

FRIDAY, 8TH JULY, 2016

The Parliament resumed at 10.20 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable Ro T.V. Kupa; Honourable Ratu I.D. Tikoca; Honourable Ratu N.T. Lalabalavu; and the Honourable Roko T.T.S. Draunidalo.

MINUTES

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

That the Minutes of the sitting of Parliament held on Thursday, 7th July, 2016, as previously circulated, be taken as read and be confirmed.

HON. A. SUDHAKAR.- Madam Speaker, I second the motion.

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Acknowledgement of Visitors in the Gallery

HON. SPEAKER.- I welcome all Honourable Members to the last day of the Budget this week. I also welcome the teachers and students from Suva Sangam School sitting in the gallery as well as members of the public joining us in the gallery and those watching on TV and listening to the proceedings on radio. Thank you for taking interest in your Parliament.

“Today is a very special day for an Honourable Member.” Honourable Members, please, join me in wishing the Honourable Viliame Gavoka, a very Happy Birthday.

(Applause)

“Special wishes by the A-G.”

(Chorus of interjections)

(Laughter)

Honourable Members will recall that last year, there were some minor amendments necessary to three of the Consequential (Budget Amendment) Bills. These were circulated ahead of time and then the Leader of the Government in Parliament moved the procedural suspension motion to enable this to proceed. This year, there is an amendment needed for the Fiji Revenue and Customs Authority, (Budget Amendment) Bill 2016, as well as the Revised Edition of the Laws Consequential

(Amendments) Bill 2016. I am therefore, allowing a procedural suspension motion by the Leader of the Government in Parliament for this purpose. I now call upon the Leader of the Government in Parliament to move his motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker. Madam Speaker, I move that the Standing Orders be suspended to allow that when the Attorney-General moves the final debate on the Consequential (Budget Amendment) Bills, as well as the Revised Edition of the laws, meaning the Consequential Amendments, Bill 2016 that the House takes into consideration the amendments made to the following Bills which were circulated to Honourable Members earlier this morning.

One, Madam Speaker, is a Bill for an Act to amend the Fiji Revenue and Customs Authority Act, 1998, which is Bill, No. 36 of 2016 and a Bill for an Act to provide for Consequential Amendments in relation to the Consolidation of the Laws of Fiji and related matters, Bill No. 51 of 2016. Thank you, Madam Speaker.

HON. SPEAKER.- Is there a seconder?

HON. A. SUDHAKAR.- Madam Speaker, I second the motion.

HON. SPEAKER.- I now call on the Leader of the Government in Parliament to speak on his motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker, again, as you did mention in your Communications this morning, this is purely procedural matters, Madam Speaker, necessary to support the 2016-2017 Appropriation Bill, and likewise the revised laws as well. Let me assure all the Honourable Members of the House that it does not in any way take away the substance of the Bill and therefore, I commend the Bill to the House.

HON. SPEAKER.- The Bill is now open for debate. Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, there are two amendments that we are to consider this morning. Let me speak on the first one, which is Bill No. 36, but before that, let me just assure this House that it is not procedural. It is a sign of inconsistency, it is a sign of management that we are facing this. With all the expertise in the laws, in the drafting that you have on that side, and you have this.

The Honourable Attorney-General announced this that we were expecting it in the consequential amendments, but it is not there and I believe, Madam Speaker, that one of the problems here is that, the Attorney-General's Office wants to centralise everything. The last time, we made it a point over and over again to please, leave the experts to look at the areas of their concern, and I believe this is also happening in the Tax Department. They are trying to bring the lawyers there into the Attorney-General. No, do not, please, leave them there for exactly this reason. This is an oversight by you, by the Attorney-General side and the drafters. It would not have happened if it was allowed that the lawyers in FRCA do their jobs because most likely, they may have looked at this, they may have found this and reminded you and that is why you are back here.

The other point that I wish to point here is that, the inexperience or the lack of training that we have in the Attorney-General's Office in relation to especially, drafters. Parliamentary draftsmen should be sitting here, parliamentary draftsmen should accompany a Bill from the start, from consultation right towards the end. They should be having a seat somewhere here to listen to everything so that they can pick up, and this is also a sign that we are lacking in that.

Finally, the other point that I wish to make is in relation to the other amendments on the consolidation, exactly the point I made here the last time which is, do not bring this under Standing Order 51, put it to the Standing Committee and invite, not so much the public but the organisations who administer the Act on a daily basis. Just this morning, from there to here, I found out a mistake. If you look at the amendment that they are trying to do here, and I take this as an example, the *iTaukei* Land Trust Act because I do that every day, and the amendment that this is trying to do, it says, if you look at Page 59

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, can I raise a point of order.

HON. SPEAKER.- Alright. Honourable Leader of the Government in Parliament.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT. Thank you. My motion is about the suspension of the Standing Orders. We will debate on the Bills, Madam Speaker.

HON. N. NAWAIKULA.- Alright, very well.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- So, please, let us just concentrate on that and all the Honourable Members will have the opportunity when we debate the amendments but my motion is purely on the Suspension of the Standing Orders, Madam Speaker.

HON. N. NAWAIKULA.- My concern there is, why did you not bring that early so that I would not waste all this time?

HON. A. SAYED-KHAIYUM.- You should have known about it as a lawyer.

HON. N. NAWAIKULA.- I will come back to you.

HON. A. SAYED-KHAIYUM.- I will come back to you too.

HON. SPEAKER.- Thank you. According to my ruling, when a motion is open for debate, each Member is given 20 minutes to speak on that motion and there is the freedom of expression within that 20 minutes, and this is why I am allowing this.

HON. N. NAWAIKULA.- Thank you, Madam Speaker, that is the sign again, that they are not listening, that they are not doing their job - very simple. You just have to listen to the ruling, as was already said, unnecessary. Let me go back to my point, page 39.

If you look at page 39, it says there, Section 14 of the *iTaukei* Land Trust Act is being amended by deleting "Land Development Authority" wherever it appears and substituting "Board" but if you look at Section 16, "Land Development Authority" is also mentioned there. The reason for this amendment is that, there is no more Land Development Authority, so it should have applied to the whole Act, not just Section 14.

HON. A. SAYED-KHAIYUM.- "Where ever it appears". Read the next line.

HON. MEMBERS.- Awh! Awh!

(Chorus of interjections)

HON. N. NAWAIKULA.- That is why we need....

HON. MEMBERS.- Awh! Awh!

HON. SPEAKER.- Please continue, Honourable Nawaikula.

HON. N. NAWAIKULA.- The officials from the Attorney-General's Office are here, that is exactly why we need drafters because the reference there, if you read the first one it says; "in Section 14." So wherever it appears in Section 14. We do not need to be arguing here, we put this to the drafters. It does not say there; "wherever it appears in the Act." It says; "in Section 14", so you limit yourself within Section 14, wherever it appears in Section 14.

Drafters please, we need Parliamentary drafters in Parliament. It is here!

(Hon. Member interjects)

HON. N. NAWAIKULA.- No, I am not saying I am a drafter, but I am saying we need Parliamentary draftsman here and on this one, we need to put it to the Standing Committee so that we can write – "the Departments and the authorities who administer this Act on a daily basis."

HON. SPEAKER.- Thank you. Are there any other input to this debate? Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I have to give credit to the Honourable Nawaikula, he is a master of obfuscation. He is a master of deluding this House in the digression that it takes place.

Madam Speaker, the point is, all of these have gone through the Drafters. All this nonsense about; "We are trying to take over FRCA and FRCA did not have an input", but FRCA had an input right from the beginning.

HON. N. NAWAIKULA.- Then, why this mistake?

HON. A. SAYED-KHAIYUM.- It is not a mistake.

Madam Speaker, what he should be happy about is that the amendment being brought about is the only amendment to any of the Consequential Bills, it is only in the first one. None of the other Bills that are being introduced as Consequential Bills are being amended, only one. Let us look at the merits of that, given that he has opened the door on that.

If you look at the merits of it, we have said that Section 52(a) is being inserted to allow the publication, as announced in the Budget, of description of goods and the prices at which they are sold.

Now we have brought this about because we thought about just in case someone says that FRCA does not have the authority to do so and that is to cover a very simple ground. We could have still gone ahead with it but we want to cover all loopholes. Now, it is not a loophole in the drafting *per se* but it is a loophole that someone could try and find. So, we want to address that lacuna. Is it not such a good thing that we are able to bring that amendment about now and have that discussed?

It is a one clause amendment and that sets out quite clearly. All this side tracking about; "we are taking over FRCA", "we are trying to build this empire", has nothing to do with it. Absolutely nothing to do with it! So, I would hope that the Honourable Member would focus on the substance of

the amendment that is being proposed. It goes directly towards the announcement in the Budget. It actually, Madam Speaker, helps ordinary Fijians in respect of being able to access information that they hitherto have not been able to access and that is if by approval of Cabinet and if in the public interest, it is deemed necessary that we publicise the landed price of goods and the price of goods at which it is sold, then we want to have that published. It is not going to be decided unilaterally by FRCA or the Minister responsible for FRCA, it will be decided by Cabinet once the Minister makes a presentation to Cabinet to say; “Look, it is in the public interest to do that.”

So, there are checks and balances that have been built into it. I cannot understand what is the issue here. Rather than talking about the substance, I can point out to numerous instances in the past. He himself said that the 1985 consolidation of laws after the consolidation had numerous mistakes and I myself in the introduction of that Consequential Bill had said, that; “Yes, there are mistakes”, and if you see in the revised addition that we are presenting, there is one Clause in which there is a printing error. Unfortunately, Honourable Nawaikula.....

HON. N. NAWAIKULA.- Point of Order!

HON. SPEAKER.- Point of Order!

HON. N. NAWAIKULA.- I rise on a Point of Order, Madam Speaker. May he be reminded to address you, he is looking straight to me and for him to be parliamentary in his behaviour.

(Laughter)

HON. N. NAWAIKULA.- You address the Honourable Speaker.

HON. A. SAYED-KHAIYUM.- Yes, of course, I will. Please do not look at me and address me then talk to the Honourable Speaker.

(Laughter)

Madam Speaker, the fact of the matter is that, we have identified one, the numbering issue which had a double repeat of a clause and that is the only one that is being deleted by way of an amendment. Is that not better? On the other day, when we talked about this, the Honourable Nawaikula said that the Consolidated Laws of Fiji had missed out on rivers and streams. It is actually there, Honourable Nawaikula.

(Hon. Member interjects)

HON. A. SAYED-KHAIYUM.- No! No! This is the official version and it has rivers and streams, (Cap 136), table of provisions, all the Clauses are there right up to Clause 18.

(Hon. Member interjects)

HON. A. SAYED-KHAIYUM.- Then you must get it updated, so you must allow for this to take place so your version will have it. The reality is that, what he is representing is far from the truth and the truth is that rivers and streams is in the Consolidated Laws of Fiji.

The truth also, Madam Speaker, is that, as allowed for under the law, the Commissioner for the revision of laws did not have to actually bring this to Parliament. Under the Revision of Laws Act, the Commissioner can bring about any changes to the law by simply gazetting it, but we have decided to bring it to Parliament, so that all the Honourable Members of this Parliament can see it. The law

actually allows for the Commissioner to do it on her own but the point is that, we brought it to Parliament so that everyone can see what it is so they do not sort of say; “You go and publish it without our knowledge”, et cetera.

So please let us look at the substance of the Bills and the only amendment is the Fiji Revenue and Customs Authority (Budget Amendment) Bill 2016, which is allowing FRCA to publish this information about goods. We have a lot of people in Fiji, for example, who have complained about the price of goods in Fiji and Government has continuously said that we have for example, brought down the duty on these goods or we have zero-rated duty on these goods and yet, the prices continue to rise.

Sometimes, of course, the prices may rise for other reasons but in most instances we found the retailers, et cetera, who are dealing with these goods and are not passing on the reduction in the duty. So people need to know and some retailers are and some are not, so in order to bring about competitiveness in the market and to be able to have the consumers make informed decisions as to where they should buy the goods from, it is necessary for us in this interim period to publish this, so that people of Fiji will know that this carton of milk that is being imported, lands at \$4 but someone may be retailing it at \$8. Do they need to have a 100 per cent mark-up? We are not going to price control it, we are simply going to publish it so people know, and by doing that, we are hoping that the business people will then start to say; “Oh, they know how much we land it for, let us have the pricing right and let us get them to have competition with each other.” Is that not a positive thing?

So please, Madam Speaker, in respect of the motion moved by the Honourable Leader of the Government that it is simply a procedural matter, we can go into the substance of the actual content of the Bill when we come to it. Thank you Madam Speaker.

HON. SPEAKER.- There being no other input, I now invite the Honourable Leader of the Government in Parliament to speak in reply.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker, I have nothing further to add now but again, I put the motion before the House and we vote on it.

HON. SPEAKER.- Parliament will now vote.

The question is that the Standing Orders be suspended to allow that when the Attorney-General moves the final debate of the Consequential (Budget Amendment) Bills as well as the revised Edition of the Laws - Consequential (Amendment) Bills 2016, that the House takes into consideration the amendments made to the following Bills which was circulated to the Honourable Members earlier this morning:

1. A Bill for an Act to amend the Fiji Revenue and Customs Authority Act 1998, Bill No. 36 of 2016; and
2. A Bill for an Act to provide for the Consequential Amendments in relation to the Consolidation of the Laws of Fiji and related matters, Bill No. 51 of 2016.

Does any Honourable Member oppose the motion?

(Chorus of ayes and noes)

There being opposition, Parliament will vote on the motion.

The result of the votes are as follows:

Votes Cast:

| | | |
|-----------|---|----|
| Ayes | - | 32 |
| Noes | - | 13 |
| Not Voted | - | 5 |

(There being 32 ayes, 13 noes and 5 not voted, the Motion is agreed to.)

HON. SPEAKER.- Pursuant to the resolution of Parliament on Wednesday 6th July 2016, the Revised Edition of the laws Consequential (Amendment) Bills 2016 will be debated and voted upon today. The debate will be limited to one hour, the version of the Bill being debated is the one circulated this morning to Honourable Members pursuant to the resolution of Parliament this morning.

HON. SPEAKER.- I now call upon the Attorney-General to move his motion.

HON. A. SAYED-KHAIYUM.- Sorry, Madam Speaker, should I move my motion on the Revised Edition of laws Consequential Amendments Bill or are we going through other Bills first?

HON. SPEAKER.- Thank you and I beg your indulgence, Honourable Members. Now that we have made some corrections and changes, we can move on to the next item on the Order Paper.

HON. SPEAKER.- I call upon the Secretary-General.

SECRETARY-GENERAL.- Consideration of Bills.

CONSIDERATION OF BILLS

HON. SPEAKER.- Pursuant to the resolution of Parliament on 2nd June, 2016 and this morning, I now call upon the Minister for Economy to move his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, pursuant to the resolution of Parliament on Wednesday, 22nd June, 2016 and this morning, I move that the following Consequential Bills be debated, voted upon and be passed:

1. A Bill for an Act to amend the Fiji Revenue and Customs Authority Act 1998, Bill No 36 of 2016,
2. A Bill for an Act to amend the Environmental Levy Act 2015, Bill No 37 of 2016
3. A Bill for an Act to amend the Service Turnover Tax Act 2012, Bill No 38 of 2016
4. A Bill for an Act to amend the Water Resource Tax Promulgation 2008, Bill No 39 of 2016
5. A Bill for an Act to amend the Airport Departure Tax 1996, Bill No 40 of 2016
6. A Bill for an Act to amend the Tax Administration Decree 2009, Bill No 41 of 2016
7. A Bill for an Act to amend the Value Added Tax Decree 1991, Bill No 42 of 2016
8. A Bill for an Act to amend the Stamp Duties Act (Cap 205), Bill No 43 of 2016

9. A Bill for an Act to amend the Land Sale Act, (Cap. 137), Bill No 44 of 2016
10. A Bill for an Act to prescribe the opening hours of any shop in any area throughout Fiji and for related matters, Bill 45 of 2016
11. A Bill for an Act to amend the Excise Act 1986, Bill No 46 of 2016
12. A Bill for an Act to amend the Income Tax Act, 2015 Bill No 47 of 2016
13. A Bill for an Act to amend the Foreign Investment Act 1999, Bill No 48 of 2016
14. A Bill for an Act to amend the Custom Tariff Act, 1986, Bill No 49 of 2016
15. A Bill for an Act to amend the Customs Act 1986, Bill No 50 of 2016.

Thank you, Madam Speaker.

HON. SPEAKER.- Is there a seconder?

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

HON. SPEAKER.- I now call upon the Minister for Economy to speak on his motion.

HON. A. SAYED- KHAIYUM.- Thank you, Madam Speaker. Just a point of clarification, will I speak for 20 minutes on all the Bills?

HON. SPEAKER.- Yes.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will make some general observations. Most of the Bills that have been presented here and in fact all of the Bills that we presented here are consequential to the Budget announcement. So, they range from, for example, the actual excise that has gone up on alcohol, cigarettes and motor vehicles, How that will be implemented, the rates that will go up. Some of them are actually amendments to the substantive Act to implement the Budget announcement through regulations, so most of them relate to that.

Also, in respect of some of the administrative matters, the Bills address, for example, as announced regarding the opening of shop hours, these are shops that do not sell alcohol and various other goods that require special licences, these are normal shops that have the ability now to be able to open up for longer hours, if they choose to do so. But, also as a result of that, it may also bring in line the very archaic laws that used to deal with workers in the retail sector. As we know, the retail sector is also one of the most under represented worker organisation groups, there is an absence of trade unions, so what we have done is that we brought the retail workers more directly under the Employment Relations Promulgation to give them that level of security.

Similarly, we have amended the Foreign Investment Act, to give the CEO of Investment Fiji a lot more authority. We found that, for example, there is lacuna in the law when it was originally drafted back in the 1990s. If you gave a person, for example from Investment Fiji, which used to be called FTIB, Fiji Trade and Investment Board, a certificate, a Foreign Investor Certificate to invest in Fiji and the chosen area of business maybe, for example, garment manufacturing and some of these people went into other areas of business in Fiji.

There is nothing in the law that the CEO for Investment Fiji could do about that. Sometimes, they would traverse into areas that maybe Fijians were investing themselves. It also gives the ability for the CEO to raise it with the Minister for Industry and Trade to say “look, we are finding that there are too many people from maybe a particular country coming in as foreign investors in areas that may impact upon the local investors.”

If some group of people start opening all hairdressing salons from one particular country or we have a lot of foreigners opening hairdressing salons, it will have an impact on Fijians who want to set up their businesses in hairdressing salons. The amendment actually gives the ability for the Minister for Industry and Trade, the CEO and indeed Cabinet, to be able to monitor these things and take some redress courses, if it is necessary to do so.

Similarly, there is a slight amendment, as I said, and the first one that is being amended is the Fiji Revenue and Customs Authority Budget Amendment Bill, where FRCA's budget year has been brought in alignment with Government and let this be known, and I want to say this again, because those on the other side of the House may get confused. It does not change the tax year for companies in Fiji. The tax year remains as it is. It is only for the purposes of FRCA in filing annual reports and its financial year that it has to be in alignment with Government.

So, that is an amendment and of course, in the first Bill, as I highlighted earlier on, is that we need to be able to ensure that we are able to get FRCA to publish any of the pricing of goods and services as it lands and as it is being sold, to inform Fijians of the pricing mechanisms in Fiji.

Regarding the Environmental Levy, I know people get very touchy about that. This is simply an extension of the application of the STT and the Environmental Levy on companies; bus companies that cater for the Tourism Industry. So we have found that there are certain bus companies that get chartered when for example, an inbound operator may be looking after say a cruise liner, passengers when they come to Suva. What they will do is, they outsource that service of taking tourists around up to Tailevu or Pacific Harbour, where ever it may be. So, the STT and the Environmental Levy that this amendment is to capture that group also.

So, it is not as it was raised by the other side, it does not apply to the normal RSL or bus services or the route licences that are given, it does not affect them at all. This is specifically to cater for bus companies that are chartered by tour operators, et cetera, to provide that service to the tourism industry. So, we do not have anyone discriminated against because there are certain companies that are simply set up just to cater for tourists.

Now, they pay the STT, they pay the environmental levy, but you know if Kadar Buksh Limited or WestBus or whatever is hired to provide that service, they also need to factor in the STT and the Environmental Levy, so it is a slight amendment too there to capture that.

The other of course is the Water Resource Bill. It is there to cater for the increase in the water tax that we have levied. We have increased, as you know water is a scarce resource. We have companies, it is applicable both to local companies and foreign companies, but of course, many of the local companies, we know the facts on the ground; their level of extraction is quite low compared to the level of extraction by Fiji Water. It does affect the water table underneath the ground and it is a resource, so we are able to provide the tax and to increase that.

Similarly, with the Airport Departure Tax (Amendment) Bill, that addresses and tries to place Fiji more into the tourism sector. We have said that people who transit in Fiji for 72 hours or less do not actually pay departure tax. So, the idea is, as we have discussed yesterday, because now we have flights to LA, San Francisco, Singapore, Hong Kong, et cetera, there may be for example Australians who maybe travelling to LA or San Francisco, they might take a direct flight. But if they know they can stop over in Fiji and the pricing of the air fares is comparative and they can have a two day stopover in Fiji without having to pay the departure tax, that would be consideration for them and indeed many of the hoteliers and Fiji Airways is quite keen for this law to come into effect, as soon as possible, so they can offer packages.

Madam Chair, you fly to LA via Fiji and this is the package, it is a deal for you. So, it will place us in that sort of segment again. Similarly, the Tax Administration (Amendment) Bill is to address the issue of some of the administrative matters regarding the VAT. The reason why the VAT Amendment is brought about at the moment is, if FRCA does not pay your VAT on time, there is a penalty and the interest that FRCA needs to pay. It is a set amount, so businesses can claim that against FRCA.

However, what the amendment does is, FRCA must pay the prevailing market rate and that prevailing market interest rate will be determined by an independent body, which is the RBF. So, that is the amendment that is sought there to make it all above board, as opposed to prescribing a specific interest rate, which at times may be out of sync with the market rate. Sometimes, the market rate may be 10 percent, other times it may be five percent, but if we have a prescribed figure of seven percent all the time, businesses can lose out, of course businesses can unjustly gain from the two.

The Stamp Duties (Amendment) Bill of course has been brought about because there are some lawyers who are trying to bypass paying stamp duty. So, what we have found, for example, they are creating instruments to elude the payment of stamp duty, so, this is contrary to the anti-avoidance provisions. What it does, the Bill seeks to amend the Act to clarify the requirement that an instrument of nomination, novation or assignment in relation to the transfer of property must be charged the same *ad valorem* rate or duty as a transfer on the sale. That is what some of these lawyers are trying to do. So, we need to ensure that we capture that to ensure that everyone pays the same amount of stamp duty. These are the kinds of amendments that have been brought about, Madam Speaker.

The Land Sales (Amendment) Bill, which I know some of the Members on the other side are very passionate about. As we know, the Land Sales Amendment Bill that was introduced nearly two years ago, had put a timeframe within which people have to build their properties on the land and the reason is, countries like Australia, even South Africa, I know a few months was considering it, I do not know if they have actually implemented it yet or not.

They may have already done it by now, and other countries have certain rules regarding foreigners who come and buy land. I am talking about dirt, actual land soil. There are various restrictions so, for example in Australia, you will see and those people who watch ABC Australia late at night will see a lot of advertisements that come out on television, advertising essentially to the foreign markets – flats. They sell flats, you buy strata type of flats, that is allowed, as is allowed under this Bill that we have, well, the actual law that exists.

So, foreigners and what we have done, we have actually been a lot more liberal. We have been liberal in the sense that foreigners actually, if they buy within municipal areas, they can buy any type of land or lease that they want, except for residential properties because we need to ensure and as we have talked a lot about housing, it has become very expensive for Fijians.

The Suva Peninsula is running out of land, people are moving further out towards Nausori, Vuci and all those places, so we want to ensure that there is some form of availability of land and properties to Fijians first. A foreigner can come to Suva and buy commercial property, tourism property or lease land, but for residential properties, they cannot.

We saw the prices of homes in Suva. They were being sold for \$2 million, \$2.5 million and we have found a lot of foreigners who were buying that and simply escalating their prices and speculating on it. So, that has stopped that huge escalation in pricing. The second thing was also that they can buy land, but outside the municipal areas. Now, the requirement then was, that if you are going to buy land in Fiji, outside the municipal areas, you must actually build upon it because FRCA can give you all the statistics.

We found so many people and people who grew up in Savusavu will tell you, a lot of freehold land was bought and sold by about five or six people. Every time there is a speculation in the pricelist, in fact, we do not even have a clear record of how much land is actually sold for because we have had anecdotal stories about how foreigners, when they do sell land in Fiji, some of the monies that they receive as vendors, they get it offshore.

In the same way, for example, we have a huge problem with homestay. There are many foreigners, who for example, build what they called 'the homestay'. So it is like a motel, they build a property in Suva or Denarau or where ever it is and in other parts of Fiji and if you go to the internet, they will advertise: "Find your seven nights' accommodation in Fiji, available for \$3,000" and that money is paid overseas, that money is not paid in Fiji.

So, they completely escape the entire tax regime in Fiji, notwithstanding the fact that it is Water Authority of Fiji and Fiji Electricity Authority that provide all these provisions. The roads are there but the Fijian people, through the taxation system, are not getting anything. These are some of the loopholes that we find.

In respect to the Land Sales Act, what we had said was that, if you do buy land outside the municipal council areas, you must show your commitment to the country. You need to build within two years, the minimum cost of \$250,000.

Now, we have had submissions in particular after *TC Winston*, where some of the foreigners who own land, said "look we wanted to build, we cannot find builders, there is a shortage of builders and we have been affected by it". What this amendment does, Madam Chair, is actually sets out an amendment to say that if a resident is unable to comply with it and if they are running out of time because of those types of reasons, and you know the fact that we need to take into account things like cyclones, et cetera, which many people obviously did not worry about, in particular prior to *TC Winston*.

We had said the amendment does provide for the setting up of a Committee, a Review Committee, where they make a submission, it is going to be made up of Permanent Secretaries, that is what we envisage and it could be someone from the Lands Department; Ministry of Finance; Town and County Planning, et cetera. Then they make a recommendation to say; "look, this is a genuine place and we need to give them more time". So, let us not impose a penalty on that. That is what the amendment does, it improves the law from that perspective and it takes into account, in particular after *Tropical Cyclone Winston*, some of the issues that have come up.

Again, we have all the other amendments (I think they are the key ones), that have been brought about because of the laws in Fiji. There are other amendments and issues that I did talk about in the Budget, and they have already been put into effect by way of regulations. For example, the Honourable Minister responsible for LTA has already put in place the regulations requiring bus companies to ensure that the first two seats in a public transport bus is made available for people who are handicapped and also other people who may require that type of assistance. This is not to say that no one can sit on those first two seats, they can, but if a person who is disabled, elderly, et cetera comes in, they will have to get up because those two seats are reserved for them.

Similarly, the Honourable Minister has put into place, by way of order within the town and country planning, the requirement for a number of car parks that should be made available, depending on the square footage of the development sites. So, these are some of the old provisions that existed, and they have already been put into effect by the Honourable Minister in those two instances. This, of course, encourages development because some of the requirements were quite ridiculous.

Madam Speaker, again, I would like to say that these amendments are in relation to all the announcements that have been made in the Budget Statement, and now I leave it to the floor for debate.

Thank you, Madam Chair.

HON. SPEAKER.- Thank you. The Bill is up for debate. Honourable Professor. Biman Prasad.

HON. PROF. B.C. PRASAD.- Madam Speaker, let me thank the Honourable Minister for his explanations on the various Consequential Bills.

The first one that I would like to make a few comments on is Bill No. 36, to amend the Fiji Revenue and Customs Authority Act. I think the intention of the amendment is a good one. I think it does allow for transparency and some sort of public accountability in terms of what people import into the country and at what price they do sell those, so that people actually have an idea where it is coming from, how much it costs the company to bring the actual goods in question, the types of duty they pay and the price.

However, Madam Speaker, I am not sure, particularly in terms of Clause 2, where the Honourable Minister may order, prescribe, but only after taking into account the public interest and with the approval of Cabinet, the goods in relation to which the information may be published by the authority under subsection 1 - to me that is a bit of a problem.

How do you determine public interest? For example, the Honourable Minister pointed a particular example for cars, and he is right. People who import cars, people who buy them feel that the prices are very high and expensive, but what about the other goods? What about a company which imports say, milk cream from New Zealand at zero duty, what price does that company sell the milk at? Does that come into the ambit of public interest? I think the intention of the amendment is good, but I am not sure about the implementation. It is not just cars, I think there are various goods that are imported into the country which obviously are sold at a price.

Let me also caution the Government, that any legislation or any control of this nature also means cost to businesses. Sometimes, the price that they actually charge, Madam Speaker, after they have paid all the duties, the landed cost is not the only cost that they actually factor in.

HON. MEMBER.- Of course, we know that.

HON. PROF. B.C. PRASAD.- So, the final price that they charge may have nothing to do with the duties or whatever they pay in terms of our assessment; whether that price is high or low. So it is an amendment which may work for a few very, very obvious items or goods that are imported where people generally feel that the prices are really high. However, there could be many other goods that are imported into the country after taking out all those costs, the businesses may still operate. Sometimes it is the market, and I would not want to see a situation where we are actually trying to determine the market price of goods that are imported by businesses in the country.

I think we need to look at other ways to understand why prices of certain goods which are imported may be commensurately more than what the businesses ought to charge because I do not think we have a lot of information, research and empirical evidence to suggest or to know why prices are generally high. We all know that the prices are high, especially for imported goods. While this may be the first step in getting businesses to provide all these information, I do not think this is going to solve the problem of businesses charging a particular price which may be considered not to be in

the public interest or which may be considered to be high. So, I just want to put this on record for Government to understand that this is not only the best way to deal with this issue.

On the Environmental Levy, Madam Speaker, if I can take this opportunity to say a few things as well which I have said before, if you look at the Environmental Levy as it is and even with the amendments, it is really applied on particular type of businesses, particularly restaurants and tourism-related services, but if we are to look at Environmental Levy, there are two ways in which you can deal with environmental issues. One, of course, is regulation, where you regulate and say; “Businesses cannot do this, they cannot do that, they should not pollute the environment in this particular way”, and regulations work in some cases, Madam Speaker. However, evidences show that regulations while dealing with some areas, some types of environmental issues are not necessarily going to have an impact.

The other method of dealing with environmental issues is taxes, where the polluter pays principal. For example, if a manufacturing firm pollutes a particular area where it puts out the pollutants in a creek or does other things, then that manufacturer or company has to pay a certain amount of tax. It is a polluter-pay principle where those who pollute must also pay. This is something that the Government may want to think about how to deal with environmental issues in future.

Coupled with those two methods of dealing with environmental issues, Madam Speaker, we also need to look at is, what do we do with that money? When we collect the environmental tax or tax from companies that pollute, what do we do with that money?

In many countries, these revenues are earmarked to address that particular issue, but if you bring in the environmental levy and environmental tax and put it into your overall revenue without targeted strategies to deal with a particular environmental damage that is being caused by that particular business, then I am afraid it just becomes a revenue source for Government. I think we have a lot of environmental issues, companies that produce solid wastes and spill pollutants into our rivers, creek, beaches, they have also had to be dealt with. I am not sure whether the current services which is really in the tourism industry rather than any other forms of environmental damage that has been taken. I hope that Government will take that into account.

The other Bill that I want to just state briefly on, I think the idea of exempting airport departure tax for those who were in transit is a good policy, a good decision as the Honourable Attorney-General has said, it might help tourism operators to put out packages which will bring some revenue and tourist numbers to Fiji.

Obviously, no departure tax, Madam Speaker, has been raised by previous governments from 2007, it was \$20 and now it is \$200. So, it is a huge increase but this exemption for 72 hours for those who are in transit is a welcome move and I think the tourism industry players would be happy with that.

On the land sales tax, Madam Speaker, I think again, the Land Sales Budget (Amendment) Bill, the intention is a good one. They are obviously an impact on foreigner’s buying property in Fiji and there is always this thing about demand and supply and when you do not have the supply, the prices will go up. So, if you take out the foreigners with this Bill, you still have the problem of demand and supply.

We also have a very high liquidity in our banking system, banks are chasing people to take loans to buy properties and also sometimes having a lower interest rate and a highly liquidity in the banking system also creates demand from those who may not necessarily, at that particular point in time, want to buy properties in the urban centres. As I said before, because of urbanisation, there has

always been an increase in demand for more housing at various types of houses. So, it is not just necessarily the high price rise because foreigners are buying it, there may be a category of properties where all this happens - big speculation. But, I think we need to look at the supply side as well. What is the Government doing in terms of opening more land around the outskirts of major urban centres?

HON. GOVT. MEMBER.- (inaudible).

HON. PROF. B.C. PRASAD .- I know you are doing it, but whether that is enough and that is what I am saying, that if the supply is not enough, if the demand is very high, people are moving in, then obviously, the impact of those category of people who are looking for houses at the lower end will push the prices up.

I know five years ago, prices of houses in Nakasi, for example would have been \$200,000 to \$250,000 for a single three or four bed room house, but today, five years down the line, you cannot buy that for \$400,000 or \$450,000 and these are not foreigners buying, these are locals. The demand is higher than the supply. Land is not being opened up. If you go to Nakasi, I own a piece of land at Wainawaqa Subdivision which is almost like adjacent to Nakasi. Before that land is developed, if you go on the other side of Nakasi you will see all these vacant land, these are all land which are not opened up – available, but not developed.

So, the demand for houses are much, much higher. If you are trying to solve the problem of availability and affordability, I think there are two things, Madam Speaker; one is about affordability and the other of course is about availability of prices. While we may deal with the issue of foreigners buying land and putting this requirement that they should build in sensible, that makes sense, it also might help dampen the price of big properties. It is not just foreigners speculating, Madam Speaker, there are lots of locals who are also speculating. I think we need to be careful in looking at this.

May I also suggest to the Government that we need some real thorough study. I do not think we have enough solid and well surveyed data to find out what is happening in terms of the housing demand and supply, the prices and the availability and we also need to look at what is happening within the financial institutions. Does it have any impact? So we need some serious studies around that area.

On the Shop Regulation Hours, Bill No. 45, Madam Speaker, very briefly I think it makes sense, it is an idea for which the time is probably right, people do things not just between 8 a.m. to 4.30 p.m., or 5.p.m., but a lot of things happen beyond that. We need to ensure that workers are not exploited.

HON. GOVT. MEMBER.- It is there.

HON. PROF. B.C. PRASAD.-. I know it is there but just having a law, I mean the Honourable Attorney-General must understand this. Having a law does not necessarily mean that people will not be exploited, so what I am saying is to exercise caution and do not think that you know everything.

(Chorus of Interjections)

So, it is important Madam Speaker, that we understand that even with having laws, I think they are not implemented, if they are not effectively supervised then people can have that. It is the message to the Minister for Employment.

So, that is my contribution on those Bills, Madam Speaker, and my other colleagues will talk about the others, thank you.

HON. SPEAKER.- Thank you, I now give the floor to the Hon. Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker, and also thank you for the beautiful cake that was delivered to my apartment this morning from you and the staff of Parliament. My wife and I were partially surprised. Thank you, Madam Speaker.

Madam Speaker, I just want to dwell a bit on the airport departure tax and ask Government to be careful on this one because I do agree that we need to reduce some of these to be subsidies to the price structure for holidays in this part of the world but there is a significant segment in tourism called group series.

Group series are people from the Northern Hemisphere who visit the South Pacific, including New Zealand and Australia and would break their journey in Fiji for about three days. If you segment tourism, group series is quite big. So, you may have to be careful that we are not collecting our departure tax from this group series. I would ask the Government to consider that.

Madam Speaker, when you look at departure tax, this year, \$156 million; next year \$165 million; the year following, \$173 million. These are huge sums and we can see where it is being spent. The airport at Nadi, when it is completed will be a gleaming airport.

(Chorus of interjections)

HON. V.R. GAVOKA.- Undoubtedly, it will be the best in this part of the world and I believe it is costing about \$105 million.

On this kind of departure tax, Madam Speaker, it is good to have an airport of their standard but one of the dangers of tourism is if you have a gleaming airport like that, then they fly to the next one, a secondary airport and it is not up to standard, it is not healthy for tourism. Visitors vary today and it is no longer sand, sun and sea. We also want to see what their dollar is doing to the local community. If they leave Nadi Airport and fly into an airport in Fiji, where it is not up to standard, it will affect the image that they have of this country. It is very dangerous because travellers now are trying to connect with the people they visit. Eco-tourism is based on that, connection with the local community.

I would urge Government that once they complete Nadi Airport to go to other airports in the region: Labasa, Taveuni, Savusavu and Vanua Balavu and, Madam Speaker. I cannot over emphasise this that we must present to the tourists a country that is inclusive in the way it develops its infrastructure, community, and the days here at Nadi is now seeing a lot of dollars but we should all have a situation where, 45 minutes out of Nadi, they see a different Fiji. You should be careful of that and I would urge Government to consider that and not to unnecessarily reduce what is coming as revenue streams.

When I left Tourism in 2007, departure tax was only \$40 and today, it is \$200. It is working. Obviously, they had 750,000 visitors last year and I am glad to see that the marketing arm of tourism is properly equipped; \$8 million for operating, \$27 million for marketing and that is about \$30 million.

During my time, I had \$8 million both for operating and marketing. So, it is the biggest industry and it should be resourced accordingly, but I would just be careful, Madam Speaker, when we create structure that we strike a sense of balance across the country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Minister for Health.

HON. J. USAMATE.- Thank you, Madam Speaker, for giving me the time to address this part of the debate; the debate on the Consequential Amendments to the Budget. I think it is very important when we get to this stage of the discussion that we focus on what we are here to talk about.

The Budget has been passed. This particular portion of our meeting this week is to focus on the kinds of law that need to be changed, to give effect to that particular Budget. I think the focus of our debate needs to be, to ask ourselves the changes in these amendments; do they give effect to the Budget that has just been passed? It is not an exercise for us to go on and give lectures in all different kind of things. This side of the House understands that there are lots of things that we need to do, in order to make sure that we get to the changes we want to effect. We have to then decide...

HON. PROF. B.C. PRASAD.- A Point of Order.

HON. SPEAKER.- Point of Order.

HON. PROF. B.C. PRASAD.- I think the Honourable Minister is totally irrelevant here when he talks about that. We know there is a Consequential Bill but we on this side of the House have the right to point out what this Bill means to the people of this country.

HON. GOVT. MEMBER.- What is the Point of Order?.

HON. PROF. B.C. PRASAD.- That is the point of order because it is irrelevant. You are trying to get the debate

HON. SPEAKER.- Thank you.

HON. PROF. B.C. PRASAD.- Because the people want to understand what this Bill is about and how is it going to impact in that.

(Chorus of interjections)

HON. SPEAKER.- Thank you. I can make a ruling on that Point of Order. Please be reminded that in this process of debate, each Member is allowed 20 minutes and I am upholding the privilege of freedom of speech within that 20 minutes.

Thank you, Honourable Minister, please continue.

HON. J. USAMATE.- Madam Speaker, I appreciate that. We are only given one hour to debate on this. It is beholden on all of us, the people of this nation, to make sure that we talk about things that lead to something substantive. It is not an opportunity to demonstrate our theoretical understanding of this, we need to focus on the impact .

HON. SPEAKER.- Order. The one hour I mentioned was on the earlier statement that I made, which was incorrect. On this particular debate, there is no limit to the time given but each Member is given 20 minutes and please, I uphold the privilege of freedom of speech in this debate.

HON. PROF. B.C. PRASAD.- He is not talking about the Bill!

HON. A. SAYED-KHAIYUM.- You are not talking about the Bill.

(Chorus of interjections)

HON. SPEAKER.- Order! Order! The Honourable Minister for Health has the floor.

HON. J. USAMATE.- Thank you, Madam Speaker. I think everyone in this country wants to look at the level of debate in this country, in the House, and to make sure that it contributes to what we are here to talk about. Obviously, in this stage of debate, we have passed the Budget - the Budget has been passed.

At least, that is what we did last night, if I am not mistaken. Now, we are just looking at what the changes are that we need to do in the legislation, to give effect to that Budget, and that is what our debate should be. We should be debating this particular amendment to this legislation and does it give effect to the Budget or not? We do not need to be told about all of the other theoretical things that we need to do. We, on this side of the House, do understand that. Other things that need to be done, we will come up with that when it is time to do that.

At this stage, we need to focus to be as effective as possible. So, that is the first point that I want to make. I would like to say, thank you very much, Honourable Professor Biman.Prasad. We will focus, we will make sure that we try to improve the hospitals, we will work through our civil servants and when we do this, we are not being approached just from one ministry per se, but it will be across the whole gamut of the Ministry that we have in the Government.

Madam Chair, one thing that I would like to stress, as the Minister for Health and as a person responsible for Health, my appreciation for the excise tax and the increase in the raising of excise on alcohol, cigarettes and sugar sweetened beverages. I think this is something that has been very important, especially now that everyone and all the children are aware that this month is about NCD awareness.

During the course of this debate, I have talked about the need to be able to address health issues by going upstream, not just dealing with the problems that we are having today, but thinking about the things that cause these problems.

NCD results from people eating and drinking the wrong things, not moving their bodies, having the wrong source of ideas that coming into their heads and obviously, this particular strategy by Government to raise these taxes, compels people or encourages people to move away from the things that have a harmful effect on their lives. So, I am very thankful that this has taken place and also the 15 per cent increase in the excise tax for cigarettes, alcohol and tobacco and the 20 cents litre for carbonated drinks and also for sugar sweetened beverages.

I also remind Honourable Members of the House, please make sure that you can contribute to this and outside today we have the members from the Ministry of Health who are here to do screening for everyone. So, after this, please make sure that you get yourself screened, you get your data, children if you are here too, get yourself screened, so we can all do something about improving our own health, not just relying on Government for all of us to be able to do that. Thank you, Madam Speaker.

(Applause)

HON. M.D. BULITAVU.- Madam Speaker, I have a brief contribution to the Bills that are before the House. Madam Speaker, I think I have said in my speech in response to the Budget that indirectly, the Government, since 2009 has introduced a host of indirect and direct taxes and this has affected the cost of goods and services. It is also confusing because people are not aware of the kind of things that they are buying and I specifically mentioned FRCA, if they can publish the tariff lines because the tariffs and these taxes will determine the price of goods. The consumers and traders have

to know the price and how much duties are attached to those goods and the services that they provide. This indirectly affects the people, although Government is targeting all the service providers but the burden on taxpayers will increase. Madam Speaker, the environmental tax will increase and the businesses will put up its prices and those who will be engaging customers will be affected in this.

Also, on the service on turnover tax, Madam Speaker, in regards to buses, I think there has to be some clarity whether it also applies to mini-buses, like in Savusavu, we do not have tourist buses but they hire Land Transport Approved Mini-Bus, whether that will also be applied to them, proper awareness needs to be done on that before cases come before the LTA Board. Those are the things - more awareness on it, and do not put it on FRCA website but also on media publications so people can know the changes that are coming.

Madam Speaker, in regards to VAT on residential dwellings, I think this is very important and given that some only rent out portion of their house and if the turnover is about \$100,000, most of the times, business will likely to decline as tenants will move or opt for cheaper flats, Madam Speaker. This is an issue and I think FRCA and the Government should weigh this in regards to the benefits that will affect our customers and those who are taxpayers.

Madam Speaker, in regards to stamp duty, I think the fees used to be \$10 but now taxpayers are being burdened to pay transfers by way of an instrument, doubt instruments, of nomination and novation of assignment. It used to be \$10 but this will be very expensive as well. Although, they are targeting lawyers but again, the clients will have to pay more to the lawyers. All that, Madam Speaker, are areas in which Government should do a balancing act, as they always say and see also from the taxpayers' perspective, the customers, consumers, the traders, when you talk about hybrid vehicles, I had mentioned on Monday the need to check these hybrid vehicles.

The Honourable Minister said that they do not have any price control over the prices of vehicles that are sold but last night, I was going through Bill No. 36, and I could not find how FRCA is going to enforce this, but this morning they brought the amendments and the speech by the Honourable Minister did not reflect the Bill in regards to the changes that will be announced by FRCA in August on the landing cost, plus the cost which are sold in the various motor dealers, but it is only giving choices to customers. However, the issue here is how this can be controlled and because most of these vehicles that are coming only have warranties up to three months. For example, the gearbox board is only for three months and after that, the cost of maintenance of vehicles will increase, given that they pay \$22,000 for a particular hybrid vehicle which was bought by the trader for only \$8,000, so that mark-up price really needs to be monitored by Government.

Some of these traders even have bond warehouses where they play around with this mileage. I request the Honourable Minister to ask FRCA inspectors to go deep into all these traders and see how they are working with Customs officers. They tamper with this mileage and when vehicles are bought without proper inspection, the result is, customers pay more repairs and the maintenance fees of vehicles. These are some issues, Madam Speaker, because proper control must be put in place rather than making our country a dumping place for second-hand Japanese vehicles.

These are some of the issues that I think Government should look at, given the Consequential Bills that are proposed and also, given that the Budget has already been passed but these are the issues. I hope the Government will encourage the enforcement agencies to see that fair trading is there and people are paying tax which are reasonable and also the services that they provide must be taken into consideration.

On other things, even Government is renting out some buildings, office accommodation, whether this will also apply and if it applies, then all those businesses that are provided office accommodation by Government also need to be made aware.

With that, Madam Speaker, I do not support the motion that is before the House because of the reasons that I have outlined.

HON. N. NAWAIKULA.- Madam Speaker, the motion that is before the House are the Consequential Bills and the first question that we ask is; whether they are indeed consequential? We are happy with that, unlike last year. The reason why we kicked up a lot of fuss last year was in relation to the land sales amendment which imposes some restrictions on those who buy outside of towns and we felt that that was not consequential. Basically, what we have here relates to the Budget on the increases and decreases. I will be limiting my comments to the Land Sales Act and the Environmental Levy.

Madam Speaker, I am concerned with the Environment Levy and I ask the other side of the House, being in Government to please, take a closer look at this because the definition there says, “the person conducting”. In a lot of these hotels, they contract out a lot of these services. We are assured in this House by the Honourable Attorney-General that that will not happen, but I ask them again, please, relook at this because the tourism operators will try to get away from this and they have been doing so in the last years by contracting out these services. It so happened that the person who will suffer are the locals because a lot of the services that are identified here like travel, transport, water sports, recreational activities are contracted out even to the landowners. So, that is my short comment. Please, relook at that, I know we have been given the assurance that that will not happen but I am just concerned that that might happen.

On the Land Sales (Amendment) Act, I ask the question, why this provision was not there in the first place? It is indeed good that we have a review of provision for those who face hardships, now currently, this had been made to address those who have hardships because of *Tropical Cyclone Winston*. My simple point is that, this should have been there in the first place for a review, whereby people who face hardships, if they want an extension of time, they should be given that. Thank you.

HON. M.R. VUNIWAQA.- Madam Speaker, I have a very short contribution on the Land Sales (Amendment) Act. Basically, Honourable Nawaikula’s question is, why did we not bring this in the first place? Is he not happy that this is here now?

There is an issue in relation to the time limit that has been given to non-resident landowners outside of town boundaries, whereby they have this obligation to build a building within two years. That two years will lapse on 31st December this year and we are now in July. This gives them a real opportunity for genuine cases, as stated by the Honourable Minister for Economy, to be able to lengthen the time, to give them an opportunity to build their homes in Fiji.

Most of these non-residents bought these properties, wishing to come and retire in our country. This is welcomed by Government, which is why we have introduced this provision to allow such non-residents to be given an opportunity to realise their life-long dream.

So, Madam Speaker, this will be welcomed by a lot of non-residents who have bought land in Fiji over the past years, decades for some, but have left their land idle whilst they are working overseas, with a life-time dream of retiring in our country. This is that window of opportunity and it will be a Committee, as stated by the Honourable Minister for Economy. The members will come from different stakeholders who have issues that need to be addressed in relation to the occupation of land outside of town boundaries.

Madam Speaker, for the Ministry of Lands and I believe the Ministry of Tourism and other stakeholders, especially non-residents who are affected by the provision of the Land Sales amendment we passed in December 2014, this is a welcome amendment. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Prem Singh.

HON. P. SINGH.- Thank you, Madam Speaker, I just have a few.

On land sales, I agree with the Honourable Minister that this is a good move. When foreigners or locals buy outside of municipalities, they buy large tracks of land and in some cases, they opt for retirement. Some of them are for sub divisional purposes, where they pay residential lots or to share with their families.

This is a good move because with the subdivision of land, getting approval takes a lot of time and two years is not enough.

There is a Review Committee, unfortunately there are no appeals to the decisions of the Review Committee. We would like to see that happen, so that we are progressing from the two years, the prescribed time to an extension by way of review. I would like to see it extended to one more and that is the appeal.

Madam Speaker, on shop opening hours, this basically deregulates the shop opening hours. There are two zones, one in Nadi and one in Suva, where we have a 24 hour shopping provision and this now extends to the whole of Fiji and not only in towns and cities. That is my understanding and I stand to be corrected on that.

Madam Speaker, in this Bill, one of the striking features is that the shop owners can open their shops subject to the employment conditions as prescribed by the ERP. The employees can even refuse to work on a public holiday, so these are some of the issues that I wish to highlight on that one.

On Excise Duty, Madam Speaker, I agree with the Honourable Minister for Health in increasing the duty on sweetners and fizzy drinks. I would like to see that these increases be directed to the most talked about NCDs programme and how to address them. They need more funding and we debated on this in the last couple of days. The fizzy drinks, this is an issue with our youths in schools, particularly when the cafeteria or canteens that you have in schools sell fizzy drinks, I think this should be removed from schools.

Madam Speaker, the other one is the Environmental Levy. This is in addition to the existing list of businesses that come under the provisions of this allocation and now, we are extending it to minibuses and buses. One of the concerns is, that most of these operators subcontract from the registered companies which are not registered. The Bill, I believe, interprets these businesses as those which are included in this provision are deemed to be registered for environmental levy.

Madam Speaker, in my view, FRCA will have a huge task in monitoring these operators, the ones we are including in this section. I hope that there should be an amendment to this, to allow a grace period of two or three months to let all these operators, the subcontractors or the businesses that come within the ambits of this section to be registered, so that they comply with FRCA. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Matanitobua.

HON. RATU S. MATANITOBUA.- Madam Speaker, I just want to speak on Bill No. 45 of 2016. This Bill once again shows Government's stand towards what Fiji needs. The Appropriation Bill, which was passed by the FijiFirst majority yesterday, is dependent on indirect taxes and extending the opening hours of private companies is a short-sighted view towards making this happen.

Yes, this Bill will open up doors to more opening hours, but it is an exercise to fulfil this, if customers choose not to make use of it. No laws that we pass will ever be able to force customers to spend their disposable income in a certain way. Customers who are also taxpayers still have the ultimate choice whether to patronize these open shops or not.

The Bill says: "Any shop in any area throughout Fiji may operate for up to 24 hours within a day, including public holidays."

The Bill provides some measure of protection for shop assistants to ensure that employment and OHS laws are upheld, but beyond these shallow protections are very real issues for shop assistants that this Bill does not even attempt to look at, despite the big talk about it being needed to modernize.

First of all, we know that generally shop assistants are not that well paid. We know that many of these shop assistants are females, but does this Bill look at the social impacts of more mothers being away from home when family quality time is already at a minimum?

Does this Bill consider the erosion of family and social structures if both working parents are required to be at work for 24 hours and return home tired and unable to spend time with their children, let alone ask, how they are doing at school?

Does the Bill look at other issues that will crop up with both working parents are forced to leave their children under the care of extended family networks or other external parties like neighbours?

Does this Bill consider health impacts and these associated costs of the workers of these shops who will not be given adequate time to rest. They are not machines, Madam Speaker.

Madam Speaker, we on this side of the House, are fully aware and very concerned about the erosion of our social fabric and money is not everything. There will be consequences that this Bill conveniently hides from. This is why this Bill, which is not really a consequential Bill of the budget, should not have come here under Standing Order 51 without more public consultations through a Standing Committee. *Vinaka*, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Alvick Maharaj, you have the floor.

HON. A.A. MAHARAJ.- Thank you Madam Speaker. Madam Speaker, I would like to agree to the fact, to what the Honourable Minister for Health stated this morning that it is very important that we talk on what is in front of us and not just try to bring in whatever we want to bring out of there.

(Chorus of interjections)

HON. A.A. MAHARAJ.- It is my 20 minutes, please

HON. SPEAKER.- Honourable Members, as I have made a ruling that there is freedom of speech, that is the privilege of Members when they speak in Parliament and when we are talking about the budget, it just about covers anything. There is budget implication to just about everything we do.

Honourable Maharaj, please continue.

HON. CDR. S.T.KOROILAVESAU.- Madam Speaker, Point of Order. In the same token, he has the freedom to say whatever he will say when he is given his 20 minutes.

HON. SPEAKER.- He has the freedom to say that, but I do not allow Members to comment on the ruling that I have made and that is the difference. When you have the freedom of speech you can say anything. You may have the floor, Honourable Maharaj, but do not speak on a ruling that I have made.

HON. A.A. MAHARAJ.- Thank you Madam Speaker. Madam Speaker, we have seen people just putting in objections to whatever we have been saying on whatever budget that was presented - objections, objections, and objections!

(Chorus of interjections)

HON. A.A. MAHARAJ.- Madam Speaker, people are fed up of this and everyone know nowadays, just for the sake of opposing that you should not oppose, and if you are opposing, also give solutions...

(Chorus of interjections)

... and the only thing we have been hearing for the past four days are objections.

(Chorus of interjections)

HON. SPEAKER.- You can shout louder now, Honourable Maharaj.

HON. A.A. MAHARAJ.- Someone talked about environmental levy, someone talked about duty, so what about it, Madam Speaker?

(Chorus of interjections)

HON. A.A. MAHARAJ.-What about it?

(Chorus of Interjections)

HON. A.A. MAHARAJ.- Just standing here and saying....

HON. SPEAKER.- Order!

(Chorus of Interjections)

HON. SPEAKER.- Order! Please let us bring respect back into this House. We have other Members, people in the gallery and the nation wanting to hear the budget on this particular Bill. Please give time and space to Honourable Maharaj to say what he wants to say.

HON. A. SAYED-KHAIYUM.- Thank you, Honourable Maharaj.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker. As I was saying, people are just talking, commenting; if you want to put in positive contributions, tell us what can you do, they do not tell us that.

(Chorus of interjections)

HON. A.A. MAHARAJ.- And most of the time, what they tell us does not make sense.

(Laughter)

I have an example, Madam Speaker, of what transpired in this noble House for the past four days. One of the biggest decrease they said was in the FRA Budget of \$200 million, on one side, payment Madam Speaker, the other side, they actually blamed the Government for taking loans. Just on Education for Toppers Scheme and Sugar they said there should be an increase of \$150 million.

And on the other side, a decrease of \$200 million. If we take this *Hansard*, Madam Speaker, and calculate what was the total amount of increment they saved, it will come to more than \$1.5 billion, and if they are saying, we increase the budget by \$1.5 billion, where would they actually expect us to get that money from? That is why I am saying, Madam Speaker, if you want to give in solutions, give in solutions, which are making sense – they have to make sense.

(Chorus of Interjections)

HON. P. SINGH.- I think the Member is misquoting the Leader of the NFP and the motion to increase the sugar allocation was \$50 million, and not \$150 million.

(Laughter)

(Chorus of interjections)

HON SPEAKER.- Honourable Member, please do not abuse point of orders. Point of orders are only raised where the Speaker is able to make a ruling . You are actually commenting on a content of a previous presentation, so that does not qualify other point of orders.

HON. CDR S.T. KOROILAVESAU.- Madam Speaker, can I make a point of clarification here?

HON. SPEAKER.- Sorry, is that a Point of Order?

HON. CDR S.T. KOROILAVESAU.- I am making a point of clarification here.

(Laughter)

(Chorus of interjections)

(Madam Speaker rose from her Chair)

HON. SPEAKER.- Thank you for allowing me to stand, it is good exercise for me anyway, but you may speak on the debate at a later time. This time, Honourable Maharaj has the floor.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker, as I was saying Madam Speaker, where do they actually expect us to get \$1.5 billion from, that they have been actually going on and on that we need to increase this and increase that, the only way we see to actually do that is to take loans. On the other hand, they are opposing that we should not be taking loans.

Madam Speaker, people of Fiji are not living in the 17th century, but the 21st century. They know what is happening and also what is right and wrong for their country. That is why we are on this side and they are sitting on that side

(Chorus of interjections)

HON. A.A. MAHARAJ.- And we are very happy to say that we are covering on this side as well - all coming from this side.

Another example, Madam Speaker. On one side, these people are saying, just blame the tax, it is increasing the price of goods. Nowhere have I heard, Madam Speaker, that people are actually informing the general public that it is not the tax that will determine the price of the goods. There are overseas suppliers' price, delivery costs, quantity that is imported into the country, exchange rates and just blaming the tax is not right.

HON. SPEAKER.- Order!

HON. A.A. MAHARAJ.- People are assuming that they know everything but they do not tell the full facts, that shows that they do not know everything and that is why we actually have to stand and clarify what are the actual issues.

(Chorus of interjections)

HON. A.A. MAHARAJ.- We have to, Madam Speaker, just by decreasing tax would not actually decrease and that is why we have the Commerce Commission in place, which actually promotes competition in the market. So if there is competition in the market, that is the only way to decrease the price of goods because everyone wants to remain in the business.

(Chorus of interjections)

HON. A.A. MAHARAJ.- Why would anyone go and buy from Shop A when he is selling at \$100 and under competition Shop B is selling at \$10.00. It is very simple, Madam Speaker.

Madam Speaker, I urge the Opposition Members to please bring in some form of uniformity. There is a reason for this as well, Madam Speaker. Our Budget was just passed yesterday, we voted 'yes', but they voted 'no'.

(Chorus of interjections)

HON. A.A. MAHARAJ.- Surprisingly, Madam Speaker, after that, everyone knows that the Consequential Bills are supposed to be passed so that the Budget can come into place and can be implemented and when the motion was put to this floor this morning for these Consequential Bills to be tabled, they again voted 'no', it is common sense, Madam Speaker. It is common sense, how can we actually pass the Budget and not the Consequential Bills, just to show the people that you are opposing? You do not oppose!

(Chorus of interjections)

HON. A.A. MAHARAJ.- Yes, this is just like, Madam Speaker, another common example, if a family member orders a cake and I do not want to eat the cake. I oppose the fact that you had ordered the cake but when the cake was ordered and it is there, I actually participated in eating that cake ...

(Laughter)

... and after eating that piece of cake, I still blamed the person who ordered it – “you should not have ordered it”?

(Laughter)

HON. A.A. MAHARAJ.- What is this, Madam Speaker? This is what is happening in this Parliament. Now, that we are actually voting for those Bills to be tabled this morning, they are now standing and opposing it. Now, that they have the chance to speak in front of the camera, they stood up only for the free publicity, they come and comment on this particular Bill, and that is what they have been doing for the past four days.

(Chorus of interjections)

HON. A.A. MAHARAJ.- Another thing, Madam Speaker, they just said on the debate level, they go about two weeks....

(Hon. Member interjects)

HON. M.M.A. DEAN.- Do not say that, do not say that.

(Chorus of interjections)

HON. SPEAKER.- Honourable Members, constant interjections is disorderly.

(Chorus of interjections)

(Hon. Speaker stood up)

HON. SPEAKER.- I am speaking. Honourable Biman Prasad, I am speaking, constant interjections to disturb a Member who is speaking is in itself, disorderly. Now, I would like Honourable Members to refrain from doing that, so that we can hear the Honourable Maharaj. He is our youth representative in this Parliament, and I thank the Honourable Maharaj for his intervention.

(Hon. Member interjects)

HON. A.A. MAHARAJ.- Thank you, Madam Speaker.

As I was saying, Madam Speaker, they go about the two weeks session for budget debate, let me remind them, we had two weeks. Initial budget that was presented in 2014 was two weeks, they opted to move out. Sometimes, they do not come and give a single contribution about the Budget and then they want to come and talk about everything, as if they know everything about the Budget. They opted to move out and we feel one week is enough for us, that is why we have one week.

With those words, Madam Speaker, I fully support all the Consequential Bills that are here this morning.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Thank you, Madam Speaker

In a moment in time, I thought that the Honourable Members on this side will need the assistance of the Honourable Minister's smile and swerves and explanations in terms of the explanations to this august House. Anyway, I will concentrate this morning on the Consequential Bills, particularly Bills 36 and 37 on the Environmental Levy and the STT.

I know my colleague has already spoken on this in terms of omnibuses and minibuses and the Honourable Minister for Economy has already pointed out that it is included in the Bill. However, the question in terms of this particular Bill for omnibuses and minibuses is; why is this Bill not including the public transport? I know that the Bill basically reflects on the tourism industry but why is it that it is not including any other public transportation? We know that at times, tourists also board public transport in their private capacity, but those are exempted from this particular levy in terms of the provision for the Environmental Levy and the STT.

Madam Speaker, while going through the Bills, all these taxes apply to a specific list of service providers. I have not seen anywhere in the Bill that the locals would be exempted, maybe, the Honourable Minister can correct me on this.

So, in this particular case, what I can see here is that, anyone who uses or goes to a hotel is levied the same levy as any other tourist. We have heard in the past few days that some of the Committee Members have to share rooms because of the high hotel rates being levied by hotels. This is specifically for locals, Madam Speaker. Maybe, this is something that the Honourable Minister and Honourable Members can also take into consideration, that all these levies are applied uniformly for any patrons of service providers that are listed in the Bill.

Secondly, Madam Speaker, Bill No. 39 on Water Resource Tax, it says that it increases the levy on Water Resource Tax. Again, I reiterate, Madam Speaker, that this increase in levies will eventually increase the cost to the consumers.

We also note, Madam Speaker, that on Bill No. 36 - Excise Tax, the increases in the fizzy drinks and sweetened goods, the question is; if this is really the target to address NCDs, why do we not include these taxes for fast food outlets because we know that NCDs are also caused by eating fast food? They are basically considered as junk food, for example, noodles, chocolates and probably, McDonalds and burgers in Nadi. So, these are part of the food that also contribute to NCDs. Why are they not included as part of Bill No. 46, Madam Speaker?

Another concern, Madam Speaker, is companies like Paradise Beverages. Why is it that they are not being subjected to the same law as those in the tobacco industry? We know that Paradise Garments sponsors Coca Cola Games but why is it not also applicable to the tobacco industry? It is the same thing in terms of their product. We note that the increases in terms of tax for tobacco and sweetened drinks, but they have given the leeway in terms of sponsorship.

Can that also be reviewed by the Honourable Minister to ensure that everyone is playing on a level playing field, Madam Speaker? Thank you.

HON. SPEAKER.- I now give the floor to the Honourable Dean.

HON. M.M.A. DEAN.- Madam Speaker, I rise on a Point of Order.

The Honourable Biman Prasad made a statement 'that who am I' in this august House. I think he should retract that statement. He is a Member of Parliament, I am also a Member of Parliament. He is paid the same salary as I am being paid, he should retract that statement, except for the fact that he is from a Party which has won less seats than our party. Thank you.

HON. SPEAKER.- Honourable Biman Prasad, would you like to retract that statement?

HON. PROF. B.C. PRASAD.- I do, Madam Speaker.

HONOURABLE SPEAKER.- I now give the floor to the Honourable Netani Rika.

HON. LT. COL. N. RIKA.- Madam Speaker, let me contribute to the debate on the Consequential Amendment Bills 2016.

Madam Speaker, in my Budget speech, I quote the comment made by the Acting CEO Fiji Revenue and Customs Authority, which he said, and I quote; "With this new change, the corporate taxes which is aligned to the 6 months and 12 months of the financial year, so with the money coming to the Government coffers is better aligned."

Madam Speaker, the Fiji Revenue and Customs Authority (Budget Amendment) Bill 2016 amends the Fiji Revenue and Customs Authority Act 1998, to ensure that the Act is aligned with the Government's new financial year, that is the Act comes into force on 1st August, 2016. Let me remind this august House that the Ministry of Finance name change to Ministry of Economy will come into force on 1st August, 2016.

Madam Speaker, let me continue with the Environmental Budget Amendment Bill 2016, which seeks to amend the schedule of Environmental Levy Act 2015. Madam Speaker, the leadership of the current Government in championing climate change issues in the world and of course, in our

region as well. The management concept of JIT is in play, JIT is just in time. As a small island development state, climate change is taking its toll on the Pacific region and to introduce this environmental levy, it just came at the right time.

Madam Speaker, the environmental levy obviously will be used on the environmental damages caused by man-made disasters and all relevant environmental issues. Madam Speaker, this Government, as alluded to by the Honourable Minister for Economy, Government's strategic plan is in place for these changes. It is nothing plucked out of thin air, planning and preparation is vital for the future of this beloved nation. Those businesses that create environmental damages must obviously pay and this environmental levy and will greatly assist the environmental improvement of our nation. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. May I make this small contribution in respect to Bill No. 45, the opening of shopping hours, as already alluded to by the Honourable Matanitobua but I suggest probably to go with this is the monitoring aspect of this, in terms of the Police, they should be able to take up the monitoring aspect of it. This is simply in terms of the nightclubs opening hours till morning and just recently, the accident that happened because it opens the opportunity for black markets to abuse the provision of the 24 hours shopping. I would suggest that just for the public and for the people to be able to have a safe environment for shopping till morning, probably the aspect of monitoring, surveillance and the security measures to be undertaken by the Police Force. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Ratu Nanovo.

HON. RATU. S.V. NANONO.- Thank you, Madam Chair. I just want to contribute to the debate that is currently taking place in Parliament regarding Bill No. 48 of 2016, which is the Foreign Investment Bill 2016. We have already noted the amendments in this Bill, as highlighted by the Honourable Minister for Economy.

My concerns with regard to that Bill, Madam Speaker, is the process taken in obtaining the relevant certificate. It has to come from the CEO, to the Board, then to the Minister. For me, I think why can we not just stop with the Board because within the Board, there are a number of grades in there, the decision there will be quite relevant and transparent, as compared to taking the decision right up to the Minister because that can lead to corruption, nepotism, colonialism and all those things. We just need to stop with the Board. What happens if the Minister is away overseas; the decision that is required will take a bit of time as compared to a decision that will rest with the Board. The Chairman of the Board can just call a number of people who makes up the quorum and a decision can be reached. On that, Madam Speaker, I request that the decision just rests with the Board. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Vadei.

HON. A. VADEI. – Thank you, Madam Speaker. I would like to make a short contribution to the Consequential Bill, Bill No. 38 of 2016, for an Act to amend the Water Resource Tax Promulgation 2008. One issue that the Government needs to relook at is the monitoring part of water safe packaging or production. At production level, the use of water within the factory itself, how will they monitor the number of bottles being packed and whether it is in line with the relevant documentations at the border? How will they comply or how will they tally up in that context?

So, these are some of the issues that we need to address. We welcome the increase but there are some issues that need to be properly supervised and monitored. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister for Education.

HON. DR. M. REDDY. – Madam Speaker, this document here was tabled by the Minister for Economy some two and half week ago, as a Bill in Parliament. Last night, this Bill was passed and it becomes an Act of Parliament. Madam Speaker, today, all Members of this Parliament have to now ensure that this particular Budget which defines the functions of this Government for the next year is supported. The questions that the Members from the other side are asking is for the executive arm of the government. How the water will be measured, or how the tax will be collected, whether we will we get fizzy drinks out of the school systems?

Madam Speaker, all those, we now have to go back. We now have to go back, Madam Speaker, the Honourable Minister for Economy had already met with our Permanent Secretary two weeks ago, to ensure that we start working on this and get to the nitty-gritties. I am meeting with my senior management group on Monday, Madam Speaker. The Permanent Secretary, the Deputy Secretaries and Directors will go over each line item in our Ministry, to ensure that this is delivered. The delivery is a function of the executive arm along with the Ministries, Madam Speaker. Today, we are supposed to pass the Consequential Bills, as a consequent to this particular document that we passed last night. Last night is over, so today we have to go back and start delivering on the mandate of this House, and that is what these Members should understand. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister for Infrastructure.

HON. P.B. KUMAR. – Madam Speaker, I rise in support of the Bill that is before us, in particular the Bill on the shop opening hours. There has been a lot said about this Bill and I would like to clarify a few things.

There has been a statement made that there was no consultation made and that this should be taken back for consultation, which is not true. The truth is, there was consultation. In fact, this Bill had been coming for ages and no one had the will to put this in place.

Madam Speaker, let me make some sense into this debate and put the records straight on the current practice. The current practice is that, if someone wants to open their shop, they will have to write to the respective councils and then the council will give approval with fees. Now it is all gone and it is a choice.

Secondly, on the Workers Right. This Bill also protects the right of the workers and, in terms of the ERP 2007 and Healthy and Safety. So, there is really no issue about the workers, and the workers, if they have any issues, they can always go to their respective labour offices in their towns and cities. So, Madam Speaker, having said that, I support this Bill that is before us. Thank you.

HON. SPEAKER.- Honourable Semesa Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. First of all, I would like to make a comment on the Land Sales (Budget Amendment) Bill. Madam Speaker, I thank the Government and also as being explained by the Honourable Minister for Lands, that the concern that I had raised earlier in my speech is exactly being addressed by this Bill. That concern was the interest of those non-residents who had bought freehold lands and the consideration of the two years period given to them to build houses in those lands they had bought. Most of them were requiring time to be extended but that was not provided for them.

I believe this Bill does provide for an extension and it sets up the Committee, the Committee of which their request could be referred to for a decision to be made on that. That to me, is a positive step, Madam Speaker, because just this morning, I was exactly considering the role that King Solomon had taken in developing Israel and he had taxed the people of Israel so heavily, because of his development. The problem that he had was that, he had forgotten moral consideration but he was concentrating on commercial consideration. But I can see moral consideration coming here and that is why I would like to stand and highlight that because that is the pathway for any nation to build upon. I would like to comment on that, however, Madam Speaker, we will continue to stand over here and rise and make comments on the legislation because this is our laws.

We already talk about the Budget. There is money there and this is the law that we are going to support which will lay the foundation or the bases for the usage of those funds. If we raise our concerns over here, if it is taking into consideration by the Government which is I do not believe, it will be, then it will not affect the fund. The fund will still be there but we are talking on legislation here on the law and we have the right to make comments on those laws as I am standing now, I am making comments on this particular Bill. That is exactly our role here. If we are to comment on the Government for their doing, we are to comment on the Government, if we have reservation, we have to make reservation, we have to air our reservation in Parliament. I think that is the respect that we should have, all of us, in looking at this but I do stand and comment on this piece of legislation and I thank the Government because I can see the moral consideration coming in that. That is all, Madam Speaker.

HON. SPEAKER.- There being no other input, I will now invite the Honourable Minister for Economy to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I will be very brief but I would just like to very quickly address the issues. Honourable Nanovo raised an issue about why should this certification go to the Minister, it is only in exceptional circumstances. At the moment, the practice is that, he gives out the certificate or whoever is the CEO, but if you look at Clause 3, it says;

“If they believe that the foreign investor or business that the foreign investor proposes is directly or indirectly contrary to the national interest of the Republic of Fiji” or if they have gone against the compliance in the foreign investor policy then he needs to escalate it to the Board and the Minister”

So the normal applications are fine. In respect of just some Consequential Bills, Honourable Karavaki actually does have a bottom line impact on the figures because when we actually calculate revenue, the revenue calculation is done based on what tariffs are we increasing, what tariffs are we decreasing and whether we will get more revenue on that because of the new law being passed, it does have an impact. Obviously, not all of them intended but the bottom line is, some of them does have an impact but the budget, as we know also has a general policy direction of the country, so it does have an impact.

Now, some other issues like the residential renting, Honourable Bultavu, you talked about how the other people will be missing out on paying back. We want to encourage ordinary mums and dads and small time Fijian investors to get into residential housing. If someone has built a house, they got two flats downstairs, let them rent it out. If they save some money, let them build another one. All we are saying is that, if the rental income you are gaining is more than \$100,000, that is when you start attracting VAT. Most homeowners in Fiji, even if they have two homes say, in Nadera and they

are renting it out, they will not reach \$100,000. So, obviously these are for the most serious landlords but we also at the same time are encouraging ordinary Fijians to be able to invest in rental housing.

Stamp duties, the reason why we have done that, obviously if you do not necessarily have very smart lawyers like Honourable Nawaikula and Honourable Bulitavu, who can actually obfuscate the rules of transfer, they do a deed of assignment and that is what some lawyers are doing. They do a deed of assignment as you know and they are able to bypass the actual transfer provisions, so it has the same effect in practice but they avoid paying the same duty. This is to capture that and everyone knows that, Honourable Bulitavu.

The Nadi Airport renovation of 105, it probably will go up slightly and neither is being funded by Government nor is it being funded by the departure tax. They have actually gone out and borrowed from Westpac and Westpac is giving them a very good interest rate, so Government is not funding it from its own coffers.

The departure tax actually comes to Government coffers, some small portion of it goes to AFL but the actual renovation per se is being funded through Westpac and they borrowed on their own and we have not even guaranteed that.

Other Airports are being fixed up, as announced in the Budget and we are looking at Seaqaqa, Taveuni of course, is going to get a longer runway. We hope to land the ATR42 and 72s and that is a very important change for Taveuni, so we can get the through put in there.

I completely agree with the housing, with the Lands Sales Act Amendment but is not just as Honourable Prasad said, just driven by one thing, the pricing, of course we know that. It is a whole factor of issues but the reality is, when you have a lot of foreigners being able to buy real estate in Fiji and they normally go for a particular segment of foreigners who go for municipal areas and if they continue accumulating properties, it will push more and more Fijians drought, it will put more and more pressure on residential properties.

That is also one way of addressing that issue, together with the fact that we want them to show commitment to Fiji to invest. They have to, they simply just cannot hold on to the land and simply speculate on the land; they need to be able to invest in Fiji. It does not stop foreigners from buying strata title. The reality of the Committee of course, it does not mean that they will all get an exemption. They have to go through a very thorough assessment, in terms of whether they get the deferment of the building of that.

We have invested quite heavily of course, in Matavolivoli - the land development undertaken by the Ministry of Local Government and Housing. They are carrying out those developments, so it is a multi-pronged approach, we keep on saying this. We have also discussed with the Reserve Bank of Fiji, as I had mentioned earlier on in Parliament to quarantine certain amounts of funds that we can make available for first home buyers at a lower interest rate and we are in discussion with them to be able to give it to various banks. Also, as the Honourable Leader of the Opposition had wanted to increase the \$10 million for first homebuyers. The reality is that, again that is another way of assisting first time homebuyers who are Fijians and live in Fiji and actually are citizens of this country.

Residential rents, for example have been frozen. Residential rents in Fiji are still frozen. Regarding the publication of prices, yes of course, we know that and I think that what the Honourable Maharaj was trying to say that the price of a particular commodity or a particular good that is sold in the market has been imported, is not only impacted upon by the duty. Of course, we know that, but the problem is, what factors do you input to get your final price and what sort of margins are you giving? We are not talking about price *per se*, we are looking at margins. Let me give you a classic

example. It is a requirement by the LTA Act that a person who deals with new cars must actually have a showroom. They must build a showroom. Therefore, all new car dealers have showrooms.

However, when you drive around and see the second hand car dealers, they are somewhere outside the city periphery, it is just outside on the grass. There are no lights, rain, water and whatever comes along, it may deteriorate, so the cost of the capital input for second hand car dealer is far less.

A new car dealer will give you a warranty. A new car dealer has mechanics, apprentices who they need to employ to give you the backup service. They need to have the spare parts, otherwise, they can lose their dealership from Japan or wherever they dealership is from. Second hand car dealers do not have to do that. So the margins that they put in, obviously will be different to what a business that has to make all these capital investments, which they will obviously reap and pass on to the consumer.

The LTA is currently in negotiations with the Japan Export Vehicles Inspection Centre (JEVIC) which addresses issues like what the Honourable Bulitavu raised because we had companies (second hand car dealers) who came in, they used to turn the clock, at one stage we had people bringing in cars that were cut in half, brought in its spare parts, joined it and sold it as one. We have people who come to us and said, "I bought a minibus or a vehicle just six months ago and the engine has fallen out." They have gone off to the second hand car dealer and they have had tough luck.

Madam Speaker, JEVIC will now be involved, JEVIC will certify how old the vehicle actually is - Biosecurity issues, whether there is mud and all of that sort of stuff, so they will do the certification and that will improve the quality of second hand cars that come in. However, we need to be able to ensure that goods in Fiji that are essential to Fijians or where there is a lot of interest, that they are also aware of what are the factors that go in towards the final end price that they do pay. The test over there, Honourable Prasad, is public interest.

I mean, I do not want to give people the legal avenue just to how they can assess that but I am going to leave it at that, I do not give people fee legal advice, but the point is, there are various administrative ways that we can deal with it.

The other issue that was raised was also and I would like to reiterate the Honourable Parveen Kumar's issue on the working hours, if you look at the Act, Honourable Ratu Kiliraki and Honourable Ratu Matanitobua, the amendment that has been carried out specifically says that now, under this amendment, the Employment Relations Promulgation (ERP) will apply to these workers and OHS as was said by Honourable Kumar, but if you look at the ERP and you talked about how it is going to disrupt family life, ERP says that a person can work only a maximum of 48 hours, that is why we put it in there, and there is a restriction.

ERP also says that you cannot work for more than six days in a week. ERP also says that if you do work overtime, you have to be paid the right rates. ERP also says that if you work on public holidays, you are going to be paid double time, triple time, whatever the case is, so that is what we are giving. As I have said, if you refer to the older Act that is very archaic, you said things like, if the shop assistant is a female you must give her a stool, that was the extent of that Act, that is the extent of the OHS. So, this brings about not just modernity into what some people would consider ghost towns. If you go to Labasa, everything shuts down and one of the problems, of course is, that the bus operators do not provide bus services after hours and that is why they shut down and Honourable Bulitavu knows that. What we are hoping we will do is to encourage shopkeepers to open, you may get minibus operators, et cetera, to provide that service after hours and it creates employment. If shops are going to open longer hours, they will have to hire more shop assistants.

It may also tie in with the work placement (the amendment that we brought about where employers get tax deductions), they may hire students who are studying in universities to come and work at night. So this is the thought process behind all of these.

The Environment Levy and STT should not apply to public transportation because ordinary Fijians gets that. We want to be able to target the tourism sector and the restaurants, for example, if you look at restaurants, it is not applicable to all restaurants. It is only applicable to restaurants that have a gross turnover, I think, from \$1.25 million a year, it only applies to them. So, if I go and eat at the Chuchu Kahbus at Terry Walk, I do not pay STT or Environmental Levy but if I want to go and eat at some fancy restaurant in Damodar City or wherever it may be or Tikos, then I pay that. Now, the ordinary Fijian, who is earning a \$100 or \$150 a week is not going to eat at Tikos. They may go once, maybe during a big family occasion but they do not go there regularly. The people who go there regularly are the corporate people, the tourists, the people who have high income levels, so we want them to pay because they are in a way subsidising the ordinary Fijians who have low incomes. That is how the tax structure is working.

I have highlighted VAT, stamp duties, Nadi Airport, I have also mentioned housing, so I think I have said it all.

Madam Speaker, that is my contribution and I move that we now vote on these Consequential Bills which will give effect to the Budget and also bring about a number of modern changes that are required for a modern economy. Thank you Madam Speaker.

HON. SPEAKER.- Thank you. Parliament will now vote.

The question is, pursuant to the resolution of Parliament on Wednesday 22nd June, 2016 and this morning, that the following Consequential Bills be debated voted upon and be passed:

1. A Bill for an Act to amend the Fiji and Revenue Customs Authority Act 1998 (Bill No. 36 of 2016)
2. A Bill for an Act to amend the Environmental Levy Act 2015 (Bill No. 37 of 2016)
3. A Bill for an Act to amend the Service Turnover Tax Decree 2009 (Bill No. 38 of 2016)
4. A Bill for an Act to amend the Water Resource Tax Promulgation 2008 (Bill No. 39 of 2016)
5. A Bill for an Act to amend the Airport Tax Act 1986 (Bill No. 40 of 2016)
6. A Bill for an Act to amend the Tax Administration Decree 2009 (Bill No. 41 of 2016)
7. A Bill for an Act to amend the Value Added Tax Decree 1991 (Bill No. 42 of 2016)
8. A Bill for an Act to amend the Stamp Duties Act Cap 205 (Bill No. 43 of 2016)
9. A Bill for an Act to amend the Land Sales Act Cap 137 (Bill No. 44 of 2016)
10. A Bill for an Act to Prescribe the Opening Hours of Any Shop in Any Area Throughout Fiji and for related matters (Bill No. 45 of 2016)
11. A Bill for an Act to amend the Excise Act 1986 (Bill No. 46 of 2016)
12. A Bill for an Act to amend the Income Tax Act 2015 (Bill No. 47 of 2016)
13. A Bill for an Act to amend the Foreign Investment Act 1999 (Bill No. 48 of 2016)
14. A Bill for an Act to amend the Customs Tariff Act 1986 (Bill No. 49 of 2016)
15. A Bill for an Act to amend the Customs Act 1986 (Bill No. 50 of 2016)

Does any Member oppose the motion?

(Chorus of ayes and noes)

HON. SPEAKER.- There being opposition. Parliament will vote on the motion.

Votes Cast:

| | | |
|-----------|---|----|
| Ayes | - | 32 |
| Noes | - | 14 |
| Not voted | - | 4 |

(There being 32 ayes, 14 noes and 4 not voted, the Motion is agreed to)

SECRETARY-GENERAL.- The following Bills:

1. A Bill for an Act to amend the Fiji Revenue and Customs Authority Act, 1998, Bill No. 36 of 2016;
2. A Bill for an Act to amend the Environmental Levy Act, 2015, Bill No. 37 of 2016;
3. A Bill for an Act to amend the Service Turnover Tax Decree, 2009, Bill No. 38 of 2016;
4. A Bill for an Act to amend the Water Resource Tax Promulgation, 2008, Bill No. 39 of 2016;
5. A Bill for an Act to amend the Airport Departure Tax Act, 1986, Bill No. 40 of 2016;
6. A Bill for an Act to amend the Tax Administration Decree, 2009, Bill No. 41 of 2016;
7. A Bill for an Act to amend the Value Added Tax Decree, 1991, Bill No. 42 of 2016;
8. A Bill for an Act to amend the Stamp Duties Act, Cap. 205, Bill No. 43 of 2016;
9. A Bill for an Act to amend the Land Sales Act, Cap. 137, Bill No. 44 of 2016;
10. A Bill for an Act to prescribe the opening hours of any shop in any area throughout Fiji, and for related matters, Bill No. 45 of 2016;
11. A Bill for an Act to amend the Excise Act, 1986, Bill No. 46 of 2016;
12. A Bill for an Act to amend the Income Tax Act, 2015, Bill No. 47 of 2016;
13. A Bill for an Act to amend the Foreign Investment Act, 1999, Bill No. 48 of 2016;
14. A Bill for an Act to amend the Customs Tariff Act, 1986, Bill No. 49 of 2016;
15. A Bill for an Act to amend the Customs Act, 1986, Bill No. 50 of 2016,

enacted by the Parliament of the Republic of Fiji.

Free Medical Health Check – Parliament

HON. SPEAKER.- Thank you. Honourable Members, we will now suspend the sitting to a break for lunch and before we do that, please, be informed that the medical team alluded to by the Minister for Health and Medical Services has been setup in the Small Committee Room and you are welcomed to undergo free medical health check during the breaks today and indeed I encourage you to make the most of this opportunity. And I thank the Minister for this wonderful initiative, and indeed this has been an ongoing initiative as most Honourable Members would know. Thank you.

Sorry, I forgot that we have had enough time of extended hours, so thank you very much for extending this.

(Laughter)

Pursuant to the resolution of Parliament on Wednesday, 6th July, 2016, the Revised Edition of the Laws Consequential (Amendments) Bill 2016 will be debated and voted upon today. The debate will be limited to one hour. The version of the Bill being debated is the one circulated earlier this morning to Honourable Members, pursuant to the resolution of Parliament this morning. I now call upon the Honourable Attorney-General to move his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on Wednesday, 6th July, 2016 and this morning, I move that the Revised Edition of the Laws,

(Consequential Amendments) Bill, 2016 be debated, voted upon and be passed. Thank you, Madam Speaker.

HON. SPEAKER.- Do we have a seconder?

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

HON. SPEAKER.- Now I call on the Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just the amendments, I would just like to highlight that there is only an amendment of one clause and the consequential numbering that has taken place as a result of that.

Madam Speaker, the Revised Edition of the Laws (Consequential Amendments) Bills, 2016 was tabled here in Parliament on Wednesday, 6th July, 2016, as Bill No. 51 under Standing Order 51, as these amendments are required by the Law Revision Exercise, currently being undertaken by the Solicitor-General's Office.

The purpose of this Bill, Madam Speaker, is to provide the Consequential Amendments in relation to the Consolidation of the Laws in Fiji and related matters.

As mentioned on Wednesday, the Law Revision is the process where written laws are updated and consolidated. This means that all the written laws, including the subsequent amendments, are revised and consolidated and published into volumes of laws which contributes to the advancement of the rule of law.

On the other side, Honourable Nawaikula, Honourable Bulitavu correctly said that the last revision was done in 1985, since then, a period of three decades have lapsed; three decades, Madam Speaker, without any revision or consolidation of Fiji's laws. In that considerable period of time, that has happened in the last revision and the current time, many laws have become obsolete, some have become spent, out-dated, inappropriate and a considerable number of laws have been repealed and replaced by new ones and indeed new laws have been brought into effect.

In fact, Madam Speaker, over 1200 principal laws have come into force since the 1985 Consolidation, including all the Decrees. This is not counting the many regulations of course, Orders and Declarations made during this time. Given the large volume of laws and the length of time that has elapsed since the last Revised Edition of the laws, in order to effectively carry out the process of law revision, according to modern day standards, it is necessary to tidy up these laws to update all the laws with correct cross-referencing, annotations to the historical references of the laws, gender neutrality and an overall modern style of legal drafting.

The amendments passed in this Bill are required to tidy up the laws and make them consistent. They are not new laws. To be clear, it will not change the substance or the intention of the laws but it will update the laws to reflect modern times and to make the laws consistent with each other, so for example, as highlighted the other day, some laws still refer to the Senate when there is no Senate. The need to refer this Bill to the Standing Committee is extraneous as the amendments in the Bill are only Consequential Amendments to the current laws, and are being made as part of the law revision process.

The amendments are not something that need a Standing Committee or require consultations as there are minor amendments to make the laws consistent with other current laws. Under the Revised Edition of the Laws Act Cap. 6, the Commissioner has the powers under that particular Act, under

Sections 4 and 5, to amend the laws without presentation to Parliament, the Commissioner can do so. They do not have to bring it to Parliament.

For example, under Section 5(c) of the Act, Cap. 6, the Commissioner shall make formal alterations to any law as are necessary or expedient for the purpose of securing uniformity of expression.

Under Section 5(o), the Commissioner shall have the power to correct cross-referencing. Under Section 5(p), the Commissioner has the power to correct references to repeal or revoke written laws by replacing such references by references to the substituted written law.

Under Section 5(q), the Commissioner shall make such formal alterations to names, localities, departments, offices and officers, otherwise as may be necessary to bring any written law into conformity with the circumstances of Fiji.

Under Section 5(r), the Commissioner shall make such adaptations of or amendments to any written law as may appear to be necessary or proper as a consequence of any change in the Constitution.

Under Section 5(s), the Commissioner shall do all things relating to form and method which appear to him or her to be necessary for the perfecting of the Revised Edition. This is why, Madam Speaker, the Bill is moved under Order 51 as the Commissioner already has those powers to amend the laws without presentation to Parliament, however, we have chosen to present this Bill in Parliament for the purpose of increased transparency and accountability to confirm the amendment being made as part of the law revision process. A lot of hard work has gone into revising the laws that has been done for a period of time and is a process that is still continuing.

One of the features of the consolidation, Madam Speaker, that is being prepared is the amendments to the law will be annotated to show the history of that particular section so each section, and you can see the old Companies Act or Tax Laws. Many laws in Fiji have been amended and there have been amendments to amendments to amendments. Some of them date back obviously to 1960, 1970, even years prior to that so we will have proper annotations, so where a section has been inserted, substituted, amended, this will be noted under the Section. This will allow the user to look up the historical provision, if required and indeed refer to case law.

There is another reason why I presented the Bill to Parliament and that is, while the Commissioner has the power to revise the laws with the powers *inter alia*, as I previously mentioned, if the Commissioner makes a law revision amendment, no annotation regarding the change is noted. If, however, the change is made through this Bill, the change will be annotated for historical purposes, so that I think, Honourable Members is very important to note, if the Commissioner had done it, there would have been no need for annotations but because it is coming through Parliament, you will then have the annotations, actually the revised edition.

The other Fiji Law Revision, the Law Revision Process, allows us to consolidate the laws. What this means is that, where there is an Act, such as the FRCA Act which has been amended several times, it may be hard to keep track of the correct version of the law. The consolidation would simplify the process as instead of having to review every amendment made to the legislation, the hard work has been done for you and whoever is using it, and the authorised consolidation can be taken as the correct law. For the ordinary Fijian reading and knowing the law is a daunting task if there is a poor accessibility to the law, given the myriad of amendments that have been made to these laws for more than three decades.

In the last consolidation of laws in 1985, there were 14 volumes of laws altogether. There will now be 20 volumes of these, and as I highlighted earlier on, under subject matter.

Consolidation by no means, Madam Speaker, is an easy task. It has been attempted twice before in the 1990s and from 2000 onwards to 2006, but as we are all aware, no consolidation has ever been released to the public.

A team of 30 staff at the Attorney-General's office and Solicitor-General's office have been working tirelessly to review and consolidate all laws, and this requires going back in the history of our laws to ensure that all relevant laws are captured.

In undertaking this exercise we have traced the laws back in time, to as early as the Registration Act of 1879 and in doing so have found several anomalies that need to be addressed, including errors in the 1985 Consolidation as Honourable Nawaikula had pointed out the other day, and those mistakes are being corrected.

The law revision also allows us to align the laws so that they are consistent with each other, with our Constitution being the supreme law, there are many archaic laws that fail to meet the required standard when compared to the freedom and rights enshrined in the Constitution. It is clear that these laws need to be updated but the amendments are not something that would go to Standing Committee, which is why we are moving the amendments through an Order 51 Bill. They of course are consequential and they are there to tidy up the laws.

As without a law revision exercise in the past, all these consequential amendments are contained in one document as it would be extremely burdensome and time consuming for this House to have to pass 227 separate Acts to tidy up these laws. So this is why we have this before us in one particular Bill. It is imperative that the laws of Fiji be revised and consolidated to allow all persons, not only Judges, Magistrates and lawyers, but ordinary Fijians as well to have greater access to the laws and to justice.

Upon the completion of the consolidation of all laws of Fiji, the Fijian Government will also setup a Government website, where all Fijians will be able to access the consolidated laws for free.

The consolidation process, Madam Speaker, was held with the office of the Solicitor-General LexisNexis of Australia, for the preparation of the consolidation. LexisNexis, highlighted the other day, is a leader in legal as well as business research. In the 1970s, LexisNexis pioneered the electronic accessibility of legal and journalistic documents. LexisNexis currently provides other services in Fiji, including the publishing of Fiji Law Reports, providing online services to the High Court of Fiji, providing legal texts, et cetera.

Madam Speaker, it has also been responsible for consolidating laws to international standards. We have had, as I highlighted the other day, 30 staff from the AG's Office were involved and 5 from LexisNexis, we have got the gender neutral terms and just in respect to some of the issues that were highlighted during the introduction of the Standing Order 51, Honourable Nawaikula said normal laws were reviewed every 10 years. He said that there were 20 year gaps in the last revision and he is correct about that. In fact, there has been no laws since 30 years in the entire revision.

There should also be noted that the Forward of the 1985 version of this version, the Forward stated that and I quote, "it is intended for the year 1986 and subsequent years to produce an annual revision of the revised edition". That is what it said in 1985, neither was there any annual revision nor has there even been a decade revision of these laws.

Also, as I pointed earlier on, Honourable Nawaikula stated that there was no reference to Rivers and Streams Act, in this consolidation 85. There is in fact, and I have just pointed that out, the Rivers and Streams, Honourable Nawaikula is not in the Bill before us because there is no amendment to it. So this Bill here just carries out amendments to any Bills as a result of the revision of the laws in Fiji.

While the Commissioner as we said can do these changes, we feel that it obviously needs to be brought by way of an Act of Parliament. Honourable Bulitavu is concerned that people will not be able to know how to use this Bill therefore, it needs to be sent to the Committee. Honourable Bulitavu it is not the Bill per say, it is the law that the people need to know about and the laws will be updated in this version.

Madam Speaker, of course the consolidation has been attempted a number of times. It was Government's ambition always to make the law accessible. For example, it fits in with the Legal Aid Commission. We are setting up everywhere the laws, neither should it in any way glamorise nor should it be seen as some sacred holy grail that sits up there, that is only the lawyers should talk about it. Everyone should be able to talk about it, everyone should be able to access it and they should be able to read it for themselves and this is what this exercise is all about.

And as I also highlighted earlier on, Madam Speaker, is that from now, we do not even have to wait on a yearly basis. The moment, for example once this comes to effect, as soon as these new laws, the Bills we have just approved that become Acts of Parliament just a couple of minutes ago, the laws would be in this version and this will come out in the next couple of weeks and the moment for example if next year this Parliament decides to amend an existing law or introduce a new law as soon as that is passed, is gazetted whoever has this they will immediately get those amendments, you will get instructions to say "refer to tab insurance law for example, remove pages 3 to 7 and insert this there."

That is what will happen so our laws in Fiji will be updated as soon as amendments take place. It will be only be a space of a couple of weeks but of course whatever is available online will be immediately available as soon as the Bill becomes an Act of Parliament.

Madam Speaker, I think we should all support this in this House and we should have enormous support for this because it does bring us into the 21st century; it makes the law lot more accessible; it contributes to the many practical contributions to the rule of law, making law accessible to everyone and we look forward to this red 20 Volumes sitting in front of the Secretary-General to Parliament as it normally used to have with all the revision laws and in front of us over here.

So with that Madam Speaker, I am introducing this motion. Thank you.

HON. SPEAKER.- Thank you. The Parliament will now vote and the question is ...

HON. N. NAWAIKULA.- Madam Speaker, is it a motion or ...

HON. SPEAKER.- Sorry, now Parliament will now debate on this.

HON. N. NAWAIKULA.- Yes, I will be very brief. The position from the side of the House is yes, we understand the need for consolidation, yes, we understand the need for updating and the only point that we raise our objections into is in relation to the process, which is Standing Order 51. We still maintain the need that it should have been referred to a Standing Committee and that is the only reason I hope so that we will be working against this motion.

HON. SPEAKER.- Thank you, it is still open for debate, if any, Honourable Members. Thank you, Parliament will now vote.

The question is: pursuant to the resolution of Parliament on Wednesday 6th July, 2016 and this morning that this Revised Edition of the Laws, (Consequential Amendments) Bill 2016 be debated, voted upon and be passed.

Does any Member oppose the motion? We had not gone through that process yet, I did not know that you are opposing this Bill but now that I know, we will now open the vote.

Votes Cast

| | | |
|-----------|---|----|
| Ayes | - | 31 |
| Noes | - | 12 |
| Not voted | - | 7 |

(There being 31 ayes, 12 noes, 7 not voted, the Motion is agreed to)

SECRETARY-GENERAL.- A Bill for an Act to amend the Revised Edition of the Laws (Consequential Amendments) Bill 2016 (Bill No. 51 of 2016) Enacted by the Parliament of the Republic of Fiji.

HON. SPEAKER.- Thank you we will now move on in our Order Paper.

The Leader of the Government in Parliament to move his motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you Madam Speaker. Madam Speaker, pursuant to Standing Order 22 (1), I move that Parliament adopts the sitting calendar for the period 2016 to September 2017.

HON. SPEAKER.- Is there a seconder?

HON. A. SUDHAKAR.- Madam Speaker, I second the motion.

HON. SPEAKER.- For the information of the Honourable Members, the calendars circulated earlier are for the next session of Parliament beginning with the official opening of Parliament on 12th September, 2016 and ending with a Prorogation on 4th August, 2017 which forms our Parliamentary year. These days have been endorsed by the Business Committee in consultation with the Ministry of Employment, Productivity and Industrial Relations, but may need amendment early in the new session if the public holidays which are yet to be approved by the Executive, clash with any of the proposed dates.

The other dates are the weeks beginning:

- 26th September, 2016;
- 6th February, 2017;
- 20th March, 2017;
- 24th April, 2017;
- 22nd May, 2017; and
- 10th July, 2017.

Please also note that the Budget Address date will be announced during the new session and the July date may move accordingly, but as with the other dates may be amended in the new session accordingly. I now call upon the Leader of the Government in Parliament.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker.

Honourable Members, again, as alluded to by Madam Speaker, this has been discussed and agreed to in the Business Committee. The only point I wish to reiterate out of Madam Speaker's address, is that the Budget Address dates are yet to be confirmed. That is tentative as it stands in the calendar and hopefully in the next sitting of Parliament, Government will come up with a proposed date and, of course, agreed to in the Business Committee. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Members, you may speak if you want to have an input.

(Silence)

Since there is no other input, Parliament will vote on the motion.

(Chorus of noes)

Since there is no opposition, the motion is agreed to unanimously.

Question put.

Motion agreed to.

HON. SPEAKER.- Honourable Members. I have been informed that there is a general consensus between the Party Whips, that there is a need to review Members' remunerations. Therefore, I am allowing Procedural Suspension Motion by the Leader of the Government in Parliament to allow Honourable Sudhakar to move his motion without notice.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, pursuant to Standing Order 6, I move:

That Standing Order 46(2) be suspended to allow Honourable Sudhakar to move his motion without notice.

HON. LT. COL. N. RIKA.- I second the motion.

HON. SPEAKER.- I now call on the Leader of Government in Parliament to speak on his motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- I have no other case to raise but I will just allow the motion to, if the other side of this House, Madam Speaker.

HON. SPEAKER.- Honourable Sudhakar.

PARLIAMENT EMOLUMENTS COMMITTEE – MEMBERS OF

HON. SUDHAKAR.- Madam Speaker, pursuant to the Standing Orders, I move:

That an anonymous Committee be set up to review the salaries of Members of Parliament as provided for in the members of parliament emoluments Decree and the Standing Orders, and that the members of the Committee comprise of the nominations as follows:

- a) Honourable Brij Lal - Chairperson
- b) Honourable Jone Usamate – Member
- c) Honourable Alvick Maharaj – Member
- d) Honourable Salote Radrodro – Member
- e) Honourable Prem Singh – Member
- f) Honourable Alexander O'Connor – Reserve from Government side

g)

HON. M.D. BULITAVU.- Madam Speaker, I second the motion.

(Laughter)

HON. SPEAKER.- Thank you. Because it is being seconded by the Opposition, I will not put it to the vote.

Motion agreed to.

We will go on to the next item in the Agenda. I will call on the Honourable Leader of the Government in Parliament.

ADJOURNMENT

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

That Parliament adjourns until Monday 12th September, 2016 at 10.00 a.m.

HON. A. SUDHAKAR.- Madam Speaker, I second the motion.

HON. SPEAKER.- Since there is no opposition to the motion, I thank all the Honourable Members.

Parliament is now adjourned until Monday 12th September, 2016 at 10.00 a.m. for the official opening of Parliament by his Excellency the President of the Republic of Fiji.

The Parliament adjourned at 1.06 p.m.