

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

WEDNESDAY, 26TH APRIL, 2017

[CORRECTED COPY]

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WEDNESDAY, 26TH APRIL, 2017

The Parliament met at 9.31 a.m., pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All the Honourable Members were present, except the Honourable Assistant Minister for Youth and Sports.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 25th April, 2017, as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed.

COMMUNICATIONS FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament and the members of the public who are joining us in the gallery and those watching proceedings on television and the internet, and listening to the radio.

Also, there is another group of the Politics and Government PL100 students from the University of the South Pacific who are here with us today. Welcome and thank you for taking interest in your Parliament.

QUESTIONS

Oral Questions

Fiji Pine Limited's Assistance to Landowners
(Question No. 114/2017)

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

Can the Honourable Minister for Forests inform the House on how the Fiji Pine Limited has assisted landowners in terms of machines to participate in the logging industry?

HON. O. NAIQAMU (Minister for Forests).- Madam Speaker, I rise to respond to the question raised by Honourable Mosese Bulitavu. Thank you Honourable Member for your question.

Madam Speaker, apart from job creation with the Fiji Pine Industry and lease payments to landowners, the Fiji Pine Limited pays a 3 percent forest-based levy for forest-based companies to venture into business activities within the Fiji Pine Industry, thereby increasing landowner participation and returns.

The company also pays a 2.5 percent levy to the forest-based trust for community-based projects. Other payments to landowners includes a stumpage fee of 12 percent and more recently, the introduction of the lease security bonus payment since 2014.

Madam Speaker, the total amount of 3 percent forest-based levy paid out to landowners, amount to about \$1,816,750 since 2012. These are for Lololo, Nadi, Nabou, Ra, Bua and Macuata to invest in machines and other equipment for participation in the logging industry.

The 2.5 percent forest trust levy on the other hand, Madam Speaker, amounts to about \$1,662,966.32 since 2012 for investing in community-based projects, which may include harvesting equipment as well. That is also an added component or plants paid to landowners for stumpage, similar to royalty, and this has amounted to almost \$4 million since 2012.

So, Madam Speaker, in total, the FPL has paid out a sum of \$7,421,755 to landowners since 2012, and this would allow them to invest in machines and other equipment to enable their active participation in logging operations. Further to this financial returns to landowners, to enable them to participate in logging, Madam Speaker, upon request from the Fiji Pine Industry, the Government has supported SCARF applications to allow these landowners to invest in machines for harvesting purposes.

My ministry, Madam Speaker, has been assisting our local forest sector business through a Seed Capital Assistance Revolving Fund (SCARF), where the ministry provides the initial one-third deposit to recommence borrowing through the Fiji Development Bank loan scheme, to assist in the purchase of harvesting machines and equipment to this prospect companies. To-date, Madam Speaker under the SCARF programme with the Fiji Development Bank, my ministry has assisted over 60 forest-based business individuals, with a total allocation of \$3.38 million. Out of this \$3.38 million, \$2.9 million was approved for 49 landowner-based companies to purchase harvesting machineries to supply pine logs to Fiji Pine list of companies. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Supplementary question.

HON. N. NAWAIKULA.- Madam Speaker, when it was established, the certain point was exclusively all logging companies will be arranged from the landowners. So can you tell this House, please; how many logging contractors are there and how many of these are owned by landowners?

HON. O. NAIQAMU.- Madam Speaker, the question is statistical in nature, therefore, I will provide this data later.

HON. SPEAKER.- It is statistical in nature and answers will be provided. Thank you. Honourable Bilitavu?

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I thank the Honourable Minister for the answer this morning. Given that he has enlightened the House in regards to the benefits that is going to the landowners, but will there be any assessment conducted by the Ministry in regards to this sector, in order to actually value and see improvements on how our landowners participate in this particular industry? Will there be a review or assessment done in regards to this?

HON. SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, for the information of the House, I had mentioned this morning, 6 forest based companies are pre-dominantly owned by all prospective landowners in every stations. I have mentioned Nabou, Nadi, Lololo, Bua and Macuata. These are the forest-based companies which are owned by all the landowning units, who lease their land to Fiji Pine Limited. Thank you Madam Speaker.

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

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. It is just that the names that are being mentioned by the Honourable Minister does not include Lakeba. Can the Honourable Minister explain what process needs to be followed in order for landowners who have pine trees on their land to be also included in the scheme that he has mentioned?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, there are two categories. One is the people who lease their land to Fiji Pine Limited, the other category is the scheme, which is community-owned, like Lakeba. It is not leased to the Fiji Pine Limited Group of companies. So. the SCARF that qualifies everyone, including Lakeba and also the landowners who lease their land to Fiji Pine under the scheme, under the SCARF.

HON. SPEAKER.- Thank you. Honourable Leawere.

HON. M.R. LEAWERE.- Madam Speaker, I would just like to ask the Honourable Minister about scholarship opportunity for landowners' children. Is there any opportunity for landowners, especially their children to attend tertiary institutions, in terms of the benefits that are being accrued by Fiji Pine Limited?

HON. O. NAIQAMU.- Madam Speaker, I have already mentioned this morning, 2.5 percent goes to the forest-based trust that looks after their community development, including education.

HON. SPEAKER.- Thank you. Honourable Dulakiverata.

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

All those landowners companies that are assisted by the FDB, how many of them, and how are they performing? Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. O. NAIQAMU.- Madam Speaker, I have already mentioned the companies that have already been assisted by the number. Those are all landowners - 60.

HON. SPEAKER.- Thank you.

Now I give the floor to the Honourable Mikaele Leawere to ask his question.

Extension of Retirement Term for Teachers – Mid-Year to Year End
(Question No. 115/2017)

HON. M.R. LEAWERE asked the Government upon notice:

Can the Honourable Minister for Education, Heritage and Arts extend the retirement term for those teachers who turn 55 in the middle of the year to the end of the year, to allow time for smooth transition and preparation of replacements towards the end of the school year and during the school holiday? Thank you, Madam Speaker.

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I want to thank the Honourable Member for asking this question so that I can clarify this once and for all.

Madam Speaker, Section 14 of the 1999 Public Service Regulation states:

“An employee must retire from public service when reaching 55 years, unless the Constitution or any other written laws specifies a different age in respect of an employee.”

Madam Speaker, we are enforcing that. Madam Speaker, the Honourable Member talks about proper transition. Unfortunately, the Honourable Member does not understand the process that we have, that will ensure that there is proper transition.

Madam Speaker we have got two pools of teachers who are on standby. Pool A are teachers who are there to undertake relieving for those who take leave without pay or those who are on maternity leave, or those who would want to take one semester, one year leave to undertake studies. So these teachers are always on standby to undertake relieving. Therefore, if there is someone who retires or resigns, we will get this person from the particular pool to replace them. So it is not something that the person is totally new to the system.

Secondly, Madam Speaker, Pool D are the teachers who are on the reserve list. So every point in time, we have a list of teachers by different subject areas, and based on their GPAs, we have listed them down.

So when someone resigns or retires, then we look at who is on top of the list of that particular subject area and that person is then given a contract. So there is no issue about not having a smooth transition Madam Speaker. Thank you.

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

HON. PROF. B.C. PRASAD.- Supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. PROF. B.C. PRASAD.- I Just want to ask the Honourable Minister to tell this House whether the retirement age of 55 is causing difficulty in terms of the quality of teachers and the administrators in the school, and whether the Honourable Minister has plans to recommend a change in the retirement age to 60.

HON. SPEAKER.- Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, to answer his question directly, no, it is not causing any difficulty, not in our Ministry, probably there are other ministries where they may have problems in certain specific areas. Such, Madam Speaker, the other issue that the Honourable Member mentioned about is quality of teacher replacement.

At times, some Honourable Members from the other side have argued, “that how can you replace a 55 year person who has got 35 or 33 years’ experience by a graduate?” But Madam Speaker, I want to

tell them that we are not replacing a 35 or 33 years' experienced person with a 20 year graduate. No, absolutely not. That person is replaced by someone who is already there, who moves on. For example, a principal retires at age 55. The principal is not replaced by a fresh graduate from USP, absolutely not. The principal is replaced by someone who is already a principal at the lower lever school or VP (Vice Principal).

Madam Speaker, so it is not that we are replacing a 55 year person who has got 35 years of experience with a fresh graduate. It does not work that way. Unfortunately, they do not come and talk to us and ask us to explain these things, they take this Parliamentary time and come and ask these fundamental basic questions, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Mikaele Leawere.

HON. M.R. LEAWERE.- Supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. M.R. LEAWERE.- There are about 87 teachers who are going to retire, starting from January to December, and some of these teach exam classes. What is the Ministry planning to do in terms of replacement?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- I did not get that question.

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

HON. M.R. LEAWERE.- Let me repeat, Madam Speaker. There are 87 teachers who are retiring this year, and some of these teachers, they teach exam classes.

What is the Ministry doing in terms of the replacement, because we cannot just replace someone who is 30 or someone who is inexperienced to take over an exam class? Thank you Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- Yes, Madam Speaker, I am fully aware of the 87, the number. It is the first time ever that he has got the numbers correct.

(Laughter)

HON. DR. M. REDDY.- To break it down, 54 are in primary and 32 in secondary. I hope you did not get this table leaked to you.

(Laughter)

HON. DR. M. REDDY.- Madam Speaker, I just want to let the Honourable Member know ...

(Chorus of interjections)

HON. DR. M. REDDY.- ... that this 87, their retirement is not tomorrow or next month, it is spread over. Already, Madam Speaker

(Chorus of interjections)

HON. DR. M. REDDY.- Wait! Wait! Wait!

HON. SPEAKER.- Order! Please allow the Honourable Minister to answer the question.

HON. DR. M. REDDY.- Madam Speaker, some retired in January, they have been replaced; some retired in February, they have also been replaced. Some retired in March too, and we are in April now. For God's sake, we are in April now, so they are not retiring everyone in April, or May, or June, et cetera.

HON. M.R. LEAWERE.- Have they been replaced?

HON. DR. M. REDDY.- Absolutely, they have been replaced. Absolutely.

HON. M.R. LEAWERE.- They should go on.

(Laughter)

HON. DR. M. REDDY.- Madam Speaker, look at this! He is saying they should be replaced, then on the same breadth, they are saying they should go on. What are they talking about?

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. My supplementary question is, does the Ministry consider its social responsibility by retiring teachers in the middle of the year? We usually go by the annual retirement at the end of the year. That is our question, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- The grace period?

HON. RATU K. KILIRAKI.- The grace period. Yes.

HON. DR. M. REDDY.- Madam Speaker. Do they not know on the day of retirement that they are retiring today? Do they not know on the day they are turning 55? Absolutely not, Madam Speaker. They all know when they will be turning 55. They all know that the retirement policy requires us that we should retire on that particular day. They all are told 3 months in advance that "We will be retiring you on this particular day." You can opt to take those who are on the support service, like in Headquarters. They can take pre-retirement leave if they want to, if not, they can try and pull out their leave. They all are told, they are given a certificate of appreciation from the ministry for their service. So, there is no issue about that they are not aware of.

Secondly, Madam Speaker, all of them are part of our social security scheme that they will get their pension when they turn 55. So, is not that abruptly their source of livelihood is totally removed from them. It is not that abruptly their source of income is cut off from that particular point - absolutely not, Madam Speaker.

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

HON. A.M. RADRODRO.- Thank you, Madam Speaker. I think the Honourable Minister should accept that when we talk about students, it is very dear to us also. The question that I would like to ask

today is can the Honourable Minister consider extending teachers beyond 55 years in the subject areas of Maths, Accounting, Economics and Science subjects since it has been noted by the Honourable Minister it remains to be a problematic area?

HON. SPEAKER.- The Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, the thing is this: All these areas, we have got a list of teachers who are on standby, some, for example in the areas of Physics and Mathematics, the list is shorter. I do understand that but is not that, that we do not have graduates to teach that particular course.

So, the issue is about students interruption and absolutely not. I mean, it is a normal thing that there will be in some cases where students will find it is changing. There are times when we exchange Arts teachers to change forms within a school, to change stream, to ensure that we have conformity between the different streams within the school. So, is not really an issue, maybe, if they say shortage, we will deal with it.

HON. SPEAKER.- Thank you, Honourable Nawaikula.

HON. N. NAWAIKULA.- There is a USP graduate who is now heading the Curriculum Development Unit; straight from USP, to this very senior position, why the exception?

HON. SPEAKER.- The Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, I really could not get what he is saying. He does not understand about a teacher trained graduate. There is a person who graduated with BSC Bachelor of Science. We do not recruit someone with BSC, we recruit someone with BSCDCED or the FNU programme, where they have got a GSC, plus their area education major. So, they are all qualified teachers, meaning, they have those subject major, for example BSC Chemistry Physics, plus. an education major, or they will do BSC for three years and then they will do Graduates Certification in teacher education one more year. So, they are qualified teachers. Now, every student at some point in time, all those teachers that we have, that 11,000 teachers in our school system, one day they were new to the classroom.

(Chorus of interjections)

HON. SPEAKER.- Honourable Nawaikula Order! Let us listen up.

HON. DR. M. REDDY.- All those 11,000 teachers, Madam Speaker, one day they had to face the classroom. Now if we take the argument that these people, they are very experienced ...

(Chorus of interjections)

... we should not retire them. Now, Madam Speaker, look this side. There are fresh graduates here. They will be graduating. You are saying we should not employ them and we will have to keep them, we should keep the 55 year.

(Chorus of interjections)

HON. DR. M. REDDY.- No.

(Chorus of interjections)

HON. DR. M. REDDY.- No, no, 55 years they can go, we will look after them, we will retrain them to join the private sector and we will take them on. Thank you.

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

Tabling of the Interim PAC Report 2004-2010
(Question No. 116/2017)

HON. A.M. RADRODRO.- Madam Speaker, before I ask my question, I would like to seek your leave to correct just one part of the question, which is the word “Regulation 2” on the second last paragraph, it should be “audit” - Section 35(5) of the audit.

Honourable A.M. Radrodro asked the Government upon notice:

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communication advise this House when is he going to table the Interim Public Account Committee Report from 2004 to 2010 which was scrutinised and submitted to Government in accordance with Legal Notice No.48, Section 5(1) and Section 5(5) of the Audit (Public Accounts Committee) Regulation 2007?

HON. A. SAYED-KHAIYUM (Honourable Attorney-General and Minister for Economy, Public Enterprise, Civil Service and Communication).- Madam Speaker, I respond to the question as it was asked and approved in the Business Committee.

Madam Speaker, I thank the Honourable Member for his question. I would also like to point out that the Honourable Member has an interest in this because he was actually a member of the Public Accounts Committee that was appointed by the Honourable Prime Minister that sat, reviewing these Reports.

Madam Speaker, I think it is critically important in order to be able to answer this question, to provide the background information relating to this because many of the members would not be familiar with this particular regulation.

Madam Speaker, following the events of 5th December, 2006, in the absence of Parliament in 2007 pursuant to the Audit Public Accounts Committee Regulation 2007, which I refer to as the 2007 Regulations, the Fijian Government established the Public Accounts Committee which consisted of a Chairperson and five other members. This is in the absence of Parliament. Of course, we still had the Constitution on foot then.

The following members of the Public Accounts Committee were appointed on 13th January, 2008, pursuant to 2007 Regulation. The members were:

| | | |
|-------------------------|---|--------------------|
| Mr. Manu Korovulavula | - | Chairperson |
| Ms. Laufitu Malani | - | Deputy Chairperson |
| Ms. Taufu Vakatale | - | Member |
| Mr. Kamlesh Arya | - | Member |
| Mr. Jainendra Kumar | - | Member |
| Mr. Mataiasi Kotobalavu | - | Member |

From 2007 to 2012, some members of the Public Account Committee such as Ms. Taufu Vakatale, Mr. Kamlesh Arya left the Public Accounts Committee for various reasons and during the

course of this term at the Public Accounts Committee, unfortunately Mr. Jainendra Kumar passed away. Given that back in 2012 essentially three members of the original Public Accounts Committee remained which is the Chairperson, Mr. Manu Korovulavula, Deputy Chair, Ms. Laufitu Malani and Mr. Mataiasi Kotobalavu, an additional three members who were appointed by His Excellency the President to the Public Accounts Committee for a two year term. These members were: the Honourable Aseri Radrodro, Mr. Alikesio Sela and Ms. Mary Galuvakadua.

Madam Speaker, the Public Accounts Committee at that time looked through the reports produced by the Office of the Auditor General for the years 2004 to 2009. The Public Accounts Committee however still had pending reports to look through and these were two from 2000, nine from 2001, six from 2002, 13 from 2003, five from 2004, 13 from 2010, 11 from 2012 and seven from 2007; a total of 67.

At this point, Madam Speaker, I also like to highlight, it is prudent to highlight the issues within the Public Accounts Committee itself. There were two internal audits which were carried out in respect with Public Accounts Committee itself by the internal audit team of the then Ministry of Finance, which is now the Ministry of Economy. These audits were done in 2013 and 2014 respectively. What were the audit findings?

- (a) Overpayment of sitting allowance by \$8,550: Members were being paid for the hours they did not work and they were inconsistencies in relation to the signing of the daily register attendance. What the audit report found which are over here with me, that some of the members of the Public Accounts Committee used to come in, sign in the morning and then take off, and then come back in the afternoon and then collect.
- (b) Accountable Advances not returned within seven days as required by the Financial Instructions 2010
- (c) Catering tenders not being called and the catering company used by the Public Accounts Committee since 2010 was owned by a Public Accounts Committee member operating in his wife's name.
- (d) No written approval was sought to confirm the increase in catering rate from \$30 to \$50 from the catering during the period 2012-2013.

Madam Speaker, given the gross mismanagement of funds by the Public Accounts Committee itself at that time, the PAC appointments were subsequently terminated in 2014. Honourable Radrodro was part of that termination with immediate effect, pursuant to Clause 8 of the 2007 Regulations.

For the sake of clarity, Madam Speaker, 2007 Regulations clause 8(2) states, "that the President may remove a member of the committee for misconduct or misbehaviour or any other good reason that may warrant the members' removal."

Madam Speaker, it was also decided that because Parliament would be in place in a few months' time with that time the 2013 Constitution was in place and anyone who read it would know that, that particular provision kicks in. Audit reports from the Office of the Auditor General would be given to the new Parliamentary Public Accounts Committee for further deliberations.

Given that these questions being put to Parliament by the Honourable Member who was also part of the Public Accounts Committee, you will indeed know that pursuant to Clause 11 of the 2011 Regulations, the Regulations have indeed expired on the date the next elected Prime Minister is appointed. That is what the Constitution provision is and what the provision says in the law itself.

Madam Speaker, what is the current situation? Since the inception of Parliament in 2014, all the Reports of the Office of the Auditor-General from 2007 to 2013 have been subsequently tabled before Parliament. The Parliamentary Public Accounts Committee has looked at these Reports from the Office of the Auditor-General 2007 to 2013 afresh, and tabled its own respective report.

Indeed, Honourable Professor Biman Prasad, who was the Chairman of the Parliamentary Public Accounts Committee tabled his Report titled, "No More Repeats", on the 2007 and 2009 Auditor-General Reports. Subsequently, in 2016, the Honourable Ashneel Sudhakar, as Chairman of the Parliamentary Public Accounts Committee, also tabled his Report on the 2009 and 2013 Auditor-General's Reports.

Madam Speaker, the only Reports that have not been tabled are those Auditor-General Reports from the years 2000 and 2006. These are the Reports that neither of the former Public Accounts Committee nor the current Parliamentary Public Accounts Committee have considered. These will be tabled as soon as possible and sent to the Parliamentary Public Accounts Committee for review accordingly. I am sure the Honourable Leader of the Opposition would be interested in the Auditor-General's Reports from 2000 to 2006.

Madam Speaker, that is the background to this, and this is what is being done and this was what has happened. Thank you.

HON. A.M. RADRODRO.- A supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. A.M. RADRODRO.- I note the background by the Honourable Minister. The question is; when will the Interim Public Accounts Committee Report be tabled in Parliament according to the Regulation? He has not answered that question.

HON. SPEAKER.- Honourable Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, they need to get legal advice; the Regulations does not exist anymore.

HON. SPEAKER.- Honourable Semesa Karavaki?

HON. S.D. KARAVAKI.- A supplementary question, Madam Speaker. The Honourable Minister had referred to Regulation 11. Yes, truly, that the Regulation ceased on the date of the appointment of the new Prime Minister, so as the membership, Madam Speaker. Why is it that all members were terminated well before that in March 2014, when the Regulations says that the termination of the members' appointments will fall on the date the Prime Minister is sworn in? Why were they terminated earlier and even not replaced? Their membership should cease on the date that the Prime Minister is appointed.

HON. SPEAKER.- Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the appointments were terminated in 2014 only a few months gap. I have just read out the amount of abuse that was taking place. Do you think a Public Accounts Committee (PAC) which had a Report carried out by an independent group of civil servants who pointed out all those anomalies in the manner in which the Public Accounts Committee itself conducted itself would be credible enough to carry out an independent credible investigation or assessment of the PAC or Auditor-General's Reports with integrity, given the fact that the new incoming

Parliament was about to be formed in only a few months' time? Given the fact that Honourable Professor Biman Prasad himself when he was Chairman has dealt with the 2007 and 2009 Reports, they were also looked at by the former Public Accounts Committee that was set under the Regulations. This is a redundant question.

HON. SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, we do not want to hear Honourable Professor Biman Prasad or Honourable Ashneel Sudhakar, we want to see the Interim Public Accounts Committee Report. It contained very important issues, including payment of salaries to the Honourable Prime Minister. When can you assure us you will table this? Please, with the corrections or with the mistakes, just table it.

HON. SPEAKER.- Honourable Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, Honourable Nawaikula always is quite fascinating. The Honourable Member does not seem to understand nor does he seem to hear what has just been said.

Madam Speaker, the Honourable Professor Biman Prasad in his Report as Chairman, and I will use his name because he was the Chairman, and I will use Honourable Ashneel Sudhakar's name because he was the Chairman and still is the Chairman and will continue to be the Chairman. The fact that the matter is, whether the Auditor-General's Report is being assessed by the Parliamentary Public Accounts Committee or not; are they somehow or the other saying that Honourable Professor Biman Prasad's Report lacks the level of credibility that apparently the former Public Accounts Committee had? That is what he is implying!

He is implying that somehow or the other that Honourable Professor Biman Prasad's Report somehow or the other is substandard to what the former Committee that the Honourable Aseri Radrodro was in. Basically, that is what he is implying.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reality is this, that the Auditor-General's Report forms the basis of any assessment by any Parliamentary Committee. What they should be asking for, Madam Speaker, which they are not asking for is; why are the Auditor-General's Reports from 2000 and 2006 have not been presented or not been assessed? They are not asking for that. They are only interested in post-2007 which part of it was already been assessed by Honourable Professor Biman Prasad when he was Chairman, and Honourable Ashneel Sudhakar when he is still the Chairman. They are not asking about the 2000 and 2006 Reports, because they know there are numerous worms there.

(Laughter)

They only seem to be concentrating on this when it has already been assessed by this Committee.

HON. N. NAWAIKULA.- We want to see the worms?

HON. A. SAYED-KHAIYUM.- I'll show you the worms! Read the Auditor-General's Report and you will find the worms.

HON. SPEAKER.- Thank you. Honourable Ratu Nanovo.

HON. RATU S.V. NANOVO.- A supplementary question, Madam Speaker. Just a short question to the Honourable Minister; is there anything sinister in those Reports that you do not want to present in Parliament?

HON. SPEAKER.- Honourable Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think that to answer that, will be giving credibility to that kind of question.

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki?

HON. RATU K. KILIRAKI.- Madam Speaker, my simple supplementary question is; as the Regulation says that the Report should be tabled in the next available meeting of Parliament and even though that Regulation has expired, according to Regulations, whether they are going to table it in the next Parliament Sitting?

HON. SPEAKER.- Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the question is very incoherent and I will attempt to answer that.

I have just answered the question and the answer is, that the Regulations no longer exist. The practical issue is, that the Auditor-General's Report can be reviewed by a Parliamentary Public Accounts Committee. And those Reports, Madam Speaker, by the Auditor-General is subject to the review and purview of the Public Accounts Committee, and they can give their Report on those Auditor-General's Reports. It is very simple!

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Parmod Chand to ask his question.

Tabling of MIDA's Annual Reports
(Question No. 117/2017)

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

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications inform Parliament when will the Media Industry Development Authority table its Annual Reports, given that public funds are allocated annually towards this body?

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.

Madam Speaker, firstly, the question is legally incorrect, factually flawed and lacks integrity, I believe, and because of that, there is no such thing as a Media Industry Tribunal Authority. When the questions are presented, Madam Speaker, again, the Opposition is doing this.

When the questions are presented, Madam Speaker, again, the Opposition are doing this, to the Business Committee and the questions are then approved by both sides and the questions are then sent to all the members, to all the permanent secretaries and respective agencies. That is the basis on which the question needs to be asked.

Madam Speaker, they come along and because they have done a dodgy job from the beginning, they then want to change the question on the floor. So, Madam Speaker, the actual authority is called the Media Industry Development Authority (MIDA).

Madam Speaker, MIDA was established under section 3 of the Media Industry Development Act 2010. It is this authority that receives funding annually in the annual budget.

In the last budgetary allocation, Madam Speaker, MIDA was allocated \$300,000 under the following budget line, and again, Madam Speaker, MIDA has a budget line through Programme 1 of the Attorney-General's Chambers - HEAD 3-1-1 SEG 6 and I will show that to the Honourable Member, if he did not see that, this is where their report comes in the Auditor-General's Report also.

If you read, Madam Speaker, since 2013, the Auditor-General's Report has not, in any way, found any adverse findings on the expenditure on MIDA through the Attorney-General's Office.

Madam Speaker, let me also highlight that:

- In 2013, the annual budget of \$300,000 was allocated to MIDA, expenditure was \$201,000 and \$98,000 was returned.
- In 2014, another \$300,000 was allocated, \$171,000 was returned because only \$128,000 was used.
- In 2015, \$300,000 was again allocated, only \$68,000 was used and \$231,000 was returned.
- In January to July 2016, \$300,000 was allocated, only \$18,000 was used and \$281,000 was returned.
- From August 2016 to July 2017, so far out of \$300,000, only \$10,000 has been used.

Madam Speaker, every year since 2013, MIDA has actually returned unspent funds to the Ministry of Economy.

The Office of the Auditor-General has highlighted in these three Reports of the Auditor-General, Madam Speaker, which I have got here with me which the Honourable Member can see afterwards, has annually audited MIDA accounts and the audits carried out by the Office of the Auditor-General has never (not once) cited MIDA for mismanagement or misappropriation of funds in any of their Audit Reports.

As the Honourable Member would know as he is a former member of Parliament, when the Auditor-General goes and carries out an assessment, if the funds are allocated to an agency through a particular line Ministry through a particular Head, when the Head is actually audited, they go and audit that particular Ministry and then they go and obviously audit the disbursement of those funds to that particular organisation.

Madam Speaker, furthermore, these Reports from the Office of the Auditor-General have been tabled before Parliament and the Parliamentary Public Accounts Committee has also scrutinised these Reports. So the PAC Committee has also been through these Reports. The last audited report of the Auditor-General is that of 2015 which has been tabled before Parliament, and it does not cite MIDA for any mismanagement of funds.

Madam Speaker, coming back to the Annual Report, the question itself, I wish to remind the Honourable Member that annual reports are not financial reports. You guys are getting it wrong, annual reports are not financial reports.

Madam Speaker, because his question talked about; “Given that public funds are allocated annually towards this body”, so the premise of his question was relating to fund management, and this was what I have highlighted, that the Auditor-General’s Report has assessed it all the way to 2015. If you read the Auditor-General’s Report, you will find the report on MIDA is there.

So, again, Madam Speaker, to point out that annual reports are not financial reports, it can contain financial reports or audited accounts. In addition to having financial reports, annual reports also contain information pertaining to project or programme activities. This is why I have focussed my attention in respect of the funding issue because that was is in respect of funding for MIDA because it talked about public funds.

Madam Speaker, it is prudent to note that the Chairman of MIDA has never been called before Parliamentary Public Accounts Committee to address any issues identified by PAC in relation to MIDA’s spending. MIDA spent its funds and it is blatantly clear that the PAC itself has no issues with MIDA’s funding or how MIDA spends its funds.

Madam Speaker, MIDA is currently finalising its consolidated Annual Reports from the year 2010 and once finalised, it will be tabled in Parliament accordingly. And just to also remind Honourable Members of this House that from 2010 to 2013, there were no funds allocated for MIDA. From 2013, there were specific funds because those funds prior to that, was simply used from the Attorney-General’s Office, so the consolidated reports will be tabled in Parliament as soon as they are completed which should be very soon. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Prem Singh.

HON. P. SINGH.- A supplementary question, Madam Speaker. Yes, I agree that the annual reports contain activities and financial reports in some cases. Section 15 of the Act compels the Authority to table their annual reports annually to Parliament first via Cabinet. My question to the Honourable Minister is; there is no room for any administrative excuse, what should the penalty be for MIDA if they fail to be accountable to this House?

HON. A. SAYED-KHAIYUM.- Madam Speaker, what sort of a question is that, “what should be the penalty”?

HON. A.T. VADEI.- (inaudible interjection)

HON. A. SAYED-KHAIYUM.- Listen! Honourable Vadei, you know about annual reports not being filed on time, you know that very well! Please, do not open the closet.

Madam Speaker, Honourable Singh has asked a question about what should be the penalty. I do not know how to respond to a question such as; “What should be the penalty for the late filing of an annual report?” Many organisations have done that, where annual reports have not been filed within the one year, yet they have never asked a question about what should be the penalty. So he is actually being what someone may say, trying to be intellectually overwhelming. This is a very bad attempt.

HON. SPEAKER.- Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Madam Speaker, the Honourable Minister is lamenting about the audit report and the financial report. The simple question is; what is causing this delay in tabling of these annual reports?

HON. A. SAYED-KHAIYUM.- Madam Speaker, as I have said to this Honourable Parliament that the annual reports will be tabled in the very near future.

HON. SPEAKER.- There being no other supplementary question, I will now give the floor to the Honourable Ashneel Sudhakar to ask his question.

Advantages/Benefits of Police Drug Operations to Taxpayers
(Question No. 118/2017)

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

As line Minister responsible for Police on the drug issues affecting our country, can the Honourable Minister for Defence and National Security inform the House what advantage/benefit does the Police Drug Operations have on the taxpayers of this country?

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

Madam Speaker, on Monday I made a statement on the crime in the country and the overall decrease in crime rate in the past three years. On drugs, there is an increase in drug-related offences by 37 percent during the past three years. This necessitated the Police drug operation, the Operation *Cavuraka*, which was established for these reasons. Under this Operation, there were more than 3,000 marijuana plants found and uprooted, and people were charged and produced before the courts.

The benefits of Police drug operation on taxpayers include, social and health implications and we need to be mindful of the effects of drugs on the user and the community or society they live in. Also, Madam Speaker, for the dealer or cultivator, months and years are wasted in the event, as they are locked behind bars, their family loses a member and as a nation, we lose a productive citizen.

With this being said, I wish to draw our attention to a quote by Benjamin Franklin, and I quote: “An ounce of prevention is worth a pound of cure.”

Crime prevention whether they are petty crimes or drug-related ones, as it states, it just takes the whole of the community approach, and I urge all of us to join with the Police in this fight against crime. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Supplementary question, Honourable Salote Radrodro?

HON. S.V. RADRODRO.- Thank you Madam Speaker, and thank you Honourable Minister for bringing this topic into this House. As we are aware, there is an increase in drug problems, particularly with our youths. And we applaud the work done by Police, particularly in the big drug haul in 2004, if I am correct, regarding hard drugs like heroin, cocaine and ice. My question to the Honourable Minister; if he could enlighten this House whether these hard drugs are also available in the streets, like marijuana, and if so, what is the Police Drug Unit doing about it?

HON. RATU I. KUBUABOLA.- Madam Speaker, I would like to thank the Honourable Member for that question. The hard drugs, yes, they are also (I am told) being available on the streets

and the Police are doing their best to bring in the sellers or those who are involved in the selling of drugs on the streets.

HON. SPEAKER.- Thank you. Honourable Nawaikula?

HON. N. NAWAIKULA.- Madam Speaker, people plant marijuana as a source of income. So could the Honourable Minister consider recommending to the Government to legalise the commercial planting of marijuana?

(Chorus of interjections)

HON. RATU I. KUBUABOLA.- Thank you, Madam Speaker. We have a real problem in our province, the province of Cakaudrove, especially in the Tunuloa peninsula where a lot of marijuana has been planted. I do not think I would like to recommend to the Government for the legalisation of marijuana in Fiji. Thank you.

HON. SPEAKER.- Honourable Leader of the Opposition.

HON. RO.T.V. KEPA.- Thank you, Madam Speaker. My question to the Honourable Minister is; what types of rehabilitation programmes are there in place for drug users and drug addicts?

HON. SPEAKER.- Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, I think that is a new question. It might be better to be addressed to the Honourable Minister for Health or the Honourable Minister for Social Welfare.

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

HON. M.D. BULITAVU.- Madam Speaker, I would like to ask the Honourable Minister a question in regards to *Operation Cavouraka*. Probably, he has given the benefit for taxpayers but taxpayers also need answers, probably in regards to things such as what the Commissioner of Police said as reported in the media with regards to Police Officers conducting themselves in these kinds of raids and the use of smartphones. What will the Ministry do for the taxpayers, in order that the rights of those who are caught or the arrested people are protected and they are not subjected to Police brutality in regards to raids under this *Operation Cavouraka*?

HON. RATU I. KUBUABOLA.- Madam Speaker, I thank the Honourable Member. I am sure the Honourable Member has read in the media that the Commissioner of Police is working very hard in cleaning up this kind of brutal acts by the Police, and I thank the Commissioner of Police for doing that. We are aware of those brutal acts and the Police Commissioner is doing his best to stop those kinds of acts being done by the Police Force.

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki?

HON. RATU K. KILIRAKI.- Madam Speaker, a supplementary question; whilst we hear the acknowledgment for the efforts of the Police for arresting drug planters, if the Honourable Minister can enlighten this House the involvement of community leaders also should they be acknowledged or otherwise, in terms of the drug plantation?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, in my statement on Monday, I made reference to Duavata Community Policing. The Police Force is working together with the community in the area, not only to address the drug problems but also the other types of crimes. The Police is working very closely with the community under the Duavata Community Policing.

HON. SPEAKER.- Thank you. Honourable Parmod Chand.

HON. P. CHAND.- Madam Speaker, a supplementary question; I would like to know when the drug is seized and it is taken by Police, put into exhibit, when cases are finalised, what are the procedures of disposing them? Can we confirm it does not go back into the streets or people, and they are really destroyed?

HON. RATU I. KUBUABOLA.- Madam Speaker, I can confirm that those drugs do not go back on the streets. They are taken care of and are destroyed.

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

HON. P.B. SINGH.- Madam Speaker, a supplementary question; the Police are doing their best to combat the issue of drug abuse. They have many challenges, like transport, logistics, so what is the Ministry doing to overcome these challenges or to assist the Police in this, in their endeavour to combat crime?

HON. RATU I. KUBUABOLA.- Madam Speaker, I would like to thank the Honourable Minister for Economy. Just recently, our Police Force have been given a number of vehicles and that is a great help. I have just been touring the Western Division last week and the police officers are very grateful for the provision of additional vehicles for them to combat crime.

HON. SPEAKER.- Thank you. Honourable Dulakiverata.

HON. J. DULAKIVERATA.- Madam Speaker, a supplementary question to the Honourable Minister; what does the Police or the Ministry do to the proceeds of crime? The items that have been confiscated from people arrested from planting drugs, from their homes are being freed destroyed and things that are perceived to be bought from marijuana money are confiscated by Police?

HON. SPEAKER.- Honourable Minister.

HON. RATU I. KUBUABOLA.- As mentioned by the Honourable Member, if they are confiscated, they are destroyed.

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

HON. RATU S.V. NANOVO.- Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order.

HON. RATU S.V. NANOVO.- On that, I refer to Standing Order 44(11), and I quote:

“A question may not refer to a debate that has occurred or answer that has been given within the previous six months.”

The issue here, Madam Speaker, is about the minimum wage rate. I think all of us do understand that we had just discussed this issue last Monday, just this week, and yet, it is up in today's Order Paper. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Business Committee has already approved this question to be tabled in Parliament this morning. Therefore, it is included in the Order Paper, and we will continue with that. So Honourable Alvick Maharaj, you have the floor.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker.

Strategies for the Review of National Minimum Wages & Wages Regulations
(Question No. 119/2017)

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

Can the Honourable Minister for Employment, Productivity and Industrial Relations advise this House on strategies that will be undertaken by the Ministry to ensure that the review of the National Minimum Wages and the Wages Regulation are inclusive and participatory?

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

Yes, it is one of our intentions as it is a basic tenet of what we are trying to do in terms of the National Minimum Wage and to make sure that it is inclusive as possible and it is participatory. The first thing that has been done to ensure this, is to make sure that the person who is undertaking the exercise comes from outside of the Ministry. That was what has happened in this case, an Expression of Interest was put in the papers, people who have the expertise to undertake this kind of work have expressed their interest and one has been chosen in this particular instance, a Professor from the University of the South Pacific, who has a lot of expertise in this area and he brings with him publications and a lot of experience in this area.

As a result of that, we have a group of people who are undertaking surveys to get data. So we are actually tapping in and consulting the people who will be impacted or affected by the Wages Regulations Order, and also by the National Minimum Wages. We have 88 Enumerators working in the Northern Division, Central Division and the Western Division, to try to get that information. So there is that consultation at the street level.

The other level of consultation will take place once the New Wage Regulation Orders and New National Minimum Wages have been formulated. There will then be public consultations where these will be taken and discussed. They will be a discussion that will take place in the Northern Division, in the Central Division and in the Western Division.

They are also given a time, especially in terms of the Wage Regulation Orders, those who are involved in these sectors, to have a look at what the proposals are and to give their feedback on what they would like to say in relation to the National Minimum Wages and also the Wage Regulation Orders.

The last bit of consultation will take place at the Employments Relations Advisory Board which is tripartite in nature and has representatives of unions, employers and also Government. So throughout this process, there is an ongoing focus on consultation and participation.

HON. SPEAKER. – Is this a supplementary or Point of Order?

HON. N. NAWAIKULA. – Supplementary.

HON. SPEAKER. – Supplementary question. Thank you.

HON. N. NAWAIKULA. – The Honourable Minister stated that he expected the review to be completed within a month. Could he advise this House whether there is enough time to take all this into account, within that time of one month?

HON. SPEAKER. – Thank you. Honourable Minister?

HON. J. USAMATE. - Thank you, Madam Speaker. Yes, as the Honourable Member has mentioned, we are targeting to do this within the month and we believe that there is enough time. A lot of data has already been collected and we have done this exercise in the past, so the staff and the consultant that is currently undertaking this process has something to refer back to. So we believe that by next month, we should be in a position to be able to present the revised recommended national minimum wages and the recommended wage regulation orders.

HON. SPEAKER. – Thank you. Honourable Alivereti Nabulivou.

HON. A. NABULIVOU. – Supplementary question.

HON. SPEAKER.- Supplementary question.

HON. A. NABULIVOU.- Can the Honourable Minister advise this House on the work undertaken by the Ministry to deal with frequent offenders of labour compliance requirements and how the Ministry aims to improve the current systems? Thank you Madam.

HON. SPEAKER. – Thank you. Honourable Minister.

HON. J. USAMATE. – Thank you, Madam Speaker. One of the things that we have tried to encourage in terms of industrial relations and employment relations climate is to encourage all the employers to self-regulate themselves; to understand what our responsibilities are to employees or workers and to make sure that we can provide this on our own without the ministry walking around with a big stick and hitting people over the head to make sure that they comply.

But over and above that, we have a Compliance Section in the Ministry that conducts labour inspections, to ensure that we provide information to workers and employers through inspections visits, so there are actually visits taking place.

From August 2016 until February 2017, we have conducted a total of 2,031 search inspections nationwide. This is part of a proactive approach to ensure that the employers are advising the minimum rates with a minimum terms and conditions as outlined in the national minimum wages and wage regulations.

From January 2016 until February 2017, we have charged a total of 92 employers for criminal offences, ranging from failing to produce wages and time records, failing to pay workers their minimum rates of pay and failing to pay workers their wages due.

During this period, our legal team has also filed a total of 52 claims in the Employment Relations Tribunal for wages due to these workers which were not paid by the employers when the Ministry had served the claim letter to these employers.

The Ministry also provides guidance to employers, to ensure that they maintain proper wages and time records, together with providing the payslips to workers and also ensuring that workers are paid their rightful dues stipulated under the wages regulations and the national minimum wages.

We also give employers a 30 day notice for them to improve their current standard and to ensure that they pay workers their minimum rates of pay, so they are given those 30 days' notice. Only when an employer fails to comply with the notices provided and fails to cooperate in terms of the Employment Relations Act, then is the matter taken to the Employment Relations Tribunal for adjudication.

At the end of the day, we want to encourage all employers and workers in Fiji that they need to engage in good faith employment relations and employers must ensure that workers are given their rightful dues. As part of the process, we are implementing changes within the Complaints Resolution Process to ensure quick turnover and better returns on complaints lodged by workers. Thank you Madam Speaker.

HON. SPEAKER.- Honourable Niumataiwalu.

HON. M.A. NIUMATAIWALU. – Supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. M.A. NIUMATAIWALU.- The National Employment Centre under the National Employment Act is mandated to register unemployed clients as a one-stop-shop and for placements into one of the employment creation services. What is the rate of placement by the National Employment Centre and what are the programmes being pursued by the National Employment Centre to boost placement of graduates in the employment market? Thank you.

HON. SPEAKER. – Honourable Minister. The onus is on you to answer, it is really unrelated to the question.

HON. J. USAMATE. – Madam Speaker, that question is about the National Employment Centre, but we are talking about the national minimum wages and I can address that when I refer to the next question.

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

HON. A.M. RADRODRO. – Thank you, Madam Speaker. Can the Honourable Minister in his consultation consider discussing with the owners of the garment factory to comply with this minimum wage guideline and not abuse their workers?

HON. SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Sorry, Madam Speaker, can you just repeat that question, please?

HON. SPEAKER.- Repeat your question.

HON. A.M. RADRODRO.- Thank you, Madam Speaker. Can the Honourable Minister in his consultation process consider discussing with the owners of the garment factory to comply with the Minimum Wage Guideline instead of abusing their labourers?

HON. J. USAMATE. – Thank you, Madam Speaker. I have explained that in terms of getting people to comply in this particular case, it will be the Wage Regulation Order for the TCF sector, for the

textile, clothing and footwear. There are inspections carried out to make sure that they do comply. The exercise that I have been talking about is the formulation of a new Wage Regulation Order.

In the formulation of that new Wage Regulation Order, people that are in this sector, employers, they have their opportunity to be able to participate in the public consultation that will take place at the end of the process and their representatives, I believe, will also sit in the Employment Relations Advisory Board. With respect to making sure that they do comply, there are inspection visits that are taken up, but this exercise is talking about formulating the new Wage Regulation Order that will govern the wages that will be paid for their employees.

HON. SPEAKER. – Thank you. Honourable Dr. Brij Lal.

HON. DR. B. LAL. – Supplementary question.

HON. SPEAKER.- Supplementary question.

HON. DR. B. LAL.- Can the Honourable Minister advise the honourable House on the action taken by the Ministry to advance female workers rights, in particular in the promotion and awareness of maternity rights. Thank you.

HON. SPEAKER. – Thank you. Honourable Minister.

HON. J. USAMATE. – Thank you, Madam Speaker. There is an important consideration that is taken into account by the Ministry, as I have pointed out, there are proactive inspection visits. We believe that one of the most important ways, one of the fundamental things that you can do to reduce the number of complaints you have in any particular industry is to make sure that the workers in those industries and the employers themselves are familiar with the rights of employers, in particular the rights to do with maternity. That information is being propagated and given to all the organisations that we have in this country and our officers will go and also explain this to try to make sure that women's rights, maternity rights are looked after and that they are catered for as per the protection in the legislation.

HON. SPEAKER. – Thank you. Honourable Parmod Chand.

HON. P. CHAND. – Supplementary question.

HON. SPEAKER.- Supplementary question.

HON. P. CHAND.- I would just like to ask the Honourable Minister, whilst this consultation is taking place, how broadly this action is being taken, in the consultation, are all the workers involved? Because there are many workers who do not have representatives, they do not have unions. I would like to know what is the broad consultation and what is the mechanism that is being used to carry out this consultation.

HON. SPEAKER. – Thank you. Honourable Minister.

HON. J. USAMATE. – Thank you, Madam Speaker. The consultation is targeting to visit actual workers, not just talking to the representative of workers. A lot of people that are in that kind of sectors that will be affected by the wage regulation orders and the national minimum wage are not unionised, they are not members of unions. In order to consult them, the experts, the economists come up with ways in which you actually visit them, talk to people, identify streets, identify parts of our community where these workers and you have enumerators that go to them and meet them one-on-one and ask them questions about what they are earning, how their day to day life is, and how they are able to meet it.

There are forums being organised for this, we have 88 enumerators, they have identified streets, they have identified towns and cities where these workers and workers are going to collect information for them. We have a target of more than 5,000. Hopefully, we will be able to talk to actual workers and get from them what is it that they are actually earning and how is what they are earning helping to go on to meet the requirements of their lives on a day to day basis.

There is a direct consultation with workers at that particular level, and over and above that, we still have the consultation for the public later on and ultimately the consultation with the Employment Relations Advisory Board that does have a representative of unions.

HON. SPEAKER. – Thank you. I now invite the Honourable Howard Politini to have the floor.
Retired Teachers' Assistance on Education in the Pacific Island Countries
(Question No. 120/2017)

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

The National Employment Center has been sending retired teachers to Pacific Island Countries to assist in their education system. With the retirement age at 55years;– can the Minister brief this House as to what plans are there at the National Employment Centre to send other professions to our regional countries?

HON. J. USAMATE (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, the National Employment Centre since 2012 to-date has sent a total of 43 retired teachers to Pacific Island countries. These countries have a shortage of teachers. They asked us for the teachers that we do have so that when teachers do retire from the Ministry of Education, they have an opportunity to find further work and at the same time, we see that as part of our role in Fiji to assist these countries.

We also work very closely with the Ministry of Foreign Affairs through the local High Commissions to provide areas of needs of assistance which the Ministry can facilitate through the National Employment Centre. We have now been engaging with the Governments of Tuvalu on the placement of retired nurses to the public hospitals and this will boost their health service delivery with the experienced nurse in Fiji.

The National Employment Centre continues to receive requests from Governments like the Government of Vanuatu and Tuvalu, where they are requesting for curriculum developers and TVET (Technical, Vocational Education Trainers) from our current pool of retirees.

There are other fields available and we will tap into this and see if there are retirees in the areas that they are requesting for, if we have this available and within the budget means of the Ministry and the National Employment Centre, we will try to provide them for the benefit of our friends in the Pacific.

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

HON. S.V. RADRODRO.- Thank you, Madam Speaker. Madam Speaker, this programme tells us that there is a huge brain drain out of the country in which Fiji as a country and the Government had heavily invested on. So can the Honourable Minister explain to the House what kind of programme that you can have locally to be able to retain our qualified people that the country had invested in their training? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. J. USAMATE.- Madam Speaker, the people that we do develop in our country are very important resources for us but we also have to consider looking at the whole concept. We have a very strong programme in Fiji in also developing people, for example, the TELS Programme, the Toppers Programme, so we have this constant stream of people coming through the system. We are developing people which I think the Honourable Minister for Education has already talked about.

When someone is in a senior position, we do not replace him with a fresh graduate. We find someone who has the kind of competencies required to do the job when you replace them with that level of person so there is a constant supply line of people being produced by our systems here in Fiji. At the same time, within Fiji, we know and this is not just a problem for Fiji, there is a problem all over the world of youth unemployment.

There are some countries in the world where youth unemployment reaches as high as 25 to 40 percent so being a Government that cares, we not only look at the requirements. What we need for the older people, we also think about our young people and our young graduates, so we have to balance this out so we have retirement ages for people at 55, where they have skills that are absolutely essential, we keep them. That is what is being done in the Ministry of Health and in all other ministries. We are not just doing it for the sake of doing it, we think about the group that is going out and we think about the young that are coming in. If we kept everyone that have specialised skills in our workforce at the age of 55, what happens to our young? This Government considers everyone, and all the young are listening out here, we care for everyone. We find the opportunities for the old and the retired, and we also think about the young.

Sometimes, Madam Speaker, the problem with the Opposition, they become a bit myopic, they become one-eyed in their vision. This Government cares for everyone in this country, young and old, all over the country.

(Chorus of interjections)

HON. SPEAKER.- Thank you. Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Madam Speaker, a supplementary question. Being the Government as the facilitator, what would be the conditions of those teachers in terms of their wages, expatriates on the condition of employment in those countries?

HON. SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Madam Speaker, what happens in this particular case, when this programme started, it was called the South-South Cooperation Programme, it used to be run up to the Public Service Commission and the portion of their wages, allowances, half of it was paid by the host country. The other half is to be paid by a foreign donor but what we do now, that other half that is paid by the foreign donor is paid by our Government. Their allowances, in terms of the living allowances that they get is something that is shared between the Government at which they ultimately go and work and the Fijian Government. We are now exploring possibilities where we can work with other governments, to take up the portion of the working allowances in replacement for the salaries that the Fiji Government works. So, hopefully, we can have a tripartite relationship between Fiji, supplying the human resource and part of their wages being paid by the host country and hopefully where they are exploring the possibility of other more developed nations meeting the other component of their allowances that they get in that country. Currently, that portion of their allowances is being paid by the Fiji Government through the National Employment Centre.

HON. SPEAKER.- Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, we have spent so much time on training and it is sad that you would send them away at 55. Do you have a programme for local volunteers where they can volunteer locally?

HON. SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Madam Speaker, when you register in the National Employment Centre, you have a number of options:

1. You can register to try to find off-shore work, whether it is seasonal work or other work like that;
2. You can also have the opportunity to register and try to get formal employment within Fiji. A lot of young graduates do this. The young people come out of schools so we then put them through some training and also give them some added competencies so that they can get employment.

We also have within that the possibility to look for volunteer opportunities within the country. We have volunteers of retired people within the country. We also have a special programme on volunteers for people who are graduates so a person who comes out of school and wants a workplace attachment, the National Employment Centre provides them an allowance of \$60 a week, half of that is paid by the employer, half is paid by the National Employment Centre, but for people who are graduates, I think the allowance is slightly high.

Fresh graduates that are being phased out as volunteers in NGOs or organisations for that matter, I think the allowance would be around \$100 and \$120, so there are other opportunities for people to volunteer locally.

HON. SPEAKER.- Honourable Netani Rika.

HON. LT. COL. N. RIKA.- A supplementary question. Can the Honourable Minister explain the programmes pursued by the Ministry to grow foreign employment for Fijians and how successful are these programmes?

HON. SPEAKER.- Honourable Minister.

HON. J. USAMATE.- Madam Speaker, to-date, I think our most successful programme so far now in terms of getting foreign employment has been the seasonal work programme, which is the recognised seasonal employment programme in New Zealand and the seasonal work programme in Australia. To-date, there will be around 700 of our people that have attended and gone to these programmes.

Some of the data that I am receiving back now is showing that some of these people coming back from this work, they are saving after making all their deductions, up to \$20,000 per person. One has just come back recently and according to his records, a gentleman from Matuku saved around \$26,000, so some of the very hard workers are getting some very good money out of what they are doing in terms of seasonal work.

There have also been some requests also for people with skills. The seasonal work, a lot of it is for unskilled workers, people who have no skills at all. They just go and they work in the horticulture and the viticulture. They have also been sending people to the Accommodation and Hospitality Sector in Australia, where they have around 15 Fijians now work in hotels in Queensland and have also sent for

the skilled category. We have sent a number of carpenters to help in the rebuild down in Christchurch. So that, Madam Speaker, is showing some of the benefits and how people from our country are benefiting from foreign employment.

HON. SPEAKER.- Thank you. Honourable Dulakiverata.

HON. J. DULAKIVERATA.- Madam Speaker, a supplementary question. The Ministry is sending retired people overseas because we still think they have some values, so can you confirm that by retiring them at 55, it is discriminatory in nature because they still have the value, they can work and why do you retire them?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. J. USAMATE.- Thank you, Madam Speaker, as I have just explained, this government is a government for everyone. It is a government from the young person that is still at university now looking for a job, it is very hard for them to get a job. So, when we set up a system and we decide when do we retire people, we look at the interest of everyone. We know that they are young blood. If we kept everyone in the system, what happens to the young, what happens to them, and we all know that 70 percent of our population is below the age of 40.

If we kept everyone in the system, if all of us were still working, what happens to them, so we need to balance, life is about balance and that is what this Government is doing because this government is focussed on the interests of all Fijians?

(Chorus of interjections)

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

HON. DR. B. LAL.- Madam Speaker, I withdraw that question.

(Question No. 121/2017 is withdrawn)

HON. SPEAKER.- Thank you. We have a written question, I have been notified that the Honourable Viliame Gavoka is not in today, therefore, I am allowing the Honourable Leader of the Opposition to ask the Written Question No. 122/2017 on his behalf.

Written Question

Mataqali Emalu, Draubuta Village – REDD+ Land Lease Payment
(Question No. 122/2017)

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

Can the Honourable Minister for Forests explain:

- (a) The reason why the people of Mataqali Emalu of Draubuta village have yet to be paid for the lease of their land held for REDD+ (Reducing Emissions from Deforestation and Forest Degradation in Developing Countries); and
- (b) the breakdown of how much is being owed to them?

HON. O. NAIQAMU (Minister for Forests).- Madam Speaker, I I hereby table my written response to his written question.

HON. SPEAKER.- Thank you. Please hand your written response to the Secretary-General.

(Written response handed to the Secretary-General)

HON. SPEAKER.- Thank you. Although not in the Order Paper, the Secretariat has received notification from the Minister for Women, Children, Poverty Alleviation to table her written response and I now call on the Honourable Minister to table her response.

HON. M.R. VUNIWAQA.- Madam Speaker, I hereby table my response to Question 104 of 2017 asked by Honourable Vadei on 24th April 2017.

HON. SPEAKER.- Thank you. Please hand your written response to the Secretary-General.

(Written response handed to Secretary-General)

Thank you, Honourable Members, we will now adjourn for refreshments and we will adjourn the sitting until 11.30 a.m., when we will resume. Also, visitors at the gallery you are invited to share with the refreshments and meet with the Members of Parliament. Thank you.

The Parliament adjourned at 10.53 a.m.

The Parliament resumed at 11.30 a.m.

HON. SPEAKER.- Thank you, Honourable Members, we will move on to the next item on the Order Paper.

MINISTERIAL STATEMENTS

HON. SPEAKER.- The following Ministers have given their notices to make Ministerial Statements under Standing Order 40:

1. Minister for Industry, Trade and Tourism, Lands and Minerals Resources;
2. Minister for Youth and Sports; and
3. Minister for Forests.

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

I now call on the Minister for Industry, Trade and Tourism, Lands and Minerals Resources to deliver his statement.

Key Issues for Clarification

HON. F.S. KOYA.- Thank you, Madam Speaker. Madam Speaker, Honourable Prime Minister, Honourable Ministers, Honourable Leader of Opposition, Honourable Members of Parliament: thank you for allowing me the opportunity to deliver a ministerial statement.

Madam Speaker, I wish to cover in this statement key issues that have been either misconstrued or sensationalised in the media and one of the key issues the media and certain members of this august House continue to be misinformed about and misinformed others is PACER Plus.

Madam Speaker, I wish to inform the House that Fiji has not opted out or disengaged in PACER Plus negotiations since we came to the table. To the contrary, Madam Speaker, our engagement and our tactful negotiations has made the current agreement more development friendly. Issues, Madam Speaker, such as the `infant industry development` were not part of the original deal but were included only after Fiji put it on the table.

Madam Speaker, it was reported that PACER Plus legal tax was concluded in Brisbane last week without Fiji's presence. Now, we do not consider this Madam Speaker, to be the end game for negotiations. The agreement is not signed and we will continue to negotiate and demand our rights until we are satisfied that PACER Plus is in our interest and does not constrain our potential for development.

Madam Speaker, we were not able to attend the meeting as the notice had come out late and it clashed with some of our very important national issues that were confirmed way back.

However, Madam Speaker, I had written to my counterparts in Australia and New Zealand and to the Office of the Chief Trader Advisor, requesting for a deferment of the Brisbane meeting and to accord us time to be able to attend. I also highlighted that Fiji needed changes in PACER Plus to make the deal more fair to the Pacific Island countries. These related primarily to two issues, "Infant Industry Development" provisions and "Third Party Most Favoured Nation (MFN)" provisions.

Madam Speaker, going forward, Fiji will take every opportunity to be engaged in the process and push our concerns, even after the deal is signed. There should not be any misconceptions out there as to what our position is and what it will take for Fiji to commit to PACER Plus .

In this regard also, Madam Speaker, the Honourable Prime Minister will be meeting Australian Prime Minister Malcolm Turnbull on COP23 issues and we will once again make sure that the Honourable Prime Minister is well briefed and the Honourable Prime Minister will also clearly lay our position on the table with respect to PACER Plus. He will articulate what it will take for Fiji to commit to PACER Plus, may I repeat, Madam Speaker, we do not want an agreement that does more harm than good and I think it is not just us, Madam Speaker, even in Australia there are problems going on with respect of how it is being conducted so far.

Madam Speaker, we will work towards clarifying the issues of concern to us, particularly, the very constraining Third Party Most Favoured Nation, commonly known as the MFN clause and a very effective Infant Industry clause and jointly come up with an innovative approach.

Madam Speaker, we believe the current versions of these two provisions could absolutely be disastrous to Fiji in terms of our growth of our industries and our approach to forge a favourable partnership with our trading partners, Australia and New Zealand.

As Fijians, we still believe Australia and New Zealand are trying to understand our positions and this was demonstrated last year when we managed to reach consensus on a number of issues.

Madam Speaker, it has been stated that come June 2017, PACER Plus is expected to be signed by those countries that have agreed to it. To this date, that actual date does not matter to us, what matters at the end of the day, is a fair deal for the Pacific and Fiji and we will continue to push for this even after the agreement is signed, as I said before, but we are a country that is committed to PACER Plus and to see if we can sign the deal.

Madam Speaker, I hope that this will put to rest any issues that maybe with regards to PACER Plus and any misconception about Fiji's participation.

Madam Speaker, another issue that keeps cropping up in this august House is Fiji- PNG bilateral trade. I had in the last session updated Parliament that the issue of market access for PNG products had been cleared. Furthermore, for the information of the other side of the House, Fiji and PNG Senior Trade and Foreign Affairs officials met in Port Moresby last week. This is part of a formal structure that we have in place where the senior officials discuss trade and economic issues to enhance the bilateral relations.

Madam Speaker, the outcome is, the meeting was very successful and the officials are working together to address trade, investment related issues that can ensure that the bilateral economic relations are enhanced.

There were some misconceptions also, it is quite incorrect, Madam Speaker, to say that the Fijian Government is not working with its key trading partners. In fact, the Opposition sometimes fails to also understand that there is a very important and pertinent issue which is climate change and it is critically important for the growth and development of our nation and protection of the natural resources and the environment are intricately linked with trade and investment.

Therefore, Madam Speaker, just to put into perspective the current role of Fiji, as the COP23 President by the Honourable Prime Minister is critical to highlight to the rest of the world, especially the

developed nations that they need to take corrective action to ensure our survival. COP23 and the fight against climate change, Madam Speaker, to put it very simply, is our investment into the future.

Hence, Madam Speaker, we request the other side of the House not to be ignorant of the fact that climate change is real and if we are to survive as a nation and continue providing for our people, leading this charge from the front is critical.

Madam Speaker, also moving from trade to another critical matter which is a matter of public information, I think it is good to get this out in public space is with respect to Vatukoula Gold Mine. Madam Speaker, it was brought to the attention of the ministry about the safety of the workers at the mine was being compromised, as workers have been seriously injured. This led to an issuance of a Stop Work Order.

Madam Speaker, the mine has been in operation for about 75 odd years and this is the first time that there is a Stop Work Order that is being issued. Since the notice, Madam Speaker, the Department of Mineral Resources is working with Vatukoula Gold Mine to review the work area, re-entry procedure and mine plan is reviewed with monitoring and reporting systems, including refresher training on safety and First Aid certification.

Madam Speaker, the Re-entry procedure (this is before a safety audit) is mandatory immediately after shutdown due to changing conditions underground when no work is being undertaken. A team has been sent underground preceding the safety audit to check on the safety for re-entry with checks on things like ventilation; slopes and height of the actual rock faces and supporting props and pillars for roofs and walls of work areas.

Madam Speaker, this procedure is to ensure that the underground work areas are well ventilated for the safety of the worker. Furthermore, checks are being done on the integrity of slopes and the heights of rock faces, which need to have well-supported roofs and to avoid rock falls and the collapse of drive walls.

Madam Speaker, once the Technical Officials at the Mineral Resources Department are satisfied that the underground mines are complying with all safety requirements and that no miners, and I repeat, no miners' health and life is at risk, the re-entry is authorised to take place.

Madam Speaker, any area that is deemed an unsafe working area will be closed off until the Company completes all rehabilitation processes and the re-entry plans are ready and safe to be executed.

Madam Speaker, re-entering will only be issued if the plans are examined, verified and approved by the Mineral Resources Department. The decision will be based on what I have said earlier, on the efficiency of ventilation, competent rock mass designation and detailed geological characteristics of such longwall panels.

Madam Speaker, as I have stated earlier, the safety of the workers is most important, therefore, the timeline for the completion of this audit needs to be thoroughly planned. The entire process will be strictly monitored by the Inspectors of Mineral Resources Department, to ensure that all the procedures and processes are completed in the required manner. And the Ministry of Lands and Mineral Resources Officials, Madam Speaker, are working around the clock to ensure the safety issues identified in the Stop Work Order are addressed.

Madam Speaker, also, the Vatukoula Gold Mine Limited Management are fully aware of the procedures that are currently being undertaken, and they have been advised by the Technical Officials of the Safety Order Plan, including mandatory compliance to all conditions for improvement established by

the Mineral Resources Department Team (MRD). Whilst the procedures are being undertaken, Madam Speaker, this is very important, the Vatukoula Gold Mine Limited has given a commitment that they will continue paying salary during the period of Stop Work. The Company has paid compensation for fatalities and has also subsidised health insurance cover for workers.

Madam Speaker moving on to the concerns raised on river gravel extractions at a particular site in the West that was raised by Honourable Nawaikula yesterday, I would like to inform the House that the Stop Work Order is still in force and no licence for extraction has been issued.

The Environmental Impact Assessment by the Environment Division of the Ministry of Lands and Mineral Resources will have a look at the report that comes out of the Department of Environment that looks after the environment under Ministry of Infrastructure. Madam Speaker, I would like to assure the House that the Ministry is doing its best to monitor and inspect extractive activities that fall under its jurisdiction.

Something else, Madam Speaker, that has been brought out in the public space, there have been recent allegations made in the media with respect to Deep Sea Mining, the licences being issued to some companies in Fiji. I would like to inform this august House that there has not been any Deep Sea Mining licence issued. A proper approval process that needs to be followed by any applicant has to be completed and it has to be shown by the company that has done an adequate exploratory study to identify and assess the resources.

The exploration approval process itself undergoes vigilant scrutiny to be able to prove that the company is able financially and technically and the resources is feasible to be sustainably extracted. Extensive consultations with all stakeholders, especially the *Qoliqoli* owners and a detailed environmental impact assessment would need to be completed by the applicants. Therefore, Madam Speaker, a licence for deep sea mining cannot be issued privately without the public especially the *Qoliqoli* owners knowing. Hence, we request the media to adhere to responsible and truthful reporting rather than making speculations.

Madam Speaker, I wish to thank you for allowing me to take the floor and to address some of the pertinent issues that have been raised in the public space and I hope that I have clarified all those issues.

Madam Speaker, each person has a responsibility, especially those in this House, to ensure that the information that they circulate is supported by facts and facts only. Speculations only react in confusion and uncertainty. I thank you, Madam Speaker.

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

HON. A.M. RADRODRO.- Madam Speaker, I thank Honourable Minister for his brief update this morning. We all know that trade is a leading component for investment and job creation, and likewise, tourism. The small and micro enterprises are equally important, if not being the most crucial of all because it eases the burden of Government to provide employment for people in a major way.

We have heard the clarifications and pictures that are being painted by the Honourable Minister, and I give credit where it is due. For ventures that have indeed materialised, the number of hotels and businesses that have opened up are evident, but also worrying us are some associated issues, for example, the tourism, the number of taxes - the Hotel Turnover Tax (HTT) and similar taxes have now made our tourism destination, probably one of the most expensive in the world.

Madam Speaker, it will be interesting to note, and I would like the Honourable Minister to inform this House on the fluctuating rate of occupancy at our hotels since the introduction of these taxes. Good businesses will know that we need to be cautious about how we raise the price of goods or our commodities amongst the competition. If we are not careful, then our competitors can easily gain from our greed.

On that note, Madam Speaker, it is sad to note that despite the massive profits derived by hoteliers, their staff are being poorly paid as evident in the attempts made by this side of the House in recent months to bring some of their petitions to be tabled in this House. I urge the Honourable Minister to keep a close eye on the issues. Hotel like the Pearl Resort, the recent GPH, are some examples of hotels suggested to be mistreating staff and there may be many others. We must not allow the exploitation of our people at the expense of wealth creation.

On tourism, Madam Speaker, the long outstanding issue of proper compensation to landowners is still also an area of concern. Recent practices like the granting of boat and bus licences for certain companies in Denarau to service tourists in the island have raised the eye of landowners, who claimed they were overlooked in this business ventures that they could benefit from and used to benefit from.

The issue of trade, Madam Speaker, I will touch on the issue of sustainable safe and credible trading practices. A lot of developments are now occurring around the country but in certain areas, we have had major issues in security and safety. Recently, the CEO of Biosecurity Authority of Fiji (BAF), Mr. Xavier Khan, resigned citing influence by the Ministry of Trade, impacting on the ability to provide uncompromised safety and security for goods and services used by the people. He made that statement as he resigned. Like the general public, I can only guess his resignation was linked to the PNG corned beef issue. Whatever it is, Madam Speaker, I will urge Government to resist the temptation to compromise on our national safety and security principles. There is a simple dialogue that could have eventuated in the case of the PNG saga.

Madam Speaker, there are many other areas of concern that Government has to look out for. Now, we will Chair the COP 23, and I am hoping that we will re-look at some of our own domestic policies that have impacted on our environment.

In the drive to create investment and trade opportunities in Fiji, we have succumbed to unsafe trading practices, the recent floods, and *TC Winston* brought to light many areas of concerns which makes climate change real for us but as stated, development has a direct effect on the environment. For example, the after effects of the Bauxite Mining in Nawailevu in Bua is still felt today. When the fish, crabs and eels, for example, in their traditional fishing creeks have changed colour, making the people of Nawailevu fearful of eating them.

Likewise, the sand mining now set to take off at the Sigatoka River by an Australian Company will, no doubt, have an impact on the surrounding environment and the nearby Sand Dunes National Park which contains an important Lapita Archaeology Site.

The mining in the Navua River has resulted in the depletion of fish and water mussels, as well as making the river very shallow, according to a survey done by SOPAC.

We have now, as well, sand extraction in the Rewa River by the Chinese company operating their business in Toga. There have been suggestions that following *TC Winston* and the *TD04*, the slow receding of flood waters in the area was attributed to the sand extraction being conducted in the area.

We recently had the Ministry of Regional Development present to the Public Accounts Committee and the Permanent Secretary was admirably very frank in his admission that that exercise was

taking up a lot of time and yet, only a few people would end up receiving the grants. An example was given where in Tailevu, out of \$15,000...

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

HON. SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Madam Speaker, please give us direction in this respect. We understand when matters are before the Public Account Committee or any other Committee for that matter, that those matters are on foot. The Honourable Member has just quoted a civil servant who appeared before the Committee that is referring to and then using that to talk about and address this particular subject matter. Is that permissible?

(Honourable Opposition Member interjects)

HON. A. SAYED-KHAIYUM.- I'm not asking your input, I am asking Honourable Speaker.

Madam Speaker, I just want a direction from you. Is that permissible because I thought a general position was, that if a matter is before a Committee or any proceedings of the Committee or any content of the proceedings of the Committee, it is not to be discussed until the Committee actually presents its report? What the Honourable Member is doing is actually quoting of what supposedly from what someone said before the Committee. How do we know it is factually correct and how do we know and what context was it said? So we should wait until the Committee has actually given its report. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Point of Order is very valid and as Honourable Members know that whatever issues that are with the Committee should not be brought up in Parliament until after the report of the Committee has been tabled. Please refrain from quoting from any issues that have been brought up in the Committee. Thank you.

HON. A.M. RADRODRO.- I was just merely trying to highlight the discrepancy of the SMEs, Madam Speaker.

HON. SPEAKER.- Despite that, you still do not refer to any issues discussed in the Committee.

HON. A.M. RADRODRO.- Thank you, Madam Speaker, on that note, I thank the Honourable Minister again for the brief and I urge that the issues that I have highlighted be kindly taken into consideration.

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

HON. PROF. B.C PRASAD.- Madam Speaker, I thank the Honourable Minister for his update on trade, tourism and micro small and medium enterprises. All these three areas, Madam Speaker are very important - a credible trade policy, vibrant tourism and vibrant micro small and medium enterprises, are very very important for job creation.

On that note, Madam Speaker, let me just remind both, the Honourable Minister for Education and the Honourable Minister for Employment, Productivity and Industrial Relations, not to parrot this nonsense that reducing the retirement age from 60 to 55 is going to create new jobs. It does not create new jobs, it is only a replacement and many of them are only in the Civil Service, so if you looking at creating new jobs for young people, we have to look at alternative credible policies.

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- They repeated it many times that, “These are jobs for young people”.

On the mines, Madam Speaker, I want to commend the Honourable Minister where he has given assurance that the workers’ safety will be paramount and they will continue to be paid. But I also want to remind the Honourable Minister to monitor the whole Vatukoula Gold Mines, the lives of about 1,400 families are important there in terms of the safety and the viability of the Mines, and I hope that that will be on the agenda of the Honourable Minister at all times.

With respect to trade, Madam Speaker, I get a sense that there is a failing capacity within the Ministry and within the Government to actually negotiate a much better trade agreement. When the Honourable Minister talked about not being able to make it to Brisbane, this is a very important matter, Madam Speaker, and it is a lame excuse to say that the notice came late. If what the Honourable Minister is saying is correct, if they are still engaged in the PACER Plus negotiation, then they must make sure that they are there representing Fiji and making sure that we get our case heard very, very clearly. It is not good coming out here and saying that we were not able to make it to the meeting and PACER Plus is important. I agree with him that we need to have a good agreement. We need to push for the development plan within that agreement, but staying away from the meeting is not going to help us to get a very good trade agreement.

On tourism, Madam Speaker, as I have said, a vibrant tourism industry is very important and I think there are a lot of strains within the tourism industry, ranging from the costs. We may be pricing ourselves out of the tourism market. I looked at the March statistics, the trend again is very clear, that there are declining numbers from our major source destinations and I think it is a cause for concern because if the trend continues and because we have very small numbers from new sources, the overall trend after a period of time could actually decrease.

I just also want to make this point on cruise ship visitors arriving in our country. There are reports, Madam Speaker, which says, for example, that our ports are not good. In fact, a good port should have a rating of eight and above but our rating is about 7.2 so really, if we are looking at a big tourism industry, which includes cruise ship business, as well, we ought to look at these indicators.

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

HON. PROF. B.C. PRASAD.- It is there! Our rating is 7.2, Honourable Minister. It is not a good port. It is not a good port, right now. It is important, it is important!

Really, Madam Speaker, there are strains on our Trade Policy Framework, our trade negotiations, I think that is a failing capacity and also, I would urge the Honourable Ministry for Economy to re-think some of the policies that he put out into the last Budget, for example, the STT and other costs that he has burdened on the tourism industry, and also the small and medium enterprises.

Madam Speaker, medium enterprises are very important for job creation. What is happening is, medium enterprises in this country are really under a burden of regulation and high costs, and many of them come to us and are complaining. They are watching this Government’s policy and they will make sure that it will not happen. Thank you, Madam Speaker.

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

HON. PROF. B.C. PRASAD.- You are not the Speaker, Honourable Attorney-General. You are not the Speaker!

HON. SPEAKER.- Order!

HON. PROF. B.C. PRASAD.- If the Speaker will order me to sit down, please do not say that again!

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

HON. PROF. B.C. PRASAD.-. Don't say that again!

HON. SPEAKER.- Order! I am on my feet. Thank you.

I now give the floor to the Honourable Minister for Youth and Sports.

Empowering Fijian Youths

HON. LT. COL. L.B. TUTUBOU.- Thank you, Madam Speaker.

Madam Speaker, It is always an honour to address this august House on the youth development activities that my Ministry is undertaking around Fiji, and also provide an update on future plans.

Madam Speaker, I wish to expand on the activities the Ministry is implementing with a focus on the Eastern Division. While we are focussing on the Eastern Division, it does not mean that we are not looking after the other three Divisions but I will focus on the Eastern Division for this statement.

In my last statement in this House, I indicated that we are establishing the Non-Formal Education Council and I am delighted that the interim council has met for the first time, as it prepares to support the establishment of the full Council in due course. I must reiterate our commitment to support early school leavers and adults not affiliating themselves to any formal training whatsoever. I believe that through increase cooperation with the Non-Formal Education network, we will collaborate to maximize the effective use of resources to provide skills training and so reduce unemployment, crime rates and many other social issues faced by youths in Fiji.

Madam Speaker, we know the challenges faced by the Fijians living in the maritime islands of the Eastern Division, and the difficulty accessing most services provided by Government and the private sector. Despite the challenges of irregular shipping schedules and adverse weather conditions, the Ministry continuously strives to implement programmes in the islands within the Eastern Division, comprising of Lau, Lomaiviti and Kadavu Provinces, including Rotuma. This commitment includes our Divisions around but the Eastern Division has the most challenges.

Madam Speaker, the Ministry has embraced the Vision of "Reaching and Enriching the Unreached" – affirming our resolve to reach out to meet the needs of the young people in the maritime areas, providing them with opportunities to develop their characters, resilience, skills and discipline. Our youth deserve the same equal opportunities as those in peri-urban and urban centres. As an NFE provider, we are committed to reaching and enriching young people in the remotest of places across Fiji.

Through our 'demand driven' programmes, we provide young people with the necessary skills to help them create and develop their livelihoods and help them venture into small or micro-entrepreneurial activities. The Ministry, through our training, provides that critical 'second chance' to young rural Fijians, who have left school early and have not secured employment. However, Madam Speaker, we also need

to recognise agriculture as a form of employment, particularly as we work to commercialise it with the support of the Ministry of Agriculture.

Madam Speaker, six empowerment training courses open to young men and women, have been conducted in Kadavu and one is currently underway as I speak. The Ministry has invested \$42,000 in Kadavu alone for this training. Five other similar training courses were held in Kabara and Vanua Balavu in the Lau province, Sanima District in Kadavu and Lovoni and Batiki in Lomaiviti.

Two multi-skills training courses, focussing on empowering women were also conducted in Namuka-i-Lau in Kabara and Malaka in Vanua Balavu. They were trained in basic cookery and sewing and were also provided assistance to establish income-generating projects. The Ministry invested a total of \$10,000 in this.

In addition, five mobile skills training courses, with a total budget of \$25,000, were also conducted in Kabara and Vanua Balavu in Lau; Tikina of Cawa and Tikina of Mudu in Koro and Vunisea in Kadavu.

In Macuata Province, a similar training was held on Kia Island on fibre-glass boat repair, small engine repair, empowerment training and the Boat Master Class 6 Licence training. A total of 90 youths attended these training opportunities offered in partnership with the Maritime Safety Authority of Fiji (MSAF) and other stakeholders.

In March this year, I was in Namaiveikai Village in the Tikina of Tokaimalo, Ra, to open a training course, run in partnership with the Technical College of Fiji. The training on basic carpentry was attended by 65 young men and four women from 10 Villages so that they can rebuild their houses. A similar programme was also conducted in Soa Village in Ra, along the Kings Road.

With the keen support of the Honourable Minister for Women, Children and Poverty Alleviation, we are running another similar course in Nailuva this week and together, we hope to address the needs of other communities as they re-build their homes and lives after *TC Winston*.

The Ministry continues to provide targeted training to harness skills development for young people, including small engine repair, basic electrical wiring, plumbing, carpentry, hospitality and catering, sewing and tailoring, organic and regular agriculture, and much more. We are also looking to expand our offer to include skills, like tiling, required to help our economy expand.

Madam Speaker, the Ministry also provides training to young aspiring leaders through their 'Leadership and Management' training in partnership with the University of the South Pacific. Two such courses were conducted recently in Suva for a total of 40 youths from the Eastern Division with a budget of \$4,000. This programme builds on the "Seeds of Success" training we offer. Such empowerment and capacity building training for young people inspires them to take ownership of and meet the challenges around them, to identify how they can effectively manage their time, resources and roles in their community. Similar training is planned for the Central and the Western Divisions before the end of this financial year.

Madam Speaker, Kadavu Province has a training centre in Yavitu, Naceva. The Ministry has submitted plans to expand this and our other Centres, which will see additional facilities, enabling the Centres to meet their core functions more efficiently. This includes facilities to accommodate young ladies and young people with special needs. The Ministry will continue to promote gender equality and inclusion at our Training Centres, and in our activities and programmes. Our Nasau and Naqere Training Centres have included women in the past and we are emphasising a special focus on this development for Yavitu, to empower young women in Kadavu to attend training programmes.

Madam Speaker, this capital project has encouraged youths from all over Fiji, with the majority coming from the Eastern Division, to enrol at the Centre. A total of \$70,000 is projected to fund further development of the Youth Training Centre in Yavitu for the next financial year.

The Ministry in 2016, begun its upgrade of Yavitu and appointed its first Accredited Trainer in order to meet the standards required by the Fiji Higher Education Commission. The initial training conducted in Yavitu has been the NTPC/FNU accredited Carpentry General Class III. The next phase of the training programme developments begins in the second half of this year, with the introduction of Level II in Cabinet Making and Joinery.

Madam Speaker, the Ministry is now progressing well towards providing more courses accredited by the Fiji Higher Education Commission for the benefit of youths across all our five Training Centres. To achieve this, major capital works are being carried out in Nasau in Sigatoka, Naleba in Macuata, Naqere in Savusavu and Valelevu in Nasinu. This will ensure that we provide a conducive environment and up-to-standard training for our young people.

The accreditation of our training courses through the Fiji Higher Education Commission (FHEC) pushes us to employ accredited trainers to provide accredited training so that trainees acquire competence in their chosen profession. This will ensure youths are eligible for jobs immediately or can choose to pursue further technical education. However, our Centres continue to provide opportunities to those who have may need that 'second chance'.

As part of the South-South Cooperation, Madam Speaker, as I have eluded earlier, after the meeting with my counterpart from Tuvalu in 2015, we have now invited three young trainees to our Nasau Training Centre. Two young men and one young woman have enrolled with us for agriculture and carpentry. Later this year, I hope we will enrol a young person from Tuvalu at our Valelevu Training Centre, to observe our musical and cultural traditions, as well as to share his or her tradition with our young people.

Madam Speaker, in addition to the above, the Ministry of Youth and Sports also provided assistance for the establishment of 10 family gardens with a budget of \$700 for the purchase of seedlings. Five of these gardens were established in Levuka, Ovalau since they all suffered the brunt of *TC Winston*, and five were established in Vunisea, Kadavu. In the Northern Division, similar backyard gardens were established in Vunivau, Soasoa, Lajonia and Wasavulu Settlements in Macuata. The programme remains popular in the Cakaudrove Province soon after *TC Winston*. Most of the villages affected were in immediate need of a stable supply of food and vegetables.

Madam Speaker, the Ministry also implements this programme in the Central Division, especially amongst youth clubs in the peri-urban settlements. Here, we supply them with weedicide and spray tanks, farming equipment and seeds. This simple programme aims to encourage youths to establish backyard gardens for household consumption and also quick income if an excess supply is produced. This, we encourage as part of our push to support entrepreneurs and to reduce poverty levels among our people.

Madam Speaker, the Ministry also through our Eastern Division Office, has allocated \$20,000 worth of Youth Grants to provide assistance to youth clubs and individuals who are interested in establishing income-generating projects in the Division. In Kadavu, eight young entrepreneurs, who were trained at Yavitu, were assisted with \$1000 so that they can assist a business. These grants help create greater impacts and benefits for the youths. My Ministry is looking to support more sustainable projects for youth clubs and individuals by providing training to develop better business plans, including savings and, therefore, investment plans.

Similar grants were handed over to youths of Nabasaono in Macuata, Lekutulevu in Cakaudrove, Banikea youths of Macuata and Wainiika Youth Club of Cakaudrove, worth over \$7,300. Similar grants were disbursed in the Central and Western Divisions to propel youth initiatives and projects, and help create sustainable livelihood.

My Ministry, through our Central Division Office, provides assistance in establishing a poultry and chicken farm in Taci, Noco, Rewa and is soon to be opened for consumers in that area. Dalo suckers have been delivered to farmers in Naistasiri, as well as chainsaws, to assist them in clearing logs and trees for farming. Of course, the youths are trained to manage chainsaws by the Ministry of Forests.

Madam Speaker, we continue to ensure that youths are provided with up-to-date information on issues affecting them, and those of national and global importance, like climate change, human rights, sexual reproductive health, and many others. Earlier this year, 40 youths from Lau, Kadavu, Lomaiviti and Rotuma came to Suva to attend a Human Rights and Gender-Based Violence against Women and Children Workshop. I thank UNICEF for its support for this initiative. A similar workshop was held in Kadavu, and another will soon be held in the Western Division for 150 youths in the Nadroga/Navosa Province.

We will continue to create awareness on violence against women and children. My ministry is working very well with the Fiji Women's Crisis Centre to ensure effective awareness amongst our officials and young people on the issue of violence against women and children. Through our sexual reproduction health and rights initiatives with the Ministry of Health and UNFP, my ministry will continue emphasising mutual respect and equal rights.

Madam Speaker, I wish to highlight that next month, the Ministry of Youth will host the National Youth Entrepreneur Awards - the first for Fiji to recognise and reward young and aspiring entrepreneurs. I acknowledge the strong partnership which is developing with the Fiji Commerce and Employers' Federation in this initiative.

Eastern Division, Madam Speaker, has recorded 27 new youth clubs registered out of the 40 earmarked for this financial year. I also want to highlight that the division also benefits from sports equipment, sports programme administered by the ministry. A total of 17 youth clubs were assisted with basic sports equipment worth \$3,000 so far. The donations were distributed to six youth clubs in Lau; six in Lomaiviti; four in Kadavu and one in Rotuma. Work is still in progress for the new and special designs sports grounds in Vunisea in Kadavu and Sawaieke in Gau, both of which I have inspected personally in the past weeks.

Madam Speaker, the Ministry, in partnership with Fiji Swimming, Ministry of Education and the Pacific Sports Partnership through the Australian Government recently launched the "Learn to Swim Pilot Project" at the Olympic Pool. The project which is currently in its pilot phase and is ideal for the Eastern Division in its next phase as it is surrounded by the ocean. We hope to secure some funding to roll out this programme to students, teachers and our youths around Fiji.

Fijians need to learn how to swim and know what to do in fast moving water in case of emergency. The ministry hopes to receive national support towards this programme so we can help reduce the number of deaths in Fiji from drowning.

Madam Speaker, my ministry will continue to provide the best support possible for the development of youths in all our divisions. We are hoping to receive an increase in budget in the next financial year. The increase will enable the ministry to provide targeted training and interventions to enable youths to remain and contribute to economy activities in the maritime islands and our rural areas and so help reduce the rural-urban drift. The ministry is committed to reaching out with them and deliver

assistance and empowerment programmes so they can utilise their resources and thrive where they are. In particular, we will reach the furthest maritime island in the provinces of Lau, Lomaiviti, Kadavu and of course Rotuma, to provide them with programmes and assistance to elevate their socio-economic status and create a pathway to pursue their dreams.

Madam Speaker, the Ministry of Youth and the Ministry of Education are in partnership in expanding the Duke of Edinburgh International Awards (DEIA) to students and teachers around Fiji. I must say that the awards programme is gaining steady momentum and popularity in our division. I am delighted that the ministry is building this international non-formal education programme across the country. Both these ministries administer and promote the DEIA programme through schools and youth clubs.

I take this opportunity to thank the Honourable Minister for Education for his support. We will soon introduce it to inmates across our Correction facilities since the majority of them are young people and so meet our target of supporting more youths at risk groups around Fiji.

To conclude, Madam Speaker, my ministry will continue to carry out its roles and functions for youths in the four divisions and continuously strive to meet the youth challenges in the Eastern Division. We believe as Martin Luther King Junior said, “Not everybody can be famous but everybody can be great because greatness is determined by service”.

Thank you for the opportunity, Madam Speaker.

HON. SPEAKER.- I now call on the Leader of the Opposition or her designated to deliver the response.

HON. RATU S. MATANITOBUA.- Madam Speaker, I thank my good friend the Honourable Minister for Youth for his ministerial statement. It is important to have a plan for youths and to incorporate with the national plan so that we do not leave out the youths, our future leaders.

The Ministerial Statement is centred on the Central Division because of its remoteness and isolation. I feel for the youths in the division because Government is not assisting enough to make them realise their potential.

It is clear that the annual budget for youths is not enough to cater for the need and purpose of youths in the maritime province such as Lau, Lomaiviti and Kadavu not forgetting Rotuma.

I request the Honourable Minister for Economy, on behalf of the youths of Fiji, to increase the youth budgets for the year 2017-2018. What the Government should do is to utilise the talents and skills of the youths, together with the land, sea and mineral resources.

For instance, setting up youth programmes to farm the land in the form of agricultural produce, setting of coastal ventures in the provinces, setting youths Think Tanks to discuss mineral related issues for the benefit of the people as custodians of land and resources.

Madam Speaker, at the same time, the Government is not encouraging youths to stay in their own provinces to farm the land. It should pour money to develop the needs of youths in the Eastern Division, Government should increase schools in the area and that will allow students to be interested in study topics that relate to their own areas.

Perhaps set up a university in Lomaloma, Vanua Balavu or in the Eastern Division to generate economic viability and activities.

Madam Speaker, I appreciate the cookery and sewing programmes that is mentioned, but marketing have to be devised so that the talents of women and the vulnerable, see the light and someday are exported overseas.

We understand the importance of education and should give youths a second chance as this is divine.

Climate change, Madam Speaker, is a challenge in the maritime area.

Madam Speaker, at the same level, I feel for the youths of the Central, Western and Northern Divisions.

Honourable Minister, please ensure that the national youth band graduates should be recognised as a door of opportunity to teaching certificates.

The Government should not leave out the utilisation of land, sea and other resources and should always link the youths to it.

We owe it to assist the youths and what they stood for. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Leader of the NFP or his designate to give a response.

HON. P. SINGH.- Madam Speaker, I thank the Honourable Minister for his statement and I am encouraged by his efforts to address issues that affect our youths.

Madam Speaker, unfortunately, the ministry continues to limit its efforts and therefore the aspirations and dreams of our young persons into stereotype boxes like the particular issues alone. I have not seen or heard from the ministry any initiative that taps into our young persons' visions, innovations, energy and entrepreneurship and that will be the biggest failing of any leadership. When we continue to assume that we know what is best for our young persons, we tend to fail, Madam Speaker. I know that there are some very groundbreaking initiatives in science, engineering and technology happening in some of our institutions of higher learning but I do not see those innovations being harnessed or being accommodated or led by the ministry.

Our young persons need a seat at the table, Madam Speaker, not the tokenistic kind but where they can actually and effectively drive and execute their visions. All they need from us is the space and the mentoring capacity to help them fly.

There are continuous challenges, Madam Speaker, to develop skills of our youths in the rural and maritime areas. Whilst the Ministry is addressing these school training, the question remains, whether there is an opportunity to absorb these youths and their leaders in to ready employment?

Madam Speaker, it is heartening to note that the Non- formal Education initiative is taking off the ground and this is in respect of training alone. The last response I heard said that this must be focussed or targeted towards the inmates in the correctional facilities, the streets kids and others who do not have any access to the programmes, and this is the target area that we must have.

In our Correctional facilities, we have inmates who are 18 years to 30 years and they are still in their youths and this is where the focus should be.

Madam Speaker, once we address this and this National Youth Plan, then only we can stop reoffending by giving them employment; a programme that is designed to move away from the practical way of doing things into a more holistic way.

Madam Speaker, the National Youth Plan has its merits. It is moving in that direction and I urge the Ministry to be more proactive and progressive in its approach to the outcomes. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members. At this point, given the limited time left to accommodate the next Ministerial Statement, we will adjourn proceedings for lunch. Please note that lunch is provided for Honourable Members in the Big Committee Room. Parliament will resume proceedings at 2.30 p.m.

The Parliament adjourned at 12.22 p.m.

The Parliament resumed at 2.31 p.m.

HON. SPEAKER.- Honourable Members, you may be seated. We will continue from where we left off and I now call on the Honourable Minister for Forests to deliver his statement.

Reforestation Projects

HON. O. NAIQAMU.- Madam Speaker, the Honourable Prime Minister and Cabinet Colleagues, the Honourable Leader of the Opposition, Honourable Members of the House, distinguished guests, ladies and gentlemen: This Government has really embarked on a reforestation project, to meet not only national goals but also global goals, to deliver our international obligations for the betterment of our people and nation.

The Ministry of Forests is scaling up its support on the reforestation of the degraded forest landscape to enhance socio-economic and environmental development locally, whilst working towards the international commitment on Global Forest Goal number one which stresses the urgent need to increase forest areas by 3 percent globally to be achieved by 2030.

Madam Speaker, almost 30 percent of our total land mass can be considered as degraded landscape and most of these landscapes are without trees, but predominantly covered with grass, are more prone to burning and more common to the drier parts of the islands. The other, but not so commonly known the degraded system in Fiji are those to expand green forest corridors but with secondary forest types predominantly colonised with invasive tree species and widespread along the wetter side of the islands. A typical example is the forest stand along the Nausori and Korovou corridor that looks convincingly green but of considerably higher percent of invasive tree species such as African Tulips and Rain Tree.

Madam Speaker, part of this degraded landscape in the drier zones are now being covered with *Pinus caribaea* under leasing arrangement with the Fiji Pine Limited and most plantation lots are going through its second and third rotational planting cycles, providing economic benefits to local communities, as well as to the whole economy in terms of export earnings and employment opportunities.

To this end, Government continues to provide an annual grant worth \$500,000 to the Fiji Pine Trust to strengthen the engagement of private landowning units or pine schemes for nursery development to increase pine planting areas. Fiji Pine Limited, on the other hand, has also been intensifying their annual replanting target to 2,500 hectares per annum and in the last 5 years had replanted over 12,000 hectares with a total cost of around \$15 million. Institutionally all nursery production and replanting activities are contracted out to the forest-based companies that belong to the respective landowning units within the FPL lease area.

Similarly Madam Speaker, along with the wetter degraded forest zone, Government had been over the years developing hardwood plantations of various species. Most predominantly, the prime mahogany plantations which is considered as the biggest plantation of mahogany species in the world that is outside its natural geographical habitat. The Fiji Hardwood Corporation Limited, through its new management board, is from this year intensifying its reforestation programme, whereby their current nursery stock can cover 1,700 hectares of new mahogany stand this year and this is very encouraging, given the volume of mahogany that had been harvested.

Madam Speaker, forest investments are long-term in nature, therefore strategic commitment is necessary in order to be able to assure sustainable resource development in view of the future needs of raw materials. This current Government is fully aware of the need to support the development of our plantation resource as well as the need to encourage the active participation of the landowning

communities in the overall economic development cycle and the sharing of benefits. In fact, the economy had been benefiting a lot from the current development within the forest sector.

Madam Speaker, it must be noted though that a lot more degraded landscape are lying idle without any form of utilisation and this is where the ministry will be focusing its effort on. During this current budget year, the ministry is targeting to plant 500 hectares of new forests, in partnership with interested landowning communities and other stakeholders and my ministry, Madam Speaker, has already achieved 70 percent of the 500 hectares targeted.

In our reforestation efforts, my ministry is providing a retrospective incentive payments mechanism to encourage communities to plant their degraded areas, benefiting them in the long-term and the nation as well in supporting climate change mitigation and adaptation strategies, charting a new course in the global climate effort.

Madam Speaker, there has been a significant improvement in the uptake of the Tree Planting Support Programme, following the introduction of the Government incentive mechanism during this current financial year and this is projected to increase, basing from the amount of land that had been pledged, all ready to be planted.

My ministry is seriously considering the scaling up of the reforestation effort in Fiji, as it will contribute to meeting our short, medium and long-term goals, such as carbon stock enhancement for mitigation and adaptation purposes, future timber needs, energy tree for fuel wood, fruit trees for food security and trees for restoration or catchment areas, riparian zones and coastal margins.

In our endeavours to rehabilitate and reforest our degraded areas, we not only have community support but also industry support from our major players such as the FPL, FHCL, Future Forests, Reforest Fiji and ELTECH, all of whom will be working together with my ministry to ensure that we meet our commitment and strengthen our efforts in the years ahead on the Nationally Determined Contributors (NDCs) under the Paris Agreement which Fiji signed and committed to last year.

Madam Speaker, my ministry, under the REDD+ Programme, is developing a long-term carbon emission reduction activities after being accepted into the Carbon Fund pipeline in 2014. This mechanism, under the Forest Carbon Partnership Facility of the World Bank, had in principle agreed to provide carbon payment grant to Fiji's pledge of 3.6 million tonnes of carbon dioxide, equivalent by 2020 under its REDD+ initiative. This ambitious target is very much depending on the Government and non-government support, especially in the scaling up of the Carbon Stock Enhancement or Reforestation Programme. There are also numerous non-carbon benefits that can be realised additionally in future, such as potential timber resources, restoration of water catchment and enhancement of local biodiversity, to name a few.

Madam Speaker, my ministry is aware of the mammoth task ahead and is concerned with the slow rate of private sector engagement in the reforestation work. The current incentive mechanism is also directed to scale up the partnership, not only with communities but more so with the private sectors, especially for those that are already investing in forest sector businesses. My Ministry is currently consulting Fiji Forest Industry, Valebasoga Tropic Board, Waiqele Sawmill, Future Forest and few others on the potential areas for future collaboration, specifically for Reforestation Programme.

My Ministry is currently collaborating with GIMCO, the new wood biomass processing company in Nabou, in the planting of short rotation energy wood such as *Gliricidia* or *Bainicagi* and Eucalyptus as future fuel wood stock to the power plant.

Under this public-private partnership arrangement, Government's support is specifically targeting seedling productions and the mobilisation of the local communities planting programmes while the company will address the land tenure and market arrangement. Ideally, the private-public partnership is the most promising modality for private sector engagement in a future reforestation programme.

In conclusion, Madam Speaker, I wish to reiterate that our national efforts at reforestation or degraded land support the objectives of the international arrangement on forests and aim to contribute to the progress on the sustainable development goals, the Aichi Biodiversity Targets, the Paris Agreement and other international forest-related instruments, processes, commitments and goals. Thank you, Madam Speaker.

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

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker, I thank the Honourable Minister for his Ministerial Statement. Before I proceed, I just need to highlight a point in regards to the presentation by Honourable Radrodro on the red sea in the Dreketi area, and I am sorry to see that the other side of the House do not understand the implications of that run off into the sea.

Definitely, the nature in itself will adapt to the environmental changes like the crabs for its own natural habitation and adaptation and it is very sad because the other side of the House laughed at that as the profile of Fiji in regards to the Ocean Conference is very important. Crabs will turn red to adapt to the environment and that is a natural process and by feeding, it absorbs into the body, which we eat.

Probably that is the situation in Somosomo that by eating poisonous food, it is absorbed into the body and will eventually be eaten by men. So that is very important, it is not a laughing matter, it is very serious in regards to the environment that is at stake for our country, and indeed I thank the Honourable Minister for the plans and the policy that is in place to address reforestation. What I can observe that we are overtaken by the developments and we are late in reforestation to mitigate the effects of climate change and for plantation, it takes a number of years, 20 to 30 years for the trees to be effective.

In our Petition on Shelly Park, there was one submission that stated that for 40 years, a tree will subsidise two to three persons in oxygen supply because carbon is absorbed into the tree. The size of the tree indicates the amount of carbon that is in the tree. So, that is very important, especially when you harvest indigenous species like the Dakua, six of five people can go around that, that has been there for 100s of years and like Valebasoga and all those concessions in Vanua Levu, it will take a number of years to replace the capacity of that tree to be able to mitigate the carbon emissions. That is one point, Madam Speaker.

The other point is the unprecedented developments that have been ongoing and I would like to mention FRA. The FRA, as we know, the land earth is the storage of carbon and when you upset the land by excavation or by any means, you are releasing the carbon element. So, as for road FRA, the thousands of tonnes of asphalt that is being put on the pavement and those include carbon monoxide, nitrogen oxide, sulphur, volatile organ compounds, a polycyclic aromatic hydrocarbon that has been the component of asphalt. What is the mitigation provision of the Government to address these releases?

I understand that the progress in the forestation is ongoing but I will mention it again that it is going to take 20 to 30 years for the effective programme of replantation and reforestation.

One observation from this side, Madam Speaker, in terms of adaptation, we know that selective provision of adaptation by the sea walls in Momi and also in the Honourable Prime Minister's village and other areas also.

(Chorus of interjections)

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

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I thank the Honourable Minister for his very important statement on reforestation, and I agree whole-heartedly with him that the reforestation is pivotal in our fight against climate change. I am sure the Honourable Minister is well aware, and I think he also laid down a number of plans and they all make sense in terms of not only meeting our international obligations but also putting in plans and practises which will help us to mitigate against climate change and also provide some adaptation strategies there.

Madam Speaker, there is always a thin line between development priorities, which requires the cutting down of both natural and plantation forests and maintaining a pool of those natural forests and plantation forests together.

Obviously, we know that the volume of natural forests are declining and reforestation is a natural step, a natural response to the loss of natural forest. It makes sense for the Government and indeed for Fiji to be keen to engage globally on carbon trading and the mechanisms provided by REDD+.

Reforestation, Madam Speaker, in a big way was effected earlier, I mean it is not a new activity. We have had these huge pine plantations, mahogany plantations, so it has been an activity which has been quite natural for any government or any country to pursue and I am not surprised that we have to scale that up and I think the Honourable Minister quite rightly pointed out his own strategies in terms of scaling up those initiatives.

Again, Madam Speaker, I stress that COP23 and Fiji's incoming presidency where REDD+ will play a pivotal role in the negotiations is very, very important and I just want to caution, as I have said, this in my writing on COP23 and in Parliament earlier, and I understand that Qorvis and other offshore consultants are playing an important role in COP23. But I want to stress to the Government that we must ensure that we have our local skills, local expertise, both at the ministerial level, at the Government level as well, as at the lower level to ensure that we progress national REDD+ initiatives in the negotiations because they are very, very important and ultimately, the benefits that we will derive from COP 23 Presidency will reflect some of those windfalls that may come on the way.

The Honourable Minister pointed out and made reference to the World Bank and some of the funding for the initiatives, Madam Speaker, is an important one and the World Bank itself talks about involving owners of the land, communities and making sure that there is appropriate consultation in putting out some of those initiatives so that the communities, the landowners are carried together with those initiatives. In fact, it talks about free, prior and informed consent of communities and landowners and I think that is very very important.

Finally, Madam Speaker, further to my response to the Honourable Minister for Fisheries and on the need for Traditional Knowledge and Cultural Expression Bill to be tabled, the same plea is extended to the Honourable Minister for Forests, to ensure that biopiracy of our forests' genetic resources is also expansively recorded and robustly protected because those things are very very important in the long-term and in terms of maintaining the sustainability of, not only that activity, but also our reforestation programmes in the future.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. We will move on to the next Item in the Order Paper.

I will now call upon the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

**DIPLOMATIC MISSIONS AND INTERNATIONAL
ORGANISATIONS (AMENDMENT) BILL 2017**

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

- a) Diplomatic Missions and International Organisation (Amendment) Bill 2017 (Bill No. 11/2017) be considered by Parliament without delay;
- b) Bill must pass through one stage at a single sitting of Parliament;
- c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- d) That the Bill must be debated and voted upon by Parliament today, Wednesday, 26th April, 2017

and that one hour be given to debate the Bill with the right of reply given to me as a Member moving this motion.

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, just in respect of this particular Bill itself, it is an urgent Bill because we do need to facilitate, at least, one of the international organisations that want to set up shops in Fiji which relate to the provision of superannuation and exempting them from the requirements of the FNPF Act.

In brief, just by way of this particular motion and I will give the details later once the motion is approved, Madam Speaker, we have organisations such as the World Bank, UNDP, IMF, FAO, and various other international organisations that are very large and they have their own superannuation schemes themselves. So when you actually join those organisations, Madam Speaker, they require their employees to subscribe to their superannuation scheme. But at the moment the law in Fiji stipulates that any Fijian that works for any organisation in Fiji, their superannuation scheme must be followed through the FNPF Act.

The FNPF Act is a 8 percent contribution by the employee and 10 percent contribution by the employer. However, for those international organisations to actually hire Fijians, they will need to subscribe to this superannuation scheme, their own internal superannuation scheme. So many countries actually have a latitude that is given to these organisations and what we are saying is that, under those organisations that fall under the diplomatic missions and international organisations definition, they can be exempt, subject to various criteria being met by them, and that is what the Bill actually encompasses.

We have, at the moment, Madam Speaker, the World Bank. We have an agreement with them, as we have agreements with all international organisations, Host Country Agreement it is called, that they must sign and where the various rights and obligations of those organisations have stipulated that our rights and obligations and the various laws that will apply to people who work for these organisations.

Madam Speaker, we are happy to announce that the World Bank is actually shifting part of its Sydney Office and setting up a regional office in downtown Suva in the new FNPF Complex that has been built in Ellery Street. We expect that by March of next year, they will have, at least, 25 people working in the World Bank Office which is quite substantial for such an organisation to be based, in particular, in the South Pacific. They envisage that, at least, 10 of those staff and perhaps even more would be Fijian staff. They, of course, will bring in other expatriate resources into Fiji.

Madam Speaker, it is very important for us to be able to finalise this Host Country Agreement that we are able to facilitate this particular proviso to the superannuation scheme that is being proposed. This is not something peculiar to Fiji but, of course, it applies worldwide. Thank you.

HON. SPEAKER.- Thank you. The motion is up for debate. Honourable Professor Biman Prasad?

HON. PROF. B.C. PRASAD.- Madam Speaker, maybe the Honourable Attorney-General can respond to this but first, I am not sure whether this is really an urgent Bill. Just a quick glance through the Bill, it talks about employees and its definition in this Bill as citizens of Fiji and the Honourable Attorney-General quite rightly pointed out that it is about our local people.

One argument, of course, is that if the organisations have their own pension scheme, then the citizens of Fiji who are employees of that do not need to go to FNPF, and that is the argument of this Bill, but I am not sure whether we should do that. I am just raising this question.

There are a lot of other employees in other international organisations and local employees are not on the same terms and conditions and salaries, I mean, they are usually lower than international employees and whether we need more time to think this through and maybe have some response from those who may already be employed by other international organisations. I know they have to make a case to do that but this will open up for some of the international organisations to make a case to say, "All right, we will not contribute towards your FNPF."

My response would be to let these citizens benefit both. If the international organisations have their own pension schemes or whatever pension funds that they contribute as part of their contract but they are also required to contribute to FNPF, my personal view would be that they should have the benefit of that. I am not sure whether we need to rush this through or give, at least, between now and the next sitting of Parliament and have some feedback from those people. They may be a small number around Fiji right now but that would be my suggestion, Madam Speaker.

HON. SPEAKER.- There being no other input, I will invite the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, it is urgent. The fact of the matter is that, the partnership agreement is pending. The sooner we have this matter resolved, the sooner World Bank can start moving in, setting up their own office and start to hire Fijians.

Of course, there is enormous economic spillover from having international organisations setting up their regional offices in Fiji. We have been promoting Fiji as a hub, and obviously, people are seeing that there is an advantage for them and things like airline connectivity do matter to them, their resources and we are also very keen. For example, last week when I was in Washington, we had two of our Fijian staff seconded to IMF and the World Bank - one in IMF and one in the World Bank and they are due to come back to Fiji. Who knows they are the ones who could be also hired as professional staff, not just support staff. So there are enormous economic opportunities for our own people and build their capacity.

Of course, it is in the interest of these organisations to try and reduce their overhead costs. If they get an expatriate from overseas, they will have to pay for their accommodation, vehicles, school children, education, et cetera, but if they hire locals, of course, it is more to their advantage and also creates jobs for our own people.

Madam Speaker, the reality is that most of these schemes that they have are quite generous. A similar situation does exist in Singapore. In Singapore, Madam Speaker, the Singaporean Government has very successfully marketed itself to being the hub of South East Asia and if you go to certain section or parts of Singapore City itself, you will find they have set up financial districts where they have a financial institution that come in, and the World Bank, IFC, have got enormous offices there.

In Singapore, they have a similar exemption but in Singapore the case is different. In Singapore, the Board of their superannuation in Singapore which is equivalent to our FNPF is given the authority to exempt. In our case what we are saying that the Board of FNPF should not have the authority to exempt, but as the Bill shows that it must be an organisation so it does not apply to any organisation that falls outside the definition of the diplomatic mission and an international organisation. It does not apply to multinational corporations, et cetera, they all have to adhere to the FNPF Act. It only falls or applies to those organisations within the definition of this particular Act.

What we are saying in this particular instance, if they fall under this definition or under this Act, then they can get the exemption if they apply for an exemption to the Honourable Prime Minister. He is the one who actually gives the exemption and if you see in the Bill which we can discuss later on, what is the criteria that need to be met for him to be able to either give the exemption or actually reject the exemption. So at the end of the day, the prerogative still lies with the Fijian Government to be able to give the exemption or not give the exemption, but it does open the pathway to say that there is a possibility of an exemption for the organisation that actually wants to set up such organisations in Fiji.

It has enormous economic opportunities not just in terms of jobs. When these organisations come and set up here, they actually rent out buildings, they rent out properties, they buy vehicles, buy products and services in Fiji so it creates economic activities in Fiji which is good for us. Thank you, Madam Speaker.

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

That the:

- (a) Diplomatic Missions and International Organisations (Amendment) Bill 2017 (Bill No. 11/2017) be considered by Parliament without delay;
- (b) Bill must pass through one stage at a single sitting of Parliament;
- (c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament today, Wednesday 26th April 2017,

and that one hour be given to debate the Bill, with the right of reply given to the Attorney-General, as the Member moving this motion.

Does any Member oppose the motion?

(Chorus of 'ayes' and 'noes')

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

Votes Cast

| | | |
|-----------|---|----|
| Ayes | - | 29 |
| Noes | - | 13 |
| Not Voted | - | 8 |

There being 29 Ayes, 13 Noes and 8 not voted, the Motion is therefore agreed to.

Motion agreed to.

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

MEDICAL AND DENTAL PRACTITIONER (AMENDMENT) BILL 2017

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

- (a) Medical and Dental Practitioner (Amendment) Bill 2017 (Bill No. 12/2017) be considered by Parliament without delay;
- (b) Bill must pass through one stage at a single sitting of Parliament;
- (c) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (d) That the Bill must be debated and voted upon by Parliament today, Wednesday, 26th April 2017

and that one hour be given to debate the Bill, with the right of reply given to me as a Member moving this motion.

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I will be very brief. This Bill, again, is important and urgent. Essentially the Bill, Madam Speaker, seeks to remedy a particular practical issue that faces the employment, the practice and the recruitment of medical and dental practitioners, in particular, medical practitioners from overseas into Fiji.

At the moment, Madam Speaker, the Act stipulates that if a person comes from overseas to practice medicine in Fiji for both, registration and licensing purposes, the medical practitioner must be under the mentorship of a local doctor for, at least, four months.

Madam Speaker, we now have a situation as we have spoken that we want to get a lot of specialists into Fiji, people who have not been registered or licenced in Fiji, as has been stated by the Honourable Minister for Health, she and her Permanent Secretary and the Permanent Secretary for Civil Service are about to go to India and we have also advertised internationally and there are other applicants coming from other jurisdictions to fill the gap whilst we train Fijian doctors to become specialists in the area, for example, of ENT, gynaecology, cardiac surgeries, et cetera. We need to really quickly provide that impetus into our medical profession.

So you will, Madam Speaker, have a situation where you could have a professor of medical science or ENT specialist who has probably done 10,000 surgeries in his or her lifetime, having to understudy under a doctor in Fiji who actually may not even be an ENT specialist. At one stage in Fiji,

we had, for example, only one ENT specialist. For example, neurosurgeons, we need to get them into Fiji. You could have a neurosurgeon, for example, who has performed 10,000 to 15,000 number of procedures and yet, there is no one in Fiji who can actually supervise those people.

So, in this particular instance, what we are seeking, Madam Speaker, that in such instances the rule still apply but there could be exceptions where, for example, a person who has got 10 to 15 years of experience and wants to come to Fiji, this actual Bill allows for those people to make an application to the Minister responsible for health and medical services to get an exemption. The Bill then sets out the criteria that the Honourable Minister for Health and Medical Services must follow before an exemption can be given for that person not to be an understudy of someone who is probably a lot more junior to them.

Once a person is registered and licensed in Fiji, that medical practitioner is still governed by the Medical Council itself. So, all the rules pertaining to negligence about good behaviour, about duty of care, and all the other rules that are put by the Council will still apply to them. This is at the point of registration and licensing, but more so in particular where they do not necessarily have to go and be supervised by someone who is junior to them or indeed, supervised by someone who does not even have the skill sets available in the country.

Madam Speaker, the reason why this is urgent is because we need to carry out these recruitments. We have already advertised in various medical social media links, even *LinkedIn*, there are very good connections with that, and we are already getting people who are applying and we need to process these applications fairly quickly but the impediment to that is the fact that we have the supervisory provision which an exemption can be made, the supervisory provision still remains, in most instances, it will still apply but in certain instances exemption can be given, if an exemption application is made, and this particular provision of the law actually carries out that amendment. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is up for debate.

HON. V.R. GAVOKA.- Madam Speaker, the Bills that we have here appear quite useful and need to be passed, but they do affect quite a bit of life in Fiji. We just wonder as to why we are choosing this pathway to pass these Bills. We can put a time limit on a committee to look into this, give them seven days to come up with the recommendations and we can discuss it in May, just to give us that bit of time to fully understand the implications.

The one that we did earlier, Bill No. 11/2017, it is all fine, but it is just the concern that until you put it to a committee, you do not fully understand the length and the breadth of these Bills. That is why we are opposing the pathway that we are taking here, Madam Speaker.

HON. SPEAKER.- Honourable Biman Prasad?

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Again, all I want to say is that I agree wholeheartedly with what the Honourable Minister said with respect to the need to hire medical personnel from outside. I think that is fine. We do not have any dispute on that.

I am just worried about the content of the Bill, Madam Speaker, and not giving any room or any time for the Council, for example, as referred to in this Bill. We have a fine of \$10,000, a term of imprisonment not exceeding two years under two sections. These are issues that they may want to respond to and they may want to also provide input.

I can understand the urgency. What I would urge the Honourable Minister to do is defer this Bill for consideration at the May sitting and give some time for people to make their comments while the

process of recruitment can continue. Obviously, I can say that once we have had some input, we would like to support this Bill. We want to ensure that we actually get the medical personnel that we need from outside but perhaps, a little bit more thought on some of these provisions which, to me, Madam Speaker, is probably unnecessary. I mean, if the Minister has the power and she is giving the directive or whoever is in that portfolio is giving the directive, you do not expect the Council to say, "No". I mean, the Council would be guided by what is the provision in the law. You just have to say this is what the Minister is going to do and once the Minister gives the directive, that is it, without actually having the fines and jail term. You have to explain to me why you have that there.

This is my suggestion that we refer this to the next sitting and have some consultation on the Bill.

HON. SPEAKER.- Honourable Parmod Chand.

HON. P. CHAND.- Madam Speaker, I do understand the concerns of the Bill that is to remedy practical issues. As the Honourable Leader of the NFP has said, I also have concerns. At least, if we should be given some time to see through these Bills and when we come to this august House, we can at least bring some valuable contribution to such Bills.

My concern is that we have Fiji School of Medicine and over the years we have seen many doctors come out of the Fiji School of Medicine and they have done well. Unfortunately, they leave our country because the pay is not good. This will open up a Pandora's box for us to get only people from overseas and our people will be neglected. My simple concern is this, we must look at our local people first. As we see in our nation today, we get too many expatriates, contractors and various other people, whilst our educated people with good knowledge leave our shores. They are recruited by the Government or the various firms here at a very high pay. Instead of letting them go away, we should try and minimise things. I simply believe that this Bill should, at least, be given a one month's time and in the next Parliament sitting, we could come and discuss this. I do believe that this matter is a matter of concern. We need a lot of people with expertise in different areas where we do not have like neurosurgeons and people who are involved in medical fields.

It is very, very important that we think properly. We do not have to rush everything. I see many things being rushed into Parliament which is not very good. I do understand the Honourable Minister for Education, who is always trying to make noise which does not bother us all.

(Laughter)

So, Madam Speaker, I am simply saying that we should look at this Bill in a better manner, we should give some time to the Members of Parliament to see through it so that we can come and make good contributions and help the Honourable Attorney General and Minister for Economy so that we can have a better system in this Bill and have better things happening. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Mohammed Dean.

HON. M.M.A. DEAN.- Madam Speaker, I rise to support the Bill and I do speak with personal experience. I do appreciate the fact that Honourable Members of the Opposition are in actuality supporting the Bill but they have some issues with how this Bill is being urgently passed. The urgency of this Bill, no one will understand it until and unless they go through some personal experience.

My father is a kidney dialysis patient. Unfortunately, he is in this state because his sickness was not identified much earlier and the reason for that is because we lack kidney specialists in Fiji. As a matter of fact, problems started escalating and by the time he was diagnosed by a kidney specialist here in Suva. During that time, we were in Nadi when he was having these problems. They could not identify

the sickness because there was lack of specialists and then we came to Suva. By the time he was diagnosed it was too late. He already had a very bad kidney failure and that was when we came to realise how important it is to have specialists in our country.

If we have this existing problem of not having enough specialist, what can be done to get them in the country from overseas? Basically from what I see, this Bill is a good way in which we are encouraging specialists to come so that a similar scenario that I am in and likewise, many families of the patients that I see almost two or three times a week in the dialysis centre, do not have to go through the same problem as we are going through now. Let me also remind this House another experience in regards to that.

When you have a certain medical problem as a kidney problem, you are likely to have other problems as well. Just two week ago, we found out that my father has a heart problem as well and we did an angiogram so another issue came up that we lack cardiac surgeons in Fiji, the specialists So, these are the ways in which, Madam Speaker, the problem can be solved. Even we are not denying that we are not having this problem, that is why we are implementing these kinds of Bills so that the problems can be identified and rectified as soon as possible. Why the urgency? It is because this is urgent. People are already affected and they need treatment so we need people to come and treat them. And if we do not have enough human resources in terms of medical services in Fiji, we have the option here through this Bill. So, anyone in my capacity, who is facing problems as such would obviously agree to the urgency of this Bill. For this reason, I strongly support this motion and Bill before this august House. Thank you.

HON. SPEAKER.- Honourable Semesa Karavaki?

HON. S.D. KARAVAKI.- Madam Speaker, just a quick glance at this Bill, I would have some very serious questions to ask, even about the administration of the Bill itself. I can see under section 7 of the Bill that the authority to give exemption vests with the Minister responsible for health.

Then we have the Council. The question would be, is that not more effective to give that power to the Council itself? We see in this Bill that the power to direct the Council now also vests with the Minister responsible. But we have a Council that is staffed with experts in their area of health. Having said that, Madam Speaker, when I look at this Bill, this Bill does not talk about the economy, it does not talk about agriculture, it talks about life and death. That is why it is very important to look at the contents of this Bill properly.

What has happened? What has the Government has been doing from 2006 to now? All of a sudden it comes into this House and says "because the recruitment is about to take place". That is the very reason that comes with urgency; what was it doing from 2006? Nowadays we know that if a sick person goes to the hospital you know we would pray for that person to come back alive because of the situation that we have in the public hospitals in Fiji. All of a sudden you come with this, you say this is important, it is urgent, people have been dying long ago from 2006.

(Chorus of interjections)

HON. S.D. KARAVAKI.- They go to the hospital, we have very little hope for them to come back alive but by the grace of God that a lot of people have back alive. Experiments have been going on in the hospitals and people come and do not work for long they leave to go to other places because of the conditions and the Government do no really care.

It does not really care about their conditions and I look at this Bill to be brought over here through Standing Order 51, Madam Speaker, and just because of the basis that recruitment is about to take place, that does not even give serious consideration to the life and the health of the people.

(Honourable Members interject)

HON. S.D. KARAVAKI.- Madam Speaker, if the Government was serious enough, we would have had specialists already here in Fiji. In fact, we have people who are capable in Fiji but they are not being recognised, they are not even given the right remuneration and the morale of the staff is very low because of the kind of treatment that they have been given. They are not even recognised and these are issues that are very important that this Bill must not just come in this way, Honourable Attorney-General.

HON. J. USAMATE.- Speak to the Speaker.

(Laughter)

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I rise to give my contribution to this Bill and I certainly believe for the good health and the interest of the people of this nation that proper consideration but be given to this Bill and it should not be passed in this manner. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Jone Usamate.

HON. J. USAMATE.- Madam Speaker, I never heard any such drivel in my life. First of all, we have Members of the Opposition going on and on and on about the needs and the important of people's health. We have talked about all these things in here, we just say Government comes up with a way to try to expedite the way in which we can get ...

(Chorus of interjections)

HON. J. USAMATE.- Hang on, that is what he said.

(Honourable Opposition Members interjects)

HON J. USAMATE.- ... sitting on your side of the House, he is going on and on.

We are focused on trying to assist people. There is a naïve statement being made, why have we not developed specialists? Developing specialists is not something that happens overnight and the fact that the specialists we have in this country they can get two to three times their pay overseas. It is not that easy to keep them here now we have the solution. We have people dying and we have the opportunity to fast track experts to come in. We would have expected everyone in this House to agree to do that. Are we not all interested in the health and the lives of our people? If we do, we would say "yes, fast-track this."

Do you want to extend it for another three months and in the process we have another 1,000 or 2,000 people die, is that what you want? Let us agree that the lives of the people in this county are important, let us vote to agree for the people so that we can bring the relevant people into this country. Thank you, Madam Speaker.

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

HON. S.V. RADRODRO.- Thank you, Madam Speaker. I rise to echo the comments from this side that we do not support the Bill being fast-tracked whilst we agree to the intent of the Bill. What is coming out is that it is not a Bill that could be fast-tracked or should be fast tracked because it concerns like they have said, we have said from this side the lives of people. But the fact that it has come in under Standing Order 51 tells us that there is poor preparation and poor planning in the ministry. That is why

this Bill is been brought in and being fast tracked. For a Ministry such as Health, this has to be given time to the Medical Council, with the Dental Council and even for us on this side, we need time to be given so that we can consult with the right kind of people to be able to give us or share with us information to be able to constructively debate on this Bill. It is not only us on this side of the House, even Honourable Members on the other side of the House, I do not believe you are well informed about this Bill too.

(Chorus of interjections)

HON. S.V. RADRODRO.- So we all need time, Madam Speaker. We all need time to be able to consult with the professional people that know about these topics so that we can come and contribute to the debate in this House constructively.

We are here representing the people that voted for us in and the Government side should be responsible enough to take it to the people before you want to come and fast track it here. You must include the people's views, particularly in terms of the exemption that is given in this Bill. Any Bill like this that is being brought in to be fast tracked, you know questions comes into mind, why are we fast-tracking it? Why is this exemption here in this Bill? Honourable Usamate, you were the Honourable Minister before, why did not you bring in this Bill at that time?

(Chorus of interjections)

HON. S.V. RADRODRO.- Madam Speaker, I am requesting that this Bill be taken to the Committee or be given one month. As stated by the NFP Members that one month be given so we can consult on the Bill widely to be able to gain enough information to come and constructively engage in effective debate inside this House. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister for Health and Medical Services.

HON. R.S AKBAR.- Thank you, Madam Speaker. I do appreciate the fact that the Honourable Members on the other side, some Honourable Members on the other side of the House are actually in support of the Bill and some have said that it should not come through Standing Order 51 - whatever. I think one of them said that it should not come into the House. Madam Speaker, I will not stand here to let someone disrespect my hardworking doctors and nurses and all the allied workers in the hospitals who save thousands of lives and for all those patients who go through our health system are better than how they entered. Of course, there are issues within the health system which we already discussed and as a Government now, we are trying to find solutions to that.

It was also mentioned that after 2006, why it was not brought within that time? My question was why this not brought up in 1990? Honourable Usamate said specialised fields in regards to health it does not happen overnight, it takes years and years and the amendment, Madam Speaker, definitely does not undermine our local expertise and professionals. However, there is a great need in Fiji for specialist professionals and we are working on bringing that soon. Of course, I believe these specialists will allow our own local expertise to work alongside their counterparts and of course create opportunities for capacity building.

Madam Speaker, there is also being talks about our doctors leaving shores, I think Honourable Members of the House need to be informed that doctors have been given a good remuneration package. There is a Job Evaluation exercise that is going on and I am hopeful that it will bring about positive outcomes for all our other medical professionals.

There was mention made that we need to consult with the people of Fiji where to get their views. I am sure the people of Fiji will appreciate that we are taking this move by bringing in more specialists as mentioned by my Honourable colleague that the people of Fiji need this specialist care.

Madam Speaker, in terms of the amendments all in all the required disciplinary rules, guidelines and procedures issued for the profession or by the relevant counsels will be adhered to. This is just intended to allow for quicker and more streamlined process to enable our skilled professionals from outside to come and work and deliver the health services to Fiji.

For the information of the House when you talk about specialist services, we talk about nephrologist urologist, you talked about antistatic, you talk about a diabetologist, you talk about cardiac specialist and orthopaedic specialist skills, ENT specialist, neurologist and there are so many specialists, like I said, and this will allow our local doctors to work alongside.

What the amendment Bill does is to allow, it is not only me but any other Minister who comes in use powers to approve and fast track the registration of doctors who applied to work in Fiji. These powers will be used when there is a clear need and it can be established that the doctor in question has the skills and qualifications as required by the council to deliver safe and effective care to our patients. If I can take us to the amended section 34(7), it says “the Minister may exempt a person from registration upon consideration of the following;

- (a) whether the person is registered or licenced in another jurisdiction;
- (b) whether the persons qualifications, experience do not require supervision;
- (c) whether there is a need in the public on national interest for medical or dental practitioners of that persons qualification and experience; and
- (d) any additional information or documentation related to the applicants’ application as the Minister considers necessary.”

Madam Speaker, on numerous occasions we have been asked to give a timeline, “when are you going to do this?” “When is this going to happen?” Now we are giving a timeline that we intend to bring in specialist doctors as advertised locally and internationally to our Fijian shores for our people and there is an objection from the other side, I do not understand. So, Madam Speaker, I fully support the Bill. Thank you very much.

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Just a reminder, we obviously started debating the actual Bill itself as opposed to the motion but I feel compelled now to address some of the issues that have been raised by the Honourable Members of Parliament.

I think everyone in this Parliament is actually in agreement that we need specialists in Fiji. I think everyone agrees with that. I think everyone also agrees with the fact that there are many specialist services that are absent in Fiji. I think anyone who also understands a little bit of medical science would also know that in order to develop a good specialist, they need 10 to 15 years of training, we need to invest in them and unfortunately in Fiji, we have not invested in specialists and you do not turn into specialist overnight, as Honourable Usamate pointed out.

You cannot have someone do an MBBS and then expect to cut you open the next day and play around with your heart, it does not happen that way just because you are a doctor. You need to actually get overseas exposure, you need to go through surgeries, you need to be able to supervise, et cetera. We

have not had that but we are seeing that. We now have a doctor who has actually been offshore and has been trained, and has been placed, Dr Shalin.

Now, Madam Speaker, the fact of the matter is this, firstly, I want to address the issue of salaries. Honourable Chand gave his speech, I think he is trying to win votes from doctors but the fact of the matter is this: Madam Speaker, the doctors, he was not in Parliament last year but I am sure he would have read it, the doctors were given and up to about 80 percent pay rise in last year's budget.

About 80 percent because when I say up to 80 percent, there are different categories of doctors, we have category A, B, and C depending on their level of exposure. That type of salary increase for doctors has not taken place before and if anyone also knows about the medical system in Fiji, Madam Speaker, knows that many doctors actually in order to get a pay rise took up administrative positions just so that they could get a pay rise because the actual practice of medicine did not allow them that latitude or that career pathway.

Also, as Honourable Minister for Health pointed out, on top of that 80 percent pay rise, we are getting another job evaluation exercise that is currently being conducted, not just for doctors, but also allied, health workers, nurses and everyone else.

We continuously have said this. I have given three Ministerial Statements on Civil Service Reforms and this is the last significant lot that we are doing and that is the job evaluation remuneration exercise, so that has been addressed. The reality is, Madam Speaker, is that governments previously have not invested in our medical profession. It is absolutely a fact, Madam Speaker, that the salary rates were very low. The salary rates were very low and it is a fact that the good doctors, Madam Speaker, a lot of them were attracted offshore. A lot of them went offshore and became specialists.

Doctor Kapadia who has now come back to Fiji, he left Fiji in post 87. He is now a world renowned cardiologist, he has now set up a particular facility at CWM Hospital and is actually doing quite well. They actually now do angiograms, they put pace makers in, they do stenting and he has also developed local cardio people. So Doctor Kapadia who was away for 13 years or so, now if this law applies without the amendment needs to be supervised by some doctors who has never done cardio surgery to be supervised under him, this is what this amendment seeks to remedy.

Madam Speaker, the other point is about the council. The directive Honourable Prasad raised and I think it is a valid issue that he has raised. The council is not a Government Ministry, the council is an independent body, the council is made up of individual private individuals and therefore, even if a directive is given, a person can also say "I am not going to comply with it." So when you give a directive and if there is non-compliance then there need to be consequences, Honourable Karavaki would tell you that. So, Madam Speaker, that is why it is there.

The reality is also this: the councils also act and has acted as closed shops. They do not allow overseas doctors to come in. We had a massive issue, as you may recall with the Ba Vision facility that was setup, where you have doctors coming from Hawaii. These doctors have been doing cataract surgeries for decades and they were not allowed by the optometrist council and various respective councils to come and operate. Even now they were providing vision for rural people, doing about 60 cataract surgeries in about 2 days. I have actually been there and seen it. Highly skilled, highly specialised, not available in Fiji by locals, we want our locals to do it but in the meantime, as Honourable Dean pointed out, we need to fill in the gaps and this is what it is all about.

We have today as the Honourable Members of the other side will remember the budget, in the budget we also announced that any doctor who joins the civil service, the public health system, if they want to pursue any post-Graduate studies at FNU, we allow them to do it and we pay their fees.

Before, Madam Speaker, they had to pay their own or certain percentage of it. Today, it is completely free, so immediately they join the public health system, they can go and do the post-graduate studies. You work during the day and do your night courses, we want them to become specialists. So, Madam Speaker, all the facilities are being put in place.

Madam Speaker, the other point that Honourable Dean raised is very, very significant. Apart from the inability to recognise what the actual problem is, the diagnostics, many of the patients who are actually funded by Government to go offshore for surgeries, many of the hospitals will tell you, in particular, a lot of people are going to India now, that they have been referred too late. They were referred too late. If this was picked up six months ago, or if this was picked up three months ago, we could have saved lives, we could have saved the limbs, we could have saved the permanent damage to the hearts, whatever the case maybe. So, Madam Speaker, the reality is that it is very critical for us to be able to have this provision.

As Honourable Radrodro said, “oh the Minister has these exemptions,” Madam Speaker, the exemptions are clearly stated. It does not say the Honourable Minister can follow any guideline, it has to be stipulated and anyone who understands administrative law will know that if there is a decision made by a Minister that has been stipulated in the law, it is subject to judicial review also.

If anyone wants to challenge the administrative decision, after a decision is being made, you can take it to the High Court and challenge it. Madam Speaker, it is about a person being registered, that is the issue, it is not about the person being dead, it is all about the actual registration of the person who has applied for exemption. So, Madam Speaker, the point of the matter is this; that they have raised safeguards and said that they need more time, Madam Speaker, I am sure they are all intelligent enough to understand this Bill, they are and they are not going to deny that they are not unintelligent.

The reality is, Madam Speaker, that the Bill very clearly seeks to add various clauses to the existing schedule to say that these are the instances in which exemptions can be granted and all it says then quite clearly is a person granted an exemption must comply, must comply with such disciplinary rules, guidelines and procedures issued for the profession or is issued by the relevant council. They are not going to be willy-nilly operating on their own, they have to fall within the ambit of the professional council.

So, Madam Speaker, the reality is that all this Bill seeks to do is to allow the Minister to give an exemption for someone who is highly specialised or when there is a need in the national interest, the medical interest of Fiji that an exemption is sought, then he can grant it. That is all this Bill seeks to do. Thank you.

HON. SPEAKER.- Thank you.

Question put.

Parliament will now vote. The question is:

- (a) That the Medical and Dental Practitioner (Amendment) Bill 2017 be considered by Parliament without delay;
- (b) That the Bill must pass through one stage at a single sitting of Parliament;
- (c) That the Bill must not be referred to standing committee or other committee of Parliament; and

- (d) That the Bill must be debated and voted upon by Parliament today, Wednesday, 26th April 2017.

but that one hour be given to debate the Bill, with the right of reply given to the Attorney General as the Member moving this motion.

Does any Member oppose the motion?

(Chorus of “ayes” and “noes”)

There being opposition, Parliament will vote on the motion.

Votes Cast:

| | | |
|-----------|---|----|
| Ayes | : | 29 |
| Noes | : | 14 |
| Not Voted | : | 7 |

There being 29 Ayes, 14 Noes and 7 Not Voted, the Motion is agreed to.

Motion agreed to.

We will move on to the next item on the Order Paper. Now I call upon the Honourable Attorney General to move his motion.

PHARMACY PROFESSION (AMENDMENT) BILL 2017

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

- a) That the Pharmacy Profession (Amendment) Bill 2017 Bill be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the bill must not be referred to a standing committee or other committee of Parliament; and
- d) That the Bill must be debated and voted upon by Parliament today, Wednesday 26th April 2017,

but that one hour be given to debate the Bill and the right of reply being given to me as the member moving this motion. Thank you, Madam Speaker.

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, this Bill again is of urgent in nature. Madam Speaker, this particular amendment addresses the issue of the ownership of pharmacy business in Fiji.

Madam Speaker, at the moment the existing Act prohibits private hospitals from running their own pharmacies. What this Bill seeks to do is to allow private hospitals to run their own pharmacies.

The case in point, Madam Speaker, of course is that at the moment, there are about one would consider three private hospitals in Fiji. Two of them have pharmacies within those hospitals, formerly known Suva Private, now called MIOT, which is the first overseas company that has come and invested in Fiji, now providing a wider range of medical services, and the other one is Dr. De Asa's surgery, which is the Nasese Medical Centre and there is a pharmacy there, and I have to state that the interest in that. Honourable Maharaj has a pharmacy in that and this Bill, Madam Speaker will actually affect him, yet the Bill is being done in the national interest.

What this simply seeks to do is to allow private hospitals to be able to also operate pharmacies which the Bill currently prohibits. The current provision technically, as we know under the law, a person cannot operate more than two pharmacies and so this will allow private hospitals to be able to have the same level of restrictions that currently applies to them, and because the MIOT is actually wanting to operate the pharmacy, obviously with the wider range of drugs, more drugs and of course we expect that when we have such an international hospitals operating their own pharmacy the cost of drugs will also come down. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is on for debate if any.

Thank you. Honourable Attorney General, would you like to make concluding statements before we vote.

HON. A. SAYED-KHAIYUM.- No. Thank you, Madam Speaker. I am fine.

HON. SPEAKER.- Thank you. Parliament will now vote on this motion. Do we have any opposition?

(Chorus of noes)

No opposition, thank you, the Bill is approved.

The next item on the agenda, pursuant to the resolution of Parliament passed this afternoon, the Diplomatic Missions and International Organisation Amendments Bill 2017 will now be debated, voted upon and be passed. The debate will be limited to one hour and I call upon the Honourable Attorney General to move his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I think a lot of issues that we are going to discuss the Bill have been actually vented. Madam Speaker, just to reiterate and open up the debate should there be any is essential to allow.....

HON. SPEAKER.- You have to move your motion first and second it.

HON. A. SAYED-KHAIYUM.- Sorry. My apologies.

**RESUMPTION OF DEBATE ON THE DIPLOMATIC MISSIONS
AND INTERNATIONAL ORGANISATIONS (AMENDMENT) BILL 2017**

HON. A. SAYED-KHAIYUM. Madam Speaker, pursuant to resolution Parliament passed this afternoon, I move:

That the Diplomatic Missions and International Organisation (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.- Thank you. Now I call upon the Honourable Attorney General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. My apologies once again for that.

Madam Speaker, as stated earlier on that there a lot of these issues actually have been vented previously when we were debating the motion itself.

Madam Speaker, just to reiterate, it is essential if I could go through the actual Bill itself, what it says is that as stated earlier on, the Bill allows for those organisations that fall under the Diplomatic Missions and International Organisations Act to be exempted from the Fiji National Provident Fund provisions.

Madam Speaker, what it says essentially is that the Honourable Prime Minister may exempt an international organisation or international body from paying contributions to the Fund for its employees. The international organisation may apply in writing to the Prime Minister for the international organisation or international body to be exempted from paying contributions to the Fund for its employees. The application must be accompanied by information that substantiates that the international organisation or international body:

- a) pays contribution to its employees to a superannuation pension or retirement scheme or a social security scheme under which the employees are entitled to benefits that are similar to those provided by the Fiji National Provident Fund Act 2011; and
- b) will pay contributions for its employees to the superannuation pension or retirement scheme for social security scheme referred to what I have just stated in paragraph A.

Essentially, the organisation must write to the Honourable Prime Minister and say “look we are setting up a shop here we would also be employing Fijians to work for us. We actually have a pension scheme and this is how a pension scheme works. We believe it is similar to the provisions in the FNPF Act and that we will also be paying the pension for the Fijian employees.”

If the Honourable Prime Minister is satisfied as stated in clause 5 that it is so, then he may grant them an exemption. If he is not satisfied, then he can refuse to grant the exemption. So, the power is there to refuse the exemption.

Madam Speaker, it says also of course that the provision for it is that, once they grant the exemption, they must continue to pay the fund to the Superannuation Fund and they are not obviously liable to pay for the FNPF fund.

This Act, Madam Speaker, as it relates to diplomatic missions and international organisations, has a clause in the substantive Bill that this Act actually prevails all other laws that do exist. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The bill is up for debate. Do you have any input if any?

HON. PROF. B.C. PRASAD.- Madam Speaker, I fully understand all the reasons for attracting international organisations and the Honourable Attorney General referred to the World Bank and we welcome the World Bank to set up the office, but honestly speaking, I am not really convinced as to why international organisations would not come here just because we are not offering them FNPF exemptions.

As I said earlier, organisations like the World Bank, if they hire people locally, and we have international employees of the World Bank, they obviously have a different package. I really think that it may be a bit mean of some of the international organisations if they are thinking that they can see that as double a payment.

All right, if they have terms and conditions under wage required to contribute to any employee in the pension fund and here we have a law which requires if there be a Fiji citizen, then they contribute to FNPF. I really think that they should not demand that exemption from the Government and for that reason, I really think that we should not amend this to allow international organisations to exempt themselves from paying FNPF, even if they have their own pension or super fund schemes. One of the reasons I am saying this, Madam Speaker, that there are local employees, who receive less in terms of not only salary but they do not get the same benefits, such as hou

sing, medical and while they are probably not the same as the international employees. I do not know, I mean, different organisations have different rules. But the point is that, if they are benefiting from receiving the FNPF contribution, as well as whatever the international organisations requirement is, then I really think we should give it at that.

As I said and I want to repeat, it would be really mean of international organisations to think about applying for exemptions for their local employees. And for that reason, Madam Speaker, I really do not support this Bill.

HON. SPEAKER.- Thank you. Honourable Bulitavu.

HON. M.D. BULITAVU.- Madam Speaker, I rise to give my contribution to the Bill that is before the House.

Madam Speaker, given that this particular Bill tries to prevent a double payment system for those Fijians who will be working for international organisations that will be coming to Fiji, but again if we just look at our FNPF scheme and policies, it is already local. Even our local employees are finding it difficult but for these international organisations to bring their own superannuation schemes, probably they will be applying in overseas and in real application, it will take time.

For them to benefit from these schemes, for example, if there is a death in the family, how will they be eligible to apply? There are other issues in regards to things that will come about in terms of their probate if they pass on, which court will they take their matters to, whether it is here or file a probate overseas where that superannuation organisation has jurisdiction? Those are issues that could be looked into more thoughtfully.

There are other issues, Madam Speaker, that would come up later in regards to Fijians who will be employed in these international organisations that they will have difficulties in. For example, if the

policies of those superannuation funds could not protect their interests here in the country, and it would be very difficult for them to apply and benefit from what they initially agreed to or thought would be a very easy path to obtain what is theirs which they already contributed to the fund. These are issues, Madam Speaker, that needs to be clarified before we can actually agree on this.

As I have said, Madam Speaker, there has to be proper consultation done, those who will be involved needs to be aware that those organisations are not here, they are from overseas and the difficulties they may face when they encounter situations where they might need to withdraw their contribution in regards to this.

For that Madam Speaker, I do not support the Bill that is before the House.

HON. V.R. GAVOKA.- Madam Speaker, a number of issues regarding this, that I was hoping could be clarified through a proper committee and to ask some questions into how this is being set up. Presumably, for the international organisation, this fund would be set up at the head office. World Bank, I do not know where they are headquartered in New York or may be regional in Singapore, so, the actual fund that is paid to the retirement fund comes from Fiji and goes to Singapore or New York or whatever. I would like clarification on that.

We know where FNPF is, it is here in Fiji, we pay and it goes to the FNPF here in Fiji. This one here, how does it work? We need to understand that because there could be a time where we need to restrict this, with the Reserve Bank wanting to reduce the outflow of foreign exchange and the likes. So, these are some issues that we need to understand

If the local people work here in the World Bank for instance, and they become part of this, where is the fund; is it in New York, Singapore or here in Fiji? These are some of the issues that I would like to see clarified and when you work for global organisations, there are things like stock options and the like. How do you handle things like that when you set them up here?

We are going to go further, there could be a situation where some of these people have other ways of remuneration. How do you handle that? I have worked with expatriates and they love coming to Fiji and putting it away at FNPF and at the end of their contracts, they cash in their FNPF and they go home happy, so it is clear cut. This one here, I would like to understand those issues. I believe they are quite relevant. By all means, make us as the hub of the South Pacific in terms of regional organisations but these are issues that I believe need to be clarified when we debate this.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Veena Bhatnagar?

HON. V.K. BHATNAGAR.- Madam Speaker, I rise to in support of the motion. The question is; why not allow the international organisations applying for exemptions? Because there are very proper guidelines that the Honourable Prime Minister may, subject to the section, exempt an international organisation or international body from paying contributions or funds for its employees.

Very clearly, Madam Speaker, it is noted here that if the Honourable Prime Minister is satisfied that the international organisation or international body pays contributions for its employees to superannuation, pension or retirement scheme or a social security scheme under which the employees are entitled to benefits that are similar to those provided by the Fiji National Provident Fund, et cetera. So, basically, once the Honourable Prime Minister is satisfied that they are already part of a superannuation scheme and obviously as our Honourable Attorney-General has mentioned, that the international bodies

have got a very generous scheme on hand which would be far more better than what we have here at FNPF. So, why do we promote double dipping? This will be only promoting double dipping, you get your superannuation scheme, you are in that scheme as well as you are paying for the Fiji National Provident Fund in Fiji as well.

So, why do we want two, ask them, they are paying double time and why do we want to promote double dipping? That is my question. This Bill only allows not to promote double dipping. You get your superannuation there when you are working for an international body and then they pay for your FNPF as well. So, why do we want to promote this? Thank you, Madam speaker.

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, just to put the minds to rest for Honourable Members on the other side, as we have said in the beginning that this actually relates to international organisations and international bodies. Let me tell you what the definition of that, Madam Speaker, as I highlighted it is under the relevant Act.

An international body means an international body established or provided for under a particular treaty or convention which the Government is a party to and has ratified. An international organisation means an organisation declared under section 6 of the Diplomatic Privileges and Immunities Act 1971 and a person prescribed by Regulations. So, Madam Speaker, this only relates to those international bodies and organisations that have been formed under some form of treaty or international framework. ILO, UNDP, IFC, World Bank, FAO, WHO, all of these organisations are formed through international agreement and where state parties are party to that. Let me just reassure all Members of this Parliament, it does not apply to corporations.

Honourable Gavoka talked about him working for Shangri-La, it does not apply to international companies or Shangri-La or anyone like that. This is why, Madam Speaker, this amendment has been brought about by the Diplomatic Missions and International Organisations Act, specifically for that reason, so we limit it. There is no opening of the doors to any other organisation or international companies, transnational corporations.

The other point, Madam Speaker, irrespective of where their money is kept, there has never been a default by UNDP not to pay the superannuation. The UN organisations, United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP), none of these organisations has ever defaulted in paying the superannuation. They are bind by international treaty, everyone knows that, and Honourable Prasad knows this.

Madam Speaker, they have a superannuation scheme, they are formed by an international treaty, they also, Madam Speaker, as signed by the first UNDP Host Country Agreement by the first Prime Minister of Fiji, Ratu Sir Kamisese Mara, with the UN Organisation, they also exempted them from paying taxes. So even Fijians working for these organisations did not pay income tax and everyone knows that for most international organisations, the remuneration rate is far more than what is generally locally paid, not just in Fiji but in most countries, so that is the added advantage.

Honourable Bilitavu spoke about what if they need the expenses, they have their own schemes. They have their own staff associations that actually have an input into that. Again, Madam Speaker, the Honourable Members forget that a person who applies for a job in this organisation is not forced to work for that organisation. A person signs a contract of employment and the contract of employment will stipulate what the conditions of employment are, and they will then sign the contract. If the conditions of the contract of employment are unacceptable by the applicant, they will not take the job. And I can

tell you, Madam Speaker, we have a lot of locals at the moment, for example, working for ADB and various other organisations, who are actually doing quite well and are quite happy with those provisions.

Madam Speaker, the reality is this, again to reiterate, it does not apply to companies, it does not apply to transnational corporations. It only applies to organisations that fall under the Diplomatic Missions and International Organisations Act, only those ones that are formed by treaty.

Madam Speaker, then goes on to say that in the event that they want to apply for an exemption because not all of them will apply for exemptions, some of them may and some of them may not, there is a particular procedure to follow. Then in that procedure, there are certain matters that needs to be substantiated and that application is made to the person who is the leader of Government which is the Honourable Prime Minister, and he makes those decisions. In his judgment, as prescribed for under the law, if the benefits are similar to those provided in Fiji, then he may grant an exemption.

In other instances, he may choose not to grant the exemption. Madam Speaker, again we talk about creating employment, creating employment opportunities, about hubbing Fiji, and these things are very critical, Madam Speaker. I have given an example, we also use Singapore as an example. Singapore has a similar provision. As you know that the requirements of their Provident Fund are far higher than ours. I think their total deductions, the employer/employee makes altogether is almost about 30 percent, if not more than 30 percent, of total deductions from a person's salary in Singapore. But the fact is, the Singaporeans are also recognising the fact that in order for them to attract these international organisations, they also have to make an exemption.

The exemption powers, Madam Speaker, in Singapore are given to their Provident Fund Board. In our case, because we are saying that we want to be overly careful about this, we are not giving the exemption powers to the Board. We are giving the exemption powers to the Honourable Prime Minister. The application is made to the Honourable Prime Minister in the same way that when diplomats now want to make an application for work visas, when they want to make an application for visas for their families, they also have to go through the Prime Minister's Office. So everything is now being streamlined in respect of diplomatic missions and international organisations. It makes sense, creates a lot more efficiency, it also signals Fiji as a country that wants to do business but is able also to take account of the various international treaties and the specific characteristics of these international organisations.

Madam Speaker, I would urge all Honourable Members of the House to vote for this Bill. It creates opportunities. As I have said that with the World Bank and various other organisations, some of them at the moment have only one or two Representatives. I think FAO has one Representative based at the Ministry of Agriculture. Who knows, with this type of exemptions and with Fiji now getting COP 23 Presidency, we may be able to upskill and get more people working for that Office and they may have a full office of their own to provide services, not just to Fiji but the rest of other Pacific Island Countries. So these are the opportunities that exist. We are now amending the laws to be able to ensure that we are able to better position ourselves, Madam Speaker, and this is not to the detriment of ordinary Fijians.

Thank you, Madam Speaker.

Question put.

HON. SPEAKER.- Parliament will now vote. The question is that:

Pursuant to the resolution of Parliament passed this afternoon that the Diplomatic Missions and International Organisations Amendment Bill 2017 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of ayes and noes)

There being opposition, Parliament will vote on the motion.

Votes Cast:

| | | |
|-----------|---|----|
| Ayes | : | 28 |
| Noes | : | 13 |
| Not Voted | : | 9 |

HON. SPEAKER.- The motion is agreed to.

Motion agreed to.

Bill reported without amendments and passed.

[A Bill for an Act to amend the Diplomatic Mission and International Organisations Act 2016, Bill No. 11 of 2017, enacted by the Parliament of the Republic of Fiji. (Act No.)]

HON. SPEAKER.- Thank you.

The next Item in the Order Paper, pursuant to the Resolution of Parliament passed this afternoon, the Medical and Dental Practitioners Bill 2017 will now be debated, voted upon and be passed. The debate will be limited to one hour, and I will call upon the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

**RESUMPTION OF DEBATE ON THE MEDICAL
AND DENTAL PRACTITIONER (AMENDMENT) BILL 2017**

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to the resolution of Parliament passed this afternoon, I move:

That the Medical and Dental Practitioner (Amendment) Bill 2017, Bill No. 12/2017, 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.- Thank you, Madam Speaker. Madam Speaker, similar to the previous Bill, again a lot of the issues that needed to be perhaps vented and addressed have already been done in the motion itself but just again to reiterate, this provides the opportunity for the Government to be able to very expeditiously source specialists from overseas countries. As again highlighted, the

Honourable Minister for Health, together with the Permanent Secretary for Health and the Permanent Secretary for Civil Service are going to India on 15th May 2017 which is before the next sitting of Parliament. We have already advertised for positions offshore and also on various social media outlets and we expect a plethora of experts to come in.

Again, as highlighted earlier on, given the fact that we have increased the salaries, a lot more specialists are slightly interested now in coming to Fiji because the remuneration is actually attractive enough. This is why this matter has been brought as a matter of urgency and again to reiterate, it again gives the Minister the ability to exempt people from having to serve the supervision provisions as currently provided for, and again to reiterate that the reason why we are seeking those provisions for the exemption is because you may have highly skilled specialists, who cannot be supervised by local doctors or doctors who are currently practising in Fiji. And in the event that the Minister believes that there is a need for an exemption, the Minister can grant the exemption.

If the Minister believes that the exemption should not be granted, she has the ability to refuse the exemption, so there is an opportunity. Of course, it does not mean it is an open slather for anyone to be able to practice in Fiji, and again, the Minister must adhere to the actual provisions that had been laid out in the Bill which is section 2(7) which says that the Minister must consider for example; "whether the person is registered or licensed in another jurisdiction." In other words, what it means is that the Minister cannot get someone who does not have a licence or is not registered in another jurisdiction to simply come and practice. They must have a current practising certificate, that is what it means or licence and again where the person's qualifications and experience do not require supervision. So she is not going to get someone who has been out of medical school for three years and say; "Yes, you come in, I will give you an exemption."

Section 2(7)(c) says, I quote; "Whether there is a need, in the public or national interest, for medical or dental practitioners of that person's qualifications and experience." She has to look at the need. I mean, if we have got enough dentists, someone comes and says; "I want to become a dentist" and, therefore, "I will give you the exemption", he/she is not going to do that. If there is a public need for that particular skill sets and as we have talked about now in this Parliament, a number of those specialists areas have already been identified where there is a shortage.

Section 2(7)(d) states, I quote; "Any additional information or documentation related to the person's application as the Minister considers necessary." So, he/she can go out and get various background checks from the person to be able to grant an exemption if he/she does feel that there is a need to do that.

Essentially, Madam Speaker, it is to address a chronic shortage of specialists within Fiji, we need to address that and we can do that as Government has made a commitment, we have the budgetary allocation to do so, we now have increased salary levels that can attract better people and this will also help expedite the trip that the Honourable Minister's is going to make with the respective Permanent Secretaries, to go and hire these people very quickly.

There is no point in the Honourable Minister going off to various places, including India and say; "Look, we will hire you but by the way, there is this provision of four months supervision and we are dealing with it", you cannot do that. No one is going to come. If there is an immediate need, as Honourable Dean has highlighted, we need to get these people very quickly and they need to understand that the law actually provides them to come and very quickly practice in Fiji. That is the reason by having this urgency, Madam Speaker, and we hope that everyone will support this Bill. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is up for debate.

HON. PROF. B.C. PRASAD.- Madam Speaker, as I have said, we do not dispute the fact at all that we need specialists in our hospitals. And I think both the Honourable Minister for Health and the Honourable Attorney-General have made that very clear and, as I said, we do not dispute that.

The only issue I have, Madam Speaker, is when we look at specialists, I think the Government ought to also look at, you can have specialists but you also need specialist equipment as well. I think part of that problem that we have had in this country with respect to specialist services both, in the past and currently, is the lack of specialist equipment. Some of our people who left here and made their name in other countries were able to do so not only because they had higher salaries and had better supervision, but they are also exposed to specialist equipment. So I just want to add that, that would be very important even when we have these specialists.

My concern still remains and I really want to say this, Madam Speaker, under section 9 and section 10, I just think that we are engaging ourselves too much in terms of punitive measures, fine and jail terms in most of our laws. I think some of them are excessive. I do not necessarily agree that even if there are private individuals in the Council, if the law says that the Minister's directive is final, that the doctors can be exempted in terms of that supervision for four months, then I really do not think that the Council will have any reason because as the Honourable Attorney-General had pointed out, the Minister is going to do that within certain provisions, certain conditions and certain requirements.

Madam Speaker, when I look at Bills and laws, I always look at beyond the period in which the current lawmakers, us, the Ministers, to the future because sometimes you could have laws made with very good intentions if you have the provisions, the current ones may apply it very well, do the right thing, follow the process but even within that, in the future if you have another Health Minister, for example, you could actually use some of those powers to not exactly do the right thing even within the requirement that are there. So, I think that if there was some safeguard provision, for example, if the Council objects to the Minister's directive, then they could have a good reason. It is good for any minister to have those checks and balances.

Sometimes it is not good to have a complete discretion when you are a leader or when you are a minister. It is good to have the discretion within a particular bound, so I really think that we could have put these things differently rather than having these hefty fines and jail terms for Council members.

Again, Madam Speaker, I am not sure whether the Honourable Attorney-General or the Honourable Minister for Health had some discussion with the Medical Council, the people who are there as to this provision and what are their views and whether they feel that this provision, particularly the fines and jail terms, if for example, they raise questions with respect to certain individuals and sometimes there is always a possibility that things can slip through, I think there has to be some checks and balances, even if the Minister has the power to make the directive.

Madam Speaker, I think those are issues of concern to us in the Bill. Thank you.

HON. SPEAKER.- Honourable Veena Bhatnagar?

HON. V.K. BHATNAGAR. – Thank you, Madam Speaker, it looks like Honourable Professor Prasad is really confused. One time he says; “Alright, we do not really go against the Bill and then another time, looking beyond the nose, of course. So, if the Minister abuses the powers they can be taken to task. The law is in place.

However, Madam Speaker, time and again, we have noticed that the Opposition Members stood up and have pointed fingers at the Government and the Ministry of Health and questioned the shortage

of doctors and the shortage of specialists. Our Fijians, our sick people, they are looking forward to having more specialists, who can actually provide specialised services to our sick people. If the Opposition is saying that we are rushing into the Bill, like there is no urgency, they should go out and ask our Fijians if there is an urgency to get more specialists and to get more doctors in our country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Vunivalu?

HON. S.B. VUNIVALU.- Madam Speaker, I rise to contribute to this Bill, it needs our support.

Madam Speaker, what I would like to mention in this august House is that, most patients in Fiji do not have much money to go overseas for specialised treatment. They are just waiting for the date in the hospital and that is a fact because they do not have much money to go to India or overseas countries. That is why, I think, the Honourable Attorney-General has thoroughly explained and I do think that we should all support this Bill.

For some organisations like in the Military, they are quite lucky because they have got their funds. There is one officer who went two times to India. He has broken ankle and the money drained out. He was given \$5,000 and his wife was given \$5,000. When they returned, he injured his knee. Again, the money (\$5,000) was given to the wife and \$5,000 to him and that one is still walking today but his walking is different now.

(Laughter)

Madam Speaker, that organisation is good because they have the money and that is why I fully recommend this Bill for specialists to come to the country and do hope that we will all support. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Rosy Akbar.

HON. R.S. AKBAR.- Madam Speaker, just to add on a few, I think I have said a lot. In terms of the facilities that we have, Madam Speaker, Honourable Prasad did mention that our facilities and equipment needs to be of the standard of specialist care.

We have a lot of overseas teams that come and operate on our people here, specialist teams and they are very much impressed with what we have: the theatres, the equipment and our local expertise that assist them in their surgeries, and for the information of the House, we have two new operating theatres that are yet to be opened in Lautoka Hospital and these are of international standards. So yes, we do we have supporting structures to enable our specialist who we intend to get to work for the benefit of our people. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I rise not to support this particular Bill in regards to a few issues that probably is lacking in the current Bill. Probably, Madam Speaker, I agree with the Honourable Prasad in regards to there should be proper equipment and facilities in order to allow this specialist to come into the country, and given the standards of our hospital and facilities and the equipment we have, I think there is no good environment at this particular time to allow this specialist to come.

Secondly, technology, probably we do not have highly trained technicians in the country at the moment, CWM, even lately some of our technicians were sent overseas to study a machine called radio-

strata but again the machine had arrived two years later. When the machine arrived, all the technicians that went to learn about the machine had lost their skills and knowledge on how to operate the machine. These are issues, Madam Speaker, probably that should go hand in hand.

The other issue is medicine and drugs and probably the specialist would like this readily available medicines and drugs to complement the work that they will do and probably given the poor procurement system that we have, I think this will be other barriers that will affect their work here in the country, given that we should provide the right environment.

The other condition, Madam Speaker, probably that needs to be attached with this, given that they are specialist, a provision that should be there should allow for sharing of skills and proper certification of our locals, given that there should be a condition attached that this specialist to be given this exemption only on the grounds that they are able to train and develop our own locals who will be working with them and probably advising them on the career paths that they should probably take in order to get proper certification from whichever relevant medical institute that will give that particular qualification.

And the other thing, Madam Speaker, probably the directive to issue certificate of registration that is given by the Minister to the council, probably this provision like it threatens the council, if the council does not adhere to any directive, the council could be subject to a fine or imprisonment for two years which is there, Madam Speaker.

Madam Speaker, the absence of a provision that probably has to be there to allow the council to raise objections for any application that is coming from any specialist overseas or probably the council too should be given an opportunity to object or to give a second opinion into the background of any expert that is currently applying or coming into the country, probably they will know better too and that should provide verification for both the Minister to consider. These are some of the issues and should be put in a way that the Minister here is given the power to try to control the council or threat the council, which will be very bad, Madam Speaker, and again, let me reiterate that I do not support the Bill as it is.

HON. SPEAKER.- Thank you. Honourable Minister for Education, Heritage and Arts.

HON. DR. M. REDDY.- Madam Speaker, the submission from the other side, it seems to me as if they are thinking that someone from India, Australia or America will catch a plane and come and start injecting needles, Madam Speaker.

(Chorus of interjections)

HON. DR. M. REDDY.- Madam Speaker, that is not what this Bill is saying. You look at page 2 of the Bill, right at the bottom, number three five says that the Minister may exempt a person from temporary registration upon consideration of the following:

- a) Whether the person is registered or licensed in another jurisdiction, whether the person been practising or not;
- b) Whether that person's qualification and experience do not require supervision;
- c) Whether there is a need in public or national interest for medical or dental practice of that persons qualification in the country; and
- d) And any additional information and recommendation related to the persons applications as the Minster concerned.

And in the point in time, the Minister "may seek opinion from the medical council or anyone or any other expert in that particular area," Madam Speaker.

Madam Speaker, it is very clear that exemption will only be given upon application after considering a number of those factors outlined there. I support the Bill, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. Honourable Parmod Chand.

HON. P.CHAND.- Madam Speaker, we do understand that we need a lot of specialists at different areas. One of the things Labasa Hospital need is to be fixed up properly...

(Chorus of interjections)

HON. P. CHAND.- ... we are saying it is in a dilapidated state now.

(Honourable Members interject)

HON. P. CHAND.- And I was just wondering on what the Honourable Member from the other side said that she was confused, maybe she might need to take some classes so that she can understand the NFP leader who very eloquently gives his submissions here.

Madam Speaker, previously there used to be a lot of doctors who were coming from China, Philippines and India, and some of them, in fact most of them were doing a very good job, but after a lapse of time, they were not allowed to come in maybe what the Attorney General pointed out that the council was against it, and I think the council also needs to understand when we do not have people in the country, we will need them, but the type that we have, we do not need them, see that is the difference.

Why I really said was, we should have at least be given one month, the worst case scenario, this Bill was given to us on Monday, we would have been able to prepare very well in four days.

You see, we are elected Members of Parliament, we represent our communities and we need to contribute and we need to speak out maybe as the Leader pointed out that the fines are a bit too big. You know what will happen at the end of the day, if this Minister will be changed and another Minister comes, and who might be more arrogant because the first Minister is good ...

(Laughter)

...what will happen...

(Honourable Members interjects)

HON.SPEAKER.- Point of Order.

HON. P. CHAND.- So what I am saying, Madam Speaker we all. ..

HON. SPEAKER.- Point of Order.

(Chorus of interjections)

HON. M.M. A. DEAN.- You, Honourable Member referred to the word "arrogant". What is he meaning by that?

(Chorus of interjections)

HON. SPEAKER.- Thank you, Honourable Member, you were...

HON. P. CHAND.- Madam Speaker, I said he is not arrogant...

HON. SPEAKER.- I will make a ruling first. Honourable Member, you were asking the Honourable Member to clarify what he meant, which means your Point of Order does not qualify. Your Point of Order should be addressed to the Honourable Speaker to make the ruling, therefore it does not qualify Thank you. So please Honourable Parmod Chand, would you like to continue?

HON. P.CHAND.- Thank you, Madam Speaker. We definitely need specialists in Fiji in various areas. It is very important and as I said, we really need some time, a little bit of time, at least four days. If Monday this Bill was given to us, we would not have a problem. But, Madam Speaker, in saying all these, I would simply say that we need specialist in Fiji in various areas. Thank you.

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

HON. H.R.T. POLITINI.- Thank you, Madam Speaker. I think we can sit here whole afternoon and debate about this until the cows come home, but I rise to support this Bill that is before the House. As I think only this side of the House recognises that Fijian lives matter.

(Chorus of interjections)

HON. H.R.T. POLITINI.- It is only a short comment from me and I hope everyone else needs to understand. Thank you, Madam Speaker.

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

HON. A.M. RADRODRO.- I stand to not support this Bill because I am still a little bit confused in this Bill. With the background contents of this Bill, one thing is for sure, it will not guarantee the influx of patients in the hospital, it will not guarantee the reduction of influx in the Hospital even this Bill will not guarantee the prompt and proper services delivery to the patients at the hospital.

I note that the Minister for Health in the last few days had always been lamenting about preventative but this particular Bill here is basically focusing on the curative measures, even on the increase in doctors will not help the influx of patients in the hospital, so why can the Honourable Minister not also concentrate his Bill and his allocation to the preventative measures, the medical public health services to ensure that there is reduction in people coming to the hospital and that it will be catered for in this Bill. The increase in the medical drive will not prevent the influx of patient and the services delivery that will be given to patients at the hospital. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Usamate.

SUSPENSION OF STANDING ORDERS

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

That Standing Order 6, that so much of Standing Order 23(1) be suspended, so as to allow the House to complete Government business as listed on today's Order Paper.

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

**RESUMPTION OF DEBATE ON THE MEDICAL & DENTAL
PRACTITIONER (AMD'T) BILL 2017**

HON. SPEAKER.- Thank you. Do you have any opposition to the motion? There being no opposition, thank you very much, we will extend. I now give the floor to the Honourable Usamate.

HON. J. USAMATE.- Madam Speaker, I think the Opposition is just trying to confuse a lot of issues. For me, this particular amendment is based on a very simple premise. Those who are for this are for life. I think we have just heard every time one of the problems that we have had in the past is that when we want to send people offshore for treatment like we send them to India, sometimes when you delayed it by one, two or three months we are actually condemning people to death. That is the cost of delay.

So, what we are talking about - you have heard it. I mean the Honourable Attorney General has pointed out that one of the problems that we have in Fiji because we do not have specialists, they cannot recognise the severity of how sick of a person is. So, if you are trying to stop this, you are actually condemning more people to death, that is all this Bill is trying to do. We have been discussing the fact that it is not easy to develop specialist. It is not easy. We probably are having one nephrologist who is not even a consultant yet. We have one neurologist, we have cardiac people, so all we are trying to do here is to get the people in so we can start helping people.

Now, the Honourable Radrodro had talked about the fact that this is not going to stop the number of people going to hospital. Yes, we understand that. The Minister understands that, that is why there is a big programme on Public Health, that is why there is a big problem on non-communicable diseases to try to make sure to address those social issues. We all understand that but what are the things that we can do right now, we can try to help those who are already sick. We have curative and primary services. Of course the programmes that we are going to do in terms of making sure that people do not get sick in the first place, we will continue. We try to reduce the salt consumption, get people to eat proper food, get people to exercise, cut down obesity and all of those things will continue. But this, if you are trying to block this, you are trying to condemn the people who are already sick from not getting the advice that they need so that they can get better. So the choice for you, are you for life or are you for death? Choose right, choose for the people of this country.

(Chorus of interjections)

HON. SPEAKER.- Honourable Vadei.

HON. A.T. VADEL.- Thank you, Madam Speaker. I do not support the Bill before us today. Referring to the PS's workshop in GPH the PS for Health and Medical Services said that the recruitment of doctors is not a problem, that was what he said in GPH.

What we lack here in Fiji are good medical administrators to administer the health and medical services properly in our health centres and hospitals. So, I do not support this Bill. Thank you,

HON. SPEAKER.- Thank you. Honourable Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker, we are all for life. We support life. We are Parliamentarians, we ask you to look into this and understand its depth, its breadth and make informed decisions on this.

There are lots of assumptions from the other side that we do not care about life. We care but let us do things with a proper way. I mean these are very complex Bills, if we had listened, if we had taken

this to the Committee and we heard the medical association express their views on this, it could help us make better debates, all in May. It could have been a restricted Committee, given a timeline of seven days to hear at least, and it is done.

Madam Speaker, our people did a study last year and our Parliament last year passed about 75 Bills through Standing Order 51. Imagine that, passing that number of Bills using the pathway, Standing Order 51. Yes, they were needed to be done but sometimes we need to be careful, we need to have time to study these things properly. Those Bills that came through the Committee were a joy to debate in this House because we were informed - not this way. In fact, someone has said, "our Fiji Parliament introduces the Bill in the morning and passes it in the afternoon." Here, we are breaking records; we introduce the Bill in the afternoon, we pass it in the afternoon.

(Chorus of interjections)

HON. V.R. GAVOKA.- We are all for life but let us do it properly. There are huge users here that need to be debated. Let me touch on some. We are a developing nation and we know that I am sure most of us here have had our career, people of my age group, I have a career impacted by expatriates who came for two years and stayed for twenty years. We all know that. What we need to do in this Bill is to set in some safeguards for our people.

We are producing and growing our own doctors, specialist in here. We can open a pandoras box and they crowd out all our people. So, we need to be careful that we put safeguards for them that when you give them a licence there is going to be a time period to it. There must be a succession plan on how our people are going to graduate into become a specialist. I hope the Honourable Minister is looking at that with the way they are developing our graduates on the pathway to speciality that they will take. Has someone has said here, our specialist are quite good – very, very good.

Some years back when I use to look after the Fiji Visitors Bureau (FVB) our manager from Germany came here on a trade show and fell and had a compound fracture on one side of her body. She came to the private hospital, surgery that took about eight to nine hours. When she went back to Germany, the German doctor said, "we could not have done it any better" because one of our very own did it. I mean that is how good we are, our people are. The German medical profession, what they had forgotten about medicine it is not worth remembering. They are so good. For them to make the statement about our people is quite significant and that is what we need to protect. Sometimes this kind of facility, this kind of scheme can affect the growth of our own people. So, I would hope, Madam Speaker, when we debate this, we take this into consideration. Thank you, Madam Speaker.

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I would like to re-echo the sentiments of Honourable Usamate about those people who actually support this Bill could be supporting life and supporting medical services in an expeditious manner. I am sure the Honourable Members on the other side will not say that they do not support life but the fact of the matter is what we are saying is there is an urgency.

Madam Speaker, I just want to highlight a couple of issues being raised from the other side, in particular, the argument by the Honourable Prasad is oxymoronic. I will tell why it is oxymoronic because he is saying that they should not have this provision like if they do not follow the directive of the council, then there is a penalty. He said because they will do in any case so, why have it? If they are going to do in any case so why worry about the provision that is there? If they are going to do in any case, why are they worrying about the provision that is there? If they go and look at the substantive Act itself, Madam

Speaker, there are penalties that go up to about \$75,000. The penalty in this, Madam Speaker, is only \$5,000.

So, Madam Speaker, again it is an obfuscation of what actually exists. So the short term point of a point scoring. The reality is, if any directive is given, people obviously cannot follow the directive and it has happened in the past. Even civil servants do not necessarily follow the directive or independent councils and I have highlighted previously this council also consists of private practice.

As provided for in the Act, the Chairperson is the Permanent Secretary for Health. Looking up to the future, you may have a Permanent Secretary that may not want to follow directive. That is why you have the provisions there but if they argue and say that they will follow in any case then, why they are worried about the provision?

Madam Speaker, the other point is that again, I want to highlight they said in the future what if there is another Minister that may abuse the process. Again, as I have said, Madam Speaker, that whether it is an arrogant Minister or non-arrogant Minister, it could have a re-calcitrant Minister they do not necessarily have to be arrogant.

But the point of the matter is, Madam Speaker, is that there are certain criteria that has been set out that the future Minister and this current Minister needs to look at. Again, as I have said if it is an administrative decision it is subject to judicial review. You can go to the High Court and get the Minister's decision reviewed. So that is their checks and balances that have been provided.

Madam Speaker, the other point is as highlighted they have gone on about suddenly the digressive equipment. Yes, we actually have improved the quality of equipment available. Fiji did not have any MRI machine until we bought five years ago. Let me also point out what happened when we bought the MRI machine. When you have an MRI machine you need doctors who can read MRA imaging, but you do not actually have doctors in Fiji or not many of them are available who can actually read the imaging.

So it is not the equipment per se, at times there is a problem, there is the professional expertise that is not available. Obviously, this is what this amendment is trying to address. Let me also highlight as we have highlighted previously, that there is, at times, vested interest within the Council. When you have people who are practitioners themselves, who may feel threatened by people who may come from overseas, then obviously there is a vested interest. As highlighted previously, Madam Speaker, we are investing in Fijian doctors because this is the only Government that has provided free post graduate studies for doctors who work in the public health system, completely free and no contribution from them.

So this is obviously preparing our people for the future to become specialists, but for our people to become specialist themselves they need to have exposure to specialists. Now is it not better to get the specialist through this scheme and have their mentors our own people? Would they not learn faster and quicker and get that level of exposure, an international training and our people obviously stay on and get that exposure? That is the logical argument. To use this kind of superfluous argument saying that our people is wanting example being used saying that you know Germans were impressed, of course there is no one denying that. No one says that there are no good doctors available in Fiji, but you cannot from one incident ascertain or come to a logical conclusion, therefore, all specialist services are available in Fiji, it does not make logical sense, you cannot deduce that.

The other point, Madam Speaker, obviously is that, again as Honourable Usamate also highlighted the issue about preventative measures. Preventative measures are being taken and you are saying it does not guarantee that people will not go to the hospital, it does not guarantee that they will stay there for longer, he is missing the point, he is missing the point, he is missing the point.

Honourable Dean has highlighted if someone's symptoms are recognised earlier and the measures to correct their illness is given earlier, the intervention is made earlier, they will get better quicker. If they get better quicker, they spend less time in the hospital. When they spend less time in the hospital they become more productive members of our society. They become less dependent on social welfare payments; they become less dependent on kidney dialysis machines, et cetera. So it is an overwhelmingly economic argument also. It increases productivity.

The other point, Madam Speaker, is that there is a lot of negativity that is coming out. Everything is very negative how you going to do this but we only get our local doctors trained, you are going to do this then the equipment is not there, we are making all these in row, addressing decades of neglect in the fundamental areas pertaining to the medical system in Fiji that is a hard core reality.

The hard core reality is that many of the nursing stations, medical facilities, did not even have the basic equipment. If you want to do a diabetic test, you have to go all the way to Suva or Nausori or wherever, you could not do it in Wainibokasi or somewhere in Naitasiri Health Centres or somewhere in Cakaudrove, you could not do that for decades. We now, Madam Speaker, have that but we also at the moment do not have for example the ENT specialist in Sigatoka Hospital, we do not have ENT specialist in Labasa, we do not have an ENT specialist in Nadi, we do not have one in Nausori, we do not have one in Rakiraki.

Should not we have this specialist available in all of these areas so our people do not have to travel long distances? And we cannot produce ENT specialist on a mass scale overnight locally. So we need to address and get this specialist in so our peoples concerns are addressed that their medical wellbeing is addressed. Honourable Parmod Chand argued and said that if the Bill was tabled on Monday they would have had a greater input. Frankly, Madam Speaker, the level intellectually input has been coming out from that side I do not think Monday or Tuesday would make any difference or whatsoever.

(Chorus of interjections)

HON. A. SAYED-KHAIYUM.- It will not make any difference or whatsoever, Madam Speaker. And the reality Madam Speaker is this...

(Honourable Opposition Members interjects)

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reality is this...

(Honourable Opposition Member interjects)

HON. A. SAYED-KHAIYUM.- Madam Speaker, empty drum makes a lot of noise.

HON. PROF. B.C. PRASAD.- You are talking about yourself.

(Laughter)

HON. A. SAYED-KHAIYUM.- Madam Speaker, again like I said empty drums make a lot of noise.

(Laughter)

Madam Speaker, the fact is this ...

HON. SPEAKER.- Order, please. Order! Order. We just want silence so that we can hear what you are saying.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the waiting times in public hospitals in places like Queensland is almost over two hours even in New South Wales. You go to hospitals in Fiji now for emergencies. Emergencies and in fact we have talking with the Civil Service Reform Director and they were telling us that in Queensland if you go and sit in the emergency and they determine you that you are not in emergency case they will tell you to go and see the GP. That is a hard core fact, Madam Speaker.

We get all these sort of noises from the other side but I can tell you, Madam Speaker, frankly in the past few years the waiting times have reduced. The Honourable Minister for Health has also reached out to the private sector where we are now getting locums in peak hour periods to reduce the lines. So someone may have fever and he wants to go to work can go to the hospital at 7.30 a.m., see the doctor and go off to work. So the peak hour period you have locums that are being given those errands. In fact, the waiting time has been reduced, but of course, Madam Speaker, the reality is, we still need specialists. If we go out to out of this Parliament as Honourable Bhatnagar said, and you ask any ordinary Fijian; do you want the ENT specialist in Suva, one in Sigatoka, one in Nadi, one in Lautoka and one in Ba?' They will all say, yes.

So, Madam Speaker, the requirement is an urgent need and we need to be able to address that. They tried to create a long obfuscation from the other side but all this Bill simply does, Madam Speaker, is to provide an avenue for the Honourable Minister for Health with set out criteria that she needs to follow to be able to allow exemption for supervision. And this will ensure that when they go out and recruit specialists, (we have already had people applying) that they are assured that they are not going to face any bureaucratic uncertainty, and that the law is quite clear. When they go and recruit people, they will say; "This is the package. This is the law. If you get registered, if you get licenced, you will be disciplined by the Council. These are the standards we have to follow."

We have had doctors, for example, we have had expatriates recently whose contracts have been terminated. In fact, one of them was from Labasa, Honourable Chand (if he is listening). He failed to carry out some basic procedures correctly and his contract was terminated. So, obviously standards will be adhered to, and obviously it would be a very foolish thing for the Ministry of Health and Medical Services to essentially provide or continue to get the services of a doctor or a specialist, who is not doing the right thing, who is not following the rules, who is not following the professional ethical codes and standards.

The Honourable Minister does not open the gate to substandard services, in fact, it is a contrary. It actually opens the gate to a flood of highly specialised medical services that we currently do not enjoy.

Madam Speaker, the assistance for kidney dialysis was only brought by the Bainimarama-led Government. The type and level of assistance, they talked a lot about that, but they need to look at the facts. That, of course, does not mean, therefore, we will stop there. We will continue to improve it. So any good Government, Madam Speaker, does not believe in a static approach.

The laws need to change according to times. In the same way we did not have computers 30 years ago. People were typists, we need to change the laws accordingly. So laws need to catch-up with the time, sometimes it needs to be ahead of time. In the same way, our medical services need to be able to recognise what are the gaps, and we are trying to fill in the gaps because ultimately, Madam Speaker, the objective of this Bill is to provide improved medical services to ordinary men and women of this country. That is the objective of it, and I think it will be a shame if no one in this Parliament supports this Bill.

HON. SPEAKER.- Thank you.

Question put.

Parliament will now vote. The question is that:

Pursuant to the resolution of Parliament passed this afternoon that the Medical and Dental Practitioner (Amendment) Bill 2017 be debated, voted upon and be passed.

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 | : | 29 |
| Noes | : | 11 |
| Not Voted | : | 10 |

Motion agreed to.

Bill reported without amendments and passed.

[A Bill for an Act to amend the Medical and Dental Practitioner Act 2010, Bill No. 12 of 2017, enacted by the Parliament of the Republic of Fiji. (Act No.)]

HON. SPEAKER.- We will move on to the next Item in the Order Paper.

Pursuant to the resolution of Parliament passed this afternoon, the Pharmaceutical Profession (Amendment) Bill 2017 will now be debated, voted upon and be passed. Debate will be limited to one hour.

I now call upon the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

**RESUMPTION OF DEBATE ON THE
PHARMACY PROFESSION (AMENDMENT) BILL 2017**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament passed this afternoon, I move that:

The Pharmaceutical Profession (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.- I now call upon the Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, a few things were said in respect of this particular Bill when we put the motion under Standing Order 51.

Madam Speaker, again just to reiterate what was said is that the Bill simply allows the licensee of a private hospital set out in Section 45A(1) which states, and I quote;

“A licensee of a private hospital must apply in writing to the Minister for an authorisation to own or have a proprietary interest in a pharmacy business.”

Madam Speaker, what this does essentially allows any private hospital to operate their own pharmacy.

And as we have highlighted earlier on, currently there are two private hospitals that has pharmacies operating from their premises. One is, of course, the MIOT Operation which is run by an independent pharmacist and the other one, of course, is the Nasese Medical Health Centre which is Honourable Maharaj's business operates from there.

Madam Speaker, of course, this is being done in the interest of the wider public interest, and that is to allow these hospitals that will provide services. We understand that by allowing this private hospitals with the pharmacy, they can operate, in fact, 24 hours, and that would be the goal.

Currently in Fiji, Madam Speaker, there is only one pharmacy that provides a 24 hour medical service and that is Medisure in Namaka. Even in Suva, you do not have a 24 hour pharmacy open. In places like Savusavu, they do not even have a pharmacy at all. We do not even have a pharmacy in Taveuni, a full on pharmacy. There are various other parts in Fiji, Madam Speaker, that do not even have a pharmacy from 8.00 a.m till 5.00 p.m. So, Madam Speaker, we need to be able to ensure that these services.

Again, the objective of this amendment to the Bill is to provide wider and greater services to ordinary men and women of this country. Also, the objective is that by opening up the market, in particular, if you are a private hospital, that may have greater procurement power, you may be able to get them to provide better and affordable medicine and drugs.

So, simply Madam Speaker, it does provide that ability and, of course, there are various conditions that the applications has to meet. As set out in Clause 4 (3), it says, I quote:

“The Minister may issue an authorisation to a licensee of a private hospital in accordance with subsection (1) subject to the following conditions -

- (a) that a least one pharmacy business is operated on the premises of the private hospital by the licensee of the private hospital (at least one of them must operate at the Hospital);
- (b) that the pharmacy business does not provide pharmacy services unless the services are provided by persons who are registered pharmacists;...

A person coming in cannot just get someone to operate a pharmacy, a person who operates the pharmacy for them would be their employee must be a registered pharmacist. Of course, the registration for that pharmacist must go through the various laws that are in place.

To continue, I quote:

- “(c) disciplinary rules, guidelines and procedures issued for the operation of a pharmacy business or as issued by the Board; (must be adherence to that) and
- (d) such other conditions as the Minister deems necessary.”

Where an exemption is refused, again, Madam Speaker, it gives the ability under this law for the Minister to refuse. There may be a particular reason. The Minister may, in the public interest, refuse a private hospital from actually having their own pharmacy business. If the exemption is refused, the Minister must inform the applicant in writing of the decision, including the reasons for the decision. Again as it is highlighted under administrative law, there is ability to judicially review the Minister's decision which they can take to an independent court.

Madam Speaker, that is simply what this Bill seeks to do, is to allow private hospitals to have their own pharmacies. It does not mean from tomorrow they can, they all actually have to apply to the Minister to get that exemption for them to operate their own pharmacy, at least, one of them that must have be based on the premises of where the hospital operates from. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I invite input to the motion, if there is any?

If there are none would you like to make concluding remarks, Honourable Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, given there is no opposition to this Bill, I would probably make no further comments. Thank you, Madam Speaker.

HON. SPEAKER.- Parliament will now vote. The question is: Pursuant to the resolution of Parliament passed this afternoon that the Pharmacy Profession (Amendment) Bill 2017 be debated, voted upon and be passed.

Does any Member oppose the motion?

HON. MEMBERS.- No.

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion agreed to.

Bill reported without amendment and passed.

[A Bill for an Act to amend the Pharmacy Profession Act 2011, Bill No. 13 of 2017, enacted by the Parliament of the Republic of Fiji. (Act No.)]

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

**UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL
ORGANISED CRIME AND SUPPLEMENTING PROTOCOLS**

HON. A. SAYED-KHAIYUM.- Madam Speaker, I move:

That the Parliament approves that Fiji accedes to the:

- United Nations Convention against Trans-National Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children;
- the Protocol against the Smuggling of Migrants by Land, Sea and Air; and
- the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and Components and Ammunition, with reservation on the settlement of disputes under

Article 35(2) of the Convention and Articles 15(2), 20(2) and 16(2) of the respective supplementing Protocols, to reserve Fiji waiving its sovereign rights, in the event that Fiji has a dispute with any other State Party, be approved by Parliament.

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, by way of background, transnational organised crimes have increased with the rapid advances in technology and the remarkable cross-border mobility of people. The number of criminal groups seems to be increasing and criminals can generate extraordinary profits from the illicit enterprise and move and hide them from the authorities, and it is becoming a global concern, indeed, of a global phenomenon.

In response to this global concern, Madam Speaker, the international community adopted the United Nations Convention on Transnational Organised Crime which I will refer to as Convention henceforth, under the United Nations General Assembly, Resolution 55/25 of 15th November, 2000. The Convention is the main international instrument in the fight against transnational organised crimes.

The Convention was opened for signature by member States at a high level Political Conference convened for that purpose in Paloma, Italy on 12th to 15th December, 2000 and entered into force on 29th September, 2003. That is why it is traditionally referred to as the Paloma Convention. The Convention is further supplemented by three Protocols, Madam Speaker, which targets specific areas of transnational organised crime. These are:

1. Protocol to prevent, suppress and punish trafficking in persons, especially women and children, which is called Traffic in Persons Protocol;
2. Protocol against the smuggling of migrants by land, sea and air which is called the Smuggling of Migrants Protocol; and
3. Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components, and ammunition which is called Trafficking in Firearms Protocol.

Madam Speaker, the Convention is a response of the international community on the need for a truly global approach against transnational boundary crime. The purpose of the Convention is to promote cooperation both, for the prevention of and for the effective fight against transnational organised crime, its Article one of the conventions. The Convention focusses essentially on the offences that facilitate the profit-making activities for transnational organised criminal groups.

The three Protocols, Madam Speaker, supplementing the Convention, target certain types of transnational organised criminal activity, requiring specialised provisions. The Trafficking in Person Protocol has three basic purposes. Article 2 says the:

- 1) Prevention and Combatting of Trafficking in Persons;
- 2) Protection and Support of Victims of Trafficking; and
- 3) Promotion of Cooperation among States Parties.

Madam Speaker, as you know that we had amended the former penal code into the Crimes Act. Under the Crimes Act, the DPP has also successfully prosecuted, at least, two human trafficking cases in Fiji which we have seen. One of them is, of course, international in nature; the other one of course, was a domestic one. It is Article 1.

The Smuggling of Migrants Protocol, Madam Speaker, aims at preventing and combating the smuggling of migrants, as well as promoting cooperation amongst State parties while protecting the rights of smuggled migrants, which is Article 2.

The purpose of the Trafficking in Firearms Protocol, Madam Speaker, is to promote, facilitate and strengthen cooperation amongst States Parties in order to prevent, combat and eradicate the illicit manufacture of and trafficking in firearms, their parts, components and ammunition, is again Article 2.

Madam Speaker, States that ratify/accept to accede to this Convention commit themselves to taking a series of measures against transnational organised crime, including the creation of domestic criminal offences, such as participation in an organised criminal group, money-laundering, corruption and obstruction of justice.

Other obligations, Madam Speaker, include the adoption of new and comprehensive frameworks for extradition, mutual legal assistance, law enforcement cooperation, the promotion of training and technical assistance for building or upgrading the necessary capacity and national authorities.

While Fiji is not a party to the Convention and the supplementing Protocols, the Fijian Government has implemented various measures required under the Convention already. So these measures, Madam Speaker, as we have highlighted Article 5 of the Convention, has provided for the criminalisation or participation in any organised criminal group is addressed under the Public Order Act as amended by the Public Order (Amendment) Act of 2017 and the Proceeds of Crime Act.

Articles 6 (12), (13) and (14) of the Convention deal with the criminalisation of the laundering of proceeds of crime is addressed under the Proceeds of Crimes Act, the Financial Transaction Reporting Act (FTRA), the Financial Transaction Reporting Regulation (FTRR), the establishment of a Functioning Financial Intelligence Unit under the RBF, under the FTRA Act which forms part of the framework for the regulation and supervision of financial institutions for anti-money laundering, encountering financial terrorism purposes.

Article 7 of the Convention, Madam Speaker, which states that measures to combat money-laundering is again addressed by the FTR Act which we have and the FTR Regulations and the Crimes Act for 2009.

Articles 8 and 9 of the Convention, Madam Speaker, which cover the criminalisation of corruption are addressed under the Crimes Act 2009 and the Fiji Independent Commission against Corruption Act 2007 that establishes FICAC which is responsible for investigating and prosecuting corruption-related cases.

Article 10 of the Convention that covers liability of legal persons is addressed under the FTR Act and the Public Order Act as amended by the Public Order (Amendment) Act No. 2 of 2017.

Articles 16 and 17 of the Convention on extradition are covered under the Extradition Act of 2003.

Article 18 of the Convention on Mutual Legal Assistance is covered under the Mutual Assistance in Criminal Matters Act of 2009.

The Trafficking in Persons Protocol on the Criminalisation of Human Trafficking Offences is addressed under Section 10 of the Constitution of the Republic of Fiji and covered for in the Immigration Act 2003 and the Crimes Act 2009.

The Smuggling of Migrants Protocol on the Criminalisation of the Smuggling of Migrants is covered for in the Immigration Act of 2003 and the Passport Act of 2002.

Lastly, the Trafficking in Firearms Protocol is addressed in the Arms and Ammunition Act of 2003.

Madam Speaker, you may recall that I have said about the reservation. Upon further consideration, Madam Speaker, it is recommended that Fiji makes a reservation pursuant to Article 35(2) of the Convention.

Article 35, Madam Speaker of the Convention deals with the settlement of disputes arising out of the interpretation and application of the Convention.

Article 35(1) states that State Parties shall endeavour to settle disputes concerning the interpretation or application of this Convention through negotiation.

Article 35(2) also states that if the dispute cannot be settled through negotiation within a reasonable time, a State Party can request the dispute to be submitted to arbitration. If, however, after six months from the date of request, there is no agreed organisation of arbitration, any State Party to the dispute may refer the dispute to the International Court of Justice or the ICJ.

Essentially, paragraph 2 of Article 35 means that in the event that Fiji has a dispute with any other State Party, any State Party to the dispute can refer the dispute after six months, when there is no arbitration agreement. Even if Fiji does not agree, it will refer the matter to the ICJ. Should this happen, Fiji will be bound to any decision that the ICJ delivers, thereby waiving its sovereign rights.

However, Paragraph 3 of Article 35, the Convention states that each State Party may at the time of the signature or ratification, acceptance or approval or accession to the Convention, declare that it does not consider itself bound by this particular Article. And any reservation made in accordance with Paragraph 3 of this Article may at, anytime may be withdrawn by a notification to the General-Secretary of the United Nations.

There are currently, Madam Speaker, to bring it into perspective, 43 countries that have made reservations or declarations pursuant to Article 35(2) of the Convention, including Singapore, the United States of America, China and various other countries.

Article 35 of the Convention is similar to Articles 15, 20 and 16 of the respective Supplementary Protocols. Therefore, Madam Speaker, as provided for in the Motion, it is recommended that Fiji reserves the right to not be bound by Article 35(2) of the Convention and the similar provisions in Articles 15, 20 and 16 of the respective Supplementary Protocols. The rationale behind this reservation, Madam Speaker, is that no dispute under the Convention will be submitted to the ICJ without the consent of all the parties to the dispute.

Madam Speaker, just very quickly highlight the benefits, it is well understood that successful measures to combat transnational organised crime requires swift and effective International Co-operation for State Parties. This Convention will open up the door for us, Madam Speaker.

The threats of transnational organised crime, including money laundering, human trafficking, trafficking of illicit drugs and we have talked about illicit drugs earlier on, cybercrime, et cetera, have drastically changed the global enforcement paradigm, given the cross jurisdiction nature of these crimes. As such, there is an increase in demand for networking and intelligence sharing, considering the widespread impact and nature of such crimes.

Acceding to the Convention and the Supplementary Protocols with reservations will enable new means of communicating with the United Nations and other international bodies on issues linked to transnational organised crimes, and swift action between cross jurisdiction, law enforcement agencies requiring intelligence information assistance in effectively tracking and successfully prosecuting criminals.

Madam Speaker, again, reminding Honourable Members of Parliament, there are 41 Articles to the Convention, 20 Articles in Trafficking in Persons Protocol, 25 Articles in the Smuggling of Migrants Protocol and 21 Articles in the Trafficking in Firearms Protocol.

Madam Speaker, of course, we had apart from the Committee giving its Report, necessary consultation were also held at the National Anti-Money Laundering Council meetings, including representatives from the Fiji Police Force, the Office of the DPP, FRCA, the Financial Intelligence Unit (FIU), Reserve Bank of Fiji and the Office of the Solicitor-General.

Madam Speaker, as highlighted on, countries must become party to the Convention before they can become parties to any of the Supplementing Protocols. There are 147 Signatories and 187 Parties to the Convention. Fiji is neither a signatory nor a party to the Convention or the Supplementary Protocols. While the Convention is now closed to signature, it remains open for accession.

To become a party to the Convention, Fiji has to deposit its Instrument of Accession to the Secretary-General of the United Nations, being the depository of the Convention which is under Article 36. The Convention will enter into force with respect to Fiji on the 13th day after the date of the deposit, which is provided by Article 38. Madam Speaker, this also applies to the supplementing Protocols once we do so.

So, Madam Speaker, with those introductory remarks, I would urge Parliament that we support the accession to this particular Convention with the reservations we have highlighted, where all the parties must agree to any form of arbitration whilst we preserve our sovereign rights, but at the moment, then we will join the family of nations in this world that want to very seriously co-operate with each other and address this issue of transnational crimes and organised crimes and supplementary protocols.

Thank you, Madam Speaker.

HON. SPEAKER.- Debate on the motion is now open for input if any.

HON. J. USAMATE.- Madam Speaker, I rise in support to the motion for debate. The call for Parliament to approve Fiji's accession to the United Nations Convention against Transnational Organised Crime and the Protocols thereto, in particular trafficking and smuggling, have come at an opportune time, especially as such essential will be in line with our Constitution and commitment on rights of persons not to be held in slavery or servitude or subject to forced labour or human trafficking.

From the perspective of my ministry, accession of this Convention and Protocols will strengthen the work of the Ministry, especially in the prohibition of worst forms of child labour. The law that we administer already articulates the prohibition of all forms of slavery practice similar to slavery, such as:

- sale and trafficking of children;
- dead bondage;
- any form of force or compulsory labour, including force or compulsory recruitment of children in armed forces;

- the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs; and
- the use, procuring or offering of a child for prostitution.

The accession to this Convention will also complement our investigation and compliance work. The Ministry, through our labour inspections, has from 2014 to March 2017 conducted compliance awareness to 10,232 employers and 260,000 workers Fiji-wide on the right of children, forced labour and human trafficking, dead bondage and employment rights generally.

We are also working with the Fiji Police Force and Immigration Department, together with the Ministry of Foreign Affairs and our Embassies abroad, to ensure that we coordinate and disseminate the relevant information to our stakeholders on any possible case of human trafficking, child labour or forced labour.

We have also ratified the ILO Convention on worst forms of child labour in 2002, and we have trained a total of 250 school teachers and 200 community leaders around Fiji from 2012 to date on the area of human trafficking, child labour and worst forms of child labour under the Employment Relations Act.

Fiji's accession to this United Nations Convention and its Protocols is strongly supported as it will strengthen and complement the work of this Ministry. Thank you, Madam Speaker.

HON. LT. COL. N. RIKA.- Madam Speaker, I rise to make my short contribution to the debate on United Nations Convention on Transnational Organised Crimes and its three Supplementary Protocols.

Madam Speaker, transnational crime are violation of laws that involves more than one country in their planning, execution or impact. These offences are distinguished from other crimes in their multinational nature which poses unique problems in understanding their causes, developing, prevention strategies and mounting effective adjudication procedures.

Madam Speaker, transnational crimes can be grouped into three broad categories:

1. Provision of illicit goods which include, drug trafficking, trafficking in stolen properties, weapon trafficking and counterfeiting;
2. Provision of illicit services which include, commercial sex and human trafficking; and
3. Infiltration of business and government, fraud, racketeering, money laundering and corruption affecting multiple countries.

However, there are four major types of transnational organised crimes common in the Pacific region, mainly focussing on the Pacific Island Countries and Territories:

1. Drug and precursor trafficking;
2. Trafficking in person and smuggling of migrants;
3. Environment crimes which include, fishery crimes and other wildlife trafficking and illegal logging and timber trafficking; and
4. Small arms trafficking.

In addition to the four major types of transnational crime, reports on trafficking of counterfeit goods, including fraudulent medicines and cybercrimes which pose as an emerging threat in the region.

Madam Speaker, the Pacific region represents not only a transit point in the conduct of transnational organised crime activities but also experiencing the spillover effects in particular, from drug trafficking.

Madam Speaker, the PAC news on Monday, 24th this week, the *Samoan Observer* headlined and reads, “Samoa a Gateway for Drugs to Bigger Countries” and the *Observer* reported that the Samoan Police Commissioner admitted that Samoa is one of the gateways for the smuggling of drugs to bigger countries.

Authorities found 237 kilogramme of cocaine on a burnt-out yacht on Faite in Samoa after its two sailors have been detained by the police. According to the *Radio New Zealand* report, the cocaine seized in Tuamotu last week was destined for New Caledonia, possibly Australia. We must acknowledge that the Pacific Region are surrounded by major markets of elusive activities and commodities. Australia, New Zealand and the United States of America remain primary destination countries for illicit goods and smuggled migrants, transiting through the Pacific Region.

Madam Speaker, transnational crimes is enterprise-based, which requires the presence of existing or prospective market opportunities to justify and sustain each presence. Transnational organised crime is a universal phenomenon and poses great threat to our region and of course, our Fiji is also vulnerable to these challenges.

Madam Speaker, with that short contribution I strongly support that Parliament accede to the United Nations Convention Against Transnational Organised Crimes and its three supplementary protocol with reservation on the settlement of dispute under Article 35 (2) of the Convention and Articles 15 (2), (22), and 16 (2) of the respective supplementing protocols to reserve Fiji waiving its sovereign rights in the event that Fiji has a dispute with any other State party. With that contribution I thank you.

HON. SPEAKER.- Thank you. Honourable Minister for Women.

HON. M.R. VUNIWAQA.- Madam Speaker, I rise in support of the motion before the House. As the Minister for Women, Children and Poverty Alleviation I wish to support in particular, the protocol to prevent, suppress and punish trafficking in persons, especially women and children.

The trafficking of humans is a \$32 billion dollar industry worldwide. When we break it down to victims statistics, 49 percent of victims are women, 33percent are children, the remaining 18percent are men. As stated by the Honourable Attorney General, Madam Speaker, in Fiji, at least two cases have been successfully prosecuted by the DPP’s Office and I understand that one of these cases the victims were three women of Asian nationals, Madam Speaker.

Given the numbers that we have in Fiji, it is best that we become proactively equipped with policies, guidelines and accountability measures that become a deterrence for potential recurrences. Madam Speaker, a few years ago, my Ministry recorded a case of a mother trying to sell her teenage daughter to an immigrant businessman and luckily it was the Department of Social Welfare with the help of the Police that stopped this in time.

Fiji is a signatory to the convention under elimination of all forms of discrimination against women on the convention on the rights of the child. As a party to those conventions, Madam Speaker, we are obligated to uphold the rights of women, girls and boys against being trafficked, exploited or forced into prostitution or labour.

This convention reinforces our national obligations and we will go a long way in laying the national platform for policies and laws to deal with the international phenomenon of trafficking women

and children for monetary gain. Madam Speaker, this is definitely a step in the right direction and I fully support it.

HON. SPEAKER.- Thank you. Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I rise to support the motion that is before the House that Fiji accedes to the United Nations Convention Against Transnational Organised Crimes with the three supplementing protocols. Madam Speaker, I agree with the sentiments read by the other side of the House that Fiji needs to accede to this, given the increase in the new trends with regards to organised crimes in looking globally.

But there are other issues, Madam Speaker, that needs to be looked at if we are going to be a party to accede to this particular convention and the protocols, probably, Madam Speaker, we have to look at the national combined law and security agencies and PACER, the sharing of information that is needed, sharing of intelligence that will be needed, equipment and other technologies that probably would strengthen border control agencies, Madam Speaker.

The other thing, Madam Speaker, probably you heard recently a case regarding an Iranian national that came through our borders. Most of those who are either suspect of human trafficking or victims or either they take part in this particular industry, Madam Speaker, they come through our borders legally through fake documents, probably we need to put in proper measures at our point of entries for them to presumably suspect and identify victims and also traffickers, Madam Speaker, in that regards, Madam Speaker, probably we really need to look at how Customs and Immigrations are partnering at our borders and probably give the Immigration department the frontline gear. Probably at the moment it is managed by customs for them under the Act they are empowered to be our frontline officers there.

The other thing, Madam Speaker, as I have said, the sharing of intelligence information the other thing that probably could be improved is our VMS system and in regards to sharing of information with customs and Ministry of Fisheries on how to identify and monitor vessels are coming into our EEZ zones. These are other issues probably that we need to look at, Madam Speaker.

Insufficient awareness and of current emerging trends that we really need to be aware of the limited special investigative techniques we have we really need to strengthen that and provide areas of equipment and probably budgetary allocation to improve surveillance and other trainings that will equip our enforcers in these regards, Madam Speaker.

The other area probably, Madam Speaker, the lack of expertise in forensic and other areas, Madam Speaker, that really needs to be put in place so that we have a security force at the border and those agencies which will look into this particular convention and other domestic laws which will be in par to meet international standards and best practices, Madam Speaker, those are some of the areas which I have said this side of the House, supports and accede to this particular convention and the supplementing protocols and I hope only the Government will provide all those necessary equipment and budget in order to fulfil what is needed under this protocols and convention.

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

HON. S.V. RADRODRO.- I thank you, Madam Speaker. I rise to support the motion and maybe pick it up from Honourable Bulitavu and requests the Honourable Minister for Economy and look forward that appropriate budgetary allocation is given to the various ministries, particularly to the Ministry of Women to be able to allow the Ministry of Women to work in partnership with organisations that look after trafficking of people, particularly in terms of how it impact negatively on women and children, and also appropriate budgetary allocation is given to border control agencies, to be able to

procure or to purchase relevant types of equipment to help them in their border control responsibilities and duties.

Especially so as we heard this morning from the Minister for Defence in terms of the presence of hard drugs in the streets to assist the Police the Drug Unit to be able to effectively address those crimes which as we have heard are part and partial of organised crimes, especially so as we are opening up our doors in our airports with our neighbouring Asian countries and we look forward to the Minister for Economy in having to allocate appropriate budgetary allocations to all those Ministries and appropriate agencies to be able to effectively implement the convention that we are talking about this afternoon. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Mohammed Dean.

HON. M.M.A. DEAN.- Thank you, Madam Speaker, I rise in support of the motion in particular giving my perspective from a youth point of view. Definitely most of the women who are conducive to this human trafficking problem are young and of course we have children.

These days, we are seeing a very wider usage of social media and just recently I was reading news and in one of the European countries, this particular social media which is *What's App*. They did unfold a major investigation whereby there was a secret website which was organised crime in nature and they found out that many children and young women were alluded and their pictures and videos were used for very dangerous and illicit ways.

This is something which I have been advocating to my students when I was once a teacher in the teaching profession that let us not deviate away from the fact that we are a country which is considered as the hub of South Pacific. We are prone to these problems. Maybe there are not many cases as compared to other countries but nonetheless we do have this problem in Fiji and I rightfully agree with Madam Minister for Women that there are cases in existence in Fiji whereby young women and of course children have been prone to these crime. I see this convention as ways in which greater national and international security and safeguard is provided to this very vulnerable young people in Fiji.

We also read cases in the newspaper in particular the photos that are published in the newspapers in regards to the people that are wanted by the police department and every now and then we do hear cases of people wanted for human trafficking so these conventions are ways in which we are strengthening our laws, not only nationally and internationally and in particular, we are trying to avoid as much as we can our women and our children and our youths being prone to these international crimes. On these reasons, I strongly stand to support this motion, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. There being no other input. Honourable Vunivalu.

HON. S.B. VUNIVALU.- Madam Speaker, I rise to support these conventions with the lead protocols. One of the protocols is the protocol against the infringement use of firearms and their parts and components and ammunitions. I think it deals with arms and it is a big challenge to the Police and the navy and the vessels that arrive in the country because I know that arms can create problem and things like that. I support this convention. Thank you.

HON. SPEAKER.- Thank you. There being no other input, I now give the floor to Honourable Attorney General for his right of reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. One of the fundamental reasons why countries ratify such a convention is fundamentally to get the necessary cooperation between the States. For such crimes, one of the key requirements to be able to address this issue is the gathering of

intelligence, not just gathering of intelligence but the sharing of intelligence and that is very critical. It allows also the different agencies operating the law and enforcement agencies in the respective jurisdictions to be able to cooperate with each other.

As Honourable Rika has highlighted that given the vast oceanic expanse that the Pacific Countries are located in, it makes your borders really porous. In particular, given the need to have surveillance over such a wide area. Resources has always been a critical issue for many small Pacific Island Countries to be able to monitor this vast sea expanse. You could have a sensibly a vessel that could be going through the Pacific for ordinary charter purposes or sailing around the Pacific or could be carrying people for illicit activities, whether it is for drugs, human trafficking and sexual slavery, whatever the case maybe. The reality is that most of the Pacific island countries do not have the natural resources to be able to have their boats and ships and the navy boats everywhere at all the time.

What is really critical is to be able to share the information, to be able to get tipoffs and also to be able to then use that information that intelligence for effective control or curbing of such crimes and the moment we ratify such a convention, Madam Speaker, we will be actually sending a signal to the other State parties that we are willing to work with them. We are also sending a signal to the organised crime group that Fiji's actually aware of these activities and that is going to work in consort with the other countries to be able to address this issue.

The other fundamental issue is very critical is to have your domestic laws in place, as highlighted in the introduction of this motion, Madam Speaker is that we already have a number of very good domestic legal provisions that addresses this issues and as highlighted by the Honourable Minister for Women that we already had two successful prosecutions, one international related and one domestic related in respect of human trafficking and we hope that we do not get such other cases but in the event that they do eventuate that will have successful prosecution because we have good laws in place.

I think also the other point about adequate resourcing, if you look at the budget provision, also the Honourable Minister for Defence will confirm this, for example, the Fiji Police Force did not necessarily only a few years ago have the right equipment to for example to be able to ascertain what kind of drugs there are. They usually use the lab from the Ministry of Agriculture in Koronivia. Now they have their own lab equipment. If you notice in the past few budgets, we make budgetary allocations for DNA analysis, all those types of forensic equipment. We also need to up skill the individual police officers in various other law enforcement agencies.

It is very interesting about what Honourable Dean said about this particular *What's App*. The German cabinet only a few weeks ago as actually approved a law for reference to their Parliament where they will be extremely high penalties imposed not just for the IP providers. For example, *viber*, *gmail*, *facebook* and *twitters*, and all of that where they allow for such activities to go unregulated. In fact, the German cabinet has approved for this law to be referred to Parliament where they actually allowing these providers to remove any factually incorrect information.

Many people in this country will be caught up with this law if we have such a law in Fiji. The level of factually incorrect information they are putting on maybe some of the political parties' *facebook* pages too. The other point is that they have also included things like defamation and slander. We have now seen a new phenomenon in even countries like USA where it is under the armed forces there was a case where a particular two consenting adults who were seeing each other had exchanged nude photographs of each other but when they broke up the male partner decided to share the nude photos of his ex-partner with everyone else under the sun. They have now addressed that issue and it fact tried and removed her and there is a huge hue and cry that why she be removed be from the armed forces. Now they have disallowed for that to happen.

Obviously, the world and different jurisdictions are moving along in these areas and how we can address it in the umbrella of ensuring that we have good information sharing but also information sharing that does not contravene convention such as this. Of course, the issue there is about freedom of expression, your ability to share information. Does it fall within freedom of expression to share nude photos of someone? Does it fall within the ambit of freedom of expression to share factual incorrect information about a country or individuals, et cetera. So wider context is of greater debate and of course there is a lot of countries that are making movements in that area but at the end of the day the providers of such information forums on *Facebook*, *Twitter*, et cetera they are now being held to account and they will be held to account in various jurisdictions, including in Europe.

Again, Madam Speaker, the law is revolving in this area, of course new technologies continuously get used to the way the people transfer drugs, for example, also swallow drugs and they pass it out through other means to be able to get those drugs. This is where high level of sophistication that take place, so by ratification of this convention and us agreeing for the ratification of Convention and us agreeing for the ratification of this convention will be sending a very strong signal to the rest of the world that Fiji is very serious about addressing the issues under the Palermo Convention. Thank you, Madam Speaker.

Question on amendment put.

The Question is:

“That Parliament approves that Fiji accedes to the United Nations Convention against Transnational Organised Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, the protocol against the Smuggling of migrants by lands, sea and air and the protocol against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition, with reservation on the settlement of disputes under Article 35(2) of the Convention and Articles 15(2), 20(2), and 16(2) of the respective supplementing protocols to reserve Fiji waiving its sovereign rights in the event that Fiji has a dispute with any other State Party.”

Does any Member oppose the motion?

(Chorus of “noes”)

HON. SPEAKER.- There being no opposition, the motion is agreed to unanimously.

Motion is agreed to unanimously.

That brings to an end of the items on today’s Order Paper and I thank you most sincerely for your patience and a very robust and productive debate we have had today.

The Parliament is now adjourned until tomorrow morning at 9.30 a.m.

The Parliament adjourned at 5.42 p.m.