry, the \$5000, I am surprised to hear from the other side of the House about this. There is a process. The application form is available at all municipal council office where one can go and pick up the form, have it filled with all the requirements, and lodged to the Ministry and within 7 days, we will deliver that amount of money. Thank you Madam Speaker.

MADAM SPEAKER.- Supplementary question.

HON. J. KUMAR.- I thank you honourable Minister for Local Government. Does this assistance include people in rural and maritime, if it is a yes, how do they go about it?

MADAM SPEAKER.- Honourable Minister.

HON. P. B. KUMAR.- Madam Speaker, recently I have been given an additional portfolio. I was just wondering whether this Ministry of Lands is also coming to my portfolio.  
(Laughter)

Madam Speaker, I have highlighted this in the last session I remember, and stand to be corrected, that this assistance is for all the Fijians in this country; whether they live in villages, rural, peri-urban or in urban centres. Where they can find the form? In rural areas, villages and *koros*, the *Turaga ni Koro* can assist them through the provincial councils. Thank you.

MADAM SPEAKER.- There being no other supplementary question, we will now break for refreshments and we will resume at 11 o'clock this morning. The House is suspended.

The House adjourned at 10.23 a.m.

The House resumed at 11.15 a.m.

MADAM SPEAKER.- We will move on to the next item on the *Order Paper* - Motions.

SECRETARY-GENERAL.- Notice of Motion in the name of the honourable Prem Singh.

MADAM SPEAKER.- The honourable Prem Singh, you have the floor.

(Pause)

In the absence of the honourable Prem Singh, the motion will not be moved.

SECRETARY-GENERAL.- Notice of Motion in the name of the honourable Dr. Biman Prasad.

MADAM SPEAKER.- Again, the honourable Dr. Biman Prasad is not in the Chambers, so we will move on to the next item.

HON. CDR. S.T. KOROILAVESAU.- I rise on a point of order. Madam Speaker, I would like to move:

That since the honourable Members of the Opposition who were supposed to put the motions are not here today, that these motions are not to be brought up again in the next sitting.

MADAM SPEAKER.- The honourable Members of the Opposition had come to see me in my Chambers regarding today's *Order Paper* and the motions that were going to be tabled, and they had asked if all the motions and questions earmarked for today can be moved to the next sitting. I had told them, "yes, I will consider that."

HON. S. VUNIVALU.- I rise on a point of order, Madam Speaker.

I rise to ask; why the Opposition are not in the Chambers today; whether you have been informed of their absence, and whether they will be paid or not because I know that they are going against the Standing Orders?

MADAM SPEAKER.- The honourable Members of the Opposition had informed me of their decision that made them to boycott this Sitting.

On their payments, we will be looking more closely at the Standing Orders with regards to that.

SECRETARY-GENERAL.- Weekly Adjournment Motions

MADAM SPEAKER.- Honourable Members, the next Item in the Order Paper is on Weekly Adjournment Motions.

The first motion is to be moved by the honourable Viliame Gavoka, who is not in the Chambers. In his absence, we will move on to the second motion which is also to be moved by the honourable Salote Radrodoro, who is also absent. We will move on to the third adjournment motion which is to be moved by the honourable Aseri Radrodoro, who is also absent today.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move:

That Standing Orders 34 and 35 be suspended, to allow for the consideration in Committee of the whole Parliament and the third reading of the Companies Bill, 2015, to be taken after Weekly Adjournment Motions, but before the vote to adjourn the sitting on Friday, 22nd May, 2015.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- There being no opposition to this motion, the motion is carried.

### **COMPANIES (AMENDMENT) BILL, 2015**

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move:

That pursuant to Standing Order 87(3), the following parts be grouped together for the purposes of efficiency, and be voted upon in a group:

- (i) Parts 1 to 5;
- (ii) Parts 6 to 10;
- (iii) Parts 11 to 15;
- (iv) Parts 16 to 21;
- (v) Parts 22 to 25;
- (vi) Parts 26 to 30;
- (vii) Parts 31 to 41;
- (viii) Parts 42 to 46; and
- (ix) Schedules 1 to 7.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Before I allow the motion to go ahead, does any honourable Member have any amendments to the clauses that will be grouped under this motion? I will invite the honourable A. SUDHAKAR to have the floor.

HON. A. SUDHAKAR.- Madam Speaker, I move:

That the amendments, as noted in the Committee's Report from pages 10 to 23 and marked in colour pink in the substantive Bill, be read together with the parts as proposed by the honourable Leader of Government in Parliament.

MADAM SPEAKER.- Thank you. The Parliament will now vote, does any honourable Member oppose the motion? There being no opposition, the motion is carried.

SECRETARY GENERAL.- Meeting of the whole parliament of the Companies Bill 2015. Bill No.3 of 2015

In Committee:

Parts 1-5:

MADAM CHAIRPERSON.- Does any member want to speak on this section of the Bill? It's open to debate, should there be any person want to speak on that section of the Bill?

HON. A. SUDHAKAR.- Madam Chairperson, I wish to propose:

That the amendments having been considered, Parts 1 to 5 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- Therefore, Parts 1-5 as amended agree to unanimously.

Part 6-10

MADAM CHAIRPERSON.- I call on any Member?

HON. A. SUDHAKAR.- Madam Chairperson, I move:

That the Committee has considered Parts 6-10 and suggested the amendments as contained and I move that Parts 6-10 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There be no opposition the Parts 6-10 as amended agreed to unanimously..

Parts 11-15

MADAM CHAIRPERSON.- Does any Member want to speak on this Section of the Bill?

HON. A. SUDHAKAR.- Madam Chairperson, I move:

That the Committee, having considered Parts 11-15, and have suggested the amendments as in the Report and move that Parts 11-15 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 11-15as amended agreed to unanimously.

Parts 16-21

MADAM CHAIRPERSON. – Does any Member wish to speak on this section?

HON. A. SUDKAHAR.- Madam Chairperson, I move:

That Parts 16-21 have been considered by the Committee, and the amendments have been noted and approved. I now move that Parts 16-21 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 16-21 as amended agreed to unanimously.

Parts 22-25

MADAM CHAIRPERSON. – Does any Member wish to speak on this section?

HON. A. SUDHAKAR. – Madam Chairperson, I move:

That Parts 22-25, having been considered by the Committee and appropriate amendments have been made, that Parts 22-25 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 20-25 as amended to are agreed to unanimously.

Parts 26-30

MADAM CHAIRPERSON. – Does any Member wish to speak on this section?

HON. A. SUDHAKAR. – Madam Chairperson, I move:

That Parts 26-30, having been considered by the Committee and appropriate amendments having been made, that Parts 26-30 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 26-30 as amended are agreed to unanimously.

Parts 31-41

MADAM CHAIRPERSON. – Does any Member wish to speak on this section?

HON. A. SUDHAKAR. – Madam Chairperson, I move:

That Parts 31-41 of the Bill, having been considered by the Committee and appropriate amendments have been made, that Parts 31-41 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 31-41, as amended are agreed to unanimously.

Parts 42-46

MADAM CHAIRPERSON. – Does any Member wish to speak on that section of the Bill?

HON. A. SUDHAKAR. – Madam Chairperson, I move:

That Parts 42-46, having been considered by the Committee and appropriate amendments have been made, that Parts 42-46 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Parts 42-46 as amended, are agreed to unanimously.

Schedules 1-7

MADAM CHAIRPERSON. – I call on any Member who wish to speak on those Schedules.

HON. A. SUDHAKAR. - Madam Chairperson, I move:

That the Committee having considered Schedules 1-7 and having made appropriate amendments to it, that Schedules 1-7 be adopted.

Question on amendments put.

MADAM CHAIRPERSON.- There being no opposition, Schedules 1-7 as amended are agreed to unanimously.

That brings us to the end of the Committee of the Whole Parliament. The Parliament resumes sitting and I shall now resume the Chair.

(Madam Speaker resumed her seat)

The House resumed:

MADAM SPEAKER.- Secretary-General

SECRETARY-GENERAL.- The Committee of the Whole Parliament has agreed to the Companies Bill 2015, Bill No. 3 of 2015, without amendment.

MADAM SPEAKER. – Honourable Members, we have now come to the third reading of the Bill, and I now give the floor to the honourable Attorney-General, Minister of Finance, Public Enterprises, Public Service and Communications, you have the floor.

HON. A. SAYED-KHAIYUM. – Madam Speaker, I rise to speak on this Bill, which is probably one of the most important Bills presented to, not just this Parliament, but the previous parliaments for a number of decades in the sense that it completely overhauls the laws pertaining to companies in Fiji.

The Companies Law in Fiji, the Companies Act have not been reviewed for nearly over 30 years. The world has moved along, other jurisdictions have moved along, technology has changed, the way in which business is done in this globalised world has changed, but our laws remain stagnant in this particular area.

This particular Bill, Madam Speaker, will also bring Fiji into the 21<sup>st</sup> century. It is not just simply a question of becoming part of the globalized world, but also brings about the efficiency and the transparency that is critical in the corporate sector.

This Companies Bill deals with entire gambit of issues pertaining to the companies or companies in Fiji, deals with also foreign companies that operate in Fiji. It deals with Directors fiduciary duties which has never really been addressed and addressed in the substantive manner, discussions of modern ways of share buy backs by the companies themselves, about the role of the receiver, about who and how can set up businesses, in doing away of things like the company seals, as most jurisdictions do not use any more.

This, Madam Speaker is a very substantive piece of document and it is fundamentally, I think, most critical to say, it is such a pity that the Opposition is not here. This is the second time in this Parliament's history since last year that a second substantive piece of law or matter that is being brought to Parliament where they are absent. The first was the Budget, the Budget which governs the finances of the country for one year they chose to leave. Today, we have the Companies Bill, with 752 sections - a substantive piece of documentation, again they are not here.

As you had said yourself, Madam Speaker, and in the various training courses that the Members of Parliament have attended, as was told by people who visited this Parliament, a good strong Opposition that puts Ministers on the spot, that asks the right questions to elucidate issues, not necessarily for political gain but to inform members of the public and to get this side of the House to critically think, not that we do not critically think, but even further enhance that is very important. Unfortunately they are not here.

Madam Speaker, I have with much pleasure move that this Bill now become an Act of Parliament but before I sit down Madam Speaker, I would like to thank the Chairman of the Committee that has looked at this, and I know personally the Chairman has spent many hours going through this particular Bill together with members of his Committee and they include honourable Semesa Karavaki, who is the Deputy Chair, honourable Lorna Eden, honourable Niko Nawaikula and of course honourable Ilesia Delana. At times, we have had honourable Ratu Sela Nanovo, honourable Semi Koroilavesau, honourable Balmindar Singh, honourable Roko Tupou Draunidalo, honourable Aseri Radrodro, honourable Anare Vadei and honourable Vijay Nath who have filled in the positions as alternative members of the Committee. I would like to thank all of them, Madam Speaker, for their input because, Madam Speaker, it is not a small piece of legislation or proposed legislation, perhaps honourable Sudhakar will now enhance his practice because he will become a company law expert now.

Madam Speaker, I would also like to thank the various Parliamentary staff because I know they have also spent very long hours. I understand it took them five days to go through the Bill from Section 1 to Section 752 and also we had a number of amendments that were proposed, submissions were received widespread of course consultations and submissions had already taken place before the Bill was drafted for over two years.

I would also like to acknowledge the work by the law firm from Brisbane that assisted in the drafting of the Bill and also following the tabling of this Bill on the Parliamentary floor and recommendation for it to be assessed by the Committee, they also had widespread input from members of the public, we would like to acknowledge their input too. And consequently, Madam Speaker, some amendments have been proposed as the honourable Sudhakar has pointed out, they have been incorporated and they are marked in pink.

I would like to also take this opportunity to thank the secretariat staff, who are named in the report but I think I should, for Hansard purposes, record them: Lavenia, Ateca, Lemeki, Maurice, Jale, Mitieli, Mesake, Rovil, Anita, Kalo, Selveen, Bete, Sera, Alesi, Maraia, Laisa, Mili, Ilesia and it says, not forgetting the members of staff of the Solicitor General's Office who also assisted, in particular Lyanne and Tima. Madam Speaker, I understand also the consultant from the UN, Dyfan Jones, assisted in the assessment of this Bill.

Madam Speaker, it is with much pleasure that I recommend that this Bill be adopted as an Act of Parliament. It will bring Fiji into the modern corporate world. It would bring about lot more accountability and it will of course help in the ease of business.

Many of these issues are been put through the policy decision making by Government, as you heard from some of the Ministers today. They talked about processing leases, et cetera. All of these contribute to assisting in the ease of doing business in Fiji.

With those words, I recommend that this Bill be adopted by Parliament.

MADAM SPEAKER.- I know that Members of the Opposition are not present here, I note that they were very well represented in this Committee that worked on this Bill. Do we have a seconder?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- We will now vote on the third reading. Does any Member oppose the third reading? There being no opposition, the third reading is therefore agreed to unanimously.

SECRETARY-GENERAL.- A Bill for an Act to regulate companies in the Republic of Fiji enacted by Parliament of the Republic of Fiji.

MADAM SPEAKER.- Thank you, Leader of Government.

HON. LT. COL. I.B SERUIRATU.- Madam Speaker, I move that Standing Order 34 be suspended, to allow for the tabling of a substantive response pursuant to Standing Order 121 (6) b. Thank you Madam Speaker.

MADAM SPEAKER.- Is there a seconder?





HON. CDR S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- The Parliament will now vote on the motion. Does any Member oppose the motion? Since there are no opposition, the motion is resolved in the affirmative.

MADAM SPEAKER.- The honourable Attorney General and Minister of Finance, Public Enterprises, Public Service Commission and Communications, you have the floor.

HON. A. SAYED KHAIYUM.- Madam Speaker, I table the substantive response to the Report of Standing Committee on Foreign Affairs and Defence.

MADAM SPEAKER.- Thank you, and please hand the report to the Secretary General.

*(Report handed to the Secretary-General)*

### **ADJOURNMENT**

LEADER OF GOVERNMENT IN PARLIAMENT.- Madam Speaker, I move:

That Parliament be adjourned until 9.30am on Monday 6<sup>th</sup> July 2015.

HON. CDR S.T. KOROILAVESAU.- Madam Speaker, I beg to second the motion.

MADAM SPEAKER.- Honourable Members, we will now vote on the Motion to adjourn Parliament. I remind Members that this vote is to decide whether to adjourn Parliament until 9.30am on Monday 6<sup>th</sup> July, 2015.

Question put.

Motion agreed to.

MADAM SPEAKER.- Honourable Members, Parliament is now adjourned until 6<sup>th</sup> July, 2015.

The Parliament adjourned at 11.39 a.m.