

# **PARLIAMENT OF THE REPUBLIC OF FIJI**



## **PARLIAMENTARY DEBATES**

### **DAILY HANSARD**

**THURSDAY, 9<sup>TH</sup> FEBRUARY, 2017**

**[CORRECTED COPY]**

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**THURSDAY, 9<sup>TH</sup> FEBRUARY, 2017**

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

HONOURABLE SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present, except the Honourable M.D. Bulitavu.

**MINUTES**

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

That the Minutes of the sitting of Parliament held on Wednesday, 8<sup>th</sup> February, 2017 as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

**COMMUNICATIONS FROM THE CHAIR**

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament. I also welcome the members of the public joining us in the gallery and those watching proceedings on television and the internet and listening to the radio. I thank you for taking interest in your Parliament.

Debate of the Fiji Interchange Network Payments Bill

At this juncture, I wish to inform Honourable Members that when the Report of the Standing Committee on Justice, Law and Human Rights on the Fiji Interchange Network Payments Bill, Bill No. 15/2016 was tabled, it was inadvertently announced that it would be set down for consideration by the Committee of the whole on a future sitting. That was an administrative mistake from the Secretariat.

The Secretariat has extracted the terms of the original motion which was moved by the Honourable Attorney-General on 9<sup>th</sup> February, 2016 and approved by Parliament. It stated that upon presentation of the Report and the Bill, that the Bill must be debated and voted upon with the right of reply given to the Honourable Attorney-General as the Member moving the motion before this Bill will proceed, as per the original decision of the House.

**PRESENTATION OF REPORTS OF COMMITTEES****Standing Committee on Justice, Law and Human Rights –  
Electronic Transactions (Amendment) Bill 2016**

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights to have the floor.

HON. A. SUDHAKAR.- Madam Speaker, it is indeed a great privilege for me to present the Report of the Standing Committee on Justice Law and Human Rights on the Electronic Transactions (Amendment) Bill, Bill No. 53 of 2016.

Madam Speaker, commerce and business has evolved into something that relies heavily on electronic transactions via the internet and Fiji, like many other countries, is vulnerable to the pace at which electronic transactions via the internet is moving.

Many businesses in Fiji have become more reliant on electronic transactions done by the internet and given its fast evolving characteristic, laws in Fiji, though sound in its effectiveness, still lack certain aspects that enables the laws to cater for current electronic transaction dealings.

With this move into dependence on electronic transactions, proper consideration of its impact on the people is vital. In order to achieve this, proper legal framework is needed, thus the introduction of the Bill.

The Electronic Transactions (Amendment) Bill was initiated with the aim of refining an already existing Electronic Transactions Promulgation 2008. The 2008 Promulgation was drafted to create greater legal commerce through the internet, however it was never brought into force. The Bill will bring into effect what the Promulgation is intending to achieve and also provide for the current acceptable standards for electronic transactions.

The Bill will also provide for key issues relating to electronic transactions that are highlighted by current International Conventions, in this instance, the United Nations Commission on International Trade Law (UNCITRAL) Convention on the Use of Electronic Communications in International Contracts 2005.

The details of the Committee's deliberations are contained in this Report. The amendments which were necessary have been made and marked in red in the copies of the Bill provided with this Report.

At this juncture, I would like to thank the Honourable Members of the Justice, Law and Human Rights Committee for their deliberations and input, the Alternate Members who made themselves available when the Substantive Members could not attend, the staff and officers of the Secretariat, the entities who accepted the invitation of the Committee and made themselves available to make submissions, and members of the public for taking interest in the proceedings of the Committee and Parliament.

On behalf of the Committee, I commend the Electronic Transactions (Amendment) Bill, (Bill No. 53/2016) to Parliament and seek support of all the Honourable Members of this august House for the Bill, since it is designed for the greater good of all Fijians.

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

(Report handed to the Secretary-General)

HON. A. SUDHAKAR.- Madam Speaker, at this juncture, pursuant to the Resolution of Parliament on Monday, 26 September 2016, the Electronic Transactions (Amendment) Bill (Bill No. 53/2016) is now ready to be debated, voted upon and be passed.

HON. SPEAKER.- Pursuant to the Resolution of Parliament on Monday, 26 September 2016, the Standing Committee has now reported back and the Electronic Transactions (Amendment) Bill (Bill No. 53/2016) is now ready to be debated, voted upon and be passed.

HON. SPEAKER.- Thank you. I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights.

Standing Committee on Justice, Law and Human Rights –  
Public Order (Amendment) Bill 2016

HON. A. SUDHAKAR.- Madam Speaker, it is again my privilege to present the Report of the Standing Committee on Justice, Law and Human Rights on the Public Order (Amendment) Bill 2016, Bill No. 23 of 2016.

Madam Speaker, the Public Order Act is a piece of legislation put in place to ensure that order is maintained in the nation and that the safety of its people is not compromised. One such issue which can disturb order that needs to be addressed, is the increase in terrorism threats globally. Even though acts of terrorism are not prevalent in Fiji yet, there is still a great need for Fiji to be prepared to prevent acts of terrorism or mitigate its impact as is required of us by our global partners.

In order to achieve this, Fiji needs to have legislation that provides for such prevention and mitigation measures. This has led to the call for an Act to amend the already existing laws which criminalise acts that disturb public order, such as the Public Order Act. This call has been taken into consideration by the Fijian Government, thus the introduction of the Public Order (Amendment) Bill 2016.

There were numerous submissions received by the Standing Committee of Justice, Law and Human Rights where suggestions were made for certain amendments. Amendments were made to various Sections and Subsections of the Act and the amendments which were necessary have been made and marked in red in the copies of the Bill provided with this Report.

At this juncture, I would like to thank the Honourable Members of the Justice, Law and Human Rights Committee for their deliberations and input, the Alternate Members who made themselves available when the Substantive Members could not attend, the staff and officers of the secretariat, the entities who accepted the invitation of the Committee and made themselves available to make submissions and members of the public for taking interest in the proceedings of the Committee and Parliament.

On behalf of the Committee, I commend the Public Order (Amendment) Bill (Bill No. 23/2016) to Parliament.

HON. SPEAKER.- Thank you, please hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. A. SUDHAKAR.- Madam Speaker, at this juncture, pursuant to Standing Order 121(5) and Standing Order 86, I hereby table the Committee's Report on the Public Order (Amendment) Bill, and that it be set down for consideration by the Committee of the whole Parliament later today.

HON. SPEAKER.- Pursuant to Standing Order 121(5) and Standing Order 86, the Standing Committee has now reported back and the Public Order (Amendment) Bill 2016 (Bill No. 23/2016) is set down for consideration by the Committee of the whole Parliament later today.

## QUESTIONS

### Urgent Oral Question

HON. SPEAKER.- Honourable Members, I have allowed an urgent oral question pursuant to Standing Order 43(3) and I am satisfied that the question relates to a matter of public importance. I now call upon the Honourable Prem Singh to ask his question.

#### Cleaning and Maintenance of Drains and Culverts - FRA (Question No. 9/2017)

HON. P. SINGH.- Madam Speaker, in view of the recent floods and the continuous flash flooding that occurred during the early week in the Western parts of Viti Levu and Vanua Levu, the residents and victims of this flood have been calling us and complaining that this flash flooding is solely due to blocked drains, culverts and wherever these are cleared by Fiji Roads Authority (FRA), they were told that there are utilities out there and people themselves cannot go and do it on their own.

My question is; would the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport inform Parliament why the FRA is not regularly cleaning and maintaining drains and culverts alongside the main roads and highways that fall within its jurisdiction, resulting in flash flooding in low-lying areas along the main roads and highways as witnessed earlier this week?

HON. P.B. KUMAR (Minister for Local Government, Housing, Environment, Transport and Infrastructure).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I thank him for his question. I fully agree that this is an issue of national importance. This matter was just brought to my notice about 20 minutes ago. Can I request and maybe this is my first request to this august House, if this matter can be brought up after tea break so that I can get some verification from FRA? I do not have any issue with that and I know that the Honourable Member will be in agreement with me on the request that I am making.

HON. P. SINGH.- I have no objection to that, Madam Speaker.

HON. SPEAKER.- Thank you very much.

We will move on to the next oral question and I invite the Honourable Ro Kiniviliame Kiliraki to ask his question.

### Oral Questions

#### Progress of the Agricultural Extension Programmes (Question No. 33/2017)

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

Can the Minister for Agriculture, Rural and Maritime Development and National Disaster Management advise this House on the progress of the extension programmes

like Ginger Development Programmes, Dalo and Yaqona Cyclone Rehabilitation Programme, Beef Multiplication Programme, Cocoa Revitalisation Programme and Food Security Programme?

HON. LT. COL. I.B. SERUIRATU (Minister for Agriculture, Rural and Maritime Development and National Disaster Management).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I thank him for the question.

Let me assure this august House, Madam Speaker, that all the Programmes that the Honourable Member raised in the question this morning have made positive contributions to the growth in the sector recently.

Madam Speaker, it is interesting to note that despite situations beyond our control, and I am talking about climate effects, the prolonged dry spell that we had during the 2013-2014 period into 2014-2015 period, we still see positive growth and, of course, that also resulted in the reduction of importation in these specific commodities that are related to the Programmes. That is a good indication to all of us and I, first of all, wish to acknowledge all the stakeholders, particularly the farmers who are toiling and are consistently meeting the demands, despite the challenges that we face and most importantly, the private sector which has significantly contributed as well, particularly in the role that they play in the agriculture value chain.

Again, I emphasise the fact, Madam Speaker, before I go into the specifics this morning, that there has been positive growth in the agriculture sector most recently and that was also confirmed by the recent release by the Reserve Bank of Fiji, the growth in the agriculture sector.

Madam Speaker, we in the Ministry are only responsible for two sub-sectors within the agriculture sector and we mainly deal with crops and livestock. Crops, Madam Speaker, we are dealing with non-sugar.

Ginger Development Programme is one commodity that is showing a lot of promise and it is performing very well. Madam Speaker, in the 2014-2015 financial year, if I may mention this, we saw a growth of 10 percent in the ginger industry alone. That is one thing that I wish to stress again. It is just strengthening the link and taking aggressive action, particularly in market research because the demand needs to drive production and that was one of the areas that we focussed on, and of course, the new products that have come on line. Previously, on ginger, we were doing very limited fresh because of the quarantine arrangements and most of our ginger was just crystalized ginger.

Madam Speaker, if I may, again Fijian made, I have got some ginger products (displaying the products in the House) because this will be good for the farmers and these are the recent products that have entered the ginger market and I have talked about the private sector and the role that they play in the value chain. Unfortunately, I cannot bring all the products this morning. I do not have ginger juice with me but we are selling ginger juice, and I also do not have the ginger puree and the ginger paste. The following are some of the products that I have here now (displayed in front of the Honourable Minister): minced ginger, grated ginger, pickled sushi ginger, ginger spread, ginger syrup, crystalized ginger and uncrystallised ginger. The difference between these two, Madam Speaker, is that one is sugar coated and the other is not.

Madam Speaker, this is a product of New Zealand (Holding and showing to the House) but the Fijian ginger is appearing in here because that is one of our competitive advantage when it comes to the quality of the products that we have. This is *Whittakers* of New Zealand and it is using Fiji ginger.

Madam Speaker, the other big potential that we see in the ginger industry is that there is huge potential for organic ginger. I will go into provinces that deal with ginger and we have been working on this, we have formed a Committee headed by the Permanent Secretary for Industry and Trade on organic ginger. For us as a small country with a small economy, when we want to penetrate into new market segments and given our isolation, it is quite difficult to penetrate into new market segments. But for us to be smart in the way we approach trade, we are looking at niche products and organic is one potential area that we need to tap into. We want to make Fiji the organic capital of the world. That will require some funding, Madam Speaker, particularly the certification process which is quite a lengthy process but it can be short-circuited, but these are the areas that we are working on.

This financial year, Madam Speaker, we provided about 223,000 kilogrammes of planting materials to farmers in Tailevu, Naitasiri, the biggest ginger producer, Serua, Namosi, of course, Rewa we are doing flat land ginger as well, and some of the farmers are really mastering it well, and of course, we are now extending into Ra.

I have talked about organic ginger, and we are trying some of the islands in the Eastern Division, Cicia particularly and, of course, Matuku and Moala. We have given them some planting materials, so 223,287 kilogrammes for 504 farmers in the provinces that I have stated Rewa, Tailevu, Naitasiri, Serua, Namosi, and I will not go into the details but I look forward to questions, if there are any.

I will go into *dalo*, Madam Speaker. *Dalo* during the period, we saw a reduction by 3 percent but this is beyond our control. I have talked about the prolonged dry spells in the 2013-2014 and into the 2014-2015 period, the devastation of the cyclones and, of course, the flash flooding that we have as well. However, we are thankful that it did not affect some of the regions in Fiji. Again, I will mention Naitasiri, Madam Speaker, Serua, Namosi and part of Tailevu, they had their *dalo* saved but what also helped us in maintaining our markets abroad, Madam Speaker, is the fact that I have talked about aggressive marketing. We started introducing new *dalo* varieties that we have into the fresh *dalo* market abroad and also the frozen *dalo* market.

Previously we were just concentrating on *tausala* in the fresh market, but recently we have pushed in Rewa, Malekadina, Jaben, Uronivonu not only as fresh but most of these are going as frozen as well. We hope that we will pick up again, again this is a short, medium term crop, unlike coconut which will be down for a few years, but the *Dalo* and *Yaqona* Rehabilitation Programme as raised by the Honourable Kiliraki, let me say that the recovery is going on very well but that is always expected after disasters, you will see a drop and then it will pick up again.

I have been advised by my Management, Madam Speaker, that *dalo* is picking up again but unfortunately, I will not be able to produce the figures today, from the export levels alone. Not only that, in the domestic market as well, there is a huge demand and we are thankful that we are working with the tourism industry. We are currently working on two 'cook books' in which the chefs of the hotels can utilise local products for their dishes.

We have given the first \$30,000 for the first book and we are awaiting for Robert Oliver's project for the second book and hopefully this week, but we have seen an increase as well in the demand for the local products.

I have talked about *dalo* and I will not go into the details of it. However, for *yaqona*, Madam Speaker, again, we were particularly affected by the cyclones and a big contributing factor to this as well which I have already mentioned in this august House is the depleting soil fertility situation that we have in Taveuni. It will take time and we are working on that, Madam Speaker. We are looking at ways to remedy the problem that we have in Taveuni because Taveuni is the biggest producer



when it comes to both the crops - *dalo* and *yaqona*. We are working with the farmers and, of course, SPC on the soil productivity issue in Taveuni.

During the period before *TC Winston*, we saw an increase in *yaqona* production but unfortunately when *TC Winston* struck, we were affected. You would note, Madam Speaker, from the Prime Minister's Exporter of the Year Award, two of the *yaqona* exporters were awarded - *Taki Mai* which is based in Levuka and Green Gold in Savusavu. Of course, that is linked to the *yaqona* producers

Madam Speaker, we are thankful that through *Taki Mai*, we have also extended the clusters. We focussed initially on Lomaiviti, particularly Ovalau, but now we have moved to Tonia in Tailevu and hopefully, we will organise the other farmers as well. There has been interest shown even from farmers in Kadavu and, of course, from Vanua Levu and other parts of Viti Levu as well.

Cocoa Revitalisation Programme, Madam Speaker, although the performance of cocoa is not significant and there is a slight drop in cocoa production. But we are pumping in capital now into the cocoa sector because of the huge potential in the cocoa market. We are doing cocoa revitalisation and we are also working with the private sector. There is private sector participation to boost the efforts being undertaken and as we speak, Madam Speaker, together with SPC, there is a group in Lutu, Naitasiri working on cocoa. This is part of our rehabilitation programmes as well from the recent cyclone. In the interest of time, I will not go into the details but I will be happy to take supplementary questions.

On the Food Security Programme, Madam Speaker, this covers a broad area in as far as the agriculture value chain is concerned - agro-inputs, facilities, planting materials, tags, processing plants and, of course, for livestock farmers it includes feeds, drinkers, water pumps, stock yard materials. For us, again, these all contribute to the growth of the sector.

We, in Fiji, when it comes to food security, we were awarded by FAO Rome, but I have informed the new Honourable Minister for Health that our focus now is to give quality food and nutrition to our people. That is under an initiative called, 'The Zero Hunger Programme' initiated by FAO. However, all these food security contributes to both the sub-sectors that I have mentioned, crops and livestock as well and it is producing very good results.

Again, I thank the farmers. Sometimes it is hard to convince farmers, particularly the old farmers but we need to continue to visit them and sell the new ideas to them, particularly the linkage to the market. Majority of the farmers in Fiji are smallholder farmers. They lack capital, they do not access technology, they cannot re-invest in the business, and that is the biggest challenge that we are working on now in the ministry of Agriculture. Make them remain small but organise them better so that they become economically vibrant.

Thank you, Madam Speaker.

HON. SPEAKER.- Before I open the floor to supplementary questions, we have a very full agenda in today's Order Paper and, therefore, supplementary questions will be limited to just three.

I now invite the Honourable Gavoka to have the floor.

HON. V.R. GAVOKA.- Madam Speaker, that presentation by the Honourable Minister for Agriculture is music to my ears as it benefits a lot of the indigenous farmers, as I always advocate for the empowerment of the indigenous community.

On that note, Madam Speaker, why is Government trying to take control of the A shares in Fijian Holdings when it already has six Board Members under B shares? We want Mr. Ulai Taoi, who is the champion of the indigenous business community to hold that seat, Madam Speaker. We do not know why Government is putting forward the name of the Permanent Secretary in one of the Ministries to replace Mr. Taoi. Can we have an answer to that, Madam Speaker?

HON. SPEAKER.- Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, our focus is not only on indigenous farmers. However, I must say that when we are talking about smallholder farmers, majority of them are indigenous farmers, and we are trying to organise them now into clusters and link them directly to the market without any middleman.

Madam Speaker, when we are talking about farmers in Fiji, we have indo-Fijian farmers, Chinese farmers and other farmers, and they all contribute to the sector. We need to be looking at the outcome, the macro-level picture, Madam Speaker.

HON. N. NAWAIKULA.- Answer the question.

HON. LT. COL. I.B. SERUIRATU.- I have answered the question!

HON. SPEAKER.- Order! The answer has been given.

I now give the floor to the Honourable Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.- Can I just ask the Honourable Minister; what sort of research, extension and training support is being provided to these farmers – *dalo* farmers, ginger farmers and *yaqona* farmers? I think the research, extension and training support is very, very important and that has been lacking for a while.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker, a very relevant question. The new direction for agriculture is research-driven and market-driven, and for that I have talked about the value chain.

We identified gaps in farmers and that is where training comes in. There are gaps in technology as well, and that is what we are bringing in. We are doing our very best to work on this. Intensifying our research, doing marketing and, of course, capacity building, not only to the farmers but even to our Officials as well, Madam Speaker. We have big plans, we are thankful to the private sector, but we need to develop our people as well so that we can be relevant and be competitive within the dynamics of the current world economy.

HON. SPEAKER.- For the last question, I will give the floor to the Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, for any big plan, you need money. In the first quarter from July to August, the actual appropriation for the quarter is only 43 percent of the projected expenditure for the Ministry of Agriculture. What is the explanation from the Honourable Minister as to achieving the targets, given that only 43 percent of the projected expenditure is for the fulfilment of all the plans?

HON. SPEAKER.- Honourable Minister?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, let me assure the Honourable Member that we are doing our very best. Our Permanent Secretary is currently in Vanua Levu to go and do some investigations on what was in yesterday's paper and, of course, look at the implementation as well. We will be meeting the staff after Parliament tomorrow, just to look at our implementation rate as well.

Madam Speaker, let me also say that again, this is one of the challenges that we face. Some farmers particularly, change their mind every now and then. When the money is actually with the Ministry and when we come to do all the final processes in project documentation, unfortunately some farmers have shifted, some have changed their mind and have declined, but one of the biggest problems that we are also facing is, in certain areas where farmers are asked to contribute, they are not in a position to contribute and we have to look for new farmers again.

There are programmes that take full responsibility but we also need to encourage farmers to also contribute because when there is participation, there is commitment. When we give them everything, that is why some of the projects fail. This is the challenge that we continue to face but again, we are doing our very best and we will fully utilise the funds that we are given so that we can ask for more in the next budget.

HON. SPEAKER.- I will now give the floor to the Honourable Ratu Suliano Matanitobua to ask his question.

Youth Capacity Building and Training Programme  
(Question No. 34/2017)

HON. RATU S. MATANITOBUA asked the Government, upon notice:

Can the Honourable Minister for Youth and Sports update this House on the status and implementation of the Youth Capacity Building and Training Programme for \$1 million under the 2016-2017 Budget allocation?

HON. LT. COL. L.B. TUITUBOU (Minister for Youth and Sports).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I must thank him for the question.

Madam Speaker, this funding is a core component of the allocation of the Ministry of Youth and Sports which covers the following, the:

1. Training programmes implemented in the communities;
2. Training programmes implemented at our five Youth Training Centres around the country;
3. Salaries for our Youth Administrators;
4. Research and Development programmes and;
5. Monitoring and evaluation.

Madam Speaker, at the six months mark of the financial year, I am pleased to report that we have spent a total of \$544,013 or 54 percent of the allocation so we are on track to use the funding by the end of the financial year. The funding is divided between each of the four Divisions and our Research and Development Unit.

Madam Speaker, over the past six months, the Ministry of Youth and Sports has achieved the following nationally; we have:

1. Registered 191 new youth clubs.
2. Conducted 19 empowerment training courses conducted for 570 youths.
3. Conducted two leaderships training courses for 40 youths in the Central and Northern Divisions.
4. Conducted nine multi-skills training courses in the four Divisions, benefitting 195 youth, mostly young women in basic cookery, sewing, flower arrangement and beauty therapy.
5. Enrolled 130 trainees at our five Youth Training Centres of which, 72 are being trained at the Youth Training Centre in Valelevu for music and arts, 15 at the Nasau Youth Training Centre for carpentry, and 67 have already graduated in Basic Agriculture.
6. Established 117 vegetables gardens by youths in urban, peri-urban and rural areas. This is to improve livelihood and the diet of families in fighting against NCDs.
7. Organised 11 mobile Skills Training Courses for small engine repairs and fibre glass boat maintenance whereby 330 youths in the four Divisions participated, with another two training courses set for the year.
8. Registered 464 youths in schools and out of schools for the Duke of Edinburgh International Awards Programme.
9. Conducted four monitoring programmes out of the 16 to be conducted this year, to see the progress of youth and sports development programmes around the nation.
10. Conducted two workshops with stakeholders to ascertain market needs in terms of skills requirement.
11. Also assisted in youth development so 11 young entrepreneurs out of 42 targetted for the year, have been assisted with project establishment through seed funding.

In summary, Madam Speaker, after six months, approximately 2,048 youths who have dropped out from the formal education sector have directly benefitted from the Ministry's programmes.

Madam Speaker, with the appointment of our Youth Administrators, who are responsible for each province and are based in the Office of Provincial Administrators, there is an increase in the Ministry's ability to maintain contact, even with the remotest parts of our country. This has led to better information being available on which we base our decisions from.

We are now facing an overwhelming demand from youths for training, capacity building, project development and income-generating project support as more communities become aware of the training and support we offer through the vastly improved communications with our Youth Administrators.

As a result, the Ministry will request for additional funding for the next financial year to meet these requests, as it is important to meet this demand to get our young people upskilled in order for them to play their part in the lives of our country and in the economy.

That is all, Madam Speaker.

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

HON. S.V. RADRODRO.- Madam Speaker, I thank the Honourable Minister for his explanation. The National Youth Council is a key stakeholder for the implementation of the National Youth Policy. Could the Honourable Minister explain if the National Youth Council is effectively functional, and if yes, how much is the Ministry allocating from its budget to the National Youth Council? If not, what are the challenges faced by the National Youth Council and what is the Ministry doing about these challenges?

HON. SPEAKER.- Thank you, Honourable Minister?

HON. LT. L.B. TUITUBOU.- Madam Speaker, I must thank the Honourable Salote Radrodro for that question. The National Youth Council is funded by the UNDP through the Ministry of Youth and Sports. They were allocated funds by the UNDP for the last three years and their last year with UNDP was last year. Now, they are under the National Social Services but if they require to come to the Ministry, they have some obligations to meet before they become eligible for the Ministry's support.

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

HON. RATU S.V. NANOVO.- Madam Speaker, I would like to also thank the Honourable Minister for the presentation given this morning in regards to the question on hand. However, my question is, can the Honourable Minister advise this august House as to how many programmes as stated in this question, had been undertaken in the maritime provinces of Lau, Lomaiviti and Kadavu in the 2016 and 2017 budget allocation?

HON. SPEAKER.- Honourable Minister?

HON. LT. L.B. TUITUBOU.- I think that is a totally new question, but I can provide data later on for that question.

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

HON. A.T. VADEI.- Madam Speaker, I thank the Honourable Minister for his presentation. My question is, how will the Ministry monitor the skill sets for the training programmes being conducted in the four Divisions?

HON. SPEAKER.- Honourable Minister?

HON. LT. L.B. TUITUBOU.- I have answered the question, Madam Speaker, we have already monitored four out of the sixteen programmes that we are targeting this year.

HON. SPEAKER.- I now give the floor to the Honourable Niko Nawaikula to ask his question.

Implementation of the Amnesty International Report 2016 Recommendations  
(Question No. 35/2017)

HON. N. NAWAIKULA.- Madam Speaker, by way of background, Amnesty International has made some very good recommendations for the country, including to us here in Parliament...

(Honourable Member interjects)

HON. N. NAWAIKULA.- I am allowed to do this...

..... that we repeal the immunities provided for in Section 155 to Section 158 of the Constitution, that we amend Section 65 of the Prisoners Act to ensure that Military and Prison Officers are not given special treatment.

To the Constitutional Officers' Commission, it is recommending that we appoint a Commissioner of Police and Commissioner of Corrections to a civilian with integrity .....

HON. SPEAKER.- Can you just read the question that is here, please?

HON. N. NAWAIKULA.- My question is:

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications advise this House on what steps had been taken by the Government in the implementation of the Amnesty International Report 2016 recommendations?

HON. SPEAKER.- Honourable Members, the one minute timeline is given only to supplementary questions but these questions have already been approved and they have to be read out.

I now give the floor to the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications.

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I will take some time to answer this question.

Madam Speaker, what the Honourable Nawaikula is trying to slip in is something that I was going to highlight which is the recommendations made by the Amnesty International Report. And if I can tell this august House that Amnesty International actually made the recommendations to Parliament, to the DPP's Office, Constitutional Officers' Commission, the Commissioner of Police, RFMF Commander, Corrections Commissioner and the Minister for Defence and National Security.

These are the recommendations that they made to the Fijian Parliament, and let me read them out. They said, and I quote:

- “1. Address the significant gaps and consolidate the various laws on policing powers and the use of force and ensure that torture, cruel, degrading and inhumane treatment is adequately defined in law in recognition of the gravity of the offence;
2. Remove legal barriers on the prosecution of torture and other ill-treatment including by repealing immunities provided in Section 155 to 158 of the Constitution, amending Section 65 of the Prisons Act to ensure that military and prison officers are not given special treatment through early release if convicted for offences and simply amending the definition of torture under the Crimes Decree to ensure it complies with International Human Rights Law and the penalties reflect the gravity of the offence;
3. Repeal the Public Order (Amendment) Decree;

4. Immediately withdraw Fiji's reservation to the Convention against Torture and implement the optional Protocol to the Convention against Torture, per the recommendations."

Madam Speaker, the fact of the matter is that this report presented by Amnesty International is legally biased and is factually flawed and, in fact, lacks intellectual integrity.

Amnesty International, Madam Speaker, in particular since 2008 or so, has been blatantly making sweeping generalised statements which are blatantly incorrect in particular, through their researcher, Kate Shuetze, who worked with CCF before.

Madam Speaker, we find it difficult to give credence to a report which still refers to the Republic of Fiji Military Forces as the Royal Fiji Military Forces. The last time we checked, Madam Speaker, we became independent and we are no longer a British colony, in fact, we became a Republic about 30 years ago. If Amnesty International wants to write about Fiji at the very least, in particular since 2008, they should be able to get the names and institutions they want to write about, right.

The issues highlighted in the Report, Madam Speaker, deals with torture and police brutality. The Fijian Government, indeed the Fijian Prime Minister, has publicly stated on many occasions and let me quote what the Honourable Prime Minister said:

"When the United Nations use Fiji as a case example for other Pacific Island countries as to how to ratify UNCAT, and there was a workshop held at Natadola, in which the Honourable Prime Minister said, "We have long had a culture in Fiji of people resorting to violence whether it is against women in the home, instilling discipline in our children or the police attempting to extract confessions from criminal suspects, the culture what we call '*buturaki*', the beating is deeply engrained in parts of the Fijian psyche."

The Fijian Government, Madam Speaker, has acknowledged this. No other Fijian Government has ever said this. No other Fijian Prime Minister has even publicly acknowledged this. So, Madam Speaker, to say that Government should actually come up with this culture and change the culture is factually incorrect because we have.

And Madam Speaker, there is no State sanctioned Policy of Torture in Fiji, unlike in other countries which they look up to as the greatest rule of democracy or some forms of jurisdictions that have all these rights that we do not have. The USA has a State sanctioned Policy of Waterboarding. There are numerous other States that we can name that actually have their supreme courts allow torture, for example, Protection of Sovereignty. The Supreme Court of Israel has said torture is allowed if it is to do with the protection of the State of Israel. Australia allows for the putting on of tracking devices for suspects of terrorism and other countries, we can go on, and the list goes on.

Madam Speaker, the fact is, there is no State sanctioned Policy of Torture. What we have had, Madam Speaker, are occasional problems with individuals or groups of people taking the law in their own hands and violating the human rights of others. But I repeat, no act of torture or cruel, inhumane or degrading treatment has been sanctioned by the State, and as I have said, this is stark contrast with many other countries in the world.

Madam Speaker, waterboarding was only recently stopped by Barack Obama when he was in the second term of Government, to stop waterboarding and we understand that the current administration thinks otherwise.

Madam Speaker, Fiji has a robust legal framework to protect all Fijians from torture. Firstly, the Fijian Constitution, our supreme law, prohibits torture in our Bill of Rights and in very précised terms, Section 11 unequivocally states that, and I quote: “Every person has the right to freedom from torture of any kind whether physical, mental or emotional and from cruel, inhumane, degrading or disproportionately severe treatment or punishment.”

Madam Speaker, this definition of torture which is very large and very encompassing, in fact, goes beyond the definition of torture in Article 1 of the United Nations Convention Against Torture (UNCAT), the UNCAT definition of torture is more limited than ours. We actually talk about mental or emotional torture.

Madam Speaker, it further states in the Constitution that every person has a right to security of the person which includes the right to be free from any form of violence, from any source, at home, school, at work or in any other place. This is the extent of the legal definition and the applicability of the law and the gambit of the law as far as torture is concerned, as far as cruel, inhumane, degrading or disproportionately severe treatment or punishment is concerned.

Madam Speaker, as I have said, the statement of our values as a nation establishes for the Fijian people, one of the strongest constitutional protections against torture in the world. In fact, our reservations to Article 1 of UNCAT is based on the fact that our own definition of torture is actually broader than that covered by the Convention as I have stated earlier on, because it extends specific protection for our citizens at home, at school and at work.

And many people, some of the lawyers in this Parliament would know that for many decades in Fiji, violence at home was seen as the domain of the private sphere. In other words, the State, this Parliament had no domain in the home domain. It was seen as a private sphere and the public law could not apply that.

That has changed, and that started off, Madam Speaker, when the Bainimarama-led Government brought about the new Crimes Decree, getting rid of the old Penal Code that got rid of, for example, the old Victorian rules pertaining to rape. The rules of corroboration was removed by the Bainimarama-led Government and the definition, for example, of rape which always fell, and a lot of it was followed by cruel degrading treatment. It became a lot more encompassing.

Madam Speaker, the Government, of course, does not tolerate human rights abuses of any kind. They are legally and morally unacceptable and we are determined to bring the perpetrators of such abuses to justice. The record shows that we are doing so and that our laws are being enforced.

Honourable Nawaikula would know this, Madam Speaker, that recently we had some former police officers and a military officer who were actually found guilty of certain offences. This goes to show that the process is independent. This goes to show that the system is working and, again, it brings into question this Amnesty International Report and I will tell you where the other flaws are.

There is a recommendation, and I will read out, by Amnesty International to say, “Remove legal barriers to the prosecution of torture and other ill treatment.” What sought of legal barrier is there, when you recently had these kinds of prosecutions undertaken?

The researcher from Amnesty International did not even go and meet the DPP, but wrote a report on the DPP. Only after we highlighted after the report was released to the public, then she went and sat outside his office trying to meet up with him, to try and correct something that she had done wrong and he refused to meet her because she had already cast aspersions. The whole nature



of writing such reports is go and meet up with the various stakeholders. Yes, she came and met up with our office but she did not go and meet up with the DPP's Office.

HON. MEMBER.- How do you know this?

HON. A. SAYED-KHAIYUM.-Of course, I know that. I have confirmed it with the DPP's Office. We have checked all of these, Madam Speaker.

The reality is, these people come to this Parliament with preconceived ideas and they want to fit everything into it but it falls out they ask very unrelated questions. Let me read out something else, Madam Speaker.

It goes on about Sections 155 to 158 about the immunity provisions. Again, Honourable Nawaikula, who is a lawyer should actually be able to understand this, and I am beginning to doubt the level of understanding that does exist because it does provide, Madam Speaker, the immunity provisions that relates to 1987. Then it relates to the events of 2006 but then, Madam Speaker, he fails to read the second part which says, and I quote:

“...from criminal prosecution and from any civil or other liability, any court, tribunal or commission or in any proceedings including any legal, military, disciplinary and professional proceedings, and from any order or judgement of any court, tribunal or commission, as a result of any direct or indirect participation, the appointment or involvement in the Government from 5 December 2006 to the date of the first sitting of the first Parliament elected after the commencement of this Constitution. Provided, however, any such immunity shall not apply to any Act or mission that the Constitution offends under Section 133 to 146, 148 to 236, 288 to 351, 356 to 361, 364 to 374, 377 to 386 of the Crimes Decree, as described in the Crimes Decree 2009, the day the commencement of the Constitution.

What are they, Honourable Speaker? They relate to criminal offences. There is no immunity for those criminal offences and I am not here to sit and enunciate all of those offences. Honourable Nawaikula should know this because it is a criminal matter.

Madam Speaker, let me also point out, that that observation of the Amnesty International is flawed because it says that immunity is given for criminal offences, but it is not because the Constitution is quite specific on that.

The other recommendation, Madam Speaker, says, “The amendment of Section 65 of the Prisons Act to ensure that the military and police officers are not given special treatment through early release if convicted of offences.” Madam Speaker, the Prisons Act was repealed eight years ago and Amnesty International talks about the Prisons Act. That Act no longer exists, so how can they refer to that Act?

In fact, the Prisons Act, Madam Speaker, eight years ago was replaced by the Correction Services Act 2006 which we brought into effect under the Bainimarama-led Government and it has only 56 Sections. By their reference to the Prisons Act saying we must comply with it, the fact that it is repealed means that we have complied with it because we have repealed it eight years ago. The fact of the matter is, and Honourable Nawaikula and those of you who were very close to the Government prior to 5<sup>th</sup> December 2006 would know that prior to that, Section 65(1) of the Prisons Act at that time said, and I quote:

“The Minister may at any time in his discretion, direct that a prisoner shall be released on an Order of Compulsory Supervision for such period as the Minister may think fit, then the controller shall forthwith comply with such directions.”

That was what existed previously and we know certain Ministers used that after the events of 2000. Now, the Minister responsible does not have that discretion anymore because we changed that.

Madam Speaker, what the Honourable Nawaikula also fails to mention that under the Bainimarama-led Government ....

(Honourable Nawaikula interjects)

HON. A. SAYED-KHAIYUM.- I am answering the question, Madam Speaker.

....we also removed the reservation that was put in place by the Alliance Government on the Convention on the Elimination of Racial Discrimination. I think it is Article 12. We removed that reservation because they had that reservation and other reports have also talked about it. We had that reservation because we had said that we could discriminate on the basis of ethnicity in elections because that was what our Constitutions had previously, so they had put a reservation to that, but we removed that reservation.

Madam Speaker, let me put it into context and I wish to read out seven observations where Amnesty International Report used to have a bit of credibility that was before 5<sup>th</sup> December 2006. Let me read out one observation of Amnesty International Report of 2003. It says and I quote:

“Political considerations continue to undermine the respect for constitutional human rights and the rule of law. People responsible for coup-related, racist, violence, torture and extrajudicial executions continue to enjoy effective impunity while others were convicted in proceedings which avoided evidence on human rights violations and abuses being presented in Court. Indo-Fijians were effectively, internally displaced after some being illegally evicted from leased indigenous land.”

This is an Amnesty International Report in 2003. The Honourable Leader of Opposition was in Parliament then, so I wonder what the Parliament then did about it.

The Amnesty International Report 2004 said, and I quote:

“The Government pursued a policy of encouraging indigenous Fijian dominance over the main Indo-Fijian non-indigenous community. Many supporters of the *coup* in 2000 and the rebel soldiers were convicted in prison but others continued to enjoy immunity.”

Honourable Nawaikula may be knew some of them.

“The police, military and civilian justice systems struggled with the investigations and prosecution of *coup*-related criminal cases, including those involved in human rights violations.”

The Amnesty International Report 2005 says, and I quote:

“The Government continued its policy of favouring indigenous Fijians over the mainly Indo-Fijian non-indigenous community. Judges, state witnesses and journalists

were anonymously threatened because of their work on high profile *coup* trials. One witness lost a job at a Government newspaper. Discrimination against ethnic minority is evident in plans for an indigenous trust fund and in the appointment of indigenous Fijians to almost all chief executive posts in the Public Service.”

Madam Speaker, these are the observations of the Amnesty International in those years. The fact of the matter is that, this Report that has been put out by Amnesty International this year which Honourable Nawaikula is bantering around, Madam Speaker, is factually and legally flawed.

The observations raised about Parliament have, in fact, all been addressed, Madam Speaker, and the Government, through the Honourable Prime Minister, has categorically stated on a number of occasions, there is no State sponsored torture. And yet, unequivocally gone out into the public and said this. Laws have been put in place to ensure that that does not happen. The independence of the different offices that exist ensures that this will follow a very clear and transparent process.

Madam Speaker, the other point is that, Government together now in particular the Fiji Police Force, with the great assistance of the British Government, for example, the Honourable Minister for Defence can also confirm this, has now been receiving training from Scotland Yard in respect of what we call the “First Hour Procedure”. So the Legal Aid Commission is working together with the Fiji Police Force, the British Government and Scotland Yard in respect of what we call the “First Hour Procedure”. This project ensures that all suspects at the police stations have actual access to a lawyer within one hour of arrest and that the Police should hold off interviewing until the accused or detained person has spoken to a legal practitioner as provided for under Section 13.

Madam Speaker, we have also, as highlighted in the Attorney-General’s Conference, reached out, through the Legal Aid Commission, to private legal practitioners and the Honourable Nawaikula can also join up on this, where we are offering positions to lawyers who want to volunteer their services for free on what we call a “roster basis”. So there may be suspects who may be arrested in the evening and they want to be interviewed, we have lawyers on a roster basis. Australia does it, New Zealand does it, many other countries do it, unfortunately, many lawyers in Fiji from the private practice, do not want to do it. However, the Legal Aid Commission now, Madam Speaker, as mandated under the Constitution provides that type of mechanism and that redress.

Madam Speaker, this First Hour Procedure has arisen from the collaboration with the Geneva Bar of Human Rights Commission and the Office of the United Nations High Commissioner for Human Rights (OHCHR) which is the UN body. Funding for a visit to Geneva to see/practice this scheme which is only two years old in Geneva came from the Association for the Prevention of Torture, who we are working very closely with. So, Madam Speaker, this question by Honourable Nawaikula has now been, I understand, addressed quite categorically.

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

HON. N. NAWAIKULA.- Madam Speaker, taking all that statement into account, long and winding, totally wrong, erroneous, true only to him, can the Honourable Minister explain whether the Government will implement the recommendations or not?

HON. A. SAYED-KHAIYUM.- Madam Speaker, actually this is one of those occasions I am really lost for words on Honourable Nawaikula’s question because it is just so fundamentally ....

HON. N. NAWAIKULA.- Simple.

HON. A. SAYED-KHAIYUM.- I am looking for a word that is not going to be parliamentary.

(Laughter)

Madam Speaker, it is so obtuse, it really is so obtuse.

I have addressed those issues. It is so obtuse. Let me reiterate, Madam Speaker, Sections 155 to 158 of the Constitution does not give immunity from criminal prosecution in those offences that I have just read out. So the observation by the Amnesty International Report is wrong. How can we adhere to something that is wrong?

Madam Speaker, secondly, it says, "Amend Section 65 of the Prison's Act." How can we amend it when the Act does not exist? How can we amend an Act that does not exist and he has the audacity to stand up and say, "Are you going to comply with it or not?" How can you comply with something that does not exist? His saying, "Are you going to go and catch up with your flying saucer?" How can you go if the flying saucer is not there?

(Laughter)

HON. A. SAYED-KHAIYUM.- Madam Speaker, amending the definition of "torture", ....

(Honourable Member injects)

HON. A. SAYED-KHAIYUM. - Madam Speaker, Honourable Karavaki, if I want to take his comment on, the Amnesty International Report when talking about the Prisons Act actually talks specifically about Section 65. There is no Section 65!

(Laughter)

There is no equivalent of Section 65 in the Corrections Act, so how can we adhere to it?

What they were concerned about, Madam Speaker, is that the Minister under the Prisons Act had the discretion to go and say, "Take this prisoner out, I will put him out on Community Work Order, irrespective of the offence." That discretion has been taken away from the Minister, so what is there to comply with?

Madam Speaker, the other point that they said, "Repeal the Public Order Amendment Decree as amended." Honourable Salote Radrodoro had walked out when I gave my response to her yesterday afternoon.

HON. S.V. RADRODRO.- I am here now.

HON. A. SAYED-KHAIYUM.- I am not here to repeat everything I said.

She had said to repeal the entire thing, and that includes terrorism financing. It talks about arms and ammunition. This is how flawed it is. The amendment that they wanted, Madam Speaker, was in respect of meetings and we have removed that which they objected to yesterday. We no longer require a permit, which they objected to yesterday, so that is gone.

This is another recommendation, Honourable Nawaikula. Then said, "Immediately withdraw Fiji's reservation to the Convention against Torture and ratify the optional protocols." Now, let me

come to reservation. Firstly, we have a reservation on Article 1 and we have explained the definition of “torture”, this actually became quite comically tragic.

Madam Speaker, the definition of “torture” in our Constitution is much wider than the definition in Article 1 of UNCAT, which is the reservation.

Reservation to Article 14: New Zealand has a reservation to Article 14, Madam Speaker, which is about compensation; “To the extent that the right to award compensation to victims of an act of torture shall be subject to the determination by a Court of Law.” What we are saying, if someone says, “I have been tortured”, you may have a criminal process to that. Then the person can claim against the State. What we are saying, “Yes, you can do that, do it through the courts in Fiji”, that is the reservation.

USA has a reservation to Article 14 also. Reservation by Bangladesh, all these countries have a reservation to these Articles.

Articles 20 and 30 Reservations: China, Indonesia, Israel, Monaco, Morocco, Mauritania, all these other countries have reservations to these, and this is about the sovereignty of the State. But the fact of the matter is, Madam Speaker, if you talk about the Optional Protocols, please, if the Honourable Nawaikula can tell us, he should actually go and check himself.

There are so many countries in the world that have not ratified the Optional Protocols which is another stand. Indeed, let alone, even Britain has a reservation to UNCAT overall saying whichever Article they do not necessarily like, they will have a reservation on that. So, Madam Speaker, the fact of the matter is that we should celebrate the fact that we have actually ratified UNCAT.

UNCAT, Madam Speaker, has been in existence for decades. What happened to the other Governments in Fiji, why did they not ratify UNCAT? This Government has ratified UNCAT, this Government is certainly going to ratify other Conventions, and we are working on it. This Government has allowed special rapporteurs to come to Fiji. We had a rapporteur late last year on CERD, we had a rapporteur that came on education, we have got another rapporteur coming this year and following every year, we are going to get another rapporteur.

We are, Madam Speaker, ratifying another Convention on the Rights of Persons with Disabilities that will be before this august House. Many other Conventions we have removed the reservations on, such as CERD. We have ratified UNCAC. All these International Conventions we are signing up to. We have now complied with the ILO Conventions. All of these progressive steps have been taken by this Government and the Honourable Nawaikula wants to simplify it without contextualising it, homogenise the whole issue and saying “Are you going to implement the recommendations by this flawed report which we have already answered to, Madam Speaker?”

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

HON. M.R. LEAWARE.- Honourable Speaker, I would like to thank the Honourable Minister for mentioning about Police training with the Scotland Yard. In terms of this, are there any plans to renew the pay of the Police Officers to be on par with the Military recruits? Thank you.

HON. SPEAKER.- Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Speaker, we can actually go on about the pay rise that the Police have received and the many other current policies we are reviewing, but that is not

related to this question. I am sure Honourable Leawere, who is a former educationalist, would have the capacity to understand that it is not related to this question.

HON. SPEAKER.- I now give the floor to the Honourable Howard Politini to ask his question.

Research and Development Technical Assistance  
(Question No. 36/2017)

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

Can the Honourable Minister for Fisheries update this House on any development in technical assistance in research and development for the Ministry through your ability to build coalitions with donors, development partners, foreign governments and investors?

HON. CDR. S.T. KOROILAVESAU (Minister for Fisheries).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I thank him for his question.

Madam Speaker, I am happy that we are going away from torturing and going fishing.

(Laughter)

Madam Speaker, I wish to report to this august House the progress that has been made by the Ministry in regards to collaborating with our development partners from donor countries through their financial aid-in-kind and assistance on ongoing and new fisheries projects.

Madam Speaker, the Hainan Province from China had already started its first phase of financial assistance to assist the Mariculture Project in Makogai. Noting the similarities of conditions and intent between the two countries, we are trying to develop the giant clam culture and other high level reef species. They are sending their skilled team to Fiji and we are working on an agreement to be established between the two parties.

Madam Speaker, the plans discussed to be further pursued in phases include the support of research infrastructure on Makogai, cooperative studies and implementation of cage-culture of high valued reef fishes, for example, gropers and the initial study and development into cage-culture of tuna.

Madam Speaker, initial discussions are already ongoing on a scoping visit by specialists from South-East Asia in aquaculture and this has been conducted and was successful. In the spirit of closer fisheries cooperation, the expert will tender his report and further pursuance of development assistance in our partnership will be determined from the outcome of the report.

Madam Speaker, an aquaculture expert on prawns, Jim Wyban, from the USA is now in Fiji and rendering his service to assist Fiji in aquaculture, especially in *vannamei* prawns which is currently being produced by most of the Asian countries. This was the gentleman that introduced this to South East Asia. This is envisaged to reduce import and boost our import substitution.

Madam Speaker, the Guangdong Province from China has shown interest to invest in fisheries infrastructure including, jetty and they have already visited Fiji late last year, and in the next few months there will be an initial identification of the sites that they wish to invest in.

The Ministry awaits the outcome of scoping and feasibility study by the Korea International Cooperation Agency (KOICA) in the pursuance of geothermal energy conservation power plants for cold storage in the maritime zone and outer islands. This will assist in post-harvest preservation and storage when it will be established. We are also looking at producing solar power refrigeration for the small maritime islands that lack fresh water source. Ice machine installation requires a lot of freshwater when they are installed.

Madam Speaker, prominent assistance in the inshore sector by the Packard Foundation has been ongoing for the last 12 years and the tempo has built up after *TC Winston* through the provision of the following:

1. The review of the maritime resources survey. This has been ongoing for 10 years and it is due for an objective evaluation;
2. Reviewing and improving the Ministry's market survey and compilation of data and betterment of the Coastal Fisheries Licensing Database;
3. Improving the Ministry's system to keep track on fisheries exports from the country;
4. Consolidating information on specific coastal fisheries resources; and
5. A study of problems and priorities in coastal fisheries and surveillance enforcement.

Thank you, Madam Speaker.

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

HON. M.A. NIUMATAIWALU.- Madam Speaker, a supplementary question to the Honourable Minister. In regards to fisheries projects, what will be the impact of this assistance to the local stakeholders?

HON. SPEAKER.- Honourable Minister?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, the idea of bringing in experts from overseas is basically to teach our local fishermen in the projects around the islands. Basically there is high value on clams and interestingly these days, clams are not marketed because of the clam itself, but because of the shell. This is a high-end product that various countries in South East Asia want to import into their country. This is basically to make buttons and other jewellerys that are worn by ladies these days.

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

HON. J. DULAKIVERATA.- Madam Speaker. It is interesting to note the number of assistance that are coming into your Ministry, Honourable Minister. Can you please advise this august House as to the strength of your Research and Development Unit?

HON. SPEAKER.- Honourable Minister?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, the issue of us bringing technical assistants from overseas is to strengthen our research and development. In the past we used to send our technical team to other countries to go and learn from there and see for themselves, but now I have changed it and bringing in technical assistants from overseas, who can be in Fiji, work under

the conditions here in Fiji and teach our technical team so that when they leave, our technical people are able to take on the projects.

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

HON. RATU K. KILIRAKI.- Madam Speaker, the involvement of our universities like the University of the South Pacific (USP) and Fiji National University (FNU) in degree courses because that is straight marine science that go into fisheries, like the hatcheries in Galoa and Raviravi. The sustainability of this aquaculture programme is very highly specialised. What is the Ministry's plan in terms of retaining our local specialists in this field?

HON. SPEAKER.- Honourable Minister?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, we are basically encouraging both USP and FNU to distribute their trainees to the various investment projects that are being carried out in Fiji.

With the introduction of technical expertise from overseas, we hope that they will 'catch on' with the performance of these technical expertise from overseas and learn on the spot. I think that it is more important for them to learn how to work. They have got the know-how, but it is the technical expertise that they lack.

HON. SPEAKER.- Honourable Members, you will note that I am trying to give a chance to everyone to ask a supplementary question, and if you have previously asked a supplementary question previously and two of you stand up together, it is the one who stands up first.

I now give the floor to the Honourable Jilila Kumar.

Strategies towards the Elimination of Violence against Women and Girls  
(Question No. 37/2017)

HON. J.N. KUMAR asked the Government, upon notice:

Can the Honourable Minister for Women, Children and Poverty Alleviation inform this House on various strategies towards the elimination of violence against women and girls?

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.

Again, I would like to stress from the outset that the efforts towards the elimination of violence against women and girls is a multifaceted issue and because of that, it requires a multi-stakeholder approach. Given the root causes of gender-based violence which is basically gender inequality and unequal power relations, there is a need for a concerted effort between Government, Non-Government Organisations, communities and individuals, Madam Speaker.

There is a lot going on in relation to awareness and training for gender-based violence. Our laws, we have good platforms for addressing gender-based violence and I would like to specifically mention the Domestic Violence Act, the Family Law Act, Sentencing and Penalties Decree and Child Welfare Act.



Madam Speaker, there are also policies which are embedded in our Employment Relations Promulgation, in relation to sexual harassment in the workplace. These all go towards addressing this particular issue.

Madam Speaker apart from that, I would also like to make special mention of partnerships with stakeholders. There are a lot of stakeholders out there that are doing a lot of good work in relation to the elimination of violence against women and girls. And as a Ministry, we have drawn on the strength of these particular stakeholders. Signing up service delivery protocols, for example, by the Elimination of Violence against Women Taskforce which has a lot stakeholders and this service protocol basically spells out the standards of behaviour for persons who come into contact with victims of domestic violence when a case is reported.

Madam Speaker apart from that, I would also like to especially mention the launching of the Domestic Violence Helpline from 8<sup>th</sup> March, which is a helpline for victims of domestic violence. This will be facilitated by the Fiji Women's Crisis Centre.

Thank you, Madam Speaker.

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

HON. S.V. RADRODRO.- Madam Speaker, I thank the Honourable Minister for that presentation and I also thank her for highlighting these issues, which is a national problem in this House and I believe this is about the third time this week.

Madam Speaker, as alluded to by the Honourable Minister yesterday, that the statistics continued to rise and that suggests that whatever programmes/initiatives that are in place are not working. Can the Honourable Minister enlighten this House on what new programmes or what new strategies that the Ministry will pursue to be able to bring some kind of difference in this national problem?

HON. SPEAKER.- Honourable Minister?

HON. M.R. VUNIWAQA.- Madam Speaker, as I had mentioned, we have in place a very effective and very active Elimination Of Violence Against Women Taskforce. The stakeholders for this Taskforce, Madam Speaker, range from Government Departments to NGOs. I believe this particular Taskforce, first of all, has come up with what I have just mentioned in my answer before, a service delivery protocol to look at minimum standards of behaviour for persons who come into contact with victims of violence. Apart from that, they are also taking on very drastic drives for further awareness and training in relation to gender-based violence.

Madam Speaker, there is a universal effort driven by UN Women, what is known worldwide as the "He for She Campaign". Basically it is an effort to encourage men who hold positions of power to campaign against the elimination of violence on girls. This rests on the belief that the elimination of violence against women and girls cannot happen without engaging men and boys. So this particular advocacy programme is being taken on and next week will be the first, which will be run by our stakeholders, a partnership between my Ministry and Fiji Women's Crisis Centre, to do the first training of our first male advocates in the Public Service. We will be training them in line with the "He for She Campaign", male advocates who will be advocating against gender-based violence, not only in the workplace but also in the communities that they are in.

There are a lot of other new initiatives, Madam Speaker, this is the first one that I am mentioning, and as and when we implement the other initiatives, I will be informing this august House. The very fact,

Madam Speaker, gender-based violence has been in our country for years. Yes, statistics are increasing. The question that has got to be asked, why are those statistics increasing?

The way we see it, Madam Speaker, it shows the effectiveness of the reporting programme that is in place. We have helplines now. We have a lot of awareness, things that used to be taken before as a norm, as part of culture, as okay in the home, is no longer seen as that. This emanates out of the very strong platform I referred to, the legal platform - Domestic Violence Act. That, for the first time has identified domestic violence as a special category of violence, different from the common assault under the Crimes Decree. The very fact that Government has taken that initiative and

I would like to mention that it was this Government, the Bainimarama-led Government that has taken this initiative, it has brought that into place and the fact that it has opened up the minds of Fijian people to realise that Domestic Violence is a special category of violence, that it is not okay, that it is immoral and illegal and that is why reporting is increasing.

HON. SPEAKER.- Honourable Karavaki?

HON. S.D. KARAVAKI.- Madam Speaker, if the Honourable Minister can consider because there is no requirement for the counselling of two people before they enter into marriage. There is none in the Family Act, none whatsoever. Could the Honourable Minister consider introducing that because there are many marriages in this country that take place without any counselling at all? If the Honourable Minister can consider that in its policy and put into place safeguards like that for preventative and not to rely on the decree because it has already happened.

HON. SPEAKER.- Honourable Minister?

HON. M.R. VUNIWAQA.- Madam Speaker, as I said, Government cannot do this alone. We rely a lot on our stakeholders as well and religious organisation re very important stakeholders. What Honourable Karavaki is talking about is something that churches normally do. As a *Talatala* it maybe something that he would wish to take up with his own church.

HON. SPEAKER.- I now give the floor to the Honourable Dr Brij Lal to ask his question.

Addressing Unemployment in Fiji  
(Question No. 38/2017)

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

Can the Honourable Minister for Employment, Productivity and Industrial Relations inform the House on what is the Ministry doing to address unemployment, in terms of creating employment opportunities, development and skills training, inclusiveness in the workshop, to name a few and to be consistent with productivity to bring about an efficient workforce in the country?

HON. J. USAMATE (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I would like to thank him for his question.

Employment is something that is always important to all of us and in the Ministry a few years ago, they established the National Employment Centre (NEC) as a branch of the Ministry to focus exclusively on employment, with an emphasis on trying to see how we can get those who are already in the country and are looking for employment to see how we can assist them to get employment.

Under the NEC, they have setup different units, one which looks at the issue of formal skills employment, those who have left school, who have got some education and would like to pursue some form of employment, the Centre then provides them with assistance in terms of professional counselling, does aptitude assessments to give them feedbacks on areas where they have strengths, also provides them with some life skills training - motivational, sort of having goals in life, value-type training, to assist them to move in that particular area.

Other than the formal skills programme under the NEC, there is also a facility for those who wish to service volunteers. Currently, we know that we have people who have served in the Civil Service, who are former teachers and are now volunteering in other parts of the Pacific. So this programme allows us also to make use of, not only for the people who have retired but also young graduates, who would like to service as volunteers, will help them do that through that way.

Over the past few years, there has also been a focus on self-employment. I think the Honourable Dr. Reddy had talked about this before, so that when our children go into tertiary education, they do not always go with the mindset of trying to look for jobs but also becoming people who create jobs themselves. So that was our focus also in the Ministry and that is, the emphasis on self-employment.

Recently now with the establishment of the Micro Small and Medium Enterprises Council that is being established under the chairpersonship of the Honourable Prime Minister, we hope to be able to orient a lot of our activities in self-employment with the programmes that would be established by that particular Council.

Previously the NEC was also heavily involved in providing skills training for those who wanted to seek employment but did not have any qualifications, we also provide that training. Now with the establishment of the Technical Colleges that have been established around Fiji, the NEC is working together with the Technical Colleges, identifying people who have registered as unemployed and who wish to seek employment, they would then be placed in some of the programmes that are conducted by the Technical Training Colleges all around Fiji.

One of the aspects that was covered in the question by Dr. Brij Lal was the issue of inclusiveness and inclusiveness is something that is very important to the Ministry. Throughout the legislation that we have such, as the Employment Relations Promulgation which is now the Employment Relations Act, there is heavy emphasis on making people be included as possible. The previous legislations that we have in the Ministry of Labour, only allowed people who were members of trade unions to come and register grievances with the Ministry. With some of the changes that were done a few years ago, those sorts of barriers have been removed. Now, all of those who do have grievances, they have the freedom to be able to bring their grievances to the Ministry and there are mechanisms in place to address those.

We know that sometimes when cases are brought up and there is an attempted mediation between the person who has a grievance and the employer, mediation fails and cases have to be brought up to the Employment Relations Tribunal. We have staff within the Ministry who have some training and who can represent workers who feel aggrieved.

There is a heavy emphasis of the equal employment opportunities to make sure there is no discrimination by different kinds of people. There is also in the Employment Promulgation, there is a section which ask the employers to try to open up work opportunities for those who are physically challenged. We try to set aside proportions on their total workforce, to give those people an opportunity to get employment themselves.

I think the third part of the question was talking about productivity. Within the Ministry of Labour, there are perhaps three things that I can talk about that we are focussing productivity on. One is the heavy emphasis on Occupational, Health and Safety (OHS). One of the key things that leads, I think at the very fountainhead of productivity is the quality of people whom you have, and OHS tries to guarantee that within a workplace, you have an environment in which people can work and they are healthy and they are safe. If we have a healthy and safe workforce, we are likely to have better productivity. So, there are requirements, for instance, that in any workplace where you have more than 20 workers, you must have an OHS Committee. You must have all of these provisions in place. You must have OHS policies. With these things, we hope to have our people to be able to work in a safe environment and that in turn will enhance productivity.

The other mechanism that the Ministry has put in place to try to enhance productivity is the requirement that all workplaces that I believe that have 20 employees or more, they need to establish this Committee called the Labour Management Consultation and Cooperation Committee (LMCCC). These are Committees in which representatives of the workers within the organisation and representatives of the management meet and discuss issues that might impact on the industrial relations climate, but also to come up with ways of enhancing productivity in that workplace, so that there is a partnership arrangement. So the LMCCs and the OHS systems, all these are designed to try to enhance productivity.

The last thing that we have which is currently in Fiji, we still have the Productivity Charter. Productivity Charter was something that was established back in 2005. It was an agreement between unions, between employers and between Government and it talked about the different roles that all the different parties needed to have in order to grow productivity, because productivity is not something that can be grown by Government on its own, it needs the input of all these different parties. So there are responsibilities there, we have the framework in Fiji where we have a National Productivity Organisation which I believe is the National Training and Productivity Centre (NTPC) of the Fiji National University (FNU), where Fiji is a member of the Asian productivity organisation and my Ministry works together with FNU and the NTPC to try to enhance productivity.

Those are some feedback, Madam Speaker, on the question that has been asked.

HON. SPEAKER.- Honourable Members, I think we will break for refreshments now, and we will have the supplementary questions after the refreshment.

The Parliament is now adjourned until 11.40 a.m

The Parliament adjourned at 11.08 a.m.

The Parliament resumed at 11.42.a.m.

HON. SPEAKER.- Honourable Members, we will resume from where we left off and the floor is now open to supplementary questions on the question that was asked.

HON. S.V. RADRODRO.- Madam Speaker, I thank the Honourable Minister for his explanation. Unemployment is also very high in urban and peri-urban areas, so can the Honourable Minister explain how unemployed youths in these areas could benefit or could access the Overseas Seasonal Workers Programme which is focusing mainly right now in the rural areas?

HON. SPEAKER.- Honourable Minister?

HON. J. USAMATE.- Madam Speaker, yes, Seasonal Workers Programme is a particular highlight of what the Ministry has been doing. When this Programme first started back in the year 2015, it was especially for those who were going for seasonal work to Australia and New Zealand. It was open up to all the youths, but one of the issues that happened during that time was that a number of those who went did not go and do the work or they absconded and ran away. So, the former Minister sitting on my right here, changed the way in which the Seasonal Work Programme was being done.

They just aimed more at those who are in maritime rural areas far away from the centres where they could get occupation. They have no other form of getting occupation. So since that time, we have had the *tikina* based approach to all the villages that are far away from towns and centres. Each of these villages and settlements are asked to nominate certain number of people into the pool, the pool is then checked and assessed for medical and physical fitness, and these numbers are then put into a work-ready pool and employers from offshore come and take them.

To-date, we have round about 1,000 people who are in this work-ready pool and we have about 300-plus who are on seasonal work and we hope to be able to improve that. So, for the time being, that will continue to be the focus but in the meantime, as the demand grows and as we begin to develop and promote the Fiji product which is the workers from Fiji, it is a likelihood that these opportunities will also be opened up to our youth in the peri-urban areas.

The difference between our youths in these areas and the youths out in the maritime and rural areas, the youths out there, other than subsistence agriculture, they do not have any other form of access to get in capital to be able to build up their lives. So that was the idea behind taking that form of assistance, mainly out to the rural and maritime areas but in the future as the demand rises, they should be able to also consider our youths in our peri-urban areas for seasonal work offshore.

HON. SPEAKER.- Honourable Aseri Radrodro?

HON. A.M. RADRODRO.- Madam Speaker, a supplementary question to the Honourable Minister; Is his Ministry considering providing capital funding for unemployed youth to address this unemployment issue in the villages and settlements?

HON. J. USAMATE.- Madam Speaker, previously, under the programme that we have for self-employment, the Ministry was identifying some projects in which we could provide funds to those who are budding entrepreneurs. But now we realise that there is a whole host of programmes that are already doing this. I think there are programmes under the Ministry of Youth, Ministry of iTaukei Affairs and there is also the Micro Small Grants that are being provided by the Ministry of Industry, Trade and Tourism. So rather than doing the same thing, we hope to be able to work in

partnership with these other bodies and see in which areas we can provide more of an impact in rather than just replicating what others are doing.

HON. SPEAKER.- I now give to floor to Honourable Ratu Sela Nanovo.

HON. RATU S.V. NANOVO.- A supplementary question, Madam Speaker. I thank the Honourable Minister for the explanation given regarding the question on hand. Just one question to the Honourable Minister. Do you have any plan for those people who are being encouraged to go for Seasonal Workers Scheme overseas? Can you also encourage them just to stay in their various villages and be assisted with financial backup in order to create employment for themselves rather than going overseas?

HON. SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Yes, I think the focus is to be able to provide better livelihoods for everyone. Within my Ministry, we focus on looking at opportunities for them to work offshore. I think in other ministries such as iTaukei Affairs, they do those programmes at Nadave that encourage them to learn new skills and try to do something in their own village. So it is a balanced approach, those who wish to take the opportunities offshore, they have the opportunity to do so and those who wish to something in their own communities, there are also opportunities to do that either through assistance through other Ministries, so we continue to have a balanced approach to this.

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

RFMF's Participation in Nation Building  
(Question No. 39/2017)

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

Can the Honourable Minister for National Security and Defence advise this House on what the Republic of Fiji Military Forces is currently doing in the expansion of its role to increase its participation in nation building?

HON. RATU I. KUBUABOLA (Minister for National Security and Defence).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I would like to thank him for his question.

Madam Speaker, before I go on to answer the question, for the information of the House, as of today the Republic of Fiji Military Forces (RFMF) have 2,860 in the Regular Force and 4,279 in the Territorial Force.

Madam Speaker, the RFMF has grown over the years from purely a military-oriented dominant force before and during Independence. It has enhanced in size and strength over the years to effectively carry out its core role as detailed in the 2013 Constitution.

The RFMF, apart from peacekeeping operations, has developed into a useful Government asset that has been deployed frequently by Government to engage in nation building and national development.

Madam Speaker, in its efforts to enhance the education system, the RFMF Engineers Corp has assisted in constructing schools in areas where such assistance is greatly needed and has been

neglected for such a long time. This development has provided those in the rural areas equal opportunity and access to infrastructure, similar to those in the urban areas of Fiji. #

The RFMF still undertakes training to underprivileged youth in trade skills, such as carpentry and construction in its trade training school and instilling discipline to the youths of the country. The RFMF also provides training assistance and support to cadet training programmes in secondary schools throughout Fiji.

Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Honourable Speaker, as we travel around the country, we see that infrastructure will take 50 years, if not more, to bring into the standard that we all want - roads, sea ports, bridges, drainage, et cetera. I just wonder if the RFMF can be engaged in a bigger way with infrastructure, that is, out of this regular forces, if a major part of that can become the engineering corp and help with infrastructural development.

HON. RATU I. KUBUABOLA.- Madam Speaker, I would like to thank the Honourable Member for the supplementary question, I am sure we can look at that. .

HON. SPEAKER.- Honourable Semesa Karavaki?

HON. S.D. KARAVAKI.- Madam Speaker, in relation to the activities that had been explained by the Honourable Minister, can he please explain how those activities relate to the Constitutional role of the RFMF?

HON. SPEAKER.- Honourable Minister?

HON. RATU I. KUBUABOLA.- Madam Speaker, I would like to thank the Honourable learned Member for his supplementary question. As I mentioned in my reply to the initial question, the RFMF has grown over the years from a purely military-oriented dominant force before and during Independence. As you know we use our soldiers for disaster response and other ways of developments in Fiji.

HON. RATU K. KILIRAKI.- Madam Speaker, we acknowledge the remittances that are remitted to Fiji in terms of the salaries of peacekeepers. My question is; is there any rehabilitation or counselling programme for the Forces when they return to Fiji because when they assimilate to the civil society, that can alleviate a lot of social problems like we know other nations they go to drugs, violence against women and children or their absence from home? Is there any rehabilitation programme conducted by RFMF for the soldiers when they come back?

HON. SPEAKER.- Honourable Minister?

HON. RATU I. KUBUABOLA.- Madam Speaker, I thank the Honourable Member for that supplementary question. Just a very short quick answer, Madam Speaker, the RFMF has a padre, a full time chaplain who does this work in counselling our soldiers.

HON. SPEAKER.- I will move on to the next item in the Order Paper.

Written Questions

Pension Increase Last 5 Years  
(Question No. 40/2017)

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

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications provide a detailed pensioners' category for the last five years and has there been any increase in what they have received all these while?

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communication).- 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 Leader of Opposition to ask her question.

Sigatoka River Sand Dredging and EIA  
(Question No. 41/2017)

HON. RO T.V. KEPA.- Madam Speaker, before asking the relevant Minister, can I first of all thank the Honourable Minister for Fisheries for his prompt response to my written question on the *i qoliqoli* issues which he gave yesterday.

My question is:

Can the Honourable Minister for Agriculture, Rural and Maritime Development and National Disaster Management advise on the approved sand dredging in the Sigatoka River and was any Independent Environment Impact Assessment undertaken?

HON. LT. COL. I.B. SERUIRATU (Minister for Agriculture, Rural and Maritime Development and National Disaster Management).- 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 invite the Honourable Niko Nawaikula to ask his question.

Delay in Completion of Evacuation Centres  
(Question No. 42/2017)

HON. N. NAWAIKULA.- Madam Speaker, *TC Winston* has taught us that we need a good evacuation centre and is near to your village.

Can the Honourable Minister for Agriculture, Rural and Maritime Development and National Disaster Management explain to the House the reason for the delay in the completion of the evacuation centres for Bagasau, Lumiboso and Karoko Villages?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, again, I ask that I table my answer at a later sitting date, as permitted under Standing Order 45(3).



HON. SPEAKER.- Thank you. Although not in the Order Paper, the Secretariat has received notification from the Minister for Education, Heritage and Arts that he has written responses for tabling and I now call on the Honourable Minister.

HON. P. SINGH.- Madam Speaker, a Point of Order. There was an urgent oral question asked this morning and the Honourable Minister requested to be given time to answer after the tea break.

HON. SPEAKER.- Thank you. Honourable Minister, I will have to revert to the urgent oral question before we come back to your response.

Honourable Members, you will recall that there was an urgent oral question posed by Honourable Prem Singh and the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport sought more time to answer after the tea break which was agreed to by Honourable Prem Singh.

I now call on the Honourable Minister to answer the question.

HON. P.B. KUMAR.- Honourable Speaker, the only reason why I sought for deferment was that I needed the budget allocation for this purpose from FRA which I have with me now.

Madam Speaker, we do recognise the hardship and the damages that was caused by the flooding and in particular, the blocked drains and culverts. FRA is responsible for the construction and upkeep of the drains, likewise Madam Speaker, municipal councils within their municipalities, drainage board under their responsibilities and to some extent, the Fiji Sugar Corporation.

Madam Speaker, this flooding was associated with very heavy rainfall during a very short period of time and earlier in the week, my colleague Minister highlighted about this issue, the rainfall that we received. This basically amounts and equivalent to the whole month rainfall that we normally get in the month of March in the Western Division.

Madam Speaker, one of the very important issues that we all have to understand, I am not here to put blame anyone but we have to understand that the existing drains and culverts that we have are all under-designed and cannot hold water. I have just been told by FRA during the break that they have a programme in place now, that year in and year out they are going to replace all these old undersized culverts because let us not forget that the type of rain that we are receiving now compared to what we used to get in the past is totally different. These are all the effects of climate change, so we need to address this, Madam Speaker.

There are also drains that are blocked within the municipality areas and what we have found out is the habit of our people, they have been throwing rubbish. This has also caused unnecessary flooding. I know that Honourable Prem Singh is also a victim of this flooding, that is why he has raised his concern but let me say that FRA is working on the programme. I have sought the amount and this is what I got from FRA, that the 2016-2017 budget for both works on the sealed and unsealed roads was \$43.65 million and as of 31<sup>st</sup> December, FRA has spent \$25.8 million on this. A portion of this money was used for the upkeep and cleaning of the drains.

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

HON. PROF. B.C. PRASAD.- Madam Speaker, can I ask the Honourable Minister to assure this House whether FRA is capable of handling some of these issues because I just saw today there is culvert damaged between Lomolomo Flats from 2009 and it has not been fixed?

I agree with the Honourable Prime Minister for publically acknowledging the failure of FRA in doing some of these works. Can you assure the House that the FRA has the resources and the capability to fix some of those culverts and other blocked drains?

HON. P.B. KUMAR.- Madam Speaker, FRA is capable of handling these issues and I am not here to defend anyone. If there is an issue, definitely we will address that. I know there are some areas we need to address quickly which we will be doing, so that is the assurance that I can give to this august House but FRA is capable of handling that.

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

HON. P. SINGH.- Madam Speaker, I thank the Honourable Minister for giving a very honest answer. We are not pointing fingers here, but what I am asking is, could the Honourable Minister inform this House that the ongoing project of dredging the Nadi River and the project that was undertaken by JICA, has it come to fruition whether now, in future and or never because we have been hearing it for the last 15 years?

HON. SPEAKER.- Honourable Minister?

HON. P.B. KUMAR.- Madam Speaker, before the Bainimarama-led Government, there had been lots of exercises conducted in terms of dredging the Nadi River. There have been lots of studies carried out but what I can tell the Honourable Member is that, because he is from Nadi and he is very much aware, yet he wants to raise it in this House, that under the Bainimarama-led Government, a team was set up with a JICA official conducting his survey and the report is with the Ministry for Agriculture. There are also papers on discussions conducted but the main thing that needs to be looked at is the funds, so that is what they are basically doing. I can assure you that this report will not gather dust on the shelf.

HON. SPEAKER.- I will now go on to the next item on written responses.

Honourable Minister for Education, Heritage and Arts, you may have the floor now.

HON. DR. M.REDDY.- Madam Speaker, pursuant to Standing Order 45(5), I hereby table my written responses to Question No. 9/2017 asked by Honourable Mikaele Leawere; Question No. 10/2017 asked by the Honourable Leader of Opposition and Question No. 12/2017, the asked by the Honourable Ratu Kiniviliame Kiliraki respectively.

HON. SPEAKER.- Please hand your written responses to the Secretary-General?

(Written responses to Written Questions handed to the Secretary-General)

HON. SPEAKER.- Question time is now over. We will now move on to the next Item in the Order Paper.

### **MINISTERIAL STATEMENTS**

HON. SPEAKER.- We have three Ministerial Statements which were being carried over from yesterday. These are the ones from the Honourable Minister for Industry, Trade, Tourism and Land and Mineral Resources; the Honourable Minister for Health and Medical Services, as well as from the Honourable Minister for Youth and Sports.

In addition, the following Honourable Ministers had given notice to make Ministerial Statements under Standing Order 40, the:

1. Honourable Minister for Industry, Trade, Tourism, Land and Mineral Resources;
2. Honourable Minister for Defence and National Security;
3. Honourable Minister for Fisheries; and
4. Honourable Minister for Employment, Productivity and Industrial Relations.

There will be a total of seven Ministerial Statements. Each Minister may speak up to 20 minutes, after which I will then invite the Leader of the Opposition or her designate to speak on the statement for no more than five minutes. There will also be a response from the Leader of the NFP or his designate to also speak for five minutes. There will be no other debate.

I now call on the Honourable Minister for Industry, Trade, Tourism, Land and Mineral Resources to deliver his statement.

#### Update on Ministry of Lands and Mineral Resources Activities

HON. F.S. KOYA.- Madam Speaker, the Honourable Prime Minister, Honourable Ministers, the Honourable Leader of Opposition and Honourable Members of Parliament; I thank you for giving me this opportunity to take the floor to deliver a Ministerial Statement in my capacity as Minister for Lands and Mineral Resources.

Madam Speaker, as we all aware, the mineral resources sector is widely recognised as an emerging sector in Fiji. It, therefore, has a lot of potential to become one of the key sectors for growth in the future.

In Fiji, Madam Speaker, mining activities are currently focussed on gold, bauxite and iron sand. However, there are numerous prospects in a number of other valuable mineral resources which are yet to be explored.

Madam Speaker the benefits from mining activities will be enjoyed by the owners of the land where the resources are being mined.

Madam Speaker, the Fijian Constitution provides an unprecedented and unique opportunity for landowners to benefit in the form of fair share payments. The Ministry will ensure that this benefit will be realised.

Madam Speaker, a Mineral Development Technical Committee was established to provide a fair determination of this particular benefit. That Committee comprises of stakeholders, such as the Ministry of iTaukei Affairs, iTaukei Land Trust Board, iTaukei Affairs Board, the Ministry of Lands and Mineral Resources, Ministry of Environment, Fiji Revenue and Customs Authority, Ministry of Fisheries and the Solicitor-General's Office. The Committee has undertaken intensive consultations on the fair share payment which is pretty much finalised and the outcome of which will be submitted to Cabinet soon.

Moving on, Madam Speaker, Fiji is increasingly experiencing a high frequency and intensity of unpredictable natural hazards, such as earthquakes, for example, and the recent earthquake off the coast of the Western part of Fiji is case in point. This demands that the enhancement of our Earthquake and Tsunami Monitoring System and, therefore, the Ministry has in place a 24/7 operation of the Earthquake and Tsunami Observatory.

Madam Speaker, the fulltime monitoring of natural disasters will enhance the preparedness and public safety for earthquake or tsunami occurrence. The Earthquake and Tsunami Monitoring System is currently functioning and operating using the Fiji and Oceania Regional Network System called ORSNET Seismic Network. This Network allows for wider detection and more accurate information and data. This enables the Mineral Resources Department to monitor local and regional seismic events in real time, and we are now enhancing the system from detection to the dissemination of warnings.

Madam Speaker, also the Government has secured fund from the SPC/GIZ Coping with Climate Change in the Pacific Islands Region (CCCPIR) and that is, to install five tsunami warning systems, and for capacity building in early warning systems. Furthermore, the Fijian Government will work with the Pacific Community to identify appropriate installation sites that will facilitate early warnings in the event of a tsunami threat.

Madam Speaker, new technologies are changing the way we do things and obviously, in sharing information and data. Last November, the Ministry launched the interactive Web-GIS product known as Vanua Geospatial Information System. This Vanua GIS is a web portal platform that shares technical and geographic information that were previously paper-based.

All information can now be assembled digitally in one web portal and accessed by authorised users with the click of a button. This information is centralised to facilitate in planning and decision-making in the sustainable management of national land-use activities. The GIS also makes a difference, Madam Speaker, in disaster preparedness, as the GIS technology has helped the Government to create a digital map of all evacuation centres post-TC Winston.

Madam Speaker, another key role of the Ministry is to ensure that communities have access to cleaner water. To this end, the Ministry in 2016, drilled about 16 boreholes with five reticulations completed for the larger islands; four in the Northern Division at Kiobo, Raviravi, Namalata and Kubulau District School and one in the Western Division at Ra High School. A total of 608 individuals and 81 households from these communities are benefiting from this particular Government initiative. These boreholes offer families a cleaner water source and meet the basic needs of the people in the area, in accordance with Section 36(1) of the Constitution - the right to adequate food and clean water.

Madam Speaker, there have been some questions from the opposite side of the House on foreshore leases and the benefits to resource owners. Allow me now to enlighten this august House on this particular subject matter.

Madam Speaker, all foreshore leases are administered and issued by the Ministry that provides the highest benefit to the traditional fishing rights owners (*qoliqoli* owners) in accordance with Section 29 of our Constitution. Foreshore developments provide subsequent benefits to the *i taukei ni qoliqoli* or resource owners, such as:

- Compensation for loss of their fishing rights but this compensation is determined by the Department of Fisheries through a Fisheries Impact Assessment (FIA). Sometimes it is actually determined by an independent party at a choice of both.
- Investors also enter into an agreement with the *Qoliqoli* owners for other incentives, including entering into joint partnership in business with respective owners.
- Provides employment to the local coastal communities that help improve their livelihood.

Madam Speaker, never before have there been attempts by any Government to put in place plans and policy measures to safeguard and streamline foreshore developments. The Ministry, for its part, has established also a Mangrove Management Committee, comprising of all relevant stakeholders from within Government and NGOs and the University of the South Pacific. This Committee has pretty much finalised the Mangrove Management Plan (MMP) which will guide the development of our mangrove forests throughout Fiji, ensuring that we strike a balance in the development and protection of our mangrove forests.

Madam Speaker, all the activities that the Ministry undertakes is done with a sustainable message in mind. Sustainable does not just mean one thing, hence when we do undertake these exercises, Madam Speaker, it does take a little bit of time mainly because of the importance of the conservation of our environment.

In terms of resources development, we ensure that people undertake activities in a sustainable manner. Madam Speaker, for the information of this House, we found a developer who was not doing this particular work, taking into account the sustainable manner that it should have been done in, and that was in Sovi Bay. We immediately put a 'Stop Notice' on him for going overboard with his development.

Madam Speaker, as Minister responsible for lands, I am also tasked with regularising informal settlements. Last week, we would have all witnessed the issuance of Approval Notices to informal settlements in Vakacegu, Naitata, Tokotoko and Wainiveidio Subdivisions in the Navua area. A total of 68 families received their Approval Notices with joy, and now they have a protected and a secure future. To-date, Madam Speaker, the Ministry has issued a total of 217 Approval Notices; 72 for the Western Division, 77 for the Northern Division, and 68 for the Central Division.

The regularisation of these informal settlements strengthens the Government's commitment to the Fijian people, Madam Speaker, to have access to land, essential services and infrastructure. The issuance of these lease notices:

- brings security and freedom to participate in community life;
- creates a legacy to the next generation;
- provides a much longer planning horizon for business and resource entrepreneurship; and enables people to be financially independent.

Madam Speaker, the Government's policy on regularisation of informal settlements and granting of security of tenure will continue in the following areas:

Central/Eastern Division	Western Division	Northern Division
1. Velau Drive, Kinoya 2. Naulu, Nakasi 3. Wainadoi, Navua	1. Field 40 Phase 2, Lautoka 2. Natabua Tramline, Lautoka 3. Tavola Street, Ba	1. Boca 1 and 2, Labasa 2. Valebasoga, Labasa 3. Vitadra, Labasa 4. Naveria, Savusavu

Madam Speaker, as part of ensuring that landowners are able to maximise benefits from their resources, the Ministry also coordinated a one-day training on Financial Literacy for the landowners of Nawailevu Bauxite Mine last week. The training aimed to enlighten the landowners on the various

ways they can invest their future generation fund, to generate funds for their future generations. Financial institutions such as the Unit Trust of Fiji, the Life Insurance Corporation of India, Bank of the South Pacific and Westpac Bank made presentations to the landowners on their respective products and landowners were able to discuss investment opportunities that suited them.

Madam Speaker, in my capacity also as Minister for Industry, Trade and Tourism, we will ensure that the landowners also participate and benefit from the targetted micro, small and medium enterprises trainings to ensure that the landowners continue to maximise the benefits of their resources.

Madam Speaker, service delivery is also one of the key responsibilities of the Ministry. My Ministry is currently implementing its new organisational structure and Standard Operating Procedures which will streamline processes for effective decision-making. Capacity-building programmes for staff are also being rolled out. All these improvements will impact positively on the overall service delivery of the Ministry to all Fijians.

Madam Speaker, just to conclude, the Ministry's activities are driven by its vision: *"Vibrant, equitable, dynamic management of our lands and mineral resources for a sustainable environment and economic future."* This vision, Madam Speaker, embraces the climate change philosophy and in support of Fiji's COP23 Presidency.

Madam Speaker, on a lighter note, I know that there were questions being raised earlier on about the resources and might I just point out that this particular blue book that I have on my right hand right, and those 20 volumes of the Laws of Fiji, and this particular FijiFirst Government makes sure that everyone's resources will always be protected

I thank you, Madam Speaker.

HON. SPEAKER.- I call on the Honourable Leader of the Opposition or her designate to speak in response.

HON. J. DULAKIVERATA.- Madam Speaker, I thank the Honourable Minister for his statement and I would like to comment on some of the issues raised.

On the mining issue, Madam Speaker, Government had issued 67 special prospective licences for mining. Out of these, 16 are for offshore licences; 51 licences for mineral prospecting and only three for intensive exploration which means that there must be something wrong with their processes if the number of licences issued is 67 and only three are for intensive exploration. This means that there must be something wrong with the processes which has taken very long to implement or the number of prospectus or investors who are willing to invest in these mines.

On the foreshore leases, Madam Speaker, there are procedures that have to be followed when foreshore land are being developed for tourism or other commercial or industrial developments. The payment of royalties or fishing compensation for fishing rights, Madam Speaker, the assessment as has been mentioned by the Honourable Minister is normally taken by the Fisheries Department. This is basically the assessment of the fish species that live in that area and how the fishing rights owners would lose over the years, but this is only a small factor in the compensation issue.

The amount of compensation is used to be determined by the Agriculture Tribunal. We did not have a qualified person to actually determine this. This is a factor, Madam Speaker, that has to be looked into to see that the fishing rights owners are fully compensated for the loss of their fishing

rights. That is why when mangroves are being damaged they have to go elsewhere to fish for whatever they used to get from that area before, so that is one area that has to be looked at.

Secondly, the questionable issuance of some of the development leases, especially in Raiwai. Madam Speaker, this week we heard that new companies that come and invest in Fiji no longer require to have a local partner in order to go into business. So this particular lease was issued to a Chinese company which had gone, did not finish the development but sold to another company and made enormous money but he did not pay much for this development.

Thirdly, Madam Speaker, the issuance of lease over the reserved Military Forces site in Bayview Heights to a Chinese company who built a building which did not comply with the local conditions. I do not know whether that had been rectified or not.

I had raised the question of fair share before in this august House which has not been developed. I would inform the Honourable Minister that he should look into the Mount Kasi development where the late Honourable Butadroka had actually assessed some fair share on that issue. That will give you a starting point in the development of this policy.

On the ALTA issue, Madam Speaker, ALTA is still very much alive but some agricultural leases have now been issued 70 year leases. I do not know what conditions had these leases been issued on. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I call upon the Honourable Leader of the NFP or his designate to speak in response.

HON. P. SINGH.- Madam Speaker, I thank the Honourable Minister for his statement to this House. To start off, it is not only the mining sector but the whole extraction industry that are being carried out within the State land and the *itaukei* land. This came about when we attended a workshop at the Pearl Resort.

One of the issues that arose was, the aligning of the royalties from both the institutions - the Ministry of Lands and the iTLTB. There was no consistency and it stood out as a sore thumb. It has been the cause of conflict with the resource owners for a very long time.

I would like encourage the Honourable Minister to form a Committee to look into this and I hope that they would invite submissions from the stakeholders in this so that a holistic approach is taken and we can, once and for all, have a consistent royalty for the extraction industries, and not only for Namosi and Serua but for the whole of Fiji.

The second issue that I would like to say is on the reclamation of mangrove or *tiri* land. Denarau South will, over the next three years, reclaim something like 500 acres of mangrove for commercial and tourism activities. We had talked about climate change and as you know, the ideologies of climate change are different now under the Paris Agreement and now we have set agendas. If we continue to devastate our mahogany, pine and mangroves in development, then those 500 acres used to provide fishing and other products to the four villages around that area and I hope an EIA study would indicate what effects would that have in that area. So it is very important that the Committee looks at this very thoroughly so that it avoids confusion in the past.

Madam Speaker, in terms of lease renewals, just on the other day, there was a group of people from Tailevu who are dairy farmers were in our office, whose leases have not been renewed for the last seven years. I hope that the Honourable Minister will take this into account. In fact, all the leases that are due for renewal which have been pending for almost seven, 10 or 14 years, let they be

brought to light. I had mentioned personally to the Honourable Minister the other day that some of these leases are State leases.

The Department of Lands administers almost 5 percent to 6 percent of the total land area. With this, I am encouraged to see that the Government is issuing leases to the squatters, people who have no leases for so long. This is a good thing, we should encourage it, and at the same time people with existing leases need to be addressed as well. So all in all, if we want our dairy industry or cane industry to further advance, we need to take this land tenure problem away because it is within the scope of the ministerial work and your Department can look into this.

Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Minister for Health and Medical Services to deliver her statement.

### Update on the Free Medicine Programme

HON. R.S AKBAR.- Madam Speaker, the Honourable Prime Minister and Honourable Members of this august House; I rise to provide an update on the Free Medicine Programme, a recognisable initiative of the FijiFirst Government.

Madam Speaker, the Free Medicine Programme emanates from the FijiFirst Manifesto and this programme is driven by the Fijian Government's commitment to reach out and assist those marginalised individuals who earn below \$20,000 annually. This initiative perseveres to ensure that no one is deprived of their rights to basic health care needs because the health and welfare of the Fijian people is of utmost priority of the FijiFirst Government. Initiatives such as the Free Medicine Programme is to provide accessibility to essential medicine to individuals and families, who otherwise might not be able to afford this essential medicine.

Madam Speaker, the supply of quality, safe, affordable and accessible medicine is one of the key pillars of the sustainable health system. In fact, accessing essential medicines is key to individuals' right to health as defined as long ago in 1948 -Article 25 of the United Nations Universal Declaration of Human Rights and this is very well articulated in our Constitution which states, and I quote:

“The State must take reasonable measures within its available resources to achieve the progressive realisation of the right of every individual or person to health and conditions and facilities necessary to good health and to health care services.”

Madam Speaker, the Free Medicine Programme mirrors the concept of essential medicines which is defined by the World Health Organisation (WHO) as the selection of medicines that are scientifically proven to be cost effective, relevant and safe to treat the priority diseases of the population concerned.

Madam Speaker, in terms of eligibility for the Free Medicine Programme, it is for adults with an annual income of less than \$20,000 and individuals less than 18 years, whose combined parental income is less than \$20,000.

The Free Medicine Programme has been strategically designed to focus on addressing the priority diseases of the eligible population. The 142 medicines that are currently in the Free Medicine Programme fall into the following broad categories.



Firstly, Anti-Microbial Medicines, such as antibiotics, antifungals and antivirals. These are medicines that treat various types of common infections, such as respiratory infections, skin infections, eye infections, urinary tract infections and gastro intestinal infections.

The Anti-Microbial Medicines may come in different forms for adults and young children. Some need to be swallowed while others are applied directly to infected areas. Madam Speaker, Fiji is a tropical country and, therefore, we are more susceptible to communicable or infectious diseases.

The second category of medicines is for Non-Communicable Diseases (NCDs). The common NCD in Fiji include high blood pressure, diabetes, high cholesterol levels and asthma.

Thirdly, medicines to treat anaemia, common allergies and muscular pains.

Lastly, dressings. This last category of free medicine includes basic dressings to help people manage simple wounds at their homes.

Madam Speaker while the FijiFirst Government has made provisions for the Free Medicine Programme, there is one issue that I would like to bring to the attention of this august House and that is Anti-Microbial resistance. This is simply defined as the ability of bacteria, viruses and some parasites to evolve in ways that render standard treatments ineffective. When that happens, common infections can persist and spread more widely in our communities. More worrying, Madam Speaker, Anti-Microbial resistance can mean that some deadly conditions which we thought would be easily treated by simple medicines might re-emerge and become essentially incurable.

Madam Speaker, last November Fiji launched our first Anti-Microbial Resistance Awareness Week with the theme, "Use Antibiotics Responsibly". Fiji is one of those relatively few countries in the world that has a well-developed National Antimicrobial Resistance Plan.

There are very simple messages that all Fijians, whether or not they access their medicines through our Free Medicine Programme, need to bear in mind when using antibiotics, and they are as follows:

- a) Only use antibiotics as prescribed by your health care provider.
- b) Always complete the full course of medication.
- c) Do not share antibiotics as we need to complete the prescribed dose, of course, using good hygiene practices to prevent the spread of germs and limit the need of antibiotics.
- d) Encouraging those around you to use antibiotics more responsibly.

Madam Speaker, the FijiFirst Government, when it first introduced the Free Medicine Programme in 2015, allocated a budget of \$8 million to provide access to 72 medicines that were under price control. In 2016, the Government added further 70 medicines to the Programme, bringing the total to 142, and at the same time increased the budget allocation to \$10 million. Those arrangements are being maintained in the 2016-2017 budget year.

Madam Speaker, 90 percent of the Programme's budget is devoted to procurement and distribution of medicines to local pharmacies and health facilities throughout Fiji. In the current fiscal year beginning in August 2016, my Ministry will use approximately \$7.2 million for the implementation and roll-out of the Free Medicine Programme. The majority of this sum is used for procurement and distribution of the 142 medicines as mentioned.

As of December 2016, the Ministry had purchased around \$4.8 million worth of medicines. These were received into our Ministry's warehouse in Nabua before being distributed to dispensing points. The consumption of free medicines is monitored on a monthly basis to ensure that stock-outs are minimised.

Madam Speaker as of Friday, 3<sup>rd</sup> February 2017, a total of 24,317 people have registered for the Free Medicine Programme. The breakdown of the beneficiaries is as follows:

- Western Division - 13,675 people registered;
- Central Division - 7,185 people registered; and
- Northern Division - 3,457 people registered.

Madam Speaker, the registration process for individuals who want to access the Programme simply involves filling in of a registration form that is available at all Government health facilities. The completed forms are then processed and details are validated before the Free Medicine Programme card is issued by the Ministry's central office.

It also includes anyone who is covered by the Department of Social Welfare's Poverty Benefit Scheme Programme, the Care and Protection Allowance and the Social Pension Scheme. These recipients do not need to register again, as they by default fall into the category of earning less than \$20,000 per annum. The Social Welfare recipients can use their existing cards to access this Programme.

Madam Speaker, an added advantage of the Free Medicine Programme is that those who qualify for this Programme and get a prescription even from a private practitioner can still collect their medicines (those prescribed within the approved list), from the counters of either private pharmacies or pharmacies within our hospitals and health centres as well.

Madam Speaker one of the Ministry's aim now is to raise more awareness on this Programme, in order to encourage more registrations so that those eligible can come and apply for assistance and benefit from these initiative. As the Minister responsible for this, I encourage all people eligible to fill in their registration form and take advantage of this assistance.

Madam Speaker, in terms of dispensing of the free medicines, the pharmacies have to meet some important administrative requirements before dispensing medicines under this Programme:

- The Free Medicine Card, Poverty Benefit Scheme Card, Care and Protection Allowance or Social Pension Card must be verified;
- Pharmacies need to confirm that the medicines are prescribed on the Free Medicine List; and
- Pharmacies will only dispense free medicines.

Accessing free medicines is meant for those that genuinely require these medicines to recover and are able to live a productive life. In the efforts to streamline the implementation of this Programme, the Ministry has to ensure that integrity and transparency has been put in place, certain measures that people need to comply with their own wellness. That is why Madam Speaker, eligible individuals must have a prescription that has been issued by a registered doctor or GP before they can obtain medicines under the Programme

Madam Speaker, I must also emphasize for clarity here, that not all medicines in pharmacies are in the Free Medicine Programme. There are more than 10,000 medicines available in Fiji today to treat many different types of diseases, however, it is not possible to provide all of these under the Free

Medicine Programme. The Programme is limited to 142 of the most commonly prescribed medicines, both generic and in branded form.

Madam Speaker, there are four medicines out of the 142 covered by the Programme, which can only be supplied by the major hospitals because they are prescribed by a consultant and given by injection, which can only be placed in a divisional hospital. Madam Speaker, 65 private retail pharmacies and 47 Government health facilities are involved in the Free Medicine Programme.

Madam Speaker, apart from this, anyone who enters our hospitals and gets treated by our doctors are also accessible to these medicines which are provided for in our Government Pharmacies.

The Free Medicine Programme, Madam Speaker, represents a significant improvement in Fijians accessing essential medicine. In order to be able to respond to the increased demands, the Ministry will be seeking to further strengthen its pharmaceutical supply system to ensure that essential medicines are readily available whenever and wherever they are required. At times, availability in certain centres can be a challenge, but we work promptly to address the issue as and when it arises.

The support and cooperation of the private pharmacies in the implementation of the Free Medicine Programme is greatly appreciated and is fundamental to its success. Madam Speaker, the Programme is an excellent example of Public Private Partnership that can play a major role in improving the effectiveness of Government-funded health services.

All in all, Madam Speaker, through the Ministry's outreach programmes, it also aspires to create more awareness on wellness and healthy lifestyles and to achieve the overarching vision of creating a healthy population, may I remind is a shared vision. Therefore, creating a healthy nation is the responsibility of not only Government's or any particular organisation but it starts from an individual and it starts from families to make healthy lifestyle choices on a daily basis. Everyone needs to take ownership of their health and like I said, it is a shared responsibility.

Madam Speaker, we are very serious about the health of our people and, of course, the health of men, women, children and senior citizens, thus we have pledged for a national collaboration among all sectors; with non-government organisations, faith based organisations, civil society organisations, schools, parental support groups, teachers and youths to work together to fight the increasing cases of NCDs in Fiji and we believe that together, we can.

As a way forward, the Ministry has adopted a multi-sectoral approach to increase awareness on health. Last year, the Ministry partnered with the Ministry of Education and launched the School Health Policy.

Madam Speaker, it is never too late to start a healthy lifestyle, and as we persevere to reach out to the communities in every home with the message that healthy lifestyle is a choice, may I suggest that this august House and all our respected Members can also and should also be great champions of healthy lifestyle and wellness in Fiji.

I conclude with a humble plea to all Fijians to take heed of the adverse weather conditions that we are currently experiencing to ensure that all safety and precautionary measures issued by the relevant authorities are adhered to, so as to ensure that we and our families are safe, especially take due consideration of your health. Normally adverse weather conditions brings with it a lot of health issues and I think together we all can prosper if we move along the same line.

With that, Madam Speaker, I thank you.

HON. SPEAKER.- Thank you. I now call on the Honourable Leader of the Opposition or her designate to deliver the response.

HON. A.T. VADEL.- Madam Speaker, first of all, I would like to thank the Honourable Minister for Health and Medical Services for delivering her Ministerial Statement.

The Government of the day had budgeted \$10 million for the 142 medicine to be provided under the Free Medicine Programme which was announced in the 2016 Budget Address. This was an increase of \$2 million as compared to the 2015 Budget. I would also like to thank the Government of the day for the Free Medicine Programme initiative which has assisted most Fijians, but I have some serious concerns in relation to this Programme.

The Honourable Minister responsible should ensure that all hospitals, health centres, Government supported pharmacies and dispensaries throughout Fiji must have the list of free medicine under the Programme available somewhere for the public to see. Some pharmacies are complaining about the storage space in their pharmacies for the free medicine which are taking up more space, and the Ministry of Health is not providing enough assistance (financial and physical) in return to cater for the storage.

In addition, Madam Speaker, the issue arises in the storage of free medicine in rural and remote places where there is no cooling system. How does the Ministry monitor this? There is also a need to be more cautious about ensuring that free medicine which are available in stock in hospitals, health centres and pharmacies and are not out of date. Patients have come across medicine in health centres, especially in rural and remote areas which have gone past their expiry date and are supposed to be thrown away.

Most of the health centres, for example, in Makoi, Valelevu, Nausori and other rural health centres run out of stock of these free medicine. This means that the flow of supplies of free medicine is very slow while the demand keeps on increasing. This is a sign of poor management and planning in the Ministry of Health and those responsible for ordering and supplying these medicines.

Some of the free medicine are continuously used by patients everyday and we do not want this lack of supply to health centres and hospitals to cost them their lives. So, we ask the Honourable Minister for Health to be more considerate about the lives of our Fijian patients and ensure that there is continuous supply of free medicine to all hospitals, Government pharmacies and health centres. Government must also ensure that the allocation of \$10 million for the Free Medicine Programme is fully and effectively utilised.

To conclude, I request the Ministry to urgently look into traditional medicine which is God-given, and to assist them at no cost. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Honourable Leader of National Federation Party or his designate.

HON. PROF. B.C. PRASAD.- Madam Speaker, let me thank the Honourable Minister for her Ministerial Statement. Also, Madam Speaker, let me say quite sincerely that I have been very impressed with the way in which the Honourable Minister has tried to understand the bottlenecks and appreciated the problems. I personally raised a number of issues with her and she responded with speed and efficiency, so I want to thank her for that.

With respect to free medicine, Madam Speaker, I acknowledge that this is a very responsive social policy but any responsive Government, any good Government or any intelligent Government

would always review its policy to see whether it is working and whether it is having that kind of impact. So I actually quite agree with the Honourable Member when he highlighted some of the issues.

I want to use this opportunity, Madam Speaker, to suggest to Government if they can review this policy and look at the design in an alternative manner because I believe that the design the Government has now is actually not working because what they did was, amend the Pharmacies Decree of 2015 (now Act) and retail private pharmacies were basically, in a way, forced to take part in the scheme and if they did not, they would actually be fined. So, the question that is there is, what sort of logistical support, IT support and human resource support is there for them? I have talked to pharmacists and they had complained about the lack of support.

The Honourable Minister for Economy will understand this very well, that businesses, while they have corporate social responsibilities to do some of these things and I hope that some of them would have done it with a lot of passion and understanding, but it does not work that way, Madam Speaker. It is about business and the best suggestion that I can make to Government is to allocate the funds within the Ministry, but allow the pharmacists themselves to procure and keep the medicine for dispensing.

It is possible that they may charge a little bit more, it is possible that the Government might have to spend a little bit more, but it will be very efficient because if someone with a card goes to the pharmacy, the pharmacy will have the incentive to keep the medicine. But what is happening now, Government supplies to them, sometimes whilst sitting there, they do not have any interest, they do not have the human resources support and it is about time for them. We can explore this in terms of the price and the mechanics because in that way, I think this scheme can become a very, very wonderful one.

People who go to the pharmacies, who genuinely need this, will not be told, "Look, it is not available." The pharmacists really have no incentive to make sure that they keep the supply up to-date at all times if they know that they can make some money out of it, depending on the prices. They will make sure that it will be part of their business strategy to ensure that these medicine that these 24,000 people who have registered get from the pharmacies will know that these are potential customers for them and potential business for them as well. Therefore, they will have a very good incentive to ensure that medicine is available at all times in the pharmacies. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members, we will now adjourn this sitting and break for lunch. We will resume at 2.30 p.m.

The Parliament adjourned at 12.48 p.m.

The Parliament resumed at 2.30 p.m.

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

We will continue from where we left off in the Order Paper and I now call on the Honourable Minister for Youth and Sports to deliver his statement.

### Youth and Sports Development

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition, fellow Cabinet Ministers and Honourable Members of the House; I take this opportunity to outline several development strategies that the Ministry of Youth and Sports is embarking on to address the two important areas in my portfolio of Youth and Sports throughout the nation.

Madam Speaker, following Cabinet's approval of the Non-Formal Education Policy, the Ministry of Youth and Sports is focusing on the mandate of promoting greater co-ordination in the non-formal education sector, working in close co-operation with the Ministry of Education, Heritage and Arts through providing such education in a non-formal way. We collectively seek to improve the chances of success of our youth in finding and creating sustainable employment opportunities in the formal and the non-formal economy.

Madam Speaker, the Ministry has five non-formal training centres located around Fiji namely: Yavitu in Kadavu; Naqere in Savusavu, Cakaudrove; Naleba in Labasa, Macuata; Nasau in Sigatoka, Nadroga/Navosa; and Valelevu in Nasinu. We offer Basic Agriculture and Carpentry Training and training in fibre glass boats and small engine repairs, as well as in music. The carpentry training we offer is FNU accredited. The Ministry of Youth and Sports is working with the Fiji Higher Education Commission to ensure that all our training courses are accredited for the benefit of the young Fijians.

The Ministry, in seeking to improve standards continuously is using accredited training providers in running accredited training in our communities. One such successful training in carpentry was conducted in Koro in collaboration with the Technical College of Fiji. In two separate training sessions aimed at helping the residents rebuild their homes, Madam Speaker, 98 young people were trained in basic carpentry under the Ministry of Education Technical College staff, and I am pleased to report particularly to my fellow colleague, the Honourable Minister for Women that this included seven young women trained as carpenters.

Madam Speaker, we also offer Mobile Skills and Empowerment Training where we go to the rural and maritime communities around Fiji. These are demand-driven and provide young people with the necessary skills to help create sustainable livelihood and promote small or micro-entrepreneurial activities locally. The Ministry, through these training opportunities, provides a second chance to young rural Fijians who may have left school early.

Madam Speaker, on a similar note, my Ministry is embarking on a mission to promote and educate young Fijians to be knowledgeable and understand our 2013 Constitution. We are echoing His Excellency the President Jioji Konrote's speech at the first Constitution Day Celebrations that, "The Constitution is a living document, a document relevant to every Fijian; a document for every Fijian to read and re-read; a document for successive generations to cherish."

He also made a special call to young Fijians, and I quote:

“I call on the first of our young people to read the Preamble to our Constitution, which sets out the fundamental principles in which the Fijian nation is based”.

I am proud to say that we are seeking to ensure that we create an effective awareness of our Constitution. I believe that this is essential and we should all take ownership of creating civic education and pride within our young people.

Madam Speaker, the Ministry in partnership with the Ministry of Education is promoting the Duke of Edinburgh International Award (DEIA). It is a non-competitive, non-formal education programme of voluntary activities that challenges individual learners to pursue personal discovery and growth.

While our primary targets are students, for the first time this year the Ministry has introduced this to non-students beginning with the PYGMIES Youth Club in Lautoka. With grant funding, the project with PYGMIES will see 200 new entrants introduced into the DEIA over the three years. These new entrants include; youths in correctional institutions, youths with disabilities, street kids, drug users, sex workers, unemployed youths, and many more disadvantaged youths. This is testament of the Ministry’s commitment towards the non-formal education sector and to our youth at risk.

Madam Speaker, discussions have been conducted recently with the Fiji Corrections Service so we can roll out empowerment tools like Seeds of Success and DEIA to empower young people within correctional facilities around Fiji. The proposal is expected to benefit more than 150 young people aged 18 to 25 years of age, who are currently paying their debt to society.

We also hope to support two young people as students at our music training centre in Valelevu, under close supervision of not only the Correctional Services but also our trainers. This continues our commitment to second chances.

Madam Speaker, our divisional youth officers and administrators are working on the ground to ensuring that young Fijians are updated with the latest in international and national policies, conventions, laws, decrees and basic human rights. Next month, 150 young people of Nadroga and Navosa Provinces will converge in Semo Village for a gender-based violence workshop. It would have been next week, if the rain had not intervened but we have shifted it over to next month. We believe this is a vital ingredient to creating good citizenry among our young population.

The same workshop is expected to be held for the youths in the Eastern Division in March or April. This training will also focus on violence against children as suggested by the Honourable Minister for Women and Children on Monday.

I am delighted to report that the Ministry continues to promote and maintain gender equity and inclusion at our training centres in our activities and programmes. We are emphasising a special focus on this to empower young women to take up leadership roles in the community, attend training programmes specifically for young women, and to support eligible projects for funding assistance to help them establish a business for themselves.

Madam Speaker, the Ministry will soon publish a *Sexual Reproductive Health Manual* to be used by Peer Educators, Youth Administrators and youths as they empower and conduct training to young Fijians. The Manual is a product of longstanding working relationship with the UNFPA and many other stakeholders, including the Ministry of Health. The Manual addresses the reproductive health needs of every young Fijian. The Ministry will again capitalise on the non-formal education approach to ensure that the Manual achieves maximum positive impact and positive reproductive health benefits.

Madam Speaker, two of our Youth Administrators and a Seeds of Success Trainer ran a course in Tuvalu in November, 2016. In 2015, the Tuvalu's Minister for Youth visited Fiji and to seek our help as part of the South-South Cooperation Agreement between the developing Pacific Island Countries. As we speak, two young men and a young woman have just arrived from Tuvalu, to attend the Youth Training Centre in Nasau, Sigatoka to undergo training in carpentry and organic agriculture.

Madam Speaker, I also wish to inform this august House that we are currently reviewing our National Sports Policy. This exercise will include new initiatives to harness collaboration between Government Ministries, sports organisations and other institutions that will drive sports as a tool of healthy living and nation building. However, we cannot wait for the policy review but with the Fiji Police Force, we are working on a proposed joint project to revive sports and physical activities through the engagement of Police Posts around Fiji.

The Ministry is keen to provide sporting equipment and is constantly engaged with our national sporting organisations to carry out sports outreach programmes in various communities in partnership with the Fiji Police Force as a precursor to our concept of "Sports against Crime". We are also working with the Ministry of Education, Heritage and Arts to strengthen sports development at grassroots level.

A pilot project between the Ministry of Education and the Fiji Swimming is being planned from now until June this year on learning to swim, a grassroots development on minor sports. I emphasised to the National Sports Organisations (NSOs) in the last National Sports Conference that it is critically important that we use Physical Education (PE) in schools to help our young children develop skills, hand and eye coordination and balances as well as to help their physiques develop and therefore, develop a greater appreciation and interest in sports in general.

The Ministry of Youth and Sports hopes that PE will be encouraged in primary schools and sports and competition in secondary schools. We all know the benefits of PE in physical and mental wellbeing, and in teaching our children about rules, teamwork and winning and losing with humility. These are all good lessons in life.

Madam Speaker, grassroots developments augur well with other sports development projects the Ministry currently conducts, like the Rural Sports Facility Programme and donation of sports equipment to communities. There is a need to create awareness of minor sports – apart from rugby, volleyball, netball and soccer, to all parts of Fiji and to every Fijian, not only for them to participate and become elite sportspeople but also they can stay physically active amidst the increasing, but preventable number of cases of Non-Communicable Diseases amongst Fijians.

Madam Speaker, sports in Fiji has demonstrated over the years, its empowering in uniting the Fijian people whether it is watching our Fiji 7s Team competing in the Sevens Gold Series or our Fijian Soccer Team, our Fiji Netball or Volleyball Teams or cheering our athletes in the Pacific Games. These moments truly show our patriotism for our country.

Madam Speaker, those are the initiatives that the Ministry is embarking on in regards to youth and sports development throughout the nation. I hope that with each day passing, the future looks brighter for our youths who have dropped out of the formal education sector and giving them the second chance for their future.

Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Leader of the Opposition or her designate to speak in response.



HON. RATU S. MATANITOBUA.- Madam Speaker, I thank the Honourable Minister for his statement this afternoon.

Madam Speaker, we all want success for our youths but with the current trend, failure has surfaced in all non-formal education. Look at the number of youths in prison and the number of youths with recommitted offences! Look at the number of youths who are loitering in urban centres and youths shoved out of the system!

Madam Speaker, we need to decentralise non-formal education, not to concentrate in urban centres but have youth centres in the provinces or in the rural districts. I hope our suggestion is taken heed of by the Government.

Madam Speaker, youths are not dropouts, they are pushed out of the system. Government should provide incentives to youths and empower them so that they own the developments as part of their own. To educate is to implement the youths and utilise their assets and what is on offer, for example, our resources.

Madam Speaker, youths at risk is a lie. The system is the failure of Government. Gender based violence is a result of the haywire of the programme. There is no spiritual enhancement of youths according to their various beliefs.

Madam Speaker, award is biased because all youths are champions, like the right of life in the Constitution. Youth's failure is because of the wrong and improper programmes implemented by the Government. Fiji should look within and work on its limit.

Madam Speaker we should have our own National Sports Academy for all youth who are taking part in sports, especially when we won a gold medal in the Rio Olympics, we will be hosting the U20 World Cup Netball Knockout Tournament in 2021 and we have soccer. Soccer has dropped, so we need this academy, Madam Speaker, to build up sports (I think the Honourable Pravin Kumar will support me) so we can win more gold medals in the future Olympics.

With those few comments, Madam Speaker, I support the Statement.

HON. SPEAKER.- Thank you, I now call on the Leader of the NFP or his designate?.

HON. P.SINGH.- Madam Speaker, I thank the Honourable Minister for Youth and Sports for updating the House on matters of youth and sports. Let me say that I agree with the Honourable Minister in decentralising the process to reach the youths. This is a good move, and I believe this has come about after a great deal of effort was placed on the development of youths.

As you know, there are many youth groups around the country. Some are doing very well and some are, sort of, laid back because they harp on lack of financial resources and directions. In this regard we would say that our strategies for youth development must be relevant with the view of not only the requirements of the labour market but also with the aim of modernising and sustainability, and also be able to support the growth of youth enterprise. To achieve this end, we say that the review of all youth developments need to be relevant and also be able to support youth initiatives.

I agree with the Honourable Minister when he says that the non-formal education sector is where we go out to the youths instead of them coming to the Ministry. This has been quoted many years back and now it is coming to fruition according to the Minister and we support this and also support your empowerment so that the youths are empowered and basically equipped to develop their

skills and talents using local resources. I think this has been in the pipeline for youth development for many years as well. It is a good sign, Honourable Minister. So, the whole thing is based on youth development and to do that, we need to review our training conducted for the youths, not only in our training centres but with directions from the Ministry as well.

And then there is positive support in the environment that they will be taking their skills to and this positive environment that I am talking about is where we keep them away from taking up substance abuse and getting involved in criminal activities. So this is where the training should be focused on. And for women participation in youth, our young girls or ladies have been accommodated in the National Sports Policy as well.

The second phase of the Ministerial Statement refers to the National Sports Policy. I believe that apart from swimming, other areas have to be included - our professional rugby players are reaping the benefits, our youths are benefiting, and this is keeping most of them away from trouble. So these are the specialized areas where we should be concentrating on.

Madam Speaker, I come to the final point and as was alluded to by my colleague, the Honourable Ratu Suliano Matanitobua about the Fiji Football Association and its teams. Fiji ranked very low, and there has not been any significant improvement that we can see in the development of soccer internationally. I ask, can the people who are tasked with running the Fiji Football explain why this is so, and show us the pathway where we can improve? We have a lot of advertisements, sponsorships and everything but then we do not even compete at the same level as our Pacific neighbours, they are way behind us. Of course if I was doing it as Chair, by giving us a lot of money.

HON. SPEAKER.- I now give the floor to the Honourable Minister for National Security and Defence to deliver his statement.

#### Update on Fiji's Peacekeeping Missions

HON. RATU I. KUBUABOLA.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition, Honourable Ministers and Honourable Members of Parliament; barely a decade of Fiji's admittance as a member of the United Nations in October 1970, our nation's leadership then responded and committed Fijian troops to serve as peacekeepers in war-torn Middle-East. As a young member of the big UN family, our national leaders saw fit that we can do much more than just a mere representation to this world body. But to put boots on the grounds, a critical statement to the global audience that we empathize with the most vulnerable and weak, who are susceptible to extreme threats of violence.

International peacekeeping, Madam Speaker, has been the centrepiece of Fiji's foreign policy engagement and our commitment as a young independent nation earlier on in 1978 is reflective of our nation's resolve as a good global citizen. Firmly established and committed to the course of peace globally, our participation in UN peacekeeping is a testament of our conviction that through the selfless dedication of our peacekeepers, an opportunity for a better future can be provided to one and many less fortunate due to the scourge of conflicts. Our commitment has not been without cost and this has extended to the ultimate sacrifice for those brave service personnel that have lost their lives. We remember them with sorrow, gratitude and pride.

Ever since our peacekeepers were first deployed to UNIFIL, Lebanon in 1978, the pressure on Fiji to sustain its peacekeeping commitment further required more troops for deployment to the United States-sponsored Multinational Forces and Observers in Egypt in 1982.

The Republic of Fiji Military Forces (RFMF) went on to participate in other Missions in Somalia, Cambodia, Afghanistan, Pakistan, Kuwait, Sudan, South Sudan, Iraq and Syria. Fijian troops were also part of regional forces deployed to Bougainville in Papua New Guinea, Solomon Islands, and Timor Leste to enforce and monitor peace agreements.

The Fiji Police and Fiji Correctional Services were also critical partners to this enduring efforts and the highest standard achieved by Fijian personnel in both, UN and non-UN peacekeeping collectively has earned its distinction with international community.

All these years of peacekeeping service overseas, United Nations has always provided major equipment to our peacekeepers in order that they are better equipped and protected to successfully implement the UN Mission mandate. As the world around us change, it is essential that Government who authorizes finance and continue to commit troops to overseas peacekeeping operations reflect on the roles of our Fijian peacekeeping in the changing global landscape.

Given the backdrop of Fiji's setback as a nation, the besieged 45 brave Fijians during the eventful to say the least, UNDOF ordeal in September 2014 our long standing commitment to UN peacekeeping remains steadfast. Lessons learnt from this event have prompted Government to explore the need to modernise Fiji's UN peacekeeping capabilities to achieve its mandated task while safeguarding its personnel.

Our peacekeepers needed robust capabilities in order to provide robust response. Enhanced armour and technology was central to this capability development to improve effectiveness, efficiency through mobility and protection, including against improvised explosive devices.

Government through its bilateral relations with key strategic stakeholders sought assistance from friends globally for support to deliver operational capability requirements. On 18<sup>th</sup> November, 2016, the Australian Department of Defence made a formal offer to Fiji for the purchase of refurbished Australian Bushmaster to support our troops in UNDOF in the Golan Heights. The offer was for seven vehicles to support UN peacekeeping missions in Syria and three vehicles for pre-deployment training in Fiji and also for humanitarian assistance and disaster relief.

Madam Speaker, I would like to thank you for allowing for this image to be put up because most of us as Members of Parliament, do not really know what this APC or Bushmaster is all about.

The Australian offer also includes:

- transportation of the seven vehicles bound for the Golan Heights in late March 2017 and three vehicles to Fiji in April 2017;
- spare parts package approximately six months; and
- training for drivers and mechanics in assisting Fiji to develop the sustained programme.

The Bushmaster, built in Australia, recognized to be the finest vehicle in the world tested, modified and proven in combat under adverse battle conditions have preserved lives of troops. These combat vehicles are in-service with Australian Defence Force, the Royal Netherlands Army, the British Army, Jamaican Defence Force, Japanese Civil Defence and these combat vehicles will be made available to our UNDOF deployed troops.

The Fijian-Australian Defence Cooperation Programme has provided tremendous leverage in Fiji, meeting the UNDOF required timelines. This Programme further supports the ongoing development

and professionalism of the RFMF. Fiji and Australia have long standing commitments to peacekeeping, including in the Middle East.

Through the Defence Cooperation Program, 18 RFMF personnel have been placed on a three weeks operators and maintenance training to Australia for Bushmaster Protected Mobility Vehicles (PMV) commencing from Monday 6<sup>th</sup> February, 2017. Seven of these personnel are from our UNDOF contingent with 11 from the RFMF and Australia is responsible for all in-country costs.

These Bushmaster PMVs bound for UNDOF will be fitted with UN standard equipment to enhance troop protection, mobility and intelligence. This UN standard equipment will require Fiji to add and integrate into selected Bushmaster PMV system, radio communications, thermal imaging, electronic counter measures, global positioning device, night goggles and support armaments. The enhancement guarantees that our major equipment schedule falls within the category of combat vehicle that yields positive return on Government's investment to our international peacekeeping obligations.

These Bushmaster PMVs is the first major contingent co-owned equipment Fiji has ever had in its 38 years of service supporting international peacekeeping. This is a milestone achievement in our peacekeeping history which is well nestled into supporting Fiji's UN peacekeeping strategy. On this same token, Fiji will continue to engage with its foreign friends through bilateral engagements to forge, advocate and commit to global peace initiatives.

During the 2015 Leaders' Summit on Peacekeeping in New York, Fiji made a pledge which will require Government to invest prudently in developing and enhancing robust capabilities and supporting the UN Stand-By Arrangement System. The purpose of this system is to have a precise understanding of forces and capabilities available at a given state of readiness for movement from one country to another, if it agrees to contribute to peacekeeping deployment.

It places the participating Government in a better position to plan and budget for a possible contribution to deployment, train and prepare its personnel if necessary and arrange for the acquisition of the necessary equipment required for peacekeeping duties. So, for this UN Stand-By Arrangement System, we will engage with strategic partners and key stakeholders for support and assistance.

Australia is an important regional partner to Fiji and we have a long history and common defence interest. This Bushmaster Procurement project is a frugal investment of the Fijian Government with cost variations depending on various factors to a generous offer by the Australian Government under the Defence Cooperation Programme.

The information on cost is commercial, in confidence, however, comparatively the cost of a single unit offered to us by the Australian Government is 30 percent of a brand new vehicle. It must be emphasised that logistic support to this arrangement is done under the military logistics support arrangement, a separate component to our Defence Cooperation Programme.

Also important to note is that on the fifth year of the 25 years life usage of these vehicles, UN reimbursement yield should break-even the total cost of 10 Bushmasters and its capability enhancement integrated into the Bushmaster system, troop, lifts for a section of 10 personnel effective task unit, as per standard minimum military unit. The vehicle provides armour protection and mobility for troops engaged in escorting tasks to vehicle convoys and VIP entourage, reinforce units, organisation and provide supporting platforms in an emergency or disaster situations.

Also, Madam Speaker basically this multi-role vehicle that can be employed for various purposes. The enhancement capability, as required by the UN is to afford troops' added advantage during low visibility, protection against any improvised explosive devices and information collection generally.

Madam Speaker, Fiji's involvement in UN peacekeeping overseas has been of tremendous advantage to Fiji through substantial financial gains and reimbursement for troop contingent owned equipment will add enormous to this investment. Further, our continued commitment has created thousands of job opportunities over the years, which have contributed directly to improved family livelihoods and also to the economy.

Madam Speaker, in conclusion I would like to just speak with all modesty and I would like to thank the Honourable Prime Minister and the Honourable Minister for Economy on the approval of the virement of funds from within the RFMF budget to be able to buy these Bushmasters. Also, I would like to acknowledge the Government of Australia and especially the Minister for Defence, the Honourable Senator Marise Payne, for supporting our joint common interest in peacekeeping, especially in the Middle East under the Defence Cooperation Programme.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you I now call on the Honourable Leader of Opposition or her designate to speak in response.

HON. V.R. GAVOKA.- Madam Speaker, I thank the Honourable Minister for that update on the situation with our troops in the hostile areas of the world.

From the outset, Honourable Speaker, let me state this very, very clearly about our Party. Wherever our boys operate, anywhere in the world, they must be provided with the best equipment; wherever our boys operate anywhere in the world, there should be no compromise to their safety.

We support the procurement and purchase of these mobile equipment for our boys. One cannot help but be emotional to see the boys in a hostile environment, in a landscape that is not the islands of Fiji and take it from us, wherever they operate, they must be given the best. We have said this many times and we say it again today.

We also have raised in the past about the insurance of the troopers. We do not believe the Workmen's Compensation is sufficient. Whenever one of our troopers leaves this country, he must be covered by insurance internationally by United Nations. They must leave healthy and come back healthy, if they do not come back healthy, there must be coverage plan. Anyone who loses his life, a minimum we ask for is \$100,000 insurance for our troops. There is no compromise on this, we have stated many times from this side and we want this to be noted as part of our care, as a people for our men and women in hostile spots in the world.

Yesterday, I spoke briefly; I asked a question about Israel. In many occasions whenever they face danger, they go to Israel for safety, it is a sanctuary. We must maintain a relationship with the State of Israel. We are a Christian nation and Israel to us is the Holy Land, the land of the *Bible*. We all want to go there. I know that every Christian wants to go to Jerusalem one day.

We must maintain that relationship and we know every parent in this country, whenever there is any threat to our people, we are thankful and grateful that we have the State of Israel to provide them sanctuary and that is why we continue to ask the question, why did our Ambassador to the

United Nations, the President of the General Assembly of the United Nations don the PLO scarf and flag in a very cavalier manner and to be seen by the whole world?

There are ways we can do it but to us, we question that. One day, I will ask the Government to explain that to us. He was seen by the whole world. We love the people of Israel, including the Palestinians but their situation is delicate, we need to watch and should not act in a manner like that and undermining our relationship with the State of Israel. Who knows, perhaps what if Prime Minister Netanyahu cancels his trip to Fiji? These are all part of the equation that you need to look after, to watch when you have a relationship with a State like Israel. It is a hotspot, the Middle East is the centre of gravity today, the way we deal with the Middle East must be with the utmost of care and I say again, that was very cavalier on the part of Mr. Peter Thomson.

Madam Speaker, let me also touch on the returned servicemen. In Fiji today, they are following other channels for some claims on what is due to them. I would suggest to the Government, make a political settlement with them. They have gone to courts, they went through the legal process that have been very very complicated, they are ours, they have been here since 1970s, make a political settlement. What is it? Talk to them, make a political settlement, and do not let them walk around without help. I have been approached by people, what can we do? We have some claim that we have. I say, "Look, when we will become a Government, we will make a political settlement with you." What they have contributed to this country is far greater than what the political settlement we can do for them.

I wish the Government will be listening today and take notice of this. Again, I say, we salute our troops out in the field and I repeat, whatever they need to keep them safe, they must be given that.

HON. P. SINGH.- Madam Speaker, I have a short contribution.

Madam Speaker, while the UNDOF is a hotspot there right now and we wish our armed forces over there all the best, we cannot help but be concerned about the welfare of our men and women who return home to their loved ones. Whilst the Fijian Battalion will take a lead role in all phases of the "move back" towards the Syrian side and the need for armed vehicles, this will no doubt complement their work.

Madam Speaker, our troops are well-trained, brave and true sons and daughters of Fiji, who no doubt, will excel in their undertakings and whatever is entrusted to them. I say this with confidence because I have some of my colleagues on the other side, who have served in those positions and they have done exceptionally well.

Madam Speaker, but what concerns me is that, the Post Traumatic Stress Disorder (PTSD) is also a risk that countries like us bear with our peacekeepers. This is nothing to be ashamed about, it merely needs addressing because of the spill-over effects of PTSD and while taxpayers foot the Bill, for Head 49 of the Budget Estimates with the allocation of \$79 million, there was nothing in the Estimates to cater for returning peacekeepers and care for their trauma. We want to see more on that front because our armed forces are people risking their precious lives for Fiji.

Madam Speaker, our troops, as Honourable Gavoka has said, must be trained to serve and we must reciprocate by giving them the education and training that now our 2013 Constitution requires of them. They have a role to play, not only in fighting but they have a role in politics as well, and I hope people listening out there will take heed of this and take our role as prescribed in the Constitution to another level.

Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Minister for Fisheries to deliver his statement.

Effective Management of Fisheries Resources

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition and Honourable Members of Parliament; I rise to present to you on how the Ministry of Fisheries continues to effectively and efficiently manage the fisheries and marine resources of our nation, to provide Fiji's fishing industry development support, and how it has alleviated the threats and problems facing the sector, also how it continues to balance between conserving the nation's fisheries' resources, and allowing them to be used for development purposes. I intend to specifically cover the period I have been posted to the new Fisheries Ministry.

Madam Speaker, the geographical span of Fiji waters which include both fresh and marine, is vast under Fiji's jurisdiction. It amounts to 1.3 million square kilometres in the offshore; 43.3 thousand square kilometres in the inshore; totalling 1.7 million square kilometres of waters.

The Ministry with 280 staff, 57 of whom are dedicated to Offshore Fisheries and the rest for Coastal Fisheries Management, including Research and Aquaculture spread across most of the six technical divisions and four geographical areas which continue to serve our nation and its people with resourcefulness and reliability, whilst undergoing a reform to bring about more efficiency.

Madam Speaker, the immediate undertaking the Ministry took was to provide initiatives to resolve policy issues that used to plague the Ministry, including those that were identified during the consultations from our tour around the major administrative divisions of the Ministry. Literally, we have attempted to overtly turn the difficulties faced by the fisheries sector into growth areas whereby the sector can strategically grow at various stages of development.

Madam Speaker, basically the Ministry concluded that if it has to have any chance of sustaining resource utilisation, then it must strike the balance between conservation for future generations and resource utilisation to support current development needs of the three sectors - offshore, inshore, and aquaculture.

Madam Speaker, the first issue that threatened the offshore sector was the over-reliance on tuna stocks. That is definitely declining due to overfishing occurring outside Fiji waters, which has a negative implication on tuna stocks within our EEZ as tuna is a migratory fish species. The Ministry is vigorously doing all it can through various forms of intervention at the local, regional and international levels.

Madam Speaker, the Ministry has identified a number of non-tuna species as a start to be turned into fisheries that will take the pressure off from the over-reliance on tuna, and also further diversify the fishing industry and further open up new raw materials for fishing and export. Further support for the already feasible snapper fisheries is being pursued and we are also further pursuing the issuance of special licences for *mahimahi* fishing. The further research into seamounts and sites for deep sea species of Bluenose and Diamond Back squid will be completed this year to be further turned into fisheries as well.

Madam Speaker, the Ministry is making progress in engaging regional counterparts, whose EEZ borders our waters, namely Wallis and Futuna, Kiribati, Solomon Islands, Tuvalu and Vanuatu to give our Fiji-flagged tuna boats access into their waters to enable them to fish. Although they will be competing with others wanting to fish there, but it avails our tuna fishermen the opportunity to catch more in other waters. Madam Speaker, these are our neighbours who also fish our shared regional migratory tuna stocks.

Madam Speaker, licensed tenureship which was usually issued for one year term has now been lengthened to three years. This should enable our offshore long line vessel operators to plan their operations strategically in the longer term than the one year plan that they used to have. Also within the three-year terms, Madam Speaker, the licences are now transferrable within the company to any of their vessels, should their licensed vessels run aground or operationally have gone obsolete. This will be a major relief to vessel owners but we will continue to monitor under our regulations in our sectors and this remains stringent. Also to assist them operationally, licence fees can be paid in instalments.

Madam Speaker, to continue to ensure ecological sustainability in the offshore sectors, fish stocks and its species are regulated to be harvested sustainably. In the sector, a National Total Allowable Catch (TAC) is set annually at 12,000 metric tonnes. As alluded previously, TAC ensures sustainable extraction of tuna stocks and other offshore fish stocks within Fiji's EEZ. It is set in alignment to the fish stocks assessed to be in the offshore zone and was worked out with the assistance of SPC and FFA, and continues to be reviewed bi-annually.

TAC, Madam Speaker, is also maintained to stop the depletion of fish stocks. In arresting the depletion of stocks, the catches can sustain the annual harvest and also assist stock recovery and allow new entrants to enter into fisheries and build up the stock base. All these contribute to healthy and sustainable fisheries, and build a sustainable industry.

Madam Speaker, Fiji maintains this TAC system and this also ensures that the correct sustainable number of licences are issued annually. Ensuring sustainable stock level but maintaining it at a profitable level challenges Government. Madam Speaker, to secure this, the Ministry of Fisheries maintains a licence cap of 60, a number that ensures sustainable harvest so far to further ensure long term sustainability at intervals of two years. A Maximum Economic Yield Assessment (MEY) are done so as to ensure that fishing companies are being issued with the sustainable number of licences, enabling them to continue to catch fish and what they caught will viably sustain them and the people they employ.

Madam Speaker, in the inshore sector, the sustainability challenge is also an overwhelming task. The stocks are not yet overfished but are overexploited. In some Divisions stocks of certain species are dwindling and certain species caught shows undersized and immature fish are being caught, suggesting impaired capacity to reproduce, suggesting an over-exploited condition. Madam Speaker, like in the offshore sector where licences are issued to control entries, entries into the inshore fisheries is controlled by Licensing. The Ministry continues to update its stock status through inventory surveys as to ascertain the license numbers, it has to approve and which fisheries it needs to reduce its harvest.

Madam Speaker, the latest initiative pursued in strategies to control depletion and sustain healthy stocks is seasonal closure during spawning seasons of species which are now further enforced. The *Kawakawa* Initiative, our NGO counterparts pursued with us, was an example. Moratoriums like the current turtle ban during breeding period and also with hump head wrasse, and the ban of underwater breathing apparatus (UBA) which is an unsustainable method of extraction and at the same time destructing other initiatives which the Ministry is stringently pursuing.

Madam Speaker, the Ministry stringently pursues the culture of some specialised species like giant clams and trochus and now has made progress into *holothurian scabra* or *dairo*. The intent is to further support what has previously been done so as to restock the depleted reef stock and rebuild the biomass of these species. This restocking initiative, Madam Speaker, is being completed by locally managed marine setups in our coastal areas to enable its management so that it is not abused.



Madam Speaker, I wish to mention here in regards to collaboration with our development partners from donor countries through their assistance to ongoing new fisheries projects which have made significant headway. This subject was covered at length during the Question time this morning and in brief, I will give out a few main areas that we have been able to secure:

1. Hainan Province for Makogai Research Station to develop giant clams and also for aquaculture;
2. KOICA – Geothermal Energy power plants for cold storage;
3. China – Solar powered refrigeration for the maritime islands;
4. Packard Foundation –Information Systems;
5. Guandong Province – Infrastructure development; and
6. USA – Breeding of disease resilient *vannamei* prawns.

Madam Speaker, after the devastation of *TC Winston*, there was a massive destruction of fish habitats that disrupted and caused major changes in resource population and ecosystems due to the sudden environment shock. Few ecosystems that were affected in such major ways will bounce back to the same state they were in before the serious shock. The fisheries inshore sector was affected in such a way that building up resilience of habitats and stock which the Ministry will have to make a lot of progress in strategizing to alleviate this.

The Ministry has started deploying more Fish Aggregating Devices (FADs) outside the reef system to lessen the pressure on the inshore fish as even before the devastation, a large proportion of immature fish in the catch is taken as evidence of impaired capacity to reproduce, suggesting an over-exploited condition. Three islands in the Lomaiviti Group and two sites in Kadavu have just been recently deployed with 12 FADs. FADs has also been positioned in Northern of Vanua Levu, around Rabi and Buca Bay.

Madam Speaker, this initiative was part of a setup of four Fishermen Associations in Lomaiviti Group to manage the promising catches coming from set lines and fishing around FADs. Tuna, *pakapaka* and *mahimahi* have been caught, alleviating the pressure on the emperors and groupers and other inner reef species.

In support of the above, Madam Speaker, the Ministry has organised fish collection from islands through private buyers, providing their own platform for purchase and has been providing consistent services, especially in Gau, Koro, Ovalau, Moturiki and Kadavu. There will be 10 new FADS be deployed to the North West Coast of Viti Levu with the same intent. This initiative will benefit Dawasamu and Nakorotubu District in Ra. Fish collection in Vanua Levu is well established with the new highway from Labasa to Nabouwalu and connection to Natovi for Viti Levu.

Madam Speaker, a new method of fishing has been introduced to these islands also, that have rejuvenated the fishing activities. The Ministry staff from inshore section with knowledge and expertise gained from overseas training in Japan and other Asian nations are using the same technology, coupled with local knowledge and materials, have now successfully transferred their skills and has been quite successful.

“What about the other islands in the maritime zone?”, the question may be asked. Madam Speaker, the other islands are being trained and those with no preservation methods for post-harvest, except for smoking of fish and drying, have already been considered with solar powered deep freezers to assist this disadvantaged group.

Madam Speaker, the Ministry has not forgotten the inland dwellers and highlanders, who would like to be considered in fish protein provision through our aquaculture projects. About one-third of the Ministry's assistance was used for their benefit. Majority of our highland dwellers are unable to access sufficient nutritional food to ensure their health and wellbeing. Fish, particularly produced through aquaculture is commonly cheaper than meat and a lot of request for assistance from the interior and the highlands were attended to. The recommended fish per person per year for a good nutrition is 35 kilogrammes, so the assistance to the inland dwellers was a means to provide nutrition through fish and prawns from aquaculture.

Furthermore, Madam Speaker, farmed fish can also be sold at village/community level to earn some income which can then be used to purchase basic items. The freshwater aquaculture programme serves close to 500 fishermen in the four Divisions through the provision of fish, prawn babies free of charge, training, extension advisory and technical services. Most of these farmers are inland rural farmers who farm for subsistence purposes ensuring food and protein security.

The Food Security Programme which assists farmers with the provision of a one-off grant for fish farming activities, targeting both new and existing farmers who are also available to inland or highland farmers. This project provides capital costs for genuine farmers, who have the potential to sustain their fish farms and develop it further to address food security and income generation. The project finances the initial costs and the proceeds of profits from their first harvest are then re-invested into the fish farm for growth and development.

Madam Speaker, the latest development in the highlands which the Ministry trusts will create a lot of impact amongst tilapia farmers was the recent training conducted for the farmers by the Ministry and the Secretariat of the Pacific Community (SPC). The training is designed to build up resilient farmers, who after a cyclone or without the sustained supply from their former source they used to rely on, can breed or culture their own tilapia babies. About 50 to 70 farmers both men and women participated in the week long course called the “Hapa breeding Course”. The farmers now have been trained to breed their own tilapia rather than wait for the Naduruloulou and Caboni team to supply them.

Madam Speaker, another new development that will impact all farmers and also the farmers in the highlands will be the arrangements pursued by the Ministry with our development partners and donor countries for aquaculture experts who will be deployed to Fiji. The Ministry is negotiating their term of employment from one to three years for such assistance.

Madam Speaker, Monitoring Control and Surveillance (MCS) operations in both sectors - inshore and offshore is stringent, although the intent is to increase efforts in this regards. The Ministry has a great challenge fully and effectively to implement its enforcement and monitoring responsibilities as it needs to be done 24/7. Although the usage of vessel monitoring system (VMS) continues to physically enforce this, the Ministry will need to provide enough personnel and platforms to operate from, and this is one of the key areas the Ministry is focused to develop for long term sustainability. Patrols for both inshore and offshore use surface methods whilst Navy and Police assist in coordinated and concerted efforts in real time surveillance.

Madam Speaker, to continue to ensure the effective control of Illegal, Unregulated and Unreported (IUU) Fishing, the Ministry remains a member or observer to Regional Fisheries Management Organizations (RFMO) like Western Central Pacific Fisheries Commission.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister. I will now call on the Honourable Leader of Opposition or her designate to speak in response.

HON. RATU K. KILIRAKI.- Madam Speaker, in response, I would like to acknowledge the Ministry of Fisheries, being a Ministry of its own and it is a very important sector of the economy addressing the natural resources of the country. If I can raise a point also about the budget, whether it is still having the same allocation within the Ministry of Fisheries and Forests to be able for the Honourable Minister to work according to his plans. From the appropriation statement that came yesterday for both the Ministries, 65.6 percent was the actual appropriation, so that is the question that I would like to raise in regards to the Ministry of Fisheries to have a budget of its own.

If I can dwell on artisanal fisheries as well as the aquaculture fisheries which constitute about 33 percent of the fisheries sector's contribution to the economy, the other 67 percent comes from the tuna industry which is offshore. For the inshore fisheries to be sustainable, I would suggest that the Government have an integrated policy to address the sustainability of fisheries because fisheries will thrive only if the ocean and the water system are clean. This is an environmental issue because all the Ministries in Government contribute in any way to the pollution of the ocean and the river system in the name of development.

The Government is focused on development. Development of each Ministry like the tourism, as highlighted this morning in regards to mangroves, the eco-system, the imbalance of the eco-system because of the devastation of their natural habitat and it will be difficult to return the environment to its original nature because of the artificial restoration of the environment. So, devastation of the natural environment or the eco-system will eventually impact on the inshore fisheries or artisanal fisheries that villagers and the local fishermen catch when they go out fishing, even the divers all over Fiji, who thrive on this scarce economy for their survival everyday.

So I would suggest the integrated policy like the agriculture, the land use policy, the extraction industry, the gravel industry, dredging, even the forestry that contribute to the erosion, and even the Lands Department. These are very important issues that should be addressed holistically for the fisheries to be sustainable in terms of aquaculture. If it is a polluted ocean or bays, then the pearls in Savusavu and Taveuni will produce an inferior quality. Hopefully they can survive in that kind of ocean quality. The reefs, if the coral polyps are covered with sediments from the hills, then naturally they will die. What will be the natural environment for fish like *donu*, *kawakawa*, *ulavi* and will these fish be sustainable for our people in the future? Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Leader of the National Federation Party or his designate to have the floor.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker.

I thank the Honourable Minister for his contribution and explanation of the plans and progress within the fisheries sector. Madam Speaker, the whole fisheries sector (fisheries and aquaculture put together) contributes roughly about 2 percent to GDP. That may sound very small but I think the importance of the sector should be considered in other ways as well, particularly in terms of food security. The Honourable Member quite rightly pointed out the artisanal fisheries, the need for

sustainability and the need for an integrated policy to ensure that there are appropriate conservation strategies put in place to ensure inshore fisheries is sustainable.

In fact, reports and data show that the inshore fisheries, especially around the urban areas is almost fully exploited already, Madam Speaker. I think it is a very fundamental issue and we probably need to look at much better research and understanding of why that is happening, and whether there are possibilities of sustaining and enhancing the availability of inshore fisheries.

Obviously, the issue of the offshore tuna longline vessels, both local and foreign is always a controversial issue and I think it is an issue that the whole Pacific is grappling with. The appropriateness of the domestic infrastructure and facilities for local vessels, in fact, there is always this competition from foreign vessels for the infrastructure and resources that are domestically provided. So sometimes our local vessels have difficulty in utilising the infrastructure, resources and the services that are available.

I agree with the Honourable Minister, I think the issue of coastal fisheries or artisanal fisheries, as I said, if you put together the total catch from studies and what the data shows, it suggests that coastal fisheries will not be sufficient. In fact, it is almost to a point where it is not sufficient for local food security. So, in a way, we are already in a situation where we have made unsustainable harvest over so many years now.

Going forward, Madam Speaker, I am happy that the Honourable Minister talked about the development of aquaculture. I think there is huge potential for enhancing the whole fisheries sector through aquaculture investment, research providing the appropriate extension support and training for potential individuals and investors to undertake projects within the aquaculture sector.

One other point that I want to make and I think the Honourable Minister quite eloquently explained the supply chain, and I am happy that he has talked about how fish is collected from around the islands. I think that is one of the constraints that many of the small scale fishers find.

The other final point I want to make and I want the Honourable Minister to look at this, there has been a lot of concern raised with us in terms of the proposed licencing fees and many small scale fishermen think that the range of licencing fees, based on the size of the boat and engine is quite exorbitant. Many of them are finding it very difficult to pay. For example, the maximum is about \$3,000 and many of them are finding it very difficult to pay for it. So, I would like, through you, Madam Speaker, ask the Honourable Minister to look into the issue and see whether the fees structure that they have is actually sustainable and affordable to the small fishermen. Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Minister for Employment, Productivity and Industrial Relations to give his Ministerial Statement.

#### Employment and Employment Relations

HON. J. USAMATE.- Madam Speaker, the Honourable Prime Minister, the Honourable Leader of the Opposition and Honourable Members; this afternoon I will be making a Ministerial Statement on one aspect of my Ministry and that is in relation to employment and employment relations. Some aspects of this have already been covered by the response to the question that was posed to me this morning.

Employment and employment relations are at the very core of the Ministry and it is also now being recognised internationally as a core part of the 2030 Sustainable Development Agenda. Under

that Development Agenda, the SDG8 is focussed on decent work and economic growth. So it is showing that in terms of sustainable development, employment and decent work in particular is at the very heart of this.

Under the SDG8, it has a number of targets which are also the targets that we have taken on in Government in general, but also in particular in my Ministry. SDG8 includes targets on economic growth targets, the need:

- for higher value added industries and labour intensive sectors so that we do not just have economic growth but we have job-rich growth;
- for growth in Micro Small and Medium Enterprises;
- to decouple economic growth from economic degradation to make sure that we conserve the resources and I think a lot of discussions so far today have been focussed on that;
- also to target full and productive employment for all, including women and the disabled;
- to address youth unemployment which is a major issue not just in Fiji but all around the world, especially since the 2008 global financial crisis; and
- to eradicate forced labour and modern slavery which is still prevalent in many parts of the world.

Employment is now a major challenge all around the world. The World Employment Social Outlook trends that was produced by the ILO for 2016 showed that global unemployment is expected to rise by nearly 2.3 million in 2016 and by a further 1.1 million in 2017.

There are number of issues that have been identified that are going to be of key concern as we talk about employment in the future, and these are first of all the changes in technology. As technology changes, skills becomes obsolete, plant and machinery becomes obsolete, the way in which we do things become obsolete, so all countries will need to be able to adjust to that.

Secondly, climate change is now realised as something that will threaten employment. We have been talking about fisheries so far. There are so many people that are relying on the fishing industry, on agriculture and all of these industries and the people who are unemployed in these industries - the agro processing, the fish processing; all of those people would be impacted by climate change.

Ageing population; many of our targetted markets all around the world now have an ageing population so they have the difficulty of having the people within their countries to produce the goods and service that they will need. That will also give opportunities for countries like ours which has a young population, to provide workers into these countries and also struggling economy. So those are the issues that are impacting employment today and something that we will continue to focus on.

In terms of the Bainimarama-led Government which was before the FijiFirst Government, our major strategy towards employment has remained the same and that is the belief that in order for us to look at the issue of employment, the thing that we have to address is economic growth. If you have economic growth, you are able to raise the level of your economy, there is growth every year, there is more likelihood that jobs will be created and that there will be opportunities for people to create jobs for themselves. That has been the central tenet of the Bainimarama-led Government since 2006 and the FijiFirst Government since we have been elected in 2014, and that remains our primary

strategy for addressing unemployment - grow the economy and the jobs, and make sure that that growth is as job rich as possible. There will be more opportunities for people to seek employment or become employees in their own right.

Over the past 10 years ever since 2006, we have seen a concerted and unprecedented surge to grow our economy. We have seen a host of reforms of taxation, of investor-friendly policies, all of which we have seen an increase in investment in both the private sector and the public sector, which in turn has created more employment opportunities.

The Honourable Attorney-General in his address yesterday has pointed out the growth in 2016, despite *TC Winston* is estimated to be 2 percent, 2017 is forecasted at 3.6 percent with positive projections for 2018 and 2019. We will now have had seven years of definite consecutive growth with a high likelihood of 10 years of consecutive growth and that is our key focus on raising employment; grow the economy and all the jobs will come in place.

The Honourable Attorney-General has highlighted that all sectors expanded in 2016 with the exception of the primary and manufacturing sectors that declined as a result of *TC Winston*.

The ILO Report also revealed that in 2016, over 40 percent of the world's active youth population is expected to be unemployed or living in poverty, despite being employed. So that is a great proportion in terms of the world overall. The ILO Report has also stressed that making decent work a central pillar of a policy strategy will not only alleviate the job crisis and address social gaps, but also contribute to putting the economy on a better and more sustainable economic growth path.

In Fiji, the reports that we have from the Bureau of Statistics in terms of unemployment has shown that in 2011, unemployment rate was 6.9 percent and this had reduced to 6.2 percent in 2014. However, youth unemployment which is a major issue for us and all around the world, and here youth is defined as those between the ages of 15 to 24 years, was at 18.2 percent in 2014 which is still far below the 40 percent that I had mentioned which is the global figure for youth unemployment. So, that is where we are in terms of youth unemployment.

Other data that was also shared by the Honourable Attorney-General and Minister for Economy yesterday has shown that as a result of the economic growth, we have seen some good trends in Fiji. One has been the trend in terms of the job advertisements. The more job advertisements that you have in the papers, shows that there are more jobs being created and there are opportunities for people.

That data from the Reserve Bank of Fiji has shown that there was a growth in the job advertisements of 15.1 percent for the whole of 2016 and 18.7 percent in 2015. So, there has been a growth in the number of jobs that are coming on the market.

We have also seen in the data that has been provided this week that more than 5,000 people have received assistance for Micro Small Medium Enterprises (MSMEs) to the tune of \$5.5 million, and that more money is being created for this that is being provided by the Government of India.

I have some portions here, Madam Speaker, on the NEC but I will not go too much into the detail on that because I had addressed it this morning. The NEC as I had mentioned, has been the arm of the Ministry that is focused on employment, but the work of the National Employment Centre and what it does is complemented by the work that is done by other parts of Government to try to create a workforce that will then go out and seek employment or attract investment.

One of the key things that we note in Fiji, that if we have a strong solid workforce that is knowledgeable and skilled, it will attract investment into this country and that is why we have seen all the reforms that we have seen in education; the TELS, Toppers, the establishment of the Technical Colleges, the Higher Education Commission, the development of the Fiji Qualifications Framework that established standards in the different areas of expertise and allows for portability of qualifications. All these things are helping to build a much stronger workforce for us, and all of these are working towards developing in Fiji a smarter, more skilled and more knowledgeable workforce.

We know that we have a good solid workforce which will attract investment and job opportunities and already we have seen this. Over the past few years, there is one sector that has undergone tremendous growth in Fiji and that is the second business process outsourcing. I think now they probably would be in the vicinity of 2,000 people being employed in this sector and it is taking up some of the people who have graduated from our universities, they are employed in places like Mindpearl and organisations like that where a lot of the transactions are being processed here in Fiji.

In my Ministry, we are now trying to capture all the annual data on the unemployed population, and we are now in the process of developing a new strategy to address the issue of unemployment and under-employment. I had mentioned that over the past few years we have seen a growth in the foreign employment, the people whom we are taking overseas and we are continuing to focus on this.

Seasonal work opportunities in New Zealand has picked up tremendously last year. In the first year that we started this programme, we were given 30 places. From 30 places it went up to more than 100 places. Last year, it was around 300 places in seasonal work and this year we hope to be able to double that, so we continue to give opportunities for people to pursue this.

We will continue to pursue foreign work opportunities in 2017 where we will work very closely with our Foreign Missions and key stakeholders, but at the same time, we will try to make sure because we know there are skills shortages in Fiji. We will look for jobs in places where we do not have skill shortages ourselves, so we do not have a negative impact on the needs of our local industries here in Fiji.

Currently, the Ministry and Government is now focused on developing a more focused-approach to employment through the development of an overarching National Employment Policy. Process on this has already begun and through this Policy, we hope to be able to address some of our major goals; the goals that I have already talked about before:

- full and productive employment for all including women and children; high value added jobs;
- job rich growth to try to arrest youth unemployment;
- eradicate forced labor and modern slavery; and
- also to try to promote decent work where people go to work and they work in an environment that is conducive for their health and safety, they get the kind of compensation and remuneration they deserve, and all of those other things that are encompassed in the concept of decent work, which is a major tenet of my Ministry.

Decent work, Madam Speaker, requires good faith relationships good faith between employers and their employees in everything that they do. This will help maintain good relations in

the workplaces and this is why the Ministry will continue to pursue the target of social dialogue, a lot of conversations and discussions between the tripartite partners that we have in our country; Government, employers and our unions. We will continue to promote good faith employment relations in workplaces through the conduct of awareness training on employment laws, the establishment of OHS Committees and LMCC Committees that I have talked about earlier.

Between 2012 and 2014, we experienced an upward trend in the LMCC registration and relevant training for workplaces. Over the same period, we also experienced an increase in the number of certificates issued for OHS training. If the OHS Committees work well, and as I have mentioned before this morning, it is a requirement that in any workplace where there are, at least, 20 workers, you must have an OHS Committee.

This Committee has given certain powers to make sure that the workplace is conducive to people's health and safety, and at the same time we have the LMCC Committee that focuses on trying to create a good climate within an organisation and also focus trying to improve productivity within each different enterprise. If the LMCC works well within enterprises, they will assist the speedy resolution of conflict and help improve productivity. In creating a healthier productive workforce in Fiji, our Ministry intends to pursue the promotion of Occupational Health in Workplaces.

The Employment Relations Act promotes self-regulation by all parties in the workplace. Any grievance or disputes in the workplace must first be resolved by the parties promoting internal dispute resolution and promotion of harmonious working relations. Over these past few years, one of the things that we have tried to focus on in order to minimize the grievances that come to the Ministry is to have a more proactive approach to our inspectors going out and inspecting workplaces. So, if you have more labour inspection in workplaces, there is the likelihood that problems that might come up as complaints are addressed before they become complaints. So there is a very heavy focus on doing that, and over the past few years there has been an increase in the number of these proactive inspections being undertaken.

Unresolved labour complaints and grievances or disputes can either be mediated through our Mediation Services or referred to the Employment Relations Tribunal. Mediation Service has become a very good way of resolving grievances and places where there is conflict. The Mediation Services within the Ministry has now received the Mediation Settlement Rate which is about 80 percent, which is comparable to the global best in terms of a mediation successful resolution of problems. A quick resolution and settlement of employment grievances promotes good faith relations and productivity in the workplace.

The other aspect of resolving conflict between workers and their employers has been the establishment of the Employment Relations Tribunal. This Employment Relations Tribunal is no longer under my Ministry, it is now under the Judiciary, but in order to speed up the processing of the cases that are with the Employment Relations Tribunal, they have appointed another two additional members of this Tribunal so that they can have more people listening to the cases, trying to resolve the cases to speed up the cases so that the backlogs are addressed.

The last topic that I would probably address today, Madam Speaker, is the issue of National Minimum Wage and also the issue of our Wage Regulation Orders. Now in Fiji, we have a workforce slightly in excess of 300,000, I think in the vicinity of around 350,000. There is probably about 110,000 to 120,000 that are in the formal sector where they get wages and salaries. Workers that are unionised in Fiji, there is probably around in the vicinity of 25,000. So, the vast majority of people who are employed in Fiji are still in the informal sector or subsistence sector. From the 350,000 plus in the workforce, 120,000 are in the formal sector, the rest are in the informal sector.



Just before the General Elections of 2014, the then Bainimarama-led Government delivered its promise to deliver Fiji's first ever National Minimum Wage. This National Minimum Wage was meant to capture all of those that are not captured under the Collective Agreements that are negotiated between the unions and their employer or that are outside the Wage Regulation Orders.

Wage Regulation Orders had been set up in 10 different sectors. It established minimum remunerations in those 10 different sectors but for everyone else who fall outside the scope of this, the National Minimum Wage came into being in 2014 for the very first time. We were the first ever Government to do this, to make sure that those who did not have a voice but who were in the informal sector tried to capture them.

However, when you come up with a National Minimum Wage, you have to do it very carefully because the National Minimum Wage includes the person who is washing your dishes at home, the person who is farming in your cassava patch, the person whom you pay to go and weed your cassava patch; you cannot pay him a wage that is below that standard. So, when you set it, you also have to take into account the minimum that people can pay. So, the National Minimum Wage came into account in 2014 and then it was revised in 2015.

In 2015 it was revised up to \$2.32. Also in 2015, the Wage Regulation Orders that I have here was revised again for the 10 different sectors. The Wage Regulation Orders had been revised in 2011, 2012 and again in 2015.

When the National Minimum Wage was revised in 2015, Cabinet decided at that time that this new National Minimum Wage would be revised again. This process to revise the National Minimum Wage is now underway. We are now in that process of revising the National Minimum Wage, we have made a commitment to do that, it will be done in a very consultative way and at the same time, we will be revising all the Wage Regulation Orders for all these different sectors that we have - security, manufacturing, printing, building and civil engineering, roads, sawmilling and logging, hotel, mining and quarrying, wholesale and retail and garment.

The Honourable Leader of the NFP had pointed out something to do with the wage levels within the TCF Sector and the National Minimum Wage. That is something that we will also be addressing as we look at the revision of the National Minimum Wage by the end of this year.

The policy intent of the National Minimum Wage and the Wage Regulation Order is towards a fair distribution of the productivity gains in the workplace and to reduce income inequality. At the same time, it will be focussed on ensuring Fiji's sustainability and competitiveness.

Anytime that we tried to revise the National Minimum Wage, Wage Regulation Orders we need to have two things in mind; we want to uplift the standards of the workers who are getting these wages, at the same time, we do not want to kill the goose that lays the golden egg, and that is the private sector and the companies that look after them. So in anything that we do, we will make sure that at the end of the day we are trying to make sure that Fiji's industries remain competitive, at the same time we uplift the living standards of those who work for these organisations.

Madam Speaker, decent and productive work remains the core of my Ministry's role. Employment is core and central to our long-term sustainability and we will continue to focus on this particular aspect.

I must also say that in closing, as I mentioned before, climate change is a major factor in employment. That is why from my Ministry, we applaud the role that the Honourable Prime Minister

has now taken in waving the banner of climate change in fighting that because in doing that, he is therefore playing a key role to try to maintain life itself.

I think climate change for us in the Pacific is about life itself. Some of our countries will totally disappear and we know and appreciate the Honourable Prime Minister doing that and I think for all of us, we need to be able to adapt and mitigate the factors that are leading to climate change. Many of our countries may be doomed to oblivion, we cannot sit by and play our fiddles while Rome burns, we must act. That is what the Honourable Prime Minister is doing and all of us should support him.

Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Leader of the Opposition or her designate to speak in response.

HON. RATU S.V. NANOVO.- Madam Speaker, first of all, I would like to thank the Honourable Minister for his Ministerial Statement, providing an update on employment and employment relations and development in his Ministry.

Madam Speaker, on the other hand, there are some areas of concern that needs to be addressed by the Honourable Minister. On employment, there is a need for the NEC to work very closely with the Ministry of Education in trying to identify the market demands for formal employment so that students can be made aware and choose their career pathway wisely. This, I believe, will help reduce the high rate of unemployment in Fiji today.

Madam Speaker, the sole response and processing of application for formal employment by the NEC is a serious concern. I find three possible reasons for this delay:

1. The demand from the job market is low and we need more investments in the country to address this issue.
2. The applicants are under qualified and do not meet the required selection criteria.
3. The NEC staff are not doing their job in contacting the employers for their needs, so that they can go back to the market and advise the market accordingly.

Madam Speaker, for the seasonal workers, I wish to thank the Honourable Minister for Employment in recruiting youths from the rural areas and maritime zones to be given opportunities to obtain employment through this Seasonal Work Programme.

I call upon the Honourable Minister to also consider unemployed youths in the urban areas and its squatter settlements to also be given the opportunity to join this programme as these are the youths who are more exposed to temptation in committing criminal offences. This can also be considered as a crime prevention measure for the Ministry, Madam Speaker.

Madam Speaker, there is also a need to closely monitor those seasonal workers who go to New Zealand and Australia, to make sure that they do not run away because they will spoil the relationship between the two countries mentioned above.

Madam Speaker, one of the services provided by the NEC is to provide self-employment. There is a need to maintain youth who are already in the village to assist in village activities. So, we believe that these youth should be financially assisted by the NEC in order to create self-

employment in their villages rather than bringing them over to urban areas where they will be more exposed to new things. We have the experienced youth coming from villages to Suva, who do not want to return even though they are unemployed. So this is an additional burden on their relatives who are working in Suva - *bula vakararavi*.

Madam Speaker, the Ministry is preoccupied itself with the employment drive rather than adhering to their main mission that they should accelerate local employment and ensure harmonious relations with workers and employers.

Madam Speaker, on employment relation, employment relation between workers and employers is important, especially the tripartite forum. This forum irons out the differences that exist among parties but sadly to say, this is not what happens as more employment cases go to the Employment Tribunal and Courts.

Madam Speaker, there have been pending cases before tribunal courts and this is why other centres that do not have tribunal courts deny them the opportunity to air their grievances. Why can we not share the glory of building this nation and all take credit for it rather than the Government alone? This is not genuine democracy, Madam Speaker.

Madam Speaker, another matter is the Workmen's Compensation Scheme in the Ministry. All complaints should be classified and taken into as workers have identified issues of concern. By the current trend, Madam Speaker, the Ministry is scrutinising every complaints filed and nullifying genuine concerns. This is not supposed to be the case. All workers, Madam Speaker, have concerns and be presented to the tribunal courts to make decisions.

Madam Speaker, we also have shrewd companies or employers who do not provide standard wages or invoke powers to dehumanise workers through abuse of women workers as highlighted by the Honourable Biman Prasad yesterday in this Honourable House.

With that, Madam Speaker, I do thank you for the time given to me.

HON. SPEAKER.- I now call on the Leader of the NFP or his designate to speak in response.

HON. PROF. B.C. PRASAD.- Madam Speaker, let me first of all thank the Honourable Minister for his statement but also remind him because they continuously talk about the high growth rate over the last four years, yes, we acknowledge 3.9 percent, but they forget that from 2006 right up to 2016, the average growth rate was just about 1.8 percent and in two years, we had negative growth.

For nine years, Madam Speaker, the workers of this country were denied the freedom to negotiate with their union leaders, the wages and salaries commensurate with the cost of living. So what we have today is a situation where we are catching up, and we are not catching up as fast as we should because many workers today, whether they are unionised or not unionised, are earning salaries and wages which is not commensurate with the cost of living. So I think we need to understand that, Madam Speaker.

Let me also remind the Honourable Members, even international organisations like the IMF, they admit now, Madam Speaker, that where unions have been absent, where union leaders have been gagged, where workers did not have the freedom to negotiate, there is always a gap in the salaries and wages commensurate with the cost of living. So let us get real, Madam Speaker.

(Honourable Member interject)

HON. PROF. B.C. PRASAD.- Government must get real, I acknowledge that there is growth in the last ....

HON. SPEAKER.- Order! I cannot hear the Honourable Professor Biman Prasad, everyone wants to hear the presentation, please, let him be heard.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker, I appreciate that.

All I am saying is that the Government has to be honest and admit that we are catching up. There are several issues that I want to point out to the Minister. I think he mentioned that the Employment Tribunal is under Judiciary now.

Madam Speaker, the Employment Tribunal was supposed to look after ordinary workers. Judiciary is always an overwhelming environment than an issue for many of these workers. I think moving the Employment Tribunal from the Ministry to the Judiciary, in my view, is not the right thing as it is not going to help ordinary workers deal with the issues.

The other point that I want to remind the Honourable Minister, I think there was an agreement with the ILO with respect to the essential services where they agreed for a review and we need to know the date, when and how that review is going to take place.

I also want to remind the Honourable Minister, I think it is alright to talk about good faith, it is alright to talk about good employment relations, good relationship with the union leaders. There are cases, Madam Speaker, awards which have been pending for four to five years. That kind of scenario is not good either for the employees or the employer because when a case goes to the arbitration court, both the employers and the employees expect a speedy resolution of the dispute and when you have dispute awards waiting to be delivered and some of them, as I said, have been there for four to five years, that is not what you call efficiency. That is not fair to the workers, that is not fair to the employers, so I would like to urge the Honourable Minister to look into that particular issue because he is right. We need to build that good faith to deal with these issues because if you do not deal with the disputes, then you have this simmering and lingering unhappiness, both from the employers' side as well as from the workers' side.

The last point, Madam Speaker, I want to make is on the NEC which is to provide useful statistics on the website. I do not see that anymore and I would request the Honourable Minister to have the data and make it more transparent and available because this sort of data is not only useful for people like us but also useful for those who are looking for jobs and those who want to understand the labour market and what the situation is.

HON. SPEAKER.- I now call on the Leader of the Government in Parliament to have the floor.

### **SUSPENSION OF STANDING ORDERS**

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

That so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m. in order to complete the Government business in the Order Paper.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, we have about five Bills that need to be completed today and, of course, a few guarantees as well. We hope that this august House would take this into consideration so as to allow us to complete this before we move on to the rest of the proceedings for the Opposition day tomorrow.

Thank you, Madam Speaker.

HON. SPEAKER.- The House is open for comments, if any?

Since there are no more comments, then I take it that the motion is agreed to.

Motion agreed to.

We will now break for tea and after tea we will begin with the Ministerial Statement from the Minister for Industry, Trade, Tourism and Land and Mineral Resources. We will return at 4.50 p.m. Thank you, Honourable Members.

The House adjourned at 4.19 p.m.

The Parliament resumed at 4.50 p.m.

### **RESUMPTION OF MINISTERIAL STATEMENTS**

HON. SPEAKER.- Honourable Members, we will now resume from where we left off and I now call on the Honourable Minister for Industry, Trade, Tourism and Land and Mineral Resources to deliver his statement.

#### **Melanesian Spearhead Group (MSG) Free Trade Agreement**

HON. F.S KOYA.- Madam Speaker, earlier on Government' thunder was stolen a little bit by Honourable Ratu Matanitobua regarding the Fiji Netball bid for the World Youth Netball Cup in 2021. I am pleased to announce on behalf of the Honourable Minister for Sports and the Government, Madam Speaker, Fiji has won the bid to hold the Championship in 2021. It considered that Fiji was the better application than Samoa. It was a tough decision obviously but Fiji made the bid so congratulations to Netball Fiji, Madam Speaker.

(Acclamation)

Thank you to the Honourable Matanitobua for taking the announcement away from us.

(Laughter)

Madam Speaker, just a quick note and a little response to Honourable Professor Prasad whilst acknowledging the Fijian economic growth for the past years, he continues to point out that over the period from 2006 to 2016, the growth levels have not been good and the Government is playing 'catch up'.

Honourable Professor Prasad, Madam Speaker, fails to recognise that the economy had suffered two flooding and natural disasters in 2009 and 2012 and the world, Madam Speaker, was suffering from a global financial crisis. And to-date many countries have not been able to fully recover from that particular disaster, Madam Speaker, yet the Fijian Government led by the Honourable Prime Minister has had positive economic growth on an upward trajectory and is still continuing. So just a quick fix-up, Madam Speaker.

Madam Speaker, I thank you for the opportunity to take the floor again this afternoon to speak on the much awaited Melanesian Spearhead Group (MSG)Free Trade Agreement question that was raised earlier on.

Madam Speaker, the MSG region constitutes about 98.8 percent of the total land mass in the Pacific region, 30.3 percent of the Pacific's Exclusive Economic Zone (EEZ) and 87 percent of the total Pacific population.

MSG, Madam Speaker, came into being around 1988 by Papua New Guinea, Solomon Islands and Vanuatu. The MSG in 1993 signed its first MSG Trade Agreement I with the original three members - PNG, Solomon Islands and Vanuatu, and established a reciprocal trade agreement in a limited number of products. And to solidify its status in the Group, Fiji joined the MSG Trade Agreement in 1998 which led to contribution of MSG Tier 1 in terms coverage of goods.

Madam Speaker, in 2004 the MSG Members agreed to deepen and revise the MSG Trade Agreement I by adopting a negative list approach of tariff liberalisation instead of the previous mode of trading on a positive list. And the negative list approach to tariff liberalisation is less restrictive

as parties to the agreement list of products on which tariff is to be maintained or products on which no reductions in tariff has been committed.

The MSG Trade Agreement II, Madam Speaker, was signed by the four parties in 2005 in PNG. Madam Speaker, the MSG Trade Agreement is one of the most successful operative Regional Trade Agreements and since 2011 under Fiji's leadership, MSG has transformed itself into a vehicle of progress for the economic wellbeing of its people.

Madam Speaker, we are the model in the Pacific, we have made flows of goods, services and resources more efficient and more reliable, and we are all rising high on the same tide of economic achievement.

In the Melanesian way we have harnessed each of our strengths, work side by side in mutual trust and respect, had done well by each other and for each other, and the benefits of our accomplishments are experienced everyday by the men and women who we are proud to represent and all work so hard to serve.

The MSG Region, Madam Speaker, through the implementation of the current MSG Trade Agreement has allowed the members to take intra-MSG trade to another level by creating economic links between MSG member countries, and also laying the foundation for a new era of trade economic development cooperation within the region.

Madam Speaker, in terms of trade in goods over the five year period from 2010 to 2014, the total trade value between MSG countries grew from \$79 million to \$169 billion, representing an increase of approximately 114 percent trade between Fiji and the MSG countries accounts for 24 percent of our total trade for the Pacific Island countries.

Madam Speaker, over the past five years from 2011 to 2015, the value of total trade has grown from \$109.4 million to \$143.4 million, representing an increase of about 73 percent. The MSG collaboration on the trade front has also boosted investment flows within the MSG Region in the period between 2011 and 2015 and a total of 21 investment projects with an estimated value of F\$130.4 million had been registered in Fiji.

Madam Speaker, the steady growth in trade and investment is a result of the MSG leaders' bold vision of the truly integrated Pacific, beginning with the truly integrated MSG. This bold vision, Madam Speaker, was led by our Honourable Prime Minister who had called for economic cooperation and understanding amongst the MSG Members that match the strong political ties the region has always shared to better serve our citizens by knocking down barriers to the movement of trade and investment on our people and set an example of regional growth and development for every nation in the Pacific.

In this regard, Madam Speaker, the MSG Leaders wanted the formation of a common customs union and we have started the process of working towards the vision of a common customs union which is tailor-made to our unique characteristics and to benefit our people. Therefore, the new MSG Trade Agreement called the Melanesian Free Trade Agreement is leading to the creation of a common market with the free movement of goods, services, labour and capital.

Madam Speaker on 20th January, 2017 the Honourable Prime Minister signed the Melanesian Free Trade Agreement, making Fiji the second MSG country after Solomon Islands to endorse the revised and renewed trade agreement between the four MSG countries. We are at the commencement of a new era in MSG relations and this Agreement will usher a deeper and stronger trade and economic relations amongst the MSG countries.

Madam Speaker, the revised MSG Trade Agreement is a modern trade agreement that promotes sustainable development and takes into account the dynamics of our region and to further the trade and economic integration and people to people relationships amongst the MSG countries. The new Agreement goes beyond trade in goods, and that it incorporates trades and services, investments and labour mobility. The Melanesian Free Trade Agreement will enable further value addition within the region.

Currently, Madam Speaker, Fijian companies are sourcing raw materials, such as cocoa and coffee beans from Papua New Guinea, Vanuatu and Solomon Islands to be used in chocolate and coffee. Final products are of high quality and are consumed by international visitors to Fiji, who are fully aware of the origin of the materials. These are examples of truly Melanesian products that are internationally competitive.

Madam Speaker, countries such as Vanuatu and Solomon Islands have a comparative advantage in the services sector and the implementation of the Melanesian Free Trade Agreement will enhance their opportunities to grow trade and investment in areas, such as ICT and back-office operations in the region. For example, a leading ICT company in Fiji resourcing French-speaking customer service representatives from Vanuatu, whilst Fijian teachers in the fields of Maths and Science and financial experts are working in Vanuatu.

Madam Speaker, just to demonstrate how vibrant and focus-oriented the MSG is, even before the Agreement comes into force, we have commenced implementation work by developing a robust labour mobility and investment online platform where potential employers and job seekers could interface, as well as investment opportunities within the MSG. Not only that, it will also create a platform for producers and buyers to interface and conduct transactions. Madam Speaker, the MSG has taken practical steps in the areas of e-commerce whilst at the global level, there are still initial discussions.

Madam Speaker, Fiji since 2005 has liberalised its goods market for MSG countries, whilst PNG and Vanuatu followed suit in 2013 and 2014 respectively, and we look forward to the Solomon Islands fully liberalising their market from this year. This will fully integrate the MSG goods markets and allow for free flow of goods across our borders.

Madam Speaker, Fiji is equally embracing the Melanesian Free Trade Agreement by undertaking commitment in services and investments, and opening our markets to movement of skilled professionals and trade personnel from MSG countries.

The Fijian Government is fully committed to encouraging greater diversification of the Fijian economy and creating new pillars of growth so that we are not overly reliant on one or two sectors. We have a strong manufacturing base and world class ICT connectivity, combined with a young and talented workforce. Therefore, it is important that we attract high value investments in these sectors to take advantage of the incentives provided.

Madam Speaker, one such initiative that was announced in the 2016-2017 National Budget is the services and manufacturing zone in the Western Division of Fiji, in order to broaden our investment base and to encourage MSG investments in agriculture, manufacturing, tourism and fisheries, to name a few. Fiji has made specific commitments in these sectors.

Madam Speaker, the last 24 years of economic partnership among our countries has brought greater prosperity to the region, and afforded enormous opportunity to the people of Melanesia. The third review of the Trade Agreement will lay a solid economic foundation, suited to address a number of



emerging challenges we face and capable of building on the rapid growth and deep integration we have achieved amongst the MSG countries.

In conclusion, Madam Speaker, I wish to state that the MSG region is clearly on a right development path and I believe that the MSG solidarity has never been stronger. The growth potential also has never been brighter and trade agreements have an indefinite life. That is why the Melanesian Free Trade Agreement is a well negotiated agreement and has taken into account our region's future growth, and we have laid the foundation for our generations, Madam Speaker, to build a stronger and robust future.

Madam Speaker, I thank you for allowing me to take the opportunity to present on the Pacific regions most successful agreement that has resulted in benefits for the people of the MSG parties. The revised agreement is set to take this economic integration to another level.

HON. SPEAKER.- Thank you, Honourable Minister.

I will now call on the Leader of Opposition or her designate to deliver the response.

HON. V.R. GAVOKA.- Honourable Speaker, I rise to reply to the statement by Honourable Minister. At the outset, if I may, Madam Speaker, the Melanesian countries have cruise liners in common. If I can just ask the Honourable Minister to look into the situation in Suva, as there have been some comments in the media about the treatment of the cruise liner passengers in Suva, if he can get the stakeholders together and look at all these issues and perhaps, report back to us some day because that day in Suva is very important because it helps people decide on the next holiday to stay in resorts in Fiji. It is not helpful that people leave Fiji with an experience of Suva that is not pleasant. So I would ask the Honourable Minister to look into it, get everyone together - the buses, the guides, all the players and just have a look at the Suva experience about the cruise liners.

On the MSG, we are grateful that the Agreement has been signed. It is something that started some years ago by previous Governments, and was always open-ended in many ways because Fiji is always a major player in this and we benefit the most from this MSG Agreement, given what we have, we are better developed infrastructure-wise, people-wise and in any way you look at it, we are the number one economy in the MSG area and we always believe in accommodating the way we approach our neighbours in the region.

We continue to ask the Government to be accommodating, not to create any unnecessary dispute with them. That dispute with the Solomon Airlines, we think was needless, we should have resolved that, the dispute with Papua New Guinea on the beef should have been better handled, keeping out the tourism sector out of the BFTE was very un-Pacific in the way it was done. So we are the big boy in the neighbourhood, let us act like one because in the process, we create goodwill and our big boys are the ones who are servicing the region. If we create goodwill, I do not want to name them, we who know who they are. They are dominant in the Pacific, in the area but it is up to us to create the goodwill in our environment to help them thrive in the region. I do not want to name here, we know who we are. They are dominant in the area but it is up to us to create the goodwill in the environment to help them thrive in their region.

I have always said to them, Honourable Speaker, we will also be observed very very closely by some of our partners. The way we behave with our small partners will also reflect the way other people watch us. PACER Plus, we keep saying that Australia and New Zealand are the dominant players in here. They will be watching us on how we behave here as we negotiate with them.

And we must always look at it from a multilateral position as opposed to bilateral. We are a small group of islands, disadvantaged by the tyranny of distance. We need to be multilateral in the way we look at things as opposed to bilateral. So let us always make sure that we keep this relationship, no unnecessary disputes and go out of our way to try and resolve them.

Let me just close by saying that, the biggest impediment to trade is shipping. Today, we have to go through Brisbane to get to PNG and to go to other regions. If we can resolve this issue, get a ship that can link us to the MSG countries, our trade will increase significantly. It is something that has been there for quite some time. There were attempts made to try and improve on this but to this date, the trading companies are saying that it is still very limiting in terms of the overall logistics in the region. And airfreights, in terms of urgency, we need airfreight also to be operating sufficiently and efficiently to help MSG.

HON. SPEAKER.- Thank you.

HON. V.R. GAVOKA.- On that note, Madam Speaker, I commend the Government for the signing of this but to be mindful of what points we have raised.

HON. SPEAKER.- I now call on the NFP Leader or his designate to speak in response.

HON. PROF. B.C. PRASAD.- Madam Speaker, moves to dismantle barriers to trade under any agreement or with any country is always sensitive and I am happy that this Agreement has been signed. When I say that trade agreements, dismantling of barriers is a sensitive issue because I recall in 2005, there were some retaliatory and protectionist measures that were imposed by Fiji, Vanuatu and PNG against each other. So there were those difficulties.

In 2013, I know three MSG countries - Vanuatu, Papua New Guinea and Fiji have already, kind of, trading duty free. In other words, there was no import tax, and Solomon Islands also at that point had announced that they were going to liberalise and remove all tariff barriers.

Madam Speaker, when you talk about economic integration, this usually comes through free trade agreements and countries' willingness to trade with each other without barriers, sometimes what we call the non-tariff barriers. Tariff barriers can be removed very easily but sometimes there are non-tariff barrier, things like SPS or TBT technical barriers to trade where there are other issues that countries have which obviously may lead to, as I said, some sensitivities and there is a cause for the retaliation there.

What I want to say to the Honourable Minister is, when you have a trade agreement, it is always the businesses, I mean, Government sign agreements, they facilitate them but the actual trading takes place between businesses, individuals and the trust that is built on top of the legal contracts and arrangements is very very important.

I think in the future, trust and relationship will allow us to fully benefit from this Trade Agreement and here, I would say that countries like Vanuatu and Solomon Islands may not have the infrastructure and facilities that we have, but I think the people to people relationship can be enhanced and perhaps, our own contribution in building some of those trade infrastructures as we call it. In other words, if you have a trader from Fiji and Vanuatu does not have certain storage facilities and if we are importing kava from Vanuatu or importing other stuff from the Solomon Islands, for example, Government to Government positioning would help each other in terms of trade because trade is mutually beneficial.

Any irritant or sensitivity that erects any kind of barriers, whether it is a non-tariff barrier or tariff barrier is going to be mutually harmful. It does not matter whether Fiji is large or small, or Vanuatu is small, any insensitivity or irritants or barriers is going to be mutually harmful and I hope that the Honourable Minister knows about it. These are important issues that we need to keep in mind. So signing a trade agreement is one thing, having it effectively implemented, realised and benefitted, mutually requires a bit more.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. We will now move on to the next Item which is a suspension motion. There is a proposed amendment which was circulated earlier today to Clause 4 of the Electoral Amendment Bill 2017, deleting the word 'charged' and substituting with the word 'charge'. This is a very minor change, substituting the correct tense which really is editorial.

I am, therefore, allowing a procedural suspension by the Honourable Leader of Government of Parliament for this purpose. I now call on the Honourable Leader of the Government in Parliament to move his motion.

### **SUSPENSION OF STANDING ORDERS**

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

That the Standing Orders be suspended to allow that when the Honourable Attorney-General moves the final debate on the Electoral (Amendment) Bill 2017, that the House takes into consideration the Amendment Bill which was circulated earlier to the Honourable Members today.

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

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, as you have alluded to, it is just a spelling error, deleting the alphabet 'd' so that the word could read 'charge' rather than 'charged' under Clause 4 of the Electoral (Amendment) Bill 2017, Madam Speaker.

HON. SPEAKER.- I now open the floor for debate and I invite comments from the floor if any.

There being no comments, the motion is agreed to unanimously.

Motion agreed to.

### **ELECTORAL (AMENDMENT) BILL 2017**

HON. SPEAKER.- Pursuant to the resolution of Parliament on Monday, 6<sup>th</sup> February 2017, the Electoral (Amendment) Bill 2017 will be debated and voted upon today. The debate will be limited to one hour and, I therefore, call on the Honourable Attorney-General to move his motion,

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to a Resolution of Parliament on Monday 6<sup>th</sup> February, 2017, I move:

That the Electoral (Amendment) Bill 2017 be debated, voted upon and be passed.

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

HON. SPEAKER.- The Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Electoral (Amendment) Bill 2017 was tabled here in Parliament on 6<sup>th</sup> February 2017, as Bill Nos. 5 and 6 to amend the Electoral Act 2014.

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.

The Fiji Elections Office, committed to continuously improving standards of operations carried out a review on the existing electoral laws, as well as procedures shortly after the 2014 General Elections. This was carried out, Madam Speaker, to identify and fine-tune or improve procedures and processes in light of the challenges faced through the entire election process in preparations for the next General Elections and other elections carried out by the Fiji Elections Office.

Madam Speaker, the Fiji Elections Office in its review, identified operational procedures that needed to be streamlined and provisions in the Act that needs to be simplified. It also considered recommendation by the Multinational Observer Group that was co-led by Australia, India and Indonesia. These recommendations include:

- (i) That Fiji review and finalise existing electoral laws well in advance of the next General Elections;
- (ii) That the division of the responsibilities between the Electoral Commission and the Fijian Elections Office be clarified; and
- (iii) The rules regarding the use of paper and polling stations should be clarified, and observers in polling stations should be able to carry paper into polling stations.

Those were some of the recommendations.

Madam Speaker, those recommendations are other amendments to existing procedures as suggested by the Fiji Elections Office do not make substantive changes to the Act but are intended to ensure the efficiency and effectiveness of its electoral processes and procedures.

It is therefore imperative, Madam Speaker, that the Act be amended as soon as possible to allow the Fiji Elections Office time to plan ahead and make necessary arrangements in preparation for the next General Elections in 2018, and as I said in introducing this Bill on Monday, that the clock starts ticking on 6<sup>th</sup> April, 2018. So the earliest date that the Elections can be held is 6<sup>th</sup> April, 2018 and the latest date that it can be held is 6<sup>th</sup> September, 2018.

Madam Speaker, as you know, there needs to be a Writ of Elections issued when the Honourable Prime Minister decides to call the Elections. He informs His Excellency the President and the President then issues the Writ of Elections. So we generally have about 40 days before the actual elections are held for the Writ to be issued.

Madam Speaker, therefore, it is very critical in order to be able to plan for the Elections that all the work is done now, indeed the work has already started. A number of donor agencies, electoral

partners that are working for the Fiji Elections Office, have already made commitments. The Indians, again, for example, have now gone one step ahead and provided training for Fijian officials in the Fiji Elections Office in Fiji in respect of the ink, the uses of ink and how to administer that. We have the New Zealand Government that is already providing the polling screens and we had a commitment to that, and there are other agencies that are working with them.

Madam Speaker, I would like to go through the Clauses now because I think there is a need to clarify exactly what is within the Bill itself.

Clause 1 of the Bill, Madam Speaker, provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on a date or dates appointed by the Minister responsible for Elections.

Section 2 of the Act primarily provides for the definitions of certain terms and phrases used throughout the Act.

Clause 2 the Bill amends section 2 of the Act by inserting new definitions for “day” and “officer”. The new definitions, Madam Speaker, provide clarity and help prevent unnecessary delay in the implementation of the electoral process. So, let me go into the definitions.

“Day” means a period of 24 hours. An election is a huge project, Madam Speaker, that is broken down into many smaller projects that have very specific timelines and project completion requirements.

Madam Speaker, mostly these timelines are interdependent and carries severe consequences, if not completed within time. The Act already places specific requirements in terms of the time for the start and end of many specific processes as to when you can apply, for example, when parties should lodge their candidates list by, all those types of things and it is necessary that the law consistently reflects this. There should be no ambiguity about it. Electoral laws are more than a code than liberal statutes that allow for various interpretations and Fiji’s Electoral laws must reflect this.

The definition of “day” has been clarified in terms of calculation by the number of hours. By including the definition of a “day” it is made clear that the day would be duration of 24 hours from a specified time.

During the 2014 Elections, given that there was no specific term or definition for the term “day” in the Act, there are different interpretations of the term. This resulted in a matter on candidate nominations being referred to the courts for an interpretation and indeed, that matter did go before the High Court and the Court of Appeal.

The Electoral Commission was required to give a decision on appeals and objections within three days. The time was calculated from the time the Electoral Commission received the appeals and objections. There were, however, different views. The Electoral Commission is of the view that the deadline from three days was on Friday night at midnight, while the Supervisor of Elections was of the view that the deadline was on Friday afternoon at 4.00 p.m., being the 24 hours. So, this provision now actually gives the definitive definition of what a “day” constitutes.

“Officer”, Madam Speaker, means a person appointed to the staff of the Fiji Elections Office. The definition of “Officer” has been included as a generic term to replace specific titles prescribed by the Act. It is intended to replace “counting officer”, and “postal ballot voting officer” in the Act. The reason behind this is to synchronise the law with human resources practices of the Fiji Elections Office. The Supervisor of Elections can appoint staff to perform various responsibilities in the Fiji

Elections Office and it is not necessary that the titles are stipulated in the Act. As the Returning Officer, the Supervisor of Elections can delegate his or her powers to his or her staff.

Clause 2 of the Bill, Madam Speaker, also amends the definition of “campaign rules”, “Fijian Elections Office”, “illegal practice”, “polling day”, “postal ballot voting officer” and “postal ballot counting officer”.

Campaign rules, Madam Speaker, means the rules prescribed in Section 116 and any rules issued by the Electoral Commission. The Act stipulates the general rules in relation to campaigns, however, to allow for practical implementation of the law, the Electoral Commission may make further rules and it is indeed allowed to do so. At some occasion, it may be necessary for the Electoral Commission to issue campaign rules that may arise out of a dispute, complaint or an incident to which the general rules from the Act may not be applicable. This is to give the Electoral Commission a lot more authority on a legal basis to make more rules should they wish to do so.

The definition of “Fijian Elections Office”, Madam Speaker, means the office of the Supervisor of Elections which is responsible for the conduct of elections in accordance with the Constitution and this Act. Amendments to this section have simplified reporting lines in the Fijian Elections organisation structure. This has also streamlined the roles of the Electoral Commission and the Supervisor of Elections. All staff employed at the Fijian Elections Office report to the Supervisor of Elections. The Supervisor of Elections in accordance with the Constitution, reports to and follows the directive of the Electoral Commission.

The definition of “illegal practice” means the contravention of this Act or the rules or regulations set by the Electoral Commission or regulations made under the Act. This amendment was necessary to ensure consistency in the Act. The Electoral Commission makes rules under the Act and those rules can also classify certain practices as illegal.

“Polling day” means the day prescribed by His Excellency the President in the Writ for Polling, to take place in any election. The date must be stipulated by His Excellency the President. This amendment has removed the historic references to the 2014 General Elections.

“Postal ballot voting officer” or “postal ballot counting officer” means an officer appointed under section 66 of the Act. These terms are no longer necessary after the insertion of “officer” in the definition section.

Specialised titles from the Act have been removed to allow the Fijian Elections Human Resources practices to regulate staffing for elections, otherwise you actually have to hire people for that particular position. By having a generic definition “officer”, the Fijian Elections Office is able to hire staff on that basis and be able to put them wherever it is required.

Madam Speaker, Clause 3 of the Bill amends section 5 of the Act by inserting new subsections (4A), (7) and (8).

Subsection (4A) ensures that the Electoral Commission publishes its decision within five days of all its meetings. Subsections (7) and (8) state that the Supervisor of Elections shall act as secretary to the Electoral Commission, but where the Electoral Commission deals with objections or appeals against the actions or decisions of the Supervisor of Elections, the Supervisor of Elections shall not be present at those meetings.

Madam Speaker, Subsection (4A), if you go into the details, says that the Electoral Commission must, within five days of its meeting publish a copy of the decisions taken by the

Commission at the meeting. It is an internationally accepted practice that the Electoral Commission must make their decision public as soon as practicable. This will allow all stakeholders to take necessary directions from these decisions.

It is not sufficient, Madam Speaker, for the Electoral Commission to publish their decisions in their Annual Report. Elections are very important. We should not wait for one year for the Electoral Commission to publish their decisions or the reasons for their decisions. We expect the Electoral Commission to publish their decisions within five days of its meeting, so there is further transparency and no one can say, “Oh, they’ve made decisions or if we had known about it, then we would have taken some action.”

Paragraph 5, Madam Speaker, on page 9 of the Multinational Observer Group (MOG) Report states, and I quote:

“Despite a general invitation for the MOG to observe the meetings of the Electoral Commission in practice, invitations were not forthcoming. Furthermore the Minutes of the Electoral Commission’s meetings were not published, which limited the transparency of administrative preparation.”

In other words, the Electoral Commission’s preparations and what they have discussed in the meetings were not available. The Minutes were not available and that is what the MOG observed.

So, in order to do that, we made an amendment through Subsection (4A) to say they must publish the Minutes and the decisions. The requirement for the publication of decisions will greatly enhance the transparency, as I have highlighted on the electoral process.

Madam Speaker, the new Subsection (7) says, and I quote:

“Subject to subsection (8), the Supervisor shall act as the secretary of the Electoral Commission and must attend all the meeting of the Electoral Commission.”

The new Subsection (8) says, and I quote:

“Where the Electoral Commission is dealing with objections or appeals against the actions or the decisions of the Supervisor, the Supervisor must not be present at such meetings.

Madam Speaker, page 9 of the MOG Report had recommended that the division of the responsibilities between the Electoral Commission and the Fijian Elections Office should be clarified. This provides that clarity.

It is also necessary, Madam Speaker, that the Electoral Commission and the Supervisor of Elections work together to deliver credible elections which are free and fair. Therefore, it is imperative that the Supervisor of Elections attends the meetings of the Electoral Commission and provides operational advice and necessary secretariat services in countries such as Vanuatu, Bangladesh, Nepal, and various other countries.

The CEO of the Elections Office is the secretariat to the Commission. This amendment, Madam Speaker, also allows for effective communication between the Supervisor of Elections and the Electoral Commission.

Madam Speaker, the amendments also guarantee the independence of the Electoral Commission when dealing with complaints, appeals and objections against actions or decisions of the Supervisor of Elections by requiring the Supervisor of Elections not to attend such meetings.

Madam Speaker, Clause 4 of the Bill amends the Act by inserting a new Section 18A. This ensures that a court promptly makes a decision on a charge filed under these Acts - the Electoral (Registration of Voters) Act 2012 and the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.

Madam Speaker, the new provision states; and I quote:

“A court must promptly make a decision with respect to a charge filed for an election related offence under this Act, the Electoral (Registration of Voters) Act 2012 and the Political Parties Registration (Conduct, Funding and Disclosures) Act 2013.”

Madam Speaker, it is necessary for the purposes of electoral certainty that offences under electoral legislation are finalised quickly. Pending electoral charges are difficult for functioning of Parliament as well as for the Electoral Commission when it comes to decisions at nomination stage. Cases must not be allowed to prolong the system.

Madam Speaker, before I go into Clause 5 of the Bill, there is a very famous case about Vakalalabure where you have, for example, a sitting Member of Parliament who may have breached a particular provision that pertains the electoral offences and I am not talking about corruption charges or any of that, I am talking about electoral offences. If that person's case is not dealt with, then Parliament will be in limbo as to whether that person should continue to occupy the seat or not. That is what this provision is there for.

Clause 5 of the Bill, Madam Speaker, amends section 23 of the Act by inserting a new Subsection (7). This enables the Supervisor of Elections to verify a person's information by making enquiries and where necessary, requiring the person to provide the necessary authorisations and declarations to the relevant authorities to assist with enquiries and this reads, Madam Speaker, and I quote:

“For the purpose of verification, the Supervisor may make enquiries and, where necessary, require the person to provide the necessary authorisation and declarations to the relevant authorities to assist with the enquiry.”

Since the law requires persons that only have Fijian citizenship to be nominated, the Supervisor of Elections will have to make necessary verification with the respective countries from which a candidate may have held dual citizenship, that the candidate had renounced the citizenship.

As you know, Madam Speaker, to be able to stand for the Fijian Elections, you have to be a Fijian citizen only, you cannot be a citizen of any other country. Given the fact that we now allow for multiple citizenships, should a person want to stand for Elections, then they have to renounce all other citizenships. The Supervisor of Elections should be authorised to check with other countries should that person have held citizenship of other countries at the time of nomination, and various other requirements have actually been fulfilled in respect of citizenship and residency requirements as stipulated under the Constitution.”

At candidate nomination verification stage, Madam Speaker, it is difficult for the Supervisor of Election to obtain data from overseas governments unless the candidate provides the required declarations in completed forms.



Madam Speaker, Clause 6 of the Bill amends Section 26(4) of the Act by deleting the words “leader” and “secretary” and substituting the words “president” and “registered officer” respectively. This is to align the terms with the terms used in the Political Parties (Registration, Conduct, Funding and Disclosures) Act 2013.

It is prudent to require the lists to be signed by persons already in the Fijian Elections Office records as office holders under the Political Parties Act. This assist the Fijian Elections Office during verification of the nominations.

Clause 7 of the Bill, Madam Speaker, amends Section 30(6) of the Act to ensure that the Electoral Commission also notifies the Supervisor of Elections of its decision on an objection, no later than 12.00 p.m. on the day following the decision. As you know, Madam Speaker, these decisions are made by the Electoral Commission, so this again provides the clarity to ensure that all the timelines are being met, Madam Speaker.

Clause 8 of the Bill, Madam Speaker, amends Section 31(5) of the Act. This ensures that the Electoral Commission also notifies the Supervisor of Elections of its decision on an application for review of the decision of the Supervisor of Elections, no later than 12.00 p.m. on the day following the decision. These amendments, Madam Speaker, are necessary to ensure that the Supervisor of Elections receives information from the Electoral Commission in a timely manner and that the continuation of the electoral process is not adversely affected.

Clause 9 of the Bill amends Section 34(3) of the Act by deleting the word “registration”. The word “registration” has been removed as it was redundant, Madam Speaker.

Madam Speaker, Clause 10 of the Bill amends Section 35(1) of the Act by deleting the requirements for the Electoral Commission to give a notice of poll in the Gazette and in all national daily newspapers and broadcast on radio and free-to-air television. Instead, Madam Speaker, the Electoral Commission will only require to publish a notice of both.

Under Section 2 of the Act, Madam Speaker, as we have amended, “publish” means to produce including electronically and make available to the public. In other words, it is the responsibility of the Electoral Commission to make sure that as far and as wide as possible, everyone gets to see these notices. This is to assist the Electoral Commission in the operational process of the elections. It is not only limited to newspapers per se, just free-to-air television. They obviously can use other means and this is how it is covered by the word “publish”.

The notice of poll, Madam Speaker is an extensive document. It includes a list of all polling stations and this will be too difficult to do on television or on radio simply. The notice of poll is published in newspapers and is available electronically on the Fijian Elections Office website.

Clause 11 of the Bill, Madam Speaker, amends Section 36 of the Act by amending Subsections (2), (3) and (5) and also by inserting a new Subsection (7). The amendments to Subsections (2) and (3) enable the Supervisor of Elections to conduct the draw of the candidate numbers at a place that the Supervisor of Elections determines, and not specifically at the place of nomination.

Madam Speaker, as we saw that last time, to all of us who were there, when we actually filed all our nominations in Toorak where the Elections Office is now because the Act has previously said that you have to have the numbers drawn wherever you file the nominations, the Supervisor of Elections could not, for example, go and conduct the drawing of the numbers at Suva Civic Centre or at a bigger venue, it was all in a cramped up venue. So, this allows the Supervisor of Elections to

have the drawing of the numbers at some other venue, maybe it does not belong to them and as you know the last time the room was just filled up with political party officials. The members of the public want to see this, so it disallows them to do this.

Madam Speaker, the amendment to Subsection 5 deletes the requirement for the Supervisor of Elections to publish the national candidates list in the Gazette and in all national daily newspapers and broadcast it on Radio Fiji and Television, instead the Supervisor of Elections will only be required to publish national candidates list according to the definition in Section 2 of the Act which is the publication, which is not all but an extent of it.

The amendments to Subsection (2) and (7) ensure that candidate numbers are three digit numbers approved by the Electoral Commission and that the candidate numbers used in the election of Members of Parliament must not be used at the next election immediately of the Members of Parliament. This is an important amendment, probably the most significant amendment in respect of substantive change, so that confusing is prevented particularly for the elderly and lonely, people who may get attuned to a particular number. Also, it will reduce general risk of error if the series from each election is not repeated in the immediate subsequent election.

Clause 12 of the Bill amends Section 39(2) of the Act by deleting the word “adopted” and substituting it with the word “approved”. This process under Section 39(2) requires the Fijian Elections Office to obtain the Electoral Commission’s approval on the maximum number of voters at each polling station.

Clause 13 of the Bill amends Section 40(9) of the Act to ensure that the fees for obtaining a copy of the voters list are prescribed by the Supervisor of Elections. Also, that copies of the voters list that may be obtained are not confined to written copies, otherwise you can take a flash drive and get that.

Since the National Register of Voters is maintained in electronic format, it is prudent that the voters list are provided in electronic format. Also, since the entire country is a single constituency, parties ordering a single printed version of the voters list will not be able to use it easily and will have to make numerous copies. Additionally, in terms of operations, the printing of the voters list and each subsequent update will be an expensive exercise.

Madam Speaker, Clause 14 of the Bill amends Section 41(2) and (6) of the Act. The amendment to Subsection (2) deletes the requirement for the Supervisor of Elections to publish the addresses of all polling stations, polling venues in the Gazette and in all national daily newspapers and broadcast on radio and free-to-air television. Instead, the Supervisor of Elections will be required to publish the addresses according to the definition of “publication”. That is all it does; to expand the definition of “publication”.

Madam Speaker, as a matter of practice the Fijian Elections Office will annually publish the Fiji National Polling Venue Directory that will contain particulars of each polling venue around the country. The 27<sup>th</sup> Publication will be in late March. It will be the first historic compilation of polling places in Fiji and will set the benchmark for future elections. This has never been done, so from March this year, every single Member in this House and everyone outside this House will know exactly where all the polling stations are, beforehand which has not been done before.

In addition to this list, Madam Speaker, the Fijian Elections Office has already launched its interactive online application [www.pvl.feo.org.fj](http://www.pvl.feo.org.fj) where any person can view their polling venue through the google map to know exactly where it is. As elections in Fiji become more periodic and

prevalent, polling venue locations and other electoral practices will become habits like more older democracies, Madam Speaker, we do not change them all the time.

The amendment to Subsection (6), Madam Speaker, deletes the word “adopted” and substitutes with the word “approved”.

Clause 15 of the Bill, Madam Speaker, amends Section 46(4) of the Act by deleting the reference to 6.00 p.m. – the time at which each special polling station may close. With the amendment, special polling stations may operate during the times approved by the Electoral Commission. For example, if there is a remote place, there may be a need for villagers who may be getting there late after work or a particular area where a lot of the people in that area may, for example, have to reach there by some mode of transportation but hopefully we have more polling stations. But just in case, it needs to go beyond 6.00 p.m. and you do not have to get special permission, the Electoral Commission, because of the fact that we have now identified polling stations, may actually determine that we should open this up longer or for that matter, even shorter.

Madam Speaker, this is an essential amendment, considering polling in pre-poll at special voting centres close earlier than 6.00 p.m. Usually the Fijian Elections Office calculates the approximate time for each voter and allocates the opening and closing time per polling station.

Madam Speaker, Clause 16 of the Bill amends Section 47(4), (6) and (10) of the Act. The amendments to Subsection (4) deletes the requirement for the presiding officer to publish a public notice for the non-commencement or adjournment of polling at a polling station in the Gazette. The amendment will now only require the presiding officer to post a notice at the polling station and the new time for voting will be approved by the Electoral Commission. Presiding officers are temporary task-base employees and it will be unfair to ask them to undertake such an important task. It is impractical to require the presiding officer to do Gazette Notices as he or she neither has the means nor the resources to do so.

Similar amendments, Madam Speaker, are made to Subsections (6) and (10) for public notices for the non-commencement or adjournment of polling in a particular geographic region due to force majeure and for allocation of a new polling station, that is, force majeure as in something beyond our control.

Clause 17 of the Bill amends Section 52(2), (3) and (4) of the Act. The term “person” is specifically changed to “voter” and polling agents and approved observers are allowed to take into a polling station material which is allowed by the Supervisor of Elections. As you know, previously there were not allowed to so now the Supervisor of Elections can determine what the agents, polling agents and approved observers can take in. This amendment is critical in terms of enhancing transparency and accountability at all polling station level. It is an internationally accepted principle that polling agents and observers should record the events at the polling stations in real time rather than from memory, and the amendment will facilitate this.

Clause 18 of the Bill, Madam Speaker, amends Section 60 of the Act by inserting new Subsections (1A) and (3A). The amendments enable the Supervisor of Elections to prescribe materials which are allowed to be taken into a polling station by a polling agent or observer.

Additionally, a candidate for Elections cannot be appointed as, of course, a polling agent. To ensure decorum and proper administration of polling stations, the Supervisor of Elections will be required to issue appropriate guidelines on the suitable materials approved observers and polling agents can take.

Clause 19 of the Bill, Madam Speaker, amends Section 65 of the Act. The amendments cater for the closing of pre-polls at times approved by the Electoral Commission.

Clause 20 of the Bill, Madam Speaker, amends Section 66 of the Act. Subsection 1 is amended by deleting the reference to “postal ballot voting officers” and substituting it with “an officer”. In addition, Subsection (2) and (3) are deleted.

In terms of the human resource aspect, Madam Speaker, the allocation of job responsibilities that have been approved by the Supervisor of Elections to relevant staff are considered delegations or authorities of the Supervisor of Elections. The Fijian Elections Office Organisation Structure adequately distributes responsibilities to relevant staff based on merit and, therefore, it is not necessary that the law creates particular position titles.

Clause 21 of the Bill, Madam Speaker, amends Section 67(3) and 5(d) of the Act. The amendments delete the requirement for the Supervisor of Elections to mail out an application for postal voting at the request of a voter. Instead, the Supervisor of Elections must make available an application for postal voting in both, printed and electronic form, for a voter to access or to whom an application can be sent.

In practical terms, Madam Speaker, it will be better for the Fijian Elections Office to make the postal votes application form available on the Fijian Elections Office website for a potential applicant to download, instead of having to send it by post. If a voter from the interior of Fiji wishes to apply for a postal vote, the Fijian Elections Office should be allowed to deliver this application to the voter and not necessarily require the voter to have a postal box.

There are some people in the interior of Naitasiri or wherever it may be, or in an outer island who do not necessarily have a postal box, so we should be able to allow them to be able to receive this ballot paper, even if they do not have a postal box. At the moment, there is a belief that every voter must have a postal box, but they do not and to do this the Fijian Elections Office will send the application form to this voter by vehicle to his/her village or wherever they reside. Therefore, Madam Speaker, it may not be practical that specific requirements in the forms need to be sent by post, you can deliver to them also.

Madam Speaker, Clause 22 of the Bill amends Section 68 of the Act to ensure that application for postal voting are received by the Supervisor of Elections no later than 21 days prior to the polling day and not later than 5.00 p.m. on the twenty first day.

The time deadline is necessary, considering that the Appeals Court has ruled that the day would end at midnight and in practical terms, the Fijian Elections Office will have to stay open till midnight to receive applications, and at the same time, the postal service companies will have to remain open till midnight. This is just a very practical way of dealing with the issue.

Clause 23 of the Bill, Madam Speaker, amends Section 69(2) of the Act to ensure that the registration of postal voters is updated at 4.00 p.m. everyday. It is necessary in the interest of transparency and consistency, that the Fijian Elections Office publishes a postal voters’ list everyday at 4.00 p.m. so that all the political parties, every stakeholder that is interested will be able to see it everyday at 4.00 p.m. Generally we do not know about it, we do not know what is happening and we will find out later on.

Clause 24 of the Bill, Madam Speaker, amends Section 70 of the Act for the purposes of clarity.

Clause 25 of the Bill amends Section 72 of the Act. The amendments remove the requirement to mail out postal ballot papers. Instead, as we have said, postal ballot papers and any other voting material will be despatched by the best means available. This is to assist the Supervisor of Elections in the operational process of elections.

Madam Speaker, in Fiji it may not be practical to post ballot papers to post offices in rural areas as the voter will not know when to go and get it, or it may be tedious to go and retrieve your ballot paper, indeed even in the maritime islands. Therefore the Supervisor of Elections should be allowed to use the Fijian Elections Operations network to deliver the ballots.

Clause 26 of the Bill amends Section 74 of the Act by deleting the words “mailed out or couriered” and substituting with the word “despatched”. So by having it as a despatch, you can have whatever means that is appropriate for that particular area.

Clause 27 of the Bill, Madam Speaker, amends Section 76(1) of the Act to enable the receipt of postal ballot papers at the sub-offices (excluding polling stations) of the Fijian Elections Office. Currently, Section 76 of the Act states that postal ballot papers are to be received at the Fijian Elections Office. Now, this becomes very tedious for some of the people, for example, because in the Fijian Elections Office, it may have their office in Labasa or in Lautoka or Rakiraki, then the people who want to deliver it at this point in time have to come all the way to Suva. It is unreasonable to expect that, so people will say, “It is not worth it, I might as well not vote.” But if the Fijian Elections Office has sub-regional offices in all those places, it is very easy for them to take it down to them.

This amendment, Madam Speaker, increases the accessibility for delivery of postal ballots by the voters. The Fijian Elections Office has its own policies around handling postal ballots received in any of its sub-offices.

Clause 28 of the Bill amends Section 79 of the Act by deleting the reference “postal ballot counting”.

Clause 29 of the Bill amends Section 80 of the Act by deleting the reference “postal ballot counting” so that “officers” remains in the provision.

Clause 30 of the Bill amends Section 81 of the Act by deleting the reference to “postal ballot counting officers” and substituting it with the words “the officers”.

Clause 31 of the Bill amends Section 82 of the Act by deleting the requirement for the Electoral Commission to give a notice of pre-poll voting in the Gazette and in all national daily newspapers and broadcasts as highlighted earlier. Instead, Madam Speaker, the Electoral Commission will be required to publish a notice of pre-poll and “publish”, of course, can be much wider than what is currently stipulated.

I am just coming very close to the end, Madam Speaker.

Clause 32 of the Bill amends Section 86(1) and (2) of the Act to assist the Supervisor of Elections in the operational process of elections for pre-poll ballot papers. Operationally, Madam Speaker, the Fijian Elections Office does not do verification pre-poll ballots because they are kept under tight security until the counting starts. In any event, verification is not required.

Clause 33 of the Bill deletes Section 87 of the Act. This amendment is linked to Section 86 of the Act. All pre-poll ballots are received and kept in the Fijian Elections Office warehouse under

tight security. They are directly counted at the count centre. The Fijian Elections Office does not do verification or pre-poll votes.

Clause 34 of the Bill amends Section 88(1), (2), (4) and (6) of the Act by deleting the references “in writing pre-poll ballot” and “pre-poll ballot”.

Clause 35 of the Bill amends Section 89 of the Act by inserting a new subsection (6). This enables the Supervisor of Elections to conduct a recount of any ballot box.

In 2014, the results through the protocol of results from some ballot boxes could not be read. The Supervisor of Elections under Section 7 of the Act conducted a verification count at the count centre. However, it is necessary for the Act to provide these specific powers to guarantee certainty in the results, so they used other powers to be able to do their recount but in this case, they are given specific powers to be able to do the recount.

Clause 36 of the Bill amends Section 92 of the Act. Essentially, the Supervisor of Elections may, having regard to the report of a presiding officer, conduct a recount of any ballot box. In practical terms, this amendment allows a presiding officer to refer a ballot box to the Supervisor of Elections for counting in the event there are issues.

Clause 37 of the Bill amends Section 93 of Act by deleting the reference “mix together all the ballot papers from the different ballot boxes and must”.

Ballots from different ballot boxes are counted separately and results are recorded per ballot box. This setup establishes the highest levels of transparency and accountability and we knew what happened in previous elections prior to 5<sup>th</sup> December, 2006.

Clause 38 of the Bill amends Section 95 of the Act by inserting a new Subsection 5 where the Supervisor of Elections conducts a recount, the Supervisor of Elections may overturn any decision by a presiding officer. This amendment will allow the Supervisor of Elections upon receiving a written complaint from an agent, to conduct a recount of the ballot box. It is necessary to allow the Supervisor of Elections to make an independent assessment on each issue during the count.

Clause 39 of the Bill amends Section 97 of the Act for the purpose of clarity and simplification.

Clause 40 of the Bill amends Section 109 of the Act by deleting the requirement for the Electoral Commission, again to publish in the traditional sense. They will now be able to publish as defined under Section 2 of the Act.

Clause 41 of the Bill amends Section 155(1) of the Act by inserting a new paragraph (ca). This ensures that rules may be made in relation to campaign activities by political parties and candidates. This amendment will allow the Electoral Commission to issue specific directives in relation to campaign activities as and when required. Directives in the form of rules can be issued based on certain events or complaints to the Electoral Commission, who may receive or take cognisance of.

Clause 42 of the Bill amends the Act by deleting all references to “polling booth” and “polling booths” and substituting “voting screen” and “voting screens”. Voting screens are a modern approach to elections and it is necessary to amend the law to remove the reference to the archaic trifold cloth door polling booths that were previously used in Fiji.

Thank you, Madam Speaker. This is a description of all the amendments that have been made in this particular Bill.

HON. SPEAKER.- Thank you very much. The Bill is now open for debate and I invite comments from the floor.

HON. PROF. B.C. PRASAD.- Thank you Madam Speaker. Let me say this at the outset, we are very disappointed that this Bill has come before Parliament and it has come under Standing Order 51. In my view, this is seriously undermining perceived understanding of what happens in Standing Committees.

We know, Madam Speaker, that the Standing Committee on Justice, Law and Human Rights is actually looking at the MOG Report and the Electoral Commission 2014 Annual Report. You will remember, Madam Speaker, I have been pushing for those Reports to be discussed in the Standing Committee on Justice, Law and Human Rights because there are some very useful recommendations in both the Reports.

The recommendations not only refer to the Electoral Decree but they also refer to other Acts or other Decrees, like the Political Parties Decree and the Media Decree. I would have thought that if we were seriously concerned about the recommendations of the MOG and the Electoral Commission's Report, then we should have waited for the report from the Standing Committee on Justice, Law and Human Rights so that we could look at all the Acts which the Reports refer to. Unfortunately, Madam Speaker, this has been rushed and I cannot understand the urgency or the rush in getting just the Electoral Decree amended and not looking at some of the other recommendations.

Madam Speaker, while the MOG Report said that the Elections was credible, but if you read the recommendations (in fact, the 80-words recommendations), you actually then understand that the elections was held in a very restrictive environment. It was not a free and fair environment.

(Hon. Member interjects)

HON. PROF. B.C. PRASAD.- Of course, it was not a free and fair environment with all the Decrees and the MOG Report clearly points that out. So, Madam Speaker, that is why this Bill is really out of place and we cannot support this Bill as it is.

The other point I want to make, Madam Speaker, is the Elections Office. The Electoral Commission is the body which has authority and independence. That is why it is a Constitutional Office and any attempt to restrict the work of the Electoral Commission or to dilute its powers to remain as independent as it should be, is not going to create that confidence that we are going to have a free and fair environment for the elections.

Many of us who contested the last Elections, Madam Speaker, felt that through the Media Decree, the Political Parties Decree and indeed, the Electoral Decree (now Act), we need to very carefully look at what we are approving in this Act.

If you look at the insertions, Clause 7 of the Bill amending Section 30(6) and Clause 8 amending Section 31(5), it inserts deadlines, constraints or prescriptive time limits on the deliberation and work of the Electoral Commission in looking at objections. Why do we need to do that? The insertion where the Electoral Commission is to inform the Supervisor no later than 12.00 p.m. the next day of his decision is, in my view, totally unnecessary.

This is not about efficiency. I mean, we have the Appeals Court Judgment, Madam Speaker. And then precisely because the Electoral Commission took the Supervisor of Elections to the Appeals Court and the Appeals Court actually ruled in favour of the Electoral Commission, so now we are changing that ruling. We should have just stuck with that that the Appeals Court has clarified through its Judgment. Let us not create unnecessary changes to circumvent what has already been clarified, Madam Speaker.

Also, why should a time be inserted for the Electoral Commission when the Supervisor of Elections ought to be competent enough to be able to handle the multiple tasks that are in place of which we have progressed in the 2014 General Elections? Subsection 4A, Madam Speaker, ensures that the Electoral Commission publishes its decision within five days of its meeting. Subsections (7) and (8) state that the Supervisor of Elections shall act as secretary to the Electoral Commission but the Electoral Commission deals with objections or appeals against the actions or decisions of the Supervisor of Elections. So the Supervisor of Elections shall not be present at those meetings.

Madam Speaker, if you read the 2014 Electoral Commission Report, the previous Electoral Commission actually says that the Supervisor of Elections was not listening to them. They actually said that in the Report, Madam Speaker, and they also said that they did not have the resources. They requested an independent legal counsel and they were not provided one, so what I am saying, Madam Speaker, is that there is no need.

In a different context, if you have a Board of Directors and a CEO, that is a different context. In here, you are looking at the Electoral Commission and the role of the Supervisor of Elections. Why would you want to mix the two? Why can we not provide enough resources so that the Electoral Commission has its own secretariat, have its own independent legal counsel, so that it is able to act independently and work with the Supervisor of Elections to remain independent and removed from any kind of influence?

The Honourable Attorney-General has to understand that as Minister for Elections, he was also the Secretary of the FijiFirst Party in the last Elections.

(Hon. Member interjects)

HON. PROF. B.C. PRASAD.- That is fine, that is fine, but he was the Prime Minister. The Elections Office was always under the Prime Minister's Office but the Electoral Commission, Madam Speaker, was always independent. It did not have the influence, as the last Electoral Commission pointed out in its Report that they were not allowed to work independently.

(Hon. Member interjects)

HON. PROF. B.C. PRASAD.- It is in the Report.

(Hon. Member interjects)

HON. PROF. B.C. PRASAD.- You have not responded, you did not allow the Committee to produce that Report before we could look at this, Madam Speaker.

Another example, Madam Speaker, is the amendment of Section 5 and the insertion of new Subsections (7) and (8) which prescribed that the Supervisor must be the Secretary of the Electoral Commission. Again, we are asking, why this insertion? Why is it necessary? As I have said earlier, the Electoral Commission should have its own Secretariat.



The Honourable Attorney-General says that the Bill seeks to clarify the responsibilities between the Electoral Commission and the Supervisor of Elections or the Fiji Elections Office. We are doing the opposite, we are confusing it. The Supervisor of Elections can effectively work with the Electoral Commission if the Electoral Commission has a separate secretariat.

The other issue is the independence of presiding officers. I am not sure what Clauses 35 and 36 of the Bill does. Another point, Madam Speaker, is the extra empowerment of the Supervisor to immediately conduct a recount of any ballot as stated in Clause 35 which amends Section 89 and Clause 36 which amends Section 92. Does this make the process more efficient, Madam Speaker? Basically, centralising further the powers of the Supervisor in a very very prescriptive fashion where he could do a recount of any ballot box, so where does the Electoral Commission come in, in this amendment as the oversight body which supervises and gives direction to the Supervisor of Election?

Madam Speaker, unless we create a situation where the Electoral Commission is independent from any influence through any means whether through the Supervisor of Elections being the Secretary, and I know the Honourable Attorney-General said when there is a decision about him, but it does not work that way, Madam Speaker. It should be completely at arms-length. The Electoral Commissions in most genuine democracies are the most powerful body in the conduct of Elections. So, Madam Speaker, this Bill is really a “cart before the horse” because the MOG Report and the Election Commission Report are still being considered by the Standing Committee on Justice, Law and Human Rights and I think they did a good job. They had some very useful presentations and we would have liked to have seen their report in Parliament.

In conclusion, Madam Speaker, my concern is that the Electoral Commission must be supported, empowered and treated as an independent Commission but this Bill, Madam Speaker, I am afraid to say, is not going to do that. We must be assured that the Commission and also the Supervisor of Elections are all going to provide us with a free and fair environment, free and fair process for the Elections as stipulated in the Constitution.

I am also disappointed, Madam Speaker, that out of the 38 Recommendations from the MOG, only three are being considered in this rushed Amendment Bill. Critical areas of reform, for example, are also not considered and I had listed in my submission to the Standing Committee on Justice, Law and Human Rights all the different areas of reform that needed to be considered.

So, really, Madam Speaker, this Bill is completely out of place, it does not do anything to address the recommendations of MOG, it does not do anything to create confidence in the work of the Electoral Commission as suggested by the Electoral Commission in its Annual Report in 2014, and this Bill should not have come here until we have looked at the report from Standing Committee on Justice, Law and Human Rights Committee.

HON. SPEAKER.- Honourable Members, you have noted that we are going beyond our time but really it is not realistic to open the debate until we have heard all the amendments. This is why the first presentation took more than 20 minutes but the debate will still be given 20 minutes. Therefore, I will now give the floor to the Honourable Karavaki. You have six minutes.

HON. S.D. KARAVAKI.- You mentioned six?

HON. SPEAKER.- Honourable Professor Prasad took a lot of the 20 minutes. You have six minutes.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I would like to thank the Honourable Attorney-General for bringing this Bill in but I had hoped it would have come in the proper way.

But anyway, Madam Speaker, this is the time for us to really approve a true reform to the Elections Office, as is provided in Sections 75 and 76 of the Constitution, the roles of the Electoral Commission and the Supervisor of Elections.

Out of that, Madam Speaker, this Bill should have been properly constructed according to the line of responsibilities that are stipulated or stated in the Constitution, but I fail to see that, Madam Speaker. We have the opportunity here. If you look at Clause 2 in the Definition, you will see the definition of Fijian Elections Office. Madam Speaker, I would have like that to be the definition of the Fiji Electoral Commission Office and not the Fijian Elections Office because if it is termed as a Fijian Electoral Commission Office it truly encompasses Sections 75 and 76 of the Constitution. It will also rightly align the roles of the two constitutional independent bodies.

Now it is a bit confusing. The confusion ended up in Court, Madam Speaker, and we know in the term used by the Fiji Court of Appeal that the Supervisor of Elections Office is, in fact, subordinate functionary to the Electoral Commission. That should have given us the idea on how we should align the responsibilities, how we should have structured the office that is responsible for Elections because when we look at Clause 2, the definition of Elections Office it is now only applicable to the Office of the Supervisor of Elections. It does not say anything at all about the Electoral Commission. So, we ask; where would be the Electoral Commission's Office is?

I would have suggested if the Honourable Attorney-General and the Honourable Minister responsible for this to have properly align this and used the term "Fiji Electoral Commission Office" and in that office it will accommodate both, the Electoral Commission Office and also the Office of the Supervisor of Elections. That will truly reflect their line of responsibilities. But now, it seems to have elevated the Office of the Supervisor of Election and the Office of the Electoral Commission is not known where it is fitted into this.

Madam Speaker, this issue was actually highlighted by the Electoral Commission. They were concerned about the lack of budget, they were concerned about not having the resources that they need, and it is because of this, it was not clearly defined where they fit but they are the main body.

If we look at Section 75(2) of the Constitution, Madam Speaker, it says; "The Commission has the responsibility for the registration of voters and the conduct of free and fair Elections..." That would give us the confirmation that this is the body that must be elevated and to ensure that it is enabled to carry out its work because the Supervisor of Elections only carries out his work under the direction of the Electoral Commission.

I have worked in the past with the Electoral Commission, Madam Speaker, and I had never stepped out of line, I had always listened to their direction and always make sure that their budget is clearly outlined and clearly defined so that they can work in their independent role according to the Constitution. That is my view on that, Madam Speaker, and I hope this definition could be changed, instead of Fijian Elections Office to become the Fiji Electoral Commission Office and that can accommodate both, so that they can have their own secretariat, the Supervisor of Elections can have his own office and he is responsible for appointing staff who would carry out the constitutional functions that are given to him or her. That would clearly define that, Madam Speaker.

I would like to comment on Clause 3 which is now being suggested for the Supervisor of Elections to become the Secretary to the Electoral Commission. I cannot see the logic and the application of this because they are two independent Constitutional Offices and none of them can become to be subject to the other one and to carry out this administrative work because he has his own roles to play under the Constitution.

In the old Act, Madam Speaker, it only says that the Supervisor of Elections has the right to attend the meeting of the Electoral Commission. He has the right, he can be there. When he is required to be there upon the direction of the Electoral Commission, he would be there to answer questions and give advice, but not to become the Secretary. Madam Speaker, this will water down their respective roles.

Also, Madam Speaker, it cannot be cured in that when there is a review of the decision of the Supervisor of Elections, so he would not be allowed to attend. That cannot be used as a complete bar, Madam Speaker, because the Electoral Commission would want the Supervisor of Election to come before it so that he can answer some of the questions they have in regards to the decision under review and the situation that prevails at the time.

HON. SPEAKER.- Honourable Member, can you make your concluding statement, please?

HON. S.D. KARAVAKI.- And this Section, Madam Speaker, would not really allow that to happen.

To conclude, Madam Speaker, Clause 15 says that at the closing time prior to 6.00 p.m. all of those who were already in line to go and vote, after they had voted, then that is closed. However, in situations where people are still coming in to vote, it says here, “operate during the times approved by the Electoral Commission.” This is really not practical.

Normally, the presiding officer is given the authority to extend the time because if they are in the rural areas, the presiding officer would not have the facility to call the Electoral Commission and saying, “we are still having line here, can you give us some more time?” The authority is given to the presiding officers to decide, to extend the time, they are actually given two hours of extension. That allows the process of elections to continue to move because we cannot hold the process.

The whole idea of electoral administration is to see the process keep on moving and nothing to hold it so that it can come to conclusion because the whole nation is waiting for it. That is the whole idea, and to place two hours is always the way to go about it, to give authority to the presiding officer to allow for extension.

Madam Speaker, I would really suggest that they look into that and give their presiding officers the authority to extend the time of polling. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I apologise, I was just following up the EU Report on the 2006 Elections that I wanted to point out what Honourable Karavaki was saying, is in fact, contrary to what he in fact has been representing. Madam Speaker, I just wanted to make a few points.

I think the Opposition seeks to blame their political fortunes on a supposed conspiracy by way of law by the Government. What they seem to always intimate is that, “Well, the 2014 Elections was not free and fair. Even though MOG may have said it was not free and fair but the processes were not free and fair. We are living under fear, we were not able to then fully exert ourselves to win the Elections.” But the reality is, Madam Speaker, the Elections were creditable.

Madam Speaker, it is clear that the Elections had one of the highest voter turnouts in Fijian history. It is clear that the invalid votes was the lowest ever in Fiji.

Madam Speaker, there has been no aspersions cast on the actual process per se, as far as the results were concerned. The MOG report that Honourable Professor Prasad is talking about is to do with the other aspects. I am talking about this particular Amendment Bill as you would have seen in the representations we have made, it is all to do with processes. It is about things like polling screens, all of those extra things like the ballot papers, Madam Speaker, that is the focus of this Bill.

In respect of the other issues before the commencement, it has nothing to do with it, Madam Speaker, and the reality is that they talk about fear. Only yesterday they were objecting to us removing the requirements - should not have permits have for meetings. They can now go on with their meetings, so they do not have to come back in the Elections and say, "We were actually held back, that is why the process was not fair." Go and have your meetings, you do not need a permit.

The reality also, Madam Speaker, Honourable Karavaki with due respect to him, Honourable *Talatala*, the EU Report says, "In some cases, Commission's decisions were not implemented by the Office of the Supervisor of Elections...", which was his office and here is the Office of the Supervisor of Elections. "...but the Commission failed to follow-up on such operational failures, for example, at one Commission meeting, a decision was taken to approve a request by Reverend Akuila Yabaki from the Citizens Constitutional Forum..."

HON. S.D. KARAVAKI.- Where is it?

HON. A. SAYED-KHAIYUM.- It is in the EU Report, I will also give you a copy. I think I have given it to you before.

"...to collect all names of persons who wanted to vote but were not on the Register of Voters. This decision was not communicated to Reverend Yabaki's group nor was it implemented. Upon a request by the EU, an election observer group to observe the Electoral Commission meeting, the Mission was invited only on one occasion on 27<sup>th</sup> April, 2006."

There are a number of anomalies, Madam Speaker, I have got some other pages here that actually points out those kind of issues, but I really do not want to get into that. The point of the matter is, Madam Speaker, these amendments seek to clear up the processes. These amendments make it easier for the potential voters of Fiji to vote, makes it lot more easier for them if they want to, for example, vote beforehand, they want to vote for a postal ballot, for example, makes it easier for them to do so.

We want more and more Fijians to vote, Madam Speaker. We have actually set aside a public holiday and a paid public holiday in the middle of the week and all employers have to pay their employees. The idea is to get many Fijians to vote to be able to cast their view as to who they want to govern them for the next three and a half to four years, and these amendments, Madam Speaker, does do that.

Madam Speaker, they talked about, we are somehow or the other undermining the independence of the Electoral Commission, which is not. In fact, that is why it took so long to actually read all the amendments. If you look at it, through these amendments, we are iving the Electoral Commission more discretionary powers. Read the amendments! We are giving them more discretionary powers. In fact, the amendment now allows the Electoral Commission to make more rules. The Electoral Commission can make rules. Previously, they never had the powers to do so, there was no legal basis. Now, they can make rules. Now, they will say, "The Electoral Commission is not right."

The fact of the matter is, Madam Speaker, and I have to say this, they fail to say, “Oh, it went to court.” Who took the matter to court? The Electoral Commission took the Supervisor of Elections to court on the issue of timing, and we have clarified the timing.

In the same way, they supported the Workmen’s Compensation Bill yesterday. Why did we bring that amendment to the Workmen’s Compensation Bill? It is because the court had ruled, they had applied the law in a particular manner. This is what you call separation of powers. When that ruling was made by the court, the Parliament has decided to represent the people of Fiji to say, “No” that is alright, that is the interpretation. That is what you apply to this case, but going forward we want the law to change, and that is the power of this Parliament.

The court had said, “You must allow the 12 months rule strictly.” We have said, “Now, we want the 12 months rule to change to three years.” In the same way, the Electoral Commission unprecedentedly took the Supervisor of Elections to court. The Supervisor of Elections won in the High Court. The Electoral Commission then unprecedentedly took the matter to the Court of Appeal. The Court of Appeal ruled in favour of the Electoral Commission.

The Supervisor of Elections is now taking that matter to the Supreme Court. That is the matter on foot. We want certainty in the meantime, so this Parliament that makes the laws in this country says, “Loo guys, we do not want to mess around with this definition issue. We actually want a definite time”, so this simply sets what a day means. There is nothing conspiratorial about that, there is nothing taking away the powers of people and, Madam Speaker, it is not undermining the Electoral Commission.

Madam Speaker, I have said in this House and at that time only Honourable Nawaikula, I remember quite specifically, said, “I’m not bringing in this matter because it is before the courts.” I can say it now, Madam Speaker, because they had a ruling in their favour, the Electoral Commission also (Honourable Karavaki will also tell you), it is completely unprecedented for the Electoral Commission to not get a legal opinion, should they require legal opinion from the Solicitor-General.

The Solicitor-General is also an independent office now appointed by the Judicial Services Commission which is an independent body, to get legal opinion. Instead the former Chairman of the Electoral Commission went and brought a legal opinion from outside and from someone, who he has done a lot of work with and continues to do so. And whether there were tenders called for it or whether, at least, there were three quotations obtained for it, all those issues, Madam Speaker, are not mentioned in their report.

We do not like to say all these things but the fact of the matter is, they are only giving us half-baked information. They are misleading the people of Fiji by actually giving this kind of misinformation and this is the truth, Madam Speaker. What I have just stated now is the truth, it is the truth!

Madam Speaker, this Bill is actually an amendment to the processes. That is all this Bill does. So I would urge Parliament that the matter before the Committee has to do with those two Reports. That has a life of its own. No one is questioning that. They can come back with their report and their recommendations.

Again, the Opposition seems to have this view, that if someone has written a report on something and if it suits their agenda, “When are you going to implement this report”. It is your report, it is your recommendations. We must see whether it suits the Fijian climate or the Fiji jurisdiction and whether it is appropriate for us.

Madam Speaker, the other point is, as I had pointed out, there are other jurisdictions in the world where the Supervisor of Elections also plays secretariat to the Electoral Commission. They do not see any conflict. The problem is, Madam Speaker, I think in my humble opinion, the Opposition side always tends to personalise matters. They look at individuals, which way they sway, and then they think that this is how it affects the office.

Madam Speaker, we are actually looking at processes, we are looking at the future. We are looking at how these amendments (again, I will bring you to the point) will make it easier for the ordinary Fijians to firstly vote, access voting, vote to access voting outside the normal polling times, and also, Madam Speaker, outside the normal polling dates and also, to be able to have that level of confidence and trust in the system. This is what this does. It would be very foolish of Government to introduce amendments to an existing law that would undermine the already goodwill and existing credibility that that law has created. It would be redundant of us to do that.

I would please urge, Madam Speaker, Parliament to vote on this amendment so that the new Electoral Commission and the Supervisor of Elections can roll out all of this. It should be something that we all should be proud of. By March of this year, all the polling station list will be published. You will, all of you as individual Members of this Parliament, be able to go and see on google map where your polling stations are. Please, start strategizing now. Go and have your meetings now. This is the leverage that has been created, that never happened before. We should be proud of that. No one who spoke from the other side had actually acknowledged that. That is very, very sad. It is very sad that all this good work is being done, but it has not being acknowledged.

Madam Speaker, with those few words, I would like to recommend that Parliament vote for this amendment, with the amendment to the word from “charged” to “charge”.

HON. SPEAKER.- Parliamentary will now vote and the question is; pursuant to the resolution of Parliament on Monday, 6<sup>th</sup> February 2017, that the Electoral (Amendment) Bill 2017 will be debated, voted upon and be passed.

Does any member oppose the motion?

(Chorus of yes” and “noes”)

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

Question put.

Votes cast:

Ayes:	31
Noes:	12
Noted Voted:	6

There being 31 Ayes, 12 Noes and 6 Not Voted, the Motion is therefore agreed to.

Motion agreed to.

Bill was debated, voted upon and passed.

[A Bill for an Act to amend the Electoral Act 2014, Bill No. 5 of 2017, enacted by the Parliament of the Republic of Fiji. (Act No. .... of 2017)]

HON. SPEAKER.- We will move on to the next Item in the Order Paper.

Pursuant to the resolution of Parliament on Wednesday, 8<sup>th</sup> February, 2017, the COP23 Presidency Trust Fund Bill 2017 will be debated, voted upon and be passed today. Debate will be limited to one hour, with the right of reply given to the Attorney-General as the mover of the motion.

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

### **COP23 PRESIDENCY TRUST FUND BILL 2017**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the Resolution of Parliament on Wednesday, 8<sup>th</sup> February 2017, I move:

That the COP23 Presidency Trust Fund Bill 2017 be debated, voted upon and be passed.

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, as highlighted yesterday, the purpose of this Bill is to establish the COP23 Presidency Trust Fund to pool the considerable finances that we have been assured of to organise COP23, the events surrounding it and for related purposes.

The Bill, Madam Speaker, as we can see is very brief and I do not want to dwell on it too much. It sets out the COP23 Presidency Trust Fund. It says, “This section establishes the COP23 Presidency Trust Fund consisting of any amount appropriated by Parliament for the purposes of the Fund.” The reason I have put that in is because you will see in the Bill itself that the Trust Fund can continue post the COP23 Presidency, any grant, contribution in relation to the Fund and any interest accrued from money deposited into the Fund. What is the purpose of the Fund, Madam Speaker?

The purpose of the Fund is set out in Section 4. The application of the Fund and the management and financial provisions where what we are doing, Madam Speaker, is also allowing for an external auditor to audit the funds, not just from Government but someone from outside and it sets out in Section 7 the qualification they must have.

It also says that every six months, the Fund must be audited and the report of that Fund must be presented to Cabinet, and then the report of that Fund must be subsequently presented to this Honourable Parliament, Madam Speaker.

Madam Speaker, it does talk about that should the Fund be dissolved, what are the requirements in terms when the dissolution actually takes place.

So, with those introductory remarks, Madam Speaker, I would like to open up the debate, if any, on the Bill.

HON. SPEAKER.- The Bill is up for debate and I invite comments, if any.

HON. P. SINGH.- Madam Speaker, conceptually it is good that there is a specific Bill to deal with raising funds for COP23 Presidency.

Madam Speaker, NFP supports the COP23 Presidency, and if we can make it as home grown as possible with our own experts leading the charge, I am glad to see that there are attempts on this front already.

Madam Speaker, Clause 3(1) provides for any public funds appropriated by Parliament for the purpose set out in Clause 4, for the purpose of the Fund, and we will take care and pay attention to this when the Budget debate occurs.

What is problematic is that the source of funds is too wide. Yes, we recognise that we are fundraising to carry out the various tasks required for the Presidency, but in climate change where parties and interests, such as the fossil fuel industry is influential, it is no secret how very creative they can be channelling their monies. They extend their influence in the climate change negotiations.

The same criticism could also be levelled at NGOs but regardless, Fiji must have robust safeguards so as not to undermine the integrity and credibility of our Presidency at the international stage.

There is also a risk that black money could find itself in this pool. Again, robust safeguards are essentials so as not to undermine the integrity and credibility of our Presidency at the international stage.

Clause 7, Madam Speaker, the Auditor-General must also audit these funds, especially if Clause 3(1) provides that public money may also be appropriated for this activity.

Clause 9(2) on the use of trust funds for climate change programmes, we want to see better accountability in this Clause as soon as possible. That is, how this is translated to make sure regional pre-determined programmes which should not become an added burden but synchronized seamlessly with the priorities already determined by national and regional technocrats.

Thank you Madam Speaker.

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

HON. M.A. NIUMATAIWALU.- Madam Speaker, I hereby rise to add my contribution in support of the Bill before the House.

Fiji's Presidency of COP23 is another feather in the cap in Fiji's standing in the international community, especially in the global fight against climate change. Fiji has ably led the Pacific Islands Developing States (PSIDS) in New York and at recent COP Meetings, especially in Paris last year where Ambassador Amena Yauvoli was Chair of one of the United Nations Climate Change High Level permanent bodies, the Subsidiary Body for Implementation (SBI). His appointment lifted Fiji's status in the global climate change negotiations.

The benefit is not only for Fiji but the rest of the PSIDS. It elevates to the global community the real concerns of the impacts of climate change in Fiji and other PSIDS. Not only is Fiji recognised for its efforts in the global push to address climate change, but also at the United Nations where Fiji is currently the Chair of the august body for a year, led by our Ambassador in New York, Mr. Peter Thomson. For a small island nation like Fiji, to lead the 193 member nations which includes the five



permanent members – the US, UK, China, France and Russia, is a major feat and a major achievement in our foreign policy.

Fiji continues to punch above its weight, hosting the UN Oceans Conference in New York in June this year. One of the expected benefits for Fiji and PSIDS is the recognition of our concerns for climate change and oceans. With that recognition, we hope will come the global financing to help Fiji and PSIDS deal with the already visible impacts of climate change and oceans. This global leadership gives Fiji global recognition of its contribution to deal with global issues and to support the UN and other international organisations in their push to show that multilateralism still works.

Madam Speaker, with that brief explanation, I support the Bill before the House.

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

HON. A. M. RADRODRO.- Madam Speaker, I just make a brief contribution to this Bill, basically it is seeking clarity in terms of certain clauses in the Bill. I would just like to ask, why would this Bill establishing this Trust Fund be operating differently from the funds that are incorporated under Trustees Act 1966?

Madam Speaker, we note that this is a public funding exercise whereby it needs to be audited by the Government auditor. As we all know that the Government auditing has a lot of scrutiny, a lot of regulatory audit, apart from only financial audit that is usually is done by the independent auditor. When it goes through the Government audit, there is a lot of scrutiny in the processes and the procedures and even how effective the funds are being utilised. So I urge that the Clause 7 of this Bill whereby it states that the funds and auditing of the accounts of the Board annually by an independent auditor, be amended to incorporate the auditing that has to be done by the Government auditor. Thank you, Madam Speaker.

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

HON. N. NAWAIKULA.- Madam Speaker, this is necessary also. I believe we will probably be supporting but we just need some clarification and possibly, some questions in relation to this. I will ask the same question; why is it that the Trustees Act 1966 does not apply? Maybe, we will get clarification on that. Also, I was hoping that this would have to be extended not to cover only this, but to cover all climate change monies that are coming from donors that some are now basically in Head 50. It would have made all funds relating to climate change more accountable and transparent. So, may be a clarification on those two points can be made by the Honourable Attorney-General.

HON. SPEAKER.- I give the floor to the Honourable Praveen Bala.

HON. P.B. KUMAR.- Madam Speaker, I rise in support of the Bill that is before us. I think there is a lot of concerns from the Opposition but they have chosen not to speak on Clause 8 of the Bill. It says, and I quote:

- (1) “The Ministry must prepare a report every 6 months on the activities and expenditure of the Fund, including financial statements for the Fund, and submit the report to Cabinet within 6 months from the end of the 6-months period to which the report relates.
- (2) The Minister must cause the copy of the report to be laid before Parliament (this Parliament) at the next sitting of Parliament after Cabinet receives the report.”

Madam Speaker, last week in Lautoka, I mentioned that Fiji will be on the world stage by hosting COP23. The Honourable Prime Minister has taken a lead role globally and his leadership, vision and commitment have seen the COP23 come here in our beloved nation.

Madam Speaker, as Fiji moves on with its planning stages for the COP23, we fully support the setup of this Trust Fund. The world leaders have bestowed the trust on our Honourable Prime Minister and we will make sure that this trust is not misplaced.

Madam Speaker, climate change knows no borders, we have to make sure that we will contribute towards bringing about sustainable development and also, it is a proud moment for Fiji for being the first small island State in the region to be given this honour.

With those brief comments, Madam Speaker, I urge all the Honourable Members to support this Trust Fund.

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

HON. S.B. VUNIVALU.- Madam Speaker, the day before yesterday, I heard some *talatala* (priests) mentioned a verse from the *Holy Bible* saying, “*Tekivu mai Jeruisalemi*”. And I still can recall the preparations of the Fiji 7s Team led by Osea Kolinisau when the Honourable Prime Minister announced the names of the players to participate in Rio de Janeiro in the Olympic Games and he mentioned that he wanted the people of this world to know Fiji.

Madam Speaker, I served the Military for 25 years and also served in various war-torn areas for 12 years. Those people whom we served together do not want to know Fiji. When we mentioned Fiji, they do not want to bother about Fiji. So what happened was that last year, the Fiji 7s Team eventually won gold in Rio de Janeiro.

The first person whom we saw there congratulating the Fiji 7s Team was the Honourable Prime Minister. From that time, people around the globe knew where Fiji is.

Madam Speaker, the COP23 which will be held in Bonn, Germany, will be spearheaded by the Honourable Prime Minister, who will be the President. So, I still do not know what is wrong with the Opposition, why they are not supporting the Bill.

The COP23 was supposed to be held in Fiji, but it will be held in Bonn, Germany this year. I hope Honourable Professor Biman Prasad will go there.

(Laughter)

Madam Speaker, with those few words, I support the Bill.

HON. SPEAKER.- I now give the floor to the Honourable Attorney-General to speak in reply.

HON. SAYED-KHAIYUM.- Madam Speaker, I think every Honourable Member is in agreement with the actual Bill itself. The reason why we do not want the Trustee Act to apply is because there are no trustees. The Trustee Act says that we get trustees and there are no trustees in this.

The reason also, Madam Speaker, the Trustee Act applies to trust per se as opposed to trust funds that have been considered. That is why for clarity's sake that is mentioned to clear the air.

The other reason why you have an outside auditor being required, Madam Speaker, is because there are many countries and many foundations that actually will contribute to this Fund. They are, for example, aware of the big five in the accounting field. So, they are aware of firms like PricewaterhouseCoopers (PWC), KPMG, Ernest and Young and all that, and that will give them the confidence. If we say the Auditor-General, they will think; "Well, Auditor-General, Fijian Constitution", maybe they will link it to the Government, and that does not necessarily give them that air of confidence. We do not necessarily blame them for it but they do not know enough.

So, you have foundations, for example, there are large foundations in USA. They have heard about PwC, Ernest and Young and the other big five, whichever ones they are. This is why it is being set aside. If we have an independent auditor that will be appointed and once that independent auditor is appointed, they will know who exactly it is, they will give them that level of confidence as we have said, but the Act does not say that. We have already stated in Parliament that we will also be publishing the accounts on a monthly basis, available on the UNFCCC website.

In fact, we have mentioned it to them. We want to give them the accounts so that people who do go on to the UNFCCC website, they will see the revenue in, revenue out, they will see the purpose of the Fund, the law actually when it becomes an Act of Parliament will be attached to the website, so it creates that level transparency.

Furthermore, they will know that every six months it gets audited, and then it goes to Cabinet and it also goes to Parliament which is the highest decision-making body, as far as the statutes in the land are concerned. That is the reason why, Madam Speaker, we have put that in, and I urge Honourable Members to vote for this particular Bill.

Thank you, Madam Speaker.

HON. SPEAKER.- Parliament will now vote. The question is that pursuant to the resolution of Parliament on Wednesday 8<sup>th</sup> February, 2017, that the COP Presidency Trust Fund Bill, 2017 be debated, voted upon and be passed.

Question put.

Does any Member oppose the motion?

(Chorus of "Noes")

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

Bill was debated, voted upon and passed.

[A Bill for an Act to establish a Trust Fund for the funding of the State's role as President of COP23 and to assist the Government to finance programmes, projects and activities that relate to the Paris Agreement and for related matters, Bill No. 6 of 2017, enacted by the Parliament of the Republic of Fiji. (Act No. ....of 2017)]

HON. SPEAKER.- The next Item in the Order Paper, I now call on the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

### **FIJI INTERCHANGE NETWORK (PAYMENTS) BILL 2016**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the Resolution of Parliament on Tuesday, 9<sup>th</sup> February, 2016, I move:

That the Fiji Interchange Network (Payments) Bill 2016, Bill No.15 of 2016, be debated, voted upon and be passed.

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Bill before Parliament has the inputs of the Committee which was actually referred to the Committee last year. The Bill that has been already circulated to Honourable Members of Parliament has a couple of amendments to it, as set out by the Committee which is very few and have been marked in red, and I would like to speak on this Bill that is before Parliament.

Madam Speaker, the whole purpose of this is essentially to ensure that we have a payment system that includes payments service providers to interconnect through a National Switch as commonly known or the Fiji Interchange Network Payments Bill System.

Madam Speaker, this Bill, when it becomes an Act of Parliament, will prevent anti-competitive measures amongst payment service providers. It will:

- reduce the costs associated with electronic transactions;
- reduce dependency on cash;
- increase access by customers to financial systems and institutions;
- increase financial inclusion;
- reduce the cost base of setting up and providing financial services; and
- help us to share infrastructure.

Let me give you some practical examples, Madam Speaker.

The three big banks in Fiji, generally the ANZ, Westpac and previously Colonial and then subsequently BSP, for years have actually stopped other banks from accessing ATM services. For example, the Bank of Baroda that has been in existence in Fiji for years and decades since the 1950s or 1960s, did not actually have ATM machines. Only recently they have, and we understand because of the fact that BSP has now allowed them, before the big three did not allow any other players.

You have the Bank of Baroda, you had Habib Bank, you now have Bred Bank and HFC, but you cannot use the cards of other providers in their ATM machines because these relationships are actually done through bilateral agreements between the banks on a commercial basis.

The reason is because they have a kind of oligarchic power which means that they also do dictate some of the rates. So, if I use, for example, one of the three bank cards in another bank's machine, I pay \$1.50. We have heard that ANZ has reduced the cost of interbank usage of ATM cards.

What it does, Madam Speaker, is essentially means that all individual banks go out and set up their own ATM machines. It requires a lot of capital outlay for hardware. Now, when you however have a shared approach to infrastructure, you then allow less capital outlay but more focus on services. If, for example, when this Bill is approved and we get all the banks to have their back-ends talking to each other, you then will have a situation where the banks will not be having to lay out individually such a huge capital outlay. They will be able to save that money and provide for more competitive rates for their customers. They will be more focussed on service delivery, as opposed to capital outlays.

This is why, Madam Speaker, at the moment because individual banks go and set up their own machines, you do not see an ATM machine, for example, in Korovisilou or in other parts of Naitasiri where they may be a few houses or a couple of shops, because the cost is quite expensive. There should be an ATM machine probably over here in Parliament. So, if you approve this Bill, then probably there will be an ATM machine. There may be more than two or may be one in every street corner but, Madam Speaker, this is the point. The point of this is to provide a legal environment which is also being governed by its own mechanisms in setting up a body where you have all the stakeholders participating in that, to be able to provide us the services at a lower cost, more focussed on services.

Madam Speaker, you can walk into a shop in New Zealand and buy a bottle of water for \$1.00, \$1.15 or \$1.20 by using your ATM card, your EFTOS card. In Fiji, most shops would allow you and they will say, "Oh, you have to buy more than \$10", only then, plus there will be some fee. We need to move away from that. The more people who get engaged in electronic transactions, we will not only make it easier for them, we will also have more accountability. We will also reduce the black economy. At the moment, for example, Madam Speaker, whilst the Honourable Minister for Social Welfare disburses the social welfare payments through Westpac services, should pay approximately about \$1,800 to them as commission for doing that.

By having an interchange system, the Government itself and we have talked about this previously, we can have what we call a Fiji Pay card. On that Fiji Pay Card which will be like an ATM card, the Honourable Minister for Social Welfare can load the money electronically on a monthly basis. The money will be in their accounts, so anywhere in Fiji they can simply go and use that card on any ATM machine and the money is there.

We also hope to, as we have discussed in this House previously, Madam Speaker, and I am sure the Member who is going to occupy the space between Honourable Prasad and Honourable Singh probably in the next sitting will be very aware of this. We are looking also at bringing about electronic bus-fare ticketing. So people on welfare, if they do have to pay or other people, they can simply tap away and pay for them.

Madam Speaker, also the other opportunity is that, we would be able to increase more financial inclusion and that is very, very important for us. Essentially, I think by way of introduction, I will stop there. So the Bill itself, for example, all the banks will need to be licensed by the new Fiji Interchange Network Authority in order to provide their payment services. It will be an offence under the new law not to connect to the National Switch. It will only become successful if all the financial institutions have to do it.

Once the Bill becomes an Act of Parliament, Madam Speaker, we will actually allow the Banks some time to be able to have their back-ends talk to each other, and they can do that. I mean, the back-ends of the three Banks are already talking. The Bank of Baroda is now included, so four of them are already talking to each other. We only have to bring in Bred Bank and HFC to be able to talk to each other.

It also, Madam Speaker, gives us opportunities with other providers, like iTLTB, FSC and FNPF. These are institutions that have very high volumes of cash transactions. Now, with equal distribution of land lease moneys, FSC with cane farmer payments, you also have the Provident Fund that disburses funds, you can also have them connected to the system, so you have a one-stop-shop for people who can carry out transactions.

In some countries, of course, you can use the ATM machines to also carry out deposits. So this is the lowest potential that this law brings about, Madam Speaker, and we urge all the Honourable Members of this House to think about the long-term effects of it. So it is not like, if Parliament approves the Bill that tomorrow you can start. No, we have to give them some time, I think it is about six months as provided in the Bill, then after six months, then it kicks in.

You will see a significant increase, Madam Speaker, in terms of the ATM users. We want higher volume, lower charges, so high turnover using the electronic transactions, and who knows, one day we can reduce electronic transaction costs which is \$1.50 at the moment to perhaps, only a few cents. But we will have a lot more transactions and that is how people make money based on volume, not making a kill on each transaction.

The Reserve Bank of Fiji (RBF), Madam Speaker, which is an independent body will also have an oversight of the whole licensing regime and it is very important for us to ensure that the RBF which is the independent body, does not only have prudential oversight but also in terms of the mechanics of it.

Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Members, the Bill is now open for debate.

HON. V.R. GAVOKA.- Madam Speaker, I rise to support the Bill and let me just say here that the Report by the Committee has been very informative. It made us understand the issues at stake here and has helped us come to this decision and we just hope that this is the pathway that we use in the future as we consider Bills. It is a short notice, but this has really been great reading. We have some idea of what is involved there but this has really helped and I commend the work of the Committee in talking to a lot of stakeholders who have given us a lot of insight in what is being discussed today.

Let me just impress upon those who are going to run this that there must be some back-up on the system because there is only one platform now, there is always the danger of overload. If it gets overloaded we must be assured that there is a backup in the system. Otherwise, Honourable Speaker, we support this.

HON. A.M. RADRODRO.- Madam Speaker, I rise to also support this Bill but some clarification in terms of Part 8 - the authority coming under the RBF. Maybe, it is about time that the Government also consider setting up a Banking Commission to not only look at the electronic transaction fee but other banking fees as well. We note that in one bank there is a different set of fees and another set of different fees from other banks, so maybe this is a way forward to consider also taking into account the standardisation of other fees in other banks. Thank you, Madam Speaker.

HON. M.A. NIUMATAIWALU.- Madam Speaker, the Consumer Council in a recent report said that consumers continue to pay high prices to access their own money, even to check their bank balances. This was highlighted by the Consumer Council of Fiji at the Standing Committee on Justice, Law and Human Rights on the Fiji Interchange Network (Payments) Bill 2016.

The Council CEO, Premila Kumar, said there was disparity in the fees approved by the central bank. She said that Bred Bank is yet to be interconnected and I as a customer of Bred Bank, welcome this initiative because I had to pay almost \$8 to get funds from other ATMs. That is why, for me as a customer, looking at the disparities in the charges put forward by the various bigger banks - ANZ, BSP and Westpac, and since customers from the smaller banks had to pay a bigger fee, so I hope I am speaking for consumers in this regard, who had to fork out that amount of money to hopefully see the changes that we are hearing today.

Madam Speaker, I support the Bill before the House.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to thank all the Honourable Members who have spoken in support of the Bill. Madam Speaker, you can be assured that the system will be put in place with redundancies, it has to be, of course, so that will not be an issue. It is, in fact, a key requirement. As we know that in all modern electronic systems now, backups are done, redundancies are in place.

Madam Speaker, I would also like to take this opportunity to highlight to the banks in Fiji that we have been having a series of discussions with them now for a few years. We believe in particular, that a lot of the foreign banks in Fiji have done extremely well, but if you look at the net profit after tax, two or three of the foreign banks have done extremely well, essentially in most cases using Fijian money to make a lot of profits.

We believe that for a number of decades and may be this was an oversight by the RBF, unlike other jurisdictions, the central governments provide a lot of prescriptions to banks to allocate certain amount of funding for targeted areas of development in those respective countries. For example, in a place like India, the central bank has been very focussed in telling the banks, "You must set aside x number of dollars, for example, in cooperatives or your grassroots development, et cetera."

Unfortunately, commercial banks in Fiji have not been subjected to that by the central bank in Fiji for decades. Madam Speaker, we see this particular opportunity for the banks in a way to redeem themselves and we urge the banks in Fiji to ensure that they very quickly and expeditiously and in a focused manner, come up to speed with this new law that will come into place. We are hoping that in less than six months, they can be able to get their back-ends to speed, and I can tell you now that when we first started these discussions, some of the managers (I am not talking about the CEO necessarily), the technical people, were extremely resistant to these initiatives. And we had urged them to become a lot more participatory in this venture and they have slowly come on board. Now, is the actual test of this, and we urge them to do so.

In a similar vein, we will be talking to insurance companies. Most insurance companies, except for one I understand at the moment in Fiji, Honourable Speaker, they are all foreign insurance companies. Again, insurance companies in Fiji have got away with a lot and again, the regulator has been the RBF. I am not in any way berating the RBF, all I am saying that, that that focussed attention needs to be given.

These companies are actually making money from ordinary Fijians. There needs to be a certain level of standard and certain level of service delivery. For example, most insurance companies do not offer insurance products to ordinary Fijians in the towns of Nadi and Ba for flood

cover. They simply refused it, and as we have highlighted previously and I think it was also highlighted by the Opposition on the other day, that only about 10 percent of homes in Fiji are actually insured. One of the reasons for that, Madam Speaker, is because the requirement for insurance purposes meeting engineering standards are very high. Most of the ordinary Fijians cannot afford it and most of the homes that were damaged in *TC Winston*, Madam Speaker, are in the rural areas, they mostly certainly could not afford it.

The point of matter, we are already having the sub-preliminary discussions. The Fiji Insurance Council has a new President, she is from Tower Insurance, and we were having discussions. In fact, we are meeting up with her next week to see how we can actually provide a particular level of cover if certain basic requirements are met, to be able to provide that insurance cover on a more extensive matter.

There is a lot of work going on behind the scenes. A lot of issues that have been raised, we have got a lot of planning that has been going on, we are talking to a number of service providers, but in the same vein, Madam Speaker, we believe that if this Bill is implemented expeditiously, it will provide an opportunity to the banks operating in Fiji to do something quite critical to increase the confidence level of the ordinary Fijians in the banking system in Fiji, and that is very important.

Once they have that level of confidence and they do not necessarily feel that there are being ripped off and they feel that services that are being given to them actually have a realistic and affordable price, you will find that more and more people will become included and find themselves wanting to be included in the mainstream financial sector. That is why this is very, very important and I would like to thank the Honourable Members who are actually supporting this Bill, and we would like to vote on it. Thank you, Madam Speaker.

HON. SPEAKER.- I have not heard any opposition, does anyone oppose the Bill?

Question put.

(Chorus of “Noes”)

HON. SPEAKER.- Therefore, the Bill is agreed to.

Motion agreed to.

Bill was debated, agreed upon and passed.

[A Bill for an Act to provide for the Regulation of Payment Systems and Services for the Fiji Interchange Network and for related matters, Bill No. 15 of 2016, enacted by the Parliament of the Republic of Fiji. (Act No. .... of 2017)]

HON. SPEAKER.- Honourable Members, we have dinner served. Would you like to break for dinner or shall we continue until we finish?

(Agreement by Honourable Members)

Honourable Members, I will adjourn the sitting now for dinner until 8.00 p.m.

The Parliament adjourned at 7.14 p.m.



The Parliament resumed at 8.02 p.m.

HON. SPEAKER.- Honourable Members, we will move on to the next Item in the Order Paper. I now call on the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

### **ELECTRONIC TRANSACTIONS (AMENDMENT) BILL 2016**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the Resolution of Parliament on Monday, 26<sup>th</sup> September, 2016, I move:

That the Electronic Transactions (Amendment) Bill, Bill No. 53 of 2016, be debated, voted upon and be passed.

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.- Madam Speaker, I understand there is a general agreement on this Bill so I will be very brief.

Madam Speaker, the Bill actually seeks to deal with the area of lack of legislation in electronic transactions in Fiji and, therefore, there is a need for Fiji's legislative framework to comply with international standards for more investment and friendly environment in the country. It further enhance Fiji's hub status, Madam Speaker.

A number of consultations, Madam Speaker, has been held over a period of time, in fact, for over two years. We have also consulted the United Nations Commission on International Trade Law (UNCITRAL). We had a Mr. Jayantha Fernando, who is an extremely well-versed person with such areas of the law who has provided an input into the amendments that have been put into the Bill, and he has assisted the Government.

Madam Speaker, consultations have been held with the RBF, Financial Intelligence Unit (FIU), Fiji Revenue and Customs Authority (FRCA), Communications, the Judiciary, the Office of the DPP, the Fiji Police Force, Ministry of Foreign Affairs and Solicitor-General's Office.

Madam Speaker, the Act was drafted using the UNCITRAL Model Law in Electronic Commerce 1996. So, I will be very brief and should there be any comments or queries, I can then respond to that. Thank you, Madam Speaker.

HON. SPEAKER.- The Bill is open for debate and I invite comments, if any?

There being no comments, do we have any opposition to the passing of this Bill?

HON. MEMBERS.- No.

Question put.

HON. SPEAKER.- There being no opposition, the Bill is agreed to.

Motion agreed to.

Bill read a second time and agreed to.

[A Bill for an Act to amend the Electronic Transactions Act 2008, Bill No. 53 of 2016, enacted by the Parliament of the Republic of Fiji. (Act No. .... of 2017)]

HON. SPEAKER.- We will move on to the next Item in the Order Paper.

**PUBLIC ORDER (AMENDMENT) BILL 2017**

In Committee:

Clause 1:

MADAM CHAIRPERSON.- Any Member may speak on Clause 1.

Do you have any amendments to Clause 1? Does anyone want to propose an amendment or shall we approve Clause 1?

HON. MEMBERS.- Yes.

MADAM CHAIRPERSON.- Clause 1 is approved.

Clause 1 agreed to.

Clause 2:

MADAM CHAIRPERSON.- Does any Member want to speak on Clause 2?

HON. MEMBERS.- No.

MADAM CHAIRPERSON.- There are no more amendments to Clause 2, this Clause is agreed to.

Clause 2 agreed to.

Clause 3:

MADAM CHAIRPERSON.- Let us look at Clause 3.

HON. MEMBERS.- No.

MADAM CHAIRPERSON.- Clause 3 is agreed to?

HON. MEMBERS.- Yes.

Clause 3 agreed to.

Clause 4:

MADAM CHAIRPERSON.- Does any Member wants to speak on Clause 4?

HON. MEMBERS.- No.

MADAM CHAIRPERSON.- No amendments, thank you. Clause 4 is agreed to.

Clause 4 agreed to.

Clause 5:

MADAM CHAIRPERSON.- Does anyone want to speak on Clause 5?

HON. MEMBERS.- No.

MADAM CHAIRPERSON.- Clause 5 is agreed to.

Clause 5 agreed to.

Clauses 1 to 5 agreed to.

MADAM CHAIRPERSON.- Thank you. That brings us to the end of the Committee of the Whole Parliament.

Parliament will now resume its sitting and I shall now resume the Chair.

The House resumed:

HON. SPEAKER.- Thank you. We will move onto the next Item in the Order Paper.

I now call on the Honourable Attorney-General to move the third reading.

HON. A. SAYED- KHAIYUM.- Madam Speaker I move:

That the Public Order (Amendment) Bill 2016 be read a third time and do pass.

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

HON. A. SAYED- KHAIYUM.- Madam Speaker, just to be very brief, as through the Committee Stage, we did not have any objections to this but just to recap, the Bill itself with the marked amendments, with the input of the Standing Committee on Justice, Law and Human Rights that looked at this, they have also made some very useful suggestions and changes which the Committee of the Whole of Parliament has approved.

Madam Speaker, again this Bill focuses on the issue of terrorism financing and also terrorism activities as far as they are concerned. It also deals with the issue of nuclear development, the proliferation or the development of weapons of mass distraction, such as nuclear chemical and biological weapons, which constitutes a threat to international peace and security, and of course, it will constitute a threat to Fiji as well. So, therefore, we must have laws in Fiji that will provide for such offences in respect of these matters.

Thank you, Madam Speaker.

HON. SPEAKER.- The Bill is open for debate, if any. Do you have any comments?

(Chorus of Noes)

HON. SPEAKER.- Thank you. There will be no comments on the content but comments only on whether the Bill should pass.

HON. S.D. KARAVAKI.- Madam Speaker, I myself would like to raise a matter that this Bill should not pass.

HON. SPEAKER.- Honourable Member, will you support that it should pass or no?

HON. S.D. KARAVAKI.- It should not pass as it is.

HON. SPEAKER.- That is it.

HON. S.D. KARAVAKI.- It should not pass at it is because ....

HON. SPEAKER.- No, we are not debating on the content.

HON. S.D. KARAVAKI.- Not on the content?

HON. SPEAKER.- No, not on the content.

HON. S.D. KARAVAKI.- Yes, it should not pass because the content should actually separate the terrorist and the nuclear provisions from the Bill itself.

HON. SPEAKER.- Thank you. Any other comments?

(Chorus of Noes)

HON. SPEAKER.- Honourable Attorney-General, would you like to make the right of reply?

HON. A. SAYED- KHAIYUM.- Madam Speaker, suffice to say, it does fit in with the Public Order Act. We have issues of terrorism, terrorism financing and also nuclear proliferation addressed within the Public Order Act, and we look forward to Parliament approving this Bill which is useful, both for international peace and security, but also useful for Fiji and all Fijians.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Parliament will now vote. The question is that the Public Order (Amendment) Bill, Bill No. 23 of 2016, be read a third time and do pass.

Question put.

Does any Member oppose the motion?

(Chorus of "Ayes" and "Noes")

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

Votes Cast:

Ayes	:	30
Noes	:	11
Not Voted	:	8

Motion agreed to.

Bill reported without amendments, read a third time and passed.

[A Bill for an Act to amend the Public Order Act 1969, Bill No. 23 of 2016, enacted by the Parliament of the Republic of Fiji. (Act No. ....)]

HON. SPEAKER.- We will move on to our next Item in the Order Paper.

HON. A. SAYED-KHAIYUM.- Sorry, Madam Speaker, my apologies for that. There is a bit of confusion on my part.

### **UNITED NATIONS CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 130, I move that:

The United Nations Convention on Contracts for the International Sale of Goods be considered and reviewed by the Standing Committee on Foreign Affairs and Defence.

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

HON. SPEAKER.- Honourable Attorney-General has moved a motion to refer the tabled Treaty to the Standing Committee on Foreign Affairs and Defence. I confirm that the Honourable Attorney-General has provided me with a copy of the Treaty and written analysis as required by Standing Order 130(2).

Therefore, pursuant to Standing Order 130(3), the Treaty and the Analysis stand referred to the Standing Committee on Foreign Affairs and Defence for consideration and review. The Committee may table a report to Parliament no later than 30 days from today.

[United Nations Convention on Contracts for the International Sale of Goods referred to the Standing Committee on Foreign Affairs and Defence]

We will move on to the next Item in the Order Paper.

### **GOVERNMENT GUARANTEE – FIJI ELECTRICITY AUTHORITY**

HON. A. SAYED- KHAIYUM.- Madam Speaker, pursuant to Standing Order 131 and for the purpose of Section 141(1) of the Constitution of the Republic of Fiji, I move:

That Parliament approves that:

- a) Government guarantees to Fiji Electricity Authority's (FEA) borrowings in accordance with the approved Government guarantee mix from the date the guarantee is approved by Parliament to 31<sup>st</sup> December, 2017;
- b) the existing Government guarantee mix of US\$50 million for offshore borrowings and F\$404 million for domestic borrowings be maintained; and

- c) FEA be charged a 0.75 percent guarantee fee on an annual basis on the outstanding balance of the Government guaranteed loans, payable semi-annually.

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.- Madam Speaker, just by way of introduction, I, again intend to be very brief.

Madam Speaker, this is the extension of the guarantee that this Parliament has already approved for another year. As we are aware that these guarantees pertain to loans that go back a number of decades, some of them that were approved by previous Governments and also, of course, by this Government, and is simply a continuation of those loans.

Madam Speaker, the extension of the guarantee availability will allow FEA to access credit in order to successfully fund its ongoing new projects, including the:

- Development of a Waste Energy Plant at Naboro;
- A new 132Kv transmission line from Viraira, Ba to Koronubu, Ba;
- Development of the Lower Ba Hydro Scheme;
- Development of Qaliwana Upper Wailoa Hydro Scheme;
- Development of five MW solar PV plant;
- Refurbishment of the Monasavu Hydro Scheme which is more than 30 years old; and
- Replacement of ageing assets.

Madam Speaker, this guarantee continuation, as you see, the request is not for any additional borrowings but within the same amount mix that we have actually talked about previously. The FEA's annual rated profitability level at the end of December 2016 is a profit after tax of approximately \$59.3 million as compared to \$39.7 million recorded for the same period last year.

In addition, the FEA has been able to meet the financial covenants as imposed by its key lenders, namely ANZ Bank and FNPF. It has maintained a healthy debt mix reflected in its debt to EBITDA (Earnings Before Interest Depreciation and Amortization) ratio at 2.55 times compared with a benchmark of less than five times. The gearing ratio, Madam Speaker, of 66 percent is well below the benchmark of less than 125 percent. This demonstrates that FEA's financial position is well maintained and is on strong footing and indeed, they have not had to call on any of the Government guarantees.

Regarding Government exposure in as far as guarantees are concerned, Madam Speaker, as at 31 October, 2016, the total Government contingent liabilities was \$810.93 million equivalent to 8.2 percent of GDP. The FEA's total Government guarantee debt, including offshore loans stand at F\$318.3 million and this represents 39.2 percent of the total contingent liabilities.

Madam Speaker, these are some of the critical figures that I would like to present before Parliament. Of course, as we know that the FEA is continually working to improve its output and also to be able to have some long term plans in respect of the more reliance on renewable energy which, of course, in the long term is a cheaper source of generating electricity.

Also to talk about the elephant in the room, Government has also, Madam Speaker, as we are aware had calls for expressions of interest. We are currently going through the companies that

include some foreign companies that are interested in investing in FEA. This Government has said from the onset that Government will maintain 51 percent control of FEA.

There is a Bill that we intend to present to Parliament in respect of the separation of some of the regulatory aspects of FEA to be given to other entities to help FEA focus on the key function of generation, transmission and retaining of electricity which is very important. By having the divestment, Madam Speaker, also this is one of the conditions, that it will reduce the level of contingent liabilities that Government will have to guarantee because as a 51 percent shareholder in the new entity, our exposure should only be 51 percent of the total debt in respect of our guarantee exposure.

This will bring about some good synergies, Madam Speaker. The reason why we are also looking out for new partners are those partners that do not necessarily pay the right price but also are able to bring a particular level of technology and know-how that could leap frog FEA into doing a lot better than what it is currently doing. So, that has, of course, got a life of its own and we hope to complete that sale, Madam Speaker, in the next few months and this is why we will be presenting the Bill to Parliament to be referred to the Committee under Standing Order 51, that it be referred to the Committee so that they can come back in the next sitting of Parliament.

Madam Speaker, those are the key factors pertaining to the extension of the guarantee that Parliament had approved previously for FEA.

HON. SPEAKER.- The motion is now open for debate and I invite comments, if any. Honourable Aseri Radrodro?

HON. A. M. RADRODRO.- Madam Speaker, I wish to respond to the Government guarantee deliberations today. Just before I commence, I would just like to get a clarification from the Honourable Minister whether the existing guarantee has already expired and this is a retrospective approval or is the existing guarantee still in force and this approval will continue as soon as we approve it today?

Madam Speaker, FEA's plan to become self-sustainable has included finding alternative energy solution. The total renewable energy supplier was earmarked by FEA for 2011, according to FEA's long term official development plan but, of course, this has not yet eventuated. The question to ask here, Madam Speaker, is; why has Government failed to hold FEA to account on this matter?

If you look back at how FEA has evolved, you will remember that at one point there were plans to separate its operations of making FEA a community project rather than an entity focussing on providing efficient and effective services commercially. On the one hand, we have FEA wanting Government's assistance through guarantees, yet on the other hand Government is providing electricity subsidies for low income earners and removing the paying of electricity deposits from new customers.

Whilst these are commendable gestures, Madam Speaker, in the long term they are political decisions that do not help FEA become a self-sustainable entity. Last year, according to the 2015 Annual Report, FEA signed an agreement with some independent power producers but the viability of this agreement remains to be seen. So Government has a responsibility to ensure that this kind of arrangement bears fruits that FEA can be assisted in a long run to become truly independent as a commercial entity.

Madam Speaker, this House was informed in the 2014 Budget Address that Government was looking at diversifying shares in FEA. This was supposedly to assist FEA become viable and

possibly, the landowners. Now, here we are with no indications of when will this become a reality, but we now embark on another journey of Government through taxpayers, guaranteeing FEA loans.

Opportunities are available through a number of possible energy sources from biomass, solar, windmill, sea and waste energy but they remain elusive to us with regards to complementing hydro-generated energy supplies. According to FEA's Annual Report of 2015 its gearing ratio is within the international benchmark for power utilities of 45 percent. If this is so, Madam Speaker, that should mean FEA is a viable business entity with commendable energy sources and Government is still required to guarantee its loans.

Madam Speaker, Government needs to pick up the pace and win-off FEA to become a truly commercial entity. This business of guaranteeing FEA loans is not sustainable in the long term and must not be encouraged to continue on forever.

On that note, Madam Speaker, FEA power lines have been extended from Valley Road towards Nasivikoso Village along the Bukuya Road. The FEA power lines has reached Nasaucoko Village and has stopped there, and people in Wauosi Village and Nasivikoso Village are still awaiting for electrification to commence. Similarly, for the people in Waibau, Naqaraivi and Vatudavila, Navutu and Navuakece are still awaiting for their electricity reconnection as of today.

Thank you Madam Speaker.

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

HON. P. SINGH.- Madam Speaker, the guarantees to FEA, we support. All FEA loans are guaranteed by Government and this has been the practice all along.

Madam Speaker, FEA produces power and transfers it to its customers. FEA by way of background only provides power to four major islands.

In Vitilevu, we do not have power supply from Korovou to Rakiraki and Ovalau, parts of Vanua Levu and from this year in Taveuni. So, the question of divesting the shares, I still do not think that is the right way to go because there are other options available. FEA is a profitmaking body. Its annual reports says that FEA's turnaround from \$1 million profit in 2014 to \$31 million in 2015.

Madam Speaker, having said that, the impact of divestment of shares to me was, whilst the Government has chosen to go that way, whether the 49 percent that we divested, the proceeds will be used to offset some of the loans which Government has guaranteed to bring down the Government's exposure.

Madam Speaker, once divestment is done, then the Government's exposure of 51 percent remains, and if it is not offset against the loans, then the Government will be posed with the 51 percent share to the whole guarantee that we have.

Madam Speaker, with those words, the only question I would like to ask the Honourable Attorney-General is, whether the present system that operates within FEA, that is, providing power and I note that from the annual reports that FEA is one organisation where all locals are employed. Over the past years, FEA has structured itself to meet the challenges of the future. What we need is that, we would like to have power all over the country by 2025 according to the Government plans and whether this would be possible once we divest these shares, the company would still have that undertaking?



HON. SPEAKER.- I now invite the Honourable Attorney-General to present his right of reply.

HON. SAYED-KHAIYUM.- Madam Speaker, just some points of clarification, as I mentioned Honourable Singh that once we divest, obviously our exposure to the guarantees will accordingly reduce because if we have 51 percent equity, then we will only have an exposure of 51 percent to the guarantees. But we expect the new entity, the new vehicle to actually take on the loan, but the exposure for Government will be reduced.

(Honourable Member interject)

HON. A. SAYED-KHAIYUM.- No, no, we divest shares to get that additional funding. You do not do that, otherwise you are giving the new investors a free ride. We have to understand the commercial uptake of it.

The other issue Honourable Radrodro, on the one hand, wants FEA to be a purely commercial entity, on the other hand he does not understand the implications of it. You had FEA only a few years ago, Madam Speaker, charging a flat rate of about 24 cents, irrespective of wherever the electricity was taken to. If he understood commerce, he would know that you cannot have flat rates everywhere and for all users.

Since then, determinations have been made by the Commerce Commission where the household rates and the low 30 cents industrial usage, commercial usage pay a 44 cents per unit, there is a point of differentiation. This is not even full commercial entity. You need to understand that before you say those things.

However, on the other hand, he was also talking about and not acknowledging all those areas that he said, electricity has reached. They did not have electricity before, it is by this Government through the Government's Rural Electrification process that they now have electricity. Of course, there will be other areas that are not covered and they will also be covered.

In fact, Madam Speaker, one of the greatest tragedies was that under the Alliance Government when they built the Monasavu Dam, the people on whose land the dam was built and in the surrounding areas, they provided the land but they could only see the wires going above their villages, they did not get electricity. Those people now have electricity because of the Bainimarama-led Government.

Madam Speaker, these are the connections that we are building, and I do not want to go into detail because we have had some discussions that we need to, kind of, shorten the process. But I can explain to them as to how you can run a commercial entity with Government intervention in terms of direct assistance, as we are already doing. So those households that earn less than \$30,000 a year with the users of upto 95 kilowatts, we actually play half their tariff rates. The tariff rate is 34 cents, we pay 17 cents, and that is what you call 'targeted assistance'. So, people who are wealthy and people who use more electricity can pay the whole sum but families that earn less than \$30,000, we pay half their tariff rates. Similar arrangements, of course, can be made when a divestment takes place. You have commercial entities, running at full commercial throttle, we can have those arrangements too. It happens throughout the world, Madam Speaker.

Madam Speaker, as far as renewable energies are concerned, of course, it is desirable but you have to ensure that those people who come along, some of them actually wave papers and say, "We can do x, y, z", but you need to look at whether there is going to be consistency in supply. If there

is no consistency in supply, t you will then start having blackouts or brownouts which we do not want, so FEA also has to be careful.

In fact, in the international arena of finance, this is one of the areas where there is a lot of dodgy dealings that goes on. People will come and get a comfort letter from you and say that the Fijian Government has agreed or FEA has agreed, even they raise funds and then they disappear. So, they have to be careful in those respects.

But we can be rest assured, Madam Speaker, that we have provided the necessary environment for that. Government a few years ago, actually made a policy decision. We actually give tax concessions to companies that set up renewable energy companies, they do not pay taxes for seven years. That is how we encourage private sector to come, in fact, that is why there is a huge interest. So there is a focus and we will continue to do that, we will continue to work with FEA and, of course, as has been highlighted about the other Honourable Ministers, COP23 Presidency will also give us more opportunities for that.

HON. SPEAKER.- Parliament will now vote and the question is, pursuant to Standing Order 131 and for the purpose of Subsection 145(1) of the Constitution of the Republic of Fiji that Parliament approves that:

1. Government guarantees to Fiji Electricity Authority's (FEA) borrowings in accordance with the approved Government guarantee mix from the date the guarantee is approved by Parliament to 31st December, 2017;
2. the existing Government guarantee mix of US\$50 million for offshore borrowings and F\$404 million for domestic borrowings be maintained;
3. FEA be charged a 0.75 percent guarantee fee on an annual basis in the outstanding balance of the Government guaranteed loans, payable semi-annually.

Does any Member oppose the motion?

(Chorus of "noes").

Question put.

HON. SPEAKER.- There being no opposition, the motion is agreed to.

Motion agreed to.

The next Item in the Order Paper, I will now call upon the Honourable Attorney-General to move his motion.

### **GOVERNMENT GUARANTEE – FDB**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 131 for the purpose of Section 145(1) of the Constitution on Republic of Fiji, I move:

That Parliament approve that:

- i. The Government act as a guarantor for the Fiji Development Bank (FDB);

- ii. The Government guarantees the issue of up to \$130 million of the FDB's short and long-term bonds, promissory notes, term deposits and other short-term borrowings effective from the date of approval to 31<sup>st</sup> December 2017; and
- iii.
- iv. FDB pay a guarantee fee of 0.75 percent of the total guarantee cover.

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 the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, we are all familiar with FDB's functions under Section 5 of the relevant Act which is:

- i. to facilitate and stimulate the promotion and development of natural resources;
- ii. transportation and other industries and enterprises in Fiji; and
- iii. in the discharge of these functions the banks shall give special consideration and priority to the economic development of the rural agriculture sector of the economy of Fiji.

Madam Speaker, the Bank, of course, raises funds in the market to be able to then lend those funds they actually raise in the market to give out as credit to would-be potential customers of theirs. Of course, this is Government guaranteeing the borrowing of those funds by FDB from the market.

Madam Speaker, as of 30<sup>th</sup> June 2016, FDB had a total of 4,688 loan accounts with a total of portfolio of \$375.52 million. Most lending is directed to the agriculture and real estate sector, accounting for 19.4 percent and 18.7 percent respectively of the loans, followed by the building and construction, wholesale, retail, hotels and restaurant sectors.

Madam Speaker, in line with the existing Government policy, the number of loans accounted for the agriculture sector constitutes 52 percent of the total loan account as at June 2016. Overall, the focal sectors represent more than 79.1 percent of the total number of loan accounts, and 46.8 percent of the total value of the loan portfolio.

Madam Speaker, for the last three years FDB's borrowing and request averaged around \$118.3 million. FDB's total forecasted inflow for 2017 is \$66.16 million, while the total outlay is \$196.16 million.

Madam Speaker, this is mainly intended to assist in new lending and servicing of existing debt, leaving a shortfall of \$130 million. The shortfall is expected to be financed with the issuance of bonds, promissory notes, short-term borrowings and term deposits.

In 2016, FDB obtained a blanket guarantee of \$25 million for its borrowers. This provided FDB flexibility to optimise its borrowing mix which aimed at reducing FDB's cost of borrowing and achieving a maturity profile structure.

FDB's financial position is strong, Madam Speaker. The Bank recorded an operating profit after tax of \$7.31 million, an increase of \$1.17 million or 18.9 percent from the previous period.

In terms of the overall gearing, the total assets of the FDB stood at \$374.91 million, up by \$13.08 million or 3.61 percent, while total liabilities accounted for \$232.49 million, an increase of \$3.26 million or in percentage terms, 1.42 percent compared to the same period last year.

A modest decrease in debt equity ratio is noted in 2016, compared to the same period last year, Madam Speaker, mainly underpinned by an improvement in FDB's equity position.

FDB has maintained a healthy debt mix, the Bank's profitability is relatively high as its net profit as a percentage of net interest income has increased from 32.55 percent in June 2015 to 42.15 percent in June 2016.

I highlight, Madam Speaker, again, the Government's total guarantee exposure, but in respect of FDB itself, taking into account FDB's Government guaranteed debt of \$172.3 million, FDB's Government guarantee represents 21 percent of Government's total guarantee cover.

Madam Speaker, these are more specific issues pertaining to the FDB itself. I would also like to highlight as this august House has been informed previously, we have also had some development bank experts look at FDB, its portfolio and the direction of FDB. FDB has also launched an application with the Green Climate Fund that FDB be an approved institution to channel climate fund funds.

You may recall that this House was informed that the Fijian Government received a US grant of about US\$32 million for the water project for the Suva-Nausori corridor which is a four to five years project of close to \$300 million. Whilst the majority of it is being borrowed through the World Bank and ADB, we also have a grant money of about US\$32 million, and we were able to access those funds from the Green Climate Fund. But unfortunately we could not use FDB because FDB at that point was not accredited. We are currently in the process of hopefully completing that accreditation, so therefore FDB can also be the direct institution through which these funds can be accredited from.

Also, Madam Speaker, in the revamping of FDB we are currently looking at the report in place. We want to be able to ensure that FDB does not remain stagnant. As most people tell you, indeed academics will also tell you that the development priorities of any nation changes. Where Fiji was 10 years and 30 years ago, is different. Where we want to target development in which sectors, we want to grow those sectors. Hopefully, in five or ten years' time, those industries should become mature so that the focus of FDB then goes into other sectors. FDB needs to be a more organic organisation, more life, more responsive to the development needs of the country, and we hope to bring a particular report to this Parliament in respect to the way forward for the FDB. But in the meantime, Madam Speaker, we urge Parliament to again give this guarantee which we have been doing on an annual basis for FDB.

Thank you, Madam Speaker.

HON. SPEAKER.- The motion is out for debate and I invite comments from the House, if any. Honourable Professor Biman Prasad?

HON. PROF. B.C.PRASAD.- Madam Speaker, we obviously would like to support the guarantee and we look forward to the plan that the Honourable Attorney-General referred to as to the direction of FDB in the future.

However, Madam Speaker, I just want to raise this issue; I think while we may have more but then the agriculture's contribution to GDP has declined over the years. But I think agriculture

remains a very, very important and potentially, a sector which can contribute more to GDP. When I look at the 2015 Report and I did some calculation, I think the total lending to the agriculture sector is just about 2.4 percent of the total lending by FDB, commercial banks, credit institutions together.

FDB itself contributes about 17.8 percent to the total lending to agriculture. So, in the discussion on the way forward for FDB, I am not sure whether we still need to look at agriculture as a priority sector. I know Madam Speaker, the number of people who get loans from the FDB may be bigger or larger than what they lend in other sectors in terms of the number of people the companies benefitting from FDB's loan portfolio.

Basically what I am suggesting is, when the Bank is looking at future directions, they may want to look at where we are in terms of agriculture development and I noted earlier today, the Honourable Minister for Agriculture actually mentioned that there are issues about lack of capital for some of the crops that he pointed out like ginger, kava and *dalo*.

The Honourable Minister for Fisheries also pointed out some of the constraints for small scale fisheries entities and the difficulties they have in getting capital to develop the sector further. Perhaps, that is an area we need to look at and while FDB continues to focus on the other sectors, also get them to focus specifically on the agriculture sector and fisheries sector.

Thank you Madam Speaker.

HON. SPEAKER.- Honourable Nawaikula?

HON. N. NAWAIKULA.- I wish to make a comment, Madam Speaker. I have seen the report but there is an item that concerns me, it is in relation to the sum of about \$3.1 million or \$3.8 million that is loaned to a company, in which board members have an interest in. To me, that shows an element of conflict of interest. There is also a lump sum of about \$279,000 that is loaned to management.

I know that and it is stated in the Annual Report that FDB guards against conflict of interest and that is declared, but to me the declaration is not enough to take away the fact that there is apparent conflict of interest there. I hope clarification could be made on that and hopefully, that can be taken up so that that can addressed to mean, if the Bank's core function is to give out loans, then it is better you can allow loans up to management level. And maybe then, you assist management to get loans from elsewhere. That is the point I wish to make and I hope it gets clarified and hopefully, it can be taken up.

HON. SPEAKER.- Honourable Ratu Sela Nanovo?

HON. RATU S.D. NANOVO.- Madam Speaker, we do support the motion on hand and we understand that FDB is fully owned by the Government, but some of the drawbacks that we normally see is the interference of Government to the operations of FDB. Some of the initiatives that they normally want to be financed by FDB are not being fully researched into. That to have not been done properly, it will be hard or it will affect its profit margin and that will also affect its sustainability, Madam Speaker.

An example of that Madam Speaker is the participation of the Bank in the implementation and the management of the small grants scheme, put forward by the Ministry of Trade. The Bank granted the sources and resources freely in here without being paid for. The Bank is a bank and their services should be paid for and they are not a charitable organisation.

In view of the above, Madam Speaker, we request that the Government could come forward and pay whatever is due to FDB with the services rendered to them by the Bank.

Thank you Madam Speaker.

HON. SPEAKER.- There being no other input, I invite the Honourable Attorney General to give his right to reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, it is really quite, for want of a better word, highly amazing that the last Honourable Member who talked about that the micro-finance provisions by the Ministry of Industry and Trade through FDB seems to be somehow or the other improper. I find it really quite amazing and I do not know who he is talking to in FDB. But the fact of the matter is, I know that there is one or two people at Senior Executive Management level who made some comments to the Committee and it is very tragic that they think like that.

Madam Speaker, here is a development bank. Honourable Professor Biman Prasad spoke about how we need to provide people with assistance, increase the portfolio for example, in agriculture. If you look at the assistance that the Honourable Minister for Industry and Trade has been providing through this micro-finance, a \$1,000 grant, a lot of people are in agriculture. Some villager who has now two or three pigs, he wants to build a new pen, he does not have the capital to do that, he can put two or three new more pigs once he gets \$1,000.

Now we want that person to do well, we want him to be able to access more funding in the future for him to grow, exactly what the Honourable Minister for Agriculture and the Honourable Minister for Fisheries were saying. We need him to be hand-held. What better way than to partner with the FDB? Is that not the best way to partner with them?

So why, Madam Speaker, the Honourable Member has now on two occasions I think in over two days made the same comment? This is actually what you call a complete anathema to a development bank. Here we are giving the FDB readymade customers, here we are providing to these persons who may be dealing with handicraft, may be doing some small time fisheries, may be doing some small time agriculture, and saying to them, "Look, we are giving you this \$1,000, you have been assessed, you will now get this funding and by the way, we have our Development Bank here that can also look after you and take you to the next stage." It is common sense, which is obviously lost on the other side of the House. It is just the main focus of the Development Bank.

Madam Speaker, Honourable Prasad talked about the comparison of FDB and the overall lending to agricultural sector, I agree with you, that it is low, if you take the entire loan portfolio, including all the commercial banks you can play with statistics in that way. But FDB, as I read out, the number of loan accounts in FDB constitute 52 per cent of the total loan account as of June in 2016. Overall, the focal sector which is agriculture, includes more than 79.1 percent. So Madam Speaker, the fact that FDB is still highly concentrated on agriculture and it should, but Madam Speaker that is the not the only reason as to why people invest in agriculture.

The reality in Fiji, Madam Speaker, and the reason why we do not have large scale investment in agriculture and why commercial banks have shied away, apart from the fact that we believe that over the decades the RBF did not give them enough direction to go into agriculture, is because agriculture leases in Fiji traditionally have only been given for 30 years. Honourable Dulakiverata talked about ALTA saying it is 30 years, why is it being given for more?

The reality is, Madam Speaker, for people to put real money into agriculture in the same way that the ANZ, the Westpac and other banks lend to the tourism sector, most hotels in Fiji are built on

*iTaukei* land. But the banks do not hesitate to lend to the tourism sector because they get a 99 year lease, so they will be able to use that leasehold as collateral. The only bank that used to lend by way of a crop lien was the National Bank of Fiji which, of course, the SVT Government ran down but that continued with Colonial Bank. BSP may have some of that portfolio, we are not sure, but that is the only commercial bank that fully participated in agricultural finance area. So the fact now, that you can have farmers getting a lease for 70 years or up to 99 years, they will be able to use that land as collateral. The banks will use that as collateral and they can then borrow money and buy real machinery as opposed to depending on cows, horses and bullocks and using very rudimentary techniques of farming.

As we have said, it is a multi-pronged approach. Any problem or any challenge you need, to have the financing right, you need to ensure that you have land tenure right; you need to ensure that the Ministry of Agriculture and the Ministry of Fisheries provide the right support, all of them work in tandem, to be able to provide the right environment. And we completely agree that agriculture must continue to be one of the focal stays of our country because the agricultural sector in Fiji is under-developed.

The Honourable Minister of Agriculture has pointed out on numerous occasions, the enormous potential but all the stars need to be aligned, and the alignment of the stars means, we need to get the finance right, we need to ensure there is security of tenure and longevity of tenure, and we need to be able to then provide them with the right material, the right research, the right techniques of farming, and the Government will do it. So, Madam Speaker, it is therefore critical that we are able to provide that.

In the same way, Madam Speaker, I just wanted to make a comment here that I forgot to mention earlier on, when I was talking about the commercial banks, for decades in Fiji, commercial banks for housing loans used to charge 14 percent interest rate, unheard of. When you go to some countries, it is mandated by the central banks that a certain portfolio of the lending of banks must be for housing at a particular set percentage. It has now dropped, you can get 4 or 5 percent now, but still 8 or 9 percent is very high. This is why the rate of home ownership in Fiji is very low.

So, these are some of the institutional issues that we are trying to deal with and it is very critical that FDB needs to be remodelled and it actually needs to continue its focus on agriculture, but it also needs to adapt to the modern 21<sup>st</sup> century of Fiji. So we urge all Honourable Members of Parliament to vote and approve this guarantee. Thank you Madam Speaker.

HON. SPEAKER.- Parliament will now vote.

The question is, pursuant to Standing Orders 131 and for the purposes of Dection 145(1) of the Constitution of the Republic of Fiji, Parliament approves –

1. That Government act as guarantor for the Fiji Development Bank (FDB);
2. That Government guarantees the issue of up to \$130 million of the FDB's short and long-term bonds, promissory notes, term deposits and other short-term borrowings effective from the date of approval to 31<sup>st</sup> December 2017; and
3. FDB pays a guarantee fee of 0.075% of the total guarantee cover.

Does any Member oppose the motion?

(Chorus of Noes)

There being no opposition and there is full support for the motion, the motion is agreed to.

Motion agreed to.

HON. SPEAKER.- The next Item in the Order Paper, I now call upon the Honourable Attorney-General to move his motion.

**PROTOCOL AMENDING THE WORLD TRADE ORGANISATION  
TRADE-RELATED INTELLECTUAL PROPERTY RIGHTS AGREEMENT (TRIPS)**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 130 (4), I move:

That the Protocol amending the World Trade Organisation (WTO) Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement be approved by Parliament.

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, I understand there is general agreement on the approval of this. The Committee, of course, recommended it so therefore I will be very brief and urge Parliament to approve this.

Thank you, Madam Speaker.

HON. SPEAKER.- Does any Member want to comment on this motion?

HON. MEMBERS.- No!

HON. SPEAKER.- Is there any opposition to this motion?

HON. MEMBERS.- No!

HON. SPEAKER.- There being no opposition, the motion is agreed to.

Motion agreed to.

HON. SPEAKER.- The next item in the Order Paper, I now call upon the Honourable Attorney-General to move his motion.

**WORLD TRADE ORGANISATION (WTO) TRADE FACILITATION AGREEMENT**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 130(4), I move:

That the World Trade Organisation (WTO) Trade Facilitation Agreement be approved by Parliament.

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



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

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will be brief again, we understand that we have agreement on this actual Agreement. The Committee, of course, has given their opinion for the facilitation of this Agreement by Parliament.

Thank you, Madam Speaker.

HON. SPEAKER.- The motion is up for debate, do we have any input?

HON. MEMBERS.- No!

There being none. Do we have any opposition to the motion?

HON. MEMBERS.- No!

There being no opposition, the motion is agreed to.

Motion agreed to.

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

**UNITED NATIONS CONVENTION ON THE USE OF ELECTRONIC  
COMMUNICATIONS INTERNATIONAL CONTRACTS**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 130(4), I move:

That the United Nations Convention on the Use of Electronic Communications in International Contracts be approved by Parliament.

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, again, I believe we have agreement on the ratification of this Convention which, of course, will be very useful for Fiji.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Does any Member want to have an input on this?

HON. MEMBERS.- No!

HON. SPEAKER.- I take it that there is no opposition to this motion.

The motion is, therefore, agreed to.

Motion agreed to.

HON. SPEAKER.- There was a suspension motion and the mover of the motion is Honourable Prem Singh, but the suspension motion was really for the Government motions only. Therefore, with your indulgence and with the leave of the House, this motion can be tabled tomorrow.

Does any Member oppose the motion?

HON. MEMBERS.- No!

Since there is no opposition, I thank you very much, Honourable Members.

Parliament is now adjourned until 9.30 a.m. tomorrow morning.

The Parliament adjourned at 9.02 pm.