

TUESDAY, 19TH MAY, 2015

The House resumed at 9.40 a.m. pursuant to adjournment.

MADAM SPEAKER took the Chair and read the Prayer.

PRESENT

All the honourable Members were present, except the honourable Prime Minister and Minister for *iTaukei* Affairs and Sugar Industry; the honourable Minister for Fisheries and Forests; the honourable Minister for Education, Heritage and Arts, the honourable Minister for Health and Medical Services; the honourable Minister for Immigration, National Security and Defence; the honourable Viam Pillay; and the honourable Lt. Col. Netani Rika.

MINUTES

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

That the Minutes of the sitting of Parliament held on Monday, 18th May, 2015 as previously circulated, be taken as read and be confirmed.

HON. S. PATEL.- Madam Speaker, I beg to second the motion.

Question put.

Motion agreed to.

POINT OF ORDER

HON. S. KARAVAKI.- Madam Speaker, I rise on a point of order because it has just been brought to my attention that the honourable and learned Attorney-General had used vulgar language in the House, and if Madam Speaker can allow me to produce evidence to this to Madam Speaker, for the possible pathway that this can take.

There are a number of pathways that this can take according to the Standing Order, according to the evidence that, Madam Speaker, we will have to look at and to decide on the most appropriate pathways that this should take for the preservation of the dignity of this House. That is my point of order, Madam Speaker.

MADAM SPEAKER.- The issue has been related to me in my Chambers and I thank you for raising that as a point of order, but I will ask the honourable Karavaki, if he can provide me with evidence of this matter in my Chamber and I will be making ruling at a later sitting day.

HON. M.D. BULITAVU.- A very good morning to you, Madam Speaker, I rise on a point of order. Firstly, I would like to commend you for withdrawing from the Privileges Committee and allowing the Deputy Speaker to preside on that.

Madam, Speaker, why I bring this point of order, that is Standing Order 127, is in regards to the honourable Attorney-General being a member of the Privileges Committee, as the mover of the motion and a complainant of the matter that should be before the Privileges Committee. He should withdraw because it is against the principle of natural justice and he should be an example of impartiality, being the Attorney-General? He cannot be there, because he is going to influence the decision.

Madam Speaker, from yesterday, he said to sanction the type of breach. The breach will be established from the evidence of the proceedings that will happen. He has to withdraw, Madam Speaker, and I need a ruling from you.

MADAM SPEAKER.- Thank you the point of order is taken.

HON. M.D. BULITAVU.- He cannot be there because he will influence the decision.

MADAM PEAKER.- Point of order is taken. Thank you very much, honourable Bilitavu. That will be brought up later because it has been brought up to me in my office and as a matter of privilege, it will be brought up at the appropriate time in the *Order Paper* today.

COMMUNICATIONS FROM THE CHAIR

Acknowledgment of Visitors

MADAM SPEAKER.- Firstly, I would like to welcome all the honourable Members to today's sitting, and I warmly welcome another group of students who are studying Politics at the University of the South Pacific and who are observing the parliamentary sitting as part of their Politics Unit.

We have welcomed groups from this same class for each of the sitting days in the March sitting, and also last week, and we will have the rest of their class throughout this week as well.

Parliament is an institution that is the pinnacle of the democratic process, and I reiterate my delight at such visits.

On that note, I wish you all the best in your studies.

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

I wish to advise honourable Members that the honourable Roko Tupou Draunidalo will replace the honourable Salote Radrodoro on the Privileges Committee.

PRESENTATION OF REPORTS

Report on the Companies Bill (Bill No. 3 of 2015)

HON. A. SUDHAKAR.- Madam Speaker, I rise this morning as the Chairman of the Standing Committee on Justice, Law and Human Rights, to present to this august House the Committee's Report on the Companies Bill, Bill No. 3 of 2015.

Madam Speaker, if I may, elaborate a bit on the Bill as required of me. Companies and other businesses are the engine room for commercial activity in any vibrant economy. The same is particularly true for Fiji, which hopes to strengthen its position as the economic hub of the South Pacific. Therefore, our companies and businesses must be given adequate framework and platform to perform their functions freely, while legislative framework must also be established to regulate their functions, to protect the people dealing with them in the public interest.

There has to be a good balance between commercial reasoning and public policy in any law dealing with companies. It is for those reasons that the laws regulating functioning of the companies and businesses are essential for any country.

The current Companies Act applicable in Fiji is over 30 years old which itself was based on much older UK laws therefore, our law is more than half a century old. The current Act was introduced in 1983 which was consolidated in 1985 in the Laws of Fiji at Chapter 247. Fiji today needs company laws which are more up to date with the current trends and market requirements. There were calls to review the Companies Act from many sectors of the economy, including the Courts as well as the general community over the years.

This Bill is a product of the efforts of the Bainimarama-led Government from 2010 to 2014, and after that the Fiji First Government in 2015.

This Bill, Madam Speaker, is testimony that the Fiji First Government is a progressive government, which constantly strives towards progress.

The Government therefore, decided that it was necessary to instruct experienced international consultants who could undertake a review of comparable laws worldwide and recommend the best model for Fiji. The Government's objective is to ensure that the new companies' law should reflect best international practice while being modified to suit the requirements of the local market.

The consultants started the process in or about 2010, which included public consultations and consultations were held with the Government, regulators, stock exchange, law firms, accounting firms, listed companies, company directors and industry bodies. Thereafter, the Bill was taken back to the drawing board and appropriate changes were made.

The updated version of the Bill was then put before the Standing Committee on Justice, Law and Human Rights in February 2015 by the Parliament for scrutiny. The Committee went through a very thorough process in scrutinising the Bill. The process involved hearing oral submissions and reading written submissions. The Committee then went through legislative scrutiny, which involved line by line reading of the Bill. Where clarification was needed, the Committee consulted with the drafters and sought advice and necessary amendments were made.

The Committee is grateful for the written and oral submissions by interested parties and members of the public. The Committee would also like to thank Mr. Bruce Cowley of Minter Ellison Lawyers, the International Consultants tasked with drafting of this Bill, for assisting with the amendments and advice.

I would like to personally thank the members of the Committee: Hon. Semesa Karavaki (Deputy Chair), Hon. Lorna Eden, Hon. Niko Nawaikula and Hon. Iliesa Delana for their assistance and input. The stand-in members who assisted at one time or the other in the absence of substantive members were: Hon. Ratu Sela Nanovo, Hon. Semi Koroilavesau, Hon. Balmindar Singh, Hon. Tupou Draunidalo, Hon. Aseri Radrodoro; Hon. Anare Vadei and Hon. Vijay Nath. The above members provided valuable contributions to the Committee and sat late in the evenings on certain occasions to help complete the assigned task.

I must also thank the Parliamentary Staff and members of the Secretariat namely, Lavenia, Ateca, Lemeki, Maurice, Jale, Mitieli, Mesake, Rovil, Anita, Kalo, Selveen, Bete, Sera, Alesi, Maraia, Laisa, Mili, Iliesa, and not forgetting Lyanne and Tima from the Office of the Solicitor-General for amendments and Mr. Dyfan Jones, the UNDP Consultant.

A special thanks, Madam Speaker, to the Secretary, Serei and the Hansard team, who are present here this morning and she has been awake all night since yesterday until this morning, giving the final touches to the Bill. She has been working for 48 hours in total, which I believe may be a concern for the Minister for Labour.

The Companies Bill is a modern document which seeks to replace the Companies Act of 1985 to accommodate the modernising Fiji economy which is driven by small, medium and large enterprises. It is an important piece of legislation, and the Committee has made appropriate amendments to it, to ensure

it meets the purpose. The Committee respectfully submits the amended Bill together with its Report, for consideration by the Committee of the Whole House. The amendments, Madam Speaker, is part of an addendum in the Report, and also highlighted in colour pink in the substantive Bill.

With those words, I now present the Bill to the House. Thank you, Madam Speaker.

(Report handed to Secretary-General)

Madam Speaker, pursuant to Standing Order 121(5), I hereby move a motion that a debate on the contents of the Report is initiated at a future sitting.

MADAM SPEAKER.- The Bill is now set down for consideration by the Committee of the whole Parliament on a future sitting day.

I now call on the Chairperson of the Standing Committee on Natural Resources.

Report on the Petition Not to Rezone Shirley Park

HON. CDR. J.R. CAWAKI.- Thank you, Madam Speaker. The honourable Prime Minister, honourable Leader of the Opposition, honourable Members of Parliament, I rise this morning to table the first Natural Resources Committee Report of this new Fiji Parliament.

Madam Speaker, if I may, before I table this Report, I would like to thank my fellow Committee Members, the Deputy Chair, honourable Ro Kiniviliame Kiliraki, honourable Alivereti Nabulivou, honourable Samuela Vunivalu, and honourable Josefa Dulakiverata.

Madam Speaker, the Committee, in undertaking this work in a bipartisan way, the House should take confidence that the two recommendations in this first Report were unanimous.

Madam Speaker, I also want to thank all the individuals and all the groups that presented their views to the Committee, and the true people of Lautoka who warmly welcomed the Committee when we were holding public consultations in Lautoka. Committees are important to this Parliament, as they are able to undertake public consultations, and we appreciate the fact that many individuals and organisations took their time to make presentations to the Committee.

I also want to thank the Committee Secretariat for their efficient servicing of the Committee, and that is both acknowledged and appreciated.

Madam Speaker, I invite all parliamentary colleagues this morning and interested Fijians, to take time and read this 64-page Report, and to reflect upon it. We have made two recommendations in this Report, and I look forward to the opportunity to debate the Report at a later date.

Madam Speaker, at this juncture, I hereby table the Committee's Report on the Petition to stop attempts to rezone any part of Shirley Park in Lautoka. *Vinaka!*

(Report handed to Secretary-General)

Madam Speaker, pursuant to Standing Order 121(5), I hereby move a motion that the debate on the contents of the Report is initiated at a future sitting.

HON. J. USUMATE.- Madam Speaker, I beg to second the motion.

QUESTIONS AND REPLIES**Establishment of Supermarkets in Major Prison Centres in Fiji
(Question No. 109/2015)**

HON. RATU S.V. NANOVO asked the Government, upon notice:

Would the honourable Attorney-General and Minister for Finance, Public Enterprises, Public Service and Communications inform the House as to who owns the supermarkets that have been established in all the major prison centres in Fiji, like Suva, Naboro, Lautoka and Labasa? Is it the Government or is it privately owned or both?

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Finance, Public Enterprises, Public Service and Communications).- Madam Speaker, I thank the honourable Member for this question.

I can confirm, Madam Speaker, that there are these four supermarkets or shops at Naboro Prison, Korovou, Labasa, and Natabua. But, Madam Speaker, also there are a number of matters within the Fiji Corrections Service that is subject to investigation at the moment. And, indeed this is one of them which is being currently investigated by FICAC, and it would not be prudent of me to comment any further as it might jeopardise or taint the investigations currently on foot. But, the honourable Member can be rest assured that there has been complaints lodged pertaining to some general functions, and we will obviously bring it to the attention of the House once the matter has been concluded, either by way of charges being laid, or by way of any other Report that may come out of these investigations. Thank you.

HON. RATU S.V. NANOVO.- Supplementary question, Madam Speaker.

MADAM SPEAKER.- Supplementary question.

HON. RATU S.V. NANOVO.- We are glad to know that something is happening on the other side in relation to the question being asked, but we on this side of the House want to know when can that Report be available to this august House?

MADAM SPEAKER.- The honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Obviously, I cannot determine a timeframe for investigations. Like I said, it does not necessarily mean that a report *per se* will be presented to the House because if, for example, charges are being laid or would be laid, then obviously it takes a different course. If they are not laid, then obviously there could be a report that would be done internally subject to the feedback from the investigations that we would receive.

MADAM SPEAKER.- Thank you. Supplementary question, the honourable Jiosefa Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I thank the honourable Minister for his reply to the question. What is the legal framework on which these supermarkets were established?

HON. A. SAYED-KHAIYUM.- Madam Speaker, again like I said, this is the subject of the investigations. There are obviously issues which have been identified, and again I do not want to delve in that area because it could prejudice the investigations.

MADAM SPEAKER.- Thank you. I invite the honourable Niko Nawaikula to ask his supplementary question.

HON. N. NAWAIKULA.- Madam Speaker, there is an apparent laxity on the part of the Minister in looking into this. They have gone to the extent of selling second-hand cars in these places. Could the Minister tell us, when did they file this complaint to FICAC, and for how long were you aware of these operations before you reported it?

MADAM SPEAKER.- Thank you. If there is any difference to the previous answer, the onus is on the honourable Minister to reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, again, on the question being asked, obviously he is making a statement half way through. If he can be a bit more succinct with his question, then I can answer the question.

MADAM SPEAKER.- Thank you. It seems the questions are being posed on the same responses that has been made, and I will not allow any further supplementary question on that issue. We will now move on to the second oral question.

Ministerial Waiver to Fiji Airways Inbound Flights from Malaria Prone Zones
(Question No. 110/2015)

HON. N. NAWAIKULA.- Madam Speaker, the background to this question is, this letter which is dated 2nd October, 2014, directed from the honourable Minister for Health, that directs him or advises him to cease all TOD spraying on all Fiji Airways flight, which to my mind could be the result...

HON. S. PATEL.- Ask your question.

HON. N. NAWAIKULA.- You wait!

... of an influx of this virus, and possibly malaria.

Madam Speaker, my question is:

Can the honourable Attorney-General, Minister for Finance, Public Enterprises, Public Service and Minister for Justice provide the reasons why Fiji Airways was provided a ministerial waiver to the Top of Descent by this letter insecticidal spraying on in bound flights from malaria prone zones risking importation of the malaria vector whilst all other commercial flights complied with the Fiji Quarantine laws?

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Finance, Public Enterprises, Public Service and Minister for Justice).- Madam Speaker, again referring to that letter, what the honourable Member conveniently forgets to mention are the other parts of the letter. In other parts of the letter, Madam Speaker, it points out that Fiji Airways, like some other airlines, carry out what they call residual disinsection. Residual disinsection in fact has the same effect as what you call a TOD (Top of Descent) spraying (you know the spray cans that they walk through with).

The residual disinsection takes place every eight weeks. The World Health Organisation regulations states that residual disinsection is as effective as TOD. In fact, TOD is now not practiced in many countries because TOD is seen as problematic for many passengers. Passengers who have asthma, et cetera, complain about the breathing in of the fumes but the residual disinsection has exactly the same effect. What the honourable Member also forgets to mention is in the letter, if you see the last few paragraphs, the Ministry of Health officials in the Western Division suddenly started this, even though the residual disinsection has been taking place since 1994 in Fiji Airways, saying to only Fiji Airways, to do a TOD. And this is why, he also forgets to mention, I copied this letter to FICAC. I copied this letter to FICAC,

Madam Speaker, because there was some funny business going on, in which the Ministry of Health officials at Nadi Airport said to Fiji Airways ...

HON. MEMBER.- What have you done about it?

HON. A. SAYED-KHAIYUM.- At least we are watching and doing actions about it.

... 'you must fly us to the destinations'. They even requested to be flown to Hong Kong, Australia and New Zealand; "fly us to those destinations, pay our airfares, pay our per diem and we will go and carry out an inspection. This was only for Fiji Airways, not other airlines that were coming from other destinations where there maybe malaria.

So, Madam Speaker, this is why this directive was given and we in fact copied the letter to FICAC. As far as the risk of this malaria insect coming into Fiji is concerned, there was no risk. Of course, the airline at its discretion, on top of the residual disinsection, can also carry out TOD if it feels like, for example from Vanuatu or Solomon Islands where we will be commencing the flights very soon.

HON. N. NAWAIKULA.- Supplementary question. That is not the law. Residential disinsection is not the law. Let me tell you what the law is. The law, Madam Speaker, is this – Regulation 21 of the Quarantine Regulation says, and I quote:

"That any aircraft which has left or called at any place in the New Hebrides, Solomon Islands or et cetra must be disinfected according to this.

That is not the law. Even if the WHO in a convention this is the law and the question is - were you aware of this law and if so why did you choose to break it?

HON. MEMBER.- Law breaker!

HON. A. SAYED-KHAIYUM.- Funny, funny coming from you.

(Chorus of interjections)

MADAM SPEAKER.- Order! Just before you respond to that question, may I remind the honourable Member that when you are addressing an honourable Member you address the Speaker and not directly at the honourable Member.

Honourable Attorney General, I give you the floor.

HON. A. SAYED-KHAIYUM.- Of course I could pick a point with the fact they are calling me a law breaker, but anyway Madam Speaker, the point is that the law says about disinsection.

HON. N. NAWAIKULA.- The law says that you must do it.

HON. A. SAYED-KHAIYUM.- Does it say disinsection, Madam Speaker, yes it does. And disinsection can take forms, different forms and there are two forms. One is the residual disinsection and the other one top of descent disinsection. It does not specifically say TOD.

HON. N. NAWAIKULA.- It says here TOD.

HON. A. SAYED-KHAIYUM.- Madam Speaker, if you also look at Section 25 which overrides the regulations; Section 25 of the Quarantine Act of Fiji Cap. 112 provides for disinsection, Madam

Speaker. The reality Madam Speaker, is that the WHO regulations allows for Residual Disinsection and that says also quite clearly ,that you can in fact have Residual Disinsection to stop the spread of this Malaria.

MADAM SPEAKER.- Thank you the honourable Jiosefa Dulakiverata.

HON. J. DULAKIVERATA.- I have been reliably informed by some staff of the border security that the biggest threat to our security is the government and this is one example.

My question to the honourable Minister; are you contemplating changing the law to exclude Fiji from this exercise?

HON. A. SAYED-KHAIYUM.- Point of clarification, Madam Speaker, excluding Fiji from which exercise?

HON. J. DULAKIVERATA.- From spraying the aircraft.

HON. N. NAWAIKULA.- To formalise what you are doing.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the aircraft is being sprayed. The aircraft gets sprayed every eight weeks Madam Speaker, and that is suffice. Madam Speaker, also the TOD that was being required by the Ministry of Health officials were not being required for other airlines to do a TOD. So why was the law, as they claim, being applied selectively by the Ministry of Health officials as the other questioner instigates.

Madam Speaker, if I can answer that question. Madam Speaker,...

HON. M. D. BULITAVU.- Answer it.

MADAM SPEAKER.- Honourable Members, you are making irrelevant interjections please allow the honourable Minister to respond to the question.

HON. A. SAYED-KHAIYUM.- Madam Speaker, there are many instances in previous governments where civil servants have been corrupt. There are banks in Fiji where a teller or somebody may steal money from an account. Does that mean that the CEO of that particular bank is held liable? As long as there are rules in place to ensure that there is the administrative will and the political will to refer those matters to the relevant authorities, that is what we have been doing.

MADAM SPEAKER.- There being no other supplementary question we will move on to the next oral question and I invite the honourable Anare Vadei to have the floor.

Construction of a Jetty or Landing in Qoma Island
(Question No. 111/2015)

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

Qoma is an island accessible only by sea to not only its occupants but also to neighbouring islands in the Lomaiviti Group. Can the honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport inform the House whether the Government has any intention of building a jetty or small landing in Qoma to cater for residents, school children and visitors to and from the island?

HON. P. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, this Government has got a lot of intentions. But for this subject matter there is no immediate plan to build a jetty or a landing.

For 2015, the FRA has already drawn up their programme and as all the honourable Members are aware, the bridges, roads and jetties comes under Fiji Roads Authority. However, Madam Speaker, the Commissioner Central's Office has confirmed that there is some discussion on the jetty and the repair works for the crossing. There has also been a request from the villagers that they would like a seawall to be constructed and this is also being looked into.

MADAM SPEAKER.- Thank you. There being no supplementary question we will now move on to the fifth question and I invite the honourable Dr. Brij Lal to have the floor.

Recognised Seasonal Employer Work Scheme
(Question No. 112/2015)

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

We have heard that the New Zealand Seasonal Work Scheme only targets the unemployed Fijian people in the rural sectors. Can the honourable Minister for Employment, Productivity and Industrial Relations advise the House on when the Scheme will be opened to the unemployed Fijian people in the urban sectors?

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, in answering the question, it is important that we understand and appreciate the current status of unemployment and the level of poverty within Fiji. The most recent Household Income Expenditure Survey study that was conducted nation-wide revealed some positive developments, that the poverty level in Fiji has fallen from about 35 per cent in 2002 to about 31 per cent in 2008.

With the sustained positive annual economic growth rate of about three to four per cent over the last four to five years, it is estimated that the percentage level of poverty has further declined. Madam Speaker, however, it is imperative to note that whilst the national poverty level has decreased with urban poverty, on the other hand, rural poverty has increased. Therefore, the important issue to be addressed in any national poverty alleviation policy is how rural poverty can be effectively reduced within the 31 per cent identified in the household income expenditure survey.

In this regard, Madam Speaker, the Ministry has therefore specifically targeted the rural communities and the young unemployed youths to work in both New Zealand and Australia under the recognised seasonal employment workers scheme. At the end of last year, on 11th December, we endorsed and signed a Memorandum of Understanding (MOU) with the New Zealand Government under which we were able to send about 24 workers to work under this labour mobility arrangement, as part of the 30 personnel pilot scheme. The remaining six personnel will leave for New Zealand very shortly.

On 17th March this year, we signed a similar MOU with the Australian Government to enable us to send more workers to the Australian labour market under the Australian Seasonal Workers Scheme. Madam Speaker, the first four personnel to work under this arrangement will depart today. They are expected to work in Australia for about six months similar to the duration of our workers who are working in New Zealand at the moment.

Madam Speaker, within the Ministry, the staff and I have set some very stringent set of selection criteria of procedures for all Fijians who wish to participate under this scheme because we want to increase the number of our personnel who could be employed under this scheme. Our ability to make more inroads

and increase our level of participation will depend on how well our workers will be performing in New Zealand and Australia.

Madam Speaker, as the Minister for Employment, I hope that our personnel would perform well in order to increase our quota in both countries. With this increase, we will then be able to extend the programme to include the recruitment of our urban unemployed.

HON. S.V. RADRODRO.- Madam Speaker, a supplementary question. I thank the honourable Minister for his explanation on the seasonal work scheme. I also raise this question on the background that women are prudent financial managers in the family unit.

My question is, can the honourable Minister explain what arrangements are in place to ensure the recruitment of women into this scheme, so as to fulfil and actualise the Government's commitment and promises as captured under the Roadmap and the Department of Women's Plan of Action on the 30 per cent quota towards the development and empowerment of women.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, in trying to answer the question, I would like to thank the honourable Member for that because Government is very aware or very conscious of the fact that gender issue is important. As the Minister for Employment, we have been criticised for the way in which the first 24 or 30 people have been selected to go down to New Zealand. Let me assure this House that the scheme is very much employee-driven. The onus is on the employers to take the pick from a pool of personnel who have been selected under this criteria.

For the information of the House, the first 24 were all men. Now, the remaining six that I was referring to will be leaving very shortly and I am glad to report to this House that within the group, we have two women. Madam Speaker, beggars cannot be choosers. We have tried our best to tell our friends in New Zealand and Australia that we would like to send more women, so hopefully, in future, we will be able to send more women. As it is, when the employers come and take their pick, we will only hope and pray that we will be able to send more women.

HON. DR. B.C. PRASAD.- Madam Speaker, can the honourable Minister inform the House whether he thinks that it will be appropriate to review the criteria. While rural poverty might be slightly higher than urban poverty, I think the criteria really should be all those who are unemployed, whether they come from rural or urban. That might open the opportunity for more people to be considered.

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I rise to answer the question posed by the honourable Member. For the information of the House, we have about 200 people who have been selected under this criteria in the ready employment pool. Out of that 200, we will have about three to six women. There is no discrimination in terms of what we are trying to do in getting more people into the employment pool. The recruitment policy of the Ministry is open to everyone. I would like to have more women to come in, and hopefully, we can send all to New Zealand and Australia. But as it is, about a quarter of the 200 I am talking about are women. There is no barrier for women coming in to join the scheme.

HON RATU S.V. NANOVO.- A supplementary question, Madam Speaker. I thank the honourable Minister for the progress that his Ministry has attained after the issue was tabled in Parliament last year. The question that I wish to pose this morning is, what sort of monitoring mechanism is your Ministry putting in place to ensure that the MOU that was signed by both countries, New Zealand and Fiji, is not being abused by the people that we have sent?

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I understand that the question that was posed by the honourable Member, he is talking about what sort of budgetary allocation has Government provided to help the scheme? At the end of last year, the Ministry was provided about

\$500,000 to kick off the scheme and at the moment, that should be enough to take us through. I have been assured by the honourable Minister for Finance that should we run out of money, we can always go back and ask for more.

HON. N. NAWAIKULA.- Madam Speaker, I am totally happy that you are restricting it to the rural area, otherwise the villages will be empty, so you stick on to that. My question is; we are told that in the criteria for selection, you pick the names from a box. But in the villages, they are community based, they would like to build a church or something, and they would like to send six or 10 people from there. Would you consider changing your criteria in the future to take that into account?

HON. MAJOR-GENERAL (RET'D) J.K. KONROTE.- Madam Speaker, I would like to thank the honourable Member for the question. The selection criteria that he is referring to only applied to the first 30 pilot scheme workers. At the moment, that has been done, it is open for everyone.

Approval – Construction of High Rise Buildings
(Question No. 113/2015)

HON. S. PATEL.- Madam Speaker, good morning to you. If you look and see the date today, it is 19th May and...

HON. N. NAWAIKULA.- We don't remember, what happened?

HON. S. PATEL.- ... 15 years ago in the year 2000, for some of you who sitting on the opposite side, there was a coup, a very shameful thing happened in this country. In the Opposition, there are some sitting here today still witnessing the painful event. Thank you very much.

(Chorus of interjections)

HON. N. NAWAIKULA.- Don't look this side, look that side.

HON. S. PATEL.- I can look anywhere I want, honourable Member.

My question is:

Can the honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport inform the House why business people who are interested in constructing high-rise buildings within the vicinity of Suva City have to wait for so long for approval?

HON. P. KUMAR (Minister for Local Government, Housing, Environment, Infrastructure and Transport).- Madam Speaker, I will just go straight into the answer rather than all this controversial

HON. N. NAWAIKULA.- Non-performance.

HON. P. KUMAR.- Madam Speaker, the approval process is influenced by what is proposed in terms of drawings and designs.

(Chorus of interjections)

MADAM SPEAKER.- If am not able to hear the answer to the question because of all the interjections, I might just stop the answer. It looks as if you do not want to listen to the answer.

HON. P. KUMAR.- There are times when the process takes long, when proposals are beyond the requirements, limits and the development provisions of the site. If the building drawings are within the limits of what is permitted then the application is straightforward and the application is approved within the 20 working days. Madam Speaker, I would also like to inform the House that I have now directed Suva City Council to review the provisions relating to building heights and the development destiny. With that, let me also inform the House that we now have a sub-committee that consists of all the stakeholders so every fortnightly, they sit and discuss all the applications. I would like to request, if there is any application that any member has got an issue with, they can always contact me.

HON. V.R. GAVOKA.- Supplementary question. Madam Speaker. Across the community, we are told that there are lots of projects that are being approved but if you speak with business people, they say that there is very little happening on the ground. I know from my experience with tourism, it is the Town and Country Planning people who are always under a lot of pressure and there is a lot of backlog with them. I just wonder if they have been empowered with better capacity, with more people to turn things around more quickly because it is an old age problem, Madam Speaker, with the planners at Town and Country Planning.

HON. P. KUMAR.- Madam Speaker, I very much agree with the honourable Member, but when the Bainimarama Government came in, we have strengthened the resources and we have also got manpower in place now. I can assure that the time line that I had mentioned in this honourable House will be adhered to.

HON. N. NAWAIKULA.- Madam Speaker, we did not come to this House to undertake, “you lodge your application within a certain time, 20 days we will do it”; that was made by the honourable Minister. Why the change? That was made without any condition. It was announced here, it was also announced to the whole public and to the whole of Fiji so why the change now?

HON. P. KUMAR.- Can you repeat the question?

MADAM SPEAKER.- Please clarify your question?

HON. N. NAWAIKULA.- My question is, why is he changing the timeline?

HON. P. KUMAR.- This is just to fast track the process and also now we are having a lot of overseas developers

HON. N. NAWAIKULA.- Were they there at that time?

HON. P. KUMAR.- Madam Speaker, we have reduced the process timeline now.

HON. N. NAWAIKULA.- How many days?

HON. P. KUMAR.- I have already mentioned that in this House.

HON. A. SAYED-KHAIYUM.- Point of order. This House was a lot better when the honourable Member Nawaikula was not here, because he wants to be, I think, the Speaker.

HON. M.D. BULITAVU.- What is your point of order?

HON. A. SAYED-KHAIYUM.- My point of order is, he continuously interrupts answers when they are being made.

(Chorus of interjections)

And he then has the audacity, Madam Speaker, to tell the honourable Member when he is speaking saying, “you can continue”.

Madam Speaker, that is the point and he needs to actually keep sticking to the Standing Orders.

HON. MEMBER.- What Standing Order?

HON. R.S. AKBAR.- Standing Order 58 – Protocols while speaking.

MADAM SPEAKER.- You will note that I do allow interjections to take place but when it goes out of hand, we need to be more respectful of the decorum of the House. I do note the point raised by the honourable and learned Attorney-General and I ask the honourable Members to take that into consideration when making interjections.

HON. N. NAWAIKULA.- Otherwise the House will be dead.

HON. J. DULAKIVERATA.- Supplementary question. Madam Speaker, we all know that property development is very important for the economic development of the country. The honourable Minister keeps harping about the delay and timeframes which are not honoured. My question will be in two parts. Can the honourable Minister explain what would the timeframe be for this type of development – high rise building - to be processed? I know there are lot of other things to be considered, what would be the timeframe for the approval of building applications?

Secondly....

MADAM SPEAKER.- Thank you, you are allowed only one question.

HON. J. DULAKIVERATA.- That is part of it, part (b). It is very relevant, Madam Speaker.

MADAM SPEAKER.- Thank you, since it is part (b) and not secondly, I will allow the question.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker.

Does the Fire Authority and the Water Authority of Fiji have the necessary equipment to service these types of buildings?

HON. P. KUMAR.- Any other?

HON. M.D. BULITAVU.- Just answer that first.

HON. P. KUMAR.- Madam Speaker, the first one, this is the problem, they are not listening.

(Laughter)

I have made it very clearly that wherever there is a straightforward application, it takes my department 20 working days to clear that application, full stop.

Next is the National Fire Authority issue. Yes, as I had said earlier on that we have a Stakeholders Sub-Committee, the National Fire Authority is also part of that Committee. So when we discuss in our meeting about high-rise buildings, we also consider all these facilities to be provided. At the moment, the Chairman of the National Fire Authority is away overseas and by the end of this year we will also have that tender that will look after the high-rise buildings.

MADAM SPEAKER.- With regards to the sixth oral question, we will not be able to table that because the honourable Minister for Defence, National Security and Immigration is not in the House.

Thank you very much. That brings us to the end of our sitting today.

POINT OF CLARIFICATION

HON. M.D. BULITAVU.- I rise on a point of order, Madam Speaker.

MADAM SPEAKER.- You may rise on a point of order.

HON. M.D. BULITAVU.- Very well, Madam Speaker. Madam, I just need a clarification on the vote we took yesterday on whether we were voting on the allegation to be taken to the Privileges Committee. As reported today in the media, especially the Fiji Sun, the Committee has to come back with the Terms of Reference (TOR). The question is; why was the honourable Attorney-General in the meeting yesterday to construct the TOR?

Madam Speaker, I think the report has to come back. They have breached your ruling. The breach has to be established by the investigation. Why were you there yesterday, through you, Madam Speaker?

(Laughter)

MADAM SPEAKER.- Do we have a report from the Chairman of the Privileges Committee?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will respond to that.

Madam Speaker, I think it should have been best if the honourable Member had spoken to the Members from the Opposition who are part of the Privileges Committee and, in fact, the Privileges Committee is actually going to go through various evidences today to establish whether there has been ...

HON. M.D. BULITAVU.- Why were you there?

HON. A. SAYED-KHAIYUM.- ...a breach of the privilege as you have recommended, Madam Speaker. So the Privileges Committee will establish ...

HON. M.D. BULITAVU.- It's a different agenda here! Declare your interest!

HON. A. SAYED-KHAIYUM.- ...whether there has been a breach of the privilege or not. There was a TOR that was given by the Secretariat to the Privileges Committee.

HON. M.D. BULITAVU.- Why were you there?

HON. A. SAYED-KHAIYUM.- There was also a timetable given to the Privileges Committee by the Secretariat.

HON. M.D. BULITAVU.- It's not right!

HON. A. SAYED-KHAIYUM.- We had agreed that we will proceed on that basis. We will be meeting at 2 o'clock.

Madam Speaker, the point is this; if the logic of the honourable Member is that, because I am from the other side of the Chamber, and this side of the Chamber was the one actually moving the motion. I obviously moved the motion from this side of the Chamber. So, in other words, Madam Speaker, the entire three-membership of this side of the Chamber should not sit in the Privileges Committee. Is that what he is saying? That is the logical flow....

(Chorus of interjections)

So, Madam Speaker, the reality is that, when the motion is moved ...

HON. RATU I.D. TIKOCA.- Madam Speaker, he should not be on the Committee.

HON. MEMBER.- Remove him from the Committee.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will keep on repeating.

(Chorus of interjections)

MADAM SPEAKER.- Yes, keep repeating.

HON. A. SAYED-KHAIYUM.- When the motion is moved ...

HON. N. NAWAIKULA.- Madam Speaker, I rise on a point of order.

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

HON. A. SAYED-KHAIYUM.- What do I do, Madam Speaker?

MADAM SPEAKER.- We need to finish the first Point of Order first before we go on to the next. Please, continue, honourable Minister?

HON. A. SAYED-KHAIYUM.- When the motion is moved from one side of the House, Madam Speaker ...

(Chorus of interjections)

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

HON. N. NAWAIKULA.- Point of Order, Madam Speaker.

HON. A. SAYED-KHAIYUM. What do I do, Madam Speaker?

MADAM SPEAKER.- Please, continue. Please sit down (to Hon. Nawaikula)

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Theatrics! Theatrics!

Madam Speaker, when a motion is moved from a particular side of the House, obviously the motion is moved on the basis that there is support for it. Obviously, the motion is moved from this side of the House because we believe in that particular motion. So, by logical flow, therefore, every honourable Member on this side of the Chamber, including honourable Members in that corner (Opposition side) support the motion. Therefore, what he is saying is that, they should not be sitting in the Privileges Committee.

Madam Speaker, obviously when the Committee meets, it will objectively look at the various information, the evidence, et cetera, that are put before it, and they will come to a conclusion.

Thank you, Madam Speaker.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, I rise on a point of order; Standing Order 18 with regards to your powers. I have heard the point of order that was made by the honourable Bulitavu earlier, so we ask you to exercise your powers to suspend the deliberations of the Privileges Committee until you have decided and given your ruling on whether or not a complainant (not just any Member of the Government) can sit in judgment of the person accused. That is our request to you under Standing Order 18. Could you suspend the deliberations of this Committee as a matter of natural justice only for the complainant? If someone else had moved the motion, then we would object to that other person but it just so happens that in this case, the complainant and mover of the motion was the Attorney, and if your ruling could be given on that before proceedings could continue.

MADAM SPEAKER.- Thank you very much.

May I just give my ruling to the point of order that has just been raised? With respect to your point of order, honourable Draunidalo, we cannot discuss the work of the Privileges Committee as it is currently sitting. Also, there is going to be a matter of privilege that will be moved later on, relating to the same issue. I will provide my ruling on that at a later time.

HON. A. SUDHAKAR.- Madam Speaker, I rise on a point of order under Standing Order 62(4). While the honourable Attorney-General was speaking, honourable Bulitavu said these words; “do the honourable thing” and honourable Ratu Isoa Tikoca also said; “he is not honourable”.

Madam Speaker, those words are offensive and as far as we are concerned, all of us in this Chamber are honourable, both inside and outside Parliament. Therefore, honourable Ratu Isoa Tikoca should withdraw as he has referred to the honourable Attorney-General as “not honourable”. It is against the decorum of Parliament so he should apologise and withdraw those statements right now.

HON. RATU I.D. TIKOCA.- I rise on a point of order, Madam Speaker, I never uttered that word. Find someone else, not me.

HON. A. SUDHAKAR.- You said it!

HON. RATU I.D. TIKOCA.- Not me!

HON. A. SUDHAKAR.- You said it!

HON. RATU I.D. TIKOCA.- A point of order, Madam Speaker, I never uttered that word. I was silent right through.

HON. A. SUDHAKAR.- You did say that!

HON. RATU I.D. TIKOCA.- Sit down! Don't you point at anyone!

MADAM SPEAKER.- Order! Order!

HON. A. SAYED-KHAIYUM.- Don't point at him!(to Hon. Ratu.I.D. Tikoca)

MADAM SPEAKER.- Order! Order!

I will not take into consideration that point of order because it has been refuted by the honourable Member charged. I will give the point of order to honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, I rise on a point of order, Standing Order 18, on the question whether the honourable Attorney-General should be in the Committee. The gist of the issue is to give natural justice to scrutinise the evidence well and you cannot have the complainant because the motive of the complainant is to implicate him. That is the fairest way. That is how our court operates. So, I seek your advice in relation to that, before you confirm him to be in the Committee.

MADAM SPEAKER.- I will be providing you with my ruling later.

We will now hear a matter of privilege that has been brought to my attention in accordance with Standing Order 134(1). I have been informed by the honourable Semesa Karavaki that he wishes to raise a matter of privilege. I now call upon the honourable Member to briefly state the facts.

MATTER OF PRIVILEGE

HON. S.D. KARAVAKI.- Madam Speaker, I rise to raise an issue of privilege under Section 134(2) of the Standing Orders. With that, I am required to briefly state the facts, which is in relation to the Standing Committee on Human Resources which was authorised by this Parliament, Madam Speaker, to look into the issue of Shirley Park being re-zoned.

Madam Speaker, while this Standing Committee was doing its work, there was an article that appeared in the dailies of which the honourable Attorney-General had made a statement that was specifically irrelevant to the work that the Standing Committee was doing.

MADAM SPEAKER.- Honourable Member, can you please give me a few minutes to consult with the Secretary-General before you continue?

HON. S.D. KARAVAKI.- Yes, Madam Speaker.

(Madam Speaker consulted with the Secretary-General)

MADAM SPEAKER.- Thank you very much, honourable Members. Honourable Karavaki, you may now continue.

HON. S.D. KARAVAKI.- Madam Speaker, I have here a copy of the statement that was in the dailies, and also a copy of the full statement issued by the honourable Attorney-General to the media. The statement was, in fact, obstructing or interfering with the work of the Standing Committee on Natural Resources by discouraging people who had engaged themselves in their public hearing. Not only that, Madam Speaker, there is also evidence that he communicated to a particular person while the work was being carried out that the subdivision of Shirley Park will still go ahead despite the work the Standing Committee was carrying out. So these are the evidence, Madam Speaker, that I would like to submit to

yourself and to consider under Section 134(2) whether there is a *prima facie* case and for yourself to make decision whether it should be referred to the Privilege Committee. Thank you, Madam Speaker.

MADAM SPEAKER.- Thank you very much. I thank the honourable Member for raising that matter of privilege.

I now invite the honourable Member to bring any evidence as has been mentioned to my Chambers and I will rule on this matter at a later sitting.

Thank you all for your contributions today. I request the Business Committee members to meet in the Big Committee Room straight after this.

The Parliament now stands adjourned until 9.30 tomorrow morning.

The House adjourned at 10.41 a.m.