

**MONDAY, 12<sup>TH</sup> OCTOBER, 2015**

The Parliament resumed at 9.50 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present, except the Honourable Ratu N.T. Lalabalavu.

**NOMINATIONS FOR THE  
APPOINTMENT OF THE PRESIDENT OF THE REPUBLIC OF FIJI**

MADAM SPEAKER.- In accordance with Section 84(2) of the Constitution of the Republic of Fiji, I now call upon the honourable Prime Minister to nominate his candidate for appointment.

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Madam Speaker, my nomination for His Excellency the President's position is, of course, Major-General (Ret'd) Jioji Konusi Konrote. Thank you.

MADAM SPEAKER.- Thank you. In accordance with Section 84(2) of the Constitution....

HON. S.D. KARAVAKI.- Madam Speaker, a Point of Order.

MADAM SPEAKER.- Point of Order!

HON. S.D. KARAVAKI.- I rise under Standing Orders 74 and 18, Madam Speaker.

Section 74 gives me the right to rise before you, Madam Speaker, and Section 18 is the responsibility of Madam Speaker to ensure that everything that is done in this House upholds and complies with the Constitution.

My rising is on that Point of Order on the nomination made by the Honourable Prime Minister. According to the qualification under Section 83, I submit Section 83(1)(c), disqualifies Honourable Konrote to be nominated as a nominee for His Excellency the President's post. The issue there, Madam Speaker, is whether Honourable Konrote is a member of a political party. If he is a member of a political party, then he is disqualified from becoming a nominee. The issue of being a holder of a public office does not even come into play here. The issue first that we have to examine and to look at is whether he is a member of a political party, which is very obvious, Madam Speaker, that all Members of Parliament who are here today, whether we belong to a political party or an independent candidate, but there is no independent candidate here.

We see, Madam Speaker, that that idea or that understanding comes from even the appointment of the Attorney-General. The Government can look outside from those elected as members of a political party in Parliament, to be appointed as Attorney-General. So, the understanding of members of a political party comes and is drawn from there, that everyone that is in Parliament must either be a member of a political party or independent candidate.

Also, Madam Speaker, even Section 64(1) talks about the replacements of members, those who have resigned, and those who are to substitute, to replace those who have resigned, it talks about looking at those who are members of a political party. Here, we have, Madam Speaker, the nominee that we have before the House is Honourable Konrote. He is, of course, a member of the FijiFirst Party....

MADAM SPEAKER.- Order! I think you have made your point clear.

HON. S.D. KARAVAKI.- I still have, Madam Speaker, a point to raise in this august House.

MADAM SPEAKER.- You have made your point clear. Thank you. I will now make my ruling.

HON. S.D. KARAVAKI.- Madam Speaker, I still have the issue...

MADAM SPEAKER.- You have made your point clear.

HON. S.D. KARAVAKI.- ..., the issue, the issue, Madam Speaker.

MADAM SPEAKER.- I will make my ruling. Please take your seat!

HON. A. SAYED-KHAIYUM.- Sit down!

HON. S.D. KARAVAKI.- I am saying, he does not qualify under the Constitution.

MADAM SPEAKER.- That is clear!

HON. S.D. KARAVAKI.- He is not qualified!

(Chorus of interjections)

MADAM SPEAKER.- Your point is very clear. I will now make my ruling. In your Point of Order, you should not be elaborating for so long, your point is clear. I will make my ruling now. You may take your seat.

HON. A. SAYED-KHAIYUM.- Sit down!

HON. S.D. KARAVAKI.- Madam Speaker, is speaking to me. I am standing up, because I respect the Speaker.

HON. GOVT. MEMBERS.- Sit down!

HON. S.D. KARAVAKI.- You shut up.

HON. A. SAYED-KHAIYUM.- I didn't say "shut up".

MADAM SPEAKER.- Thank you. With respect to being a member of a political party, whether you won seats in Parliament or did not win seats in Parliament, you are already registered as a political party. Therefore, Members who stood for Elections under those political parties, it is evident that they belong to that political party.

With respect to the issue that you have raised, I have received written communication of the resignation of Jioji Konrote from the FijiFirst Party...

(Chorus of interjections)

MADAM SPEAKER.- ... and the vacation of his seat will be gazetted shortly.

HON. RATU I.D. TIKOCA.- He is still a member.

MADAM SPEAKER.- This matter is therefore a non-issue. He has resigned.

HON. RATU I.D. TIKOCA.- It is an issue.

HON. S.D. KARAVAKI.- You are breaking your own Constitution.

MADAM SPEAKER.- I already have a very good idea of who your nominee is going to be, and he is also a member of a political party, although they did not win a seat in Parliament, still under registered political party. However, it is a non-issue.

In accordance with Section 84(2) of the Constitution of the Republic of Fiji, I now call upon the Honourable Leader of the Opposition to nominate her candidate for appointment.

HON. RO T.V. KEPA.- Thank you, Madam Speaker. Unfortunately, since we have all day in this Parliament on this particular day, we can only nominate and not give justification for why we have nominated the person we have nominated.

MADAM SPEAKER.- Thank you.

HON. RO T.V. KEPA.- In that regard, Madam Speaker, as Leader of the Opposition, our nomination is Ratu Epeli Gavidu Ganilau, holder of the Military Cross, the Order of St. John and the Meritorious Service Decoration. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you. Since there are two nominations before the House, Honourable Members shall proceed with the casting of secret votes.

HON. ROKO T.T.S. DRAUNIDALO.- Point of Order!

HON. RATU I.D. TIKOCA.- Point of Order!

HON. ROKO T.T.S. DRAUNIDALO.- Point of Order, Madam Speaker.

MADAM SPEAKER.- Point of Order!

HON. ROKO T.T.S. DRAUNIDALO.- Apparently, this thing transpired before I got to the House, and I was told briefly that the speech of the Honourable Leader of the Opposition was limited by the Secretariat to two minutes or just nomination.

This is under Standing Order 18, Madam Speaker. Let us not make this process any more of a farce than it already is. It is a secret ballot which means that Honourable Members of this House are entitled to use their conscience to vote, and how can they exercise their conscience or thinking when they do not know the background of who is being nominated?

The Honourable Prime Minister could very well convince some Honourable Members on this side to vote for his candidate, so too, those on that side of the House convinced by the Honourable Leader of the Opposition. This is why we do not want to take part in this ridiculous process, but I put it to you, Madam Speaker, it should not have been done, and you should correct it for the future.

MADAM SPEAKER.- Thank you. The procedures before the House is based on what is in the Constitution and also what is in the Standing Orders. So, if there are gaps in the Standing Orders, we are in the process of reviewing the Standing Orders so that we can enhance what is in it for future reference. Right now, the procedures will be based on the Standing Orders, which is based on the Constitution, which is the procedure that we are following now.

HON. M.D. BULITAVU.- Point of Order, Madam Speaker.

Just a point of clarification, Madam Speaker. You said earlier that the Honourable Jioji Konusi Konrote had resigned from the Party. If the procedures are correct, then the Elections Office will be writing to you, Madam Speaker, and not the FijiFirst Party. We seek clarification on that, what really happened, and what has been done?

MADAM SPEAKER.- Thank you. We are being very consistent on this. The same process took place when I became Speaker. I also resigned from the FijiFirst Party, and immediately I was nominated as Speaker, and this was accepted, and I have been the Speaker for the past year based on that. However, thank you for that Point of Order.

HON. N. NAWAIKULA.- I rise on Point of Order - Standing Order 68. This being a motion, I am asking, Madam Speaker, to make a ruling that the nominees are allowed to be given time to speak on the motion.

HON. A. SAYED-KHAIYUM.- It's not a motion.

MADAM SPEAKER.- Thank you. The difference is that it is not a motion, it is a nomination.

HON. N. NAWAIKULA.- Whatever, Madam Speaker.

(Laughter)

MADAM SPEAKER.- Thank you. I cannot have Honourable Members questioning the ruling of the Speaker. Please, I have made my ruling.

HON. N. NAWAIKULA.- It is very important. The public is entitled to know who are being nominated and what is their background. We have a full day to talk about that.

MADAM SPEAKER.- Thank you. I will repeat, since there are two nominations before the House, Honourable Members shall proceed with the casting of votes by a secret ballot.

I now call on the Chamber Attendants to give the ballot papers to Honourable Members.

*(Chamber Attendants circulate ballot papers to Honourable Members)*

HON. RATU I.D. TIKOCA.- Point or Order. Is there a chance for us to scrutinise the actual count because there should be one from this side, one from the National Federation Party, and one from that side.

*(Chorus of interjections)*

MADAM SPEAKER.- Order! Order! We have the procedures very clear. As soon as the ballot papers are being collected, we will call for scrutineers from both sides of the House before we announce the results.

I would ask Honourable Members to write the names of the person whom you wish to vote for. Honourable Members are requested to fold the ballot papers so that the name written on it cannot be seen.

### **ACKNOWLEDGEMENT OF THE APPOINTMENT OF THE PRESIDENT OF THE REPUBLIC OF FIJI**

MADAM SPEAKER.- I now call on the Chamber Attendants to collect the ballot papers for counting at the table.

In accordance with Standing Order 136(4), I call on the representative of the Honourable Prime Minister and the representative of the Honourable Leader of the Opposition to act as scrutineers and observe the count at the table.

*(Scrutineers observe the count at the table)*

Scrutineer, please can you remove the piece of paper you are holding, it might just be counted.

*(Laughter)*

MADAM SPEAKER.- Thank you. The result of the secret ballot are as follows:

Major-General (Ret'd) Jioji Konusi Konrote	-	31 votes
Ratu Epeli Gavidi Ganilau	-	14 votes
Abstain	-	3 votes

In accordance with Section 84(3) of the Constitution of the Republic of Fiji, Major General (Ret'd) Jioji Konusi Konrote having received the support or the majority of the Members of Parliament present, is appointed as the President of the Republic of Fiji by Parliament.

(Applause)

Before we proceed further, I wish to congratulate Major-General (Ret'd) Jioji Konusi Konrote, the new President-elect of the Republic of Fiji. Let me be the first to wish you all the best in your tenure.

In accordance with Standing Order 136 (7), the Secretary General will destroy the ballot papers in the presence of the two scrutineers. I now call on the two scrutineers to come to the table please.

*(Scrutineers observe the ballot papers being destroyed)*

### ADJOURNMENT

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

That Parliament adjourns until Friday, 6<sup>th</sup> November, 2015 at 10.00 a.m.

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

Question put

Motion agreed to.

MADAM SPEAKER.- That brings us to the end of our sitting. I wish to take this opportunity to thank Honourable Members and guests who witnessed the special sitting, to appoint the President of the Republic of Fiji. It is not only a unique event, but also a historic one as it is the first of its kind under the Constitution of the Republic of Fiji.

The Secretariat has organised light refreshments and I invite guests in the public gallery to join the Honourable Members in the refreshments.

On another note, I wish to meet with all the Chairpersons of the six Standing Committees after refreshments in the Big Committee Room.

The Parliament is now adjourned until Friday, 6<sup>th</sup> November, 2015 at 10.00 a.m.

The Parliament adjourned at 10.24 a.m.

