

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

MONDAY, 11TH SEPTEMBER, 2017

[CORRECTED COPY]

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MONDAY, 11TH SEPTEMBER, 2017

The Parliament resumed at 9.33 a.m., pursuant to adjournment.

HON. SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable Minister for Fisheries; the Honourable Assistant Minister for Agriculture; and the Honourable Ratu S.V. Nanovo.

MINUTES

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

That the Minutes of the Sittings of Parliament held on Friday, 14th July, 2017 and Monday, 4th September, 2017, 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

New Session of Parliament

HON. SPEAKER.- I welcome all Honourable Members to the first Parliament sitting for the 2017-2018 Session, which is also the fourth and final session for this Parliamentary term.

Acknowledgment of Students and Viewers

We have with us the students from the Salvation Army Nasinu Kindergarten; welcome to Parliament.

I also welcome members of the public joining us in the gallery and those watching proceedings on television and the internet, and listening on the radio. Thank you for taking interest in your Parliament.

RESTORATION OF BILLS TO THE ORDER PAPER

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker. Madam Speaker, pursuant to Standing Order 97, I move:

That the following Bills be restored to the Order Paper:

- (1) Rotuma Bill 2015;
- (2) Rotuma Lands Bill 2015;

- (3) Meteorological and Hydrological Services Bill 2016;
- (4) Land and Water Resources Management Bill 2016;
- (5) Aquaculture Bill 2016;
- (6) Heritage Bill 2016;
- (7) Rights of Persons with Disabilities Bill 2016;
- (8) Forest Bill 2016;
- (9) Reform of Sugar Cane Industry Bill 2016;
- (10) Sugar Cane Growers Fund (Amendment) Bill 2016;
- (11) Code of Conduct Bill 2016;
- (12) Adoption Bill 2016;
- (13) Kava Bill 2016;
- (14) Parliamentary Powers and Privileges Bill 2016;
- (15) Community-Based Corrections Bill 2016;
- (16) Information Bill 2016;
- (17) International Arbitration Bill 2017; and
- (18) Personal Properties Securities Bill 2017.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, this is purely a procedural motion. I have highlighted the 18 Bills that are before Parliament and, of course, with the various Committees as allowed under Standing Order 97(1) that, and I quote:

“A Bill that lapses due to prorogation before it has been passed may proceed in the next session at the stage it had reached in the previous session by resolution of Parliament restoring the Bill to the Order Paper.”

That is basically what the motion is all about, Madam Speaker, and I seek the endorsement of this honourable House. Thank you.

HON. SPEAKER.- Thank you. I invite any comments, if any?

There being none, Parliament will now vote.

Question put.

The question is that:

Pursuant to Standing Order 97, that the following Bills be restored to the Order Paper:

- (1) Rotuma Bill 2015;
- (2) Rotuma Lands Bill 2015;
- (3) Meteorological and Hydrological Bill 2016;
- (4) Land and Water Resources Bill 2016;
- (5) Aquaculture Bill 2016;
- (6) Heritage Bill 2016;
- (7) Rights of Persons with Disabilities Bill 2016;
- (8) Forest Bill 2016;
- (9) Reform of Sugar Cane Industry Bill 2016;
- (10) Sugar Cane Growers Fund (Amendment) Bill 2016;
- (11) Code of Conduct Bill 2016;

- (12) Adoption Bill 2016;
- (13) Kava Bill 2016;
- (14) Parliamentary Powers and Privileges Bill 2016;
- (15) Community-Based Corrections Bill 2016;
- (16) Information Bill 2016;
- (17) International Arbitration Bill 2017; and
- (18) Personal Properties Securities Bill 2017.

Does any Member oppose the motion?

(Chorus of noes)

There being no opposition, the motion is agreed to.

Motion agreed to.

HON. SPEAKER.- I now call upon the Honourable Prime Minister to move his motion.

DEBATE ON THE ADDRESS BY HIS EXCELLENCY THE PRESIDENT

HON. J.V. BAINIMARAMA.- Madam Speaker, I move:

That this Parliament thanks His Excellency the President for his most gracious Speech.

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

HON. SPEAKER.- I now call on the Honourable Prime Minister to speak on his motion.

HON. J.V. BAINIMARAMA.- Madam Speaker, I rise to thank His Excellency the President for his most gracious Speech on 4th September, 2017 in formally opening the 2017 Session of Parliament.

Madam Speaker, I thoroughly endorsed what His Excellency set out for this Parliament and I stand ready to answer his challenge to remain committed to the policies and principles that shape the future direction of this great nation, and above all, to uphold the rights and ideals fitting into our Constitution.

My Government has never faulted in living up to that challenge. Commitment to the truth has been unwavering. We always sought to do what was right and never what was only easy. We have always sought to make life better for every Fijian and we have never strayed from that mission. We have never let any of the differences that make up our society dictate our priorities. We have never allowed ethnicity; we have never allowed provincialism; socio-economic status or religion, to exclude any Fijian from the progress we have made and, Madam Speaker, we never will.

I share the pride that His Excellency expressed through our Constitution and as Prime Minister, my actions are guided everyday by what is demanded by our supreme law and every Honourable Members of this Chamber must always try to live up to the noble ideals enshrined in that sacred document.

Just last week, Madam Speaker, we held our Constitution Day National Celebrations in Lautoka and I would like to extend a very gracious *vinaka vakalevu* to everyone who came to celebrate our Constitution, in particular, our school students and young Fijians. Madam Speaker, in his Speech, His Excellency read out our legislative agenda for this Parliamentary Session. The new laws will be introduced and the existing laws, we will review. That agenda, Madam Speaker, encompasses every facet of the Fijian economy and will advance us along the path of unrelenting progress my Government has charted for Fiji over the past decade. Every action we have taken and every action we plan to take, every policy, reform programme and dollar of expenditure; all working towards a similar goal of building a better Fiji and a better future for every Fijian.

In the year ahead, we will bring more opportunity into the lives of our people. We will grow every Fijian's role in our development and as we are projected to record our 9th consecutive year of economic growth, that agenda will ensure the prosperity reaches every corner of our islands, but for all that to happen, we need to be able to build up our nation on a secure foundation, confident that the progress we make is protected. That is why I feel compelled to, once again, explain the overriding importance of our mission in Bonn, Germany this November, as we prepare to lead the global negotiations on the climate change as President of COP23.

I have spoken before in this Parliament on many occasions on the critical importance of this responsibility. The community of nations has entrusted to Fiji as we prepare to serve as COP23 President. I will explain in great detail the nature of the threat facing our planet and how we, in the Pacific, share an extreme vulnerability to the impacts of climate change.

I have urged that we give this issue an issue that strikes at the heart of the security of our people our full attention in the highest priority because make no mistake, the fight we have ahead of us is a fight for our lives, for the very survival of every Fijian, every Pacific Islander, and ultimately every global citizen.

Madam Speaker, that has been made brutally clear these past few weeks as *Hurricane Harvey* dumped massive amounts of rain on the State of Texas in the United States, causing widespread flooding and billions of dollars in damage and now as Category 5 *Hurricane Irma* is ravaging many of our fellow small island States in the Caribbean and devastating in the South-East of the United States. Madam Speaker, I ask that we remember our Fijian students who are studying medicine in Cuba and please keep them in our prayers as well.

I feel deeply for the people in the path of these cyclones. I have watched those events unfold with great empathy along with every Fijian because due to the vast devastation of *Cyclone Winston* last year, we Fijians know better than most that the trauma and heartbreak the changing climate can cause and can be brought to anywhere in the world at any time.

Madam Speaker, that is why I have said on many occasions that I have taken up this COP Presidency for every person on earth. I have taken up this responsibility because no corner of the planet will be spared the fury of climate change and climate vulnerable people the world over are crying out for help – our help. I have taken up this Presidency because we are approaching a crossroads that will determine the destiny of this planet. If we are to avoid events like *Winston*, *Harvey* and *Irma*, if we are to stop communities and in some cases entire countries from slipping beneath the waves, then we need to jolt the industrialised world into action to reduce carbon emissions and spare us the worst effects of climate change. That is why I have asked even the extreme threat we face that we are not to make our Presidency a political issue because this is not the fight for anyone party or anyone community. It is a fight for Fiji; it is a fight for the Pacific and every person on earth, and every nation on earth and the world has given us the Fijian people the enormous responsibility of leading that fight at COP23.

So, imagine my disappointment, Madam Speaker, when again, we have seen certain Honourable Members of the Opposition have the audacity to doubt my Government's sincerity on this issue and doubt our commitment to addressing this crisis.

While I have spent my time building our consensus for decisive global action and going directly to the Fijian people to bring their voices to the full fore front of this global campaign, what have we seen from the side of the House? Faulty statements and political points scoring and I will gladly defer the Fijian people on what they believe is a better demonstration of sincerity and a bold and consequential leadership. I will gladly defer to the Fijian people because I know they understand the importance of this campaign, even if the Opposition does not because they are on the front lines of our climate change. They are living through the storms and depressions, they are watching their crops wither and dying due to encroaching seawater and they are watching communities they have called home for generations steadily be eroded by the rising seas.

I know they see the tremendous push that my Government is making to advocate their best interest abroad and they see their work to adapt our communities to the climate impacts already in our shores and prepare for the storms we know are headed our way. They see the schools, health centres and other infrastructure that we are reconstructing to a far higher standard to withstand severe weather. They see entire communities we are relocating to protect them from rising seas, they see the seawalls we are constructing. Our farmers see the benefits of the resistant crops we are providing and our outer island communities see the importance of the renewable energy sources, such as the solar we are delivering.

Madam Speaker, the experiences lived out across our islands by Fijians feeling the brunt of climate change, their stories, their heartbreaks and their struggles. In the midst of it all, their spirit of resilience will be brought with us to Bonn during our presidency. That is why I have gone to Fijians at every level of society to explain what I am doing as COP23 President and why it is so important.

Soon we will be publishing a detailed leaflet explaining our presidency, explaining the significance of COP and the entirety of this global campaign to stave off disaster for our planet. It will be published in all three languages and I appeal to all of our people to read this leaflet, talk about it and share it with your friends and your families.

Later this month, we will also be holding a weekend of prayer for our presidency through our churches, our mosques and our temples, and I hope to see as many of our people in attendance as possible. It will be our chance to come together as a nation, to pray for Fiji and pray that we bring this issue the attention it deserves. We need the comfort and conviction of the Almighty in this endeavour, because we have an enormous obligation to fulfil for ourselves, for our neighbours and every vulnerable nation in the world, and we cannot afford to fail.

I have said many times, Madam Speaker, this presidency is not Fiji's alone. This is a mission we share with every nation in the world, especially with our fellow small island States, and when we go to Bonn, we go with the support to give our collective voice the greatest possible impact. If we do this well, not only will we spare our planet, we will take Fiji to an entirely new level of global trust and recognition. We will have shown courageous leadership at a time history will never forget and as a first small island nation to ever hold this presidency, we will pave the ways for others to be granted the same responsibility in the years to come.

So, Madam Speaker, we will not be deterred in our leadership on this critical campaign. We will not be deterred abroad as we rally the international community to our course and we will not be

deterred at home as we carry out the vital work that every Fijian knows must be done to secure our future. In that aim, tomorrow, I will be travelling to Montreal, Canada to attend a Ministerial Dialogue on Climate Action and meet with the Canadian leadership, to rally support for our agenda at COP23. Then I will go on to the United Nations (UN) General Assembly in New York City, where I will attend the UN Climate Week and meet some of the world's most influential leaders of business, states and cities, to discuss opportunities in clean economic growth and attend a leaders' dialogue on climate action.

In my capacity as COP23 President, I will be seeking to grow the grand coalition that we will lead to Bonn in November, to seek full implementation of the Paris Agreement.

Madam Speaker, I must make clear that this work is not on behalf any one community, any one religion or any one ethnic group. It is for every man, woman and child who calls our Fiji home and the same can be said of every piece of the legislative agenda His Excellency the President outlined when opening this Session.

Madam Speaker, what we have achieved for Fiji in the past term of Parliament through the FijiFirst Government and prior to that under my Government, the Bainimarama-led Government has made our country stronger and a better place to call home.

It has given every Fijian a greater chance of realising their full potential and it has paved a way for a Fijian society that rewards on the basis of merit and achievement and nothing else. So the next generation can pick up the ball and take themselves and Fiji as far as their abilities will carry them.

Madam Speaker, I am very proud of what we have achieved but the Fijian people do not need to hear from me on how well we are doing, our success is all around them. It can be seen in the development that is underway all across Fiji; the roads, the bridges, the health centres and the schools. It can be seen in the special effort my Government makes to cater for those in need and cater for those in the remote pockets in our country and it can be seen in the opportunities available to our children, opportunities that parents once only dreamed of having for themselves. The tide has carried us to eight constructive years of economic growth and has lifted every Fijian, regardless of their social status, regardless of where they call home, regardless of any of our difference; whether it be gender, religion, ethnicity or physical capability.

While I have had the privilege to lead us down this path of progress, like everything in life, our success is owed to the many rather than the few, and it is owed to the team of leadership that has guided our nation and made us what we are today. As I announced, Madam Speaker, when praising the bold vision of our latest national budget, I will lead FijiFirst into the Elections next year and my right hand now, Honourable Attorney- General and Minister for Economy, will be by my side. United by our passion for our people, united by our patriotism and united in our belief in the great potential of our nation.

After 10 years of loyalty to team Fiji, 10 years of progress and 10 years of sound and effective financial management, together we are going to keep Fiji moving forward. We are going to keep us united as one nation and one people, and we are going to prevent Fiji from taking a single step backward into the past. We will adhere to the noble principles set out by His Excellency when opening this Session and we are going to adhere to the same matter that has guided us to this day - teamwork, because every Fijian knows just as a rugby team cannot win without a strong leader and team players, neither can a government succeed and FijiFirst is a proven team with a winning record.

(Chorus of interjections)

HON. J.V. BAINIMARAMA.- We have two patriots in our line-up.

We have put in the hard-yards to build the Fiji we know today and we have a clear and consistent game plan to take us into the future. We are nothing like the rebels across from us, they are not a team at all. They have proven that they cannot govern themselves, let alone govern a country. That is why they failed back in 2014, Madam Speaker, and that is why they will fail again in the next Elections; no team work, no vision and no chance at bringing our people the future they deserve.

My Government, under the leadership as a solid record of achievement that every Fijians can see with their own eyes, and we have a plan that goes beyond winning the next Elections. That plan and that vision, Madam Speaker, is to keep transforming our beloved Fiji from a developing country into a modern nation State, and to guarantee the prosperity and security of our children, our grandchildren and generations of Fijians to come, and on that journey, we are taking every Fijian with us, even the Opposition, we will be taking them with us too. Yes, you can be part of that too, even if my personal vision is to keep you exactly where you are.

(Laughter)

But in all seriousness, Madam Speaker, I do hope that those in the Opposition have taken His Excellency's words to heart because they have certainly fallen well short of his challenge in these past four years and no one sees that more clearly than the Fijian people, the men and women I live my life to serve and who I will continue to represent to the best of my ability.

I appeal to all of us in this House to heed the words of His Excellency the President and put our nation first. To always do what is best for our country, to respect each other and respect the interest of every Fijian. Remember, at all times the eyes of the nation are upon us, the Fijian people look to us to look out for them. They look to us to be inspired and they look to us to set the tone for the next generation. So let us not doom our children and our children's children, to the same tire debates along the lines of ethnicity, religion or any other source of communal division.

Let us focus on the real issue, the real problems faced by ordinary Fijians. My Government always has and we will always will, and it is sad to see that the Opposition is still shackled to the dirty politics of communalism and antagonism.

Madam Speaker, I have always held firm faith in the judgment of the Fijians people and as we look to next year, I have every confidence that they will, again, choose our vision over the divisiveness on that side of this Chamber. I stand ready to serve and ready to take Fiji into the future.

Madam Speaker, I commend His words to the House and thank His Excellency for his wisdom and guidance. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I will now call on the Honourable Rosy Akbar to take the floor.

HON. R.S. AKBAR.- Madam Speaker, the Honourable Prime Minister, Honourable Members of Parliament, our visitors in the gallery: *ni sa bula vinaka, namaste, assalam*, and a very good morning to you all. I am honoured to rise today to express my wholehearted support for the speech delivered in this august House by His Excellency the President of the Republic of Fiji on the occasion of the opening of this Parliament 2017 Session.

Madam Speaker, as always, His Excellency addressed the House with dignity and wisdom. I congratulate and thank him for demonstrating his unwavering faith in Fiji, his respect for what we, as a nation, have achieved and his support for our commitment to offer our people the best we can, for Fijians deserve no less, Madam Speaker.

Madam Speaker, His Excellency noted that at the time he spoke, Fijians across the country were preparing to celebrate the Constitution Day, when we come together to mark the anniversary of our Constitution passing into law. And I was delighted to join the Honourable Prime Minister and many others, who commemorated that auspicious day in Lautoka last Thursday. Madam Speaker, I know there were similar celebrations across the country.

Madam Speaker, our Constitution is the rock on which our democratic society is built. It is broad in its scope and bold in its ambition, but as His Excellency himself observed, and I quote: "The Constitution gives us a way to live together, to govern and to make decisions." During the course of last week's commemoration in Lautoka, I also listened with interest to two of our school students, who spoke about what the Constitution meant to them.

Deepsha Lal, a year 12 student of Penang Sangam High School reminded us that our Constitution guarantees equality among all citizens, that the rights, privileges, benefits, duties and responsibilities of citizenship are shaped by all Fijians. In a similar vein, Aliha Nisha, again a year 12 student of Xavier College highlighted that a fair country, whose people are pleased with the order of things, will be more productive and will be on a fast track towards development.

Madam Speaker, those were indeed wise words from our youth, who represent the future of our nation. They are also words which reflect the principles of fairness, equity and partnership between the Government and the people, which also guides the workings of our country and also the workings of our country's health system.

Madam Speaker, I am sure I do not need to remind Honourable Members of this House that our Constitution enshrines the right to health for all Fijians. It requires the State to take reasonable measures within available resources, to afford all our citizens the right to health and to offer them access to facilities and services that need to realise that right.

In setting out the right to health, the Fijian Constitution echoes the broader global vision of universal health coverage. Madam Speaker, Universal Health Coverage (UHC) is at the heart of the global development agenda. It means, ensuring that all people obtain the health services they need without suffering much financial hardships when paying for them.

The Sustainable Development Goal Number 3 (SDG3) requires that countries achieve universal health coverage, including financial risk protection; access to quality essential healthcare services; and access to safe, effective, quality and affordable essential medicines and vaccines for all. Madam Speaker, I am pleased to note that Fiji has already made great strides towards the goal of Universal Health Coverage.

I believe we sometimes fail to acknowledge exactly what we, as a nation, have achieved. We have an extensive network of hospitals, health centres and nursing stations. They are staffed by committees, skilled doctors, nurses and other health professionals. As a result, any Fijian, rich or poor, can have access to these essential healthcare.

Madam Speaker, I know that some people seek to criticise our health system and I acknowledge that, but like any government service, there will always be scope for us to do better. We cannot relax in our efforts to improve our systems and services but, Madam Speaker and

Honourable Members of this august House, I ask you to reflect on the fact that all Fijians enjoy universal free access to basic healthcare and there are many, many countries and some wealthier than ours, where this is still a dream, a remote prospect.

To just take a couple of examples, we often look enviously at our friends and neighbours in Australia and New Zealand, but we should remember that in Australia, it is not uncommon to wait for a week to get an appointment to see a general practitioner. And in around one in five cases, that visit results in the patient having to pay a fee. Likewise, a recent report indicated that New Zealanders can face charges of up to NZ\$69 when they visit a general practitioner. In comparison, Madam Speaker, we are doing remarkably well.

Madam Speaker, this month also marks another anniversary which is of great personal significance to me, it marks one year since I had the honour to be appointed as Minister for Health and Medical Services. It has been a year that has brought both, challenges and rewards.

Perhaps, my most compelling realisation during the past 12 months has been the scale of challenges Fiji faced due to the growing epidemic of Non-Communicable Diseases (NCDs). Of course, I was aware of NCDs before I took up my current role. I had listened to speeches, heard the rhetoric and seen various messages put out by the Ministry of Health and Medical Services.

What has changed, Madam Speaker, however, is my appreciation of both, the scale and the urgency of the threat posed by NCDs to our people. NCDs are undoubtedly one of the major challenges confronting the health system in Fiji and around the world. Due to NCDs, we face the very real prospect of a reversal in the steady increases in life expectancy that have marked our development as a nation. For the first time, we may find that our children's lives are, on average, shorter than ours. That would be a tragedy and it is one which each one of us must play a part in avoiding.

Madam Speaker, the relentless growth in NCDs can be stopped and even reversed, if each one of us:

- takes responsibility for our health;
- commits to eating the right food in the right quantities;
- avoids excessive use of alcohol;
- stops smoking or better still do not start; and
- takes regular exercise.

It can be done and we all have a part to play.

Madam Speaker, NCDs have been rightly described as lifestyle-related diseases. To tackle them, we need lifestyle-related actions. My Ministry is committed to offering leadership and guidance in the fight against NCDs. We will work in collaboration with the public, private and non-governmental sectors to inform people of the risks of NCDs, to explain how those risks can be minimised and to help make healthy choices easy choices. But again, Madam Speaker, it is up to each and every Fijian to make those choices, to choose health, not a life blighted by NCDs.

Madam Speaker, tackling NCDs will help Fijians enjoy better, healthier and longer lives. It will also lessen financial burdens placed on our health system, and enable us to reinvest funds to expand services in other areas.

Madam Speaker, we are investing to improve our hospitals and to improve public education about a wide range of important health issues. We are recruiting more doctors and nurses to deliver

more and better care in rural areas. We are also engaging and reaching out to our communities through the training of a network of community health workers. It is not only about bricks and mortar and machinery, it is also about training staff, basic awareness, and also about values and health education.

Addressing communicable diseases and environmental health concerns are also high priorities, as is strengthening our emergency preparedness and response capabilities. Madam Speaker, in that context we are working together towards enhancing our surveillance capabilities and developing a stronger multi-sectoral approach to risk management.

Of course, Madam Speaker, a good health system also requires a strong legislative basis and with that in mind, last week, His Excellency the President pointed to the fact that Parliament is expected to consider changes in laws on public health and quarantine. We will seek to ensure that our legislation in those crucial areas is consistent and contemporary best practice, and protects the health of our population while minimising the regulatory burden on our society.

Madam Speaker, the memories of the devastation caused by *TC Winston* is still with us. Events such as that, create challenges for our health system, and we know that climate change, if it is not slowed, will make such events more frequent and more severe. That is why the climate change agenda and Fiji's leadership role at COP23 are of crucial importance to the health of our nation.

Climate change, as we all know, also poses a great challenge to our nation and the world alike, as it has an impact on health in terms of coastal erosion, supply of drinking water, food security and increases in temperatures. The way of life of our coastal population, Madam Speaker, is also at stake and it is only logical and a moral obligation to bring these issues to the attention of the global community.

Earlier this year, Fiji was honoured to host two visits by Dr. Tedros, prior to his recent election as the new Director General of the World Health Organisation. Following his appointment, Dr. Tedros has identified the health impacts of climate and environmental changes as one of his five priorities for WHO. Fiji will be proud to stand alongside him in addressing that priority.

We currently also have the honour to serve as a member of WHO Executive Board, where we are well-placed to support Dr. Tedros's efforts. Madam Speaker, planning is also underway for a special Health Action Day at COP23 where our Honourable Prime Minister and Dr. Tedros are expected to share a platform to advocate for this vital issue.

Madam Speaker, I can assure this House and the Fijian people that the Ministry of Health and Medical Services is focussed on delivering all the priorities of the FijiFirst Government and striving to support every Fijian in meeting their aspirations for health and healthcare. As His Excellency told us in his Address, and I quote: "Education, health and welfare benefits have been expended as never before".

Madam Speaker, a healthy nation is a productive nation and productivity holds the key to continued economic growth for Fiji, which in turn means better standards of living for our people, a healthier Fiji is also a wealthier Fiji.

Madam Speaker, investment in our people's health is key to our development as a nation. That is why every day, we must work to build a healthier Fiji and every day, we seek to honour the Honourable Prime Minister's pledge that we will leave no-one behind.

In concluding, Madam Speaker, I must also express thanks, on behalf of the Fijian people, to all those who contribute to the successes of our health sector. Firstly, I would like to offer thanks to all the staff in my Ministry, whose hard work and dedication is so fundamental to meeting our population's health needs, whether they are doctors, nurses and other health professionals working at the frontline of service delivery, or they are behind the scenes, ensuring that meals are cooked for the patients, salaries are paid and budgets are managed, their contributions are all vitally important and I thank them on behalf of all the Fijians.

Madam Speaker, I would also like to acknowledge and thank the many NGOs, civil society organisations, faith-based organisations and individuals, who deliver services and manage programmes in many different areas. Their support ranges from the provision of visiting teams to carry out complex surgical and other procedures, to delivery of the best clinical services in remote communities and advocacies in areas such as, prostate cancer, screening, rheumatic heart disease, to just name a few.

Madam Speaker, it would also be remiss of me not to express my sincere appreciation for the part played by our bilateral development partners, including the Governments of Australia, China, India, Japan, Korea and New Zealand. We also benefit greatly from the support of our colleagues in various UN agencies and other multilateral bodies such as, the SPC.

Madam Speaker, last but by no means least, I stand here to express my thanks to His Excellency the President. I also thank him for his strong and consistent support in his capacity as our national champion for the reduction of NCDs. I cannot express how much His Excellency's contribution in this vital field means to me and my Ministry.

Madam Speaker, I am extremely proud to have been given the responsibility to lead the Government's work in the vital field of health. I appreciate the opportunity to convey to the House, some of the details of the Ministry's work to improve the lives of our fellow Fijians, and I recommit myself to working even harder in the months ahead, to deliver the vision of a healthier and happy Fiji in which no one is left behind.

With those words, Madam Speaker, I commend His Excellency the President's Address to the House.

HON. SPEAKER.- I now give the floor to the Honourable Veena Bhatnagar.

HON. V.K. BHATNAGAR.- Madam Speaker, the Honourable Prime Minister, the Honourable Attorney-General, the Honourable Leader of the Opposition, the Honourable Leader of the National Federation Party and Honourable Members of the House: a very good morning, *ni sa bula, namaste* and *asalam walekum*.

At the outset, I would like to thank the Almighty to have given me this opportunity of serving my fellow Fijians through my membership of this honourable House and in particular, in my capacity as the Assistant Minister for Women, Children and Poverty Alleviation.

Madam Speaker, I would like to very humbly thank His Excellency the President of Fiji for his valuable Address at this august House last Monday. It was, indeed, a timely Address, just a few days before the 2017 Constitution Day with acclimation references to the Fijian Constitution.

Madam Speaker, it is a privilege for me to be serving within a system guided largely by our Constitution, as revolutionary and as sound as ours. Having said that, it was also a great pleasure for me to be part of the Constitution Day Celebrations in Lautoka last Thursday. The huge turnout of

men, women and children from all walks of life, apart from the Honourable Members of Parliament and the invited prominent figures of Fiji at the Celebrations speaks volumes of the appreciation we, as Fijians, have for the Constitution that guarantees equality at every level.

Madam Speaker, just like the provisions of the Fijian Constitution, the Fijian Government led by our Honourable Prime Minister, has meaningfully and significantly addressed the issues of inequality in our beloved nation. As we embark on the beginning of the last year of this Government in Parliament before the next General Elections, I find this to be an opportune time for me to thank and congratulate the Honourable Prime Minister for his visionary leadership is steering Fiji forward with the best efforts to leave no one behind.

Madam Speaker, I also take this time to thank all Cabinet Ministers and Honourable Members of Parliament for the wonderful work that has been done thus far, and I wish us all the very best in continuing on this journey to make Fiji the way the world should be. We may have had our difference in approaches and ideologies but at the end of the day, it has all been about getting the work done.

Madam Speaker, in my term as Assistant Minister for Health and Medical Services and now as Assistant Minister for Women, Children and Poverty Alleviation, the one thing I had close to my heart is that we, the elected leaders of our nation, coming from different backgrounds, different Parties and different outlooks, have to have one common cause, which is the wellbeing of all Fijians. Issues affecting our people need to be on all our agendas, in and outside Parliament.

As Fiji prepares for the next election, it is my humble request to all current and aspiring political leaders to understand this concept of leadership. Simply put, united we stand, divided we fall. Collective efforts can bring about greater change in our society, than in individual, on its own.

Madam Speaker, as Assistant Minister for Women Children and Poverty Alleviation, I was interested to progress the work on the welfare of people living with disabilities. The part of His Excellency the President's speech that most struck me was when he said; "I am especially proud of the stand my Government has taken to protect the most vulnerable among us and to bring them into the mainstream. It is not enough to assist the elderly, the sick and the disabled. We must end their isolation from society and give them a place at the table."

Madam Speaker, I could not agree more. The Fijian Constitution guarantees equal rights to members of this segment of the Fijian population, and rightly so. They are Fijians after all, they deserve the respect, the dignity, freedom, opportunities, accessibility and care that every other Fijian deserves. It is not only their constitutional rights, but also their human rights.

Cultural Anthropologist, Margaret Mead writes, and I quote:

"If we are to achieve a richer culture, we must weave one in which each diverse human gift will find a fitting place. If we are to achieve a richer culture, rich in contrasting values, we must recognise the whole gamut of human potentialities, and so weave a less arbitrary social fabric, one in which each diverse human gift will find a fitting place."

Madam Speaker, we, at the Ministry, had reason to celebrate during the last Budget announcement. For the first time ever, we received a budgetary allocation to meet the needs of persons living with permanent disabilities in the form of the \$90 per month disability allowance. As we speak, the programme is embarking on its rollout stage after a proper capacity building training of current Welfare Officers, to make sound assessment of applications and understand the standing operating procedures to effectively serve our clients.

Our initial targets are those recipients under the Poverty Benefit Scheme, Social Pension Scheme and the Care and Production Allowance Scheme, who may need to be transferred under the new programme. Steadily and simultaneously, we aim to begin processing new applications under the programme to ensure no persons living with disabilities, who deserve the allowance misses out.

Madam Speaker, in my contribution to the Budget address in July 2017, I had mentioned that we will create as much awareness on the programme as possible. Since then, we have banked on outreach initiatives of the Ministry, to take the message across as to many Fijians as possible.

Last month I had the wonderful opportunity of accompanying the Honourable Minister for Women, Children and Poverty Alleviation, the Honourable Minister for Fisheries and a team of nearly 40 Ministry staff and approximately 40 other stakeholder service provider officials to the beautiful Lau Group. It was quite an experience, I must say, and surely a reestablishment of my understanding of what difficulties and challenges our people living in their own remoteness, face on a day to day basis.

Madam Speaker, Stella Young, a woman living with disability said; "My disability exists not because I use a wheelchair but because the broader environment isn't accessible".

It is the same concept as the equality and equitable relationship. We can provide equal opportunities to everyone but if we fail to create an equitable environment for the vulnerable, the equal opportunities are pretty much useless.

Accessibility in the remote areas is a huge obstacle in itself for every person living in these areas. For the vulnerable groups like people living with disabilities, the elderly and women, this obstacle is even further compounded. We all know what the common challenges would look like and it is only fair that we, as service providers, take our services to the people who cannot come to the service providers to get help, especially the help that they are entitled to.

The tour of the Lau Group was an opportunity for me to see first-hand, the remarkable work the Ministry staff were doing in raising awareness about their programmes and providing on-the-spot assistance to those who were in desperate situations, exactly how the Disability Allowance Programme should be rolled out with ease and with pace, for the benefit of the applicants.

Madam Speaker, I wish to reiterate that under the commitment of the Fijian Government to ensure equality for all, the proceedings of this august House has become available for the people with hearing impairment. And it is my plea to all service providers, to ensure the interpretation service is available from them for their customers and clients with hearing impairment.

We must also pledge as national leaders that what we commit in service should be communicated to all persons living with disabilities for they need to know that they are accepted, and I am very much a part of our plans for nation building.

Also, under the facilitation of the Fijian Government and in partnership between Government and the Indian High Commission, an engagement with the Sahyadri Speciality Pacific Hospital Ltd., was possible under this collaboration, the making disabled-able project was brought to Fiji.

The project provided Fijians living with disabilities across all walks of life, screenings to detect those individuals who could be surgically corrected to become abled-bodied Fijians. The screenings took place in the Northern, Western and Central Divisions and it was an opportunity of noble intention. It changed what would have been a lifetime with disabilities for some people when they simply do not need to live their lives that way.

Madam Speaker, we are also aware of the dire need for a residential caregiving institution for persons living with disabilities. As we prepare to sign the Convention on the Rights of Persons with Disabilities, to strengthen Fiji's commitment to provide persons living with disabilities, equal rights and opportunities, it is anticipated that such an institution would be a mandatory requirement under the recommendations of our Treaty. Our aim is not just to fulfil this requirement but it is recognised as a need to ensure that proper care is given to psychosocially challenged individuals, especially those whose families are unable to take care of them. With the allocated budget, this year we will see the Ministry beginning preparatory works in relation to the establishment of this institution.

Madam Speaker, I also wish to express that the agenda of the welfare and wellbeing of persons living with disabilities has finally picked up the pace of development that Fiji has long waited for. The Ministry needs the support of stakeholders and other Government agencies, to fulfil its obligations towards this segment of Fijians and with collaborative efforts, the task at hand is not difficult. I must thank the Honourable Minister for Women, Children and Poverty Alleviation, who has steadfast action in influencing the progress on this agenda at the Ministry over the past year with me, together with separate other priorities.

Madam Speaker, His Excellency had also said, and I quote:

"...always do what is best for your country, that you think beyond ethnicity, religion, socio-economic status or any of the other insignificant differences that unscrupulous people use to divide us. If we respect each other, then everyone's interests can be respected."

Madam Speaker, living up to this call is every Fijian's responsibility, especially when we talk about people living with disabilities. They need love and acceptance, they need relevant infrastructure and it is us who have to provide them with that. We need to look beyond disabilities and think of ways and implement these ways in engaging the abilities of all Fijians in our development.

Madam Speaker, I would like to share a few inspiring quotes with the differently abled people of our nation, by Robert M. Hensel, I quote:

"Know me for my abilities, not my disability.

I don't have a dis-ability, I have a different-ability.

We aren't defined by our disabilities, but instead by our capabilities.

Placing one foot in front of other, I've climbed to higher lengths. Reaching beyond my own limitations, to show my inner strength. No obstacle too hard, for this warrior to overcome. I'm just a man on a mission, to prove my disability hasn't won.

Being born with a disability, can sometimes be a struggle, but it is the ability to overcome such a challenge, that makes it so worth the fight. Never Give Up!"

Madam Speaker, the unspeakable truth for people living with disabilities is that, they have abilities which can be unveiled when given the equitable environment and opportunities in life to express them.

Madam Speaker, at this juncture, may I refer to an article by a *Fiji Sun* reporter, it reads and I quote:

“One Hand Bradburg Sows Wonders”.

Smile of satisfaction, physically challenged Angeline Bradburg, 26 of Labasa exhibits her handicraft during National Women's Expo at Vodafone Arena on June 14, 2017.

Angeline Bradburg of Nakama, Labasa, is testament to the fact that anything is possible despite her disability.

The 26-year-old woman sews wonders like pillow covers, mats, weave bags and other craft items with one hand only.

She joined at least 500 women from 14 provinces across the country at the 2017 National Women's Expo at the Vodafone Arena in Suva.

She said her inspiration came from seeing others who were disabled do something on their own.

“I used to see other people with disabilities be able to do great things and so I joined the Labasa Disabled School and learned how to sew,” she said.

It helped me to tell myself that I could make such nice things as well.

The first time I tried sewing was hard for me but as I got used to it, I managed to do all by myself which is a big inspiration for me that without an arm I am able to sew pillow covers, mats, weave bags and other craft items.”

Since it was her first expo, Ms. Bradburg said she was more happy than nervous.

“It is her first time in the expo and I was a bit nervous of how it will be and what will others say, but looking at the women here and how excited they are, I am happy that no matter how or what we do, we can achieve something in life whether its big or small,” she said.

“I would like to be an encouragement for other women who are not earning to earn for themselves and their families. If I can do it then I am sure others can and I support women empowerment in Fiji since we have some great women politicians in the country who support us.”

Madam Speaker, the National Women's Expo was organised by the Ministry of Women, Children and Poverty Alleviation, providing opportunities for people living with disabilities is a guiding principle for the Fijian Government. I wish to take this time to say to all Fijians that under the great leadership, guidance and support of our Honourable Prime Minister, I am here to serve all of you and I will aim to ensure I will keep the pledge I made to you in this august House and as your Assistant Minister under the Fijian Government.

I thank you, Madam Speaker, for your indulgence. *Vinaka vakalevu.*

HON. SPEAKER.- I now give the floor to the Honourable Mosese Bulitavu.

HON. M.D. BULITAVU.- Madam Speaker, I rise in this august House to thank His Excellency the President for his most gracious speech in opening this last

Session of Parliament before we face the people next year.

Madam Speaker, I also commend the 2013 Constitution, being like the 1990 Constitution with transitional measures to enable Fiji's return on a path to democracy. I say, "We are on a path because we are not there yet."

Madam Speaker, there is a presumption that the 2013 Constitution has been acclaimed internationally by saying, it:

- Mandates equality and common identity;
- Has a comprehensive Bill of Rights;
- Directs Government to take action to turn ideals into policies, laws and practices;
- Has an electoral system which guarantees a free and fair election.

In addition, many say that the results of the 2014 Election is an endorsement of the 2013 Constitution, and Fiji's election to the Executive Board of Association of World Election bodies representing the Oceania region is proof that the electoral system in the 2013 Constitution is credible and compliant with international standards. Some say that Fiji's international role in chairing the G77 in the UN, Mr. Peter Thomson, as President of the UN General Assembly, Fiji's Presidency role of COP23 proves that we have a modern Constitution.

Madam Speaker, none of these reasons prove that the 2013 Constitution has the mandate of the people in law.

Madam Speaker, the Prime Minister cannot deny that the 1997 Constitution was purportedly abrogated on 10th April, 2009. The Prime Minister cannot deny that on 9th April, 2009 the Fiji Court of Appeal hailed that all of the following were unlawful according to the 1997 Constitution:

- the assumption of executive authority and the declaration of a State of Emergency by Commodore Bainimarama in December, 2006;
- the dismissal of Qarase as Prime Minister;
- the appointment of Senilagakali as caretaker Prime Minister;
- Commander Bainimarama's order for the dissolution of Parliament;
- the appointment of Bainimarama as Prime Minister by the President on January 2007; and
- All subsequent Decrees by the President attempting to legalise Commodore Bainimarama's actions.

Madam Speaker, instead, the next day, President Iloilo allegedly abrogated the 1997 Constitution and re-appointed Commodore Bainimarama as Prime Minister.

Madam Speaker, the most authoritative Fiji Courts have concluded that the 1997 Constitution cannot be abrogated by a President or a military apart from a Parliament constituted under that Constitution. The 2001 ruling by the High Court in the case of *Koroi vs Commissioner of Inland Revenue* sets out the legal authority whereby the High Court Judge Justice Gates (now the Hon. Chief Justice) said:

"It is impossible for any man to tear up the Constitution. He has no authority to do so. The Constitution remains in place until amended by Parliament, a body of elected members who collectively represent all the voters and inhabitants of Fiji. The fundamental law represented in a Constitutional document may only be changed in accordance with that Constitution."

In addition, the Honourable Chief Justice in the ruling said: "For the Courts cannot pronounce lawfulness based simply on the will of the majority." The Honourable Chief Justice concluded by saying "the presumption is that the Constitution remains un-impugned until pronounced otherwise in court."

Madam Speaker, simply put, If the 2013 Constitution was not passed by Parliament, a body elected of members collectively representing the voters and inhabitants of Fiji, then it is not legitimate and if the 1997 Constitution was not amended by a Parliament then the presumption that it remains un-impugned until pronounced otherwise in court. How then can we boldly say that the 2013 Constitution is our Constitution? It was decreed into being, and not approved by an elected Parliament.

Madam Speaker, the Fiji Constitutional (Amendment) Act 1997 Revocation Decree 2009 which abrogated the Fiji Constitution (Amendment) Act 1997 cannot be questioned in Court as per Section 173(4) (a) (b) (c) and (d) of the 2013 Constitution which states that Courts do not have jurisdiction to hear any challenge or question on any promulgation decree or declaration made between 5th December, 2006 until the first sitting of Parliament.

Madam Speaker, through you, I respectively ask the Honourable Prime Minister, does the constitutional ban on the courts to hear legal challenges to decrees promulgated by the interim Government reflect the values of a democratic society? Does it promote the spirit of equality and freedom?

The villagers of Momi in Nadroga who are the customary right owners of the Tavarua surfing areas built a church, village hall, implemented a housing scheme and benefited in terms of business and scholarship from the economic benefit and interest of their *qoliqoli* which was cancelled by the Regulation of Surfing Areas Decree, No. 35 of 2010 without compensation. Honourable Prime Minister, is that the values of a democratic society?

Madam Speaker, the democracy promised in the 2013 Constitution does not deliver genuine freedom to the people who have been discriminated against and adversely impacted by those decrees.

Madam Speaker, last year in my response to His Excellency's speech, I had called on the Government to review the 2013 Constitution through its amendment procedures so that the Parliament can endorse a constitution and the people can call it "our constitution". The FijiFirst Government does not have the three-quarter of the membership of this House and the Constitutional requires three-quarter of registered voters to approve changes by referendum. So the FijiFirst Government would need the Opposition's support to amend the Constitution in a bi-partisan approach. That opportunity has not been seized and Government wants to go to the 2018 Election with the same Constitution.

Madam Speaker, many ideals expressed by the 2013 Constitution are still being ignored and many unprecedented limitations in the Bill of Rights make those rights a hollow promise.

Madam Speaker, Section 30(2) of the Constitution is another hollow unrealised promise. It gives landowners the right to a fair share of royalties for the extraction of minerals. Three years into this term of Parliament, no Bill to implement this constitutional promise has been presented to the House despite the assurance of the Honourable Minister for Lands and his predecessor that the Ministry is looking into the matter. I urge the Government to urgently include this in their legislative agenda for this term, given projects like Nawailevu Bauxite Mine have already ended and new projects are underway and still the landowners are forced to wait for Government for their fair share

as promised in the 2013 Constitution. This continue and deliberate move to ignore the rights of the landowners is discriminatory.

Madam Speaker, the Bill of Rights are subject to many limitations by law or an administrative action, for example, Section 42 of the Rights of Persons with Disabilities on reasonable access to all places in terms of adaptation of buildings and infrastructure will be subject to administrative actions of municipal councils. The Honourable Minister for Local Government is on record saying, "they are working on it." The Health and Safety at Work Act requires all new places to have disabled access. Is the OHS Unit of the Ministry of Labour and the Planning Unit of the Municipal Council ensuring that all new building plans are disabled-friendly?

Madam Speaker, similarly the right to economic participation, right to adequate water and right to health, the Constitution says these economic social and cultural rights will be progressively realised with the available resources of the State. However, the wrong priorities of the Government spending, like the marketing support of Fiji Airways of \$18 million and Fiji International Golf Tournament annual allocation for the last four years of \$9 million has not allowed the realisation of many of these rights. In addition, the FijiFirst Government has failed in its duty to explain to the people that the resources is not available (not in the approved Budget), to implement a rise and many Government officials who attend these queries often give false answers to make people believe that the resources are available.

Madam Speaker, the Electoral Commission has received a submission from political parties which is in line with the 38 recommendations of the Multinational Observers Group who came to watch over the 2014 General Elections. They have been very diplomatic but their recommendations suggest that the 2014 General Elections were not played on a level playing field.

Madam Speaker, for those reasons, this side of the House proposes electoral reforms before the 2018 Elections to ensure that we deliver the free and fair elections to our people.

HON. A. SUDHAKAR.- Point of Order!

HON. SPEAKER.- Point of Order.

HON. A. SUDHAKAR.- Madam Speaker, the Standing Committee on Justice, Law and Human Rights is currently looking at the Supervisor of Elections and the Joint Electoral Commission's Report and there is an attachment by the Multinational Observers Group Report (MOG) and it does not say that. What Honourable Bilitavu just said was that, there was an observation by MOG that the Elections was not proper, is not there.

HON. SPEAKER.- Order! Order! It is not a Point of Order.

HON. A. SUDHAKAR.- It is, Madam Speaker.

HON. SPEAKER.- The Point of Order is only on the rules and procedures of the House and not on the content of it.

HON. A. SUDHAKAR.- It is a matter before the Committee, Madam Speaker.

HON. N. NAWAIKULA.- Sit down!

HON. SPEAKER.- Therefore your Point of Order

HON. A. SUDHAKAR.- Honourable Nawaikula cannot tell me to sit down.

HON. SPEAKER.- Order! Order! Honourable Bulitavu, please continue.

HON. M.D. BULITAVU.- Thank you, Madam Speaker.

Madam Speaker, for these reasons, this side of the House proposed electoral reforms before the 2018 Elections, to ensure that we deliver the free and fair elections to our people who are guaranteed the right to free, fair and regular elections in the 2013 Constitution. Even our courts have recognised the problematic nature of our senior Election Official, the Supervisor of Elections.

The Fiji Court of Appeal on 29th November, 2016 found the Supervisor of Elections disobedient to the Electoral Commission when he proceeded to draw the National Candidate List of the 2014 General Elections when the Electoral Commission ruled that the FijiFirst candidate, now Honourable Minister Praveen Kumar, be disqualified from the National Candidate List and that FLP candidate, Steven Singh, be reinstated in the final list. The Supervisor was in breach of the law when he went ahead, breaching Section 76(3) of the 2013 Constitution and Section 8 of the Electoral Decree. This 2016 Fiji Court of Appeal Ruling is part of the body of evidence, questioning the credibility of the 2014 Elections in the way the Supervisor of Elections had acted.

Madam Speaker, SODELPA and other registered political parties have made submissions on this matter to the Electoral Commission in May, 2017. The Electoral Commission refuses to abide by its own 2014 Annual Report recommendations for Electoral Reform. The Election Commission is also selective in its review of the 38 Multinational Observer Group's recommendations. We continue to plead with the Government to reform our electoral laws and processes to comply with international standards and to assure our people that their vote in 2018 will be respected.

Madam Speaker, a written communication was made to your office last week for tabling a petition to allow the people of Fiji to seek Parliament to appoint a Committee to recommend a review in the electoral laws and processes for the Election Commission in order

HON. SPEAKER.- Order! That particular letter had been responded to. Please do not refer to it.

HON. M.D. BULITAVU.- Thank you.

Madam Speaker, but the importance that we should give an audience that petition to be allowed so that our people can be heard, it is part of their rights.

HON. SPEAKER.- Do not comment on the ruling of the Chair.

HON. M.D. BULITAVU.- Thank you, Madam Speaker, I will continue.

Madam Speaker, the FijiFirst Government's greatest opponent at the 2018 Election is not the opposition political parties, it is the Fiji people and it is the people of Fiji.

Madam Speaker, majority of Fijians want a change in Government and their conversion is not a result of race, religion or geography or any other talks of division. They have shifted because they have no confidence in the policies, laws and actions of the FijiFirst Government. People will receive SME grants, fibre glass boats, roads, water, electricity, free medicine, free bus fares, Social Welfare Scheme, Young Entrepreneur Scheme Grants and the Start-up Grants through the Commercial Agriculture Scholarship Programme, et cetera but the intelligence of our people has

convicted their hearts that the FijiFirst Government has lost the ability to govern with fairness, equality and justice. Fijians now know that they are more equal than everyone else. They are richer than everyone else.

Madam Speaker, the FijiFirst Government said that no one is to be left behind. But are they living up to their words in terms of:

- Delays in *TC Winston* rehabilitation works, students are still in school tents and people are in makeshift shelter waiting for assistance to arrive;
- Reduction of TELS allowance for overseas students;
- Delays in water and electricity access projects;
- Increase road maintenance and traffic congestion;
- Bureaucracy in the First Home Buyers Scheme and no funds available for Rural Housing Scheme;
- Unavailability of medicines in pharmacies which are listed under the Free Medicine Scheme;
- Confusion in the Help for Home Programme where MPaisa division of hardware companies like R.C. Manubhai have swiped cards but have not reconciled the materials despatched with invoice numbers and balance of materials yet to be delivered. The farming community in Delaivuna, Taveuni have been following up with the hardware, DO Taveuni and still no response. Last week I sent an email to R.C. Manubhai, MPaisa division following up on the matter and this shows that the FijiFirst Government has left people waiting in vain;
- Slow rollout in the \$10 million *iTaukei* Land Grant in the budget over the last three years. Only projects in Yadua in Nadroga, Sabeto and Togadravu in Tailevu. I have been following up on two applications from Labasa since February, 2016; still no progress;
- Difficulties in monitoring the SME \$1,000 grant recipients, operation status confirmed by the PS for Trade at our Parliament Retreat at Momi last month, but Government continues to splash out these grants without a review on the survival of individual ventures;
- The CBUL programme to encourage the renewal of cane leases since inception has not increased the hectares under cane cultivation. It remains below 40,000 hectares with approximately 150,000 tonnes of sugar. This indicates that the CBUL policy has failed;
- Shoddy digitization of VKB resulting in errors in *mataqali* members and distribution of lease monies by iTLTB;
- iTLTB issues leases to companies like Fiji Pine Limited in Lekutu, Bua without the consent of the *mataqali* and many similar cases which denies the landowners the right to free and informed consent;

- Delays in village allocation for climate adaptation, disconnected climate mitigation projects for coastal erosion cases and the absence of a carbon trading formula for REDD plus projects; and
- The list of inefficiencies and mismanagement by the Government goes on.

Madam Speaker, FijiFirst promised the people in 2014 to put Fiji first, but have they done that? I ask:

- Why are our fellow qualified Fijians finding top jobs in the region when they cannot find work in their own country?
- Why sign teachers and nurses in contractual terms that does not allow recourse in courts if they are unfairly dismissed, where their right to be given a reason for termination is removed, where they give up their right to take Government to court once the contract is expired? Why take away their right to collective bargaining?
- Are people happy in easily finding employment and are they happy with the cost of living?

HON. SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Madam Speaker, under the Standing Orders a Member of this Parliament is not allowed to mislead Parliament.

My Point of Order, Madam Speaker, the Honourable Member, by stating those things he is actually misleading Parliament.

HON. M.D. BULITAVU.- What is wrong with that? It is in the contract.

HON. A. SAYED-KHAIYUM.- Madam Speaker, there is a right of every Member of Parliament to not mislead Parliament. The comments on the Civil Service is actually misleading Parliament saying that they have no right to....

(Chorus of interjections)

HON. SPEAKER.- Honourable Bilitavu, please take note of the Point of Order that has been mentioned, but the issue can really be brought up again as a substantive motion at a later date.

HON. M.D. BULITAVU.- Thank you, Madam Speaker.

Why was the Government silent on the case of the 77 Chinese suspects who were repatriated last month when we have domestic laws to deal with such matters and also rules in place concerning the situation? This was a breach of our sovereignty to have foreign police force operating in Fiji. What laws did they operate under to execute searches, seizure of evidence and arrest, detain and remove suspects from Fiji?

Madam Speaker, in conclusion, a great man once said, "leadership is like a party, you must leave with the night is young before the crowd gets rowdy." Dr, Neil Sharma, Mr. Sanjeet Patel, Mr. Pio Tikoduadua and Mr. Timoci Natuva have left the FijiFirst Party, while we hear from others they are not happy.

HON. SPEAKER.- Order! Honourable Member, do not bring any names of people who are not in the House to defend themselves.

HON. M.D. BULITAVU.- Thank you. The party is getting rowdy, Government is failing, the glorious Bainimarama revolution is falling apart and your FijiFirst Party movement coming to an end.

Madam Speaker, there is only one remedy to all these strings of problems, that is to make Fiji free again in 2018. There is a dire need to change of leadership, vision, policies and direction. No one except the naïve can dispute this statement of fact.

Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Joweli Cawaki.

HON. J. R. CAWAKI.- Honourable Prime Minister, Honourable Leader of the Opposition, Honourable Cabinet Ministers and Honourable Members of this august House and to my fellow Fijians watching and listening today.

Madam Speaker, I rise to briefly respond to His Excellency's Address for the opening of this Parliamentary session. At the outset I wish to congratulate and thank His Excellency for the remarkable speech and insight which I am sure, Madam Speaker, we would all agree give this august House the direction, rationale and the impetus for moving forward together as responsible citizens of our beloved nation with Constitutional rights of having equal access to better and brighter opportunities in life.

Madam Speaker, our Constitution is definitely a living document. The Government is doing exceptionally well and will continue to do so. I say this with pride, Madam Speaker, because we continue to extol and guided by the provisions of the supreme law of the country in the process of formulating policies, allocating resources needed to impact these policies on the ground for target groups, communities, individuals in an effort to equitably spread out the development to all parts of the country that may still deserve Government assistance to access basic necessities of life such as clean water, sanitation, hygiene, better health care, balanced meal and a suitable infrastructure.

Madam Speaker, we continue to witness here and read in the media the Honourable Prime Minister and Honourable Ministers tireless visitation around the country to either commission community-based projects and initiatives, public infrastructures or just to merely sit and meet with residents or *talanoa* on common and differing news of interest or to impart Government's plan to sustainably develop their resources and building capacities for the greater good.

Madam Speaker, this is indicative of the manifestation of inclusiveness and participatory approach in Government's leadership and governance. The thoughts and ways of our people are fundamental to the process of applying the provisions of our Constitution which we as decision-makers fully respect and ensure they are implemented in accordance with best practises and standards.

Madam Speaker, the Government will pursue an ambitious legislative agenda during this Parliamentary session. This effectively means that the Bills tabled in this House will introduce a new piece of legislation and review a number of existing once.

Madam Speaker, civil servants in the four divisional, provincial and district administration stands ready to assist and support our legal experts in moving this agenda forward. Their role in co-

ordinating and facilitating public consultation and ensuring that this process of reforming Fiji's laws is robust, inclusive, ensuring to engage target communities, target groups and individuals is critical for Government to make informed decisions.

Madam Speaker, I totally agree with His Excellency in reminding us of the significance of the Bill of Rights that is entrenched in our Constitution, as well as making sure that these rights for all Fijians are manifested in our laws and regulations so that no one is deprived of his or her civil, political rights and of social and economic development and advancement.

Madam Speaker, the review of the National Disaster Management Act to modernise this piece of legislation and to be consistent with the relevant provisions of international agreements and obligations of which Fiji is a State party or signatory is a key task to be pursued very soon by my Ministry. The Sendai Framework for Disaster Risk Reduction, the Paris Agreement on Climate Change and the Sustainable Development Goals Agenda are notable international agreements and instruments to be carefully considered and studied together with the work of reviewing the current National Disaster Management Legislation. In doing so, Fiji is well on track with adopting and complying with international standards and best practises in ensuring these are reflected in Government policies and programmes favouring smart partnerships with non-State actors and civil society regional and development partners.

Madam Speaker, the overarching goals of Government is to articulate development policies and programmes that will empower our people. We continue to witness the shift in Government's effort more towards developing the least or under developed parts of the country and the very reason for this, Madam Speaker, as we all know is to bring about equitable and balance in development.

Leaving no one behind especially the vulnerable and the poor, women, children, youths, men and those with disabilities can then have access to assist us, opportunities, build capacities and sustainably utilise their resources at their disposal to raise their living standard.

Madam Speaker, the Ministry of Rural and Maritime Development continues to drive this Government priority at community level and ensures that funded programmes with budgetary provisions as well as aid-in-kind from both Government and potential donors are expended for this purpose. In addition, Madam Speaker, institutional strengthening and the implementation of good governance framework in accordance with the Integrated Rural Development Framework for rural development that has been endorsed by Government is the best way forward to break the gap between the urban and the rural development.

Madam Speaker, we have so far witnessed the demand from communities for rural carpenter training and I confidently state at this juncture, this is a proactive initiative of Government that continues to be funded from the National Budget. Communities identified men and youths to be trained by our rural housing unit to build cyclone proof homes, a valuable skill that trainers in the remote areas of the country have applauded Government in taking it right to their door steps.

Madam Speaker, the role of these advisory councils in all four divisions is important to Government and to my Ministry. In recognition of their contribution to national development, Government has increased in this fiscal year the allowance paid to members. The onus is on the advisory councillors from districts, they have been appointed to represent, constantly submit reports and advise the Ministry on critical data, issues and concerns of communities that they serve. The appointment of advisory councillors for another term of three years was issued to divisional offices recently. The Ministry will strengthen dialogue with various councils through the Divisional Commissioner's Office and ensures that this are well documented and relayed to Government.

Madam Speaker, the development machinery namely the Provincial and Divisional Development Boards with the National Steering Committee at the apex is the integrated Rural Development Framework structure that is specifically tasked to carefully scrutinise and prioritise development priorities in all provinces and divisions in a participatory, inclusive and transparent manner. The Ministry will continue to strengthen and utilise these boards and committees more because the representations with equal voices of members to present their development needs and to be able to gauge a holistic understanding of the needs and plight of other communities which should place them in a better position to make informed decision and therefore offer quality and invaluable advice to Government. I thank you Madam Speaker. *Vinaka*.

HON. SPEAKER.-Thank you. Honourable Members, I will now suspend Parliament for refreshments and we will return at 11.30 a.m. Thank you, Honourable Members.

The Parliament adjourned at 10.58 a.m.

The Parliament resumed at 11.33 a.m.

HON. SPEAKER.- Thank you, Honourable Members, you may be seated.

We will move on from where we left off and for very valid reasons, I am allowing the Honourable Parmod Chand to deliver his response later this week.

I now call upon the Honourable Mohammed Dean to have the floor.

HON. M.M.A. DEAN.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition, Honourable Ministers and Honourable Members of Parliament: a very good morning to you all.

Madam Speaker, I rise today to give my contribution to the Address made by His Excellency the President of Fiji. Madam Speaker, I am proud to mention that in His Excellency's speech he made several contributions to the investments and initiatives carried out by the FijiFirst Government in regards to the various educational measures that FijiFirst Government has put in place.

Madam Speaker, I have always reiterated my support and the inspiration provided to me by the FijiFirst Government in terms of how important education is to our society. This, of course, is always recognised and led by our Honourable Prime Minister.

Madam Speaker, in his Speech, His Excellency made a very wonderful statement. He mentioned, and I quote: "Public education is now truly free and I ask myself, why did it take so long?" Never before has any government, which has been in power apart from the FijiFirst Government recognised this important issue and measure.

Madam Speaker, our society is becoming modern and complex. We cannot expect children and families to become fully functional adults without mentoring and assisting them. Those who come from poor background, often at times, Madam Speaker, need additional sources of funding. They have no idea where to seek out for these financial incentives and assistance, but these have been answered by the FijiFirst Government.

Education has always been about the development of each child as an individual to the fullest extent of their abilities for the ultimate benefit of our society. Schools are about community, democracy and it is also about civility. Education is where children learn and practice its values therefore, Madam Speaker, I am proud to state that the FijiFirst Government recognises this issue and made education free right from Year 1 in our schools until Year 13, and not forgetting the incentives and grants they also provide to Early Childhood Education.

To further assist families in Fiji who come from marginalised societies, a well-run school system, Madam Speaker, is strengthened by such incentives and this further helps those most vulnerable people who are finding it hard to send their children to school on everyday basis.

Of course, nowadays, Madam Speaker, many would ask, why should I care about these people? Aside from the fact that that is what a society is supposed to do - work together to build something greater than what we could do on our own. The reality is that, when the bottom drops out of our society, it always trickles up, or maybe I should say, "explodes up".

Madam Speaker, not only the FijiFirst Government has provided assistance to the school system in Fiji, I would also say, and it gives me more enlightenment to say that the Government has also recognised this important issue and paved the way to cater for school dropouts by providing

them greater solution to attend institutes like the Technical College of Fiji with full Tertiary Education Loans Scheme (TELS) scholarship, not only has this addressed the problem of school dropouts, but it has also provided more opportunities for children who once felt that they have been neglected for too long. Now, through such educational incentives, these students are able to pursue a formal education certificate attached to their career. Therefore, Madam Speaker, in the FijiFirst Government, no one is left behind.

Madam Speaker, also in his Speech, His Excellency the President of Fiji acknowledged the improvement and increase in teachers' pay. He also acknowledged what I also believe is that by raising the teachers' pay, the Government is raising the standards of teaching in Fiji.

Madam Speaker, no doubt the ever-hardworking teachers of our nation deserve this incentive for the many multi-functional tasks they are required to carry out in their profession, not only their teaching job confined to the curriculum they are teaching, they also have to be mentors, counsellors, parents and givers of moral and civic education to the children.

The pay increase for teachers' salary is a way of FijiFirst Government realising the importance a teacher plays in this nation and I thank His Excellency the President of Fiji for stating this important budget increase in His Speech and also the FijiFirst Government for recognising the hard work and efforts of our teachers around our nation.

Finally, Madam Speaker, I wish to thank His Excellency for recognising in His Address the educational incentives by the FijiFirst Government and also our Honourable Prime Minister who, through His Government, continues to support the importance of education in our society. Thank you.

HON SPEAKER.- Thank you. I now give the floor to the Honourable Ilesia Delana.

HON. I. DELANA.- Madam Speaker, I am delighted to address the House today in support of the speech delivered by our President, His Excellency Major-General (Ret'd) Jioji Konousi Konrote. Madam Speaker, His Excellency the President left us with lasting motivation and promoted clearly the patriotism to which we all aspire as Fijians. It provides our citizens with assurance that the Government has done, is doing, and will continue to do its best for our citizens, creating solid foundation for the best future of our youths and our future generations.

It reminds us of our progress and achievement as well as what we still have to do. It boosts our morale while acknowledging that we can always do better. It affirms our capability to reach into a bright future despite our divided past. His Excellency's Speech provided every Fijian who believe that we can match bigger nations and economies through development and prosperity. For that, we thank His Excellency the President, Major-General (Ret'd) Jioji Konousi Konrote for his excellent and timely reminder.

Madam Speaker, His Excellency's Speech gives our youth population assurance that we will help them build their future. It sheds more light and emphasis on Government's intention and vision. It complements our Ministry's work and commitment towards the recognition of disabled persons, respect for women and the vulnerable in our communities, especially children, the respect for and appreciation of our national Constitution with its clear direction on the respect of the rights of individuals resulting from our diversity in culture, race, gender or religion.

Madam Speaker, I am proud to say that the Ministry of Youth and Sports is strongly advocating that we create a steady pace through an extensive awareness of the 2013 Constitution. His Excellency the President said in His Speech last week and I quote:

“Our Constitution has been acclaimed internationally. It, amongst other things mandates, equality between all Fijians and a common identity. It has a comprehensive Bill of Rights, which affords all Fijians civil, political and socio-economic rights. More importantly, the Constitution does not suggest action or simply express ideals. It directs Government to take action to turn those ideals into policies, laws and most importantly, practices. Its language is clear: it uses words like “shall” and “must”. There is no ambiguity.”

The Ministry envisages a young population that is fully aware of their rights, boundaries, and especially respect for their fellow citizens. The Ministry continues to dedicate its efforts to ensuring that through its programmes and activities, every young Fijian will be made aware of their rights, creating an awareness and appreciation of their boundaries and limitation and the importance of co-existence based on respect. However, the Ministry is committed to move from co-existence to mutual support.

We need to emphasise the basic fundamentals of social cohesion, not only to the youths but also to the elder generations. Much of what young people learnt is from their parents. This warrants an unwavering commitment from all spheres of the community. His Excellency the President further stated that “the Constitution gives us a way to live together, to govern and to make decisions.”

The onus now is on us to ensure that the principle and the aspirations of the 2013 Constitution are entrenched in our hearts, thoughts and practices as we press forward and be united as a nation.

Madam Speaker, I must also acknowledge His Excellency's Speech and his emphasis on youth entrepreneurship. I must reiterate that statement and say that youths are an integral fabric of our developing economy. In 2015, unemployed young people between 12 to 24 years stood at 18.2 percent; 4.6 times higher than older adults. This Government and the Ministries of Youth and Sports, Employment and Education are aware of these statistics and are working collaboratively in addressing this issue.

We are also aware that the transition from school to decent jobs is a major challenge for many young people in Fiji, particularly for those who dropped out of the formal school system. This applies equally to those who dropped out of university. According to the Ministry of Education, approximately 9,000 young people do not make it from Year 8 to Year 13. In 2016, approximately 48,000 people were registered with the National Employment Centre (NEC), the majority, presumably youth. We believe empowering young people and providing them to support to create entrepreneurship will create better opportunities, employment and sustainable livelihood for many youths.

The Ministry, with the International Labour Organisation (ILO), is in the process or reviewing the “Know About Business Programme” to help young people take an active interest in entrepreneurship and self-employment. Helping young people to earn a living through entrepreneurship will make a crucial contribution to reducing poverty. The Ministry will follow-up with Pacific Islands Private Sector Organisation (PIPSO) to cooperate and extend to this online learning and to other Pacific nations with support from the ILO.

Madam Speaker, I also wish to highlight the Ministry's training provides young Fijians an opportunity to discover, analyse and understand values and their implications and build over time a personal set of skills that will empower them to create sustainable and secure futures. Included in these skills sets is how to become entrepreneurs. We now have individuals and youth clubs who

have innovatively created small enterprises for themselves. We are working in this with other Ministries to support them through the development chain of entrepreneurship.

Madam Speaker, hosting the 2017 National Youth Entrepreneurs Award aims to encourage and reward entrepreneurship among youths in Fiji and in a partnership with the Fiji Commerce and Employment Federation. We continue to raise awareness among the nation's youth populace of the critical role that private enterprise and entrepreneurship play in economic growth and nation building.

His Excellency the President said and I quote: "By developing a national system of technical colleges to build our capacity in the skilled trades, technology and paraprofessional fields, we also do not want our youth to be only job seekers but to be job creators. Accordingly, Government has introduced the Young Entrepreneur Scheme (YES) which offers up to a maximum grant of \$20,000 to innovative and creative Fijians between the ages of 18 to 30 years. By encouraging commercial farming by using 99 year commercial lease and start-up grants to young people through the Commercial Agricultural Scholarship Programme. Our children and youth are our most precious commodity. They are our future.

We welcome this initiative and we will support it with the Ministry of Industry, Trade and Tourism.

Madam Speaker, it would be remiss of me if I did not also mention that sport is also our commitment and we continue to emphasise the impact of sports have made on our economy and the lives of our sporting population. This is particularly so as our challenge of non-communicable disease are a drain on our economy. This is preventable if we can work more consistently to get people of all ages to become more physically active through sports and manage our diets more appropriately. I say this as a former sports person who has had the honour to represent this wonderful country. It does require discipline and a change in our habits but it is for the better health, mental and physical of our citizens and will reduce the burden of our health system.

Madam Speaker, as we head into another Election year, the Ministry will increase the pace of delivery to ensure youths are aware of their rights and their civic duty. This is not only in the area of elections but also in their everyday lives. However, they need to take part and determine the future by participating in the Elections while respecting the views of others.

Madam Speaker, I thank you again for this opportunity to outline my Ministry's commitment to delivering to the youth and sports communities in our beloved country. *Vinaka vakalevu.*

HON. SPEAKER.- I now give the floor to the Honourable Jiosefa Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition, the Honourable Members of this House and Honourable Ministers: I rise to contribute to the motion before the House and like those who had spoken before me to thank His Excellency the President of the Republic of Fiji for his most gracious Speech on the occasion of the opening of the new Session of Parliament.

Since it was His Excellency's last official engagement in this House, I wish him well for the remainder of his term. Likewise, Madam Speaker, I wish every Honourable Members of this House good luck in the next General Elections. Some of us may wish to retire but for those who will contest the Elections and return, I hope that you will remain in your side of the House. In case, you have to change seats, I wish you good luck and hope you will enjoy the changes.

(Laughter)

There are some very important issues raised by His Excellency in His Address, Madam Speaker, which I wish to speak on briefly before I move to other issues.

On the Constitution, Madam Speaker, SODELPA's position on the Constitution remains unchanged. We have been voicing our concern of the years that the people had not been fully consulted in the formulation of this Constitution. If any Constitution was carried out, it was merely selective just to validate the process. This would be the right time to do the exercise, Madam Speaker, as it has been in an existence for about four years. People would now contribute more meaningfully with their knowledge and experience in living with it. The process will only improve it and cast away mistrust and misunderstanding. Let us not worry about other countries constitution, Madam Speaker, and how they operate. We should just focus on our own and how we can improve it to guarantee the lives of the citizens and our future livelihood and that of our generation.

I urge the Government, Madam Speaker, to consider this seriously and if it fails to do anything, then it will continue to cast doubts in the people's minds and a hindrance to our future progress.

On the legislative agenda, Madam Speaker, His Excellency the President outlined the Government's legislative programme for the coming Session. It will include new laws and the review of existing ones. It will have a large number of Bills before Parliament that will require serious consideration and careful study.

Madam Speaker, this is a wonderful statement and sounds very professional and pleasing to hear. In fact, this is how the laws should be formulated. From experience in the last Session of Parliament, Madam Speaker, most Bills went through Standing Order 51. In this process, they did not have the benefit of scrutiny by the relevant Committee or public consultation.

Madam Speaker, you will recall that some Bills are still with the office of the Solicitor-General for legal opinions and yet to be presented to the House. This raises the question, Madam Speaker, if Parliament should have its own legal draftsman as in previous Parliaments.

On the reform of town planning, land tenancy and sub-division of land, I note, Madam Speaker, that the Government will have legislations to reform town planning, land tenancy and subdivision of land. This is an area of concern, especially with *iTaukei* land and the role iTLTB is now taking. The iTLTB, Madam Speaker, was established to administer *iTaukei* land in the best interest of landowners. Unfortunately, this is no longer the case.

There was a case in Tailevu, Madam Speaker, where a religious body leased hundreds of acres from a *mataqali* from 99 years that will expire in 2018. The religious body voluntarily surrendered its lease this year, which iTLTB thinks is a great favour. The land is occupied by sub-tenants which the head lessee should have cleared before it hands over vacant possession of the land to the *mataqali*. Not only that, Madam Speaker, the iTLTB prepared a subdivision plan of the whole area and offered leases to the sitting tenants without even consulting the *mataqali* owners. The *mataqali* members have grown in numbers over the last 99 years and want their land back.

In another case, Madam Speaker, also in Tailevu, the iTLTB carried out a subdivision of one *mataqali* land and started selling the lots until the *mataqali* owners found out then they stopped. This was carried out without consulting the landowners, even though they lived not far from the subject land.

In another case, also in Tailevu, Madam Speaker, a *mataqali* was approached by staff from the Land Use Division of the Lands Department and told them that according to the Department's record, their land is lying idle even though they are planting it. Idle in the sense, Madam Speaker, that there is no lease on it. They were told to lease their land so they can earn some income. Fortunately, Madam Speaker, the *mataqali* owners did not take their advice. Initially, Madam Speaker, we were told that the landowners voluntarily offered their land to the Land Bank. Has the process changed or the landowners are not depositing their land in the Land Bank? They have definitely learned the truth.

Madam Speaker, I hope the proposed legislation would not give the Government sweeping powers to do what they want with *iTaukei* land without consulting them and considering their interest and that of their future generation.

Madam Speaker, the iTLTB does not hold *iTaukei* land. It is only there to administer it, it should always consult the landowners on issues regarding their land.

Madam Speaker, this is what we have been saying all along that *iTaukei* no longer have the rights or say of their land. I urge all *iTaukei* landowners to seek other opinions and advice and not dependent solely on the iTLTB because for sure it will not be in your best interest. Explore other options, remember that you have an obligation to your future generation.

The right of landowners to fair share of royalty: This is the landowners' right under Section 30 of the Constitution. Madam Speaker, 2017 is almost gone and we still do not have a policy on the fair share of royalties. The people of Nawailevu in Bua have not been paid their fair share of royalties from bauxite mining in their land, now the mining has extended to Dreketi in Macuata and more and more people are affected.

Gravel Extraction: Madam Speaker, the existing policies on this subject needs to be reviewed and wide consultation carried out to ensure that all the issues are addressed. From experience, Madam Speaker, I know of some *iTaukei* land boundaries that run in the middle of the streams or rivers. I understand that the bottom of all rivers and streams belong to the State and that is why only the Lands Department now issues river gravel extraction licences.

The question, Madam Speaker, is what about the ownership rights of the *iTaukei* landowners? How exhaustive is the research into this issue? Was a legal opinion sought? Were there any previous court cases on the subject? This needs to be thoroughly explored, Madam Speaker, to ensure that the land rights of the *iTaukei* are not compromised.

Rights of ownership and protection of *iTaukei* and Rotuman and Banban lands: Under Section 28(2) of the Constitution Madam Speaker, any *iTaukei* land acquired by the State for a public purpose after the commencement of the Constitution under Section 27 shall revert to the customary owners of the land, if the land is no longer required by the State.

The question, Madam Speaker, is why restrict this only to the commencement of this Constitution? There have been cases of large tracks of *iTaukei* land taken by the State purportedly for public service and now not used for the purpose it was acquired for, and still remain as State freehold. A good example is the land from Wainivula to Nakasi, which belongs to the people of Kalabu. There are other cases which need to be dealt with case by case. The Government should set up a Lands Commission to look into all these land claims.

On agriculture, Madam Speaker: I would like to acknowledge the assistance given by the Agro Marketing Authority by purchasing the farm products from the farmers.

Madam Speaker, the Government can do better to help our farmers. I have been informed, Madam Speaker, that our products cannot compete with the landed costs of products from Tonga in Australia and New Zealand. They are much cheaper in comparison to the Fiji products. The reason being, Madam Speaker, that the Tongan Government subsidises the freight costs. These other incentives that the Government should provide to enable the farmers to compete on a level playing field. This will also improve the price of products and farmers would be able to sell all their produce to the Agricultural Marketing Authority.

Madam Speaker, Fiji has a total of 18,222 square kilometres of land area, less than a third is arable land. A good thing about Fiji's land area is that we have a diverse coast line and about 90 percent of the land is owned by the native Fijians and the other 10 percent is almost equitably distributed between the State and the freehold landlords.

Madam Speaker, the Government should critically look at the basis of assessing the land rent for leases. The UCV has outlived its usefulness and purpose. The Government should explore other options of assessing rent to create a win-win situation for tenants and the landowners. It must be realised, Madam Speaker, the flat and fertile land has all been leased out to the tenants at a very low rental. The rent is shared amongst the landowning units and what they personally receive is insufficient. This has kept the plight of the landowners the same, not empowering them to use the rental income to invest and acquire a greater share of wealth for themselves.

Madam Speaker, a friend told me that he had just returned from a medical treatment in India. He was surprised that he met up with a group of people from Kiribati and Tuvalu who were also there for medical treatment. He was also surprised that they told him that their expenses were fully paid by their government. Madam Speaker, these are very small countries and the government had invested heavily on the welfare of their citizens. So, Madam Speaker, I hope the Government will look into establishing a national insurance scheme to cater for those who cannot afford to pay for their medical bill.

If all the workers in this country contribute \$2 each every pay day, that will be a great help for citizens of this country.

Madam Speaker, in conclusion, I wish to conclude by quoting our very own President and I quote:

“We have challenges, but we have all the tools in place to overcome them. So, let us commit today to have a high standard of unity, and for democracy. Our people are watching. Our investors are watching. Indeed, we are on the world stage, and the world is watching, all eyes are on Fiji.”

Madam Speaker, we the Opposition, have had three years of torment; we had two of our Honourable Members suspended, we can ask questions without being scrutinised by Government, we were subjected to constant changes in the Standing Orders, et cetera. To the Government, I say this; you have one more session left to change your behaviour.

(Laughter)

HON. J. DULAKIVERATA.- Our people are watching, the world is watching and if you do not change, then you will pay the price because SODELPA is ready to rule Fiji come 2018.

Thank you.

HON. SPEAKER.- I now give the floor to the Honourable Lorna Eden.

HON. L. EDEN.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition and Honourable Members: I rise to commend and thank His Excellency the President for officiating the Opening of our Parliamentary Session 2017-2018. I also thank His Excellency the President for recognising that this Government intends to continue modernising Fiji's economy, creating increase economic opportunities and spurring phenomenal economic development and growth, all of which will bring Fiji's laws into compliance with international standards and best practices.

Fiji has experienced economic growth and activities expansion over the last eight years, and our towns and cities have played a significant role in this straight eight-year economic growth. The growth order displayed has shown a steady increase, leading to multiple economic benefits generated for our Fijian towns and cities. Government's fiscal drive, through sound economic bloom-orientated policies, with added public infrastructure investment has seen towns and cities getting out of a shadowy outlook and moving into a transforming pattern of smart, resilient and sustainable towns and cities.

Madam Speaker, conforming to His Excellency's Address and our Government's agenda, our towns and cities shall continue to be driven to becoming liveable places, with the right balance in infrastructure, amenities, facilities, shopping, entertainment, sporting, heritage and residential facilities.

The modernising of our markets, the public-private-partnerships in establishing shopping and entertainment complexes, are all stark testaments to what I have just mentioned. Let me assure this House, Madam Speaker, that the transformation process launched by our Ministry is well structured and shall present benefits to every Fijian in the medium to long term. Towns and cities administration structures are being transformed with an ideology to shift away from traditional artificial boundaries, and introduce broader urban management techniques.

Madam Speaker, as rightly indicated by His Excellency the President, we are mainstreaming international best practices into all our key elements of operations. A key exemplar is our governance strengthening exercise for Municipal Councils and a Municipal Asset Management System being introduced to all Councils.

This is also in response to our national Government's heavy investment through technical and financial support towards developing multiple municipal assets. These assets have been built with a purpose to support urban centres over its lifespan. Town Council Management Systems will be strengthened to ensure that these assets are well protected, effectively utilised and the right returns are generated to sustain the upkeep, operation and other commitments of these assets.

Over the next two months our office anticipates commencing necessary works in agreement with Cabinet. Madam Speaker, for the first time in our history, towns and cities have been recording assets which have been built to international standards. For this purpose, Municipal International Asset Management introduction is vital. As an aside, some Municipal Council Asset Registries have tripled their records over the last four years.

Madam Speaker, with growth in urban activities, our townships management structures are being upgraded, and more complex corporate ingredients introduced to change the governance structure from traditional to a more mixed structure. Private sector policies, such as ensuring the

right rate of returns are being designed. This would ensure that commercial council mechanisms would act and perform, like a corporate body.

Effective service delivery programmes and general council services shall become an accountable norm for every Council. Pro-poor goods shall continue to be subsidised through internal and external means for promoting an equal economic opportunity to every ordinary Fijian.

Madam Speaker, may I, on behalf of our Town and City Administrators, take this opportunity to thank His Excellency the President for his opening Address. His Excellency Address shall be an integral part of every Municipal Council Operations Framework Policy.

Madam Speaker, essential services to ordinary Fijians has been seen to be ever increasing. Our Ministry has mainstreamed quality and service excellence with the National Fire Authority. A number of key investments are being applied to maximise reach of essential services to various parts of the country.

The construction phase of the new Rakiraki Fire Station, the recent opening of the Seaqqa and Taveuni Fire Stations by the Honourable Prime Minister recently, the Fire Station upgrade in Lautoka and our future plans for Nakasi to international standards, are all an attestation of our drive towards service excellence in essential services.

Madam Speaker, His Excellency the President stated that there will be a number of legal reforms and commercial reforms to spur and improve developments, ensure business and provide commercial and financial opportunities for all Fijians. This agenda includes, legislations to reform town planning, lands tenancy and subdivision of land.

Our Ministry is close to completing the review of the Town Planning laws - the Town Planning Act 1946, which was introduced in 1946, over 70 years ago; and the Subdivision of Land Act 1937, which came into existence in 1937, eight years ago. Since November 2015 to this year, of course, thereafter the effects of *TC Winston* last year, our Ministry has been working in earnest, creating awareness throughout the country, both awareness of the existing laws and receiving feedback from the public. This, Madam Speaker, was after extensive consultations with the wide spectrum of stakeholders, public and private sector, institutions and academics, and from the land, building and construction industries.

Looking at the statistics on participation and attendance in these community awareness and consultation sessions throughout Fiji, our Ministry noted the minimal engagement and voice from the *i-Taukei* sector. To address this, our Ministry has been liaising with the Ministry of *i-Taukei* Affairs this year, and will continue consultations into the next three months. Our Ministry knows and acknowledges that over 90 percent of our land is owned by *i-Taukei* and we do not want the *i-Taukei* to miss out. It is important to share this knowledge and information with all *i-Taukei* communities. This exercise of reviewing the town planning laws is aimed to be both, inclusive and integrated.

The two aforementioned laws are influential in shaping the investment and economy of our country and they influence the decision-making process on land, investment and the building environment in Fiji. It is about setting strategic direction for sustainable growth in both, urban and rural areas in Fiji. The reforms are also aimed to bring about an efficient planning approval process and to streamline existing ones, and our Ministry has been given an increase in personnel in this year's 2017-2018 Budget in its preparation of the reforms of town planning laws.

Our Department of Town and Country Planning is currently working with Councils to identify topographical and climate-related hazard areas. Based on this information, policies will be developed to ensure that development within these high-risk areas are not permitted or if permitted, that the risks to investments are minimised through special conditions.

Lastly, Madam Speaker, in response to Honourable Bilitavu's comment regarding disability access in our towns and cities, I would like to respond and rest assured the Honourable Member that necessary steps have been and are being implemented, to ensure that all our towns and cities are disability-friendly and that no one will be left behind.

Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition and Honourable Members, I thank you for your attention.

HON. SPEAKER.- I now give the floor to the Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- The Honourable Speaker, the Honourable Prime Minister, Honourable Leader of the Opposition, Honourable Cabinet Ministers and colleagues: I rise to contribute to the speech made by His Excellency on the Opening of Parliament and along with my colleague, the Honourable Dulakiverata, say how grateful we are that our President has served us very well and I must say, I was shocked that he has indicated that that will be his last address to us.

Madam Speaker, His Excellency the President spoke about the Constitution and said that the Constitution has no ambiguity at all. And, Madam Speaker, we the *i-Taukei* know that too well, as it has deliberately set out to weaken a people like us, the *i-Taukei*. There is no reason why the Constitution had to abolish the Great Council of Chiefs which is the anchor to us, the very thing that we hold dear. And let me be very clear on this without any ambiguity, SODELPA will bring back the Great Council of Chiefs.

(Honourable Government Members interject)

HON. V.R. GAVOKA.- It is difficult to accept that all other bodies remain intact, bodies that are unique to other communities, but only the Great Council of Chiefs has been abolished.

In the West, Madam Speaker, where I come from, there is consternation with issues relating to the land. People do not know the roles of iTLTB anymore. They do not consult anymore. Indeed, some are even calling in the West, to abolish iTLTB.

They do not know the role of the Director of Lands. They do not know the role the Director plays in matters relating to Native land. They want to be in control of their land as in the past through their trust with iTLTB. They want their Chairman of iTLTB to be nominated by the Great Council of Chiefs. They do not want a politician to be chairman of iTLTB. They do not want the Prime Minister to be chairman of iTLTB. Those are the very strong sentiments from the West.

Madam Speaker, many aspects of the Constitution need to be repealed. This is normal in any people, in that, we must have the ability, the provision to self-correct. The provision in this Constitution must make it easy for us to self-correct, and it is too onerous and it is difficult in the way this Constitution is structured. We must always remember, when we self-correct that (in our history three times through the gun), we must ensure that when we self-correct, the provision is here; for a civilised people to make the correction that it needs and the direction they take.

Madam Speaker, the His Excellency the President implores us not to dwell on ethnicity. But, Madam Speaker, as we have said over and over again, it is not about ethnicity, it is about equality.

The pervasive poverty of the *i-Taukei* looms large in Fiji, and I have often characterised it as the elephant in the room.

Come 2030, the *i-Taukei* will make up about 68 per cent of the population of this country, and if we continue to be neglected and we arrive into 2030 as poor, it will not be good for Fiji. You may remember, Madam Speaker, at the Economics debate that I took part in, Government was highlighting all the improvements that they have made in the economy. And one lady stood up and said, "Yes, that is all very fine, but my colleagues and I have been burgled three times over the last 12 months." This is the danger when you leave out a significant part of the population in poverty.

I hark back, Madam Speaker, to the wise words of the Prime Minister of Singapore back in 1988, the Honourable Lee Kuan Yew, when Fiji was trying to change its Constitution after the *coup* of 1987. The Heads of the Commonwealth all helped Fiji. And he said this I paraphrase, 'Changing the constitution will not work, just empower the *i-Taukei* economically...', that will help Fiji and that is still true today, Madam Speaker.

Prime Minister Qarase had set out to do something about it with his Blueprint and it would have been 50-50 parity with other communities by 2020, but unfortunately he was overthrown because of his Blueprint.

Qarase's Blueprint, Madam Speaker, included the vesting of ownership of the *i-qoliqoli* to the *i-Taukei*. More than 10 years later, one wonders what it could have done to the economic empowerment of the *i-Taukei*. Today, and for a number of years, the people of Momi and Nabila have lost millions of dollars when the FijiFirst Government abolished the arrangements with Tavarua where Tavarua was paying them for the years their reefs for surfing.

Today, the *i-qoliqoli* owners of Likuliku receive no lease, no revenue from the operation of their overwater bungalows, as the FijiFirst Government does not allow the ...

(Hon. Government Member interjects)

HON. SPEAKER.- Order!

HON. V.R. GAVOKA.- ... leasing of the reefs.

Today, the Marriot Resort sits on a *i-qoliqoli* where they have created manmade lagoons, where the women of Nalolo used to fish, and all they got was \$40,000 of compensation. They should be leased too to FNPF and they should earn revenue like they do on land-based resorts.

Today, dialogue is happening for overwater bungalows in the *Tikina* of *Conua* in the Coral Coast, in the *Vanua* of *Vusu* in the Coral Coast; but it will be meaningless, Madam Speaker, if you do not factor in a portion of the operation to the *i-qoliqoli* owners. Compensation does not cut it. These leases are for 99 years and to get a compensation of \$100,000 while the business people yield hundreds of millions or even billions for 99 years is criminal, Madam Speaker.

This is critical, if indeed, Madam Speaker, the *i-Taukei* not own their *i-qoliqoli* and the State owns it, that the State as part of its duty of care to the *i-Taukei* should lease that *i-qoliqoli* to the operator and protect that lease for the *i-qoliqoli* owners. That is a duty of care, if it becomes the ownership issue, that is what it should do.

Bungalows and overwater bungalows, Madam Speaker, is going to be the product of the future for Fiji. We will be seeing a lot of more of them.

Madam Speaker, huge developments in the province must be revisited, as landowners are discovering that they gave too much away. Natadola is a case in point. The people of Sanasana are now crying out for help, pleading with the leadership to right their wrongs.

In Cuvu Bay, land development is happening which must stop, as all efforts should be to build good quality hotels on that beautiful bay. The Methodist Church has re-acquired the land on Kaba which is opposite the existing hotel there and this beautiful Cuvu Beach. That should be a site for more quality hotels and not the land division that is happening there right now. Those who have subdivided that area can be given land; I can assure you of that, Madam Speaker.

Madam Speaker, when also we talk about the resource owned by the *i-Taukei* and tapped for the general good and are being exploited with miserly returns for the resource-owners; let me give you a case about Vaturu Dam. The catchment area takes up 9,000 acres for which they are paid \$24 an acre. And at the end of the year, members of the three *Mataqali* all get \$70 each. Now, about 300,000 people benefit from the water from Vaturu.

Madam Speaker, if I can make some comparisons, we give support to many organisations in Fiji. Sugarcane farmers - \$400 million over 10 years which we should, because they benefit a lot of our people and the economy but, Madam Speaker, a similar approach should be made to the people of Vaturu. And, Madam Speaker, the same could be said about the owners of the catchment areas for providing water to Suva and Nausori. We are securing electricity through dams and the like, and we should revisit the lease conditions. Other landowners live in a standard of living we are happy with but most of the cases, Madam Speaker, we are not.

Madam Speaker, a global phenomenon today is that, half of the world population now live in cities and towns, the same for Fiji. Now, with population where great wealth is being created, rely on the resources provided by the resource-owners, as we have in Fiji. They must also share in the wealth that is being created in the towns and cities. If we pay them \$24 an acre, we are doing a disservice, it is a dereliction of duty on our part to leave them in that condition.

Madam Speaker, we are carrying out a lot of development around the country and a key component of this development are our gravel, rocks and our sand or normally termed as low value minerals and materials. What has been proven, Madam Speaker, is that the quantum that communities' pay for this is much greater than the precious metals.

For Fiji, Madam Speaker, most of these are in the hands of the *i-Taukei* and we must relook at a proper reward system for them, proper prices paid for their gravel, for their sand and for their rocks. Too often, someone is paying \$7; someone is paying \$9 per cubic metre. This must be reconciled and there must be uniformity in the way we do it to benefit our people.

And, Madam Speaker, we must bring in experts in economics in minerals, experts in law, to come and guide our people on how to benefit from their minerals.

In Tau, Madam Speaker, in Nadroga, there is 15 million tonnes of very high quality rocks that can be used for cement, manure, gravel, rocks, et cetera, and it would take 100 years to process this, and that should benefit the people of Tau. Let us not wait for other people to come and exploit them, like the way we did in Vatukoula. Major part of the benefit gone to Australia, the natives were impoverished. We must be proactive. Go out there and help them now!

Madam Speaker, the *iTaukei*, as you know, have a special model for business called the 'solesolevaki', and I think this must be encouraged. I have a case, up in the hills of Nadroga from

the people of Nahovotava (a *mataqali*) where they have 250 acres of land and they grow beef on their land and it is not through any loan from the bank. It is just the '*solesolevaki*' approach and today, they are doing very well. We must encourage this and I believe, instead of the support to individuals through SMEs, we can also look at a group approach to strengthen those who are conducting businesses in this manner. The people of Nahovotava, Madam Speaker, have got 250 acres for beef and next to them a land over 1,000 acres leased to Fiji Pine, it is idle, nothing is happening there but the lease runs out in 2024. I ask the Government; do not wait for the expiry of the lease in 2024. Give it back to them to help them grow beef.

Madam Speaker, today, we hear of the total ban on beech-de-mer. We can imagine what is happening within our people, those who rely on beech-de-mer, their future looks very, very grim. I would ask the Government, I would ask the leadership to relook at it and do it in a better way so that they do not lose out totally from this ban.

Much can be done, Madam Speaker, for the *i-Taukei* and again, let me stress, it is not about ethnicity, it is about equality. And I think all of us must embrace that and move forward.

Madam Speaker, His Excellency the President spoke about a very ambitious legislative agenda. With respect, are we going to have more sittings of Parliament? If not, we will continue to push this ambitious programme through Standing Order 51. It is shocking, but somehow we have accepted it, it has become the norm but this is parliamentary abuse on a monumental scale.

Madam Speaker, if we are going to have a legislative agenda, an ambitious one, then we must have more sittings of Parliament. Reports are yet to be debated, and I even hear people saying that there is no need for Parliament to sit. It is more important for the Executive to go and meet the people. This is dangerous, Madam Speaker, Executive gets its power from the Legislature, the two must work in tandem, otherwise we have a dictatorship, and I think something such as that is happening in Fiji today.

As it is now, Madam Speaker, when we talk about an ambitious legislative programme, we will not meet in October, or in November or in December or even in January, we will not meet for four months. So, Madam Speaker, it does not really make sense that we have a legislative agenda and yet, we are denying this House to meet regularly.

Madam Speaker, His Excellency the President spoke about *TC Winston*. And again, I know we cannot criticise His Excellency but we should have met from the beginning on an emergency when *TC Winston* struck. We should learn from President Trump. After *Hurricane Harvey* in Houston, he went to Congress to get more money to help him with the recovery from *Hurricane Harvey*. Fiji should have done the same thing. We should have met here. We would have given you all the approval that you wanted. We would have done this jointly and not the one-man show that we had. What it was, Madam Speaker, was that, it became a photo opportunity for FijiFirst. There were photographs - giving away this and giving away that, but when you look at it, Madam Speaker, only the SODELPA Parliamentarians dug into their pockets and contributed directly to the recovery programme.

As you know, Madam Speaker, there was an earthquake in New Zealand, what did we see? The Prime Minister of New Zealand and by his side was the Leader of the Opposition, visiting the sites that were damaged. It would have been wonderful, seeing the Honourable Prime Minister with the Honourable Leader of the Opposition and the Honourable Leader of NFP, doing their rounds together, getting everyone together to be united as one, and in our effort to recover Fiji from *TC Winston*.

Madam Speaker, the disaster programme is, in itself, a disaster. In the Malolos, homes are still to be rebuilt and it is bewildering what they have to go through to get to the powers that be to get things done, and that is still happening today.

Madam Speaker, in Nadroga, we have four bridges that were damaged in 2012 and right in the vicinity of Nadroga, we spent \$36 million for golf. What about those bridges? They are so needful to the economy of our people in Nadroga - Sigatoka Bridge, Motutu Bridge, Emuri Bridge and Saivou Bridge.

Madam Speaker, I will not rest until I share this with you. I went to Sigatoka Hospital, I went through the ward there, the Honourable Minister must give the people there the first prize in this country. It is the cleanest and best appointed ward in Sigatoka, and I would ask the Honourable Minister to pass on how grateful we are that you are keeping Sigatoka Hospital in such a good shape. It must be minimum standard for everyone in Fiji, Madam Speaker.

Madam Speaker, climate change is real and we support the effort being done, but climate change is part of Isaiah's Apocalypse. It is in the *Book of Isaiah* the Prophet from *Chapter 24 to 28*. The world will come to this, exactly what is said, and is known as the Apocalypse of Isaiah. I just hope that the Honourable Prime Minister would impress upon his people because what he says is this, 'the earth is defiled by its people; they have broken the laws; violated the statutes and broken the everlasting covenant.' The world today, the way we are going about it, there is always diversion, it has moved away from the laws of God, hence creating all these problems.

Leviticus Chapter 18, is very clear. No homosexuality, no bestiality, no incest, but a lot of that now is being approved by mankind. And that is where we will need to be, to go back to the word of God. In Fiji, we need to be fair and just.

On minimum wage, if our people cannot live on \$2.68 an hour, why give them that? Why do you not give them what they desire, \$4 or \$5 an hour. This is part of the justice that we need in this country. To bring people together because it is becoming a country where the rich get richer and the poor get poorer.

HON. SPEAKER.- Thank you.

HON. V.R. GAVOKA.- I leave that there, Madam Speaker, I wish His Excellency

HON. SPEAKER.- Honourable Members, we only have only two more speeches and I seek leave of Parliament to allow us to complete the two and break for the day.

HON. MEMBERS.- Yes.

HON. SPEAKER.- Thank you.

I now give the floor to the Honourable Semesa Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. The Honourable Prime Minister, the Leader of the Opposition, Cabinet Ministers and the colleague Members of Parliament. I am indeed honoured to be given the opportunity to reply, Madam Speaker, to His Excellency the President's Address given in this august House on Monday, 4th September, 2017 on the Opening of Parliament for 2017-2018 session.

I noticed in His Excellency the President's Speech, the exaltation of the 2013 Constitution, the role of the Fiji Government in the world regarding the management of COP23, developments, reforms, and et cetera. What surprises me, Madam Speaker, is the fact that His Excellency the Presidency did not acknowledge God or exalt His authority as the Author of all things. So I will be looking at His Excellency's Speech or Address with the theme of a "Nation Independent". A nation, Madam Speaker, in rebellion. It was a great sin of the Jews was their rejection of Christ, the great sin of the believer's world would be their rejection of the Lord of God, the foundation of this Government in heaven and on earth.

King David says, Madam Speaker, "O let the nations be glad and sing for joy for thou shall judge the people righteously and govern the nations upon earth." So King David acknowledges that any government on earth should be reflected on the righteousness of God because it is God himself who authorises and puts in place people to government and it is God's himself that governs and the acknowledgement, Madam Speaker, in the existence of that relationship should be clear. Unfortunately, as I have said, Madam Speaker, because I did not hear God being exalted in the governance of this is nations, so that is why I said that this is a clear indication of a nation that is in rebellion of that authority.

It continues then states, Madam Speaker, "My tongue shall speak of thy word: for all thy commandments are righteousness" in *Psalms 119 verse 172*. The opposite, Madam Speaker, of righteousness is wickedness or evil. I wish to examine the 2013 Constitution against the precepts of the commandments of God because whatever found to be in contrary to it is wicked or evil and as a nation we must come away from such policies and laws.

Section 4 of the 2013 Constitution establishes the provision of Secular State, Madam Speaker. All religions are to be treated equally. Let me share what the commandments of God has to say. The first precept, "Thou shall have no other Gods before me" - *Exodus 20 verse 3*. Section 4 of the Constitution is therefore in contrary to the first precept of the commandments of God and is in this light, wicked or evil, it is sad to say that this provision was exalted as a whole when the Constitution of Fiji was exalted by His Excellency the President.

I would suggest that Section 4 of the Constitution be substituted with a new section to read as follows: "The Lord God, creator of heaven and earth shall be the God of Fiji", this should be consistent with the commandments and therefore righteous and just.

Section 30(1) of the Constitution states:

"Any minerals in or under any land or water, are owned by the State, provided however, that the owners of any particular land (whether customary or freehold), or of any particular fishing rights shall be entitled to receive a fair share of royalties or other money paid to the State in respect of the grant by the State of rights to extract minerals from the land or the seabed in the area of those fishing rights".

King David states, "The heaven, even the heavens, are the Lord's: but the earth hath he given to the children of men" - *Psalms 115 verse 16*. The State is therefore, in my view, Madam Speaker, not entitled to the ownership or to take ownership of any land or minerals for that matter because it has made the law to give it the power of ownership and if I put Section 30(1) of the Constitution against the commandments of God, we find this; "Thou shall not covet thy neighbour's house, thou shall not covet thy neighbour's wife, nor his manservant nor his maidservant, nor his ox, nor his ass, nor anything that is thy neighbour's."

Madam Speaker, it also states in verse 15 as follows; "Thou shall not steal". Section 30(1) is therefore in consistent with the precepts of God's commandments and is therefore unrighteous and unjust. Because it is so, it is therefore evil, Madam Speaker, and wicked. This section of the Constitution must be seen as such, time will not allow me to continue to put every sections to the test but its suffice to state that the 2013 Constitution if allowed to continue would be the reason for God's curse over this nation.

(Chorus of interjections)

HON. S.D. KARAVAKI.- It would be the reason, Madam Speaker, for God's curse over this nation. This our beloved nation Fiji deserves better and I call on the Government and His Excellency the President to immediately take steps to remedy the serious blasphemous provisions contained in the Constitution. You are now being advised and your time of ignorance has ended. It is now obvious, Madam Speaker, that Fiji needs a new Constitution, none of the past Constitutions passed the threshold that is being advocated here. The 2013 Constitution is therefore not a document that should be exalted, not at all; the exaltation of any unjust and unrighteous constitution is a clear indication of a nation in rebellion and is indignant to God the Creator.

Madam Speaker, let me examine the part where His Excellency the President addresses in his Address where reference is made to the role of Fiji as President of the United Nations Conference on Climate Change to be held in Bonn, Germany in November this year. Fiji is now embarking on a road of no return, Madam Speaker, the world is destined to total destruction and Fiji's only choice is to re-examine its position and to return to God the Creator. When we talk about climate change, we must remember that God is still in total control over nature. *Isaiah 24:3* says, and I quote: "The land shall be utterly emptied, and utterly spoiled: for the Lord has spoken this word."

Isaiah 24:4 goes on to say, "The earth mourneth and fadeth away, the haughty people of the earth do languish." The earth also is defiled under the inhabitants thereof; because they have transgressed the laws, changed the ordinance, broken the everlasting covenant." So I say, the world will not be redeemed by any conduct of men. The world is going down on a path destined by God where it should end as a result of people's conduct of breaking the everlasting covenant of God. While the world is seeking for answers to the rising sea level where it has chosen to team-up with the world in seeking for solutions that do not exist, let me therefore state this for all, Madam Speaker, climate change is a hoax.

King David enlightened the leaders to understand the issues of deferring climate activities for He commandeth and raisedth the stormy winds which lifted up the waves thereof. This is all in God's doing, Madam Speaker. When He wants storms, He raises the winds and the wind will raise up the storms. It is in the control of God the creator, He maketh the storm calm so that the waves thereof are still, and this is all in God's power. He caused the vapours to ascend from the ends of the earth. He maketh lightnings strike before the rain; He bringeth the wind out of His treasures.

We talk about hurricanes, Madam Speaker, the winds are all in the treasures that God has put into place and He releases the winds from the treasure. We have such disasters as we talk about, it is all in the control of God. He sendeth out His Word and melted them, He causeth His wind to blow and the waters flowed.

Madam Speaker, we talk about the rising sea level. It says to us that we have the snow up in the north and God allows the wind to blow over it and the water started to flow but if He wants to stop the waters to flow from such snow, He bloweth also the cold wind to set into place the snow. That is all God in control. We are talking about climate change, the rise in temperature, the global warming. As I said, to me it is a hoax, according to the light in the Word of God. God can easily solve the world's problem by fixing the waters in the north, by blowing cold winds over the waters.

Our problem is that, as a nation, under the leadership of this Government, have chosen to create policies and laws in contrary to the commandments of God, that is the problem, Madam Speaker.

If Fiji can learn from that, the world can learn from it too. Fiji, under the leadership of the FijiFirst Party is taking our beloved nation on a path of rebellion and I call on the Government to learn on how to lean on God, the Creator and to understand His ways. The direction we are taking, Madam Speaker, will surely invite the wrath of God and ordinary citizens will unnecessarily suffer due to the Government's desire to follow the world and depart from God.

Luke 11:23, Madam Speaker, says and I quote: "He that is not with Me is against Me and He that gathered not with Me, scattereth." Madam Speaker, this nation needs to be gathered together and not to scatter. It entirely depends on this Government, His Excellency the President, the destiny of this nation rests in God's Hands and the people of this nation are crying out for their vision, thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Leader of the Opposition.

HON. RO T.V. KEPHA.- Honourable Speaker, I join all the Honourable Members of this august House to express my sincere gratitude and heartfelt thanks to His Excellency the President of the Republic of Fiji for his most gracious Address to this House and I pray for the continued good health and long life of the President and the First Lady.

Madam Speaker, the Presidential Address has become a staple feature of our Parliamentary calendar where the Address gives an account of the intentions of the Government of the day, so Madam Speaker, the Address we are debating on this week is in effect the policies and programmes of the Government. Therefore, at the outset of my response, I wish to make it clear that our criticism is not against the Presidency but the policies and programmes of the Government of the day.

Madam Speaker, His Excellency's Address marks the beginning of the fourth year of the FijiFirst Government in power and ten years of rule in Fiji, thus it is an insult to our national conscience when we hear calls made blaming past governments for this and that and the other whilst the present Government continues to impose their will on the people of Fiji taking credit for all developments, past and present, and refusing to accept the failure of the adventures which many times is unprecedented.

When we came here, Madam Speaker, in 2014, the FijiFirst Government painted every other government before them in poor light condemning the policies of the Alliance, SVT and SDL Governments. Government Members have even criticised the policies and programmes of the People's Coalition Government though that Government did not complete its full-term because of reasons best-known maybe to a few Members of this House.

Let me advise this House, Madam Speaker, whatever those policies and programmes were, they managed to sustain and develop Fiji through their national development plans. They kept Fiji free, proud and hopeful for the future so much so that it led the late Pope John Paul II to say in November, 1986 that "Fiji is the way the world should be." Even Fiji's 1997 Constitution, Madam Speaker, was universally acclaimed at the time, as one of the three best Constitutions in the world.

Before I get into the debate proper, Madam Speaker, there are two other very important points I would like to make. Allow me to begin with the policies and programmes of this Government which are nothing more than transforming the policies and programmes of the Alliance, SVT, SDL, NFP and Labour Policies and Programmes but with a new flavour. There is nothing new except

draconian laws, loopholes for sheer enrichment whilst getting us further into debt for which our children's children will have to continue servicing.

The second point I am making, Madam Speaker, is the quality of services. Any Government, in addressing service issues (and this is supported by the Opposition), whether it is in rural, remote, urban areas, because this is something that every Government should do because the sacred act of governance lies in serving the people by improving on the quality of services which has been implemented by every previous government, Madam Speaker.

In alluding to the Presidential Address, I refer to Page 2, Paragraph 5 where His Excellency the President states, and I quote: "We, Fijians, will be tested in this election. We will be and should be challenged to contest this election on the basis of policies, principles and truth."

Madam Speaker, as observed by His Excellency the President, and he quotes that, "Elections are an integral element of democratic governance, but it is a sad truth that elections are used to extenuate political differences. Each party will try to distinguish itself from the others. But after the election, we must come together to govern."

Madam Speaker, the true test of an election is the process that is involved in the organisation and conduction of that election. It must not only be credible, it must also be free and fair and it must be held under a system that seeks to represent the people fairly. In our case, the root cause of our electoral failure is the election system that is unfair and not reflecting the interests and aspirations as well as the grudges and grievances of our people.

Secondly, Madam Speaker, the processes involved are disputed. They are disputed because they lack transparency, inclusivity and wide acceptance. In the recent past, Madam Speaker, apart from the FijiFirst Party, all the parties made representations to the Fiji Elections Office and the Fiji Electoral Commission which were not given due consideration. That, Madam Speaker, is contemptuous and disconcerting and creates more than enough doubt to mar the electoral exercise.

Thirdly, Madam Speaker, when the outcome of an election that is widely disputed is implemented, it is highly likely than not to create frustrations, division, distraught and mistrust. That in turn, Madam Speaker, results in animosity that we have witnessed herein on the floor of the House and the floor from that side of the House.

Madam Speaker, on free education. There is no free education but just tuition fee free education. The parents still provide for everything else, Madam Speaker, the bags, the shoes, the uniform, raincoats, umbrella, stationery and other expenses such as food. All that the Government provides is tuition fee free education, textbooks and bus vouchers. The much promised iPad or laptop or tablet per child is still pending, Madam Speaker, and especially from the person who is quoting from the other side, Madam Speaker, who has not come through with his promises whilst some *TC Winston* victims continue to learn in tents.

The supply of textbooks, Madam Speaker, and dispute over several policies being piloted in schools continues and the Ministry of Education public relations exercise is at an all-time low, so much so that it has forced the Honourable Minister for the Economy to try to convince students via budget consultations and to teachers via the latest road shows through the long delayed salary increases and other allowances including their meal allowances. What these two types of groups continue to do, Madam Speaker, they shake their heads in disbelief with the many more empty promises and have just told us "*waraka namaka* - the next Elections will be different."

Madam Speaker, against the backdrop of these, we in the Opposition continue to impress the idea of fee free education up to tertiary level, the setting up of a National Education Commission to examine, Madam Speaker, the relevancy of our education curriculum and policies and lay down the basis of community partnership whereby issues between the Government, school managements, teachers, unions, students and parents are resolved amicably, hopefully in the Pacific way.

Madam Speaker, in 2006 a Bill was proposed that would have restored *qoliqoli* rights as law. The chiefs and their people who owned the *qoliqoli* are now being deprived of using what is rightfully theirs. The ownership is now taken over by the State and the resource owners are disadvantage of their livelihood. Money is going to the State and making the State richer thus living the resource owners supposedly as at rich but in reality all the poorer.

Previously, Madam Speaker, the traditional owners were able to make decisions on their *i-qoliqoli*. For example, some traditional taboo that needed sustainable decisions. Some taboo would apply only to a portion of the fishing ground typically resulting in increased harvest at the end of the closed period. This would result in large harvests for their consumption and livelihood. Now the *i-qoliqoli* owners from all over the country including the West are totally deprived of their rights. And we have heard from the largest resource owners particularly from the Western provinces how very disappointed they are, Madam Speaker, with their votes which has brought FijiFirst to power, they are determined not to make the same mistake the second time.

(Honourable Member interjects)

HON. RO T.V. KEPA.- On the Surfing Decree, Madam Speaker. Concerns have been raised by resource owners on the impact of the Surfing Decree and now included in the 2013 Constitution. It is noted previously that there were negotiations made with the resort/hotel managements and the chiefs and the people to exclusive access for snorkelling, surfing, et cetera, and would come with certain benefits given to the resource owners but now, Madam Speaker, now that the State is in control, the traditional owners are left with hardly anything. They lose out on their rights over the *qoliqoli* and also their rightful return. These issues, Madam Speaker, were common to the people of Nakuruvakarua, Nalagi, Saunaka, Viseisei and Namoli. No doubt, overtime other resource owners will also make their views known. Included in this concern, Madam Speaker, is another one from Saunaka on land lease payments and this is on the Nadi Airport area and surrounding places like the Black Rock area.

Now on lease money distribution. Madam Speaker, issues have been raised with us on the distribution of lease money. In the past lease money was distributed according to the policies, programmes and plans of the resource owners. Presently the equal distribution of lease money is not conducive to their traditional livelihood. Madam Speaker, previously with the large sum of money received by the landowning units, they were able to collectively fund the developing needs of their villages, like housing, education needs, investments and funding of other important village projects to assist them in their day to day living and this benefitted each and everyone in the village. However, the current system of individual lease payment, Madam Speaker, has implications in that people are working in isolation and individualism from the rest of the community and a sense of togetherness is slowly drifting away. With the amount received by respective individuals, less could be achieved in terms of community and village development and this would benefit everyone in terms of the development processes.

Madam Speaker, on youth involvement. The youth is the hope of the future for all our different areas of the country. In Rewa, Madam Speaker, our youths are groomed in the best of the traditional and national life. They try to excel in education, sports industry, commerce and agriculture. They continue to empower our people and at this point in time, Madam Speaker, I would

like to congratulate the Honourable Prime Minister for his contribution to sports which is well documented but also in his personal interest in rugby in supporting, in particular, the Rewa Rugby Team in which there are talented players from Natena and who have assisted us in winning the Shield that is named after him, Madam Speaker.

I am happy to report, Madam Speaker, that I have been engaged with a number of youth initiatives, young men and women at all levels who continue to work at the grassroots level addressing youth issues and mapping out strategies to empower our youth now and into the future. The Opposition as a whole, Madam Speaker, has connected a wide network of youth who form our backbone and are leading the movement which has been branded as "Make Fiji Free in 2018" because they believe in change and want to be masters of their own destiny.

Madam Speaker, whilst we endorse and support the Honourable Prime Minister's Presidency of COP23, in our own part of the country on the Rewa River we together with our newly formed relatives who have been accepted by the *Tui Noco* and the people of Rewa as *luvedra na Ratu mai Bure o Noco* and ourselves that is the people of Rewa, we are planning as a practical support for COP23. Whilst the meeting is happening in Bonn, we are having a *bilibili* race on the Rewa River, Madam Speaker, on 3rd to 4th November, 2017.

This race, Madam Speaker, is to bring to the public's attention climate change issues like *TC Winston* that adversely affected our country. Highlighted in particular will be Rewa River issues from upstream areas like Tailevu, Naitasiri, Ra and Namosi and downstream concerns such as pollution from riverbank industries, pesticides and insecticides from farming lots, toxic materials emanating from the Kinoya Sewage Treatment Plant whilst trying to offer support for our people who rely on the river to provide them a sustainable livelihood.

Also, in need of support and protection are the scalloped hammerhead sharks who enjoy the lower reaches of the Rewa River as one of the best nurseries in the world. So, therefore, Madam Speaker, I invite you and everyone present here to Syria Park, Nausori on the 3rd and 4th November and onto the banks of the Rewa River. You might even come and take part in the *Bilibili* Race, Madam Speaker.

Madam Speaker, on transport, the Greater Suva Transport Strategy (GSTS) which Government is well aware of recognises that when population grows and trends continue towards increased urbanisation, more cars will be purchased and congestion will worsen.

There are three strategies Madam Speaker, which has been provided by this group. There are three suggested staging plan activities, Madam Speaker, which is not yet implemented, which involves cycling that the Fiji Government could look at, in terms of the great congestion that we have on our roads - that is the main road and the arterial roads. Even the children are commenting on the increasing number of vehicles on the roads, Madam Speaker, remarking on those still in the car yards and motor vehicle show rooms, awaiting their release on to the already congested transport system.

The three staging planning activities, Madam Speaker. Firstly, is the integration of cycling into planning in-house projects, and the Fiji Roads Authority (FRA) is to identify appropriate staff to carry out cycling review and updates to existing procedures.

Secondly, Madam Speaker, is to establish core bicycle priority network and to tender to consultants a study to develop a cycling network.

Thirdly, Madam Speaker, is on a coastal recreational walking and cycling path. This is to be designed and constructed as a high quality recreational off-road shared path, following the coastline between Lami and Suva Point, Madam Speaker.

According to Fiji Revenue and Customs Service's (FRCS) published Vehicle Imports statistics, Madam Speaker, over 56,000 bicycles were brought into Fiji between 2010 and 2015. Despite this \$5 million investment in bicycles by the private sector, there has not been any investment by Government in cycling-specific infrastructure to facilitate non-motorised transport, thus far this decade, Madam Speaker.

Another key challenge, identified in the Green Growth Framework's transport entry, Madam Speaker, is a need to shift towards public transportation and non-motorised land transport, due to the very significant increases in the number of vehicles on Fiji's roads. In as far as cycling initiative is concerned, Madam Speaker, in the short-term, we can explore the opportunities of cycling lanes in major urban areas, opportunities for other means of transport in rural areas, and encouraging carpooling schemes.

On a medium-term, that is three to five years, Madam Speaker, we can promote cycling and establishment of cycle paths in urban areas, as well as public and private sector participation in cycle-towards scheme. None of this has taken place yet, Madam Speaker.

In conclusion, Fiji, Madam Speaker, is at the top of the list on the highest number of Non-Communicable Diseases (NCDs) in the Pacific, as was revealed during the 70th World Health Assembly earlier this year. Therefore, in order to stay healthy, Madam Speaker, we need to plan our diet and carry out daily exercises. The cycling scheme would certainly help out here.

With those words I support the motion before the House. Thank you.

HON. SPEAKER.- Thank you, and that brings to an end our sitting for today. I thank you all for your contributions in the debate today. Thank you for your patience. Parliament is now adjourned until tomorrow at 9.30 a.m.

The Parliament adjourned at 1.09 p.m.