

MONDAY, 6TH FEBRUARY, 2017

The Parliament met at 9.30 a.m., pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

Hon. Josai Voreqe Bainimarama, Prime Minister and Minister for iTaukei Affairs,
Sugar Industry and Foreign Affairs
Hon. Aiyaz Sayed-Khaiyum, Attorney-General and Minister for Economy, Public
Enterprises, Civil Service and Communications
Hon. Faiyaz Siddiq Koya, Minister for Industry, Trade, Tourism and Lands and Mineral
Resources
Hon. Parveen Bala Kumar, Minister for Local Government, Housing and Environment,
Infrastructure and Transport
Hon. Mereseini Rakuita Vuniwaqa, Minister for Women, Children and Poverty Alleviation
Hon. Ratu Inoke Kubuabola, Minister for Immigration, National Security and Defence
Hon. Dr. Mahendra Reddy, Minister for Education, Heritage and Arts and National
Archives of Fiji
Hon. Commander Semi Tuleca Koroilavesau, Minister for Fisheries
Hon. Osea Naiqamu, Minister for Forests
Hon. Lt. Col. Inia Batikoto Seruiratu, Minister for Agriculture, Rural and Maritime
Development and National Disaster Management
Hon. Jone Usamate, Minister for Employment, Productivity and Industrial Relations
Hon. Lt. Col. Laisenia Bale Tuitubou, Minister for Youth and Sports
Hon. Rosy Sofia Akbar, Minister for Health and Medical Services
Hon. Alexander David O'Connor, Assistant Minister for Health and Medical Services
Hon. Lorna Eden, Assistant Minister for Local Government, Housing and Environment
Hon. Commander Joeli Ratulevu Cawaki, Assistant Minister for Agriculture, Rural and
Maritime Development and National Disaster Management
Hon. Veena Kumar Bhatnagar, Assistant Minister for Women, Children and Poverty
Alleviation
Hon. Vijay Nath, Assistant Minister for Infrastructure and Transport
Hon. Mohammed Mursalinul Abe Dean
Hon. Jiosefa Dulakiverata
Hon. Viliame Rogoibulu Gavoka
Hon. Semesa Druavesi Karavaki
Hon. Ro Teimumu Vuikaba Kepa
Hon. Ratu Kiniviliame Kiliraki
Hon. Jilila Nalibu Kumar
Hon. Dr. Brij Lal
Hon. Alvik Avhikrit Maharaj
Hon. Ratu Suliano Matanitobua
Hon. Alivereti Nabulivou
Hon. Ruveni Nadabe Nadalo
Hon. Ratu Sela Vuinakasa Nanovo
Hon. Niko Nawaikula
Hon. Mataiasi Akoula Niumataiwalu
Hon. Viam Pillay
Hon. Howard Robin Thomas Politini
Hon. Prof. Biman Chand Prasad

Hon. Aseri Masivou Radrodro
Hon. Salote Vuibureta Radrodro
Hon. Lt. Col. Netani Rika
Hon. Balmindar Singh
Hon. Prem Singh
Hon. Ashneel Sudhakar
Hon. Anare Tuidraki Vadei
Hon. Samuela Bainikalou Vunivalu
Hon. Mikaele Rokosova Leawere

Absent

Hon. Iliesa Delana, Assistant Minister for Youth and Sports
Hon. Mosese Drecala Bulitavu

MINUTES

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

That the Minutes of the sitting of Parliament held on Friday, 30th September, 2016 as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to the first sitting of Parliament for 2017. We look forward to another year of robust debates and productive exchanges.

25th Asia-Pacific Parliamentary Forum (APPF)

I would like to take this opportunity to thank the Honourable Prime Minister, the Honourable Leader of Opposition and all Members of Parliament on both sides of the House for their support during the 25th Annual Meeting of the Asia-Pacific Parliamentary Forum (APPF), which was held earlier this month. We continue to receive congratulatory messages from Parliaments around the Asia-Pacific region, not only on Fiji's warm hospitality, but championing of causes near to our hearts, such as climate change.

In opening the Forum, the Honourable Prime Minister sounded a clear clarion call to our partners around the Asia-Pacific and bolstered support for Fiji's Presidency's of the upcoming COP23. I would also like to thank the Head of the Official Fijian Delegation to the Forum, the Minister for Defence and National Security, Honourable Ratu Inoke Kubuabola who also served as Chair of the Plenary Meeting. I also acknowledge the Assistant Minister for Health, Honourable Alexander O'Connor and Honourable Mikaele Leawere, who assisted him in the chairing duties.

And last, but not least, all the delegates and observers who participated fully in the Working Groups and the Drafting Committee, which resulted in a tremendously successful meeting.

Sign Language – Parliament sittings

Moving on with the business of the House, I would like to inform the Honourable Members that we had written to the Ministry of Women, Children and Poverty Alleviation in 2014, requesting for an officer who is proficient in sign language to enable the televising of simultaneous interpretation for Parliament sittings.

We are pleased to note that the Ministry has now responded positively, and whilst I was hoping this will begin with the February sitting, due to technical complications, it seems we will not be able to implement this until the March Sitting of Parliament.

Revised Edition of the Laws of Fiji

Honourable Members, we also note the Revised Edition of the Laws of Fiji to my right. The Revised Edition of Laws were released last December and we thank the Honourable Attorney-General for the complimentary copies gifted to Parliament, including both Government and Opposition Chambers and the Office of the Speaker and Secretary-General to Parliament.

I also wish to warmly welcome the members of the public joining us in the gallery and those watching proceedings on television and the internet and listening on the radio. Thank you for taking interest in your Parliament, and a very special welcome to the members of the golden oldies group from Rewa who are here with us. You are most welcome.

Also we have two gentlemen from Lautoka, who continue to show interest in our Parliament by their presence, you are also very welcomed.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. A. SAYED-KHAIYUM.- Honourable Speaker, in accordance with Standing Order 38, I present the following Reports:

- 1) Fiji Public Trustee Corporation Limited – Annual Report 2015 (Parliamentary Paper No. 64 of 2016); and
- 2) Airports Fiji Limited – Annual Report 2015 (Parliamentary Paper No. 75 of 2016).

HON. SPEAKER.- Please, hand the Reports to the Secretary-General.

(Reports handed to the Secretary-General)

Under Standing Order 38(2), I refer the Fiji Public Trustee Corporation Limited – Annual Report, 2015 and Airports Fiji Limited – Annual Report 2015 (Parliamentary Paper No. 75 of 2016) to the Standing Committee on Social Affairs.

HON. DR. M. REDDY.- Honourable Speaker, in accordance with Standing Order 38, I present the Fiji Higher Education Commission – Annual Report 2014 to Parliament.

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 38(2), I refer the Fiji Higher Education Commission Annual Report, 2014 to the Standing Committee on Social Affairs.

HON. R.S. AKBAR.- Honourable Speaker, in accordance with Standing Order 38, I present to Parliament the Ministry of Health and Medical Services - Annual Report 2015 (Parliamentary Paper No. 79 of 2016).

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

Under Standing Order 38(2), I refer the Ministry of Health and Medical Services Annual Report 2015 (Parliamentary Paper No. 79 of 2016) to the Standing Committee on Social Affairs.

HON. RATU I. KUBUABOLA.- Honourable Speaker, in accordance with Standing Order 38, I present to Parliament the Fiji Police Force Annual Report, 2013 (Parliamentary Paper No. 50 of 2016) and Fiji Police Annual Report, 2015 (Parliamentary Paper No. 47 of 2016).

HON. SPEAKER.- Please, hand the Reports to the Secretary-General.

(Reports handed to Secretary-General)

Under Standing Order 38(2), I refer the Fiji Police Force Annual Report, 2013 and the Fiji Police Force Annual Report 2015 to the Standing Committee on Justice, Law and Human Rights.

HON. P.B. KUMAR.- Honourable Speaker, in accordance with Standing Order 38, I present the following Annual Reports to Parliament:

- 1) Housing Authority Annual Report 2013 (Parliamentary Paper No. 44 of 2014); and
- 2) National Fire Authority – Annual Report 2012 (Parliamentary Paper No. 05 of 2016).

HON. SPEAKER.- Please, hand the Reports to the Secretary-General.

(Reports handed to the Secretary-General)

Under Standing Order 38(2), I refer the Housing Authority Annual Report 2013 and the National Fire Authority of Fiji Annual Report 2012 to the Standing Committee on Social Affairs.

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, in accordance with Standing Order 38, I present to Parliament the Fiji National Sports Commission - Annual Report 2015.

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

Under Standing Order 38(2), I refer the Fiji National Sports Commission – Annual Report 2015 to the Standing Committee on Social Affairs.

PRESENTATION OF REPORTS OF COMMITTEES

Standing Orders Committee

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, during the debate of the 2016-2017 Budget, you allowed a consequential amendment to Standing Order 99, but ruled that the proposed amendments to Standing Order 37 dealing with petitions be referred to the Standing Orders Committee. In addition to the review of Standing Order 37, the Committee also looked at some other minor amendments and after deliberations which concluded last week, those that the Committee agreed to are hereby presented to Parliament, as mandated by Standing Order 128(3).

Honourable Speaker, the Report of the Standing Orders Committee by convention is a functional document. The recommended amendments as well as the Committee meetings' minutes are annexed to the body of the Report and I hereby commend this Report to Parliament as recommended by the Standing Orders Committee.

HON. SPEAKER.- Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

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

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, pursuant to Standing Order 128(3) and the decision of the Business Committee, I hereby move:

A Motion without notice, that a debate on the contents of the report, is initiated in tomorrow's sitting.

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

HON. SPEAKER.- The question is "that the debate on the contents of the report is initiated tomorrow". Does any Member oppose?

(Chorus of noes)

HON. SPEAKER.- Since no Member opposes, the motion is agreed to unanimously.

QUESTIONS

Oral Questions

Updates and advice from the Constitutional Offices Commission
(Question No. 01/2017)

HON. SPEAKER.- Unfortunately Honourable Mosese Bulitavu is unwell and upon request, I have permitted Honourable Semesa Karavaki to ask Question No. 01/2017 on his behalf.

HON. S.D. KARAVAKI asked the Government, upon notice:

Can the Honourable Prime Minister and also the Chairperson of the Constitutional Offices Commission inform this House as to why there have been no regular updates and

advice from the Constitutional Offices Commission, on matters relating to its functions and responsibilities, in accordance with Section 132(4) of the Constitution?

HON. J.V. BAINIMARAMA (Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs) – Madam Speaker, I do not know why I should answer to Honourable Karavaki when he did not come up with the initial question. It was by Honourable Bulitavu, so I will wait for Honourable Bulitavu to come and then I will answer his question.

HON. SPEAKER.- Thank you, Honourable Prime Minister. According to our Orders, in the absence of the Member of Parliament asking the question, he may assign another Member to ask that question on his behalf, the question that the Business Committee had agreed to. Honourable Prime Minister.

HON. J.V. BAINIMARAMA (Prime Minister and the Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs).- Madam Speaker, I rise to respond to the question asked by the Honourable Member, and let me explain some of the details of the Constitutional Offices Commission.

The Constitutional Offices Commission is established under the Fijian Constitution and consists of the following members, and I want the Honourable Members of the Opposition to listen carefully to what I am going to explain to Honourable Karavaki, the:

1. Honourable Prime Minister;
2. Honourable Leader of the Opposition;
3. Honourable Attorney-General;
4. two persons appointed on the advice of the Honourable Prime Minister; and
5. one person appointed on the advice of the Honourable Leader of the Opposition.

Madam Speaker, the Commission's function as prescribed under the Fijian Constitution is to provide advice to His Excellency the President for the appointment of a number of Constitutional Offices, namely Members of the Human Rights and Anti-Discrimination Commission; Members of the Electoral Commission; Members of the Public Service Commission; Supervisor of Elections; Secretary-General to Parliament; Commissioner of Police; Commissioner of Fiji Corrections Service; Commander of the RFMF; Auditor-General and the Governor of the Reserve Bank of Fiji.

Madam Speaker, the Commission has provided advice to His Excellency the President for appointments to all these positions and appointments have been made by His Excellency the President to all these positions. Indeed, the Commission met on Friday last week and advised His Excellency the President on the appointments of Members of the Electoral Commission, and I am pleased to inform everyone that His Excellency had appointed Members of the Electoral Commission on Friday last week.

Madam Speaker, the Commission will continue to perform its duties under the Constitution, to advise His Excellency in relation to appointments to the respective Constitutional Offices, whenever a vacancy arises. The Commission has always provided updates to all Fijians through prompt media statements on the appointments made by His Excellency the President, on the advice of the Commission to every single one of these Constitutional Offices.

Let me repeat that, Madam Speaker. The Commission has always provided updates to all Fijians through prompt media statement on the appointments made by His Excellency the President on the advice of the Commission to every single one of these constitutional offices but, Madam Speaker, it is most disappointing to note that the Honourable Leader of the Opposition has failed to

attend any meeting of the Commission since May 2015, and as such, has failed to contribute to the deliberations of the Commission and to perform the important duties of the Commission as mandated by the Constitution.

The nominee of the Honourable Leader of the Opposition resigned in November 2015 and it was not until a week-and-a-half ago that the Honourable Leader of the Opposition submitted another nominee for the appointment to the Commission. If the Honourable Leader of the Opposition had attended the numerous meetings of the Commission or had promptly nominated another person to be appointed to the Commission, Honourable Bilitavu and Honourable Karavaki could have got an update from the Honourable Leader of the Opposition for her nominee, unfortunately this is not the case. For all future meetings of the Commission, should the Honourable Leader of the Opposition or her nominee choose to attend these meetings, I am sure Honourable Bilitavu and Honourable Karavaki can get an update from either of them.

Madam Speaker, the Commission will continue to promptly update all Fijians on the appointments made by His Excellency the President to these Constitutional Offices and will in due course be tabling its report to Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. A supplementary question, Honourable Leader of the Opposition.

HON. RO T.V. KEP.A.- Madam Speaker, may I respond to the Honourable Prime Minister.

HON. GOVT. MEMBER.- Question.

HON. SPEAKER.- Yes, question, please.

HON. RO T.V. KEP.A.- Just hold on. Honourable Speaker, if there was democracy in the Constitutional Offices Commission, I would be there.

HON. A. SAYED-KHAIYUM.- Honourable Speaker, point of order.

HON. SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Point of Order. Madam Speaker, in the question time, when a substantive question is put, the person who is supposed to answer it, answers the question and then there are supplementary questions. The supplementary question time is not an opportunity for the other or another person to make a statement in respect of the question that has been given, it is simply an opportunity for someone to answer a supplementary question and the Honourable Leader of the Opposition, from that perspective, Madam Speaker, I humbly submit to you is out of order in that respect.

HON. SPEAKER.- Thank you.

HON. RO T.V. KEP.A.- Madam Speaker, my question is, to the Honourable Prime Minister, why is there no democracy in that Commission, in the numbers that they have, according to the Constitution, there are four Members from Government and there are two Members from the Opposition? So our contributions are never entertained in that Commission, Madam Speaker, so my question is, if there was any democracy, we would attend.

HON. SPEAKER.- Thank you, you have already asked your question and it seems that you have made a statement against the Commission and that can be brought back to Parliament as a substantive motion. Thank you, I now give the floor to the Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you Madam Speaker. Can I ask the Honourable Prime Minister, given that this is the first Constitution under which the Honourable Prime Minister chairs the Constitutional Offices Commission, can the Honourable Prime Minister assure the country that the work of the Commission is as independent as it is supposed to be because the Commission is chaired by the Honourable Prime Minister ...

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- ... the Honourable Attorney-General, whether the Commission is an independent Commission. That is the question. Can the Honourable Prime Minister assure the people of this country that given the composition, it is independent?

HON. J.V. BAINIMARAMA.- Yes.

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Niko Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, I wish to thank the Honourable Prime Minister for updating everyone else, but Parliament. However, Section 132 is very specific, that it should update Parliament and the Honourable Prime Minister has admitted that no update and it will be coming. Can the Honourable Prime Minister please explain why no update has reached here? Is it a case of bad management, sleeping on the job...

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. N. NAWAIKULA.- ... to-date?

HON. SPEAKER.- Honourable Attorney-General?

HON. J.V. BAINIMARAMA.- Madam Speaker, I have just made a statement at the end of the answer to that question. I said, "We will provide an update."

(Hon. Members interject)

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

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. Can the Honourable Prime Minister assure this House, that he, as Chairperson of the Constitutional Offices Commission, will comply with the Constitution by updating this Honourable House and not any other institution, but this Honourable House as required by the Constitution. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I think the question had already been asked by the Honourable Nawaikula and answered already.

HON. N. NAWAIKULA.- It has not been answered.

HON. SPEAKER.- And answered already. Thank you. I now give the floor to the Honourable Aseri Radrodro to ask his question.

Foreign and Local Partnership Policies
(Question No. 02/2017)

HON. A.M. RADRODRO asked the Government, upon notice:

Can the Honourable Minister confirm to this House whether the existing foreign and local partnership policies for investment development that existed to protect local resource owners and encourage local participation in business entrepreneurship have, since 2009, been changed to accommodate sole foreign investment, for example, in mining, hotel development, logging and other similar ventures?

HON. F.S. KOYA (Minister for Industry, Trade, Tourism, Land and Mineral Resources).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I thank him for his question.

Madam Speaker, foreign direct investment in Fiji is governed by the Foreign Investment Act and the Act determines, regulates and encourages the type of investment that is taking place in Fiji. And, these are mainly areas where the Fijian Government wants the development of knowledge, skills and technology, in addition to job creation and value addition.

There are sectors that are highly capital intensive, Madam Speaker, and therefore, these sectors require foreign investments. The Foreign Investment Act and Regulations currently also, Madam Speaker, provides for reserved and restricted sectors. This means that the foreign investment applications are assessed by minimum requirements set within the restricted list of activities, whilst the reserved sectors are not open for foreign investments.

Madam Speaker, this will change once the review of the Foreign Investment Act is complete as I will elaborate. The reserved and restricted list, Madam Speaker, is not a modern or global best practice. It is far better to have a well-defined policy that clearly articulates, encourages and regulates the type of investment needed. In the past, Madam Speaker, a number of sectors required a foreign investor to have at least a certain percentage of equity in that business to be held by a Fijian citizen. It should be noted that this was never limited also to just resource owners. These sectors included fishing, agriculture, real estate management and development, to name a few.

Investors, Madam Speaker, had difficulties meeting these requirements because of the capital intensive nature of some of these projects. And as a local partner could not front up with the required contribution towards the projects. Madam Speaker, in order to better enable a better flow of foreign investments in certain sectors, 100 percent ownership of foreign investors who incorporated their businesses in Fiji have been allowed.

For example, there also has been a notable increase in investments in the tourism sector, that been seen with this change in 2013. And large resorts such as the Wyndham Resort, the Grand Pacific Hotel (GPH) and Pearl Resort have made big investments to upgrade their services, which in turn, generates a lot of employment for Fijians, Madam Speaker.

Madam Speaker, while the requirement of local equity on foreign investors was relaxed, this did not stop a local resource owner from going into partnership with foreign investors in other forms, other than equity contribution. Madam Speaker, it is worth noting that through amendments to the Foreign Investment Act, additional measures have been put in place to protect domestic sectors and these

amendments gives Investment Fiji and the Ministry of Industry, Trade and Tourism additional powers to approve or reject foreign investment applications based on the 'National Interest Test'.

Madam Speaker, we have in-built safeguards in the Foreign Investment Act, even though a sector is opened up for foreign investment. If the investment has a contrary impact on a nation's interest, then the investment must be referred to the Minister for Industry, Trade and Tourism. And this is the latest revision to the Act, the Minister has the right to reject the application.

Madam Speaker, the Ministry is working with the World Bank and International Finance Cooperation (IFC) to develop a Foreign Investment Policy that will provide the overall directive on the investment related activities and amend the Foreign Investment Act.

The overall vision of that policy will be to develop Fiji as a vibrant, dynamic and internationally competitive economy, serving as the hub of the Pacific. In order to achieve that particular vision, Madam Speaker, in terms of investments, the Government will only encourage high value, high capital, high technology and high employment generating foreign investment, especially in the areas which locals do not have the capacity or know-how.

Therefore, a policy framework for that investment is an important policy tool that will enable Fiji to realise its full economic potential, keeping in mind protection of national interest, Madam Speaker. This will eventually eliminate the need for a reserved and restricted list.

Madam Speaker, sectors are open to foreign investors to allow for the need of investment of all sectors, not to give away our resources. Fijian resources are protected, Madam Speaker, and they are protected by the Fijian Constitution and a number of enabling laws. And therefore, no Fijian would lose resources to foreign investors but benefit in the form of employment and related developments in that particular area and royalty payments, et cetera, to name a few.

Thank you, Madam Speaker, and I thank the Honourable Radrodro for his question.

HON. V.R. GAVOKA.- Supplementary question, Madam Speaker.

HON. SPEAKER.- Thank you. Supplementary question the Honourable Gavoka.

HON. V.R. GAVOKA.- Honourable Speaker, the question deals in parts about the protection of local resource owners. Now, in terms of hotel development, Honourable Speaker, Nadroga-Navosa has a lot of potential for overwater bangalows. Now the question is, will the...

HON. J.V. BAINIMARAMA.- Honourable Speaker, how many times have the Members of the Opposition been reminded that this is not the time to be making statements, please. Thank you.

HON. V.R. GAVOKA.- Madam Speaker, I think we agreed in this House that we are given one minute to give background to a question. We were given one minute to give background to a question, so please there needs to be background to a question. Now Madam Speaker.

HON. SPEAKER.- You had said the question is, please continue from there.

HON. V.R. GAVOKA.- Madam Speaker, I am going to my question now, if I am allowed to do so.

HON. SPEAKER.- Yes.

HON. V.R. GAVOKA.- Is there a difference, given the likelihood of the overwater bangalows in Nadroga-Navosa, in the *qoliqoli*; are the lease arrangements different from the leases on the land, for the resource owners? Thank you.

HON. SPEAKER.- Thank you, Honourable Minister.

HON. F.S. KOYA.- Madam Speaker, I am not sure if there is any overwater bangalows in Nadroga at the moment, and with respect to lease arrangements, I think this is a question that is not actually related to the question that was asked. I think it is a question that probably needs to be asked in my capacity as the Minister for Lands, maybe he should redirect that as the Minister of Lands, I will happily answer it, Sir.

HON. SPEAKER.- Thank you. Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Thank you, Madam Speaker, here the Minister's response regarding resource owners is guaranteed in the Constitution.

The supplementary question is, how does the resources owners guarantee the equitable return of their resources after the leasing arrangements or what arrangements had expired?

HON. SPEAKER.- The Honourable Minister.

HON. F.S. KOYA.- Again, Madam Speaker, this is respect to leasing arrangements and the return to the resource owners. If it is to do with the recent leasing arrangement again, in my capacity as the Minister for Lands and Mineral Resources, I will happily answer that if he directs that question to the Ministry of Lands.

HON. SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, the Honourable Minister has said that, it depends on the nature of the capital investment, whether it can be wholly-overseas owned. In relation to tourist leases on native land, which is allowed, I suppose, to be owned wholly by foreign owners, how is the native owners of resources protected in that investment?

HON. SPEAKER.- Honourable Minister.

HON. F.S. KOYA.- Again, Madam Speaker, I think they have completely lost track of the question that was put to me. It was to do with reserved and restricted activities. You are talking about leasing arrangements with native lease owners with respect to resorts, et cetera.

Let me explain something to you. It is very simple, you are a lawyer my good friend, you should understand.

HON. N. NAWAIKULA.- (inaudible).

HON. F.S. KOYA.- You are. You should understand it, there is a difference between a lot of things. When you are asking me a question with respect to restricted activities within the Foreign Investment Act, you are now asking me now about leasing arrangements.

HON. N. NAWAIKULA.- No.

HON. F.S. KOYA.- With native lease owners and their resources that are protected. Any project that is undertaken within Fiji, if there is a 100 percent ownership, Madam Speaker, within a particular project, the Constitution protects the resource owners.

(Chorus of interjections)

HON. SPEAKER.- Order!

HON. F.S. KOYA.- Madam Speaker, very simply, the law protects resource owners and I can only answer this and I will go a little bit further, I can only answer this with respect to resource owners when it comes to fishing rights, et cetera. I will give you an example, if there is a foreshore lease that is being asked for by a 100 percent-owned foreign investment, the Ministry of Lands and Mineral Resources undertakes a thorough and comprehensive detailed study with respect to what needs to be the compensatory exercise, and that is done with the Ministry of Fisheries. The Honourable Minister Koroilavesau and I have actually spoken about this, so everyone's rights are protected and we do this in line with the Constitution. Everything that is in black and white and in this blue book is followed to the letter of the law.

HON. SPEAKER.- May I remind the Honourable Members just to be mindful that we need to have decorum in the House, particularly with interjections, because we would like to hear whoever has the floor. I would like you to note that, please.

I now give the floor to the Honourable Anare Vadei.

Operation of the Kitchen Facilities - Navua Hospital
(Question No. 03/2017)

HON. A.T.VADEI asked the Government, upon notice:

Can the Minister for Health and Medical Services inform this House as to when will the kitchen facilities in the new Navua Hospital become fully operational?

HON. R.S. AKBAR (Minister for Health and Medical Services).- Madam Speaker, I rise to answer the question asked by the Honourable Member and I thank him for his question.

Madam Speaker, a simple answer to the question is, at the moment, we do not have a timeframe to complete the refurbishment of the new Navua Hospital Kitchen and that is not disrupting our services in terms of catering for our patients. The catering services are still being done from the old Navua Hospital and we are progressing with the works because this project was funded by the aid programme under the Chinese Government. We are working with the Chinese Government and contractors to see how best we can progress with that.

HON. SPEAKER.- Supplementary question, the Honourable Ro Matanitobua.

HON. RATU S. MATANITOBUA.- Madam Speaker, I thank the Honourable Minister for the answer given to the House. My question is, why did the hospital open without a kitchen? It was opened in 2014, it is 2017 now. Why was it opened when there is no kitchen in the hospital?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. R.S. AKBAR.- Thank you, Honourable Member, for that question. Unfortunately, I do not have an answer for that as well. We have got to remember that this project was fully funded

by the Chinese Government. I totally understand why the issue is raised here as to why the kitchen was not opened, but like I said, we are moving forward. Unfortunately, it was not opened for due reasons and we are working progressively to ensure that we open the kitchen in the near future.

HON. SPEAKER.- I give the floor to the Honourable Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Can the Honourable Minister inform the House whether she is planning to have a total review of all the shoddy work that was done without the supervision from the respective Ministries and this is the result? The question is, are you going to look at the whole hospital construction and whether it actually complies with the standards that we, as a country, require in the construction of any hospital?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. R.S. AKBAR.- Honourable Professor Prasad, the simple answer to your question is, the Ministry is currently working with the Office of the Prime Minister, Ministry of Infrastructure and Transport and Construction and Implementation Unit of the Ministry of Economy, with the Chinese Government and the construction company to see how we can progress with that.

HON. SPEAKER.- I now give the floor to the Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Can the Honourable Minister explain what security and safety measures are in place to ensure that the meals transported from the old Navua Hospital kitchen is in compliance with the standard OHS Regulations in Fiji to ensure the quick recovery of the patients?

HON. R.S. AKBAR.- My answer to your question, Honourable Radrodro, is the food that is cooked in the old hospital is brought in hot and placed into food warmers and trolleys and served straightaway to the patients. So far, we have not had issues in terms of hygiene with the food that is served to our patients.

HON. SPEAKER.- I give the floor to Honourable Vadei.

HON. A.T.VADEI.- My question is, why did the proper authorities overlook the design of the Government asset such as the Navua Hospital before its inception?

HON. SPEAKER.- Honourable Minister. Would you like to repeat your question, Honourable Vadei.

HON. A.T. VADEI.- My question is; why did the authorities overlook the design of Government assets like the Navua Hospital before its inception?

HON. R.S. AKBAR.- Madam Speaker, I think I have already provided an answer to that. Thank you very much.

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

HON. N. NAWAIKULA.- Can the Honourable Minister explain why they have not paid overtime payment for the workers at CWM Hospital and why is the lift faulty? The faulty lift at CWM and why unestablished workers have not been paid?

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. SPEAKER.- Honourable Member, the question is unrelated to the issue at hand.

I now give the floor to the Honourable Prem Singh.

Special Cane Payment
(Question No. 04/2017)

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

Can the Honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs inform the House as to why he did not authorise the Fiji Sugar Corporation to give a special cane payment to cane growers before the start of the new school year in January 2017?

HON. J.V. BAINIMARAMA (Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs).- Madam Speaker, I rise to respond to the question raised by the Honourable Member.

Madam Speaker, I do not know whether the question from Honourable Prem Singh is because he is a Member of Parliament or he has got an agenda as he is a cane farmer.

HON. J.V. BAINIMARAMA.- Oh, both, alrightt.

Madam Speaker, I rise to respond to Question No. 4 of 2017, raised by Honourable Prem Singh. At the outset, Madam Speaker, let me make it quite clear that special payments are not part of the scheduled cane payments mandated under the Sugar Master Award. I hope that is clear to Honourable Prem Singh.

HON. SPEAKER.- A supplementary question.

HON. RATU S.V. NANOVO.- A supplementary question; can the Honourable Minister for Sugar advise this august House whether FSC is still a viable entity for the Government of Fiji to fully focus its full attention to, whether it has got the money or not?

HON. J.V. BAINIMARAMA.- Madam Speaker, the Opposition seems to tell us every day that there is a lack of understanding of what we do here in this House. That is a different question altogether, you should listen to what Honourable Prem Singh said.

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

HON. N. NAWAIKULA.- Even that, FSC is \$31 million loss and unable to do any capital project. Do they have the money to pay?

HON. A. SAYED-KHAIYUM.- Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order!

HON. A. SAYED-KHAIYUM.- No, he started off by making statements. That is all, Madam Speaker.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Well, he has asked the question now.

HON. SPEAKER.- Thank you. Honourable Biman Prasad.

HON. PROF. B.C. PRASAD.- Madam Speaker, the Honourable Prime Minister answered the question and said that just because it is not in the Master Award. Can the Honourable Prime Minister tell the cane farmers of this country, why did he authorise a special cane payment last year and he does not want to authorise it this year because he is hiding there in the Master Award?

It is not about Master Award, Honourable Prime Minister, it is about what the farmers need at the beginning of the year. You can dodge the question as much as you want, Honourable Prime Minister, but the fact is that you authorised the payment last year.

HON. J.V. BAINIMARAMA.- Madam Speaker, last year a request was made and there was never a request made this year.

HON. SPEAKER.- Thank you. Honourable Prem Singh.

HON. P. SINGH.- Madam Speaker, I thank the Honourable Prime Minister for the answer, that he gave, it is not part of the Master Award but it has been the past practice of governments to make an advance and as I said, this has been the past practice.

My question is, can the Honourable Prime Minister inform this House whether the FSC has the capacity to meet those advances?

(Chorus of interjections)

HON. SPEAKER.- I would like to just again remind Honourable Members that please just be mindful that interjections will curtail other Members from hearing the question. Honourable Perm Singh, would you repeat the question, please?

HON. P. SINGH.- Madam Speaker, the question is very simple. Given the fact that this does not form part of the Master Award, we agree, but it has been the past practice of governments to advance monies to cane farmers. We did that last year and we did it in previous years. The question is, is FSC in a position to make these advances on request?

HON. SPEAKER.- Honourable Prime Minister.

HON. J.V. BAINIMARAMA.- I cannot hear the last bit of that question, Madam Speaker.

HON. SPEAKER.- Could you repeat the last bit of the question?

HON. P. SINGH.- Madam Speaker, the question is, is FSC in a position to pay, if requested, for such advances?

HON. J.V. BAINIMARAMA.- No, that has nothing to do with this. I have answered this question already, Madam Speaker, when he initially asked as to why they were paid before and why they are not being paid now. I said that it was only paid before because it was requested, and that is it. It has nothing to do with anything else.

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

HON. V.R. GAVOKA.- Honourable Speaker, what the farmers of this country want is very simple, which is \$100 a tonnage and this as paid by other jurisdictions. With the Honourable Prime Minister's claim that the Sugar Industry is doing so well, when can the farmers in this country get \$100 a tonnage for their crop?

HON. SPEAKER.- Honourable Prime Minister.

HON. J.V. BAINIMARAMA.- Madam Speaker, I have already said that there seems to be a lack of understanding on the part of the Opposition in what we do here. That question is irrelevant to the one that was initially asked by Honourable Prem Singh.

HON. SPEAKER.- I now give the floor to the Honourable Viam Pillay.

Update on the Kasavu Slip
(Question No. 05/2017)

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

Can the Honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport inform this House on an update on the Kasavu Slip?

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, I rise to respond to the question asked by the Honourable Member.

Madam Speaker, at the outset, I wish to say that the repair or the reinstatement of the Kasavu Slip will not be a short-term fix. The slip occurred on 17th and 18th December, 2016 and caused extensive damage to the Kings Road, requiring FRA to close the road. However, Madam Speaker, due to the economic and social importance of the road, it was re-opened but restricted to one lane only with a weight limit of 5 tonnes.

In the meanwhile, Madam Speaker, all heavy vehicles have been diverted to Queens Road. Madam Speaker, currently FRA is investigating options for remedial works on the slip to enable the Kings Road to be re-opened to heavy vehicles whilst the long-term solution is being developed.

Madam Speaker, unfortunately since then, extensive slip cracking has been identified at multiple locations - North, South and adjacent to the current slip site. The fact that the area remains unstable means any short or long term solution cannot be developed until detailed geo-technical investigations are complete. Madam Speaker, once these investigations are completed by the consultants, short and long term options will be developed.

In the meantime, there is an alternate bypass route and which is opened to the general public. It has a number of limitations but is the only viable road. Upgrading works commenced immediately and continued throughout the Christmas and New Year period. It was opened to the public on 9th January, 2017 with the weight restriction of 18 tonnes.

Madam Speaker, to assist passengers travelling at night, lighting now has been installed with the assistance of FEA and Ministry of Energy. Here, Madam Speaker, I would also like to thank all those who worked during Christmas and New Year to make that road open, and I would also like to thank the bus operators for their understanding in this matter. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Niko Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, last Wednesday, there was no light there. I came by bus, even walked but there was no light.

The statement by the Honourable Minister will hardly satisfy the travelling public. Give us a timeline! They have to plan ahead. Patterson Shipping and the public want to know when this will finish. Can you, please, give us a timeline? We cannot be uncertain here, please.

HON. SPEAKER.- Thank you. Honourable Minister?

HON. P.B. KUMAR.- I really do not know whether he went in the daytime or night time, but let me say, firstly the light is there.

Secondly, I have been saying in this Parliament that I am not here to give timeframes. What I mentioned in my response, Madam Speaker, that FRA had engaged consultants and they are going to carry out the investigation. Only the investigation will reveal and determine what type of work we need to do. Thank you, Madam Speaker.

(chorus of interjections)

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

HON. J. DULAKIVERATA.- My intended question had been asked there.

HON. SPEAKER.- Thank you. Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, the Honourable Minister had mentioned that there is a diversion of transport. I would like him to just clarify that there is a diversion of traffic in Princess Road before I ask my question. The Honourable Minister mentioned that in his answer.

HON. SPEAKER.- Can you ask your question, please?

HON. A.M. RADRODRO.- The question I would like to ask is, who will bear the cost of this traffic diversion?

HON. P.B. KUMAR.- Madam Speaker, the bypass road that I have mentioned is Bau Tikina Road and the route, and FRA is going to bear the cost for it.

HON. SPEAKER.- Honourable Kiliraki?

HON. RATU K. KILIRAKI.- Madam Speaker, the residences along the Bau Tikina Road have raised issues in regards to the dust that filtered into their water tanks. Has there been any action taken on that?

HON. P.B. KUMAR.- Madam Speaker, I hope the Honourable Member is telling the truth because from the time of this slip, it has been raining so where is this dust coming from? But, Madam Speaker, if there is any issue of dust, definitely we will take care of it because the road is very near to the houses on both sides.

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

HON. S.D. KARAVAKI.- Madam Speaker, would the Honourable Minister explain if there is another alternative route to be followed because the road is coming through Raralevu Village and poses a lot of risks with heavy trucks and frequent numbers of traffic coming through that route. The Honourable Minister would explain if there is another route because of the high risk that the present alternative route is posing to those who live in those villages.

HON. P.B. KUMAR.- Madam Speaker, the general feeling is, that another route is the Queens Road.

(Laughter)

HON. SPEAKER.- Thank you, we had four questions altogether. I will now give the floor to the Honourable Dr. Brij Lal.

Welfare Graduation Programmes
(Question No. 06/2017)

HON. DR. B. LA asked the Government, upon notice:

Madam Speaker, self-reliance is a fundamental value of the Fijian Government. The welfare of the workforce programme has contributed to that.

Madam Speaker, can the Honourable Minister for Women, Children and Poverty Alleviation provide a brief to this House on the Welfare Graduation Programmes that has improved family livelihoods?

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Thank you, Madam Speaker, the Welfare Graduation Programme of the Ministry focuses on graduating recipients of the Poverty Benefit Scheme and the Social Protection Scheme for Children out of the welfare programme to-date so that they are able to stand on their own feet. To do that, Government has allocated \$1 million in this year's Budget to assist recipients to start livelihood projects for generating income for their families.

The training of these recipients is conducted by National Council for Small Micro Enterprises Development in conjunction with my Ministry to build the capacities of these recipients so that they are able to manage these livelihood projects for themselves.

From 2010 to 2016, the Ministry has assisted around 570 beneficiaries of Social Protection Programmes. This will be an ongoing project for Government which is looked after by my Ministry, and some of these projects are thriving as we speak. They include vegetable farming, livestock farming, canteens, sewing, bee farming, fishing, jewellery making and many others.

HON. SPEAKER.- A supplementary question, Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Madam Speaker, I thank the Honourable Minister for her explanation. The question is, out of the 570 who have been graduated, what is the success rate? For those who have failed, how are they further assisted? Thank you, Madam Speaker.

HON. M.R. VUNIWAQA.- The 571 who have been assisted, the successful ones right now are 236 out of that 571. There is a need for continuous capacity building with most of these recipients.

You would understand, Madam Speaker, that to first of all be eligible for Poverty Benefit Scheme and Social Protection Schemes, there are certain yardsticks that have to be met. We are talking about recipients and most of them have not had the necessary skills or capacity building or level of schooling that would enable success.

There is a high demand for advocacy for capacity building with these recipients and that is an on-going project also. Government has allocated quite a bit also for the ongoing training of these recipients. It is a multi-stakeholder effort, not only with my Ministry, but also with NCSMED to do this capacity building.

HON. SPEAKER.- You are allowed only one question. I now give the floor to the Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, my question is, what is their timetable or programme for these graduates to take ownership of their businesses? Is there any plan or continuous incubation period for these recipients?

HON. SPEAKER.- Thank you, Honourable Minister.

HON. M.R. VUNIWAQA.- The normal timeline is six months to graduate a recipient out of the welfare programme but, Madam Speaker, it is a case by case analysis that we do before graduation is done.

HON. SPEAKER.- Honourable Leader of Opposition.

HON. RO T.V. KEPÄ.- A supplementary question to the Honourable Minister, Madam Speaker; how are those with special needs, meaning with disabilities assisted through this particular programme?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. M.R. VUNIWAQA.- Madam Speaker, with persons living with disabilities, apart from what I have just already talked about, there is also a grant that the Ministry gives to the National Council for Disabled Persons, which enables them to run the programmes particularly suited for persons living with disabilities. This is an annual grant which is ongoing and that goes towards that purpose.

Apart from that, there are also initiatives to find employment with employers, within my Ministry and within Government as well, it is a call-out also for employers. Government has given initiatives for the employment of disabled persons, these initiatives need to be taken up by employers throughout Fiji to assist in this particular aim.

HON. SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Of the 237 who are unsuccessful, are they left out totally or can they be further assisted within the programme?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. M.R. VUNIWAQA.- Madam Speaker, the 236 recipients with successful projects, they have been weaned off the social welfare programme, meaning, they are able to stand on their own feet and generate income to look after themselves and their families.

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Alvick Maharaj.

Alleviation of Declining Fisheries Resources - Offshore Fisheries
(Question No. 7/2017)

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

Can the Honourable Minister for Fisheries inform this House on what the Ministry has done and plans to implement to alleviate the problems of declining fisheries resources in the offshore fisheries to assist the Offshore Industry?

HON. CDR. S.T. KOROILAVESAU (Minister for Fisheries).- Madam Speaker, I rise to respond to the question raised by the Honourable Member, as follows:

1. The Ministry has set initiatives to sustain fisheries resources within the fishing industry to limit the entry into fisheries based on the availability of stocks;
2. It has established a limit of extraction;
3. It has set a Monitoring, Control and Surveillance (MCS) mechanism in place to see that the regulations to regulate fisheries is adhered to; and
4. The Ministry continues to vigorously negotiate with regional and international forums of Regional Fisheries Management Organisation (RFMO) for the sustainable management of fisheries, the stocks, as fishes are highly migratory and a concerted effort of every fishing nation needs to be coordinated and reasonable extraction done.

Madam Speaker, in the offshore sector, a national Total Allowable Catch (TAC) is annually set and at the moment, it is set at 12,000 metric tonnes. This TAC ensures the sustainable extraction of tuna stocks and other offshore fish stocks within Fiji's Exclusive Economic Zone (EEZ). It is set in alignment to the Fish Stock Assessment that is worked out in conjunction with the South Pacific Commission and the Forum Fisheries Agency.

Madam Speaker, in allowing an entry into the fisheries, a licence cap has been set at 60. This is reviewed periodically through the Maximum Economic Yield (MEY) assessment to ascertain the range of licences to be issued annually, so as to maintain a healthy fishery. The current cap has been reduced over the last five to seven years from 110 licences to 60 licences.

Madam Speaker, a stringent MCS mechanism is in place. A vessel monitoring system to monitor licenced vessels within the sector is both operated by the Ministry and the Fiji Navy. The Navy also conducts dedicated fisheries surface patrols in order to do compliance checks on our vessels in our waters to complement the MCS's effort and the work of our observers posted on the fishing vessels.

With all these in place, Madam Speaker, the decline in offshore fisheries resources continued to be recorded.

Now what has the fisheries done to address this further? Madam Speaker, to alleviate the present tuna stocks and stop its decline, other new species have been identified, fishes such as Mahimahi, diamond head, squid and blue nose and others. Mahimahi and snapper are now being fished while the others are going through the process before it becomes declared as a fishery.

The Ministry expects that through this cross-border strategy, we have been vigorously negotiating with neighbouring nations with larger EEZ. We are hoping that our Fiji companies will be allowed to fish in their waters which has better fishing conditions.

Madam Speaker, as earlier alluded to, the Ministry continues to vigorously negotiate in the forums like the Regional Fisheries Management Organisation, in discussing these highly migratory species and we hope that we could come to an understanding in the near future.

The last WCPFC meeting held in Denarau, Fiji last December started the successful adoption of the harvest strategies to be implemented in the region for these species which will also affect Fiji's stock and is assessed to address the decline in the offshore stocks. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Can I ask the Honourable Minister whether they have any programmes jointly with the indigenous resource owners for the protection of the stock within their area?

HON. SPEAKER.- Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, can I ask that he repeats his question?

HON. SPEAKER.- Can you repeat your question, please?

HON. N. NAWAIKULA.- Do you have any joint programmes with the *iqoliqoli* owners to protect their resources or stock?

HON. SPEAKER.- Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, that is the inshore fisheries, I am talking about offshore fisheries.

HON. SPEAKER.- Thank you. Supplementary question, Honourable Jilila Kumar.

HON. J.N. KUMAR.- Can the Honourable Minister for Fisheries explain or elaborate on what the Ministry plans for or is undertaking in order to strengthen Fiji's stature as a regional hub in relation to fisheries?

HON. SPEAKER.- Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, as I have alluded to, we are already in discussions with neighbouring nations that have bigger EEZ and have a lot more stocks than us. We have started negotiating with them so that we can employ our locally registered vessels to fish within their EEZ.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. Given the review or reducing of the Total Allowable Catch (TAC) every year, as well as the licence, my question is whether the

Ministry of Fisheries has in its plans to reduce more licence? Currently it is sitting at 60 and the industry is suggesting for the sustainable industry of the local tuna to go down to 45.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Yes, Madam Speaker. There have been a lot of discussions within the fisheries industry and there are initiatives now to reduce the fishing licences from 60 to 50. We are co-ordinating an action while we would like to introduce new fisheries which will then reduce the licences issued for tuna, that is with the new fishes that I have already discussed. Hopefully, we will convert those tuna licences and replace them with the new fisheries that we are discussing with the industry at the moment.

HON. SPEAKER.- Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Thank you, Madam Speaker. I just wanted to ask the Honourable Minister, in his answer he said that there is alternative for mahimahi. Since this is a demand based industry, has the Ministry identified the market for mahimahi has an alternative supply?

HON. SPEAKER.- Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, mahimahi is quite a highly demanded species at the moment, but there is no specific licence for mahimahi. It is caught as a by-catch for tuna at the moment.

HON. SPEAKER.- Thank you. You are allowed only one question and I am not allowing a second question. I now give the floor to the Honourable Howard Politini.

Child Abuse
(Question 08/2017)

HON. H.R.T. POLITINI asked the Government, upon notice:

Child abuse and neglect cases continue to be reported in the media, can the Honourable Minister highlight to this House what the Ministry is doing in trying to address this issue in the community?

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, I rise to respond to the question asked by the Honourable Member.

The Child Welfare Decree of 2010 mandates the reporting of child welfare cases and child abuse cases.

In the last five years from 2012 to 2016, we have seen an increase in the number of reported cases under the Child Welfare Act. Of these reported cases, sexual abuse tops the list followed by neglect and then physical abuse. Sadly the perpetrators of most sexual abuse cases in Fiji were immediate family members. With the assistance of UNICEF, the Ministry has now been able to capture child welfare cases on line statistics in relation to that, that enables us to analyse information identifying hot spots and other relevant information that can assist us in targeting our approach in dealing with child abuse cases. It is over two years now since the Ministry embarked on the establishment of the Child Helpline with the Medical Services Pacific. We are happy to inform that the Child Helpline is in full operation with services offered 24/7 and there is a very high incidence

of calls coming in, not only from children but also parents, guardians and other members of the community.

Every year, Madam Speaker, on 9th November, the Ministry in collaboration with the National Coordinating Committee on Children celebrates the Prevention of Child Abuse and Neglect which is also known as PCAN, Madam Speaker, as you would know. This is celebrated around the country involving communities, schools, religious organisations and municipalities highlighting and raising awareness again on the issue of child abuse.

We are grateful to Save the Children of Fiji, we have partnered with them in the last couple of months to host the first ever Fiji symposium for children. This, Madam Speaker, is basically an opportunity for children to come out and speak their minds about issues that they feel are relevant to them and that need to be addressed not only by Government but also by other stakeholders. In the last symposium we had here in Suva, they highlighted issues like social media, bullying, safe places in the community, right to education, positive parenting and many other very interesting issues which we as adults a lot of times think that they are not even thinking about. The children were able to come up with a manifesto outlining these issues and this will be put to the attention of Cabinet and other stakeholders as well so that we as a country can play our part in whatever role we are playing in addressing the very scary statistics in relation to child abuse in our country.

In closing, Madam Speaker, again I reiterate these child abuse cases in Fiji cannot be tackled by Government alone. It needs a concerted effort, it needs a consistent effort across all stakeholders in the communities, particularly those organisations that are based in communities, community-based organisations to take this up as an advocacy for their members and for the members of the community in which they are in.

HON. SPEAKER.- Thank you. Honourable Salote Radrodro?

HON. S.V. RADRODRO.- Thank you, Madam Speaker and I thank the Honourable Minister for that statement on this very important topic. The high rate of child abuse is a manifestation on the breakdown of our values and spirituality of our country. So the question, Madam Speaker, that I would like to pose to the Honourable Minister is what kind of programmes does the Ministry have with the Faith-Based Group and also what kind of assistance in terms of maybe financial, that given to these Faith-Based Group like churches to be able to build up our values and the spirituality of our country.

HON. SPEAKER.- Thank you. Honourable Minister?

HON. M.R. VUNIWAQA.- Madam Speaker, as I have said, we are working with community-based organisations including faith-based organisations in addressing this cross cutting issue. If the Honourable Member had paid attention to the media in the past two weeks, my Ministry had been giving out grants. Some of those recipients of those grants are these community-based organisations and faith-based organizations also who administer homes for children in the various parts of Fiji. So, yes it is a feature in our annual budget that we continue to do and we will continue to do that in the coming years.

HON. SPEAKER.- Thank you. Honourable Jilila Kumar?

HON. J.N. KUMAR.- Supplementary question. What is the information update on the extent of child abuse and neglect in Fiji?

HON. SPEAKER.- Thank you. Honourable Minister?

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. As I have said from the outset, the number of child abuse cases in our country continue to increase every year. Just a snapshot of it, in 2012 there were 313 reported cases, in 2016 it was 1,077 reported cases. Out of these 1,077, there were 1,293 cases of sexual abuse, followed by neglect - 897 and physical abuse - 552. If we do not do this, if we do not do this as a country, a concerted effort not only from Government but community-based organisations as well, and also very important, the parental responsibility as parents to do our duty in relation to the raising of our children in a safe environment. If we do not do that, it is going to be campaign time soon for Members of this House, what topics will you be advocating? Will child abuse be one of them? It needs to feature prominently in whatever campaign we are doing from now forward. Thank you.

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

HON. N. NAWAIKULA.- Madam Speaker, *Fiji Sun* which is the other side's paper reported

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(Laughter)

... that last year the increase continues and continues and then you only have a \$1 million allocation. So what assurance do you have that this will make a difference?

HON. SPEAKER.- Thank you. The Honourable Minister.

HON. M.R. VUNIWAQA.- It is not only about the money, Madam Speaker, I repeat it. I would like to ask the Honourable Nawaikula, has he ever advocated about child abuse on any of his campaign drives? As responsible Members of this House, we need to take this issue on and it is not about the money.

HON. SPEAKER.- Thank you. I now give the floor to Honourable Samuela Vunivalu.

HON. S.B. VUNIVALU.- Madam Speaker, how does the Ministry ensure the safety and the protection of our children in the resident institutions?

HON. SPEAKER.- The Honourable Minister.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. As I have alluded to, there are children's homes around the country. Government gives grants to these homes annually. Apart from that, we are working very closely with UNICEF in putting together standards for these homes so that children's homes around the country operate with standards of caregiving to our children that is acceptable for bringing up any child.

HON. SPEAKER.- I now give the floor to Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, my question is whether there is any analysis to the cause of child abuse, especially one of the contributing factors as mentioned is parental responsibility. Given that there have been a lot of work related absence of parents like Middle-East tours or work programs, whether there has been any proper analysis to give a proper picture where the root of the cause is in regards to parental responsibility. Thank you.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. M.R. VUNIWAQA.- Madam Speaker, as a Ministry we believe that in order to come up with a targeted effective approach to this, we need statistics and that unfortunately in the long history of Fiji has been basically non-existent. There is now a database as I have said which categorises the different categories of abuse and the numbers relevant to that. Also as I said, identifying hot spots as well. With that data in place, a proper database or the collection of data on child abuse, we should be able to come up with proper strategies to deal with this.

HON. SPEAKER.- Thank you.

Written Questions

Fiji National University – Architectural Degree Courses
(Question No. 09/2017)

HON. M.R. LEAWARE asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts and National Archives of Fiji explain why the Fiji National University has not developed architectural courses to degree level?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3).

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Ro Teimumu Kepa to ask her written question.

Examination Results – Red Zone and Non-Red Zone, 2015 and 2016
(Question No. 10/2017)

HON. RO T.V. KEPA asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts and National Archives of Fiji provide the list of examination results for all schools in the Red Zone and Non-Red Zone areas for 2015 and 2016 for Year 6, Year 8, Year 10, Year 12 and Year 13?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3).

HON. SPEAKER.- Thank you. I give the floor to Honourable Viliame Gavoka to ask his written question.

Report for the last 5 years - Export of Beche-de-mer
(Question No. 11/2017)

HON. V.R. GAVOKA asked the Government, upon notice:

Can the Honourable Minister for Fisheries provide a report for the last 5 years on the export of beach-de-mer. This report should include the following –

- (a) the varieties of species found in Fiji;
- (b) the geographical layout of each species;

- (c) their value at point of purchase; and
- (d) how best to ensure the consistency of the harvest.

HON. CDR. S.T. KOROILAVESAU (Minister for Fisheries).- Madam Speaker, I thank the Honourable Gavoka for his question. Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3).

HON. SPEAKER.- I now give the floor to Honourable Ratu Kiniviliame Kiliraki.

Teacher: Student Ratio - Queen Victoria School
(Question No. 12/2017)

HON. RATU K. KILIRAKI asked the Government, upon notice:

Can the Honourable Minister for Education, Heritage and Arts and National Archives of Fiji provide what is the correct roll of teacher/student ratio at Queen Victoria School?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3).

HON. SPEAKER.- Question time is now over. We will now break for refreshments and Parliament is adjourned until 11.30 a.m.

The Parliament adjourned at 10.48 a.m.

The Parliament resumed at 11.29 a.m.

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

We will resume from where we left off in our Order Paper.

MINISTERIAL STATEMENTS

Fiji's Presidency of COP23

HON. SPEAKER.- The Honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs and the Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications have given notice to make Ministerial Statements under Standing Order 34.

Each Minister may speak up to 20 minutes. After each Minister, I will then invite the Leader of the Opposition or her designate to speak on the statement for no more than 5 minutes. There will also be a response from the Leader of the NFP or his designate to also speak for 5 minutes. There will be no other debate.

I now call upon the Honourable Prime Minister and Minister for iTaukei Affairs, Sugar Industry and Foreign Affairs to deliver his statement.

HON. J.V. BAINIMARAMA.- Thank you, Madam Speaker.

Madam Speaker, I rise to inform Honourable Members about aspects of Fiji's Presidency of COP23, the on-going UN negotiations on Climate Change that I will preside over in Bonn, Germany in November. As I indicated in my New Year's Address to the nation, Fiji has been given the tremendous honour and the tremendous opportunity by the community of nations to lead the world in these negotiations. It is by far, Madam Speaker, the biggest and most important task that we have been given in almost half a century as an independent nation.

The world is looking to Fiji to maintain the momentum that was set by the Paris Agreement at the end of 2015 for substantial cuts in the carbon emissions that are causing global warming and are leading to the rising sea levels and extreme weather events, like *Tropical Cyclone Winston* that devastated our nation almost a year ago. As we all know, the impact is much wider and includes changing weather patterns that are affecting agriculture, affecting plants, flora, fauna and sea life.

Madam Speaker, I cannot stress enough to every Honourable Member and to every Fijian the importance of this mission. Not only for ourselves and other Pacific islanders but for all 7.5 billion people on the planet. In our region, the simple truth is this, if we cannot gain the agreement of the industrial nations to keep reducing their carbon emissions and lower the global temperature, the consequences will be catastrophic. As you already know, three of our Pacific neighbours will disappear altogether beneath the waves and while we in Fiji will also lose vast tracks of arable land and be forced to move many communities to higher grounds, it is the extreme weather events that global warming is generating that pose the greatest threat to our way of life and our ability to sustain the livelihoods of the Fijian people.

Madam Speaker, this is not a false alarm. This is not something that is going to happen sometime down the track. It is a clear and present danger as anyone who bore the brunt of *Winston* knows, anyone who has had their community relocated knows, anyone who has a farmland, whose farmland has been spoilt by seawater knows. It is my responsibility as Prime Minister to confront

that danger, not only by doing what we can to future proof ourselves against disaster at home but to go out into the world and take up the fight for decisive action on Climate Change, for the global community to act and act now.

The world has given Fiji the opportunity to lead that fight at COP22 in Marrakesh last November, almost 200 other nations gave Fiji the task of moving the global agenda on Climate Change Forward. It is a privilege and also a great responsibility. But I want to assure Honourable Members and every Fijian as the incoming COP President that I assume this responsibility with determination and pride. Failure is not an option, I have taken on this job with an intention to do it well. With your support to show the world what we can do as a nation and as a people and with the support of billions of people and goodwill across the world, to show that by coming together, we can make a difference, to save our planet from the worst effects of Climate Change.

Madam Speaker, I appealed in my New Year's message for the prayers and support of every Fijian to make our presidency of COP23 a success. I have been gratified and very touched by the expressions of support I have been receiving. I do not need to tell ordinary Fijians how critical this mission is. The people of Kumi in Verata, Tailevu whose seawall I showed a visiting UN delegation last week, know it. Any Fijian with the slightest ounce of common sense, knows it. So, I was shocked and disappointed, Madam Speaker to see that Honourable Professor Biman Prasad does not seem to know it.

The Honourable Leader of the National Federation Party issued a statement questioning the priority I am giving to COP23. In his strange view of the world, I am, Madam Speaker, spending my time on something he does not think is important while the leaders of almost 200 countries are not questioning it. They think it deserves the highest priority, but of course, what would they know compared to the great minds that leads the NFP on the benches opposite of two members. The Honourable Professor Prasad says I should not be travelling the world talking to my fellow leaders about Climate Change, I should be leaving it to our ambassadors. Madam Speaker, anyone who knows about international diplomacy, anyone who knows these negotiations, knows that they are conducted leader to leader.

The statement by the Honourable Professor Prasad and other Opposition figures demonstrate their lack of knowledge and lack of understanding of the immense challenge before us. This is an extremely serious matter, a life or death struggle to protect our environment and our way of life. Yet, the Opposition quibbles about me doing what, every other Fijian knows that it needs to be done, not only for ourselves, but every vulnerable person on the planet. Flippancy and ignorance in the face of the greatest challenge the world has ever faced. This is the Opposition, Madam Speaker; no vision, no vision for Fiji, no idea how the world works and no alternative plan to future proof ourselves, our children and future generations of Fijians. Petty, small-minded and irrelevant. That is the Honourable Professor Biman Prasad and Members of his Opposition party. But while he and those like him snipe, Madam Speaker, we act. While they play politics, we tackle our problems head on ...

HON. RO T.V. KEPA.- Madam Speaker, Point of Order.

HON. J.V. BAINIMARAMA.- ... and that is why the world has placed its trust in Fiji, in the FijiFirst Government.

HON. SPEAKER.- Point of Order.

HON. RO T.V. KEPA.- Point of Order, Madam Speaker. Can the Honourable Prime Minister just be relevant and stick to the topic at hand which is COP23 instead of irrelevancy, which is under Standing Order 60. Thank you, Madam Speaker.

HON. SPEAKER.- The statement is a Ministerial statement and that is allowable.

HON. J.V. BAINIMARAMA.- Thank you, Madam Speaker. It is a Ministerial Statement. This is the topic at hand. Please, listen. Thank you.

HON. OPPOSITION MEMBER.- Don't attack the person.

HON. J.V. BAINIMARAMA.- But while he and those like him snipe, we act, they play politics, while they play politics, we tackle our problems head on and that is why the world has placed its trust in Fiji, in the FijiFirst Government and in me as incoming COP President ...

(Applause)

HON. J.V. BAINIMARAMA.- to get the job done because of our demonstrated level of understanding and commitment to this issue over the past few years.

HON. OPPOSITION MEMBER.- (Inaudible interjection)

HON. J.V. BAINIMARAMA.- Madam Speaker, *Talatala*.

(Laughter)

Last week, we hosted in Fiji a high level delegation from the Secretariat of the United Nations Framework Convention on Climate Change headed by its Executive Secretary, Her Excellency Patricia Espinosa of Mexico. During two days of talks, we received detailed briefing from the peak UN body on Climate Change about our duties and responsibilities as we prepare to assume the COP presidency. I want to place on record our gratitude to the Executive Secretary for coming to Suva and reaffirming the confidence that the world has placed in Fiji to lead the fight on Climate Change.

In our meetings we agreed that the world cannot afford to drop the ball at this critical stage. More than 120 countries have so far ratified the Paris Agreement, pledging their commitment to address the issues of Climate Change and to also reduce their carbon emissions so that we can keep the global temperature as close as possible to 1.5 degrees, above that of the pre-industrial age. But as you all know, there are worrying signs that the momentum for decisive action may be slowing. It is no secret that the United Nations Federal Administration under President Trump appears to be less enthusiastic about the Paris Agreement.

Madam, Speaker, I intend as incoming COP President to reach out to President Trump, to try to reach common ground and move the global agenda forward.

As incoming COP President, I also intend to work closely with some of the big players, such as China, India, the European Union, Japan, Canada, Indonesia, Saudi Arabia, the UAE (United Arab Emirates), Australia and New Zealand and others, to keep the momentum rolling, and of course to work closely with our Pacific Island neighbours, our international NGOs, our civil society and the private sector.

My briefing as incoming COP President is to represent the interest of the entire world to be impartial and achieve consensus between all parties to the best way forward, but it is only natural that as Fijians, we have a special interest in the needs of small island developing states in our own region and beyond.

Madam Speaker, in the lead-up to the main COP gathering in Bonn in November, we intend to hold a climate champions meeting in Suva and bring Pacific leaders, the NGOs, civil societies and representatives of the private sector together to discuss a common agenda for COP and then in October, a month before Bonn, we will host a pre-COP gathering in Denarau of many of the major players, to hone our approach to the main event itself.

As the year progresses, we will be making a special effort to engage the Fijian people and especially our young people and our artists in the COP process and that engagement has already begun with the advertisement on Saturday calling for ideas for the COP logo that will brand our effort.

I urge every Fijian to consider lodging an entry by the closing date of 24th February. It does not have to be the final product, just an idea that can go into the mix, because we will need to define any concept we receive using graphics professionals to incorporate it into all other platforms on which the logo will appear, whether it is the COP23 Fiji website, our social media platforms, backdrops or flags.

The prize for the winning entry is a trip for two anywhere on the Fiji Airways network. So my message to everyone is to get those entries in as soon as possible. It could be your idea that produces the final logo that would be seen around the world, global exposure for global event.

Madam Speaker, as I said last week, we are putting together a dedicated Fijian secretariat to make preparations here in Fiji and to liaise with the UNFCCC secretariat in Bonn. We have already allocated office space for this purpose in Suvavou House.

Our UN friends have stressed that this is a team effort in which Fiji will work closely with them in the German Government to make COP23 an unqualified success, and we have hired the same expert team of consultants that assisted Morocco with its successful hosting of COP22.

Madam Speaker, as to the meeting, the cost of our commitment, we have already begun the task of raising the necessary funds in the form of donations from an array of nations and Foundations. These funds will be deposited into a Trust Fund here in Fiji that we are establishing with an Act of Parliament. The Bill setting up the Fund will be tabled this week.

The whole world will want Fiji to succeed in this effort and will provide the necessary resources to make it happen. There will be no need to increase the overall expenditure whatsoever in the Parliament Approved 2016-2017 Budget.

Madam Speaker, I have the great pleasure as incoming President to announce today that the Chief Negotiator for COP23 will be Ambassador Nazhat Shameem Khan, our Permanent Representative to the United Nations in Geneva. She is a standout candidate to lead this very complex and challenging negotiations because of her distinguished legal career and outstanding professional and personal qualities.

Madam Speaker, as those people who have been involved in the various COPs know, and especially after the Paris Agreement, the parties faced the momentous task to develop the rule book for the practical implementation of the various legal obligations set out under our respective clauses.

As you already know, our Climate Champion is Honourable Inia Seruiratu, who hails from Kumi, Verata, Tailevu, as Minister for Agriculture and National Disaster Management. He knows the impact of climate change on ordinary Fijians better than most.

Honourable Minister Seruiratu is one of the Government's best performers and he has already demonstrated his effectiveness as a Climate Advocate at Marrakech and in other high level talks in Europe.

Our Designated Climate Ambassador is Ambassador Deo Saran, our envoy in Brussels. As I have said before, the duties of incoming COP President will require a range of international engagements, not only for me but for our Climate Champion, Chief Negotiator and other members of the team, but as we have said, our domestic agenda, Madam Speaker, will not suffer.

We intend to continue the longest period of economic growth in Fiji's history into the seventh year. We will continue to strengthen our education and health systems and continue to extend basic services like electricity and water to every citizen. We will continue to improve our road network, footpaths and install street lights in urban and rural areas, and if anything, our Presidency of COP23 will open up all sorts of opportunities for new investments, both in the private and public sectors in Fiji.

Part of our plan is to attract new and cutting edge technology in several important areas so that they can be trialled here for eventual use in other countries, including our own island region. We also intend to attract finance for climate adaptation through the private sector.

So, Madam Speaker, let me reiterate in closing that this is a national effort to lead the global agenda on climate change which we are also confident will have significant domestic spin-offs and every Fijian, no matter who they are, and where they live, can be very proud of how tall we now stand in the eyes of the world.

Madam Speaker, it is critically important that our COP Presidency succeed and I sincerely ask Honourable Members of this House, to avoid politicising the issue. They must take time to understand and take time to educate themselves about the Paris Agreement and climate change as a whole. We must all take a united approach to this global issue.

Madam Speaker, in so many ways, this is the fight of our lives for our lives, and certainly it is all about the preservation of our beloved Fiji and all that we hold dear, our hopes for ourselves and our hopes for generations of Fijians to come. We must all unite as a nation behind this effort just as the world must unite to do what is necessary to save our planet earth, that all 7.5 billion of us as global citizens call our home. Thank you, Madam Speaker.

(Acclamation)

HON. SPEAKER.- I now call on the Leader of the Opposition or her designate to have the floor.

HON. V.R. GAVOKA.- Honourable Speaker, I rise to reply on behalf of the Opposition, and I thank the Honourable Prime Minister on the Ministerial Statements on COP23.

The way we see this, Madam Speaker, is that Fiji is now a champion of global climate change in the world or specifically our Honourable Prime Minister. What we would like to see, Honourable Speaker, is more focus on what is here in Fiji. As we say in one of our Fijian saying "*Tekivu mai Jerusalem*" or start from Jerusalem.

HON. MEMBERS.- Hear, hear.

HON. V.R. GAVOKA.- There are many issues in this country that need to be resolved to enable us to meet the challenges of climate change. The Honourable Prime Minister, when he travels

the world will be better recognised, if he sets up systems in this country but that mitigate the effects of climate change specifically, Madam Speaker, in the field of insurance.

Today, Madam Speaker, only 12 percent of our people take up property insurance and we know we are vulnerable to the elements. So we would suggest to the Honourable Prime Minister, when you stand up there in New York or Bonn, or wherever, you should say to the people “our citizens all have insurance on their properties” because we are vulnerable. If only 12 percent take up insurance, then someone will say “Hey, start from home, Prime Minister, start from your place, start from home.”

So we want to create a dialogue led by the Honourable Prime Minister for this country, to take up forms of insurance that will encompass everyone in this country. We have compulsory third party policy. I believe the challenge is such now that we can consider making property insurance also compulsory. This calls for statesmanship and leadership, which unfortunately is only seen now internationally by the Honourable Prime Minister but not seen in this country; he should take leadership on this.

Only last week the insurance community, who are highlighting this in the insurance week, I would like to suggest to the Honourable Prime Minister to take this up very, very urgently and this House to debate it and make laws to make sure that everyone is covered in insurance property and otherwise.

You may know, Honourable Speaker, Fiji Sugar Corporation (FSC) used to be self-insured. They used to carry their own insurance, but just before *TC Winston*, they took up a policy in London and right after that, *TC Winston* hit and FSC got \$37 million of insurance payment. Those are the kind of issues that are very crucial to us and I would like the Honourable Prime Minister to the leadership he is showing globally, to also show that leadership locally in Fiji.

Madam Speaker, as you know, Donald Trump has been discouraging this climate change thing because it threatens the US economy. For us in Fiji, also Madam Speaker, we need to make sure that this climate change does not threaten the creation of wealth in this country. I am worried about the resource owners; I am worried about iTLTB; now that it has changed its focus from protecting the land for the landowners, to now making the land available for development. And the process, Madam Speaker, is being accelerated and it is frightening that people are giving their land without due process.

I have a case in the West, where the developer only pays a \$1,000 a year to the landowners, and then does not pay any share of the proceeds for five years. These are the types of deals, the types of arrangement that FijiFirst has brought into this country, denying the resource owners their rightful share of the wealth.

(chorus of interjections)

HON. V.R. GAVOKA.- I spoke this morning about the overwater bungalows. The Coral Coast, where I am from Nadroga-Navosa will be home to more spectacular overwater bungalows, but we do not know what it will do to our environment, we have not had debate on this and it will be gone for 99 years, where the developer will become very, very wealthy while we the people from Nadroga will live from crumbs.

These are the kind of issues that the Honourable Prime Minister should focus on to strengthen his country, to be a meaningful part of COP23. If we remain poor, poverty is the biggest contributor, one of the biggest contributors to climate change.

Madam Speaker, you know in Indonesia, the poor people burn their bush and all these things, go over to Singapore, Malaysia and all those areas. Those are the poor people degrading the environment, Fiji must create wealth for everyone.

(Chorus of interjections)

HON. V.R. GAVOKA.- So that he can go and say “I am the champion and I am also the champion in my country” Not the champion over there and nothing here. Thank you, Madam Speaker.

(Acclamation)

HON. SPEAKER.- I now give the floor to the Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. First of all, I congratulate the Honourable Prime Minister for his Presidency of COP23. Let me also say, contrary to his usual diatribe in attacking the Opposition when we raise issues of importance, that we want Fiji to succeed in leading COP23.

COP23 is not the only COP, we had 22 others in the past, Madam Speaker. Also, let me say to the Honourable Prime Minister that he should stop saying to the Opposition that we have little knowledge about certain things when it is of national importance. We kept talking about the sugar industry, we kept talking about FSC, the poor performance of the CEO and what did he say, “I have little knowledge”. He actually showed his pocket once and he said “my knowledge of the sugar industry is in this little pocket”. This is exactly what the Honourable Prime Minister is doing on COP23 and I am sorry to say that his spin doctors and speech writers actually have not read this article that I wrote and misinterpreted.

HON. MEMBER.- It’s there?

HON. PROF. B.C. PRASAD.- I know you do not read the *Fiji Times* (some of you) but read this, read this, nowhere, nowhere in this article have I devalued the importance of COP23 and Fiji’s Chairmanship or the Presidency of COP23.

The Honourable Prime Minister, Madam Speaker, has misrepresented my views in this article. What we are saying, Madam Speaker, is this; that the Government must come out very clearly, openly, in a transparent manner and put out a plan which the Honourable Prime Minister did to some extent in his statement today but this is precisely the point that we want to make. I mean we are hiring consultants, I see System Q. I looked at it, this company was just formed last year. I want to know whether there was a competitive bidding to get consultants.

I have no doubt that Ambassador Nazhat Shameem Khan, Honourable Minister Inia Seruiratu, Ambassador Sharon are capable people, I think they will do a good job and I wish them well, but coming back to the whole issue of COP23, it is no use the Honourable Prime Minister telling us that he is going to pursue these things with politics, he should have told them already and putting out a plan, the Paris Agreement, Madam Speaker, itself requires us to consult, involve community groups, private sector and there has been no plan yet by the Honourable Prime Minister.

The other issue I want to point out is, it is the Ministry of Environment. There is a Ministry of Economy which has taken Climate Change financing in his Ministry, then you have the Office of the Prime Minister, I have not seen or I have not heard the Honourable Prime Minister mentioning

anything as to how they are going to coordinate between these different Ministries, to put out a well-thought out plan to deal with COP Presidency. It is alright for the Honourable Prime Minister to come out and say “we are politicising the issue”, that is our job, our job is to raise important issues where national issues are concerned.

Madam Speaker, if I had more time instead of the five minutes that I have, then I could actually give a lecture to the Honourable Prime Minister on COP23 and the Paris Agreement and the economics of this Agreement and what the Government should do, to ensure that we achieve what we are saying to the world. It is not an easy task, the gravity of the task is what you consider, it is not easy. I know some of you do not read the *Fiji Times*, read again what I wrote in this article. It is to ensure that we have a proper plan, a proper strategy to ensure that the benefits of leading COP23 not only is achieved for the world, but also for Fiji.

Honourable Gavoka is right, I think there is a huge opportunity caused when we undertake such an important task - it is not an easy task. We have not heard very clearly the Honourable Prime Minister saying that there would be no implication on the budget as stipulated in the 2016-2017 Budget, I am not sure about that. He has to come out more specifically as to what the budget ought to be, when is the plan and where that money is going to come from.

I know that there are already consultants hovering around Suva, donors are pledging support to the Government but we must ensure that consultants do not drive the agenda for Fiji. Fiji has an opportunity, has a responsibility on behalf of not only the Pacific Islands but on behalf of all the small island states in the world to ensure that we create our own mark, create our own agenda in dealing with the issue and that is not what the Honourable Prime Minister has come out very clearly about.

I think there are a lot of questions that the Honourable Prime Minister will have to answer, a lot of answers that he has to give to give to the people of this country, when he is leading COP23. That is very important, Madam Speaker, and he should stop attacking the Opposition when we raise important issues and saying we are politicking. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Honourable Attorney-General and the Minister for Economy, Public Enterprises, Civil Service and Communications to deliver his statement.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I rise to present an update on the implementation and progress of the *Tropical Cyclone Winston* related rehabilitation programmes, which a sum of \$207.9 million has been allocated in 2016-2017 Budget. Of this amount, around 63 percent or \$132 million is allocated for the rehabilitation of what we call ‘R3 to R5 schools’; around \$11 million has been provided to the Ministry of Education for R1 and R2 schools; and the balance of around \$60 million is to cater for rehabilitation programmes for agriculture, fisheries, roads and jetties, micro and small businesses and other public buildings. This, Madam Speaker, does not include \$20 million that was allocated to continue the Phase Two for the ‘Help for Homes’ initiative.

Madam Speaker, Government has invested a significant amount of money and resources to support the rehabilitation efforts, coordinating at various levels within Government and collaborating closely with key stakeholders, including private sector agencies, such as the Fiji Institution of Engineers, and of course our development partners.

Madam Speaker, more specifically in the school rehabilitation programme, as you know, more than 490 schools in total were affected by *TC Winston*, and given the extent and level of work

required, the rehabilitation programme has been categorised and managed according to the damage ratings from R1 to R5.

R1 represents the least damaged schools and R5, severely damaged or complete destruction of buildings in those schools. R1 and R2 schools are those with damaged estimates, at least less than \$50,000, some have gone above that, for which funding of \$11 million is provided and rehabilitations implemented through the Ministry of Education, Heritage and Arts, under the 2016-2017 Budget.

In ensuing, Madam Speaker, pertains to R3 and R5 schools, where the estimated damage per school exceeds \$50,000, for which \$132 million has been allocated in the 2016-2017 Budget. Implementation on these rehabilitation programmes is coordinated by the Construction and Implementation Unit under the Ministry of Economy. Of the total of 166 schools, Madam Speaker, comprising more than 1550 buildings have been identified for rehabilitation under the R3 to R5 category. These schools include Early Childhood Education, primary and secondary schools.

Madam Speaker, the school rehabilitation programme has been centred around three critical aspects. Most importantly:

1. That the rehabilitation of schools and public buildings is progressive in terms of structural design and strength of resilience level to withstand future climatic events. What this means is building structurally designed to meet wind speed of 45 meters per second, progressively upgraded to 78 meters per second.
2. That the rehabilitation of schools meet the national building code standards.
3. Ensuring that the procurement documentation process is transparent and of high quality while costs are contained within the allocated budget.

There is no mean feat, Madam Speaker.

For instance, Madam Speaker, we have considered imparity where if we are able to replace schools that previously had a number of scattered individual buildings on one side within the duplex or triplex buildings, for both classrooms and staff quarters. Other practical measures have also been adopted, for example, what is normally a four steel rod re-enforced concrete column is now strengthened in all buildings with an eight steel rod requirement.

This effectively means fewer number of buildings on the same school site, economising space and with adherence to building codes, reducing future maintenance cost.

With the assistance of the Fiji Institution of Engineers, a comprehensive list of suitable lead consultants were appointed to further assist an assessment of pre-qualified contractors that were provided tender documents.

Madam Speaker, following a response to Government's expression of interest, five lead consultants were selected and appointed from a list of eight companies. A total of 36 contractors were then selected by the consultants from a list of 76 companies, where 27 companies were selected for the conventional approach and nine companies on what we call the 'design and build approach', which is starting right from scratch in doing their own designs.

The conventional construction approach is used for schools that sustained less than 70 percent structural damage and the design and build approach is for schools that had more than 70 percent structural damage. To maximise value for money, R3 to R5 schools and public buildings were further

grouped into various clusters along the 'red zone' or the path of *TC Winston*, so that comparative prices, we will receive from the contractors.

Madam Speaker, following thorough assessments by the consultants, of the 1,550 buildings identified for rehabilitation, 844 buildings required structural upgrading to meet at least a wind speed of 45 meters per second, while the remaining 314 buildings required new construction to meet speed of 75 meters per second. These numbers, Madam Speaker, exclude ablution blocks, walkways and utility rooms.

Madam Speaker, out of the total of 166 schools, over 24 schools are designed to cater for wind speeds of up to 78 meters per second and will double up as designated evacuation centres, that will also include standby generators and water tanks. As you know, many schools previously had been used without the proper facilities in those schools.

Madam Speaker, the 'Adopt the School Programme' launched in April by the Honourable Prime Minister also augments the school rehabilitation efforts. To-date, over \$31.6 million has been received in cash and in kind from various development partners, including governments, civil society groups, organisations and indeed even former Fijians as individuals. As a result, a total of 30 schools have been fully adopted and 43 schools are what we call 'partially adopted.'

Madam Speaker, the list of schools and details of donors, including financial assistance, is available on the Fijian Government's 'Adopt a School' website.

Madam Speaker, I also would like to add that the New Zealand Ministry of Foreign Affairs and the Australian Government had also taken on the project to build schools in Vanua Balavu and also Koro respectively. They have just started one of the schools in one of the islands and the Australian Government has also started schools in Koro and also in Ra.

Madam Speaker, against the best efforts and good will of Government to facilitate and expedite the rehabilitation process, some members of the media and Opposition, of course have without any appreciation of the fact levelled criticisms at the slow pace and that many students are still housed on the tents, many are not or many are no longer.

Let me highlight that this level of work and attention to detail in terms of disaster rehabilitation to schools in public buildings is unparalleled and involves a number of stakeholders working closely together. This is the level of documentation that is actually produced to each school.

Many schools, and I now come to the facts and figures, actually it never had any structural drawings whatsoever. Apart from QVS and RKS, which actually had structural drawings, 98.8 of the schools did not even have a blueprint, did not have any structural drawings, did not even have any architectural drawings because as we appreciate, most of these schools are run by communities, by faith-based organisations and they base schools as and when they have money, but the fact still remains that they had no documentation.

What we have done is that every single school that has been rehabilitated from R3 to R5 now has a drawing and specific plans. So, Madam Speaker, enormous amount of time and energy was dedicated to the documentation process - from engaging consultants, conducting detailed assessments and drawings - to the procurement process through the tender documentation, specification and evaluation by the lead consultants and of course submissions through the Government Tender Board and final preparation of tenders.

As I highlighted, Madam Speaker, 164 schools do not have any structural archive drawings, hence the consultants and contractors had to undertake time consuming exercise in preparing the proper documentation. Given the scale of work required and the objectives of the schools rehabilitation efforts, the level of documentation, Madam Speaker, I am glad to announce will stand the test of time in respect of audit checks, accountability and attention to detail.

Madam Speaker, we have also established a situation room which is being visited by many of our development partners and others who wish to know what was happening, where the CIU (Construction and Implementation Unit) has all the 166 schools mapped out, colour-coordinated and you can actually track week by week as to the progress of the schools.

Madam Speaker, the Ministry of Economy has also considered and recently made changes to procurement policies to ease the working of capital requirements for contractors in line with market practice.

Previously, Madam Speaker, as per Government regulations, each contractor had to provide an upfront of a 10 percent performance bond for each school or contract. This delayed the uptake of contracts as the contractors had to secure financing before proceeding with each contract, and given the scale of it many local contractors in fact could not afford the 10 percent for each of the contracts.

Madam Speaker, what we have done is, the Performance Bond Policy has been revised to free up working capital so that contractors are now only required to pay 10 percent performance bond on the first school or contract, 5 percent on the second contract and 2 percent on the third contract or any additional contract taken up thereafter. This is the reality on the ground.

In the same way, Madam Speaker, the reality on the ground is, there is shortage of material, also there is shortage of tradespeople. Anyone who knows about the construction industry in Fiji at the moment will tell you - we have joiners, we have tile layers and we have carpenters sometimes leaving the sites every week because someone else is paying them more money and because there is shortage. In fact, we have some contractors at the moment who have made applications to bring in tradespeople from Indonesia, Philippines and even as far away as Bangladesh because we have a shortage. This is why the 13 Technical Colleges that the Honourable Minister for Education has set up, with the Honourable Prime Minister opening them up recently, is very critical for us to be able to provide that level of tradespeople that we require for Fiji because the economy of force is doing well and the private sector is also putting up structures.

Madam Speaker, as of last week we can tell you that with the tenders that have been called by February, 80 percent of all the schools will be under construction, some of course will be near completion, given the complexity of the work or the lack of complexity of the work. All the other schools, Madam Speaker, the evaluation will be carried out by the lead consultants and will be tendered out.

Madam Speaker, despite the challenges, we remain focussed in our efforts. We will continue to work closely with the lead consultants, contractors, and Government agencies to fast-track the rehabilitation of schools.

Madam Speaker, in addition, we have sought technical assistance from the ADB and the CIU is also in the process of developing a database that will capture the particulars of all schools and public buildings rehabilitated under this process which will mean that in preparing future budgetary provision for periodic maintenance and cost assessments, we will have all the documentation available to us.

The database will also serve as a monitoring and checking system for future disaster rehabilitation efforts. This, Madam Speaker, is a true and practical way of developing resilience towards building back better. This, Madam Speaker, is what was talked about earlier on from the other side about adaptation and about climate change issues. This is that work.

Madam Speaker, the high level of rehabilitation or construction activity is expected to also create a number of positive spinoffs for the economy in terms of new jobs created in the construction centre and related VAT, import duty and tax collections. For example, if five companies appointed as lead consultants in the school rehabilitation programme have employed more than 70 technical personnel, 70 more technical personnel to assess and manage the tender evaluation process.

Madam Speaker, the construction sector is expected to be one of the major drivers of growth in 2017. I urge the Opposition and others who are outside this House who are making all sorts of assessments, to be able to understand what is being carried out, to be able to understand the complexity of the issue. It is not simply a matter of putting up a wall and painting it and say, “Look, now we have a school” and the next time, some small wind comes and blows it down again. We do not want that. We want the schools to be able to withstand winds of high speed as I have just highlighted. We do not want it to be blown down again.

We want to build back better, we want to build quality. We also want to know the next time should something does happen, we have exactly all the blueprints with us and what we can do specifically and very quickly.

Madam Speaker, let me now turn to the ‘Help for Homes’ Initiative. As you know, Phase 1 of the Help for Homes Initiative was launched in April 2016 and again, with the assistance of the Fiji Institute of Engineers that carried out a *pro bono* a comprehensive list of suitable and compliant building materials were included as part of the criteria that bidders were required to meet.

Madam Speaker, 10 companies were selected to supply materials and we know who those companies are, this has been published in the papers. Implementation was led by the Ministry of Women, Children and Poverty Alleviation which also included the Fijian Elections Office and Vodafone Fiji.

Depending on the extent of the damage, applicants received Vodafone M-PAiSA cards valued at \$1,500, \$3,000 or \$7,000. Many people, of course, had not used such technologies before, it was also a new way of introducing them into such technology too.

Madam Speaker, Phase 1 of the Initiative which lasted from April to June 2016 assisted a total of 23,388 recipients - 11,331 applicants received \$1,500; 4,100 applicants received \$3,000; and 7,957 applicants received \$7,000.

Madam Speaker, let me emphasise once again that this initiative by Government, the ‘Help for Homes’ Initiative is unprecedented and all Fijians who filled in registered forms were assisted. Madam Speaker, this exercise has never been done by any other Government in such a comprehensive manner.

(chorus of interjections)

(Acclamation)

HON. A. SAYED-KHAIYUM.- No other Government, Madam Speaker, has carried out such an exercise in such a comprehensive manner and without discrimination.

(Acclamation)

HON. A. SAYED-KHAIYUM.- In the roll out for the Help for Homes Initiatives, those whose names were not on the initial list of homes assisted and assessed by the NDMO after *Tropical Cyclone Winston* were also assisted (those who were not assisted and assessed, Madam Speaker.)

Madam Speaker in the period *Post Tropical Cyclone Winston*, the demand for building materials rose significantly, not only due to cyclone rehabilitation efforts but also as we said, the private sector investment in terms of construction projects. The significant increase in demand for building materials, coupled with supply constraints even from international suppliers in Australia and New Zealand, particularly for concrete blocks, steel and timber resulted in delays in the delivering of building materials to recipients. Madam Speaker, it should also be noted that we zero-rated all building materials that had to be imported for this rehabilitation efforts.

Madam Speaker, of course, the tropical depression in December last year contributed to the delay of deliveries due to some of the conditions that prevailed because of that tropical depression and the postponement of shipping schedules.

Madam Speaker, there are also other issues where recipients could not be contacted as some either changed contact details or moved without informing the hardware companies. In response as you would have seen in the newspapers, and also in Radio Fiji One and Radio Fiji Two, because it is rural-based communities, requests have been made to these individuals to come forward to update their details and to facilitate delivery of orders.

Madam Speaker, notwithstanding issues, issues of shortage and supply in weather conditions, Government also has met with the hardware companies and the last meeting was in December 2016, to discuss performance issues of some companies in respect of delivery of hardware materials. The companies were advised to significantly improve the rate of delivery or pay an interest rate of 4 percent on the value of hardware delivery outstanding, and that they will not also be permitted to participate in Phase 2 of the Initiative as the Honourable Minister for Women, Children and Poverty Alleviation launched a few weeks ago.

Since early December and with easing of the hardware supply shortages, we have seen a marked improvement in the overall availability of supply and delivery of the hardware items. We can significantly conclude following the results that have been given to us, that an outstanding amount of \$57 million at the end of July 2016, it now only stands at \$9 million, Madam Speaker.

The Hardware companies have also complied with the 4 percent interest imposed and have paid Government a total sum of \$697,662. Those companies that paid interest are Local Hardware, a company called Local Hardware, Vinod Patel, RC Manubhai and Carpenters. These four companies have also been excluded from the Phase 2 of the Help for Homes Initiative that was launched last year.

Madam Speaker, despite the challenge in the current Phase 1 of the Help for Homes Initiative, we have a high level of recipients that have received the full delivery of their supplies.

Madam Speaker, in respect of shipping to maritime islands, Government employed the services of private shipping companies like Goundar Shipping, to help expedite maritime deliveries and to incorporate simultaneous delivery. Shipping schedules now also include targeted delivery to villages whereby Government, in consultation to shipping companies provide village names to hardware retailers to ensure their necessary logistics are provided where needed.

Assistance for shipping to all the maritime islands including the Lomaiviti Group, Vanua Balavu, Taveuni and Yasawa Group will continue until the old orders have been delivered.

The Ministry of Economy continues to coordinate closely with the hardware retailers and shipping agencies to ensure that homes and villages receive their building materials in good conditions as per the orders.

Madam Speaker, to ensure shipping assistance is effective, Government has also catered for *ad hoc* requests from some maritime islands, for example, the villagers of Nasau in Koro had requested the delivery of materials be deferred until the building plans for approximately 112 recipients who were approved by the engineers that they had selected, after which the villagers requested that materials be delivered in intervals of only five houses at a time. They said that that is all the capacity they have and they wanted them progressively sent to them. That is why we have some outstanding amounts, Madam Speaker.

Since November 2016, Government has also deployed closed to 25 commercial or chartered and franchised trips to maritime islands to deliver approximately 12,000 tonnes of building materials. Hardware companies now are also using their own fleet of trucks for delivery on the islands.

Madam Speaker, we are close to completing all the maritime deliveries. As of 1st February, 2017, only 7,000 tonnes of building materials are left to be delivered and we expect this exercise to be completed by the end of the month.

Madam Speaker, very quickly, I will just quickly read this because of the time issues. We have also had a number of cases that have been very reported to audit. As we know that it was publicised in the papers and we have got a number of cases that are currently pending with the Fiji Police Force.

We have also, Madam Speaker, as the Honourable Prime Minister had also given an undertaking, some people had gone ahead and put up their homes so then applied for reimbursements. \$1.7 million has also been given as re-imburements to those people who could not wait but then, they have provided documentation, they have been verified and \$1.7 million has been dispersed and will be dispersed.

Phase 2, Madam Speaker, recognising the level of need in the communities affected; additional funding of \$20 million as approved by Parliament was provided for in 2016-2017 Budget. The Honourable Minister for Women, Children and Poverty Alleviation has been delivering this in Phase 2.

(Hon. Member interjects)

HON. A. SAYED-KHAIYUM.- Madam Speaker, if they do not want to know about this, then I will stop.

HON. J.V. BAINIMARAMA.- Do you want to know or not?

HON. MEMBER.- No.

(chorus of interjections)

HON. SPEAKER.- Since the issue is of national interest, then I will allow you to carry on.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, I should have gone back to Phase 2.

Madam Speaker, Phase 2, the Help for Homes Initiative that was launched on 20th December, 2016 and so far a total of 3,800 recipients have been assisted - 1,336 recipients have received \$1,500; 660 recipients have received \$3,000; and 1,804 recipients have received \$7,000.

Madam Speaker, Phase 2 of the Help for Homes Initiative has mainly centred in Viti Levu. Of the 3,800 M-PAiSA cards distributed, 1,319 cards were given out in Tailevu, 489 in Naitasiri and 1,992 in Ra.

Madam Speaker, as we have said before, six companies had been supplying in the Phase 2. We have also, as you may note, provided additional budget funding in the 2016-2017 Budget for training of rural carpenters and we understand that the Ministry of Rural and Development is rolling this out also.

Madam Speaker, all in all, this is an update provided in respect of the School Rehabilitation Projects and also in respect of the Help for Homes Initiative. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you.

I now call on the Leader on the Opposition or her designate to speak in response.

HON. M.R. LEAWERE.- Madam Speaker, the Honourable Prime Minister, Cabinet Ministers and fellow Members of Parliament; I thought I was going to address the Honourable Minister for Education but I did not realise that there is change of portfolio this morning.

(Laughter)

(chorus of interjections)

HON. M.R. LEAWERE.- I thank the Honourable Minister for his statement and I am convinced, Madam Speaker, that this nation has been badly led down with regards to rehabilitation work in this country. A lot of our people are still in tents and likewise, school students are still studying in tents as well. The schools in Ra, Lomaiviti and Vanua Balavu are still waiting for assistance almost a year after *TC Winston*.

Over \$31.6 million as alluded to by the Honourable Minister as being provided, the taxpayers would like to know how many schools are still being deprived of proper classrooms and a breakdown of this, Honourable Speaker, would help some unanswered questions from the people of this country.

Let us, Madam Speaker, cut costs where necessary and prioritise the future of our nation which is the students and their education. The provision of tablets for Year 13 students will come at a cost, especially with struggling families. This is, Madam Speaker, a vote-buying gimmick.

The figure which he handles, Madam Speaker is the inability of the Government to govern its own financial resources. The needs of this country can only be addressed by a bipartisan approach and Government, Madam Speaker, should seek our help in this regard.

Accounted and receipt and continue to see our schools not being assisted. On the Help for Homes Initiative we heard from the Honourable Minister that 27,000 Fijians had been assisted. Of

this amount, how many Fijians are yet to be assisted? We would be very excited to know and to see those who had been assisted through this Initiative. A lot of people still live in tent as I have said earlier.

Just a couple of months back there was a golf tournament in Natadola, \$9 million was used there. That could have been used to address the plight of our people. I spoke to one gentleman and he told me that through the Help for Homes Initiative, he has already received some roofing iron and nails. He is yet to receive his full complement. Why is there delay in assisting people being devastated almost a year down the line?

Madam Speaker, the hardware companies are still having a field day in as far as making their prices are concerned, and ordinary Fijians who qualify for this Initiative are at the mercy of these suppliers. How can the Government guarantee to ensure that these suppliers charge interest with the limits allowed.

The interests imposed, Madam Speaker, are very high and funds received by those who are eligible are not enough to build one whole house.

Madam Speaker the contributing part of the funds is a major concern. All donor funds need to be accounted for and if Government is serious about transparency, it is only proper that this House should be informed of the same.

Give and spend on what is necessary, Madam Speaker, we need to look at the plight of our students and the children of this country and provisions should be made in terms of handling or making new classrooms for them.

Lastly, I would like to suggest to the Government, Madam Speaker, to give respect to the various line Ministries and allow them to do their own work, especially in coordinating because we have a one-man Ministry conducting assessment and other Ministries assist in terms of funding. Why not coordinate in one line Ministry instead of having a one-man show while helping the people of this nation?

HON. SPEAKER.- I now call upon the Leader of the National Federation Party or his designate.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Let me thank the Honourable Attorney-General for his statement on both the progress on the rehabilitation of damaged schools and also for Help for Homes Initiative.

Madam Speaker, when we have disasters or in any environment, it is always important for Government to look at the design of the policy in the first instance, and then also look at the design of the implementation plan. Unfortunately, Madam Speaker, both the policy plan and the implementation plan of the Government for the overall rehabilitation programme after *TC Winston* has been haphazard. In fact, it shows the incompetence of the Government in dealing with the overall rehabilitation process.

And that is why I sympathise with the Honourable Attorney-General when he talks about the nature of the schools that were there, the gravity of the task and the level of effort that is needed to bring back schools to be constructed in a way that maybe cyclone proof, and we understand that. But that does not take away the fact that this Government has bungled seriously its strategy. They are now firefighting.

You know when things do go wrong, when you have a policy design which is wrong from the beginning, which is not well thought out, you are bound to have these problems and then you begin the firefighting. If you do this year, you do that there, for example, Madam Speaker, last year we call on the Government to institute an independent investigation to determine how millions of taxpayers' dollars were used in the Help for Homes Initiative and whether the hardware companies actually did not do the right thing.

I know the Honourable Minister is now saying that they will not be party to the second phase of the Initiative and that they will pay interest on the delay of the delivery of the materials to the people but it is almost like shutting the gate after the horse has bolted. The damage has been done. Many homes, many families may have actually moved from there, I know some have moved because they did not get the materials. And many of them agonised over the period of time where they kept waiting for these materials. When in fact, the Help for Homes Initiative, the idea was mine

(Acclamation)

Madam Speaker, let me remind them again.

(chorus of interjections)

HON. PROF. B.C PRASAD.- I actually said, I suggested that they should give \$5,000 grant direct to the families affected and what could have happened, that would have been more efficient. It would not have involved bureaucracy and it would not have involved all these mismanagement and abuse of taxpayers' funds.

The families, Madam Speaker, would have gone to the hardware company of their choice, they would have negotiated the price, and they would have got more value from the money. What has happened in this scheme, you know some great scheme of providing these cards, the hardware companies are laughing their way to the bank.

(Acclamation)

HON. PROF. B.C. PRASAD.- And many of the families who were supposed to get that level of money to reconstruct their homes have been left stranded.

(Hon. Member interjects)

HON. PROF. B.C PRASAD.- Exactly, you read that in the paper.

(Laughter)

HON. PROF. B.C PRASAD.- They have not received the materials. This is why the Attorney-General is covering up now by saying, "We are going to charge them 4 percent interest." I mean, the horse has bolted already, so this is the tragedy, Madam Speaker, of this Government.

They do not plan, they are not open, they are not transparent, they do things secretly and when they do things secretly, things do not happen properly. We end up having abuse of funds, we end up not targeting the people that the policy is intended to do.

HON. MEMBER.- Prove it! Prove abuse of funds!

HON. PROF. B.C PRASAD.- You yourself had admitted that they have not been able to provide the material on time and you are charging them interest. That is abuse of funds.

HON. A. SAYED-KHAIYUM.- Prove it! Prove abuse of funds!

HON. PROF. B.C PRASAD.- You have proven yourself by saying that they have to pay interest rate.

HON. A. SAYED-KHAIYUM.- You prove it!

HON. PROF. B.C PRASAD.- You accept that now. I do not have to prove it, you have proven it yourself.

The Honourable Attorney-General proved himself by penalising hardware stores because he knows that they are obtaining money through the cash card and that is obtaining money by false pretences because you promised to supply the materials and you do not.

(Acclamation)

HON. A. SAYED-KHAIYUM.- (inaudible)

HON. PROF. B.C PRASAD.- That is what you should do. I am saying that you admitted it now.

HON. A. SAYED-KHAIYUM.- (inaudible)

HON. PROF. B.C PRASAD.- You admitted it now. These are all, Madam Speaker, FijiFirst supporters who are benefitting from this scheme.

(Chorus of interjections)

(Applause)

HON. A. SAYED-KHAIYUM.- Shame on you!

HON. PROF. B.C PRASAD.- Shame on you!

HON. SPEAKER.- Order, Order! Hon. Professor Biman Prasad, I need you to withdraw the words 'abuse of funds' that the Government is abusing funds. Withdraw those words, Honourable Member.

HON. PROF. B.C PRASAD.- Madam Speaker, can I explain why I said that?

HON. SPEAKER.- No!

HON. PROF. B.C PRASAD.- It is from the Attorney-General himself.

HON. SPEAKER.- I need you to withdraw those words.

HON. PROF. B.C PRASAD.- If you are saying that, Madam Speaker, I withdraw.

HON. SPEAKER.- Thank you.

Honourable Members at this point, we will suspend proceedings for lunch. Please note that lunch is provided for Honourable Members in the Big Committee Room. Parliament will resume proceedings at 2.30pm. Thank you.

The Parliament adjourned at 12.34 p.m.

The Parliament resumed at 2.30 p.m.

HON. SPEAKER.- We will now proceed to the next Item on the Agenda which is the consideration of Bills. I now call upon the Attorney-General to move his motion.

PUBLIC ORDER (AMENDMENT) BILL 2017

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

- (a) That the Public Order (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) That the Bill must pass through one stage at a single sitting of Parliament;
- (c) That the Bill must not be referred to a standing committee or other committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February 2017, but that one hour be given to debate the Bill, with the right of reply be given to me as a member moving this motion. Thank you, Madam Speaker.

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

HON. SPEAKER.- I now call upon the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications to now take the floor.

HON. A. SAYED-KHAIYUM.- Madam Speaker, given the fact that this Bill will be debated upon on Wednesday as moved, I would just like to very briefly say that this amendment to the Public Order Act essentially will remove the requirement for people to have permits before their meetings. So, essentially what it does is that, to give an example, for political parties if they want to have a meeting tomorrow and they want to hire the Kshatriya Hall or a community hall or hire ANZ Stadium to have their meeting, they simply go and pay for the hall, the venue and advertise where they will have the meeting. They do not need to get a Police permit.

However, you will need to get the Police permit if it is in a public place is now defined and that public place means, a public park like Albert Park or Sukuna Park, or if you want to have a meeting on the road or in a street or alleyway. But should they want to have a meeting anywhere else other than a public place, in any venue and at the moment, there is a requirement to have a permit from the Police you have to give seven days' notice but all of that will be done away with.

Essentially the way it is done, Madam Speaker, is that we have created another definition. At the moment, for example, Madam Speaker, the definition of "public place" is:

- (a) any highway, public street, public road, public park or garden, any sea beach, river, public bridge, wharf, jetty, lane, footways, square, court, alleyway, passage whether a thoroughfare or not; or
- (b) any –
 - (i) land or open space, whether such land space is closed or enclosed; and
 - (ii) place or building of public resort, other than a dwelling house.”

For the purposes of this particular amendment, Madam Speaker, what we are saying is that, a public park or public road should only be a highway, a public street, a public road, a public park or garden, any sea beach, riverbanks, public bridge, wharf, jetty, lane, footways, square, court or alleyways. However, everything else is not defined as in a public place. In other words, it means that anyone wanting to have a meeting anywhere in Fiji, apart from those places that we have just identified, they do not require a permit.

The provision continues with the Commissioner of Police, however, should, if for example, someone holds a public meeting in a non-public place as now defined by the amendment, so if they have a meeting for example at Suva Civic Centre, they do not need a permit for that. They can go and advertise in the papers saying, "NFP is having a public meeting on 10th February can come along."

However, if during the course of the meeting, the NFP or whoever is conducting the meeting utters word that will go against communal discord so they start saying, "Let us go and bash up people from a particular place, you know people from Nadroga or something", then the Police can actually intervene and stop. The Police still have the powers as in all jurisdictions. However, the critical issue is this and I am sure all Honourable Members of this House would agree that we should not require permits to have such public meetings, and this is what this amendment seeks to do and, of course, we will talk more about it in the debate itself. Thank you, Madam Speaker.

HON. SPEAKER.- I now invite comments from the floor.

(No comments from Honourable Members)

There being no comments, Honourable Attorney-General would you like to make concluding remarks?

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, I think I have said enough as in the introduction. Thank you.

HON. SPEAKER.- Thank you, Parliament will now vote. The question is:

- (a) That the Public Order (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) That the Bill must pass through one stage at a single sitting of Parliament;
- (c) That the Bill must not be referred to a Standing committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February 2017, but that one hour be given to debate the Bill, with the right of reply given to the Attorney-General as the member moving this motion.

Does any Member oppose the motion?

HON. MEMBERS.- No.

HON. SPEAKER.- There be no opposition, the motion is agreed to. Thank you.

I now call on the Honourable Attorney-General to move his second motion.

FINANCIAL TRANSACTIONS REPORTING (AMENDMENT) BILL 2017

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

- (a) That the Financial Transactions Reporting (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) That the Bill must pass through one stage at a single sitting of Parliament;
- (c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February 2017, but that one hour be given to debate the Bill, with the right of reply given to me as the member moving this motion.

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

HON. SPEAKER.- Thank you. I now call upon the Honourable Attorney-General to have the floor.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, as the name of the amendment Bill suggests, it is to do with the Financial Transactions Reporting Act that is currently in place. The reason why it has also been brought about under Standing Order 51 because there are some gaps that have been identified by the Asia-Pacific Group on Money Laundering that has been brought to our attention, following the regular assessments that we are doing. As you know that the Government is very much committed to stopping money laundering, Government is very much committed to ensuring that we do not get any type of terrorist funding into Fiji or any form of black money, as they say, through international transactions.

What this does, Madam Speaker, is helps Fiji to very quickly comply, as you know that foreign investors do look at these types of laws. International banks do look at these types of laws when they want to have transactions with our banks in Fiji. So, Madam Speaker, this is why it is brought under Standing Order 51.

Just by way of background, Madam Speaker, in October 2015, Fiji's framework on combating money laundering and terrorism financing was subject to peer review by the Asia-Pacific Group on Money Laundering (APG). The APG assessment team noted gaps in the Act and the Financial Transactions Regulations 2007. In 2016 of October last year, a mutual evaluation report on Fiji was published by the APG assessing the level of effectiveness of Fiji's anti money laundering and counter terrorist financing system. The report provided recommendations on the how Fiji could strengthen its legislative framework on combating money laundering and terrorism financing in accordance with international standards.

Both the APG assessment team and the report noted, that there are opportunities for Fiji to improve its legislative framework. According to the report, the Act should prescribe penalties for certain sections in the Act and noted that the regulations do not prescribe penalties. In fact, Madam Speaker, the current penalties as provided for under the Interpretation Act is very very minute, in fact, it's only about \$400. But of course, if companies do breach it, if they do not adhere to the directions given by the Financial Intelligence Unit that is within the Reserve Bank of Fiji, the repercussions for them is very minute, so a lot of them can actually ignore it, because sometimes the Financial Intelligence Unit can pick up through the level of intelligence that they have with other international organisations and like organizations in other jurisdictions. They may actually follow-up with an individual company, they do not follow the directions at the moment because it is very minute, the offence provision and also the penalty.

So, what it does, Madam Speaker is that Clause 1 of the Bill provides for its Short Title.

Clause 2, Madam Speaker, amends Section 40 of the Act to remove the requirement to prove that a director or controller officer acknowledge or authorise permit or consent to the offence of body corporate. Now what that basically means, at the moment as the law stands, a director of a company can say, "Well, I do not specifically say that the company should do that." As you know with the new Companies Act, laws that have been passed and international conventions, it is the fiduciary duty of the director of a company to be fully aware of all the legal requirements that, that company must meet in particular statutory legal requirements. So, it no longer would be a defence for a director to say, "Oh, I did not sign it, so therefore I am not culpable." In fact, all directors now as provided in the Companies Act need to be culpable, given procedures and systems within a company as far as adherence to the statutory laws of that particular jurisdiction is concerned.

Clause 3 of the Bill allows the Minister to prescribe penalties in the regulations and also given the gravity of what we have said about in terms of any of these transactions, if allowed to take place, obviously it is quite grievous for the country itself. So the penalties will be increased now to \$150,000 or a term of imprisonment not exceeding 5 years, or to both.

The Act also, Madam Speaker, provides for a new penalties provision, a new section. So, as you can see Madam Speaker, these are quite perfunctory types of provisions within the Act itself. They are more for operational purposes as opposed to changing the substantive law itself, but this is more to include the penalties within the existing Act itself, and the reason why we also brought about as highlighted earlier because of the urgency to do so. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. You are invited to make comments from the floor. I give the floor to the Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I would really like to support this Bill but what I want to suggest, Madam Speaker, even if it is a simple amendment, I think this Bill, in my view requires some public discussion. One of the reasons why we say that even if it means giving the Committee, the next gap before the next session of Parliament, we could look at that in that session. But at least, if the Committee sits for a day or two, it will provide the public with the discussions and the rationale for this Bill.

In most cases, Madam Speaker, and I think the Attorney-General is right, sometimes people are not aware of what has happened in Parliament and when the laws have passed. So the idea of taking it to the Standing Committee, even if it means for a week or a day or two, would allow the media, would allow the people to understand the implications of this a little bit better, particularly with respect to the increase in the penalties now, which is quite substantial and people have to understand the gravities of the penalty and the responsibility that people should have to guard themselves against these kinds of breaches. So, that is why I suggest that we refer this to the Standing Committee and perhaps if it is really urgent, I do not think it is that urgent that we need to do it in this session of the Parliament. We could look at it in the next sitting of the Parliament which is in March, but this will give the Committee at least some time to debate and also to maybe look at the 2004 Act. There might be issues there that the Committee might pick up through public submissions which we can deal with in this Bill in March or April. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other comments. I will now give the floor to the Honourable Attorney-General and ask him for his right of reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, it is urgent to have this amendment put in place and the Asia-Pacific Group is an expert group. They are the ones who actually go around to

different jurisdictions in the Asia-Pacific region and essentially tell the respective countries just to what is required for us to be compliant with international standards. So, like I said, it is a technical piece of legislation that helps us to be in compliance with international standards.

What they have recommended, in fact, we cannot get any better than that. This is why we are saying, Madam Speaker, because it is a question of ensuring that the penalties are put in place, ensuring that there is no gap in respect of a loop hole between the regulations and the Act itself and the third is to ensure that there is no gap between the current Companies Act and this particular piece of legislation. The directors are also fiduciary culpable for the workings of the company in respect of compliance with this Act. This is why we brought this about.

In fact, very soon the Financial Intelligence Unit together with the working group in Fiji which consists of the Director of Public Prosecutions, CEO of FRCA, Commissioner of Police, Solicitor-General and the Deputy Commissioner of FICAC, to name a few. These are the people who make up the Anti-Money Laundering Council so they are the ones who actually have to go to overseas forums and say, "Look, we are now compliant" so this is why there is that importance and indeed urgency to have this done quickly and that is why we are saying this. So we would urge Members to be able to have this brought back to Parliament as we were saying on Wednesday so we could debate it and approve the Bill. Thank you, Madam Speaker.

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

- a) That the Financial Transactions Reporting (Amendment) Bill 2017 be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February, 2017, but that one hour be given to debate the Bill with the right of reply given to the Honourable Attorney-General as the Member moving this motion.

Does any Member oppose the motion?

(Chorus of "Ayes" and "Noes")

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

Votes Cast:

Ayes	:	31
Noes	:	14
Not Voted	:	4

HON. SPEAKER.- There being 31 Ayes, 14 Noes, 4 Not Voted, the motion is agreed to.

I will now call upon the Honourable Attorney-General to move his third motion.

WORKMEN'S COMPENSATION (AMENDMENT) BILL 2017

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

- (a) That the Workmen's Compensation (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) That the Bill must pass through one stage at a single sitting of Parliament;
- (c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February, 2017, but that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion. Thank you, Madam Speaker.

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Just last year, the High Court of Fiji struck out a case by a gentleman by the name of Toma Buabua versus a company called Sea Fresh Limited in which there was a Worker's Compensation case and the reason why the High Court struck out that case was because Mr. Buabua's claim was not within the 12 months as stipulated under the existing Act.

Madam Speaker, this has become a big problem. At the moment, what the Act currently says is that, in order to make a Workmen's Compensation claim, you must do it within 12 months of the incident taking place. It also has a second leg to it. It says that you are disqualified from making a claim against your employer if you have left the employ of that employer.

To give you an example, assuming I am working somewhere, a piece of metal strikes my thigh and you know how normally in Fiji you would say, "It's just a bruise" and may be put some leaves or something to heal it, we go to the doctor, maybe get some aspirin and maybe that happened six months ago. After six months, I may get a better job and I move somewhere else but that injury, Madam Speaker, may be actually festering inside and the actual symptoms and the problems of that may come up 18 months later, maybe there is one huge abscess formed there, and the muscles have been ripped apart but they did not know about it.

The fact that this employer has now left the work of the employer where the incident took place, he can actually no longer have a claim against that former employer on his. There are two grounds of disqualification in that respect, so one is if you leave the employer, and the second one is if you make the claim after 12 months.

In reality what happens, Madam Speaker, is that a lot of workers we find, they come and lodge their claims a bit later on, after they find, they think it is something minor, they may make a claim. Of course the Ministry of Labour and Industrial Relations then carries out its own assessments. They get the doctors who are on the panel to be able to make the assessment then they provide a notification to the employer. All of these takes time so what this amendment seeks and it is an urgent amendment, Madam Speaker, because there are a number of cases like this that are coming up. There could be, as we speak, an employer who may have been injured only 11 months or 13 months ago, and they cannot bring that claim anymore because it has been 12 months or more or they may have left the employer so this amendment seeks, Madam Speaker, to extend the period to three years.

It also says that you will not be disqualified from making that claim even if you have left the employ of that former employer of yours. That is what this amendment seeks, Madam Speaker, that is Amendment No. 1.

Amendment No. 2, Madam Speaker, is that at the moment whilst the Act had prescribed that you must give notification to the employer, there was no specific form that the notification could be given. So you will find, Madam Speaker, that the Bill itself sets out in Schedule 1A the demand notice to obtain documents or information from the employer. Whilst the Act at the moment refers to it, there is no such form, so this amendment seeks to include the form.

The third and the only other amendment to this Act is that at the moment, there is no specific requirement for these doctors who are on the panel to receive specific training in the area of Workers' Compensation Assessment. So what this Bill does, Madam Speaker, is if you look at Clause 2 of the Bill, it says, "Section 3 of the Principal Act is amended by inserting the following new definition, 'impairment assessment training'" it is called. It means the training of local medical practitioners by a medical consultant or physician in how to evaluate or assess the percentage of impairment or disability of workers as a result of a workplace accident, injury or disease." So now the Permanent Secretary for the Ministry of Labour will be able to say to all these doctors who want to be on the panel, "Please, go for this training."

When you have this type of training, these doctors will be better placed to carry out a better assessment of the injury that workers have received. So I think everyone would agree that this is a very critical amendment that is required to assist the ordinary workers of Fiji. Many of them in fact who have unfortunately missed out on Workers' Compensation because of not being able to file that on time, in fact some families also where people have died as a result of workplace incident have not been able to file the report maybe because family were grieving, the person had died as a result of the injury, they were grieving and the 12 months have gone. So this makes it quite categorically specific and enhances the workers' rights by giving them three years to make those claims. It says that even if you are no longer an employee, you can still make the claim. It says to the doctors, you need to be properly trained in this area so you can make better assessments and this is specifically what this amendment seeks to do, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. I will now invite comments from the floor.

There being no comments, the Honourable Attorney-General, would you like to make concluding remarks.

HON. A. SAYED-KHAIYUM.- No, thank you, Madam Speaker.

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

The question is:

- a) That the Workmen's Compensation (Amendment) Bill 2017 be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament; and

- d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February, 2017, but that one hour be given to debate the Bill with the right of reply given to the Attorney-General as the Member moving this motion.

Does any Member oppose the motion?

HON. MEMBERS.- Yes.

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

Votes Cast:

Ayes	:	31
Noes	:	14
Not Voted	:	4

There being 31 Ayes, 14 Noes, 4 Not Voted, the motion is agreed to.

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

VALUE ADDED TAX (AMENDMENT) BILL 2017

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

- a) That the Value Added Tax (Amendment) Bill 2017 be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the Bill must not be referred to a Standing Committee or other Committee in Parliament; and
- d) That the Bill must be debated and voted upon by Parliament on Wednesday, 8th February, 2017 but that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion. Thank you, Madam Speaker.

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, again this Bill, in fact first of all brings the Value Added Tax Act which is now no longer a Decree Value of Tax Act in alignment with the harmonised system of nomenclature as we had approved it last year.

Madam Speaker, as you may recall that Parliament late last year was asked to approve the change of the International Codes pertaining to tariffs; codes that apply to tariffs that come into Fiji and also worldwide, so it came into force on 1st January. Madam Speaker, what this does however that the Value Added Tax Act also has provisions that relate to these tariffs and these provisions in the Act need to be brought into alignment with the Harmonised System on Nomenclature (HS). So

that is the first part of it, it is simply to align the codes together with the HS and the Value Added Tax Act.

The second part, Madam Speaker, actually does relate to a budget initiative that we gave which relates to people who are landlords. Madam Speaker, as you know that we had announced in the budget that landlords that collect rents of \$100,000 or more a year need to register for VAT. When you register for VAT it also means that you can claim it back, but we now have a situation and the Fiji Institute of Accountants and various other parties had made recommendations to FRCA where they are saying, for example, some people may have a block of flats so they may have for example five flats and they may be collecting rent that may be valued at about \$8,000 but they may be then in about two or three months' time or may be six months' time or 18 months' time, they may be adding another three or four more apartments that will take them over the \$100,000 value of rent that they collect. So at this point in time, they may be collecting \$80,000 or \$50,000 but they know in the very near future they will be collecting over a \$100,000.

What this amendment does, Madam Speaker, is allows those landlords to be able to register for VAT for those purposes so when they actually exceed the \$100,000, claim VAT also on it and file VAT returns on it too. So it is used to accommodate those people because at the moment there is a bit of an issue because some people are saying "look we have invested in flats and so you want us to wait until we reach \$100,000, we may be collecting \$90,000 now, we cannot file VAT returns, we cannot claim VAT but maybe in three months' time we will get \$100,000 revenue.

So that what it simply seeks to address and this is actually investor-friendly, it is friendly for low in fact a lot of locals have invested in flats. It is good for them too, to be able to be within the VAT system, it is also good for them to be able to claim VAT on investments that they are making and this is what this amendment simply seeks to do, is allow those people to be registered, to be able to claim for VAT expenses later on. So they are the two amendments that are being brought about under this, with the first one, of course, Madam Speaker, needs to highlight is to bring into alignment because at the moment there is a bit of a lacunar if you like or non-alignment of the codes because Value Added Tax has a couple of the old codes, the new codes that have already been implemented, so we just need to simply align that so that there is no policy issue as such; just to simply aligned the right code numbers.

The second one is an already existing piece of law that is there, it is simply to assist those landlords who may be actually getting rental value of more than \$100,000 in a few months' time or 18 months' time the track, so it is encouraging investment and as you know, there is a lot of people who also seem to seek rental properties; that is what this amendment seeks to do.

HON. SPEAKER.- Thank you. I invite comments from the floor, Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. As I said in the case of the Financial Transactions Reporting (Amendment) Act, this is also very similar, Madam Speaker, in the sense that understanding of tax policies, Tax Act and compliance by people is always a very difficult issue for many of them. In fact, sometimes it happens that even people in the tax office do not have a very clear understanding of tax laws including VAT for example, when and how, at what point they need to claim VAT and I think there is an issue about VAT refunds as well.

The ability of FRCA and the staff to look at the issue of VAT refund has been an ongoing problem. I mean, many businesses especially small and medium enterprises who register for VAT and claim VAT find that VAT refunds are not given on time. So while we are making this amendment, it is appropriate that people be allowed to make submissions. As I said, the idea of the

Standing Committee, Madam Speaker, is that it will create better understanding, it will create some debate, people will come and make their views known and clarify things that they may not understand fully.

So it is not too much to ask that we refer this Bill to the Standing Committee for a week, advertise this Bill and expect people to call for submissions from people, businesses and those who may not have a very clear understanding of what this change means; the opportunity to make their views known. I think in that way the Parliament serves a better purpose when we pass a Bill because it allows public understanding of the type of changes that we are making to laws and it will make it easier both for those who register for VAT, those who pay VAT, those who are required to understand the obligations as well as FRCA staff and those who deal with this to have the views of the public known. So that is why, Madam Speaker, it is not too much and I would suggest that the Government consider this and refer it to the Standing Committee and we can look at it in March or April. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other input, I will now ask the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, when introducing this particular Bill I had highlighted that FRCA has actually had discussions with the Fiji Institute of Accountants for quite some time regarding this particular provision and they have of course have a number of clients who have requested this. A lot of people fall under this particular provision, of course, there are a lot of individuals who do have say two or three flats but they will never reach a \$100,000 so this just does not apply to them. They may have three flats at \$1000 a month but this is obviously for some of the bigger investors and also we want to encourage some of the medium- sized investors to invest more into flats. So that is specifically for that. The idea is not to open up the entire VAT Act, what Honourable Professor Prasad seems to be suggesting is that we have an entire review of the VAT Act and the Committee can look at other provisions. It is precisely the reason why we want to bring it under Standing Order 51 because it specifically targeted at a specific provision relating to a budgetary announcement.

The second one of course, Madam Speaker, is just simply getting right code numbers, to align it with the HS, that is all there is to it, Madam Speaker. It is not an entire review of the VAT Act and this is one of the reasons why, of course, we have concern that when we do have this, if there is, for example a report on looking at the entire regime of VAT in Fiji or there is an entire sort of provision looking at whether we should have VAT or not, or the actual specific provisions of it, and of course that can be sent to the Committee because there are only two specific areas in respect of the amendment. Thank you, Madam Speaker.

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

- (a) Value Added Tax (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) Bill must pass through one stage at a single sitting of Parliament;
- (c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament on Wednesday 8th February 2017, but that one hour be given to debate the Bill, with the right of reply given to the Honourable Attorney-General, as the Member moving this motion.

Does any Member oppose the motion?

(Chorus of “yes” and “noes”)

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

Votes cast:

Ayes:	31
Noes:	14
Noted Voted:	4

There being 31 Ayes, 14 Noes, and 4 not voted, the Motion is therefore agreed to.

I will now give the floor to the Honourable Attorney- General to move his fifth motion.

ELECTORAL (AMENDMENT) BILL 2017

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

- (a) Electoral Amendment Bill 2017 be considered by Parliament without delay;
- (b) Bill must pass through one stage in a single sitting of Parliament;
- (c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated upon by Parliament on Thursday, 9th February, 2017, but that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion.

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

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

HON. A. SAYED- KHAIYUM.- Thank you Madam Speaker. Madam Speaker, in 2014, Fiji saw one of the highest turnouts of voters in the 2014 General Elections and recorded the lowest number of invalid votes in Fiji’s electoral history. It was about 0.7 percent of the entire votes cast, only 0.7 percent was invalid.

By comparison, in 2016, the percentage of invalid votes was about 9.4 percent. Nearly 10 percent of the votes and last Elections, it was less than 1 percent Madam Speaker.

Madam Speaker, the Fijian Elections Office is committed to continuously improving standards and practices, it also carried out a review in the existing electoral laws. It does have an electoral expert from Australia, Mr. Laurie McGrath, who has been working with the Fijian Elections Office, and they have looked at in particular the procedures shortly after the 2014 Elections. This was also carried out to identify and fine tune or improve procedures and processes in light of the challenges faced throughout the entire Elections process, in preparation for the next General Elections and other Elections carried out by the Fijian Elections Office.

Just by way of reference to the Honourable Members of this Parliament, the clock actually starts ticking on 6th April, 2018. As stipulated in the Constitution, the Government must serve at least three and a half years, but no more than four years. That three and half years end on 5th April, 2018.

So the Elections can be held anywhere from 6th April 2018 to 6th September 2018. That is the window of opportunity for the Elections. So therefore, we are only little over one year away from the possible date of an Election.

So working backwards, Madam Speaker, it is very critical that the rules of procedure be put in place extremely quickly, so all the parties (I just do not mean political parties), stakeholders, all the parties voters, civil society and NGOs are fully aware about what the rules would be, and indeed the voters themselves.

So Madam Speaker, as a result of the review and the recommendations made, this Bill is now being tabled in its review, as I said, most of this has to do with operational aspects of the Elections. And of course, there is a need to streamline the provisions. It also considered recommendations made by the Multi-National Observer that is co-led by Australia, India and Indonesia.

The recommendations included the following that:

- (a) Fiji review and finalise its existing Electoral Laws well in advance of the next General Elections;
- (b) the division of responsibilities between the Electoral Commission and the Fijian Elections Office should be clarified; and
- (c) the rules regarding the use of paper in polling stations should also be clarified.

As you know that previously, no materials were allowed inside the polling stations. When you see the amendment, it gives it to the discretion of the Fijian Elections Office. For example, there may be observers, they may want to take material in, they maybe also polling agents.

So these are the kind of aspects that will be addressed through this particular amendment that has been brought about, Madam Speaker.

A lot of it of course, Madam Speaker, is like I said, to do with procedures and processes that do not make any substantive changes to the Act. The only substantive one, Madam Speaker, is to do with numbers. And as you know, every single Member of this House had a number that was assigned to it, that was picked randomly.

Of course, the number 297, the number 279, all these numbers are affixed to individuals. If you, for example in the next Elections had the same set of numbers being used, people would still identify those numbers with the previous candidates. So what the amendments seek to do is give the Fijian Elections Office the opportunity to use another set of numbers for the next Elections and they can use another set after that and come back to perhaps this one that we had in 2014 after a period of time.

So as long as the numbers are in three digits. Otherwise, you know we do not want people who may think that they are voting for Honourable Prasad, to be voting for someone else, or vice versa, whatever the case maybe. So this is obviously to provide clarity, it provides transparency within the process. So that is one such example, Madam Speaker.

The other issue is the definitional changes of what each of the words mean and you will see that in the Bill itself. We, of course, can debate that, Madam Speaker, and it talks about the respective offices, when they will have to give notice; when should the Elections Office give their notice, it gives specific times; what do they need within 3 days, is it 3 days, using the Interpretation Act and is it three days exactly from the time those three days, the clock started ticking? When I file the returns at 3.00 p.m. today, does

it mean three days in the end of the third day, or does it mean three days specifically at 3.00 p.m., on the end of the third day?

So all those sort of anomalies that existed previously are also being addressed within these amendments that are being sought.

So it gives specific clarity in respect of any of those procedures and systems. So we do not have any debate about it, or there are no quibbles about it; if not, it ends up in Court. So the whole idea, Madam Speaker, is to give further clarity, for example, what does it mean to publish. The Supervisor of Elections is required to “publish” certain material. Now ‘publish’ also can mean electronically. Previously in the olden days, publish meant newspaper, publish can also mean on the Facebook page, it can also mean on Twitter. All those sorts of platforms that are now available, these laws actually seek an amendment to that.

As I have highlighted, the issue about the numbers itself, Madam Speaker, again, you see for example in Clause 15 of the Bill, it amends 46 (4) of the Act by deleting the reference to 6.00 p.m., the time in which special polling stations may close. With the amendment, special polling stations may operate during the time approved by the Electoral Commission. So there maybe for example, a remote island, where you may need to open beyond 6.00 p.m., it is not a blanket cover, so the Electoral Commission can make those rules pertaining to that. It gives that level of flexibility also, to take cognisance of the specific requirement of a specific part of Fiji.

So for example, if we are having pre-polling now, if we are going for example, what we call early polling, it may be a remote part of the Lau Islands, there may be certain circumstances pertaining to that, to be able to close the polling station at a particular time, there maybe people coming by boats. So that takes cognisance of all of that.

So as I said that takes care of all the procedural matters and we, of course, can talk about more of this is in the debate, when we do debate this on Thursday, Madam Speaker. So, as you see throughout the Bill, the Members are given three days to go through the Bill itself because we are saying that we will have this debated on Thursday. You will see that most of it, if not all of it, is to do with amendments to get clarity, processes and systems in place to be adopted by the Fijian Elections Office. So for example, polling booth and polling booths will now be called voting screens and voter screens.

The New Zealand Government has already agreed to provide the voter screens. In New Zealand and Australia, they call it the voter screens, they actually have screens. Before, we had polling booths, a long time ago, we had curtains, we used to draw and go inside, it is all very hidden, now of course with the level of transparency, with the level of electronics that is being used, we now actually have voter screens.

So, those kind of terminologies have changed to actually capture what is physically happening on the ground. Thank you Madam Speaker.

HON. SPEAKER.- Thank you. I invite comments from the House. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I thank the Honourable Attorney-General for his explanation on the Bill.

There are a couple of things that need to be considered before we decide that this Bill should go under Standing Order 51.

Madam Speaker, you were aware that the Elections Commission 2014 Report and the Multinational Observer Group (MOG) Report is currently under consideration by the Standing Committee on Justice, Law and Human Rights Committee and I agree with the Honourable Attorney-General that there are a lot of procedural amendments, but I would have thought that the amendment to the Electoral Act should come with the Report of the Justice, Law and Human Rights Committee.

We specifically referred those Reports for the Committee to consider, receive submissions and make recommendations for legislative changes, not only to the Electoral Decree because the implications in the MOG Report requires not only changes to the Electoral Decree, but also requires changes to other Decrees, including the Political Parties Decree and the Media Decree because the recommendations of MOG and the speaker quite clearly identified some of those procedural issues, as well as substantive issues which requires legislative changes to those Decrees.

Now if we just look at the Electoral Decree, as it is, or the Act to amend the Electoral Act 2014, we are not really serious about considering the Report of the Justice, Law and Human Rights Committee on MOG and the Elections Commission. I think it is very important for this House to understand that the recommendations of the Elections Commission or the Report of the Elections Commission 2014 makes some very serious observations and they require, not only procedural changes, but require legislative changes not only to the Electoral Decree, but other Decrees as well.

So, while I understand the urgency, I do not think it is that urgent that we cannot wait for the report from that Committee but also I would urge the Government to consider other Decrees that the MOG recommended. So I do not think that we should rush this under Standing Order 51, I would urge Government to consider waiting for the Report from the Standing Committee on Justice, Law and Human Rights and then bring maybe amendments to all the Decrees that the MOG Report observed and recommended needs to be changed. Only then, I think it will make the whole election process transparent and attract proper scrutiny within the laws, Madam Speaker.

So I really think that there is no urgency in pushing this through. I think we can make a very happy occasion if you are to bring all those recommendations together with changes to the Decree that I mentioned, like the Media Decree and the Political Parties Decree because some of these provisions, Madam Speaker, are quite draconian, but I think the MOG recommendations and the Elections Commission Report itself quite rightly suggest changes. That is why I oppose this Bill to go through Standing Order 51, Madam Speaker.

HON. SPEAKER.- Thank you. Do you have any other comments? Honourable Nawaikula.

HON. N. NAWAIKULA.- I just wish to say a few words in support of what the Honourable Member is saying in opposing this motion. The motion aims to bring these amendments under Standing Order 51, which has some drastic effects. The most important fact of that is to deny the public their contributions.

I disagree totally that these amendments are very minor, in actual fact, the points that are raised here, I can see that there are more than 20 amendments, makes it necessary for the members of the political parties to make their contribution in relation to this. So they must understand for the public and the parties must understand that the implication of this motion, if passed, is to deny them that right which means that this will not be referred to a Standing Committee, which means that the stakeholders, especially the parties, National Federation Party, SODELPA, Labour and the others will not be making any contribution or making their views known in relation to the amendments that are being proposed here.

So for that reason I do not support the motion. I think that it should have been brought in through the normal process of Standing Order 87, where you read it once, twice and three times, and allow the matter to be considered through the public, through the Standing Committee.

HON. SPEAKER.- Any other comments from the floor? There being no other input, I now invite the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, I am mostly surprised to say this, to remind the House the MOG itself held that the Elections were credible and transparent. It is not like by not having this Elections, it would not be transparent.

Also, the Honourable Nawaikula is from SODELPA and NFP is present here, so you can make a contribution to the debate, and you also have three days to look at it. Again, Madam Speaker, if you look at the fact that you have these amendments that are being made, that are more technical in nature than anything else to actually ease the flow of the procedures.

Madam Speaker, the other point of course is generally you will find as we have seen, currently there is a Bill before the Committee, the Interchange Bill, which is generally known as the National Switch. Only one member of the public, from what we understand, has made a submission.

I mean one member of the public has made a submission on it.

HON. MEMBER.- But that is not the point.

HON. A. SAYED-KHAIYUM.- My point here, Madam Speaker, that this amendment here, for example, if you look at polling booth versus polling screen or voting screen versus polling booth, these are the kind of amendments we have got.

So it does not in any way affect the right of a voter to have polling booth's name changed to voting screen, it does not in any way, Madam Speaker, and you will find a similar case with many of the other technical terms that are in place there.

It also clears up, Madam Speaker, for example the procedures pertaining to, we have had a provision, where for example, if the person is disabled or if a person is blind and then he is brought to a polling screen or if the polling screen is taken to them because they cannot go to the polling screen, there are provisions now for that to be taken to the individual. But the issue was, I think MOG has said that, when they go to vote, that you must have a relative of the person there in the polling screen with them. But many people have said to us "we do not want our relatives because an able bodied person or anyone in this house when you go to vote, you actually vote by yourself, so why should a person, just because he is blind or disabled, must have a relative? They must be able to make that decision independently and if they do need assistance, they need to be given assistance by an independent person that is not going to pressurise them into voting for whichever way.

These are the very fundamental issues, Madam Speaker, that are being addressed, and in any case, Madam Speaker, these are not in any way derogation of the right of that voter but in fact an enhancement of the ability of that person to vote independently without being pressurised by anyone.

So, Madam Speaker, I had asked all Members of this House, when they are going through this Bill, in the next 2-3 days, to be able to look at these amendments that are being proposed in a very candid and independent manner in respect of the processes.

So, Madam Speaker, we look forward to the debate on Thursday. Thank you.

HON. SPEAKER.- Thank you. Parliament will now vote and the question is, that the:

- a) The Electoral (Amendment) Bill, 2017, be considered by Parliament without delay;
- b) Bill must pass through one stage at a single sitting of Parliament;
- c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- d) Bill must be debated and voted upon by Parliament on Thursday, 9th February, 2017, and that one hour be given to debate the Bill with the right of reply given to the Honourable Attorney-General as the Member moving this motion.

Does any Member oppose the motion?

(Chorus of “ayes” and “noes”)

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

Question put.

Votes cast:

Ayes	:	31
Noes	:	13
Noted Voted:		5

There being 31 Ayes, 13 Noes and 5 Not Voted, the motion is agreed to.

Thank you and that comes to the end of the items on today's Order Paper.

The Parliament is therefore now adjourned until tomorrow morning at 9.30. Thank you, Honourable Members.

The Parliament adjourned at 3:28 p.m.