

MONDAY, 9TH FEBRUARY, 2015

The Parliament resumed at 9.35 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

PRESENT

Hon. Rear Admiral (Ret'd) Josaia Voreqe Bainimarama, Prime Minister and Minister for *iTaukei* Affairs and Sugar

Hon. Aiyaz Sayed-Khaiyum, Attorney-General and Minister for Justice, Finance, Public Enterprises, Public Service and Communications

Hon. Faiyaz Siddiq Koya, Minister for Industry, Trade and Tourism

Hon. Lt. Col. Pio Tikoduadua, Minister for Infrastructure and Transport

Hon. Parveen B. Kumar, Minister for Local Government, Housing and Environment

Hon. Mereseini Vuniwaqa, Minister for Lands and Mineral Resources

Hon. Osea Naiqamu, Minister for Fisheries and Forests

Hon. Lt. Col. Inia Batikoto Seruiratu, Minister for Agriculture, Rural & Maritime Development and National Disaster Management

Hon. Ratu Inoke Kubuabola, Minister for Foreign Affairs

Hon. Captain Timoci Lesi Natuva, Minister for Immigration, National Security and Defence

Hon. Jone Usamate, Minister for Health and Medical Services

Hon. Dr. Mahendra Reddy, Minister for Education, Heritage and Arts

Hon. Brig. General (Ret'd) Jioji Konusi Konrote, Minister for Employment, Productivity and Industrial Relation

Hon. Lt. Col. Laisenia Bale Tuitubou, Minister for Youth and Sports

Hon. Rosy Sofia Akbar, Minister for Women, Children and Poverty Alleviation

Hon. Lorna Eden, Assistant Minister of Finance, Public Enterprises, Public Service, Trade and Tourism

Hon. Commander Joeli Ratulevu Cawaki, Assistant Minister for Agriculture, Rural and Maritime Development and National Disaster Management

Hon. Veena Kumar Bhatnagar, Assistant Minister for Health and Medical Services

Hon. Vijay Nath, Assistant Minister for Education, Heritage and Arts

Hon. Iiesia Delana, Assistant Minister for Youth and Sports

Hon. Mosese Drecala Bulitavu

Hon. Roko Tupou Takeiwai Senirewa Draunidalo

Hon. Jiosefa Dulakiverata

Hon. Viliame Rogoibulu Gavoka

Hon. Semesa Druavesi Karavaki

Hon. Ro Teimumu Vuikaba Kepa

Hon. Ratu Kiniviliame Kiliraki

Hon. Commander Semi Tuleca Koroilavesau

Hon. Brij Lal

Hon. Ratu Naiqama Tawake Lalabalavu

Hon. Ratu Suliano Matanitobua

Hon. Alivereti Nabulivou

Hon. Ruveni Nadabe Nadalo

Hon. Ratu Sela Vuinakasa Nanovo

Hon. Niko Nawaikula

Hon. Sanjit Patel

Hon. Viam Pillay
Hon. Dr. Biman Chand Prasad
Hon. Aseri Masivou Radrodro
Hon. Salote Vuibureta Radrodro
Hon. Lt. Col. Netani Rika
Hon. Neil Prakash Sharma
Hon. Balmindar Singh
Hon. Prem Singh
Hon. Ashneel Sudhakar
Hon. Ratu Isoa Delamisi Tikoca
Hon. Anare Tuidraki Vadei
Hon. Samuela Bainikalou Vunivalu

Apologies

Hon. Alvick Avhikrit Maharaj
Hon. Ratu Viliame Manakiwau Tagivetaua

MINUTES

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

That the Minutes of the sitting of Parliament held on Friday 12th December, 2014, as previously circulated be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATION FROM THE CHAIR

Welcome – 2015 Session

MADAM SPEAKER.- Honourable Members, welcome back to Parliament, it is wonderful to see you all looking refreshed and raring to go.

Honourable Members, 2015 will be an important year for our Parliament. Whilst we were learning the ropes last year, this year, there will be an expectation from the public that we ensure Parliamentary democracy not only exists in Fiji, but also flourishes.

I also welcome all of you in the public gallery and those watching proceedings on television, the internet and listening on radios. This is your Parliament, and we are grateful for your interest in today's proceedings.

Study visit – Delegation from the Fiji Parliament to United Kingdom

I would like to take this opportunity to briefly update honourable Members on the recent study visit undertaken by a delegation from this Parliament. I led the delegation that included the Leader of Government in Parliament, Leader of the Opposition and the Secretary-General on a visit to the

Westminster Parliament, the Scottish Parliament and the National Assembly for Wales. This visit was facilitated by UNDP and allowed us to see how these different Parliaments – both old and new operated.

Whilst all the Parliaments worked differently, at the core of their work is the approval of laws and scrutiny of executive policy. This is also the role of the Fiji Parliament, and I look forward to our Parliament developing this year, to ensure that we also effectively scrutinise legislation and increase effectiveness of Government's scrutiny.

A full report on the visit will be circulated to honourable Members in due course.

Speaker's Ruling – Raising Matter of Privilege

I wish now to refer to a matter of privilege that was raised at the last sitting of Parliament in December. This is the first matter of privilege raised in this Parliament and it is obviously a very serious issue. I instructed Parliament staff to seek advice from other Parliaments in the region, in providing guidance to me on the issue of Parliamentary privilege.

On 11th December last year, the honourable Roko Tupou Draunidalo wrote to the Secretary-General, submitting an Adjournment Motion for Urgent Consideration under Standing Order 36. I did not allow the motion to proceed, as it raised a matter of privilege, which was more appropriately dealt with under Standing Order 134. The honourable Member subsequently raised the matter with me under Standing Order 134 and brought it to the attention of Parliament on 12th December, 2014. At the time, I allowed the honourable Attorney-General to respond in the interest of natural justice. I then deferred my decision until a future sitting. I will now advise the Parliament of my decision.

Deliberately misleading Parliament is a serious matter and may be viewed as a contempt of Parliament. There are three elements which must be established in order to show that a Member deliberately misled Parliament. Firstly, the statement must in fact have been misleading. Secondly, the Member must have known at the time it was made that the statement was incorrect. Thirdly, in making the statement, the Member must have intended to mislead Parliament.

In her statement to Parliament on 12th December, 2014, the honourable Draunidalo set out two claims that the honourable Attorney-General had deliberately misled Parliament during the Ministerial Statement he made on 9th December, 2014. The first claimed that the Attorney-General had assured the Chamber that World Rugby had given its consent to the sharing of its content for the Gold Coast Sevens. Whilst this may have been the interpretation of the honourable Member, upon reviewing the *Daily Hansard* script of the honourable Attorney-General's Ministerial statement, I find that his statements were not so specific. Therefore, the first requirement for deliberately misleading Parliament, the statement must in fact have been misleading, has not been met.

The second claim in the honourable Member's statement and I quote "that worked out beautifully", I find that the Attorney-General's statement was general and could be interpreted to refer to a number of different parts of the issue. Therefore, the first requirement for deliberately misleading Parliament, the statement must in fact be misleading has not been met.

In both instances, I find there is no *prima facie* evidence that the honourable Attorney-General deliberately misled Parliament. Therefore, under Standing Order 134 (2)(c), I find that there has been no breach of privilege, no contempt of Parliament and therefore, there will be no further discussion on this matter.

Membership of Committees

Honourable Members, in accordance with Standing Order 115(4), I wish to advise Parliament that the following honourable Members have been appointed to the various Parliamentary Committees. As per Standing Order 116(2), the Secretary-General will notify Committee Members when the first Committee meetings will be held.

Standing Committee on Economic Affairs

1. Hon. Brij Lal
2. Hon. Sanjit Patel
3. Hon. Balmindar Singh
4. Hon. Viliame Gavoka
5. Hon. Prem Singh

Standing Committee on Social Affairs

1. Hon. Veena Bhatnagar
2. Hon. Vijay Nath
3. Hon. Viam Pillay
4. Hon. Ro Teimumu Kepa
5. Hon. Anare Vadei

Standing Committee on Natural Resources

1. Hon. Cdr Joeli Cawaki
2. Hon. Alifereti Nabulivou
3. Hon. Samuela Vunivalu
4. Hon. Ratu Naiqama Lalabalavu
5. Hon. Ratu Kiniviliame Kiliraki

Standing Committee on Foreign Affairs and Defence

1. Hon. Cdr S.T. Koroilavesau
2. Hon. Lt. Col. Netani Rika
3. Hon. Dr. Neil Sharma
4. Hon. Roko Tupou Takeiwai Senirewa Draunidalo
5. Hon. Ratu Isoa Tikoca

Standing Committee on Justice, Law and Human Rights

1. Hon. Iliesa Delana
2. Hon. Lorna Eden
3. Hon. Ashneel Sudhakar
4. Hon. Semesa Karavaki
5. Hon. Niko Nawaikula

PAPERS LAID ON THE TABLE

Joint Report by the Electoral Commission and the Supervisor of Elections – 2014 General Election

Ministry of Education, National Heritage, Culture and Arts – Annual Report 2013
(*Parliamentary Paper No. 40/2014*)

Ministry of Finance – Annual Report 2013
(*Parliamentary Paper No. 09/2015*)

Ministry of Finance – Independent Audit Report – Annual Financial Statement for the Year
Ending 31
December 2013 (*Parliamentary Paper No. 11/2015*)

Ministry of Finance – Reserve Bank of Fiji – Insurance Annual Report 2013
(*Parliamentary Paper No. 03/2014*)

Ministry of Foreign Affairs and International Co-operation – 2013 Annual Report
(*Parliamentary Paper No. 43/2014*)

Ministry of iTaukei Affairs – iTaukei Trust Fund Board – Annual Report 2013
(*Parliamentary Paper No. 39/2014*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Municipal Councils –
December
2014 (*Parliamentary Paper No. 01 /2015*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Statutory Authorities –
December
2014 (*Parliamentary Paper No. 02/2015*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Government Commercial
Companies, Commercial Statutory Authorities, Majority-Owned Entities, Off-Budget State
Entities –
December 2014 (*Parliamentary Paper No. 03 /2015*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Special Projects –
December
2014 (*Parliamentary Paper No. 04/2015*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Performance Audits –
Volume 1 - December 2014 (*Parliamentary Paper No. 05/2015*)

Report of the Auditor-General of the Republic of Fiji – Audit Report on Performance Audits –
Volume 2 - December 2014 (*Parliamentary Paper No. 06/2015*)

MADAM SPEAKER.- Under Standing Order 38(2), I refer the following reports to the Public
Accounts Committee:

- 1) Report of the Auditor-General of the Republic of Fiji – Audit Report on Municipal
Councils – December 2014 (*Parliamentary Paper No. 01 /2015*);
- 2) Report of the Auditor-General of the Republic of Fiji – Audit Report on Statutory
Authorities – December 2014 (*Parliamentary Paper No. 02/2015*);

- 3) Report of the Auditor-General of the Republic of Fiji – Audit Report on Government Commercial Companies, Commercial Statutory Authorities, Majority-Owned Entities, Off-Budget State Entities – December 2014 (*Parliamentary Paper No. 03/2015*);
- 4) Report of the Auditor-General of the Republic of Fiji – Audit Report on Special Projects – December 2014 (*Parliamentary Paper No. 04/2015*);
- 5) Report of the Auditor-General of the Republic of Fiji – Audit Report on Performance Audits – Volume 1 - December 2014 (*Parliamentary Paper No. 05/2015*); and
- 6) Report of the Auditor-General of the Republic of Fiji – Audit Report on Performance Audits – Volume 2 - December 2014 (*Parliamentary Paper No. 06/2015*).

I refer the following reports to the Standing Committee on Economic Affairs.:

- 1) Ministry of Finance – Reserve Bank of Fiji – Insurance Annual Report 2013 (*Parliamentary Paper No. 03/2014*);
- 2) Ministry of Finance – Annual Report 2013 (*Parliamentary Paper No. 09/2015*); and
- 3) Ministry of Finance – Independent Audit Report – Annual Financial Statement for the Year Ending 31st December 2013 (*Parliamentary Paper No. 11/2015*).

I refer to the Ministry of iTaukei Affairs – iTaukei Trust Fund Board – Annual Report 2013 (*Parliamentary Paper No. 39/2014*) to the Standing Committee on Social Affairs.

I refer to the Ministry of Education, National Heritage, Culture and Arts – Annual Report 2013 (*Parliamentary Paper No. 40/2014*) to the Standing Committee on Social Affairs.

I refer to the Ministry of Foreign Affairs and International Co-operation – 2013 Annual Report (*Parliamentary Paper No. 43/2014*) to the Standing Committee on Foreign Affairs and Defence.

I refer the Joint Report by the Electoral Commission and the Supervisor of Elections – 2014 General Election to the Standing Committee on Justice, Law and Human Rights.

I also refer the Ministry of iTaukei Affairs – iTaukei Trust Fund Board – Annual Report 2013 (*Parliamentary Paper No. 39/2014*) which was tabled on 1st December, 2014 to the Standing Committee on Social Affairs.

QUESTIONS AND REPLIES

Social Services Intervention & Rehabilitation Measures (Question No. 01/2015)

HON. S. V. RADRODRO asked the Government upon notice:

Can the honourable Minister for Women, Children and Poverty Alleviation outline the social services intervention and rehabilitation measures in place to address mothers and child beggars in Fiji?

HON. R.S. AKBAR (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, I rise to respond to the question asked by the honourable Member and I thank her for her question.

Madam Speaker, if I can bring to the attention of Parliament that this issue has been gaining a lot of media attention and we have outlined our plans to the media as to how these social service intervention and rehabilitation measures will be used to address mothers and child beggars in Fiji.

Madam Speaker, begging is not a new issue for Fiji. Beggar Profiling has been completed and the Ministry is going to intensify its effort to ensure that mothers or women, and children, who are begging on the streets and who have been begging for a long, long time will now be assisted under our Care and Protection Programmes. I have a ministerial statement to deliver as per the Order Paper, and I will be outlining plans in detail during that presentation.

HON. S.V. RADRODRO.- Madam Speaker, I have a supplementary question; can the honourable Minister explain how the Ministry's budget which is quite small as compared to other Ministries/Departments, be able to effectively carry out their plans in order to address the children and mothers begging industry?

HON. R.S. AKBAR.- Madam Speaker, to respond to the honourable Member's supplementary question, we have close to \$22 million budget for our Social Welfare programmes. Begging and assisting mothers and child begging in Fiji, the assistance will come from our Social Welfare programmes. At the moment, we have profiled 72 beggars in Fiji. The number is very small and out of that, we have close to 40 female/women/mothers, as we say, begging on the streets.

I would not be able to give a clear indication of the amount that will be used on that because situations differ. We are going through these beggars on a case by case basis, and we have just commenced with a very small project, keeping in mind that these women or mothers who are on our streets are uneducated and sickly, and we have decided that we will put them as market vendors across all towns and cities. This is not very costly, it is a six weeks programme and we have set aside \$600 for each of the mother beggar, and this funding will come from our Social Welfare programmes.

HON. V.R. GAVOKA.- Madam Speaker, I thank the honourable Minister for her replies and I must say that she is doing a wonderful work. She must be the only Member on that side of the Chamber, who fairly lifts our spirits when you see her with

(Laughter)

Madam Speaker, there is always talk about people beggars, who appear to be doing very well and they have houses and cars. My supplementary question is, what is Government doing about that to ensure that there are more funds available to those who are really in need, Madam Speaker?

HON. R.S. AKBAR.- Madam Speaker, I thank the honourable Member for his question. At the moment, our plan is to partner up with faith-based organisations. Last year, Government allocated a \$100,000 funding to set up the new Rehabilitation Centre, which we opened in Colo-i-Suva on Friday. We have also partnered up with the Fiji Muslim League and we are going to open up a new vocational centre – Makoi Women's Vocational Centre, in April. So, these are the first steps towards that, and we look forward to partnering with other stakeholders and agencies, who have these beggars at heart, and I am sure that we will meet success.

Madam Speaker, the challenge is there, it is all about changing the mindsets of these people who have been on our streets for a long, long time. Profiling has shown us that they are cases of generational

beggars, but as long as we are able to change the mindsets of these people, I am sure we will be able to assist them. Yes, we have beggars, who make a good living from our streets, our Beggar Profiling shows that they are doing pretty well, and the only way we can assist and not allow more to come on our streets is that, we have started up a campaign appealing to the public; “Please assist us, take them off the roads by not giving anything to them”.

Madam Speaker, Parliament would be surprised as to how much they earn. I would not like to publicly declare how much beggars earn but I know because we have spoken to them and they openly told us how much they earn on our roads. Because we are generous, compassionate and we see them on the roads and we assume that they are poor, so the moment we stop giving, Madam Speaker, I am sure we will be able to tackle this problem. As I have said, there are 72 at the moment, and in my Ministry, there are statements outlining the category of beggars we have in Fiji. Probably then, this Parliament would then be able to understand the stand we are taking.

HON. M. VUNIWAQA.- Madam Speaker, the honourable Minister has referred to a measure for the rehabilitation of women beggars. My question is, what initiatives does the Ministry have to ensure the sustainability of these endeavours?

HON. R.S. AKBAR.- Madam Speaker, I thank the honourable Minister for posing her question, and I would also like to take the opportunity to thank honourable Gavoka for his words of appreciation.

Madam Speaker, we have just started up with the market vendors initiative, and that was done in view of the fact that majority of the women who are in our streets are sickly and uneducated. After doing a case profile of them, we gave them options and they chose the Market Vendors Project. This Project will supplement the Colo-i-Suva Rehabilitation Project where currently, we have five able-bodied men who will be engaged in agricultural crop production. The produce that will be grown in Colo-i-Suva will be sold by the women in the markets, especially for the Suva area. This is monitored on a daily basis. We have a police officer, who looks after this project. We have situated our stalls in front of the police post simply because we found that they came back on the road. We assisted them on the first day and the next day, they were back on the road. So, like I said, changing the mindset.

Yes, we are monitoring them on a day to day basis, and we are appreciative of the Police Commissioner’s input into this Project as well. This week, they are going through a Financial Literacy Programme where we will teach them on the importance of managing their money. They are also put on our Social Welfare Benefits. This project go on for six weeks, and looking at the success of this project, we will try to remove our assistance. However, if they do need further assistance, I am sure we will be there to assist them.

MADAM SPEAKER.- Thank you. In my opinion, the question has been adequately answered.

Role of Fiji Ambassador to Geneva – Conducting Legal Workshops
(Question No. 02/2015)

HON. M.D. BULITAVU asked the Government, upon notice:

I rise to ask Question No. 2 of 2015, Madam Speaker, for the honourable Attorney-General.

Can the Minister confirm if the role of the Fiji Ambassador based in Geneva also procedurally involves conducting legal workshops in Fiji for lawyers needing CLE, (Continuing Legal Education) points to renew practicing certificates in 2015?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Justice).- Than you, Madam Speaker, and I thank the honourable Member for this question. I just assume that when the honourable Member says, ‘...procedurally involves conducting legal workshops...’, he means that it is the normal course of the work of the permanent representative to the United Nations, based in Geneva.

Madam Speaker, the Ambassador in question is just a former High Court Judge, Justice Nazhat Shameem. She was appointed Ambassador last year. Prior to her appointment, she had made known that she had already committed to a number of workshops in particular with the Judiciary and ILSC. So, prior to her appointment, it was agreed that she would be allowed to carry on these workshops.

Now Madam Speaker, as the honourable Member quite rightly points out, that in some of the workshops that she conducted, and I will go through them, they were CLE points given for those people who participated in those courses. CLE points, Madam Speaker, for those Members of the House who are not lawyers is Continuing Legal Education. Lawyers need 10 points in a year to be able to renew their practicing certificates.

The workshops that the Ambassador conducted in Fiji, she arrived on the 12th of January this year, and departed on the 2nd of February this year. So she was here for approximately three weeks. The cost of her airfares was borne by the Judiciary and the ILSC. The cost of her per diem was borne by the Judiciary and the ILSC. They are the two agencies that had already made arrangements with her. So it was at no cost to Ministry of Foreign Affairs.

The workshops that were conducted, Madam Speaker, firstly, was Sentencing Law and Practice for the ILSC which was held on the 14th to the 15th of January, 2015. There was another workshop that was conducted, ‘Ethics and Etiquette at the Bar Workshop’ for new practitioners. Then, Madam Speaker, for the first time, a Human Rights Workshop conducted under the new Constitution titled, ‘The Enforcement of Human Rights Law’ was conducted on the 21st and 22nd of January. Then the Legal Practitioners Unit also rode on this and they had a workshop for their practitioners between the 26th and 27th of January and then finally, Madam Speaker, the Judiciary had a workshop which the Ambassador conducted between the 28th and 29th of January and the workshop was titled, ‘Gender Competence and Sexual Offences Workshop’.

So Madam Speaker, I also have a list of all the lawyers who obtained CLE points, if the honourable Member is interested in knowing who were the lawyers who were beneficiaries of this.

Madam Speaker, Justice Shameem or now Ambassador Shameem has been conducting workshops for the Judiciary since 1999. There is a dearth, there is a shortage of good trainers in Fiji, in particular for lawyers, in particular for the Judiciary and specifically in these areas I have just highlighted. And I am sure Members on the other side would appreciate that, that there is a shortage of such good lawyers and good trainers in Fiji. So, this is precisely the reason why she came back for this cause. It was something that had been agreed to prior to her departure as Ambassador, and the costs were not borne by the Ministry of Foreign Affairs, it was borne by the Judiciary and the ILSC. Thank you Madam Speaker.

HON. S.D. KARAVAKI.- Supplementary question, Madam Speaker. I must thank the honourable Attorney-General for the information that he had given in answer to that question. However, Madam Speaker, he did not give any information at all on whether this will be ongoing or there will be a cut-off point.

In addition to that, Madam Speaker, I am sure there are other capable people here in Fiji to conduct that. Surely, we have heard the finance being paid by the Judiciary and ILC, but in any way, prudent decision making would in this case avoid the payment of fees.

HON. LT. COL. P. TIKODUADUA.- A point of order, Madam Speaker.

HON. S.D. KARAVAKI.- That is my question, Madam Speaker.

MADAM SPEAKER.- Thank you. Point of order!

HON. LT. COL. P. TIKODUADUA.- I was just interested in the question, Madam Speaker. I probably did not hear it.

HON. S.D. KARAVAKI.- Madam Speaker, it looks like the honourable Minister had unnecessarily disturbed my question.

(Laughter)

MADAM SPEAKER.- Your supplementary question?

HON. S.D. KARAVAKI.- My supplementary questions are:

- a) whether Ambassador Shameem's involvement in the training will be ongoing or there is a cut-off point; and
- b) whether there is no one else in Fiji to take up that role.

MADAM SPEAKER.- I will just allow the honourable Attorney-General to may be, repeat what you had said in response to that supplementary question. I take it that you had answered that question in your Statement. Please just repeat that answer?

HON. OPPOSITION MEMBERS.- No!

HON. A. SAYED-KHAIYUM.- Madam Speaker, in respect of future workshops, I am not aware of any future workshops at this stage, I am not privy to that information. As you know, Madam Speaker, the Judiciary is an independent body. The Judiciary makes its own arrangements. The Judiciary has its own funding. That is the point, Madam Speaker, so is Madam Speaker, I would love to hear an iota of evidence to say that the Judiciary is not independent.

Madam Speaker, similarly the Independent Legal Services Commission is also an independent body, so it is up to them to make the arrangements. The point of the question, Madam Speaker, was the main question whether it procedurally involves conducting legal workshops? Obviously, it does not. The Ambassador does not go around conducting workshops, but this was an arrangement that had been made, given the fact, given the fact, Madam Speaker, that there is a shortage of such people around, and I am sure, and I am sure if there are competent people to run such workshops, the Judiciary and the ILSC will come knocking on those people's doors.

HON. N. NAWAIKULA.- Supplementary question, Madam Speaker. The concern we have is that, with respect to Madam Shameem, she was conducting this previously as a private individual, and she was getting paid for it. The concern that we have is, now that she has become a civil servant and she is entitled to only one pay, in relation to her conduct of the additional courses that were conducted in January, were those payments in addition to her normal pay as a civil servant?

HON. A. SAYED-KHAIYUM.- Madam Speaker, sorry I did not clarify this. She was not paid a single cent for conducting these workshops, and she is a civil servant.

Tabling of Financial Reports by OAG – Fiji Roads Authority
(Question No. 03/2015)

HON. J. DULAKIVERATA asked the Government, upon notice:

Can the honourable Minister for Infrastructure and Transport confirm if the Auditor-General will scrutinise and table the financial reports for the Fiji Roads Authority in Parliament?

HON. LT. COL. P. TIKODUADUA (Minister for Infrastructure and Transport).- Madam, Speaker, with your consent, I wish the honourable Member a happy New Year as we proceed in this particular sitting.

(Laughter)

I am also amazed that this is the first question on FRA that the honourable Member is raising without having concern for a road in Tailevu North, so I am glad that he is now progressing his question more for the national interest.

Madam Speaker, however, for the benefit of Parliament and also for the honourable Member, the Fiji Roads Authority, a Commercial Statutory Authority, which was formally established in 2012 and has proceeded from there until now, so it has been two years since its inception and has had all its accounts and financial proceedings audited by the Office of the Auditor-General. As such, the Reports would then be tabled in Parliament for the scrutiny of the Public Accounts Committee and for the information of Parliament and the nation in general.

Also, for the benefit of Parliament and the honourable Member that is asking the question, these Reports, the Financial Reports, is part of the Annual Report of the Authority, which has been published on the website of the Fiji Roads Authority, and I will just read out the website for the benefit of the honourable Member, maybe, he would like to have a read of it because it has been published since 2012. It is www.fjiroads.org and I encourage the honourable Member to have a look at it because it will give him all the details and I am sure it will be a very good information for the honourable Leader of the National Federation Party and Chairman of the Public Accounts Committee to start looking at it because it is already on public record.

The short answer to that, Madam Speaker, yes, it is going to be tabled in Parliament.

HON. V.R. GAVOKA.- A supplementary question, Madam Speaker. We continue to question the capacity of FRA to spend \$653 million this year. It would help if we can relate that to the spending in 2014 to see the relativity, and whether there will be any huge increase. The question is whether they have the capacity to spend the \$653 million? Do we have the figures for 2014, roughly; does the honourable Minister have some rough ideas for 2014?

MADAM SPEAKER.- Honourable Members, since the question will be requiring some statistics and really the content of the original question is whether the Auditor-General will scrutinise and table the financial reports for the Fiji Roads Authority, and that has been adequately answered. However, given that your question is statistical in nature, we can ask the honourable Minister, if he does not have the figures now, maybe, he can provide the answer either in oral or written form at a later date.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, thank you for your guidance on the matter and I also thank the honourable Member for his concern, in terms of the capacity of the Fiji Roads Authority to deliver on the 2015 budget. I would like to assure the honourable Member in this august Chamber that we do our own planning before making determinations on what is the capacity of any Government department to deliver on its budget. We have not had any capacity issues with regards to the past. We have built our capacity over the last two years to be able to deliver and that is the commitment we have made to the nation - we will deliver.

With regards to second issue, Madam Speaker, you have already made some comments. I will be very happy to provide these figures to the honourable Member in terms of the expenditure for 2014, but I think that is subject to the Public Accounts Committee's deliberation and events.

Legal Aid Commission Offices – Number of
(Question No. 04/2015)

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

Thank you, Madam Speaker. I rise this morning to ask Question 4 of 2015 as listed under my name and my question is to the Attorney-General and Minister for Justice.

Could the Minister please elaborate as to how many Legal Aid Commission offices will be opened; what is the budget and what type of services will be offered by these offices?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Justice, Finance, Public Enterprises, Public Service and Communications).- Thank you, Madam Speaker and thank you Honourable Sudhakar for your question. Madam Speaker, the Legal Aid Commission offices were first opened in 1998 and to be frank, they languished for a while in the wilderness because initially, they opened an office in Suva, followed by two offices, one in Labasa and one in Lautoka. From then until 2008, no other offices were opened. So any Fijian that had a low-income and wanted legal aid services had to go to those three centres, if they lived in Sigatoka, Rakiraki, Tailevu North, Savusavu or Taveuni.

In 2008, the Commission opened its office in Ba. Following that, Madam Speaker, in 2012, the Commission opened its offices in Nadi and Rakiraki and then last year, it was opened in Sigatoka. And then only last week, the Commission opened its offices in Nausori, Nasinu and Navua and we were quite privileged, Madam Speaker, to have all these new Legal Aid Commission Offices opened by the honourable Prime Minister. It demonstrates a commitment of this Government, to ensuring that in particular, low-income Fijians get access to legal aid.

The Commission has offices ready for opening in Savusavu, Tavua and Korovou and in the next few weeks, they will be opened. Apart from that, Madam Speaker, in Viti Levu and Vanua Levu, the Commission is going to establish offices in Levuka, Taveuni, Rotuma and Kadavu. So, we will not be restricting our services to the two major islands, but we are taking our services across to all the other major islands also. So, in total, the Commission will have 17 offices very soon.

In the last few years, Madam Speaker, the budget allocation from Government has increased from \$800,000 in 2012 to \$2.2 million in 2013, and that has been doubled now to \$4.4 million, Madam Speaker. This obviously takes account of the fact that we now have more offices. There have been some capital works in setting up those offices but more so now, the Legal Aid Commission Offices employs over 100 staff, including lawyers and support staff. So, obviously, the operational costs had gone up. We expect the capital expenditure to go down once all the new offices are opened and then of course the operational expenses will go up.

Madam Speaker, the reason why it has also been quite a success is that the prior depth of services that were available by the Commission has in fact been enhanced. So, previously, it was criminal cases and it was not just merit-based but whether the case would be successful or not. However, now, the success is not looked at all, as long as you meet the means test, you fall within that, whether your case has merits or not, the Legal Aid Commission will still give you that service. So these of course, enhances the services.

Apart from criminal services, Madam Speaker, in respect of criminal matters, it now gives services in Family law. So, for example, family related matters including divorce, maintenance, custody, access of children, matrimonial property issues, adoption, child abduction cases, nullity of marriages, domestic violence orders, residency, and of course now contract orders through residency and contract orders in relation to family law matters.

We now have also expanded our services in the civil areas, now these include the drafting of Wills. It has been a big problem in Fiji. Many people in Fiji do not draft Wills, so a lot of people die intestate, in other words, without a Will.

The Legal Aid Commission is now taking out Probates and Letters of Administration, preparing Deed Polls for change of names, et cetera, making applications to Court for FNPF withdrawals in the absence of a valid nomination. That is also a problem. A lot of people die without nominating, sometimes you have children that may languish because there has been no proper nomination made, or indeed the children need looking after because they are below the age of 18, and of course, generally providing legal services in civil matters. We hope to, Madam Speaker, also in the next year or so, expand the civil areas of service to the general public in respect of conveyancing, such as transfers and transmissions of properties.

Madam Speaker, what we have seen is that, unfortunately this has been, perhaps the ply of the profession by lawyers, many lawyers tend to mystify the law, Legal Aid Commission wants to demystify the law. A lot of people think that buying a property is a big deal, it is not really that big a deal. Many of the transactions that take place in Fiji are quite simple, so we have, as it has been done in New Zealand, where the law society in New Zealand has come up with a standardised documentation regarding conveyancing matters. So, now the Legal Aid Commission will actually put foot in that area, to be able to assist those people in low-income areas, to be able to get access to documentation which previously they thought they could only get from lawyers and unfortunately at very exorbitant cost.

That in a nutshell, Madam Speaker, is the work of the Legal Aid Commission. Thank you, Madam Speaker.

HON. N. NAWAIKULA.- Very soon, there will be no more jobs for the lawyers, but that is okay. Well, the honourable Prime Minister will be happy for that because he thinks that every lawyer is corrupt.

A relative question, as I agree, Madam Speaker, that the Legal Aid Commission has come a long way in these past years. Looking relatively at the poor prosecutors, if you go to any of the court houses, you will see their offices tucked away somewhere close to the Police Department, if you went to their office here at Government Buildings, the prosecution office is tucked away at the police – very, very poor indeed. Yet, these are the people we rely on to administer justice, prosecute people and they are not being looked after well.

Could we have it mentioned also to have a look at facilities for the police prosecutors?

HON. A. SAYED-KHAIYUM.- That sounds more like a request than a question.

Just to highlight the point about all lawyers will be out of jobs, no, Madam Speaker. The Legal Aid Commission focusses on low-income families. There are many people who can pay vast amount of fees to the honourable Member, and I am sure he can still carry on with his law firm.

Madam Speaker, the prosecution, unrelated to the substantive question, but we'll most definitely be looking at improving the entire criminal justice system. As has been said in the Budget Address, we have allocated more funding, for example, to the Judiciary, the DPP is also sharpening his pencil, the Police have also been given an increase budget overall. We will also be working with all these different agencies to ensure that the criminal justice system does work well and of course that requires that we improve the services and the environment in which prosecutors, defence counsels, witnesses that we see standing around in the corridors (we are trying to minimise all of that) and also where even people in remand are kept well. As you may hear that we have increased funding for Lautoka, where the remand services are being increased. So overall, Government has the political and administrative will to be able to improve the criminal justice system, which of course, includes the prosecutors.

HON. P. SINGH.- Madam Speaker, supplementary question. Can the honourable Minister please confirm or deny that the Legal Aid Commission offices are funded entirely by the State, or from the interest earned from the Solicitor's trust account via the Legal Aid Commission?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the honourable Member's question always sounds like a conspiracy.

Madam Speaker, as I have highlighted, the Government this year, as I have stated, the budgetary allocation last year, this year, the budgetary allocation is \$4.4 million, that is from Government. The Legal Aid Commission also has access to funds, a certain percentage of it, that is gained from the interest as generated from the trust fund accounts that lawyers keep. So they have access to that funding too. But if the question is about \$4.4 million, that is entirely from Government. I hope I have answered the question.

MADAM SPEAKER.- Thank you. In my opinion, the original question has been adequately answered and I will not allow any further questions on that.

Status of Fiji Troops – Golan Heights
(Question No. 05/2015)

HON. LT. COL. N. RIKA asked the Government, upon notice:

What is the status of our troops in Golan Heights after the re-deployment from Syrian side to the Israeli side?

HON. CAPT. T.L. NATUVA (Minister for Defence, National Security and Immigration).- Madam Speaker, I think that this question will also help the relatives and friends of soldiers who are serving in UNDOF.

After the release of the 45 Fijian peacekeepers in UNDOF on 11th September, 2014, the security situation in the UNDOF Area of Operations (AO) continued to escalate, including the Area of Separation (AOS), right to a point where the decision by UNDOF was to move to the Bravo Side (Syria) to the Alpha Side (Israel) between 13th to 15th September, 2014.

The 434 Fijian troops had to vacate 12 positions, including 12 staff officers in Camp Faouar and relocate to Camp Ziouani on the Alpha side. As a result of the redeployment has become the new UNDOF HQ in Camp Faouar, which accommodates the Fijian, Indian and Irish Troops.

As we speak, the only UNDOF position within the mandated AOS are the four Nepalese positions in Mount Hermon and UN Position 80, manned by a Fijian Company in the south, which was previously occupied by the Philippine contingent. The other position manned by our troops is UN Position 51 on the Alpha side. The remaining Fijian troops that are provided Level One Medical Service, Heavy Platoon Drivers and Battalion Support Elements remain in Camp Ziouani. In total, the current UNDOF positions are 12, including 5 positions in the AOS, that is, 4 at Mount Hermon Positions and UN Position 80.

The current Fijian complement in UNDOF is 448 personnel, which includes Colonel Kalouniwai, who was inducted as UNDOF Chief of Staff.

In terms of safety and security, since the movement of our troops to the Israeli side of the AOS on 15th September, 2014, there has not been any incident or situation that threaten our troops and UNDOF as a whole due to the safety and security cover by the Israelis. The location of UNDOF headquarters at Camp Ziouani is within the Israeli side of the border and in close proximity of the Israeli Defence Force bases along the Golan Heights.

Regarding the legal status of our troops, the UN mandate, the Status of Forces Agreement (SOFA) between the UN and Syria and the MOU since the deployment remain unchanged.

The morale of our troops is high and families/spouses are allowed to visit our troops up to the Galilee region. Troops are allowed to go on leave in Israeli and permitted areas in the region.

HON. V.R. GAVOKA.- Madam Speaker, a supplementary question. There continues to be speculation about our troops, our sons who were taken hostage and it irks us that on the same day, the Philippines were able to save themselves from the situation, whereas our boys got taken. Can we be told once and for all what exactly happened on that day? How come our troops became hostages of foreign elements, who were terrorists?

HON. CAPT. T.L. NATUVA.- I just mentioned that the areas of separation where our troops were was on the Bravo side, we have the border and the Bravo side is on the other side. Now, they are on the Alpha side, the Israeli side, and it is very safe. As I mentioned, the security in where they are is also covered by the Israeli Defence Force, so there is no chance of having any more problems on this side of the border, they are very safe at the moment. From September until now, there is no other incidence in regards to the safety of our troops at UNDOF.

HON. ROKO T.T.S. DRAUNIDALO.- Supplementary question, Madam Speaker. I think the request to the honourable Minister is, and the question that goes along with it, can this Parliament, which is the superior law making body of this country get a report, an official one, from the RFMF as to the circumstances of the taking of the hostages and their release? Was there a ransom levied and who and how was it paid?

Those are serious matters that this Parliament should be told and it would go to maybe helping the RFMF prevent the next one.

HON. CAPT. T.L. NATUVA .- I will give you a report.

MADAM SPEAKER.- Thank you. A report will be tabled and will be provided for all those interested.

HON. RO. T.V. KEP.A.- Supplementary question, Madam Speaker. What type of training do these troops undertake before they go on these peacekeeping missions, and what particular type of training was given to the soldiers who were taken at the Golan Heights. What type of training, if the honourable Minister can provide that.

HON. CAPT. T. L.NATUVA.- Can you please repeat the question?

HON. RO T.V. KEP.A.- Certainly, honourable Minister. Madam Speaker, my question is, what type of training do the troops undertake before they go on peacekeeping duties, and in this particular case to the Golan Heights, what type of training was provided for the soldiers?

HON. CAPT. T. L.NATUVA.- The training of our peacekeepers is conducted by the RFMF at the Force Training Group, in consultation with the Department of Peace Keeping Operations in New York. Before a deployment, the situation is assessed and the capability of our troops of what arms they should take. That is all done before prior deployment and is part and parcel of the training in Fiji before they get deployed, and they are also assessed by the United Nations (UN).

HON. N. NAWAIKULA.- Supplementary question. I ask the same question that honourable Gavoka asked. What happened on that day? Why did they not stand up like the Filipinos did?

HON. M. VUNIWAQA.- Point of order. A report has already been requested and the honourable Minister has given his undertaking that he will provide that.

HON. S.D. KARAVAKI.- A supplementary question, Madam Speaker, if the honourable Minister can just take into account and consider in his report about the arms, whether they were taken by the foreign elements, and if they were, whether they have been returned or not? And whether that was paid by the Government or who paid for it?

MADAM SPEAKER.- Thank you, the report will be reviewed by the Minister for Defence to ensure that the issue raised is also included.

Free Water Initiative
(Question No: 06/2015)

HON. V. PILLAY, asked the Government, upon notice:

What is the status of the Free Water Initiative by FijiFirst Government?

HON. LT. COL. P. TIKODUADUA (Minister for Infrastructure and Transport).- Madam Speaker, I rise to respond to the honourable Member's question and I thank him for his question.

Madam Speaker, in reply to the honourable Member, I want to inform Parliament this morning that I am pleased that the Water Authority of Fiji is very well underway in executing this very important initiative of Government, to help the people of Fiji. This is not only the first initiative of the FijiFirst Government in making life better for our people, the assistance in other sectors of education and in social welfare has been questioned and also was fairly well acknowledged this morning by the honourable Gavoka.

We have also undertaken, as announced in the Budget, to provide a certain volume of water for the free consumption of our people and obviously, the intention of this assistance is geared towards the people of our nation, who earn an income that is not as much as everyone else. So, the criteria is a combined income of \$30,000 from no more than five members of that family. It is one member who is a customer of the Water Authority and four other members, so their combined income is not to exceed \$30,000 for them to qualify. The question as to how much do they qualify for? Every member, every citizen that qualifies under this particular scheme is given 50 litres of free water a day, which is the equivalent of 100 bottles of water, which is 50 litres. That is essentially what this man is getting and anything beyond that consumption every day, the customer gets to pay for that, so at least, they get that volume free.

We have gone out in a very big way to inform the public. Madam Speaker, that has been aired in the media, there are current registrations that are going on at the moment, the people are applying for that and generally at the moment up to yesterday, we have received 943 applications from the Northern Division of which 900 has been approved. In the Western Division, there were 5,574 applicants with 1,830 that was approved. In the Central Division, we had received 3,800 applications with 1,500 that were approved.

This is a continuing process, Madam Speaker, and we are continuing to do that. We are going out now in a bigger way to try and expedite this process. We are beefing up on the capacity of our officers in the regions to do this in Suva, Nausori, Lautoka, Labasa and Nadi. We have a presence from 7.00 a.m. to 7.00 p.m., Monday to Friday and also on Saturday from 8.00 a.m. to 12.00 noon, to register as many people as possible so that they can benefit from this particular initiative to try and make their life better as they are already enjoying.

So, this Madam Speaker, is what is happening. We are continuing to take applications and we would encourage the people of our nation who know they qualify for this scheme to please come along and take advantage of this initiative that will help make better people and better families and of course, give them access to more cleaner and better drinking water.

HON DR. B.C. PRASAD.- A supplementary question, Madam Speaker. This question is in relation to the confusion with the term “free water” and “subsidy.” In fact, if there was no confusion, a lot of votes that went to 279 might have come to 347 and 317. So, the question is, what is the dollar value of free water per quarter, and per year? It is our understanding that the value will not vary and will be calculated at lowest unit value, which according to our calculation comes to a Government subsidy of roughly about \$3.52 per quarter. So, if a person uses 100 units of water, what is the subsidy granted to him or her? I suggest that the honourable Minister can derive the answers after doing his calculation later.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I thank the honourable Leader of the National Federation Party for his question. Those who are on the reticulation system of the Water Authority in Fiji are some of the luckiest people in the world. If it was up to us, no one would have to pay for water because it is a necessity of life, and I am going to provide to the honourable Member the figures he is asking for. However, such as water, this is something that everyone needs – children, women, the abled and disabled, that for it to be valued in such terms, is I think, perhaps a disregard of the criticalness and the importance of this particular service that it is giving to the people. However, to the honourable Member, I will be very happy to provide that for you. Madam Speaker, the bottom line is, you do not have to pay for anything that is free, partially or wholly-free, it is still free. The subject is – it is still free.

HON. A. SAYED-KHAIYUM.- Whether it is \$5!

HON. LT. COL. P. TIKODUADUA.- Or \$10, it is free.

(Chorus of interjections)

MADAM SPEAKER.- Order!

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, we should not be paying for anything if it is free. However, I will provide the data as requested by the honourable Member, and I would try and bring it to you in due course and I thank the honourable Member for his question.

HON. N. NAWAIKULA.- If it is free, it is open to abuse. The question is, what measures do you have to make sure that it is not open to abuse, because you have instances of people declaring that they earn such and such.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, it is like when lawyers take their oath, you cannot really guarantee that they are not going to play up.

(Laughter)

HON. GOVT MEMBERS.- Hear, hear!

HON. P. KUMAR.- Wonderful!

HON. LT. COL. P. TIKODUADUA.- We do our best to try and filter it, Madam Speaker. Obviously, there will always be a person that is trying to pull strings here and there, but if they do something, as long as they do not get caught.

HON. RATU I.D. TIKOCA.- Madam Speaker, the normal consumption of the human being on water is 140 litres per person, per day. You are talking to an engineer ...

(Chorus of interjections)

... and 50 litres is a small amount - a little less than one-third. Recently, you have changed all the metres in Fiji and you have raised the rates. It is amazing that a free, plus new metres, at a different rate, at an increased rate. Just check your figures, maybe it is balancing off.

HON. A. SAYED-KHAIYUM.- Madam Speaker, what is his supplementary question?

HON. RATU I.D. TIKOCA.- Just check please and see if the new metres, for the increased rate, does not actually pay for that 50 litres free that you are given per day.

MADAM SPEAKER.- That was not a question, but was just requesting to check. Honourable Minister, your comments.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I was not going to answer it anyway but it is unfortunate that him being an engineer and I am in the infantry, so I have to give it an infantry solution. Unfortunately, the engineering calculation is not so true, but I am going to give the engineer the answer to his question, given that it is requiring some data and statistics.

HON. RATU I.D. TIKOCA.- Thank you infantry!

HON. P. SINGH.- Would the honourable Minister please inform Parliament whether there is any timeline in registration of the requests, and for the benefit of our low-income earners, as the honourable Minister has said?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I thank the honourable Member for his question. I know there is no limit at the moment, and as I said earlier, I would like to encourage the people out there who are within the reticulation system and are beneficiaries of services provided for by the Water Authority to please come forward, and if you know that your income is less than \$30,000, this is an opportunity for your family to benefit, so please do not waste it.

MADAM SPEAKER.- It is just that because it is water, a matter of national interest, I will allow supplementary questions on it.

HON. DR. M. REDDY.- Madam Speaker, the honourable Ratu Tikoca mentioned that the water rates have increased. Can the honourable Member provide evidence that the tariff rates have increased?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, like I said, I do not want to re-engage any further debate on this, I will try and provide the information later. To the best of my knowledge and ability, whilst the rates are already as minimal as they are, we have not raised any rates for water lately during my tenure, Madam Speaker.

HON. V.R. GAVOKA.- Madam Speaker, I just find that interesting that economics, if it is free, we are not paying for it. In Nadroga, we call that “voodoo economics”. The honourable Minister has said that “what is free, is free, you are not paying for it.” That is voodoo economics, Madam Speaker, you are paying for it. Can I just ask the honourable Minister, the cost of new metres to our people. Just allow me, Madam Speaker, I put a phone call in my village and the Water Supply called me “Sir, tell Benji, his metre is alright - 345. I said \$3.45 and he said “No, \$345.” That is how we are paying for all these programmes that FijiFirst has introduced. Is there any way they can consider reducing the new water metres for our poor people in the villages?

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I thank the honourable Member for his question. I hope with my answer, I would not have to twist my tongue at the end of this, hopefully it is not “voodoo answer.”

Madam Speaker, the Water Authority increases its building capacity to try and bring out a system, particularly in water metres, that will give accurate readings in replacement of what has been there for ages and when changes have to be made, it means that they have to be paid for within the numbers and the economics of the current era.

There is no intention of burdening the people with extra costs, let me assure Parliament about this. However, to get us something better and to give us accurate reading and to lessen the risks of giving wrong readings for water meters, certain costs have to be made. They are made as minimal as possible but the exact figures, as asked by the honourable Member, I would provide for that as that has also been the figures requested by the honourable Opposition Whip, so I would make that available in due course. However, I want to reassure Parliament today and the nation, that has never been our intention. We build capacity, it comes with a little bit of a cost, but we are always there to try and help to meet this obligation.

MADAM SPEAKER.- Our next item is a Written Question. Since this is our first written question, let me explain the rules for written questions.

The Member will rise and ask the question by only referring to the number of the written question as stated in the Order Paper. The Minister can table his answer immediately or he may table his answer on a later sitting day.

Civil Servants
(Question No. 07/2015)

HON. P. SINGH asked the Government, upon notice:

Would the honourable Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications provide Parliament with the following:

- 1) The total number of Fijian civil servants in each Ministry respectively, including the Fiji Police Force, the Republic of the Fiji Military Forces and the Office of the President;
- 2) The total number of expatriates employed in the entire Civil Service;
- 3) The breakdown of total number of Civil Servants by ethnicity that are Fijians of *I Taukei* descent, Fijians of Indian descent, Fijians of Rotuman descent and Fijians of General Electors' descent; and
- 4) The names of Chairpersons and Board Members of all statutory organisations and Government-owned commercial entities?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications).- Before I give my response, Madam Speaker, we had agreed at the Business Committee Meeting that subsection (3) of the question won't be a question that would be put to this side. We had said that in the interest of public interest, that subsection (3) would be taken out, which we had agreed to with your concurrence, Madam Speaker.

MADAM SPEAKER.- To the Members of the Opposition, although you have insisted that this question be asked, the Business Committee that decides the order of the day, had recommended that this question be deleted. Therefore, I will not ask for any response to that question.

HON. N. NAWAIKULA.- Madam Speaker, I rise on a point of order. There is nothing at all in the Standing Order that says that subsection (3) of the question cannot be answered. There is nothing there to say; "public interest". For the purpose of public interest, you cannot answer this. It is vital for us to know the composition of the ethnicity within the Civil Service so that we know how many ethnic groups are represented there. It is a point of representation.

MADAM SPEAKER.- Thank you very much, honourable Member. However, the Business Committee had already made its decision on that particular question, and it had been deleted from the Order Paper today.

HON. RATU N.T. LALABALAVU.- Madam Speaker, I rise on a point of order. Under Standing Order 38 and with due respect to your high office, given that we had already dealt with this under Item No. 4 in the Order Paper, it would be remiss of us, on this side of the Chamber, if we do not raise this in Parliament as to how Item No. 4 was addressed this morning.

To my surprise, the Madam Secretary-General presented and tabled all the ministerial papers in the Chamber. All that I am seeking clarification on is whether we have amended Standing Order 38 and if it has not been amended, then I kindly request if this can be noted that in future, we adhere or conform to Standing Order 38, and that is, the individual Ministers should be tabling their respective documents in the Chamber.

HON. A. SAYED-KHAIYUM- Madam Speaker, I assume the honourable Member was referring to Item No. 6 – Ministerial Statements?

HON. RATU N.T. LALABALAVU.- No, Madam Speaker, I was referring to Item No. 4.

MADAM SPEAKER.- Thank you, honourable Member. Your concern is noted, for our future reference.

Honourable Members, the next item is on Ministerial Statements and there are four Statements to be presented this morning under Standing Order 40. Each Minister may speak up to 20 minutes, then I will invite the Leader of the Opposition and Leader of the National Federation Party to speak on the Statements for no more than five minutes each or they may designate another Member of their Party. There will be no other debate.

STATEMENTS BY MINISTERS

New Fijian Flag Initiative

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- Thank you, Madam Speaker. Madam Speaker, it is my honour to rise in Parliament this morning, to deliver a Ministerial Statement on the announcement I made in Nasinu last Tuesday – the change to a new national flag, that reflects Fiji's position in the world as a modern and independent nation State.

As I said then, I chose Nasinu for this historic occasion because I wanted to make an announcement before an audience of ordinary Fijians. Nasinu, being the most populous corridor in Fiji, nowhere seems appropriate than this place but today, it is my pleasure to officially make the announcement in Parliament to the elected representatives of the people, who will naturally have a very important part to play in this undertaking, including of course, the consideration of the final designs. I look forward to this process and to all Members engaging in this endeavour, in a productive, open-minded and, of course, a patriotic manner.

Madam Speaker, those who have been following this issue knew that I first came up with the subject and signalled the need to revamp our Fiji flag, in my New Year's address at the start of 2013 but during that period, we were involved in putting in place a lot of reforms, especially to do with our Constitution and Fiji's first genuinely democratic Election. Now, with these reforms over and complete, it is time to proceed with the programme to replace the symbols of our existing flag, that are now out of date and no longer relevant - symbols tied to a colonial past that is now far behind us as a nation.

After 45 years, Madam Speaker, it is time to move beyond these colonial connections and adopt a flag that is more in keeping with our national aspirations in the 21st century. As I have said, there is no way that repudiation of our existing flag which has served our nation well since Independence in 1970 but time has moved on. Before this flag, our United Nations Peacekeeping troops have fought and sometimes died. As I have also said, before this flag, our athletes have competed and won many sporting triumphs that we have celebrated together as a nation, and I mention the Assistant Minister Iliesa Delana, in particular. Also, before this flag, generations of school children have stood, singing the national

anthem with patriotism and pride and I pay tribute to its creators, whose design has won out of 400 other designs during the regional competition in 1970. I understood the panel then was made up of the Prime Minister and three other Members of Parliament, but I want to assure the House that we want to include as many people as possible. Of course, not the 800,000 people in Fiji, but a good number of people that would form the panel for this flag design.

About 45 years later, Madam Speaker, it is time to move on from this honoured symbols of our past, to new symbols that represent our nation. Now that will also resonate in future generations, the decades and generations to come. We believe that Fijians share an aspiration to have a national symbol that reflects our present state as a nation, that has indigenous and truly Fijian symbols of identity, and that we can honour and defend as an authentic expression of our nation, now and into the future.

Madam Speaker, I must tell you that this is not a decision that we are undertaking lightly, the Members who sit with me on this side of the House and the wider community of the FijiFirst movement contested the General Election under the starlight's version of our noble banner blue. So, no one understands better the importance of a flag, as a unifying symbol, its ability to draw us together in the common cause of moving our beloved national forward.

In other words, Madam Speaker, as I have said before, we understand how much flags matter. They are not merely pieces of cloth on top of a pole, they are expressions of who we are and the values we hold dear as Fijians. That is why it is time to embrace change. It is time to dispense with symbols that speak more about our past than our future. To sever links that are no longer relevant. It is time to have a national symbol that reflects our present, and our future state as a nation.

Madam Speaker, I would like to again, thank the British High Commissioner to Fiji for his encouraging and open-minded reaction to our announcement, having said that this is a matter for the Fijian Government and the Fijian people to decide. He knows that our decision to remove British symbols from our flag is separate from the very strong friendship we have with Britain. As I keep on saying, the British were friends before, the British are our friends now, and they will be our friends long into the future.

But, I also said over the last couple of weeks, Madam Speaker, that the Union flag, the British Lion and the Cross of Saint George are their symbols, they are not ours. As an independent nation, we have the right to carve out our own identity in the world, so that when our soldiers go on peacekeeping missions, when our Diplomats are representing us at the United Nations, when our athletes are competing onto the world stage, they are doing so under a flag that is uniquely and proudly Fijian. That leaves no doubt in anyone's mind that Fiji has its own destiny, chosen by its own people.

There has been some criticisms from those who prefer the British symbols to our own, Madam Speaker, but overall, I have been very encouraged to see how many Fijians have their eyes on the future, not in the past, in particular, amongst the younger generations, to see how many believe in the vision of a new flag. I note, Madam Speaker, that the Opposition have come up with their own version, we have been wearing it from day one.

(Laughter)

This is patriotism. I do not know what that is. But, every person, Madam Speaker, will naturally have stronger feelings about our national flag and not symbols it should include, and I look forward to hearing as many of those opinions as possible during both the submission phase of the competition, and of course, during the period of public consultations. But, Madam Speaker, I hear comments, some from the Members opposite that are trying to undermine this important noble national endeavour, especially

from people like Biman Prasad, those who say that there are more important priorities than changing the flag. Thank God, they are on that side of the House, Madam Speaker, because it shows that they can only do one thing at a time.

(Laughter)

HON. DR. B.C. PRASAD.- I will tell you why!

HON. REAR ADMIRAL (RET'D) J.V. BAINIMARAMA.- One of my old mentors, Madam Speaker, Major Johansen used to say, "this is a left finger job."

(Laughter)

Luckily, my Government is not limited by such a restriction, Madam Speaker. Our record speaks for itself; we are always on the go, firing our cylinders. We are always looking to see how we can improve our services, how we can embrace innovation to assist our development. How we can develop policies that will improve Fijians' quality of life and boost their ability to make ends meet and all at the same time, I must say. Policies like our free water initiative, as has been mentioned, that has been rolled across the country. Our free medicine initiative, our massive investment in infrastructure, and our reform of State-owned enterprises and civil service which are being supported by institutions like the ADB, the World Bank, IFC and, of course our bilateral partners. Policies that have led to an estimated growth of 4.2 per cent in 2014. Some are still at one per cent, Madam Speaker. As reported in today's *Fiji Sun*, and of course another impressive year ahead, policies that have already led to five consecutive years of growth, policies that have kept inflation low and are creating much needed jobs, especially for our young people. We can do all that, and still come up with this new flag that we are talking about.

Madam Speaker, these are just a few examples we could draw from a list of achievements in the last few months alone, so no we do not see this change in our national flag as a distraction. In fact, we see it as an inspiration. A new flag to reflect how far we have come together, a new flag that gives every Fijian a symbol we can be even more proud of as we continue to build a stronger and more unified nation and achieve the greatness that we all believe we are capable of. The Fijian nation, taller and stronger in the world than ever before.

Madam Speaker, as we also know, Fiji is not alone in wanting to make the transformation to our national symbol to reflect the changes that have occurred in our society gaining independence. Both Australia and New Zealand are debating replacing the Union flag as well, and of course, in New Zealand the process is well underway. In fact, on Waitangi Day last Friday, the New Zealand Prime Minister, John Key restated his case for changing New Zealand's national flag. He, of course, expressed admiration for what we are doing in Fiji, because he knows that Fiji is leading the way in dropping symbols of an old association and adopting a flag that represents who we are, a proud nation.

Madam Speaker, beyond our immediate neighbours, the world is also taking notice of our bold decision. Our plan has been covered by major media outlets, and under global five continents as far away as India, Russia, Sri Lanka, Ireland, Cuba, Venezuela and Malaysia.

Madam Speaker, as I outlined last week, the Fijian Government will conduct a national competition for the design of the new flag, ...

HON. J. DULAKIVERATA.- Get a referendum!

HON. REAR ADMIRAL (Ret) J.V. BAINIMARAMA.- ... which we will embark on a series of broad consultations across the country on the appropriateness of those designs.

The process will be inclusive and based on a general consensus. All Fijians, including school children will be encouraged to enter the competition.

HON. GOVT. MEMBERS.- *Vinaka*.

HON. REAR ADMIRAL (Ret) J.V. BAINIMARAMA.- We will encourage new designs of course and symbols, including indigenous fauna, flora and art that are unique to Fiji. Designs and symbols that reflect an independent and authentic Fiji. We will encourage an imaginative approach and we will have an open mind about the final result.

At this stage, as I have said before, my personal preference would be to keep the unique “Fiji blue” as the flag’s background - but without the Union Jack, and of course, the Shield. However, I am excited to see whatever ideas the Fijian people can come up with.

The symbols on the new flag should represent the aspirations of every Fijian, regardless of who they are, what their background is, or which part of Fiji they come from. I urge all Fijians; young and old, across the genders, even those from the other side of the Chamber, abled, disabled, rural, urban, to join our effort to design a symbol that we can all identify with and is instantly recognisable as Fijian, the world over.

I have said, Madam Speaker, that the national panel of citizens, chosen from a broader section of Fijian society will be set up by Government, to examine the submitted designs. The panel will begin the process of reviewing the entries in order to determine the final selection.

We expect the panel to be chosen in February and the competition of course to also commence in February. I will be writing a letter to the honourable Leader of the Opposition in the next week or so, inviting her to make nominations for the panel, which we envisage to consist of up to 10 or 15 members from all walks of life, as I have mentioned.

Fijians will have two months to create their designs and submit them. A single design may not be the final design of course, but it might form the basis of a wider design and play an important role in the final outcome.

Madam Speaker, it will naturally take time to make the transition. We will not only have to replace all existing flags, but also change signage and stationery, and issue new flags, change the ones they have on their tables and issue new flags to Fijian Embassies and High Commissions around the world, as well as to the many international organisations which Fiji is a member.

So, like the recent changes in our national currency, this transition will not take place over night. But the whole selection process has been designed so that we will be ready to hoist our new flag on the 45th anniversary of our Independence - October 10th, 2015. Until then, of course, our current flag will retain its honoured place in our national life.

Madam Speaker, by way of clarification, I would like to state that there is no law that governs the usage or design of the Fijian flag. There is a law that governs the use of Fijian coat of arms (Restriction of Use Act), but this does not extend to the flag.

Therefore, at the same time we are ready to hoist the new flag, my Government intends to table a law in Parliament that will govern the usage of the flag, including provisions that deal with its desecration, as well as its proper display, usage and care.

Madam Speaker, I will call on all Fijians to join us in this historic undertaking. Everyone has something to contribute, of course, and no one with an idea should be afraid of sharing it. Once more, Madam Speaker, all Fijians expect that something so important should be apolitical. So I would ask everyone, including Members of this Parliament, to participate in this process in that spirit.

As I said during the announcement last week: we hold our heads high on the world stage, as a strong independence nation. We have an independent foreign policy of being enemies to none and friends to all. Our new flag needs to make us stand even taller and prouder than our existing one. And it will, because we are genuinely independent and are standing taller and prouder as Fijians than ever before.

This will be a flag for all Fijians, Madam Speaker, and our new democracy's most important symbol. The symbol of a modern, independent and strong Fiji.

Madam Speaker, with those words, I conclude my statement. Thank you for giving me the floor and your attention.

HON. V.R. GAVOKA.- Madam Speaker, I have been tasked by my party to reply to the honourable Prime Minister on this proposition to change our flag. At the outset, let me say, Madam Speaker, it is very irresponsible for this Government to be encouraging this kind of dialogue at this juncture in our development. This dialogue is polarising our people. Already, we are getting feedbacks from people that some are very strongly against it, and representing a major part of our community.

Let me just touch a bit about this outdated relics that is being used to describe the Union Jack. The Union Jack, Madam Speaker, was created in 1606 by King James, the first. King James was King James the sixth of Scotland. At the passing of Queen Elizabeth the first, who was unmarried, she recommended to her people to bring King James from Scotland to be King of England. They did that, and he created the Flag of Union in 1606, covering the cross of Saint George and the cross of Saint Andrew, hence the beginning of the Union Jack.

King James, in 1611 created the King James version of the Bible which became the most important English translation of the Bible across the English speaking world.

HON. OPPOSITION MEMBERS.- Hear, hear.

HON. V.R. GAVOKA.- How can we, a country where majority are Christians can say that these are relics that are no longer applicable to us? Saint George, Madam Speaker, was an Army Officer in the Roman Imperial Army. He stood up against the Emperor Diocletian when he was persecuting the Christians. He was one of the favourites of the Emperor, but he stood up for the Christians and the Emperor said; "you either come my way or you get executed". He got executed. He became the Christian Saints of England. How can you say that someone who stood up for Christians at the Roman time is no longer relevant to us today? Saint Andrew, Madam Speaker, is very simply the brother of Peter, the disciple. How can we say that Saint Andrew is no longer applicable to us?

HON. OPPOSITION MEMBER.- Tell them, tell them!

HON. V.R. GAVOKA.- Here is a flag, the Union Jack that takes us back to the Lord Jesus Christ, one of his disciples, Saint Andrew his cross is on this flag. It takes us back to the persecution of the Christians, back in the Roman times. Of course, later, the St. Patrick of Ireland, with his white cross came in, hence, the red, white and blue.

Red, Madam Speaker, symbolises the blood of Christ. We all part are of this holy sacrament every week, every month - we all know about it. The white is the Robe of Righteousness of Christ as in the Book of *Revelation* and the blue is the colour of service if you look up the Book of *Exodus*. So red, white and blue is part of our heritage, part of Christ, and a major part of the people of Fiji.

Madam Speaker, the King James Version came to Fiji, we translated it and it became our *Holy Bible*. It is by far the most important one, even for us in Fiji, it helps bring enlightenment, took away cannibalism, took away evil from us to become Christians.

Madam Speaker, we cannot say that this flag is no longer relevant to us. The Union Jack, Madam Speaker, became Pax Britanica. You will remember that between 1815 and 1914, the English Navy ruled the world through the waves. Throughout the English Navy, the words of Christ began to spread across the world and the security for people like us, who today are celebrating that we control 90 per cent of our land and have not been alienated in any way at all.

Madam Speaker, the people of Fiji today do not want this flag to be changed. The best thing the FijiFirst can do is go for a referendum, and we will settle this issue. I believe the people of Fiji are beginning to have second thoughts about the mandate they gave to this Government. Let us look at having a referendum, we will be able to settle that. I speak for the majority of Fijians, who do not want to change this flag at all.

HON. DR. B.C. PRASAD.- Madam Speaker, first of all let me apologise for my voice, I am suffering from a little cold.

Let me first of all thank the honourable Prime Minister for his statement. There are a number of things that the honourable Prime Minister has referred to, which I agree with. I think the first one that he talked about was change. Madam Speaker, change is inevitable. We all like change, but this country has seen some of the biggest changes and they came through *coups* - 1987, 2000 and 2006.

The legacy that the colonial rulers left for us in this country, Madam Speaker, is the rule of law. I think the honourable Prime Minister is right when he talked about concentrating on important issues, which I have highlighted already. Madam Speaker, I like the honourable Prime Minister when he keeps talking about inclusivity - having an inclusive process. I think that is a very noble way to do things.

I think the best way to think about changing this flag, which is a national symbol of importance and an indelible part of our history, symbolising transition from 96 years of colonial rule is to let the people decide.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. DR. B.C. PRASAD.- I think there are strong opinions about changing and not changing the flag. However, I am sure there are honourable Members on the other side who probably do not believe that the flag should be changed. Maybe they should have a vote in their caucus first, whether they want to change it or not. Madam Speaker, that would be the best way to begin the discussion about changing the flag for our country.

The honourable Prime Minister made reference to New Zealand. If one looks at what Australia and New Zealand are trying to do, with respect to either becoming a republic or with respect to changing their flag, they are talking about free, fair and credible referendum. In fact, the honourable Prime Minister talked about the honourable Prime Minister of New Zealand and in his speech, Madam Speaker, let me quote:

“The Prime Minister said that he would like to see a new New Zealand flag raised at the dawn of service at Waitangi in 2040, the 200th Anniversary of the signing of the Treaty of Waitangi.”

Madam Speaker, as far as New Zealand is concerned, the first vote will happen at the end of the year, and people will be asked which three or four alternative flag designs they like the best. A second vote, which will be a runoff between the current flag and the preferred alternative will take place in April 2016. That is what we are saying, Madam Speaker, that this is such an important exercise, and important part of our history and the people of this country must have a very clear choice. The only way that we can give them a clear choice, a clear method to decide, whether they like the flag or not, is a referendum.

Madam Speaker, let me just add to the idea of referendum. In fact, I would say to the Government side that they should take this opportunity, while they are talking about changing the flag through a referendum, to look at some of the other issues – changing Section 173 of the Constitution, Section 4(c) of the Constitution, which actually affects Chapter 2 of the Constitution and which contravenes the Bill of Rights. The change that we want to talk about, our standing in the world will come through genuine democracy, free media and changing some of the draconian decrees that are still in place.

Madam Speaker, I would urge the Government to think about these things. Let us not rush into it, let us be inclusive and let us not jump the gun.

Again, Madam Speaker, in conclusion, I urge the honourable Prime Minister to re-think how his planning to change such an important national symbol which is part of our history, which is important, and include an inclusive process and have a referendum.

MADAM SPEAKER.- Honourable Members, it is now time for refreshments. We will adjourn and resume at 11.45 a.m.

The Parliament adjourned at 11.22 a.m.

The Parliament resumed at 11.53 a.m.

Control of Risks and Assistance Associated with the Sewer Line Spillage at Cunningham River

HON. P. KUMAR.- Madam Speaker, at the outset I wish to put on record my support for the design of the new Fiji flag, and ever since the announcement by the honourable Prime Minister, I have met so many people who have shown their support for the new flag

HON. GOVERNMENT MEMBERS.- Hear! hear!

HON. P. KUMAR.- Madam Speaker, what surprises me is the honourable leader of FNP harping on the British, when it was NFP who asked for independence. So, I would urge my good friend to join, or let us work together for the new design of the Fiji Flag.

Madam Speaker, I rise to make a ministerial statement to clear the air surrounding the recent concerns on media coverage of the sewer line spillage at Cunningham River.

Madam Speaker, as we are all aware, on 6th December, 2014, the main sewer line situated across the Cunningham River at the Four Miles bridge broke, as its main supporting structure was washed away by the floodwaters, caused by the intense rainfall experienced all over the Central Division at that time. This was an act of nature, whose effects unfortunately had implication on all concerned.

Madam Speaker, thankfully through a pro-active approach between the Government and the NGO agencies, we have brought things under control. In this regard, Madam Speaker, let me thank all concerned for their input in providing a way forward out of this situation. Unfortunately, our efforts in this direction has not been fully recognised by some sections of the media.

Madam Speaker, the facts being the following. Water Authority of Fiji immediately sought the assistance of my Ministry, seeking advice on ways and means that can be undertaken to address the environmental and health-related risks that would arise out of such a situation. Madam Speaker, amongst other things, the advice given to the Water Authority of Fiji was to set up an Interim Committee, and they are as follows:

- i) Ministry of Health;
- ii) Water Authority of Fiji;
- iii) Fiji Police Force;
- iv) Department of Fisheries;
- v) Ministry of Local Government, Urban and Environment;
- vi) Commissioner Central's Office;
- vii) National Disaster Management Office;
- viii) In the West, the South Pacific;
- ix) Suva City Council; and
- x) Nasinu Town Council.

The role of the Interim Committee was to advice Government on possible avenues, to address the sewer spillage situation. The setting up of the interim committee brought together a wide range of relevant expertise that has made containment of the situation possible in a timely manner.

Considering the spillage into the Cunningham River, and the likely dangers posed to the citizens of Suva, Nasinu and neighbouring coastal communities, the Ministry of Health and medical services

responded to lead Government's effort in the Interim Committee, to address the health and environmental risk that were likely to occur.

Through the weekly meetings of this committee, Madam Speaker, it was determined that the situation was within the definition of "Emergency Situation", under Section 39 (6) of the Environment Management Act, 2005, given that this was an uncontrolled, unplanned release of waste into the environment.

Taking into consideration the importance of the health and safety of our people, the interim committee, with the advice of the Minister responsible for the National Disaster Management requested my Ministry to seek Cabinet's approval for an Environment Emergency Declaration, provided for under Section 41 of the Act, over the affected areas for a period of 30 days. And here, I would like to thank my colleague, the Minister for Agriculture, for taking the lead role while most of us were enjoying ourselves during Christmas.

Following Cabinet's approval, the Declaration came into force on 31st December, 2014 and expired on 29th January, 2015. The areas covered under the Declaration included:

- i) Vatuwaqa River;
- ii) Laqere River;
- iii) Coastline, beginning from the mouth of the Rewa River, to Fiji Development Bank foreshore; and
- iv) Laucala Bay area, including Nukulau Island.

HON. M.D. BULITAVU.- Madam Speaker, I rise on a point of order, Standing Order 65 "Members must not read their speeches."

MADAM SPEAKER.- The honourable Minister is making his statement and he is aware that he has 20 minutes and the 20 minutes is his to say what he wishes. I am hoping that he will not deviate too much from the subject at hand. You may continue honourable Minister.

HON. P. KUMAR.- Thank you Madam Speaker, I am here as a Minister, to make a Ministerial Statement for 20 minutes. Common sense dictates that sometime I have to...

HON. A.M. RADRODRO.- Read.

(Laughter)

HON. P. KUMAR.- Read, but Members from the Opposition if they have to raise a question, they will read.

(Laughter)

This is 2015, I could see some degree of changes in some of the Members, but majority of them, I am sorry.

(Laughter)

Madam Speaker, the interim committee, with the inclusion of the new members, like the Ministry of Lands and Mineral Resources was renamed the "Inter-Agency Emergency Committee", under Section 42 of the Act.

Madam Speaker, I have to give facts because I do not want to leave any room for them to come again and ask questions unnecessarily. That is why I am going to ...

HON. DR. B.C. PRASAD.- Read, read.

HON. P. KUMAR.- Don't worry, just listen.

Over the period of the Declaration, the Inter-Agency Emergency Committee monitored on a weekly basis the quality of water and also the contamination levels within the affected areas. However, mother nature also came on board and with her blessings helped the problem. The frequent rain experienced on 1st of January, 2015 and the interaction of the water bodies caused by the tidal actions, mother nature assisted in improving the water quality across the declared environment.

Madam Speaker, the continued restriction in the areas outlined are in the public interest. It will not do us any good to lift this restriction until the committee is satisfied that it is complete safe to do so. I once again ask the patience from the public in this matter, for at the end of the day. it is their safety and health that we are protecting.

Madam Speaker, on the other hand, I am happy to report that at the end of the 30 days Declaration Period the Inter-Agency Committee saw fit, based on scientific evidence to lift the Environment Emergency Declaration in some parts of the "no fishing, no swimming zone." In particular, the mouth of the Rewa River and Nukulau Island and the sea frontage from My Suva Park to the FDB Foreshore.

The coverage of the extended 30 days declaration is now limited to only Cunningham River, Vatuwaqa River and the areas enclosed within the coastline, beginning from the Police Post at My Suva Park, to the mouth of Laqere and extending seawards to 500 meters from the high water mark, and parts of Nukulau. In these areas, the collection of sea shells and sea weeds are also prohibited. Government has provided one month's food ration to the 372 individuals, including women and young children.

Madam Speaker, my Ministry, together with the Office of the Prime Minister and the Ministry of Lands are in close consultations with the Maravu community for the relocation. Madam Speaker, these people are sitting on the sewer reserve and we had a meeting with the residents and we are working very closely, as I have stated with the Prime Minister's office and Ministry of Lands to re-locate them and they had basically agreed.

Madam Speaker, I must thank the public for co-operating with all Government agencies. They had shown patience and respect for the law during this period of Emergency Declaration, prohibiting activities in the areas outlined.

I also take this opportunity to thank all Government agencies that had worked together to ensure the situation is controlled within the shortest possible time. In addition, I commend our outside agencies especially the University of the South Pacific, for providing their assistance in a timely fashion. Their work has been invaluable in bringing matters under control.

Lastly, Madam Speaker, I can assure the Parliament and the public that the Inter-Agency Committee will continue to monitor the situation very closely, to ensure that the lives and in the end, the livelihood of our ordinary Fijians are safe guarded. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you, honourable Minister. I will now invite the Leader of the Opposition, or her representative to respond to the statement.

HON. N. NAWAIKULA.- I rise as the designated Member to reply, also as the Shadow Minister for my learned friend.

First of all, Madam Speaker, he has chosen to speak on the flag, so I take that as a right and this is my flag (shown to Members) and nothing will take that away.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. N. NAWAIKULA.- Apart from that, maybe the indigenous people from the other side should care to learn that before you take this out, you must remember the very reason for your VKB, and why you own your customary land is because of that symbol. That is also the reason why New Zealand has appropriated to celebrate its new flag with the Treaty of Waitangi, because it has now come around to acknowledge that these people have a right, whereas for Fiji, the very reason, and the only reason why this land was colonised, was to protect the rights of the native people. So, please

HON. A. SAYED-KHAIYUM.- Read your history.

HON. N. NAWAIKULA.- I am telling you the history.

HON. A. SAYED-KHAIYUM.- You read it.

HON. N. NAIWAKULA.- Maybe you are reading the wrong history book, well just remember that.

On the point in question, I must say that I was expecting the honourable Minister to make a statement because this has come to us without notice, on the much anticipated election for the municipal councils because he has undertaken to us that this will be done, and we were expecting that on the very first day.

HON. P. KUMAR.- What has that municipal election to do with the?

HON. N. NAIWAIKULA.- Democracy, transparency, accountability.

HON. DR. B.C. PRASAD.- Promise.

HON. N. NAIWAKULA.- You promised, so keep to your promise Well, he promised last year that we will have the elections, and we expected it.

Madam Speaker, let me come to the declaration in relation to the spill, the statement that he has made raises more questions than answers. He does not address the concerns of the public, so what is the concern of the public? The public needs to know what the contaminations are. In scientific terms, you must have conducted a research on what the contaminations are.

The other point is that the public is interested to know that no one will get fish that is taken from this. So, what measures have you conducted to ensure that none of these people who are going around are buying fish that are contained from this area? That is your responsibility.

The other concern is, that the public needs to know, especially those whose income and livelihood are derived from these areas are being compensated. There is nothing in the statement that tells us how the owners of this *qoliqoli* would be compensated. Also, there is nothing in the statement that tells us how the other people who are issued fishing licences, who are being denied, will be compensated for

those. And if you want to look for examples, we had the Vuda oil spillage, where compensation was paid. So this is a matter that is very important to this Parliament, to the public and to Fiji, but the honourable Minister has not cared to inform Parliament whether those people who are being denied income and the source of food are being compensated – not even in today's statement.

HON. V.R. GAVOKA.- He doesn't know.

HON. N. NAIWAKULA.- He tells this Parliament that there is a committee, what is the need for this committee? There is a committee that sits to determine what the Government does. We are not worried about what you do, we are wanting to know if the public's concern has been addressed and those essential matters are not being addressed by the statement that has been given today.

HON. DR. B.C. PRASAD.- Madam Speaker, it always impresses me when the former National Federation Party (NFP) colleagues of mine invoke their love for the NFP. Thank you very much, honourable Member, because it was the NFP which provided the political tutelage for many of them for over so many years. However, let me nonetheless thank the honourable Minister for his statement and we appreciate the actions that his Ministry was able to take on such a critical matter for the people within the Central Division. We appreciate his statement about the fact that it was caused by nature, but the point remains, that it is the responsibility of the Ministry and the Department in charge of infrastructure to be able to make an assessment over a period of time, to see the risk that may be associated with nature, and therefore, put in contingency plans and perhaps, improve the situation before you end up with that particular risk.

I also want to thank the honourable Minister for the Environmental Emergency Declaration. However, I just want to quote an article by Dr. Anderson from the University of the South Pacific in the *Fiji Times* last Saturday, dated 6th February, 2015, where he says and I quote: "When the Environmental Emergency Declaration was posted, most of the emergency was over." Perhaps, the honourable Minister may want to keep this in mind that when the emergency is there next time, you act on time.

HON. P. KUMAR.- There is no truth.

HON. DR. B.C. PRASAD.- However, let me come back to more substantial issues, Madam Speaker and this is with respect to the coliform bacteria, where there are levels at which it is considered safe and also unsafe.

There was a study conducted in 1994, and the results can be compared with the standards in the Fiji Environmental Management Act, US Environmental Protection Act and the World Health Organisation, where below 200 millilitre (ml) is considered safe for swimming and other activities. In some areas like the Samabula River - 244 tonnes, Vatuwaqa River - 222 tonnes and the Nabukalou Creek - 657 tonnes. However, the Nasinu and Lami Rivers were not tested.

Madam Speaker, what I would urge the honourable Minister to do is, apart from the emergency that we had, look at some of these areas again and see whether in normal circumstances (because I know there are sewerage spillage from Lami right up to Rewa and it will be good for the people of this country), the Central Division to be regularly informed of the levels of coliform bacteria that might be present, and make an assessment whether it is safe for our people in those areas, or not.

Lastly, Madam Speaker, the honourable Minister did not tell us (and I know there were some compensation paid for certain communities in certain areas), as it would be more interesting for him to

provide a more detailed explanation and details of how these communities were helped when they were suffering from the lack of livelihood as a result of the Emergency Declaration.

Recognised Seasonal Employment (RSE) Work Scheme

HON. BRIG. GEN. J.K. KONROTE.- Madam Speaker, the honourable Prime Minister, the honourable Cabinet colleagues, the honourable Leader of the Opposition, honourable Members of Parliament, Secretariat, ladies and gentlemen; good afternoon, *ni sa bula vinaka* and *namaste*.

Madam Speaker, unemployment is a key economic issue and a major challenge to our beloved nation, and for this, creating jobs is a priority for the Bainimarama-led Government, and as Minister for Employment, Productivity and Industrial Relations, I am duty-bound and obligated to focus on the Ministry's Vision of "decent employment and productivity for all", while at the same time, ensure that the staff and I successfully fulfil our Mission, which is "promoting employment creation and ensuring social justice, good faith employment relations, safe and productivity driven workplaces".

Madam Speaker, the Bainimarama Government is fully committed to reducing Fiji's unemployment rate from 8.6 per cent in 2007, 6.9 per cent in 2011, to about 5 per cent in 2015-2016. Creating jobs is among this Government's top priorities, and we are very determined and focussed to build on the achievements of the past 8 years, to create more jobs.

At the 2009 International Labour Conference in Geneva, the ILO Global Jobs Pact was endorsed by member nations tripartite constituents, committing them to put in place global, regional and national employment creation strategies to counter the growing unemployment, resulting from the global financial and economic crisis.

Madam Speaker, as part of our national response to the 2009 Global Jobs Pact but more importantly, to streamline and improve our procedures and processes, and at this stage, I would like to acknowledge and commend my predecessor, the honourable Minister for Health and Medical Services (J. Usamate) and staff, for quickly designing the policy and legal framework in establishing the National Employment Centre (NEC).

Madam Speaker, following successful consultations with our tripartite partners, Cabinet endorsed the creation of NEC on 23rd June, 2009. This was designed and established to boost job creation and productivity by providing for the first time in Fiji's history, a one-stop employment centre to upskill the unemployed and facilitate the employment opportunities with local and overseas employers as trainees, attached workers or volunteers.

The NEC presently comprise four employment creation services, namely the:

- 1) Formal Employment Service (FES);
- 2) Foreign Employment Service (FORES);
- 3) Fiji Volunteer Service (FVS); and
- 4) Self Employment Service (SES).

Madam Speaker, the function of these Service Departments within the NEC is to provide professional counselling, aptitude assessment, life skills training and employment skills demanded by the labour market. In this regard, the full potential of the FORES can only be realised, if international and regional government communities provide labour mobility access to our workers. Madam Speaker, that is why I am here to brief this august Chamber about the Recognised Seasonal Employment (RSE) Work Scheme that has been provided to us by the New Zealand Government.

To this end, Madam Speaker, the Government is very grateful to the New Zealand Government for engaging Fiji in this Scheme. Madam Speaker, the New Zealand RSE Scheme was established in 2006, to facilitate the temporary entry of single workers from Regional Pacific Island States to fill labour shortages in the horticulture and viticulture industries in New Zealand. Under the Scheme, which was started with the recruitment of workers from Tonga, Samoa, Tuvalu, Kiribati and Vanuatu, who could work in New Zealand for the initial period of about seven months is ongoing. Employers who are given the authority by the New Zealand's Ministry of Business Innovation and Employment are at liberty to extend the work contracts of good workers, or get them to return every season.

Madam Speaker, the New Zealand Scheme which is employer-driven, was initially capped at 5,000 workers annually but this number has been increased to about 9,000, and in order to take advantage of this opportunity, this Government had endorsed our participation in the Scheme by 20th September, 2014. This was later formalised with the signing of an inter-agency agreement between the New Zealand's Ministry of Business Innovation and Employment and our Ministry of Employment, Productivity and Industrial Relations on 11th December, 2014.

Madam Speaker, in determining the selection criteria of our workers for the Scheme, the Ministry is very aware and fully committed in upholding this Government's stance that the selection of candidates is done in a transparent, fair, inclusive process that is devoid of nepotism and corruption. Firstly, Madam Speaker, for an applicant to be considered for selection, he/she must be registered with NEC. He/she must possess a valid Fiji passport. Applicants are then subjected to a two-tiered set of selection criteria – the Generic and Specific Criteria.

Madam Speaker, to spearhead our participation in this Scheme, the Ministry is targeting the unemployed youths from the rural and remote outlying communities under a pilot scheme of about 30 successful candidates. With the success of the pilot scheme, we hope for an increase in our quota, to allow the Ministry to expand the recruitment-base and manpower, so that we could widely recruit throughout Fiji, including the unemployed youth and personnel from within the urban centres.

Madam Speaker, under the selection Generic Criteria, which is for the first 30 pilot scheme workers, all applicants must be:

- 1) A rural dweller and unemployed;
- 2) Aged between 25 and 35 years;
- 3) Registered with NEC;
- 4) Of good character;
- 5) Honest and hardworking;
- 6) Have no criminal records;
- 7) Possess a national medical card with medical clearance record;
- 8) Possess a valid passport; and
- 9) Literate – English speaking.

Madam Speaker, successful candidates are then subjected to a selection Special Criteria and under this process, applicants must pass a very thorough physical test which includes:

- 1) A rapid upper limb assessment;
- 2) An acceptable body mass index reading;
- 3) Stress and ECG test;
- 4) Lungs functioning test;
- 5) An eye vision test; and
- 6) A hearing audiometry test.

Successful candidates are then issued with an occupational medical clearance certificate by a medical officer, certified by the Ministry.

Madam Speaker, those candidates who successfully pass these Selection Criteria are then finally put through a modified regular fitness level test which include a two-kilometre walk or run, which is timed; sit ups; press ups; heaves or chin ups. These repetitions are counted. The above tests are conducted by the SECA to gauge the candidates' level of physical fitness, endurance and limb and strength co-ordination.

Madam Speaker, the Ministry has devised a very tenuous and stringent selection process to ensure that, not only do we satisfactorily meet the conditions stipulated under the Agreement, but more importantly, we only select and send strong, physically fit, reliable people of good character who are competent, focussed and committed, who would represent Fiji well as workers and ambassadors for our country.

Madam Speaker, at the outset of the selection process, we had about 5,000 potential workers who applied. This number quickly dwindled to about 1,500 and finally, we ended up with about 278 personnel, who were put through the medical and physical tests on Thursday, 29th to Saturday, 31st January, 2014. The numerical breakdown of personnel and representation details throughout Fiji are as follows: Northern Division – 47; Western Division – 104; and Central/Eastern Divisions – 127.

Madam Speaker, during the selection process, the staff and I were very conscious of the gender issue and I am happy to confirm to this august Chamber that at the end of the exercise, 101 successful candidates were selected, and of this, there were about 28 females who made up about 28 per cent of the total number, and the remainder was 73 males.

To complete our final internal selection process, the Ministry conducted a public barrel selection at Ratu Sukuna Park on Monday, 2nd February, 2015 to pick our 30 representatives for the pilot scheme. The names of the successful candidates have been forwarded to the New Zealand Ministry of Business Innovation and Employment, for the consideration of the employers who had indicated their willingness to come to Fiji and personally interview these people.

Madam Speaker, for the information of this august House, the first two employers that were given the approval to recruit Fijian workers are the Picks Hawkes Bay Incorporated, a fruit picking company at Hawkes Bay and the EastPack Limited, a fruit processing factory and export company at the Bay of Plenty.

Madam Speaker, all successful candidates will undergo a very thorough pre-departure training and administration process prior to deployment. This will be a joint exercise conducted by our Ministry and the High Commission officials of the NZ High Commission here in Suva.

The New Zealand employers will be arriving this week to interview and select those candidates who will be pioneering the Scheme, and these personnel are expected to leave for New Zealand round about the 21st February, 2015, and the last lot in about the 16th March, 2015.

Madam Speaker, the performance and progress of our workers will be monitored to ensure that their service delivery is satisfactory because of the need for Fiji to fully utilise the Scheme, and the opportunity of sending more of our unemployed personnel in future. It is equally important that our workers are properly administered on their return to Fiji, and this important phase of their development as experiences of workers should heighten their prospects of returned employment in New Zealand. This post-development training is designed to assist workers in successful re-entry into their home

communities, and this important aspect of the programme will be conducted and supervised by the Self-Employment Service within the Ministry.

Madam Speaker, at this juncture, I would like to acknowledge with much appreciation the firm commitment and good faith of the New Zealand Government, and the employers in offering the Scheme and work opportunities for our people. I would like to assure the New Zealand Government, and the employers that we will honour our obligations under the Agreement, because its success will contribute significantly to the development of Fiji, and further strengthen our bilateral relations.

Madam Speaker, it will be remiss of me if I do not acknowledge with gratitude and commend the tremendous support and assistance provided to the staff and I, from the members of the Government Working Group; the Ministry of Foreign Affairs, Public Service Commission, Ministry of Trade Ministry of Education, Ministry of Health, Ministry of *iTaukei* Affairs, the Office of the Solicitor-General, Department of Immigration, the Fiji Police, and the Republic of Fiji Military Forces. Last but not least, I would like to thank the honourable Minister for Finance for providing my Ministry with about \$520,150 to enable the Ministry to successfully implement this Programme. It has been a good team effort, and well done to everyone.

Madam Speaker, one of the key objectives of this Bainimarama-led Government as stipulated in his Manifesto is to, and I quote, “Encourage the Participation of Fijian Workers as Partners together with Business, and Government in Fostering Economic Growth and Developing Fiji”. Our participation in this Scheme Programme is another Government-sponsored initiative to lower the national unemployment rate, but more importantly improve the lives of our fellow Fijians with minimal education qualifications and skills.

Madam Speaker, this is only the beginning of more job opportunities for our people, and as I address this august House today, my staff are in the process of finalising a similar agreement with Australian friends from down under to allow more Fijians to access the Australian Seasonal Labour Market sometime in the future. The future for unemployed Fijians look brighter and promising with the passage of each day. We thank our Almighty God for blessing us. *Vinaka vakalevu, thank you and dhanyavaad!*

HON. RATU S. NANOVO.- Madam Speaker, I rise on behalf of the Opposition to respond to the Statement that has just been presented by the honourable Minister for Employment, Productivity and Industrial Relations.

We do thank the honourable Minister for his Statement, however, we all agree that employment is very crucial in any developing country such as ours. At the same time, we also note that unemployment is very rife in Fiji's economy. As I can recall, in a speech that was presented in this august House last year, the Government is targeting to employ about 100,000 people this year, and measures will be put in to try to address the issue, and one of them has just been mentioned and that is the establishment of the National Employment Centre. Based on that, they have already set up policies that will guide themselves in order to attain the target figure that they hope to reach this year.

On employment, I think the major issue that people will want to understand is, what sort of wage rate will they be paid in order to achieve the figure that the Government quoted last year?

Last year, the Minimum Wage Rate that was in place was \$2, and just last week I noted in the paper that they approved the \$2.32 per hour, as the Minimum Wage Rate, which will be effective from 1st July, 2015. It is just an increase of 32 cents, which represents about 16 per cent of what they were getting last year, and they are hoping to get 100,000 employees out of these. What would be the effect

on the individuals, who they are targeting to enjoy this \$2.32 after taking away the FNPF component of 8 per cent? They would only be left with \$102.00 to \$103.00 net, on a 40-hour week pay. In addition to the costs of goods and services that we are currently experiencing with the 15 per cent VAT, they will be left with only \$92.00 net to take home to meet their weekly consumption. For us on this side of the House, that is still under poverty line and a lot of people will still not be able to meet all their needs for any one week.

What we suggested last year, for Minimum Wage, for employment increase to be pegged on sectoral basis, and by doing that, the individual will be gauged on the type of qualification that they have, as well as the responsibility that will be expected of them in order to carry out that particular task. By doing that, they will be paid a slightly higher Minimum Wage Rate than what we have been advised with last week. That was our suggestion last year, Madam Speaker.

We were also glad to note that Government will also put in place the Apprentice Scheme. It was there in the olden days and we encourage that to be brought back in to place, because by doing that, the workers will really be further trained in areas that they will be good at. That in itself will give them a Minimum Wage Rate that will suit what they are good for.

As for the seasonal workers, we do appreciate what has happened. I understand that Government is only limiting the recruits to the people from the rural areas, and I would like to request the Government to also consider the people in the squatter settlements around us.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, we wish to thank the honourable Minister for his Statement, and also thank the New Zealand Government for this initiative. It is however very sad that we have to rely on foreign governments, Madam Speaker, to provide this sort of employment to our country because of the failures of our Government system, because really, that is what it is. And the honourable Leader of the National Federation Party reminded me that if the *coup* had not happened, eight years we would have had the Scheme.....

HON. GOVERNMENT MEMBERS.- (Chorus of interjections)

HON. ROKO T.T.S. DRAUNIDALO.- Because, Madam Speaker, the circumstances for employment in this country is still very bleak. Youth unemployment is estimated to be more than 20 per cent, and the National Employment Centre, we would like to know why the figures of graduate employment has been removed from their website. We certainly will not be relying on the *Fiji Sun* to tell us those figures.

HON. OPPOSITION MEMBERS.- Hear,hear!

HON. ROKO T.T.S. DRAUNIDALO.- I agree with my learned colleague about the low wages at \$2.32, that is still not very satisfactory to say the least. On this note, we on this side of the Chamber would like to thank all the former Fiji residents who provide remittances to this country and really, they keep a large part of this country afloat. If it was not for them, we will be down in the dumps and we thank them and the figures which the official government figures will show that too.

Madam Speaker, as for creating our own employment, this really goes to the basics of investment climate and it is the rule of law. Investors will invest here and employment will be created if they see things, like a Parliament is functioning well and Bills are not rushed through in 15 seconds or whatever time limit is given. Investors are not impressed and I believe they are objected to what is now the Land Sales Act and that led to amendments. Those are the sort of things and State interference, perceived State interference in employee contracts like Fiji TV....

HON. A. SAYED-KHAIYUM.- A point of order, Madam Speaker. Madam Speaker, I just seek direction from you, we have a Ministerial Statement by the honourable Minister who talked about the seasonal workers and the issues pertaining to that and information on that. We would assume that the response would be focussed on the seasonal workers, just a point of clarification on seasonal workers, Madam Speaker. Thank you.

MADAM SPEAKER.- Please take note of that, honourable Member.

HON. ROKO T.T.S. DRAUNIDALO.- Just in the business of employment creation, no State interference in employee contracts. This is to assist the Government. This system of governance that has Decrees, that upholds Decrees like the Decrees that interfere in the Momi and Natadola Contracts. That gives more confidence, Madam Speaker, to investors. They look at Fiji – should I go and invest in this country; where the Government can interfere and uphold and fringes with private contracts. The Media Decree, the essential National Industry's Decree and on that note, this particular Minister had given his assurances on the Tripartite Forum, two months later, this side of the Chamber is still waiting.

Madam Speaker, the last point I will make on this issue because I do not like speaking for too long but I get to the point is excessive red tape and self-employment. During the campaign period, I met very many roadside dwellers, roadside vendors, those who sell *suki* in Vanualevu, *kai* here in Tailevu and Rewa and other roadside vendors and the excessive red tape they have to...

They are trying to create employment for themselves, Madam Speaker and these are the things that, perhaps Government could consider including those Decrees that I have mentioned. They may wish to remove it, it will help them in attracting more investors and the creation of more employment.

MADAM SPEAKER.- We will now break for lunch and resume at 2.30 p.m.

The Parliament adjourned at 12.40 p.m.

The Parliament resumed at 2.50 p.m.

MADAM SPEAKER.- Honourable Members, we will now proceed from where we left off.

Street Begging in Fiji

HON. R.S. AKBAR.- Madam Speaker, I rise to inform this august Chamber about the stand taken by the Ministry for Women, Children and Poverty Alleviation in addressing the issue of street begging in Fiji. Madam Speaker, this is one issue that has caught a lot of Media attention and public reaction, so the purpose of this Ministerial Statement is to inform the Parliament about the stand taken by the Ministry and the Government.

The issue of begging, Madam Speaker, is a world-wide concern, however in Fiji, the situation is still under control. In the recent months, the Ministry has intensified its effort to collect information on all individuals who have been seen in the streets begging. A report was compiled on 7th June, 2014, which identified 31 people and profiled them as beggars for the capital city. However, according to other profile cases, altogether there are 72 people and majority of these people are already being assisted under our Social Welfare Programme. Some of them can be categorised as generation beggars, while some we have found out are mentally challenged, some are elderly, some are sickly, some are children and many of them have been pushed out of their homes and they resort to street begging.

As mentioned earlier in the morning by the honourable Member, begging is an offence. Under the Minor Offences Act 10 of 1971, Chapter 18, Section 3, it is stated and I quote:

“Any person who –

- (a) begs, gathers or obtains alms in any public place; or
- (b) causes or procures or encourages any child to beg or gather or obtain alms; or
- (c) goes about as a gatherer or collector of alms or endeavours to procure charitable contributions of any nature or kind, under any false or fraudulent pretence; or
- (d) causes annoyance by pestering or importuning any person in a public place, shall be guilty of an offence and shall be liable on conviction to imprisonment for a term not exceeding three months.”

Madam Speaker, as much as this, it gives legal powers to authorities to stop begging in Fiji, the Ministry is of the view that these are less fortunate people who need compassion and care to instil positive changes in their lives. This is the very reason that the Ministry must take a humanistic or we can say a social approach, to reach out and assist these individuals to uplift their lives.

Personally, Madam Speaker, since taking up office as the Minister for this Ministry, I have taken a walk along the streets of Suva, Lautoka, Nadi and visited squatter settlements and spoke to these people who resort to begging and have come up with some interesting information as to why they resort to begging.

If we look at our capital city, Madam Speaker, the number is increasing by the day and it makes our profiling exercise very difficult. On that note, if we look at the category of beggars in Fiji, we have close to eight categories. Some are elderly, some are disabled, we have single mothers, we have mentally challenged, we have homeless, we have widows, we have mobile beggars even, who move from one city to the other, one town to the other, we have also classified some as business beggars, who resort to begging as a means of making money and of course, the final one is the seasonal beggars who come on our streets during festive seasons.

Madam Speaker, amidst wide public concerns on beggars, the Fijian Government has created compassionate platforms filled with hopes, compassion and care for beggars. This is a street liberalisation move from where they are today, to being market vendors, self-employed and some rehabilitated in a new institution.

Madam Speaker, it is about fulfilling promises to empower the disadvantage. It is the Fijian Government making a positive difference in the lives of the less fortunate, empowering them with opportunities to begin a self-reliant life. We have made efforts to improve their lives by using humanistic approach and it is a very topical subject that was not thoroughly addressed in the past.

Madam Speaker, please allow me to refer to a recent posting on the *Guardian* website on 23rd January this year. It says, and I quote:

“The Philippine Government was questioned for hiding 490 beggars of the street into luxury accommodation and this included some homeless children being caged, during Pope Francis recent visit.”

I am proud to say that the Government is very upfront with this issue of improving the lives of the less fortunate. The question is, are we going to address the issue while it is still controllable or are we going to let this issue deteriorate? My Ministry, Madam Speaker, will go to great lengths to ensure that the people who have been begging on the streets are empowered to live an economically active life. Just as the 2013 Constitution, Bill of Rights, economic participation states: “that every person has a right to full and free participation in economic life of the State.”

Madam Speaker, for beggars, it also comes down to bread and butter issues. We owe it to them, we offer them solutions to make a difference to impact their families and their livelihoods. While many countries cannot address the plight of beggars as they soar in numbers and types day by day, we still have time to address this issue. For many countries, beggars become the hallmark of street living and even stamp their brand in some cities. It is beyond their control but it is beyond our control and it disturbs me, and I am sure it disturbs other compassionate people who care for these people to see the inhumane conditions that they live in.

If I may bring an example to light, Madam Speaker, while I was walking through the streets of Suva, I came across many individuals with their bags packed, sitting along the streets and trying to shelter from the rain and sun. One elderly lady, who we found out to be mentally challenged had been living on the streets for the past two years. She had a broom in her hand and was trying to sweep off the water which was coming her way.

Madam Speaker, that is the reality of some of the lives of the beggars that we have in Fiji. The Government regards those begging on the streets like any other citizen. All they need is inspiration and opportunities with positive mentoring, with which they can also rise to a better livelihood. It is all about application of a creative leadership, compassion and care to bring comfort to those less fortunate people.

With growing concerns from the public that some beggars were hostile to the public members and tourists alike, children as young as one month was used on the streets to gain public sympathy. We saw that these issues pose greater risks to those who beg on the streets as well as those who were harassed by them. A baby of less than one month is currently placed in our residential care home, given the condition in which she was found on the streets with his mother. The Ministry responded immediately to such cases and within weeks of starting this programme, we have created a huge interest and desire among the general public to help such individuals. Today, that window has opened up and we are seeing a positive outcome for those able-bodied beggars. The wellness ideology refers to

physical, mental, social, financial and spiritual well-being across all developmental cohorts of life. The application of this concept to beggars confirmed that change can be achieved to bring about an improved livelihood.

Madam Speaker, at this stage, I would like to acknowledge the leadership of the Commissioner of Police and the renewed efforts to co-operate under a new memorandum of agreement to involve the beggars. The Police, Madam Speaker, are the custodians of the Minor Offences Act and renewed co-operation will mean faster responses to the beggars in Fiji. The Ministry for Women, Children and Poverty Alleviation will co-ordinate efforts with the Fiji Police Force, Ministry of Local Government, Housing, Environment, Municipal Councils, faith-based organisations in this new approach.

Last week, the collaboration of the Government and the Church of Nazarene realised the opening of the Good Samaritan Inn (Fiji's first rehabilitation centre) for the empowerment of able-bodied males who beg on the streets. Similarly with the collaboration of the Fiji Muslim League, the Makoi Women's Vocational and Training Centre will be the first of its kind of its facility in Fiji to create skills training and employment opportunities for the thousands of women. This project, Madam Speaker, will incorporate those women who are begging on our streets. The beauty of this Centre is that it will be opened in April this year and it welcomes any Fijian woman to be accommodated and trained at the Centre in a wide range of sustainable livelihood projects.

The Government expresses its deepest gratitude to the Church of Nazarene for its partnership in making Fiji's rehabilitation centre a reality for the less fortunate. The completion of this project demonstrates that through collaborative efforts like this, a society has the power to positively change the lives of those who have fallen victims to such predicaments in life. We welcome different levels of partnerships to positively transform the lives of the less fortunate in our society. The successful completion of this much awaited initiative is the culmination of many discussions, planning and sacrifices that now has shown the establishment of a facility designed to empower the less fortunate, an initiative initially mooted by our honourable Prime Minister. The Government encourages partnerships to make a greater impact.

The Good Samaritan Inn, beautifully located in the green hills of Colo-i-Suva is now a home for four able-bodied men who used to beg on the streets for a living. However, we have rooms for eleven more to be accommodated, who are in need for love and acceptance. These able-bodied males will go through six months skills development programme to comprehensively transform their lives. They will be equipped with the skills and tools to establish sustainable livelihood programmes. In collaboration with the Ministry of Agriculture, farm skills by the able-bodied individuals will be used to bring out agricultural produce for our women market vendors.

Madam Speaker, words fail to describe the emotions of these residents. For some, it was the first time to experience the comfort of a proper home environment, love and acceptance that was offered by the new rehabilitation centre.

It is also saddening to see that our children are used to gain public sympathy for begging. The Ministry has taken a very stern approach to curb it by declaring zero tolerance on child begging. Under the Child Welfare Decree, 2010, it makes it mandatory for the Ministry to respond to any cases where children's welfare and safety is concerned. The most immediate action the Ministry has taken in response to children who were found with their mothers begging on streets is to place them into a residential home. This decision was made in the best interest of the child. Of course, Madam Speaker, there are other options that the Ministry will consider when it comes to placement of children. The children are either placed with close family members or in our homes for their safety and well-being. The decision to do either will depend on the case assessment carried out by Social Welfare officers.

Madam Speaker, they can be placed with relatives or families only if they are willing, then the Ministry assists them with care and protection allowances, and similarly if they are placed in our residential homes, then we provide monthly allowances towards their welfare.

Madam Speaker, the Ministry has embarked on a new initiative to economically empower women who had been begging for a living. The Ministry has helped these women with self-employment programmes, the first can be witnessed when one takes a walk into the Suva Market, just behind the Market Police Post. There are three women who have been assisted through market stall projects. They are now able to earn daily income and without having to beg on the streets. Of course, we had challenges because they came back to beg on the streets the very next day.

The media is very co-operative partners with us. We were informed of the case and immediately took action and of course, a lot of counselling done. Like I mentioned in the morning, it is all about changing the mindset of these people who have done this for many years. This project is closely monitored by the Ministry in partnership with the Fiji Police Force. We have also mapped out plans to expand the opportunities for women into areas like catering, baking and many more to come. In partnership with financial institutions, the Ministry will provide them with skills and tools. They need to gradually expand their businesses. As a matter of fact, for the first time these three beneficiaries will have opportunities to acquire financial literacy skills that will assist them to open savings accounts and do long term business planning.

Madam Speaker, the objective is to help women and men into sustainable livelihood projects that will build their confidence and ability to become self-reliant. The Ministry's welfare graduation programme also provides for skills development and employment. The able-bodied women assisted under the Ministry's care and protection programme are given skills training and financial assistance to venture into livelihood projects. Records show that through this programme, the beneficiaries are able to earn more income in a week than what they would receive as social welfare assistance.

Madam Speaker, this is a reform policy implemented by the Ministry to enable able bodied social welfare recipients into a pathway, to elevate their financial status and acquire independent livelihoods. Once the Ministry sees that the family's financial status is secure then we pull off our assistance and allow families to carry on independently.

Madam Speaker, in case of housing, many of the beggars as mentioned, have been pushed out of their homes. They do not have housing. The Ministry works together with HART to find accommodation for them, however, this is an area of challenge for the Ministry, as we do not have adequate housing, but we intend to address that in future.

Madam Speaker, for the information of Parliament, in order to understand the plight of some of the beggars on the streets one just has to take some time out and talk to them. In the past three months the Ministry has assisted in the burial of a street dweller who died on the street with no family coming forward.

Madam Speaker, two weeks ago, we had one of our women beggars admitted to the Colonial War Memorial Hospital when she collapsed at the Suva Bus Stand. There are many cases like that and the challenge is too much for us, but the Ministry is intensifying every effort and like I said, the plans are to expand our services into other towns and cities, Lautoka being our next target, as the number of beggars on the street of Lautoka is increasing. Every day we get reports of women still using children to beg and every day we see a new face on the street resorting to begging.

Madam Speaker, over the years the issue of begging has been widely debated and attempts have been made to curtail it, but I believe with very little success. However, this will not dampen our spirits. This is the beginning of a change that will inspire all Fijians to transform challenges as opportunities to achieve greater heights in their lives. As they say, no mountain is too high to climb, no barriers too difficult to break through.

With values of care and compassion and the Ministry's Vision to Empower Women and the Disadvantage we are going to offer opportunities to every Fijian to achieve their maximum potential giving every Fijian a role and place in our society.

Madam Speaker, before I conclude, we cannot hide poverty from our midst nor can we make false election promises to address poverty on our land.

Madam Speaker, to make a real difference, all of us have to rise above petty politics and stop sounding like a broken record.

HON. GOVERNMENT MEMBERS.- Hear! hear!

HON. R.S.AKBAR.- It is time to sing a new tune because the ground reality, Madam Speaker, is showing signs of brighter days for all Fijians.

MADAM SPEAKER.- I thank you honourable Minister for that statement. I will now ask the Opposition to respond to that statement.

HON. S.V. RADRODRO.- Madam Speaker, I rise to respond to the statement given by the honourable Minister for Women, Children and Poverty Alleviation and indeed, she is passionate about the cause and her statement closely mirrors what we see in the paper almost every day. And if we take a popularity poll right now in the media, I am sure she will out do owners of numbers 255 and 279.

(Laughter)

Madam Speaker, indeed her statement sounds very concerning to all of us. It reflects the social decay in our country, it reflects the breakdown in our moral values. It reflects the breakdown of our family network and it will be interesting to see how, it's the 'how' that we would like to see because what we have heard is we have seen, we know it, but what I was looking forward to is the 'how', how are we going to address these problem? In terms of policies, in terms of strategies and previously, I had mentioned in my maiden speech and also in my budget address that I had requested for planning documents for the Ministry, so that we can really see how they are going to actualise what we have heard from Madam Minister.

HON. R.S. AKBAR.- Madam, you were a Director there as well.

(Laughter)

HON. S.V. RADRODRO.- Under Standing Order 45 (5); Any request that is made to this august House has to be provided by the Minister either oral or in written form. We are now into the second month and again we hear all the plans that the Ministry wants to undertake. But may I once again request for the Strategic Plan and the Annual Corporate Plan because I am mindful of the fact the Ministry does not have a big budget. How are you going to implement all that you have alluded to without the money? And I have made in my budgetary address....

GOVERNMENT MEMBERS.- We have the money.

MADAM SPEAKER.- Order!

HON. S.V. RADRODRO.- Well, I had requested in my budgetary address make virements. I had requested the honourable Minister for Finance, make the virement so that the honourable Minister for Women can realise the promises into deeds. Otherwise, the promises will always remain an empty promise without the money.

There is no money there is no go. So again, I am urging the Minister for Finance to hear what the honourable Minister for Women sitting right behind him had just mentioned. All the plans, all the strategies, but where is the money? No resources, you will not be able to achieve anything and again come next time, we will still hear the same issues.

HON. R.S. AKBAR.- Like I said no broken record, please.

HON. S.V.RADRODRO.- You are sounding like a broken record yourself, Madam Minister.

(Laughter)

Furthermore, Madam Speaker, there are legislations in place, there is Juvenile Act, there is the Child Welfare Decree, there is the Domestic Violence Decree, but things are not happening. So what is wrong? Why are you not making the legislation work? What is wrong with the legislation, what is wrong with the policies, what is wrong with your strategies? Otherwise the beggars are on increase if you do not handle your resource allocation, if you do not handle your policies, your strategies, the beggars will be still in place next year. And the number is increasing and what are the causes of begging? It is poverty. How are you going to alleviate poverty with that kind of allocation in your budget?

There is no money, so all what you are saying will be broken record. Give them the money.

HON. R.S. AKBAR.- We have the money.

HON. S.V.RADRODRO.- Then allocate the money do not just talk about it, do it. So for the benefit of women and the children, let us vire some money to the Ministry, honourable Minister.

MADAM SPEAKER.- I will now give the floor to the Leader of the National Federation Party.

HON. P.SINGH.- Thank you Madam Speaker, thank you for the accolades.

Madam Speaker, I must thank the honourable Minister for taking the great initiative.

(Applause)

She has embarked on a very ambitious programme, to rid the beggars of our streets and I wish I could share the same sentiments.

Madam Speaker, begging is one of the fallouts of the social structure in a society and it is directly linked to poverty. Yet, the government has this claim as we heard this morning there was 4.2 per cent economic growth in 2014. If that was true than I am sure we would have been punching way above our weights, and this is one of the very extreme cases. It is a national shame which has not only to be

addressed but managed because of the racial structure of our society. If we do take them away from the streets, where do we put them? What will happen to those who come in to replace them because of the economic issues?

May I remind the honourable Minister that in her consultations throughout the country, she would have come across one aspect of their social welfare programmes, where the elderly are complaining that their social welfare benefits have been taken away, some of whom had been receiving them for 20 years. Some have been told, “now, you can look elsewhere for it.”, and this is one of the reasons where society is not geared to absorb those people, and begging is one of the recourses for them.

We must, as alluded to by my honourable colleague, look at ways and means of addressing this problem in a holistic way through the social, economic and political policies that are in place. The question is; whether they help, increase the climate that we need, and Madam Speaker, may I ask the honourable Minister, please do not dehumanise the beggars, they are human beings ...

HON. A. SAYED-KHAIYUM.- She is not dehumanising.

HON. P. SINGH.- ... and they have every right, as enshrined in the Bill of Rights of the Constitution.

HON. R.S. AKBAR.- The right to beg, you mean?

HON. P. SINGH.- Begging is a phenomena that is associated with poverty which will be here, and to target beggars alone is not going to assist us in getting that social structure that we need. What I am saying, Madam Speaker, is that the honourable Minister and some of the Social Welfare officers; please do not empty the bags of the beggars just for a photograph in the *Fiji Sun*.

(Chorus of interjections)

It is dehumanising and we, as concerned citizens, do look up to these people and share their thoughts. It is very emotional to some of them, but many of the beggars are by choice who live in good houses, though they come from the squatter or informal settlements. However, at the end of the day, how do we police them and once we get rid of these people, what will happen to those who replace them? I am sure they will be absorbed in the programme

HON. A. SAYED-KHAIYUM.- *Vinaka*.

HON. P. SINGH.- But what happens to those who come back to the streets, does the Ministry have the capacity to address that? These are some pertinent questions that the honourable Minister should look into and take this programme forward.

CONSIDERATION OF URGENT BILLS

Boxing Commission of Fiji Promulgation, 2008

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, I move pursuant to Standing 51 that the Boxing Commission of Fiji (Amendment) Bill be considered by Parliament without delay.

That the Bill:

- 1) pass through one stage at a single sitting of Parliament;
- 2) That the Bill be debated and voted upon by Parliament on Wednesday, 11th February, 2015, which is in two days' time;
- 3) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- 4) That the Bill be debated upon by Parliament, but that a two-hour time limit be set and be given to each side of the House with the right of reply by the mover of the Bill, which is me, Madam Speaker.

Madam Speaker, I move this under Standing Order 51, because of the necessity to expedite this Bill and given the Bill is approximately only two pages long, and is more of a functionary change than anything else, Madam Speaker. Thank you, Madam Speaker.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I beg to second the motion.

HON. S.D. KARAVAKI.- Madam Speaker, I rise on a point of order. Standing Order 51, although it provides for the expediting of Bills, it does not take away, or weigh the right of this Parliament to properly scrutinise Bills. It appears now that all the Bills that are coming, are coming through this process, to be expedited ...

HON. OPPOSITION MEMBERS.- Hear!

HON. S.D. KARAVAKI.- ... and it is a concern, Madam Speaker, that if this continues, then the question is, what is the purpose of this Parliament? This Parliament is here and the meticulous provision provided under part 7 is the part that provides for every step that needs to be taken in order to properly scrutinise the Bills before it is passed. Unless there is a Bill that is non contentious, then I believe it should be processed through Standing Order 51.

Maybe it is time, Madam Speaker, that the Chair should make a guideline of this because it will continue to arise in this Parliament and will continue to be debated in this manner. It is time when it is still early to look at this and its application, and Madam Speaker should give a ruling that should be followed by this Chamber. As it is now, this is another Bill that I do not believe by looking at it that is an urgent Bill that should be expedited. It should follow the proper process and that is my concern. I believe the Chair should look at this issue and make a ruling on it, or probably give a guideline to be followed, and this will be a waste of time in future if we continue to debate it this way.

MADAM SPEAKER.- However, there is a provision in the Standing Order for a Bill to proceed without delay and under that Standing Order, the honourable Attorney-General is tabling this particular Bill. I am yet to call the honourable Attorney-General to explain and describe the urgency of this Bill so that we can make some decisions on it.

Honourable Member, I note what you have just said and from my side, for any Bill that is to proceed without delay, that needs to be taken into consideration where this Bill would apply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, the Bill as you will see is no more than two pages long, if you put the front page through the third page. Madam Speaker, you will see that the Bill is predominantly what we would call a functionary amendment, to facilitate the amateur boxing in Fiji to be recognised internationally and also more importantly, Madam Speaker, for the upcoming South Pacific Games. This is why it is being expedited.

Madam Speaker, just very briefly, the promulgation was established to regulate the sport of boxing in Fiji. It also establishes the Boxing Commission of Fiji, and under the existing law, it also covers amateur boxing. However, the Amateur International Boxing Association does not agree with this. The Amateur International Boxing Association wants an amateur boxing association body in Fiji to be completely independent. Otherwise, they will not recognise our amateur boxers who want to participate (as I am sure all of us in this House want our amateur boxers to do well in the upcoming Pacific Games in Papua New Guinea). So in order for our amateur boxers to be able to participate in those Games, and they obviously need to know very quickly because the Games are to be held in July and we are already in the month of February, we need to delink Amateur Boxing from this particular law. That is the only reason and AIBA as it is called, only recognises one entity from each country. In Fiji's case, it recognises FASANOC, so by removing Amateur Boxing from this substantive law which creates the Boxing Commission, we will be able to then have Amateur Boxing under the umbrella of FASANOC.

Madam Speaker, it also says as stated by the AIBA Statutes that if the recognised entity is no longer performing its function as the governing body of Amateur Boxing in a country, then the country shall face suspension from AIBA, and ultimately from participation in any AIBA sanctioned tournament. So, this is the reason, Madam Speaker, why we are asking that this amendment which is (as I have said) is very functionary, (I know the other side finds it a bit hard to digest probably two pages), this is why, Madam Speaker, we have given them two days to digest the two pages. Madam Speaker, from today onwards, they can study the Bill – tonight, tomorrow, tomorrow night and on Wednesday, we are requesting, Madam Speaker, that we have a debate of these two pages of amendments, and that each side be allowed two hours to speak...

HON. GOVERNMENT MEMBER.- That's fair!

HON. A. SAYED-KHAIYUM.- ... on a two page Bill. The number two is a key number in all of these.

HON. GOVERNMENT MEMBER.- *Vinaka!*

HON. A. SAYED-KHAIYUM.- So, Madam Speaker, we have two hours of debate on Wednesday by both sides for this two-page amendment and we vote on it on Wednesday because, Madam Speaker, the amateur boxers in Fiji are looking forward to this amendment because once they know that the amendment has been approved, then FASANOC can go ahead. We can get the accreditation and our boxers can start training for the Pacific Games in which we want to win gold medals. So, this is the reason, Madam Speaker, why we are seeking the Standing Order 51 path in respect of this amendment. Thank you, Madam Speaker.

MADAM SPEAKER.- It is not a wise idea to face boxers, but given the expedited nature of this motion and we are merely voting on the motion today, we will be looking at the Bill in more detail on Wednesday. In view of that, I will be allowing two Members from the Opposition, who would like to comment on this motion.

HON. RO T.V. KEPA.- Madam Speaker, which motion are you referring to?

MADAM SPEAKER.- The motion that has just been tabled.

HON. RO T.V. KEPA.- I do not think that there is any debate on that right now.

MADAM SPEAKER.- Yes, the debate will take place on Wednesday after you have scrutinised the Bill.

HON. RO T.V. KEPÄ.- Which we will do as according to what the honourable Attorney-General has said, that it will be in the Wednesday's Order Paper? So, at the moment, as I understand it, there is no motion on the floor.

MADAM SPEAKER.- The motion has just been tabled. The urgency of this Bill, that is the motion, that it needs to proceed without delay. However, I am giving you the opportunity to speak on this motion, not the Bill, for five minutes.

HON. S.D. KARAVAKI.- Madam Speaker, that preferred process would be, if today is the First Reading, tomorrow is the Second Reading, and we have the House Committee on Wednesday to look at the Bill and pass it. In that way, Madam Speaker, rather than to have limitations on the time to speak on the Bill. I mean, I am suggesting an alternative here. It is in the expedited form.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, with your indulgence, I think the matter before the House is quite clear. The motion is urging the use of Standing Order 51 which is what we have to vote for now, that is, the motion, not necessarily the Bill in itself. I think your directions are quite clear, Madam Speaker. Essentially, the Opposition does not want to support the passage of it, so they will vote against it. I think that is the matter at hand here, it is just a short debate on whether to use Standing Order 51 or not.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, I agree with my colleague, the honourable Karavaki. I think the honourable Attorney-General has set out why this one should be expedited. We accept that the Games are coming up and they probably need this legislation to pass but can I ask, in support of my colleague and on behalf of the National Federation Party, that you give that ruling, Madam Speaker, some guideline because every Bill cannot come in this form. It has come in this form on the last two occasions (this one and the last one which was disastrous according to lawyers in Nadi in the weekend, the Land Sales Act but I will not refer to that again).

Madam Speaker, if you could give your guideline as to what sorts of Bills are to be expedited under Standing Order 51 and please, take all the time that you need to get the precedence in other countries, in the same way as you made your ruling this morning. I am sure this Standing Order was meant for things like national disasters and the like, where Bills are to be expedited or not. It is not for every single Bill, Madam Speaker, that is our request.

MADAM SPEAKER.- Honourable Members, under Standing Order 51, any Bill that is of urgent matter and this particular Bill as has been highlighted, there is a need for Parliament to approve before July or even in the process of going through the sporting organisations so that the Amateur Boxing Association can qualify for the July event. This is why, to me, this Bill is of an urgent matter.

Secondly, this Bill is just a very short one – a two page one, so it will not need to go through the whole process of Bills. This can be decided here in this Parliament. So, this Bill according to Standing Order 51, does qualify to proceed without delay.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I thank the Members who have spoken on Standing Order 51, Madam Speaker. Again, I put the motion to the floor, there is an urgency to this matter but, Madam Speaker, let me also highlight and I refer the honourable Members, in

particular to the other side to go back and perhaps, do some bedtime reading on the *Erskine May*, on parliamentary governance.

The Standing Orders, Madam Speaker, are the rules that the Members of Parliament themselves have chosen as to how they would be governed. The Speaker, Madam Speaker, is the referee and the rules of parliamentary governance, Madam Speaker, are the rules set by the Members themselves. Those powers cannot be usurped by any entity or individual unless the Parliament themselves changes the Standing Orders themselves. And I would urge everyone in this House to do some background reading on this. We cannot go around usurping the powers and seeking rulings in every second thing when the rules are quite clearly set out, and Madam Speaker, you obviously have a difficult task in terms of making decisions based on the Standing Orders themselves. But, we cannot go around making inferences on the wordings of the Standing Orders themselves.

Madam Speaker, again I wish that the motion be put to the floor so we can facilitate Amateur Boxing in Fiji, and for our athletes to compete in the Pacific Games to be held in Papua New Guinea.

Question put.

Motion agreed to.

Republic of Fiji Military Forces Act (Cap. 81)

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

That the Republic of Fiji Military Forces (Amendment) Bill, 2015 be considered by Parliament without delay.

Madam Speaker, this Bill is not even one page. Madam Speaker, secondly, I propose:

- 1) That the Bill pass through one stage, at a single sitting of Parliament;
- 2) That the Bill be debated and voted upon by Parliament on Wednesday, 11th February, 2015, which is in two days' time;
- 3) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- 4) be debated upon by Parliament, but that a two-hour time limit be given to each side of the House to debate this less than one-page amendment, with the Right of Reply given to the mover of the motion.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, internationally of course, there is a growing trend to remove the use of capital punishment from all laws. Indeed, in the Fijian Constitution under section 8, every person has a right to life, and a person must not be arbitrarily deprived of life.

In 2002, Fiji took the initiative to remove the death penalty in its penal code, and that obviously has been carried on through the Crimes Decree. However, unfortunately, the only remaining reference to the Death Penalty in Fiji exists in the Republic of Fiji Military Forces Act, and this exists, Madam Speaker, by virtue of reference to the United Kingdom Army Act of 1955.

In that particular Act, which is relevant in the RFMF Act, because it makes references to it which says, “Wherever there is a gap, the UK Army Act will apply”, and that 1955 UK Army Act has the death penalty in it. Unfortunately for us, whilst the UK has moved along, removed and revised their Army Act, they no longer have the death penalty, we were still stuck to the UK Army Act of 1955. So technically, we can still have the death penalty under the RFMF Act.

When we were in Geneva last year, under the Universal Periodic Review of the Human Rights regime in Fiji, we had given an undertaking, Madam Speaker, that we will remove any reference to the death penalty, and that can be replaced by a life sentence. Given the fact, Madam Speaker, that we now need to be in Geneva early next month, to give a stocktake of all the undertakings we had given last year. So, we need to be able to go and tell them that all these boxes we said we will tick, we have ticked it. Otherwise, we will be short on our undertakings, and we do not want to be short on our undertakings. This is why, Madam Speaker, we are seeking an expedited process of this Bill. It is, like I have said a very simple amendment because it removes the death penalty, and I am sure no one in this august House will argue against that.

Nonetheless, we have said that in order to ensure that there will not be any contravention of Section 8 of the Constitution, and to ensure our commitment to the United Nations Human Rights Council, we would like this amendment to be carried out. This is why this motion has been put in this particular respect. I do not want to go further into all the other amendments, they are very clearly stated, unless you wish me to go into the relevant sections, Madam Speaker.

MADAM SPEAKER.- No, I think that is alright.

HON. A. SAYED-KHAIYUM.- Thank you.

MADAM SPEAKER.- I will now invite any comments from the Opposition, if any?

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, it all seems innocuous and the honourable Attorney-General has explained why we are going to Geneva, to go and tick of those boxes. The first comment is, it is a friendly suggestion to the honourable Attorney-General, you do not have to comply with whatever those people say at the United Nations, because in one arm they require you to comply with its human rights obligations, and on another hand they go around sponsoring all sorts of things around the world; mercenaries, dictators. So, I would not put that as something to rush our hand in this Parliament.

Madam Speaker, in case its lost on the honourable Attorney-General, I see he is not very good on history and the advice that he gives the honourable Prime Minister on history, and this ties him to the flag issue as well. There is a very good reason why the death penalty is there in the UK Army Act.

HON. A. SAYED-KHAIYUM.- It was removed. It is no longer there.

HON. ROKO T.T.S. DRAUNIDALO.- It was removed because they no longer had *coups*.

HON. MEMBERS.- (Chorus of interjections)

HON. ROKO T.T.S. DRAUNIDALO.- That is how they deterred it, Madam Speaker. But in Fiji, we like to be in denial about these things. We are all supporters of right to life, but there is a reason why those harsh punishments are there, to deter people. There *coup* is over, and this Government is being established under the rule of law, so to speak, we have had the General Elections, but we want to deter the next one, and maybe we should keep harsh things there, so that we remind people in the

barracks , whoever wants to think they are Jesus, that there is a reason why. But, I am just saying this on a point of the motion that we should not rush these things. These are very, one-page as it is, a lot of deep history and philosophy is behind this Bill which should not be rushed.

HON. RO T.V. KEPA.- Madam Speaker, can I just point us to Section 47(2) of the Constitution, where it says, and I quote:

“Parliament may proceed to consider any Bill in accordance with its standing orders, which must provide –

- (a) A structure process for the introduction, deliberation, amendment and enactment of Bills;
- (b) Sufficient time to elapse between the steps in the process for members and committees to give due consideration to each Bill.”

Just a request, Madam Speaker, to the honourable Attorney-General, like the Consequential Bills that were packaged in December last year where he was trying to rush the Bills through, to just consider that aspect of the Constitution, where we can be given due time to process and deliberate on the Bills that he is bringing through. Thank you.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, just in response to the honourable Leader of the Opposition, the Constitution does provide for that so does the Standing Orders which is in compliance with the Constitution. The Standing Order 51 is a structured process, as to you go about bringing expedited processes.

Madam Speaker, again the Opposition is rushing into a conclusion and that rush is, they are saying “we will be doing every single Bill will be brought under Standing Order 51.” Not every single Bill will be brought under Standing Order 51, unless they are prophets and they can read the future. During the Budget, they walked out, that was not under Standing Order 51. They walked out when we were debating the Budget, they were not even here. But the point is, Madam Speaker, this is done for a particular reason, and as I have clearly enunciated and I will indeed do so in the next Bill that we are going to present and the rationale for it. Of course, there will be other Bills, Madam Speaker, that will not be presented under Standing Order 51, and it goes through the full hog, as set out under the Standing Orders.

Madam Speaker, I move that we now move on the motion that is on the floor.

MADAM SPEAKER.- Honourable Members, we will now vote on the honourable and learned Attorney-General’s motion under Standing Order 51, for an Act to amend the Republic of Fiji Military Forces Act (Cap. 81), to be considered without delay. This is just to vote on the motion, but the Bill will be tabled on Wednesday.

Question put.

Votes Cast:

Ayes	-	31
Noes	-	14
Not voted	-	4
Abstain	-	1

Motion agreed to.

Regulation of Companies Bill

HON. A. SAYED- KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, pursuant to Standing Order 51, with your concurrence, Madam Speaker.

That the Companies Bill, 2015 be considered by Parliament without delay; that the Bill be immediately referred to the Standing Committee on Justice and Law, with jurisdiction of the subject matter of the Bill. So, it will go through a Committee Stage, that the Standing Committee report on the Bill to Parliament on 11th May, which is the beginning of the session in May, which is in three months' time. Madam Speaker, which is the first day of sitting in the May session of Parliament. Upon presentation of the Report by the Standing Committee, Parliament resolves itself into a Committee. Parliament goes into Committee itself for the whole of Parliament for consideration of the Bill, in accordance with Standing Orders 87.

The reason why we are suggesting that, Madam Speaker, is because it is an enormous Bill, with 428 pages. So, if Parliament goes into Committee itself, it will vote on each, whether it chooses on the clauses on the parts and that the Bill be voted upon by Parliament, following the Secretary-General's report on the consideration of the Bill under Standing Order 87(11), which is when it will consider the Bill as a Committee of Whole in the May session. Madam Speaker, in the May Session, we are sitting for two weeks. Thank you, Madam Speaker.

HON. LT. COL. P. TIKODUADUA.- Madam Speaker, I beg to second the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the existing companies Act is over 30 years old and is very much based on the old UK laws, the origin of which goes back to about another 50 years. So companies law is very much out of zinc, with modern day commercial setting up of firms and companies, et cetera.

Government recognises, under the Bainimarama-Government, and we engaged experienced international consultants about three years ago to recommend the best model for Fiji. In drafting the recommendation, there was enormous public consultations held, Madam Speaker, and if I could just elaborate on some of them. The public consultations were held with the Reserve Bank of Fiji, the South Pacific Stock Exchange, the Ministry of Justice, the Office of the Registrar of Companies, the Office of the Administrator-General, the Office of the Solicitor-General, private sector organisations, including the Fiji Institute of Accountants, various lawyers, accountants, and of course a number of companies because it does change in a very fundamental manner, modernising the laws of the companies and how companies indeed themselves will be governed. There have already been three separate rounds of public consultations, and the meetings were conducted during the drafting phases of the Bill in 2011 and 2012, and they were both held at the Suvavou House and at the Novotel in Suva.

Again, there have been various papers presented, in particular in 2012, at the Attorney-General's Conference on the new company laws. In drafting the Bill, Government had regard to the provision of existing laws including of course the Companies Act, the Capital Markets Decree, Unit Trust Act, the Registrar of Business Names Act, as well as there was a comparison done with legislation in Australia, New Zealand, United Kingdom, South Africa and other Commonwealth jurisdictions. Policy and procedural documents issued by bodies such as the Capital Markets Unit for the Reserve Bank, the listing rules of the South Pacific Stock Exchange, and the current accounting practice in Fiji were also taken into account.

The new Act, will however, not stand alone, Madam Speaker. The mechanics needed to ensure the smooth running of the new Act will be found new regulations and rules, which will be implemented

following the passing of the Bill. Madam Speaker, I am not sure if you would like me to go into some of the pertinent areas of the Bill itself, but suffice to say, Madam Speaker, it is about 428 pages long and the explanatory notes are about 15 pages long. It does require some time, notwithstanding the fact that there has been widespread public consultations already being held.

This is why we thought, Madam Speaker, it is necessary to have new company laws in Fiji, contrary to what the Opposition would like us to believe, there are many new firms and companies being set up. There are a lot of foreign investments coming into Fiji and foreign firms are coming in and setting up companies. The rules regarding foreign companies setting up in Fiji, Madam Speaker, is very, very lax. It needs a lot of meat, and there are lots of loopholes in there.

There is also a need, Madam Speaker, to make sure, and for the first time in Fiji's history, we will be having fiduciary duties for directors of companies. We know our history is replete with people, who have been directors, have been negligent and they still move along and be directors in other companies. When a company does not do well, they shut up and they set up another shop. So, this addresses the issue of fiduciary duties of directors, how we must act as directors and what are the new rules and regulations regarding governance within companies.

So it is critical to have these assessed very quickly, Madam Speaker, but not withstanding that, we are saying that because it is a voluminous Bill, that it be referred to the Committee for the next three months and the Committee comes up with report on the first day in the May session and that Parliament goes into the Committee of Whole itself, debates the Bill, clause by clause, or part by part and then we can approve the Bill, Madam Speaker.

HON. RO T.V. KEPÄ.- Madam Speaker, this is a very important Bill that is being put before Parliament. It is good that the honourable and learned Attorney-General has stated that it will go to Committee because it is very important that Bills do go through Committees for legislation and scrutinising of the Bills, and to look at the details of it. Our side of the Chamber is looking forward to deliberating on the Bill when it comes before the Committee.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to thank the honourable Leader of Opposition for her concurrence with the passage that we have suggested for the scrutiny of this Bill, and for its approval in the May session of Parliament. We now have the motion on the floor. Thank you, Madam Speaker.

Question put.

Motion agreed to.

(Bill No. 3 of 2015 is committed to the Sector Standing Committee on Justice, Law and Human Rights and that the Committee reports back to Parliament on 11th of May, 2015. Upon presentation of the Report by the Standing Committee, Parliament shall resolve into Committee of the whole Parliament for consideration of the Bill, in accordance with Standing Order 87)

MADAM SPEAKER.- I thank honourable Members for your contributions this afternoon. Refreshment is served in the Committee Rooms. The Parliament is now adjourned to 9.30 a.m. tomorrow.

The Parliament adjourned at 3.27 p.m.