

WEDNESDAY, 8TH FEBRUARY, 2017

The Parliament met at 9.36 a.m. pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport, and the Honourable M.D. Bulitavu.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 7th February, 2017 as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to this sitting of Parliament today and I wish to warmly welcome members of the public joining us in the gallery and those watching proceedings on television and listening to the radio. Thank you for taking interest in your Parliament.

Honourable Viam Pillay – Assistant Minister for Agriculture

I also take this opportunity to congratulate Honourable Viam Pillay, who was sworn in as Assistant Minister for Agriculture yesterday afternoon. Congratulations, and we wish you all the best in your new promotion. Thank you.

(Acclamation)

On the second item in the Order Paper, I now call upon the Honourable Leader of the Government in Parliament.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker.

Madam Speaker I move that:

Under Standing Order 6, that so much of Standing Order 34 is suspended, so as to allow Item 10 in today's Order Paper to be taken as the next item of business for today.

HON. SPEAKER.- Is there a seconder?

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

HON. SPEAKER.- I now call upon the Honourable Leader of the Government in Parliament to take the floor.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, as you would recall, and of course all the Honourable Members of this august House, this was the last item on our agenda for yesterday's sitting, but because of the swearing in of the Honourable Viam Pillay as the new Assistant Minister for Agriculture, we kindly request, Madam Speaker, if this can be moved to today's sitting and thus our kind request this morning, if we can have this as the first item on the agenda.

We do appreciate, Madam Speaker, the work undertaken by the Standing Orders Committee and of course the report that has been tabled on Monday, in Monday's sitting, and we ask that the Standing Orders, as passed by the Standing Orders Committee, that is brought before this august House be discussed immediately this morning so that we can adopt the recommendations of the Committee before we proceed with the rest of the day's sitting, Madam Speaker, Thank you.

HON. SPEAKER.- Thank you and I invite comments from the floor, if any. I give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- This an opposition to the motion, Madam Speaker.

HON. SPEAKER.- Sorry?

HON. N. NAWAIKULA.- We are opposing the application for leave and the basis for that Madam Speaker, is that it is very clear – very, very clear. If you look at Standing Order 34, it outlines the order of business and the petition is always up there and notice of the order of the day is given to all parties, and that has been done. So this is coming in at the very last moment.

So we question the motive, and the motive is very clear, it is an attempt by Government to shut out the Opposition and the members of the public from putting their voices in, in accordance with previous procedures on petitions. That required, whoever, even the lowest person on the land to take up his issue right up to Parliament, and we have had the rule before, and this is the second time that it is coming for a change.

Before, all that you need is a certification from the Speaker before a matter that is raised up in a petition ...

HON. A. SAYED- KHAIYUM.- Point of Order!

HON. SPEAKER.- Point of Order.

HON. A. SAYED- KHAIYUM.- Madam Speaker, the Honourable Member is now talking about the amendments proposed to the existing Standing Orders, as opposed to the substantive motion on the floor, which is the suspension of the Standing Orders.

He is straying into the Standing Orders amendment area, he needs to focus his response on the motion before the floor, which is, the motion is, the suspension of the Standing Orders for today, to allow the last item of yesterday, to be included as the first item. That is the motion on the floor.

HON. N. NAWAIKULA.- As I said, I am responding to an application for your permission to change it and I am outlining the motive why Government is bringing this up, in opposition to that. So it must be clear, it must be clear that the reason basically is to shut out the rights of every individual bringing in petitions. And ...

HON. SPEAKER.- Order!

HON. N. NAWAIKULA.- Standing Order 34 is very clear. You cannot change

HON. SPEAKER.- Order!

HON. A. SAYED- KHAIYUM.- Point of Order!

HON. SPEAKER.- A point of order has been made.

HON. A. SAYED- KHAIYUM.- Madam Speaker, again, the Honourable Member is trying to read our minds. He does not have the capacity to read our minds. No one in this House has the capacity to read anyone's mind and that should not be the basis of his objection to the motion that has been brought by the Honourable Leader of the Government in Parliament. And again, I draw the Honourable Member's attention to the substantive motion on the floor.

HON. SPEAKER.- Thank you. There is provision in the Standing Orders that the Leader of the Government in Parliament can move that there is a suspension of the Standing Orders to allow an item, should that be needed, to be accommodated in a new programme. And in this case, this is an item that was supposed to have been tabled yesterday and they are merely trying to suspend the Standing Orders to allow the last item of yesterday to be brought in as the first item for today. And that is the issue for debate right now, and please focus on that.

HON. N. NAWAIKULA.- Madam Speaker, allow me to read Standing Order 6:

“A motion to do so ... ” “... will result in the” “... Standing Order in a whole or in part, must not be moved”

By way of a motion, it is a motion I am responding to that motion and after this, we vote. So just allow me to speak, please, and I am going back to the motive and the motive is now clear.

(Hon. Members interject)

HON. SPEAKER.- I will not allow the motive.

HON. N. NAWAIKULA.- Even Standing Order 34 is very clear.

HON. SPEAKER.- Can you focus on the issue of the suspension of the Standing Orders, to allow the last item of yesterday, to be brought in as the first item this morning. That is the issue.

HON. N. NAWAIKULA.- Very clever, if you look at Standing Order 34, this should not be allowed.

HON. SPEAKER.- Thank you. Honourable Karavaki.

HON. S.D. KARAVAKI.- Madam Speaker, we would not object to the suspension of the Standing Order to bring in the motion that was there yesterday, but it must not come before the presentation of petition, it can fall behind that. That is how, because the Order of Parliament business under Section 34 is clear, where we should have the presentation of petition. If we can have the presentation of petition first, then we can deal with this petition to come after that. That is our request and our suggestion, to preserve the integrity of Section 34 of the order of business. Thank you, Madam Speaker.

HON. SPEAKER. Thank you. The floor is still open for comments. We are still debating.

HON. A. SAYED- KHAIYUM.- Point of clarification to Honourable Karavaki's point.

Madam Speaker, yes, the order of parliament business is set out in Standing Order 34, but if you read Standing Order 6, it says and I quote:

- “(1) A Standing Order” (which includes everything else in the Standing Order) “... may be suspended in whole or in part only by leave of Parliament.
- (2) A motion to do so, or a motion the effect of which will result in the suspending of a Standing Order in whole or in part must not be moved except with the Speaker's permission. The Speaker may allow such a motion without notice if he or she considers that it may be necessary to do so for the proper conduct of business of Parliament for urgent necessity requires.”

In the same way, Honourable Member, let me remind you that in the order of business, you do not actually have urgent motions, urgent questions, it is not there, but you do get allowed to bring it before every other business.

HON. N. NAWAIKULA.- After.

HON. A. SAYED- KHAIYUM.- No, you do not. Urgent questions, Honourable Speaker, I stand to be corrected, have always been brought out as the first item after Prayer is done before the first item after Prayer, we have someone standing up from the Opposition, saying, “this is an urgent question”, and the Honourable Speaker has allowed it.

(Hon. Member interjects)

HON. A. SAYED- KHAIYUM.- Before, no, no. Please try and understand the logic of what I am saying. Your logical argument is, that because Standing Order 34 says “Prayer; administration of oath or affirmation; confirmation of minutes of previous sitting; communications from the Speaker; presentation of petitions;” therefore, that must be the order.

What we are saying to you is that under Standing Order 6, that can be suspended in part or wholly and that has already happened previously when the Opposition had brought urgent questions which had superseded everything else in this order, as set out in Standing Order 37, after the Prayer.

So it has been allowed and that is the logical conclusion, and that is why Standing Order 6 is there. Standing Order 37 is not cast on its own, it is subject to Standing Order 6.

HON. N. NAWAIKULA- (inaudible)

HON. A. SAYED- KHAIYUM.- I am speaking, I am speaking, point of order, okay!

HON. SPEAKER.- Point of Order.

HON. N. NAWAIKULA.- He is totally out of order. What is he taking, he is assuming the role of the Speaker; he raises a point of order to Speaker and he makes a ruling.

HON. A. SAYED- KHAIYUM.- I am...

HON. N. NAWAIKULA.- Stop.

HON. A. SAYED- KHAIYUM.- Madam Speaker, I am raising a point of order, and I did address you when I stood up and made this point of order, a but this was actually not a point of order.

HON. N. NAWAIKULA.- Then?

HON. A. SAYED- KHAIYUM.- It was, Madam Speaker, I spoke after Honourable Karavaki, that is how confused they are. They do not even know when a point order is being made or when I am standing up to speak. They are obfuscating the issues.

HON. SPEAKER.- Honourable Karavaki was given the floor and he had spoken, commenting on the motion and he was given 20 minutes, but he completed his presentation. And when he completed his presentation, I moved on “any more comments from the floor?” The Honourable Attorney-General stood up to say his piece in the debate, so it was not a point of order.

Honourable Attorney-General, would you like to continue?

HON. A. SAYED-KHAIYUM.- I think I have made the point, Madam Speaker, thank you.

HON. SPEAKER.- Thank you. I invite more comments, if any. Honourable Leader of the Opposition

HON. RO T.V. KEPA.- Madam Speaker, the Business Committee sits to look at the order of business that comes on the floor before each day in Parliament and yesterday, the Business Committee sat at lunch time, at that time, the Government would have known that there were other programmes in place that they wanted to follow, including the Honourable Viam Pillay’s swearing in as Assistant Minister, and I congratulate him for that. But, my point, Madam Speaker, is that when the Business Committee sits, that is to look at the order for the day and they should have known this yesterday that they wanted to bring this motion forward for us to suspend Standing Orders, which is very clear here in Section 34(2) that this:

“... applies unless -

(a) the Business Committee determines otherwise;”

So, what is the point of having a Business Committee if they are going to be doing this sort of reshuffling when they feel like it, Madam Speaker? So, I am against this motion.

HON. SPEAKER.- Thank you. That was not a point of order, that was a statement in the debate. I invite more comments from the floor, if any.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just to clarify because we were in the Business Committee meeting yesterday and the Business Committee met yesterday to establish the Order Papers for today and tomorrow.

Madam Speaker, this morning, we were notified (this was not discussed in the Business Committee meeting) that there was going to be an urgent oral question from the Opposition. In fact, I have a copy of that here: "Urgent Oral Question from the Opposition."

This was not brought to the attention of the Business Committee, Madam Speaker, so if they are saying that we need to be able to pre-determine such matters before hand, then obviously urgent oral questions would not be allowed. I mean, it has been withdrawn, we have been notified, but the fact of the matter again, the logic applied by the Honourable Leader of Opposition, does not hold sway.

The fact of the matter is, the Business Committee meeting was to discuss the Order Papers for Wednesday and Thursday. The Business Committee meeting also, Madam Speaker, does not decide the Order Paper for the day it meets on.

The second point is, Madam Speaker, is that the Business Committee is not notified, for example, of urgent oral questions. Madam Speaker, at the same time, the Handbook that was given out yesterday that was launched, it does say that the Honourable Leader of Government obviously plays a very pivotal role in the House and the Leader of Government has the ability to move about such motions and this is why Standing Order 6 is there in place. That is his privilege to be able to carry out such amendments with the approval of Parliament.

HON. SPEAKER.- Thank you. Any more comments?

HON. RO T.V. KEPÄ.- Under urgent oral question, which is dealt with in Standing Order 43, that it comes in that order, which is what the Honourable Attorney-General is complaining about, but it is there in the order of parliament that you can ask an urgent oral question, where it is attended to this morning.

HON. SPEAKER.- Honourable Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. My point, Madam Speaker, is that they can only suspend Section 34 in part, in this case, because we are rearranging where the motion should come in under the order of business, under Section 34.

We cannot suspend it wholly and have only one item to be talked about and it becomes the only item of the order of business in the House. Therefore, if this is suspended in part, then we are deciding where it should come in under Section 34, and that is what I am requesting, Madam Speaker, that it should come after the presentation of petition.

That is all I am requesting, Madam Speaker. I believe this is in order, according to Section 34 and according to Section 6. Thank you, Madam Speaker.

HON. SPEAKER.- I think the subject of the

HON. J.V. BAINIMARAMA.- Madam Speaker, I just want to clarify the statement made by Honourable Karavaki when he said that the Standing Order may be suspended in part only but if you read the little bit in front of that part only, it says “whole”. Thank you.

HON. SPEAKER.- Thank you. Do you have any more comments?

Therefore, I would like to just make it very clear that the Business Committee had agreed to the Order Paper for today and tomorrow and that it remains as is. This motion is merely to bring in the item that was not tabled yesterday for a very valid reason, to bring it up first before we continue with the Order Paper that has been agreed to by the Business Committee, and this is the motion at hand and you have all heard comments made by the floor.

There being no other comments, Parliament will now vote.

Sorry, Leader of the Government in Parliament, you have the right of reply,, would you like to take that right of reply?

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- No, Madam Speaker. Thank you.

HON. SPEAKER.- Parliament will now vote. The question is, that under Standing Order 6, that so much of Standing Order 34 is suspended, so as to allow item number 10 on today’s Order Paper to be taken as the next item of business for today. 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	-	14
Not Voted	-	6

There being 29 Ayes, 14 Noes and 6 Not Voted, the motion is agreed to. Thank you, Honourable Members.

I now call upon the Leader of the Government in Parliament to move his motion.

AMENDMENTS TO STANDING ORDERS OF THE PARLIAMENT OF THE REPUBLIC OF FIJI

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

That the amendments to the Standing Orders of Parliament of the Republic of Fiji, as previously circulated in the Report of the Standing Orders Committee tabled on Monday 6th February, 2017, be approved as recommended and agreed to by the Standing Orders Committee.

HON. SPEAKER.- You have a seconder?

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

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker. Again, I convey our appreciation on the work undertaken by the Standing Orders Committee and as you would recall during the Budget Address, you had made decisions, and of course the Standing Orders Committee had been convened and they have come up with recommendations which is before the House, and it is simply in accordance with the directives that you had made in the last sitting of Parliament in July, if I remember correctly, Madam Speaker. And again, this is procedural for us and I ask that this august House adopts the recommendations of the Committee. Thank you, Madam Speaker.

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

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I have several issues and questions with respect to the amendments, and some specific ones. The first one I think is, and the Honourable Attorney-General may want to clarify this, I note that we are talking about Acts instead of Decrees, and I suppose that is part of the consequential legislation that we opposed during the last budget. And my understanding is that, the Decrees are all preserved in the Constitution as Decrees under Section 173, and they only become Acts of Parliament if those Decrees come for amendment, or if they are repealed in part or in other words. So I am not sure whether we are changing the Decree to an Act is the right thing to do in the Standing Order, and I am not sure whether it is really not subverting the Parliamentary procedures because the Political Parties (Registration, Conduct, Funding and Disclosures) Decree is preserved in the Constitution as a Decree, it is not as an Act of Parliament. So, that is the first point.

The second point that I want to make, Madam Speaker, and we know we changed the Standing Orders in the first place with respect to the petition and we are making some further changes where we are stipulating the time that the mover of the motion and those responding to the petition will have, but let me use this occasion to reiterate the fact that the Constitution provides for a Conduct of Parliamentary Business.

Section 72 says, and I quote:

- “(1) the Parliament must –
- a) conduct its business in an open manner, and hold its sittings and those of its committees in public, and
 - b) facilitate public participation in the legislative and other processes of Parliament and its Committees.
- (2) Parliament and its committees may not exclude the public, including any media, from any sitting unless, in exceptional circumstances, the Speaker has ordered the exclusion of the public on grounds that are reasonable and justifiable.”

Madam Speaker, petition is an integral part of that process, that freedom, that the Constitution allows the Parliament and Members of Parliament, and I am not sure whether what we are doing to improve on the change we made the last time to restrict petition is the right thing to do because petitions in a way, under this Constitution, because we do not have single constituencies, is a national

constituency, and there are issues that people want to bring to the Parliament and they may find that there are no Members of Parliament resident in a particular area.

So it is always good to allow people to get petitions through Members of Parliament, who may not be directly representing them to come to Parliament.

I think the idea of the petition is a very important one, it is not an abuse of process, I mean it is possible and I think the Attorney-General has said that these petitions are being abused. I do not think so, I think petitions need to be given all the time in Parliament and the public has the right to hear what Members of Parliament say about their petitions, their issues. It does not restrict the Government or the Opposition from articulating the Bills. So if you restrict or remove that, you are actually going against the provisions in the Constitution.

The third issue is the amendment to Standing Order 119(2), I think is also a cause for concern and we have argued that all Standing Committee hearings should be made public because the Standing Committees, as I said before, Madam Speaker, is a very important institution within the Parliamentary process because Bills that may not get the time, the attention in the House, get the attention, scrutiny, the participation of people in the Standing Committee. Therefore, the Standing Committee activities or proceedings must be made public, like we have Livestream of Parliament, we should have Livestream of proceedings of the Standing Committees as well, and so it is very important that we keep in mind that we remain open to the debate.

And you, Madam Speaker, always talk about robust debates and I agree with you that we need to have as robust, as detailed, as much as possible debates on issues. It is not about time and money, I think this is where the people want issues of national concerns to be raised, and so I want to plead with the Government that this is a process that will stand us in good times in the future. I mean, we are not talking about just ourselves in the Opposition, things will change in the future, Madam Speaker, and oppositions are always very important, both for the Government and the Opposition.

Petition does not necessarily mean that the opposition will only have its views heard. The Government will have its views heard by the people as well, and that is the nature of the game in Parliament that the opposition brings issues, the Government has the right to respond, the people have the right to listen to both Government and the Opposition; the media is required to amplify the voices of Parliament and the Parliament in its own processes needs to amplify the voice of those sitting in Committees and in Parliament.

So, when I talk about “it is open and transparent processes”, it is not about just giving the opportunity to the opposition, it is an opportunity also for the Government. The good things that Government do can also be related to the people as part of that process.

So, I would urge the Government to perhaps reconsider these amendments and maybe we need to go back and have a very cordial dialogue as to what as a Parliament we need to do in terms of allowing some of the debates.

So, that is my plea, Madam Speaker, and I hope that we can have some more discussions on this. Thank you.

HON. SPEAKER.- Thank you. Any further comments?

HON. V.R. GAVOKA.- Honourable Speaker, following those comments by the Honourable Biman Prasad, I would also like to emphasise the importance of the petitions.

I love this Handbook but I know you do not want us to quote from it other than the Standing Orders. What it says about petition is this:

“A petition is the only means by which the citizens of Fiji can directly influence the agenda of Parliament.”

That is wonderful.

We live in a democracy and there is provision for that in our Parliament and it is not new. It is from the UK, it has been running for hundreds of years. As you know, Madam Speaker, I have been responsible for quite a number of petitions and it brings Parliament closer to the people.

When I made that petition about the people of Tavua Levu, about their land in Tavua and the hearing was conducted in Tavua, people travelled from Nadi to go and see what it was like. Madam Speaker, this excitement that it created that Parliament came to the people and they could not believe it, and they continued to expect that to happen.

Not long ago in my Nadroga Province, an issue came up, they wrote to the Committee and the Committee went down to the village. They could not believe that their Parliament would come down to them. They thought they were just officers of Parliament and I said “No, no, the Parliamentarians themselves, the ones that you see on TV, are going to be here in the village to hear your case.”

This is freedom, this is what we believe in, Madam Speaker, you go around the country, talking to people about Parliament and democracy, petition is one way of convincing our people that they live in a free country, they can speak very freely not only at that level but to the highest authority of the land which is Parliament. So, I would ask Honourable Members to maintain the integrity of petitions.

First, when we started, we could bring it to Parliament and you would then give it to a Committee. It came straight from the people to the Honourable Member who is willing to promote it in Parliament, and went straight to the Committee. Then what we said here was, “No, no, no, unless 40 percent of Parliament approves, then it can go to Committee.” They have already killed the momentum of petition that had created expectations in our country.

It appears to me that, FijiFirst does not believe in creating that momentum of freedom with our people. They call it an abuse of power. They think that people are going to come up with all sorts of items that do not belong here. We have the way to filter these things. The Committee can sit and immediately can say, “Look, this is frivolous, we do not pursue it, but let the process take its course, let the people believe in their democracy.” Now, after we came to that 40 percent, we were allowed to move a motion and a number of Honourable Members could speak on that motion.

It is important, like for instance today, we will hear a petition from Honourable Nawaikula and that will be something that is national but driven from his province. I would like to speak on that because it is also applicable to my province. So, by changing this to be only one speaker, it becomes one viewpoint only, representing only one province. We all want to contribute, we are now one national constituent.

I would very strongly suggest that we go back, we keep the 40 percent but allow the debate as in the past, for the very reason that what he is going to bring up today also applies to my people. We want to hear about it too. They have told me what needs to be said, but now we are going to say,

“No” because of a new rule introduced by this Parliament and dominated by FijiFirst, it will not happen.

We are now the champion of the world in climate change. If you want to be champion there, let us also be champions of freedom within our own people here.

(Honourable Members interject)

HON. V.R. GAVOKA.- On the second part, Honourable Speaker, about the reports in the Committees, we are now saying in Standing Order 119 that we can (if we want) exclude the Minutes of the deliberations. As the Honourable Professor Biman Prasad said, this is public, the Minutes should be there. Why not include the Minutes of the meetings in the Report?

How this has come about, Honourable Speaker, is, when you task a Committee to go and look into something and they kill the petition, how do they report that back to you, to this Parliament, that they have killed it? We are having this issue with our Committee. Two petitions have been killed and they said, “We killed it, it is dead, you do not have to say anything.” We said, “No, no, no, we were tasked by this House to go and look into that. If, halfway into it you decide to kill it by vote (of course, they have the majority), you explain to Parliament why you killed it?” They are saying, “No, no, no.” They are afraid to be seen in perpetuity that they were the ones who killed a very worthwhile petition of the people.

Now, if you want to be in Parliament, Honourable Members, do not be afraid to be seen that you stood for your position, even if it was wrong. Wear both hats! Do not just take the good. You make the decision, you stand behind it. If you kill a petition out there, the people will want to know why you killed it, the reason. Do not just say, “We killed it, it is dead”. And any assassin out here, the next time you are asked to on “contract”, make sure you get rid of the body. They are afraid of what they said being captured in the Minutes because we argued our points very strongly and they decided, “No, we have the numbers, we killed it.” Sure, kill it! But report back to Parliament in its entirety on why you killed it.

Honourable Speaker, that is the crux of the matter today. Whatever we do in Committee, all the Minutes must be included in the report for this Parliament and this country to see. We cannot just say, “It is dead, we killed it, we have the power”, and that is what you call the tyranny of the majority, which we are trying to remove from this Parliament. Thank you, Honourable Speaker.

HON. SPEAKER.- Thank you. Are there any more comments? Honourable Karavaki?

HON. S.D. KARAVAKI.- Thank, you Madam Speaker, We are talking about a very important issue here because under Section 71 of this Constitution mandates the production of the Standing Order as the rules of business of this august House. This Standing Order, Madam Speaker, was brought into being by the Honourable Prime Minister and the Honourable Attorney-General, so that we are able to start with parliamentary business in 2014.

Now that we are talking about the Standing Order, they had placed in Standing Order 37, the process of Presentation of Petitions into the House, and that is very clear. It allows the members of the public, Madam Speaker, to give their views and to have their voices heard.

We have been following that, of which an Honourable Member who brings a petition to the House would follow the procedure and lay the Petition on the Table, and with the Honourable Speaker would then refer the petition to the appropriate Standing Committee.

Now, we have the amendments coming to amend the Standing Order that was put into place by the Honourable Prime Minister and the Honourable Attorney-General to change that process, and the effect of that change, Madam Speaker, is to actually forbid the members of the public from airing their voices. That is the effect of this change that is being brought about now.

To me, Madam Speaker, it is a very insidious issue because when we talk about the role of this august House, it is very important because we are supposed to unite the citizens of this country. There is a process, Madam Speaker, which is called 'the making of laws', and that is intended to bring all citizens of this nation together and that responsibility vests in this House because if we do not acknowledge that, then we will bring division to the nation, and that is not what we want.

That is not what the Government wants, this is not what the Opposition wants. We want all citizens of this country, after we have had the Elections in 2014, we should bring citizens of this nation together and that responsibility vests with us here - coming here to make laws, Madam Speaker. And the making of laws is a process that should bring citizens of this nation together, including the provision of petitions to allow the people to air their voices, to give their views, while we deliberate here and consider it, and make the appropriate decision that is best for the interest of the nation.

It brings to mind, Madam Speaker, the story in the *Bible* about King Rehoboam and you know, Madam Speaker, this is the son of King Solomon. When he did not want to listen to the voice of the people and he wanted, according to his conscience, to do whatever he wanted. The outcome we know, was the division of the nation of Israel, divided into two - the Northern and the Southern Kingdoms.

We do not want that to happen. That happens when we do not want the Honourable Prime Minister to listen to the voices of the people.

(Honourable Member interjects)

HON. S.D. KARAVAKI.- Here, the effect is very draconian of the changes that are now being introduced. The effect would be to disallow the voices of the people to be brought into this august House.

We know that we will hear the voices of the people again in 2018, and that is just next year. But it does not mean that after we have been elected, Madam Speaker, is to totally ignore their voices because we are supposed to unite everyone and I plead to the other side of the House (the Government in this case), please respect the voices of the people. Please allow them to come forward and air their voices.

HON. MEMBER.- They come through you.

HON. S.D. KARAVAKI. – Exactly. Exactly to talk through me, to bring here their petition but you are shutting the door!

They are shutting the door to the people and the people must know that they are welcomed into this House and this august House, Madam Speaker, is their House.

I would plead with the Government, Madam Speaker, to seriously think about this because otherwise, we are no longer representatives of the people. That is the important principle. We are representatives of the people and we must allow their voices to be heard. We must open the door all

the time so that they can walk in, Madam Speaker, just like we opened the door for them to come and sit in the gallery, to listen to the proceedings. But on the other hand, Madam Speaker, we are closing the door to them to come through with their views.

Madam Speaker, I would go on and on, but I would like to remind the Government that what I have said, the illustration, the story about Rehoboam, that was written for our admonition in the last days. That is an example to us that we live in the last days and we must take account of that very seriously because we are supposed to unite the people we are not about to deprive them because if they do not respect this now, Madam Speaker, then their end is just before them. Thank you, Madam Speaker.

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

HON. S.V. RADRODRO.- Thank you, Madam Speaker. I rise to make contribution to the debate on the Standing Order, and I support those comments that have been alluded to by earlier speakers in not supporting Standing Order 37 in the presentation of petitions.

Madam Speaker, the new changes in the Standing Order takes away the right of people to be heard through petitions and may I quote from the Honourable Minister for Economy's Budget Address in which he says, and I quote:

“Your Government believes in you. It will do everything that Government can properly do to help you to be successful, to help you live a productive and balanced life and to ensure that your country stands as an equal to any other country in the world.”

Madam Speaker, and also the other side forever sings a line and they sing, “We will leave no one behind”, but the very fact that they are changing the amendments to the presentation of petitions in not allowing the petitions to be taken to the Committee denies the people their right to be heard.

Also, Madam Speaker, may I remind the House that one of the three core responsibilities of Members of Parliament is constituency work, whereby we go out and hear the issues or concerns of our constituents, and bring those, also through petitions, in which we are here representing those who are bringing up petitions. For example, Madam Speaker, when the petition on Shirley Park was being tabled, it was taken to the Committee, various people came and raised their concerns and their support that Shirley Park should remain and in having to do with these amendments in the Standing Order, it has taken away all that. It also defeats the very purpose of our being here in supporting good governance, transparency and accountability.

If we do not hear the people in having to present their petitions, then we are denying their voices and also their rights to be heard in which we are here as their representatives to take forward their issues so that if they are not happy with what has been undertaken by the Government, or if what the Government has promised them has not eventuated or has faulted, that is the opportunity in which the Government could better their performance.

We should look at it from that perspective, particularly petitions that are being brought to the Opposition is not a way of going against what Government is doing, it is rather a way of bringing in the peoples' concerns and issues so that Government could better their performance or their service delivery to the people. So, it should be looked at in that light and they should not be scared. Why are the people being shut out? I mean, if the people voted for you and that is why you are sitting on Government side, you should be ready to also hear the people in terms of maybe, 'insufficient' or 'not good enough' service delivery that has been undertaken.

Also, the Government is the custodian of taxpayers' money. You are only here to administer the people's funds, and the priority of what Government does should be what the people want and what they need. And the priority is your responsibility, the Government side to align, to align that to what the people want and the Government's priorities are in tuned to what the people want.

On that, Madam Speaker, I will conclude and urge Government to allow the people to bring in their petitions; allow the petitions to go to the Committees so that we can hear their voices; and we can hear them and most importantly, Government must take heed because only then you can better your performance in terms of service delivery to the people.

Thank you, Madam Speaker.

HON. SPEAKER.- Are there any more comments? I will now give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, thank you. I would like to make a contribution to this motion. The motion is asking the House to vote on a number of amendments to the Standing Order. The first amendment is on Standing Order 37 in relation to petitions.

The history of petitions, Madam Speaker, is that, this is a provision;. very old, by traditional, that allows democratic process for anyone, the least person, anyone in Navauvau, for example, or in Lautoka, to bring that issue directly to the highest authority on the land here. And as it stood as it was, all that they need to do is to bring up their issue, knock on your door and you certify it, and it goes through. It is not even scrutinised by the Standing Committee. That is a democratic process to allow transparency, to allow issues to be ventilated in public and within a space of less than two years, we have amended this very important and traditional provisions twice now.. Last year, we had issues on Navauvau and Shirley Park. That being the case, the Government was afraid, possibly afraid of its own shadow and it brought a motion here to amend, to restrict that.

And it was stated here, by the Government, they were questioning, how can these people be taking the issue on this petition to the Standing Committee, why we have another process, where we can follow, in relation to putting their objections in? And the answer there is, nothing. The petition does nothing. All that it does is, it allows people to ventilate their issues, and they can only make recommendations. They can never make any recommendation or any determination that is against Government policy.

Government is majority in the Standing Committee, Government is also majority in this august House, so it should not be afraid of anything, even of its own shadow, but, it was brought here and it restricted that. So there was a limitation that was brought in where, before a petition is approved, it has to be tabled first and then you move a motion. And after the motion then it has to pass a 40 percent threshold, and that kills it. That kills everything. That kills the opportunity for every person in this country to be part of the democratic process. That was November last year and it did not end here.

Then the Government became afraid again. When, using that same process, during the time for the motion, this House was filled with debate on every other issue that was coming in relation to these petitions. And the example of that was in relation to the petition on the Great Council of Chiefs. So it was afraid, and then the result of that is this one. So what are the changes now?

Instead of that motion that will allow everyone (not the public, we have closed the door to the public) here to talk on the motion and that will take as much time as it takes, it does not want that to

happen. And the purpose of this amendment is to restrict that further so that the person coming with a petition speaks for 20 minutes and then there is a reply of five minutes.

HON. SPEAKER.- Point of Order!

HON. S.B. VUNIVALU.- Honourable Nawaikula has mentioned that the Government is afraid. I think he should withdraw this statement. What are we afraid of? Just tell the fact and do not say 'afraid', he should withdraw that, Madam Speaker.

(chorus of interjections)

HON. SPEAKER.- Thank you. I think it is very clear from the Government side that the Government is not afraid.

HON. N. NAWAIKULA.- I do not want to withdraw it. I will say it again, the Government is afraid of its own shadow.

(Honourable Members interject)

HON. N. NAWAIKULA.- And here we are on the latest and it will come to pass because they have the mandate.

So for me, that is a clear abuse of the mandate. The mandate allows you to use that power but use it responsibly. That is not a responsible use of the mandate. So that is the reason why I am opposing that amendment.

Then there are other amendments here. The next is Standing Order 4 and related to that is also in relation to the interpretation that is stating here that while you make a reference to the Decree, which was passed before the 2013 Constitution, it should now be stated as an Act. That is wrong, totally wrong! They are still decrees but only for the purpose of interpretation, they can be referred to as Acts.

The other provision that I have some reservations on, Madam Speaker, is in relation to the assent, that is Standing Order 89. This allows, this is allowing the Government to take a view, before, gazettal was always conducted by the Government Printer. That to me is traditional. Government Printer is like a seal, who put a seal on it. We do not abuse that and take it to anyone. And for those reasons, Madam Speaker, I oppose this motion.

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

HON. J.V. BAINIMARAMA.- Thank you, Madam Speaker. Madam Speaker, I sit here and listen to Honourable Members on the other side of the House, speaking for the last 20 minutes or so on democracy and letting us hear the voices of the people.

In the last couple of days, I mentioned that the Honourable Leader of the Opposition has not attended any Constitutional Officers' Commission meeting since May 2015 and her answer was, it was undemocratic because of the numbers, having forgotten that there are only 18 of them on that side and there are 32 of us on this side - that is democracy.

They have been harping about democracy, let the people of this nation hear their voices and yet, Madam Speaker, in the next couple of minutes when they come up if there is a petition, they want to shut down the voices of the villagers and the provinces of this nation. So they cannot seem

to get their act right. They do not seem to think for themselves and understand what is happening around them.

(chorus of interjections)

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

HON. P. SINGH.- Thank you, Madam Speaker. Madam Speaker, to highlight these issues in full presence of this House, it is in the nuance of what they say or are recommending escape the attention of the learned Committee Members .

Madam Speaker, I must declare my interest as a member of that Committee and the report itself suggests that the Opposition views are captured in the report where we had fervently opposed changes to Section 37.

The compromise that we sought with the Government side on the petitions after the 40 percent requirement was changed or amended too in the last session, in the February session where NFP was not present in Parliament as we were suspended. What we said in the report was that the time for discussions on petitions should have been an hour. Why we said this was that the Government side brought in an amendment after the debate on the petition for the re-introduction of the Great Council of Chiefs by the Honourable Gavoka was being debated and they thought that it was being abused by the Opposition. There is nothing of that sort, Madam.

The second issue that I would like to bring to the attention of the House is a clarification on whether the Decrees which are being preserved under Section 173 of the Constitution are being changed to Acts; whether they can be dealt with by amending the Standing Orders or do they have to come to the floor of Parliament on its own?

HON. A. SAYED-KHAIYUM.- We approved it last year by an Act of Parliament.

HON. P. SINGH.- Madam Speaker, this is the clarification I seek from the other side.

HON. SPEAKER.- There being no other comments, I give the floor to the Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just by way of clarification, just a couple of responses to clarify.

Section 173 of the Constitution has been raised and it actually speaks about the preservation of the laws. It does not say the preservation of the title of the law. So if you read Section 173, it says and I quote:

“Subject to subsection (2), all written laws in force immediately before the date of the commencement of this Constitution (other than the laws referred to in Part C of this Chapter) shall continue in force as if they had been made under or pursuant to this Constitution, and shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Constitution.”

It does not mean that therefore, you cannot have the title changed and

in November, last year, let me just pull up the date, Parliament in Act No. 31 of 2016 approved that, for these laws that you see displayed over here, to be referred to as Acts of Parliament.

In the same way, when we went from a colonial society to an independent country, all Ordinances became Acts. That is all there is, so Section 173 does not talk about the actual substance of the law, it is just the title is not preserved. It is the substance of the law that is preserved and it was approved by Parliament. So that is one clarification.

Madam Speaker, the other point that has been raised is about the Minutes of the Committee will now no longer be included. Madam Speaker, it says, "May not be included" if the Committee so decides and Honourable Singh was there and we discussed this issue.

Some Committees may actually sit for an entire one year, they may have a thousand meetings, and by the way, the people get to have Parliament come down to them, not just only through petitions. The Committee goes down and Honourable Members of the Opposition, including Honourable Members on this side of the House have also been in Committees that have actually gone out to the ordinary Fijians, in towns and cities and villages and rural areas, not because of the petition, but because of a matter that has been referred to the Committees, whether it is an Annual Report or an actual Bill that is being referred to them, so they also go out to the public. It is not only through petitions that they do go out and there is no restriction.

And as we know, Madam Speaker, we have also allowed for the discretion of the Committees to continue. Even though the Standing Order does say that they have to report within 30 days, there is a provision there which still continues that the Committee can come back to Parliament and say, "Look, we need more time." If I can remind this august Parliament that previously, we had Committees that sat for two years. On the Family Law Act, the Committee took over two years to do their consultations because it was seen as very contentious and one of the reasons why it was seen as very contentious because it actually gave women a lot more rights, and in fact they still clawed back a number of those provisions.

So it is misleading to say that it is only through petitions that the Committees can go out to members of the public. The Committees go out to members of the public as and when they feel like, whenever there is a substantive matter before the Committee itself.

The other point, Madam Speaker, is that, they are saying that by this we are thwarting the democratic process and as if the petition is the only democratic process. No, Madam Speaker. The fact of the matter is, the fundamental democratic process that creates democracy is General Elections, which is why we are here today and that is why there is so much emphasis placed.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Just hear me out!

There is so much emphasis placed on ensuring that your credibility and transparency in the General Elections that actually votes a Parliament in. When we go and campaign, we go and talk about our policies, about our ideas, about our philosophies and the people then listen to that and then they make a choice. When they make a choice (I am going to take you through the fundamentals of it) they go and vote by themselves, not through pressure of anyone and then they choose the Government of the day.

So in the next Elections, the people of Fiji may decide to vote the same way, the different way or half of them may choose to vote another way. That is their choice, that is the fundamental democratic process. Now, Madam Speaker, a lot has been said about the fact that because we are

now a single constituency and thereby people do not get the opportunity to hear their voices, they must look at the Act that is relevant.

It says that every political party must have an office at least in all the four divisions. That is the reason why that is there, so they can go out and consult. Appropriately at the same time, although Honourable Vadei may come from Lomaiviti, it does not stop him from going and consulting people in Nadi. He is not restricted only to the people of Lomaiviti. In that way, because we are a population of less than one million people, we want our Members of Parliament to be concerned about people in Lomaiviti, Nadroga, Kadavu, Vanua Levu, wherever it is. That, Madam Speaker, is what you call true accountability also. Previously it was, “Oh, I cannot talk to him or her because they are from the constituency of Ba”, and worse still “Oh, Ba Fijian, Ba Indian.” That is how restricted it was.

Today, all the Members of this House are accountable to every single Fijian who lives in Fiji, no matter where they live.

(Acclamation)

HON. A. SAYED-KHAIYUM.- That is true democracy, that is true accountability, Madam Speaker, and that seems to be a point loss on the other side.

Madam Speaker, the other point has been raised regarding the issue of whether, Honourable Prem Singh said that NFP was suspended, you were not suspended. NFP has never been suspended as a party. That is what he said.

HON. P. SINGH.- (inaudible)

HON. A. SAYED-KHAIYUM.- But there was no suspension by the Madam Speaker to suspend NFP.

HON. P. SINGH.- Supervisor of Elections.

HON. A. SAYED-KHAIYUM.- That is the Supervisor of Elections. I thought you were talking about the Honourable Speaker.

(Laughter)

I just want to correct that, just in case you are casting aspersions.

(Laughter)

HON. P. SINGH.- Point of Order, Madam Speaker.

I stand corrected, I did not mean that. All I said was, the NFP was suspended. To clarify that NFP was suspended by the Supervisor of Elections and thereby we were not able to be present in Parliament.

HON. A. SAYED-KHAIYUM.- Thank you for the clarification, Honourable Member.

Madam Speaker, if you see the amendments that have been proposed by the Standing Orders Committee, a lot of them as we said are perfunctory, they relate to the performance and the functions, and the workings of it. There have only been three issues that have been highlighted from the other side.

Firstly, the change of the name to Acts and that the law has already approved that, it does not change the substance of the law.

Secondly, the issue about the Committees not being allowed to have Minutes. It is the choice of the Committee. The Committees can have it as they like or not, depending on what the Committee decides, but that does not mean that members of the public are restricted from going to the Committee hearings. That does not mean that the secretariat of the Committee will not actually record the minutes. And as we discussed in the Standing Orders Committee meeting, Madam Speaker, that should members of the public approach the secretariat, they want to have it, they can but it is also a question of administrative function.

If you have Minutes about this big, to publish Minutes this big and the report may be only two pages, for the Secretary-General of Parliament to do that for 52 copies is what we are talking about. But they are not available, they are available and they could be made available on request. No one is saying that there is any muzzling of any of the comments being made by members of the public, any muzzling of any administration, any agency that appear before the Committee; none of that is happening. So, this is all being raised into a kerfuffle, when there is nothing there to kerfuffle about.

Thirdly, Madam Speaker, is about the petition. The petition is being held out as if that is the only democratic means. No, that is not, Madam Speaker. As the Honourable Prime Minister has said, these consultations that are taking place, Government consults members of the public on a regular basis and the petition process should not be abused, Madam Speaker, as we have seen that they actually are using that and abusing that process.

Madam Speaker, if you look at the jurisdictions in many countries, look at other Parliaments, you see how the issue and petition have been held when there has been a large scale issue, when there are hundreds of thousands of people who actually sign petitions.

We have seen the credibility of some of the petitions. We had a few people signing a petition and when it is gone to the Committees, in the case of the Nadroga-Navosa Technical College, we found that over 95 percent to 98 percent of the people actually said, "No, we actually want it to go ahead." This is a handful of people but when it was brought to this House, it was made as if that majority of the people are rejecting it.

Madam Speaker, the point of the matter is this.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- The Committees are already behind in their work, it is not the fault of the Committees but because the Committees have a lot of work. There are lots of Bills before the Committees. If the Committees are going to get diverted from the main work of Parliament, which is through Bills that have been referred to it and other reports that have been referred to it, which is the main function of Government to give it to Parliament, then they will simply deal with petitions; when are they going to deal with the laws? When are they going to report on the Reports that have been given to them by the different agencies of Government?

This is also to create efficiency and to ensure that the petitions have credibility. We did not say that the petition should have 51 percent majority, it is 40 percent because there are issues for example, Madam Speaker, that actually need the input of this side of the House too. So the reality is this, that the Committees already have their hands full, the credibility of the petitions must be very

high but it does not in any way thwart the democratic process which is very much alive and viable in the democratic Fiji that we have today. Thank you, Madam Speaker.

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

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. May I contribute a few points in regards to petitions.

Firstly, I would like to reply to the Honourable Attorney-General in regards to the Bills. The insinuation is that the delay is because of the Committees.

HON. A. SAYED-KHAIYUM.- No, no.

HON. RATU K. KILIRAKI.- But the delay of the Bills is with the Solicitor-General. We have five Bills in our Committee.

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

HON. SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- I said it is not the fault of the Committees quite categorically and the *Daily Hansard* can be checked, sorry.

I did not say it is the fault of the Committees. I said there are a lot of Bills before the Committees, a lot of reports. I said it is not the fault of the Committees. I said that. Please, take that back because I did not say that.

HON. SPEAKER.- Thank you. Clarification has been made on that issue.

HON. N. NAWAIKULA.- Point of Order!

HON. SPEAKER.- Point of Order.

HON. N. NAWAIKULA.- The Honourable Attorney-General has this habit of making the clarification soon after someone has assumed to misrepresent him.

HON. GOVT. MEMBER.- What is the Point of Order?

HON. N. NAWAIKULA.- Wait. Standing Order 81 is very clear. He has to wait until whoever is speaking finishes then he can make that clarification.

(Chorus of interjections)

HON. N. NAWAIKULA.- Can you please allow me to read Standing Order 81? It says very clearly there to clarify.

(Honourable Members interject)

HON. N. NAWAIKULA.- No, I interjected. I did not raise a Point of Order. That is an interjection.

(Chorus of interjections)

HON. N. NAWAIKULA.- That is the way until Honourable Kiliraki finishes, then he can make that clarification or correct a misrepresentation or whatever.

HON. SPEAKER.- Thank you. I reckon that if there is any issue that needs to be clarified, then it needs to be clarified as soon as possible so that it will have a more positive effect on the presentation after that. So now that the point has been clarified, the Honourable Kiliraki knows exactly what the Honourable Attorney-General had talked about, so you may now continue with your contribution.

HON. RATU K. KILIRAKI.- Thank you, Honourable Speaker. These amendment to the petitions as alluded to by the other side that because the Committees have a lot of work to do, that is administrative and is related to the restrictions of their time in sittings.

So the petition is an avenue, even though we have avenues to go to the people, petition is from the people petitioning the Government for an issue that they want to be addressed urgently.

So in terms of the petitions, I agree that we have to go down, we hear all issues but for the purpose of a petition, we have to conclude the issue. If we conclude in Parliament, the issue will still hang there and that is not our role to conclude a petition that comes through, so in the case Shirley Park, it has been concluded already. We have to go on, move on, otherwise we will allow the petition or the issue to be there for the Government to resolve. That is one point that I would like to raise, that the people must be given the opportunity in the avenue or the doorway of the petition to be able for us as Parliamentarians to address or conclude the issue then we have to move on, and that is our main task.

The other minor issue, even though we have 40 percent, definitely I do not know where the number comes from. It can be 30 percent, 20 percent but 40 percent, definitely this side of the House will not reach 30 percent because we have 38 percent in the House.

Those are the few points that I would like to bring into the House as far as the petition is concerned. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Leader of Government for his right of reply.

HON. LEADER OF GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker, I will be very short and simple. Madam Speaker, you would recall that I was the one that raised this initially with you in your office, simply because of two reasons and I will state it before the House so that everyone understands the reason why we wanted an amendment to the Standing Orders, and particularly Standing Order 37.

In the Standing Orders, Madam Speaker, Chapter 1(3) on “Definitions”, the ““Leader of the Government in Parliament” means a Minister who, for the purposes of the Standing Orders, is nominated by the Prime Minister to manage the affairs of Parliament on behalf of the Government;” and that was the major concern and that led to us raising the issue “the affairs of Government”.

Madam Speaker, in the Standing Orders as well, Standing Order 34(5) it says, “Government business takes precedence over any other public business item except on a Friday sitting day, in which case Opposition business takes precedence over any other public business item.”

Madam Speaker, Standing Order 37 acts it was then, it was an opportunity for the other Members of the House to exploit and of course push back Government's agenda which is the priority for Government, and it is for the people as well.

Petitions will continue to come into this House and of course that is democracy. Democracy is not only when it goes to the sub-committee ...

(Honourable Member interjects)

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.-even when we are arguing in this august House, that is democracy in practice already, Madam Speaker. It is simply about the affairs of Government because they were making the most of every opportunity to consume the time just arguing on petitions. Of course, we are listening to the people, Madam Speaker, but that was the major reason in which we sought the Standing Committee to look at Standing Order 37 so that it can take precedence over Government. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Parliament will now vote on the motion.

The question is, that the amendments to the Standing Orders of the Parliament of the Republic of Fiji as previously circulated in the Report of the Standing Orders Committee tabled on Monday, 6th February 2017 be approved as recommended and agreed to by the Standing Orders Committee. Does any Member oppose the motion?

(Chorus of "ayes" and "noes")

There being opposition, Parliament will vote on the motion.

Votes Cast:

Ayes	:	30
Noes	:	14
Not Voted	:	5

There being 30 Ayes, 14 Noes and 5 Not Voted, the motion is agreed to..

PRESENTATION OF PETITIONS

Village By-Laws

HON. SPEAKER.- Before I give the floor to the Honourable Niko Nawaikula, I wish to advise Honourable Members that we will now follow the new amendments to the Standing Orders approved this morning

Honourable Nawaikula will move a motion that a petition be referred to the relevant Standing Committee. After the motion is duly seconded, Honourable Nawaikula will be permitted to make a statement of up to 20 minutes, as it is a motion moved by the Opposition, the Leader of the Government in Parliament or his designate may respond for five minutes, after which I will put the question. Forty percent of the total Members of Parliament must approve, which means there must be 20 Members who vote in favour of the motion in order for it to be agreed to.

I now call on the Honourable Nawaikula to move his motion.

HON. N. NAWAIKULA.- Madam Speaker, pursuant to Standing Order 37(5), I move:

That the petition be referred to the Standing Committee under which the subject matter of the petition falls.

HON. SPEAKER.- Do we have a seconder?

HON. M.R. LEAWERE.- Honourable Speaker, I second the motion.

HON. SPEAKER.- I now call upon the Honourable Nawaikula to make his statement.

HON. N. NAWAIKULA.- Madam Speaker, this is a petition that is signed by nearly 400 individuals from all over Fiji, including Kadavu, Vanua Levu, Yasawa and there was a person that I wish to thank, Mr. Epeli Mua who is from Yaqeta, because of his concern of what the Government is trying to do to their villages, raising Village By-Laws. He appeared in my office, I gave it to him and he took it all the way to Yaqeta and they have signed it. That is an indication of how serious they feel about the Village By-Laws that the Government is trying to impose on the native communities.

HON. SPEAKER.- Order!

I will just like to make a clarification when we were looking at the petition as it was presented. I just want to make it clear that although the petition was signed by people from all over Fiji, it does not mean that the petition was actually taken to people all over Fiji. It was just the people that were staying in a place, they are market vendors for instance, and they come from all over Fiji and that is what is reflected in the petition, so I just wanted to make that clarification. Thank you, you may continue.

HON. N. NAWAIKULA.- Let me explain that clarification: I was sitting at the bus stand waiting for people to come to sign and I said, "Sign your *koro dina*, you put there whether you are from Nadroga and your village" so that is why. I want them to say where is their true village.

(Chorus of interjections)

HON. SPEAKER.- Order, order!

Honourable Nawaikula, please continue.

HON. N. NAWAIKULA.- You do not know that because you do not go to the bus-stand, you are sitting in your shiny vehicles, you do not know what the public feels.

(Laughter)

(chorus of interjections)

HON. N. NAWAIKULA.- I come by bus every day ...

HON. SPEAKER.- Order!

HON. N. NAWAIKULA.- ... you should know that.

HON. SPEAKER.- Order! . I really do not need this exercise, but thank you. Let us hear out Honourable Nawaikula, please continue,

HON. N. NAWAIKULA.- So you better listen.

You are not for the people, you are sitting up in your high castle and you are looking down like that

(Chorus of interjections)

HON. N. NAWAIKULA.- You do not know what it feels to be there. When have you ridden a bus? You have never ridden by bus.

(Laughter)

Madam Speaker, so the motion is actually asking that Parliament, through this Committee, is to look at the Draft Village By-Laws in its current form (its important), content and process against our rights as indigenous peoples as defined by ILO Convention 169 and UNDRIP; basically that.

I wish to say at the outset that we need our village by-laws, but we do not want it in the present form, content and process, and when I say we need it, and the initiative by Government is making a big noise about introducing this so-called village by-laws. That is wrong because we have within our laws our village by-laws; it has been there from the 1950s.

(Hon. Member interjects)

HON. N. NAWAIKULA.- Madam Speaker, this is taking away my time.

(Laughter)

HON. N. NAWAIKULA.- I hope this will be accounted for.

HON. SPEAKER.- You will be given extra time.

(Hon. Member interjects)

HON. N. NAWAIKULA.- So at the very outset, I want to say that I have been vocal in saying that we should introduce our village by-laws, but the correct word is not “introduce” it is to re-introduce because it is always there. It was there in our own laws. If you look at the Fijian Affairs Act, Volume 7, I am not sure what volume it is in the new bound volume, you will see that it is very nicely set out there; you have the Village Health Regulation and others that were already there.

So the reason for my being so vocal is because the villagers have lost their values that they used to be known for and central to native villages, which were essential to their ethos and identity like in the native tongue, *veivakaturagataki*, *veitokoni* and *veirogorogoci*; these were lost during that period. Also lost was the cleanliness and tidiness of our villages and they have sunk to an all-time low looking no different than squatter settlements. It is all because since 1966 these by-laws were not enforced but they are still there. They have not been repealed so they are still part and parcel of our laws. So, we felt the change but nothing happened from that time until now. I know there are people like Shamima Ali, who think different and said that we must only have a law for everyone, and with the greatest respect, I wish to say that I disagree entirely. We should know that indigenous people have a permanent and inalienable right, that is their human right to maintain their separate

laws, and to protect their cultural identity. But we must not do it just anyhow like we are doing it now, we must do it in conformity with the requirements, directives and the procedures that are set out in this international covenants and instruments like UNDRIP and ILO Convention 169.

Before I look at the contents of the Honourable Prime Minister's current by-laws, which is very bad and ugly, against UNDRIP and ILO Convention 169, let me just outline to us here in this House what were the by-laws that were there look like. As I said, they are there, they are still there and you can find this in the law that established the Independent Native Government or the Sovereign Native Government of *Matanitu iTaukei*.

(Hon. Member interjects)

HON. N. NAWAIKULA.- This is from 1966.

(Hon. Member interjects)

HON. N. NAWAIKULA.- And they are nicely there in the *Matanitu iTaukei*. I know that the Honourable Attorney-General is against this because he says, "we should all shut this down" in his sunset clause.

(Hon. Member interjects)

HON. N. NAWAIKULA.- And the Honourable Prime Minister says, he has killed off the Great Council of Chiefs, I respect their views but they are totally wrong.

HON. A. SAYED-KHAIYUM.- So are you!

HON. N. NAWAIKULA.- Respect it, but totally wrong because you have to look at your views now against what the international community is introducing ...

(Hon. Member interjects)

HON. N. NAWAIKULA.- ... as their human rights under the UNDRIP and ILO Convention 169. Professor Ghai has learnt his mistake, you have not. So he has now supported the fact that we need our cultural autonomy.

(Laughter)

(Hon. Member interjects)

HON. N. NAWAIKULA.- One example is that you have the village by-laws that are necessary to maintain the public order, morality and the cultural values. You will find this under the *iTaukei* Affairs Criminal Offences Code and there are about 32 offences that are outlined there which include:

- Preventing marriage and cohabitation;
- Care of pregnant woman;
- Care of child;
- Neglect to provide for the family;
- Failing to protect sickness of child;
- Neglect to send children to school;
- Unauthorised medical treatment;

- Assault;
- Theft;
- *Draunikau* or *vakaluveniwai*; and
- limitations on *kerekere*.

Things that are necessary to maintain the morality and the values within a Fijian village setting and you also have in that the Fijian Affairs Public Health Regulations, which is there and it contains things like:

- No restrictions on building dimensions;
- Village latrines;
- Cleaning of villages;
- Anti-mosquito focus protection;
- Disposal of rubbish;
- Dead animals;
- Cattles; and
- Overcrowding.

So those are the village by-laws that are already there that are present and you asked the question, what this one is for?

That is something we need to look at. So for some odd reasons, these new by-laws are coming in and it does not even repeal what is already there, and you have two sets of laws running side by side. So that needs to be looked at.

Why is this happening? We need to look at that and you need to call the experts. The advantage of having a standing committee is that it will allow, not only villagers to be consulted as the Government is doing now, it will call upon the public to come and put their views, academics, but more so it will allow us to call upon the experts. There are expert mechanisms on indigenous rights on how you can marry this cultural autonomy with the State.

(Hon. Member interjects)

HON. N. NAWAIKULA.- Listen. I hope you will change your view from here

HON. A. SAYED-KHAIYUM.- I will give you the paper, you can read.

HON. N. NAWAIKULA.- I do not want to read it, that is wrong.

(Hon. Member interjects)

HON. N. NAWAIKULA.- So that is already there and you take a look at what is now being tried to be introduced. Unlike the existing laws that sets out the laws separately, like criminal offences and another regulation for health, these new village by-laws edge them out in a single document. It is simply like a Constitution of how to run a village by Government (there is a copy here that I have) so the purpose of the Village By-Laws is explained in Section 4 of that.

It is to ensure traditional leadership, maintain law and order, hygiene, sanitation provision and preservation of leadership. Same thing that is already there in the one that is existing; that it make a brief reference to the *vanua, liuliu ni vanua* before moving on to the new seat of authority which it is trying to create in the village.

So what will happen is that, instead of your cultural maker which is what I call the 'sovereignty of the *vanua*.' Sovereignty means they being independent to decide on how they are looked after in terms of their culture, you will now have a law in which it removes that and the centre of the authority will be the *turaga ni koro* and his village council, and he makes the rules. He does not only make the rules, he prosecutes and he also metes out punishment. How he is going to do that, we do not know. How are you going to warrant a person to attend if he does not want to appear? How are you going to enforce it? It is not even specified in that, as opposed to what you have there that are existing, where laws are stated and then you have the Native Courts, and the Native Courts have the jurisdiction to look into that. You have the Police who can lay the charges and you bring them there to prosecute them.

Now if you are worried about costs, you do not need Native Courts, you can just extend the jurisdiction of your current court system.

So we do not need this, you just need to set aside an amount and put back to life what is already been there. That is the whole point of this, but looking at this, there are straight-away, if you look at the contents of those laws, it offends against the rights of indigenous people, as are clarified by this.

These are now considered as their human rights, and if I can just outline a few of the provisions which it is offending. Articles 3,4 and 5 of UNDRIP explain the nature of this human rights and the Article says, "indigenous people have the right to self-determination". It is very critical, their right to self-determination means they should be independent and what this Government has done, it has tried to destroy that. It has killed off the Great Council of Chiefs in relation to the provincial councils before they were independent. They can, the *vanua* elects who to run it, the Government has removed that, it has now selected who is to be the Chairman.

In relation to the Statutory Authorities, iTLTB and the iTLC, before it used to be the *vanua* and the chiefs decide who to sit on the boards, those have been taken away and the Government has actually nationalised all these institutions. You need that independence for them to decide on their own future and what will emanate from that is, these laws must not only appear, it must be initiated from within their own institutions through their own process.

It is not like you have here, where the Government decides, imposes and enforces it by its representatives in villages, comprising the *turaga ni koro* and the village council. That directly is an infringement on the rights of *iTaukei*.

Also annexed to that is Article 4, their right to a self-autonomy. On that, I know the Honourable Attorney-General is against that, as well as the Honourable Prime Minister, but that is wrong now. They should look at that against the current trends in the international values, under what the UN is saying. The UN is saying "no, you must respect their cultural autonomy." And not only that, it is their right. It is a right for me to be living in the village, in the way that my ancestors do, and the Government must support that.

The Government has no right to say that I am lazy, if I do not touch my forest because that way of life is friendly to environment, it does not exploit and it teaches us a lot in relation to what this life should be like. And we should share that, we should share that with other communities and even overseas people who want to come and share this kind of life. So that is a right, which must be protected at all times.

HON. MEMBER.- It brings about poverty.

HON. N. NAWAIKULA.- You know we talk about poverty. If it is a right, it is inalienable, it is permanent, it is there. It is for you to find a solution on how to tackle that. You give them education, you give them money, but you cannot take it away.

So basically, Article 8 of UNDRIP says “indigenous people have the right not to be subjected to forced assimilation”. If you look at it, what this law is doing is forced assimilation and that is the reason why we need to call upon experts, expert mechanisms on indigenous rights on how to do this. We do not just do it anyhow.

So Article 10, Madam Speaker, says “We have a right to a community or to a nation” and we are entitled to that and the Government should not be seen or as it is doing now to be taking that away. It must be protecting it; it must be protecting our nation as indigenous people.

So those are some of the reasons why I have basically outlined here of the need to setup this standing committee so that we can call upon experts and the public, and especially the UN experts on indigenous rights. We just need only to talk to UNDP and they will provide this paper for free to advise us on how to do this. Thank you very much.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Leader of the Government in Parliament or his designate and are invited to comment of up to 5 minutes, if any.

HON. J.V. BAINIMARAMA.- Thank you, Madam Speaker. Madam Speaker, Honourable Member Nawaikula is still caught in his time lock and he is lying to everyone with regards to how he obtained that petition in the first place, and I call it ‘the Bus Stand Petition’.

When you listen to his explanation

HON. N. NAWAIKULA.- (inaudible)

HON. J.V. BAINIMARAMA.- Do not take up my time, please and if you listen to his ramblings, it is the exact opposite to what they have been talking about in the last half an hour and that is the comment I made earlier on, and he says that we have not learnt our lessons from Professor Ghai. Of course we did, that is how we got this nice beautiful Constitution. He has not learnt his lessons from the events of 2000, he is still caught in that time lock, and I want him to know that.

This petition, Madam Speaker, seeks to thwart the work of Government and this petition also, seeks to thwart the consultative and democratic process that they have been harping about in the last half an hour. Like all other policy initiatives by the Government of the day, which sometimes result in regulatory changes in by-laws, this is another process of consultation. This is what this team is going out to do for us.

He is talking about the Fijian Act of 1966, this team is going out to clarify those Acts. The by-laws that were put in by the Colonial Government did not take on board that people had cars, people had trucks, people were driving, people are now driving buses, buses go through villages and it restricts the *iTaukei* in their setting.

This team is going out to clarify those issues and those by-laws that were put in place by the Colonial Government, and for his information and also those on the other side of the House, this had been mooted by villagers and provinces. Let them listen, listen to the talks that have been coming up in the media about the by-laws.

They are the only ones who are trying to stop this process. You know why, Madam Speaker, first, they talk about democracy and that we should hear the voices of the people and now they are stopping that democratic process itself. Why? Because they do not want the Government to go to where they think it is their domain; the village settings, the provinces, because we will go out and tell the truth about what is happening in our nation, unlike some people who go out and lie to them, like the SDL Government.

So, Madam Speaker, this is what they do not like. They do not want us to speak directly to the people and in this instance, SODELPA does not want us to have direct contact with the *iTaukei* villagers because we will, amongst other things, speak the truth and not peddle the lies that they have been doing. Thank you.

HON. S.D. KARAVAKI.- Can I speak?

HON. MEMBERS.- No, you can't.

(chorus of interjections)

HON. N. NAWAIKULA.- I wish to raise a point of order under Standing Order 81. Three times the Honourable Prime Minister has called me and others as a lie.

First, he says that I am lying to everyone, then going down, he stated "everything that is stated here are lies." So not only it is un-parliamentary, it is a misrepresentation of what I said, and I ask if you could please order him to withdraw that.

HON. SPEAKER.- Thank you, Honourable Prime Minister. Would you like to withdraw that?

HON. J.V. BAINIMARAMA.- Thank you, Madam Speaker. He lied. He lied when he said that he went out and obtained these petitions all over Fiji. He did not, he got it from the bus-stand, and you corrected him.

HON. N. NAWAIKULA. Yes.

HON. J.V. BAINIMARAMA.-That is a lie. So you lied?

HON. SPEAKER.- Thank you. Honourable Prime Minister, the Standing Order says that you may use other words but not 'lie', so please withdraw.

HON. J.V. BAINIMARAMA.- Well he is economical with the truth.

(Laughter)

HON. N. NAWAIKULA.- Can you withdraw that, please? No, withdraw that without condition, please.

HON. SPEAKER.- Honourable Prime Minister, have you withdrawn that you used

HON. J.V. BAINIMARAMA.- Madam Speaker, I have withdrawn the word 'lie'. I said "he is economical with the truth."

(Laughter)

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to seek clarification ...

HON. MEMBER.- Standing order, please!

HON. A. SAYED-KHAIYUM.- ... because of the ruling that has been just made on what Honourable Nawaikula had raised, not on the petition, but the procedures.

HON. N. NAWAIKULA.- Oh men!

HON. SPEAKER.- On the procedures.

HON. A. SAYED-KHAIYUM.- The procedures, Madam Speaker, it is deemed to be un-parliamentary language. I cannot call Honourable Nawaikula a liar, I cannot say that but if someone says that someone is lying, is there is a difference between calling someone a liar and lying because there seems be a difference of opinion in that respect?

Like for example, I cannot say `Honourable Nawaikula is a thief`, I cannot say that. But I am describing him, so that is going to his character but I can say, for example, that I believe a Member of Parliament may be involved in theft. That is a huge difference between someone calling someone a thief and saying that someone is involved in theft. In the same way, there is a huge difference between saying someone is lying as opposed to calling that person a liar. There is a huge difference, Madam Speaker, maybe I just want to raise this for future reference.

HON. SPEAKER.- Thank you and comments noted.

HON. N. NAWAIKULA.- Madam, Speaker, a point of order. The Honourable Attorney-General has this habit, sometimes I think that he wants to be Speaker himself.

(Laughter)

HON. SPEAKER.- Thank you. Parliament will now vote and the question is; that the petition be referred to the standing committee under which the subject matter of petition falls. Does any Member oppose the motion?

(Chorus of “ayes” and “noes”)

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

Votes Cast:

Ayes	-	14
Noes	-	30
Not Voted	-	5

There being 14 Ayes, 30 Noes and 5 Not Voted, the motion is defeated.

Thank you. We will now break for refreshment and we will resume at 11.45 a.m.

The Parliament adjourned at 11.23 a.m.

The Parliament resumed at 11.48 a.m.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. LT. COL. N. RIKA.- I am pleased to present the review Report of the Standing Committee on Foreign Affairs and Defence on the Fiji Police Force 2014 Annual Report.

The Standing Committee on Foreign Affairs and Defence is established under Standing Order 109(2)(e) of the Parliament of the Republic of Fiji. The Committee is mandated to examine matters related to Fiji's relations with countries, development aid, foreign direct investment, oversight of the military and relations with multi-lateral organisations. The Committee is also mandated by Parliament to scrutinize annual reports for the Ministry of Defence, National Security, including the Republic of Fiji Military Forces (RFMF) and the Fiji Police Force (FPF).

The Committee has conducted its review on the Fiji Police Force 2014 Annual Report. The findings of the review and the recommendations put forward by the Committee will enable the FPF to boost service delivery in the future and especially in meeting Fiji's internal security obligations, liaising with international jurisdictions in fighting transnational crimes.

The review exercise was possible after a round of consultations that was conducted with the Police Department. The Committee had identified findings to some areas of concern which affected the FPF's achievements in the past and these have been further captured in the recommendation for consideration.

Finally, I wish to extend my gratitude to the Honourable Members and the Secretariat team who were involved in the production of this bi-partisan report. The Members include: Honourable Mataiasi Niumataiwalu; Honourable Mosese Bulitavu; Honourable Ratu Suliano Matanitobua and the Alternate Members, Honourable Jilila Kumar and Honourable Howard R. Politini.

On behalf of the Standing Committee on Foreign Affairs and Defence, I commend this report to Parliament.

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

(Report handed to the Secretary-General)

HON. LT. COL. N. RIKA.- Madam Speaker, pursuant to Standing Order 121 (5), I hereby move a motion without notice that a debate on the content of the report is initiated at a future sitting. Thank you.

HON. SPEAKER.- Do we have a seconder?

HON. M.A. NIUMATAIWALU.- Madam Speaker, I second the motion.

HON. SPEAKER.- The question is, that a debate on the contents of the Report is initiated at a future sitting, does any Member oppose?

(Chorus of "noes")

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 38, I present the following papers to Parliament:

- 1) Fiji Development Bank - Annual Report 2014;
- 2) Fiji Development Bank - Annual Report 2015; and
- 3) the Appropriation Statement from 1st August 2016-31st October 2016.

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

(Papers handed to the Secretary-General)

Under Standing Order 38(2), I refer the Fiji Development Bank Annual Report 2014 and the Fiji Development Bank Annual Report 2015 to the Standing Committee on Economic Affairs.

Under Standing Order 38(2), I refer the Appropriation Statement from 1st August 2016-31st October 2016 to the Standing Committee on Public Accounts.

PRESENTATION OF REPORTS OF COMMITTEES

Standing Committee on Foreign Affairs and Defence – Review Report of the Ministry of Defence, National Security and Immigration 2014 Annual Report

HON. LT. COL. N. RIKA.- Madam Speaker, I am pleased to present the Review Report of the Standing Committee on Foreign Affairs and Defence on the Ministry of Defence, National Security and Immigration 2014 Annual Report.

The Standing Committee is established under Section 109(2)(e) of the Standing Orders of the Parliament of the Republic of Fiji. The Committee is mandated to examine matters related to Fiji's relations with other countries, development aid, foreign direct investment, oversight of the military and relations with multi-lateral organisations. The Committee is also mandated by Parliament to scrutinize the Ministry of Defence, National Security and Immigration 2014 Annual Report.

The Report is divided into three parts—

1. Part One covers the Committee Recommendations to Parliament and Introduction;
2. Part Two focuses on the Findings of the report; and
3. Part Three covers the Conclusion.

The findings of the review and the recommendations put forward by the Committee are intended to assist the Ministry's service delivery in the future and especially in meeting Fiji's domestic security, defence and safety requirements in addition to fulfilling its international obligations to global security and peace-keeping mandates through the United Nations and other multinational initiatives.

The review exercise was possible after a round of consultations with the Ministry. The Committee had identified areas of concern that needs addressing to ensure the Ministry effectively achieves its goals.

I wish to extend my appreciation to the Honourable Members and the Secretariat who were involved in the production of this bipartisan report. The Members include Honourable Mataiasi

Niumataiwalu; Honourable Mosese Bulitavu; Honourable Ratu Suliano Matanitobua and the Alternate Members, Honourable Jilila Kumar and Honourable Howard Politini.

On behalf of the Standing Committee on Foreign Affairs and Defence, I commend this report to the Parliament.

HON. SPEAKER.- Thank you. Please, hand the report to the Secretary-General.

(Report handed to the Secretary-General)

HON. LT. COL. N. RIKA.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move a motion, without notice, that a debate on the contents of the report is initiated at a future sitting.

HON. SPEAKER.- Do you have a seconder?

HON. M.A. NIUMATAIWALU.- Madam Speaker, I second the motion.

HON. SPEAKER.- The question is, that a debate on the contents of the report is initiated at a future sitting. Does any Member oppose?

(chorus of noes)

There being no opposition, the motion is agreed to.

Standing Committee on Natural Resources –
Review Report on the Ministry of Agriculture 2011 and 2012 Annual Reports

HON. CDR J.R. CAWAKI.- Madam Speaker, I am pleased to present the review Report of the Standing Committee on Natural Resources on the Ministry of Agriculture, 2011 and 2012 Annual Reports.

The Standing Committee on Natural Resources is established under Section 109 (2) (c) of the Standing Orders of the Parliament of the Republic of Fiji. The Committee is mandated to examine matters related to forestry, agriculture, mining, environment, fisheries, water and marine services.

The purpose of the review was to scrutinize the Ministry of Agriculture 2011-2012 Annual Reports, specifically on the areas of administration, legislation, the organisation structure, financial management, functions and programmes for the Ministry for 2011 and 2012.

The findings of the review and the recommendations put forward by the Committee are intended to assist the Ministry's management and service delivery to our farmers and also maximising agriculture production to meet the food security demand, local consumption and our foreign exports.

The review exercise was possible through consultations with the Ministry of Agriculture. The Committee had identified areas of concern that addresses challenges to ensure the Ministry effectively delivers its goals.

I wish to extend my appreciation to the Honourable Members and the Secretariat who were involved in the production of this bipartisan report. My Committee colleagues, Honourable Ro Kiniviliame Kiliraki (Deputy Chairperson); Honourable Alivereti Nabulivou (Member), Honourable

Jiosefa Dulakiverata (Member), Honourable. Samuela Vunivalu (Member) and Honourable Semesa Karavaki (alternate member for Honourable Jiosefa Dulakiverata).

On behalf of the Standing Committee on Natural Resources, I commend this report to Parliament.

HON. SPEAKER.- Thank you. Please, hand the report to the Secretary-General.

(Report handed to the Secretary-General)

HON. CDR. J.R. CAWAKI.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move a motion without notice that a debate on the contents of the report is initiated at a future sitting.

HON. SPEAKER.- Is there a seconder?

HON. RATU K. KILIRAKI.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- The question is, that a debate on the contents of the report is initiated at a future sitting. Does any Member oppose? As no Member opposes, the motion is agreed to unanimously.

Standing Committee on Natural Resources
Review Report on the Ministry of Agriculture 2008 and 2009 Annual Reports

HON. CDR. J.R. CAWAKI.- Madam Speaker, I am pleased to present the review Report of the Standing Committee on Natural Resources on the Ministry of Agriculture 2008 and 2009 Annual Reports.

The Standing Committee on Natural Resources is established under Standing Order 109 (2) (c) of the Standing Orders of the Parliament of the Republic of Fiji. The Committee is mandated to examine matters related to forestry, agriculture, mining, environment, fisheries, water and marine services.

The purpose of the review was to scrutinize the Ministry of Agriculture 2008-2009 Annual Reports, specifically on the areas of administration, legislation, organisation structure, financial management, functions and programmes for the Ministry 2008 and 2009.

The findings of the review and the recommendations put forward by the Committee are intended to assist the Ministry's management and service delivery to our farmers and maximising agriculture production to meet the food security demand, our local consumption and foreign exports.

The review exercise was made possible through consultations with the Ministry of Agriculture. The Committee had identified areas of concerns that addresses challenges to ensure the Ministry effectively deliver its goals.

Madam Speaker, I wish to extend my appreciation to the Honourable Members and the Secretariat who were involved in the production of this bipartisan report. My Committee colleagues, Honourable Ro Kiniviliame Kiliraki (Deputy Chairperson), Honourable Alivereti Nabulivou (Member), Honourable Jiosefa Dulakiverata (Member), Honourable Samuela Vunivalu (Member) and Honourable Semesa Karavaki (Alternate Member for Honourable Jiosefa Dulakiverata).

On behalf of the Standing Committee on Natural Resources, I commend this report to Parliament.

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

(Report handed to the Secretary-General)

HON. CDR. J.R. CAWAKI.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move a motion without notice that a debate on the contents of the Report is initiated at a future sitting.

HON. RATU K. KILIRAKI.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- The question is, that a debate on the contents of the report is initiated at a future sitting.

Does any Member oppose?

(chorus of noes)

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

Standing Committee on Natural Resources
Review Report on the WAF 2010-2012 Consolidated Annual Report

HON. CDR. J.R. CAWAKI.- Madam Speaker, I am pleased to present the review Report of the Standing Committee on Natural Resources on the Water Authority of Fiji 2010-2012 Consolidated Annual Report.

The Standing Committee on Natural Resources is a Standing Committee established under Standing Order 109 (2) (c) of the Standing Orders of the Parliament of the Republic of Fiji. The Committee is mandated to examine matters related to forestry, agriculture, mining, environment, fisheries, water and marine services.

The purpose of the review was to scrutinize the Water Authority of Fiji Consolidated 2010-2012 Annual Reports, specifically on the areas of administration, legislation, organisation structure, financial management, functions and programmes from 2010-2012.

The findings of the review and the recommendations put forward by the Committee are intended to assist the Water Authority of Fiji in managing and the service delivery to the public and maximising the production of water to meet the demand.

The review exercise was possible after consultations with the Water Authority of Fiji. The Committee had identified areas of concern that addresses challenges to ensure the company effectively deliver its goals.

I wish to extend my appreciation to the Honourable Members and the Secretariat who were involved in the production of this bipartisan report. My Committee colleagues, Honourable Ro Kiniviliame Kiliraki (Deputy Chairperson), Honourable Alivereti Nabulivou (Member), Honourable Jiosefa Dulakiverata (Member), Honourable Samuela Vunivalu (Member) and Honourable Semesa Karavaki (alternate Member for Honourable. Jiosefa Dulakiverata).

Madam Speaker, on behalf of the Standing Committee on Natural Resources, I commend this Report to Parliament.

HON. SPEAKER.- Thank you. Please hand in the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. CDR. J.R. CAWAKI.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

A motion without notice that a debate on the contents of the Report is initiated at a future sitting.

HON. RATU K. KILIRAKI.- Madam Speaker, I second the motion.

Question put.

Motion agreed to.

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

Standing Committee on Justice, Law and Human Rights -
Report on the Fiji Interchange Network (Payments) Bill

HON. A. SUDHAKAR.- Madam Speaker, I rise to present the Report of the Standing Committee on Justice Law and Human Rights on the Fiji Interchange Network (Payments) Bill, Bill No. 15 of 2016.

Fiji, like many other countries over the world has, over the past few years, become increasingly dependent on ATM and EFTPOS machines in day to day transactions and withdrawing of cash. There seems to be a general shift towards “cash-less” transactions whereby consumers rely less on cash and more on plastic cards. This shift has had many advantages but it has come at a cost to the consumer.

The Committee during its public hearings has heard cases where a consumer could be paying between \$1.50 up to \$8.00 in fees while using an ATM card issued by one bank in another bank’s ATM or EFTPOS machine.

The Fiji Interchange Network (Payments) Bill is a Fijian Government initiative to implement a National Switch in an attempt to make things easier and less expensive for all Fijians. The National Switch is an information technology infrastructure which will interconnect the payment systems of payment service providers.

The Committee, while deliberating on the Bill, had a look at similar systems which exist in many other countries, eight of which are used as examples in this Report. Some of the countries where similar systems are successfully operating are India, Bangladesh, Oman, Ghana, Sri Lanka, Maldives and Bhutan, while Mauritius is still in the process of implementing such a system.

The details of the Committee's deliberations are contained in this Report and amendments which are necessary have been made and marked in red in the copies of the Bill provided with this Report. At this juncture I would like to thank the Honourable Members of the Justice, Law & Human Rights Committee for their deliberations and input, the Alternate Members who made themselves available when the Substantive Members could not attend, the staff and officers of the Secretariat, the entities who accepted the invitation of the Committee and made themselves available to make submissions, and the members of the public for taking an interest in the proceedings of the Committee and Parliament.

I on behalf of the Committee, commend the Fiji Interchange Network (Payments) Bill to the Parliament and seek support of all the Members of this August House for the Bill since it is designed for the greater good of all Fijians.

On behalf of the Standing Committee on Justice Law and Human Rights, now present this Bill to Parliament.

(Report handed to the Secretary-General)

Madam Speaker, pursuant to Standing Order 121(5), I hereby table the Committee's Report on the Fiji Interchange Network (Payments) Bill and pursuant to Standing Order 86 that it be set down for consideration by the Committee of the whole House on a future sitting day.

HON. SPEAKER.- Pursuant to Standing Order 121(5) and Standing Order 86, the Standing Committee has now reported back and the Fiji Interchange Network (Payments) Bill, Bill No. 15 of 2016, will be set down for consideration by the Committee of the whole House on a future sitting day.

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

QUESTIONS

Oral Questions

Cost of Implementation of the Street Lights – Cuvu Back Road
(Question No. 21/2017)

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

Can the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport inform this House what is the total cost of the implementation of the street light provisioning of Cuvu Back Road beginning from the Pacific Green end running along the villages of Naevuevu, Sila, Cuvu, et cetera, at the Naidovi Junction?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, as we discussed in the Business Committee, it will be covered in the Ministerial Statement by the Honourable Minister for Economy.

(Honourable Members interject)

HON. SPEAKER.- The reply will be covered in the Ministerial Statement and supplementary questions can be asked then. You are questioning that there has been no presentation?

HON. V.R. GAVOKA.- Honourable Speaker, maybe this could help with the Ministerial Statement they are going to make, I live in that part of Fiji – along Cuvu Back Road, it is very beautiful in the day and are more beautiful with the street lights, we are really rejoicing in what is happening in there.

HON. SPEAKER.- I am not able to allow supplementary questions because I will not be able to gauge the questions to any presentation. Also the Business Committee Members were alerted of this and they had agreed that it be covered in the Ministerial Statement, so we will have to wait until then.

I now invite the Honourable Ro Teimumu Kepa, Leader of Opposition, to ask her question.

Piloting/Trialling of New Textbooks for Year 12 and Year 13
(Question No. 22 of 2017)

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

Can the Minister for Education, Heritage and Arts and National Achieves of Fiji clarify how are the new textbooks being piloted and trialled for Years 12 and 13 before countrywide distribution?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts and National Achieves of Fiji).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I want to thank her for asking the question.

Madam Speaker, the textbooks generally are not being piloted or trialled. Textbooks are tagged to the syllabi. The new syllabi rollout is nationwide, hence the textbooks complement these syllabi and have to be rolled out nationwide.

Let me explain, Madam Speaker, Years 12 and Year 13 are external examinations and you cannot have 20 schools using one textbook and sitting for one set of exam paper and another 90 schools sitting with another set of textbooks for another set of exam papers, it does not happen that way. However, let me explain it in detail to the former Minister for Education about how we came up developing the new syllabi and textbook.

Madam Speaker, let me provide the details and the changes that have occurred, and a robust process that was followed in the development and implementation of the new syllabi and, therefore, the textbooks for Years 12 and 13. The following subjects have a new syllabus implemented in 2017 and these are accompanied with new textbooks. For Year 12, Madam Speaker, English, Mathematics, Biology, Chemistry, Accounting, *Vosa Vakaviti*, Hindi, Home Economics, Applied Technology, Agriculture Science, Office Technology and Technical Drawing. These are for Year 12. For and Year 13 one subject, Computer Studies.

Madam Speaker, the syllabi and textbook for each of the above subjects were developed in 2015, so it is not something that was done overnight in November or December last year and sent to schools. For Year 12, 12 subjects were considered as alluded to earlier on, and for Year 13, one subject. The rest of the Year 13 subjects are still taught using the old prescription, and there is a difference between prescription and syllabi. If there is a question, I will respond to that, Madam Speaker.

Development of these in 2015 was in light of the new Year 11 syllabi implementation because prior to 2015, new Year 11 syllabi was implemented, so they will be able to follow on and have the

new syllabi for Year 12 and therefore, Year 13 will follow as well. At the moment, we just introduced one for Year 13.

Madam Speaker, Year 12 syllabi/textbooks was for Physics, Economics, Geography, History, Computer Studies were developed in parallel with Year 11 syllabi/textbooks in 2014. So, in 2014 it was developed and implemented in 2015.

Madam Speaker, Year 12 syllabi for English, Mathematics, Biology, Chemistry and Accounting were also developed in 2014, but was not implemented in 2015 because the textbooks were not ready. So the syllabi was developed earlier on but it was not implemented because we need to have the textbooks to support the teachers' respective resource material.

However, the Year 12 syllabi documents for these particular subjects had already been sent to schools with Year 11 syllabi are available for teachers' scrutiny and feedback from 2014 to 2016. We had given three years for teachers to provide feedback on these materials

Madam Speaker, the development of the syllabi and the textbook for each subject was a yearlong process and then feedback from teachers. The syllabi and textbooks were developed in parallel with the Curriculum Advisory Services staff under the oversight of a Curriculum Work Group Committee. So, there is a Curriculum Work Group Committee which scrutinizes the work of the Curriculum Advisory and Services which is the internal group of Ministry of Education Curriculum Experts.

Madam Speaker, the Curriculum Work Group Committee members comprised of Subject Matter Specialists from the Ministry and we have about 10 to 12 senior teachers, for example Biology. So, for Biology it will be the Senior Education Officer, the Education Officer Biology and the Research Officer Biology, and then they will have about 10 to 12 HOD Teachers in Biology from different schools to ensure that we capture their school dynamics and the feedback from the HODs.

There were three minimum working group meetings throughout the year, Madam Speaker, so once the Curriculum staff are able to develop a particular chapter, let us say three chapters, then they will have a meeting with the working group which will consists of the HODs and where they will have a workshop and discuss topic by topic.

During and after syllabi and textbook development, university lecturers were involved as part of the consultation process and feedback. So the next step could be, the Working Committee after consultation with the Curriculum staff and the HODs, will then consult the university lecturers to get expert advice on this subject matter for suitability at that particular level whether it is Year 12 or Year 13.

Madam Speaker, benchmarking of the curriculum was carried out with overseas countries, including the textbooks and syllabi development. Once the Curriculum Working Group Committee had vetted the complete syllabi and textbooks, it was presented to the Curriculum Council by November 2016 for approval. So we have Curriculum staff in the Curriculum Section, then we have the Working Committee who will consult the HODs, and then the university lecturers, then from there once it is approved it comes to the Curriculum Council.

Madam Speaker, the Curriculum Council comprise of Senior Management of the Ministry who examine each syllabus and textbook but it is more a policy matter. The content is left to the experts, who are from the two levels - the Curriculum staff and the Curriculum Working Committee where the experts include university lecturers.

Madam Speaker, the syllabi and textbook final set of consultations with various stakeholders was held in 2016 and it started printing in the middle of October so that we are ready to start to with the despatch at the end of November. The despatching started in November, December and January. So all syllabi and textbook copies were uploaded in the Ministry of Education, Heritage and Arts homepage.

Madam Speaker, you will find all that syllabi and textbooks right from Year 1 to Year 13 soft or e-copies available in the Ministry of Education, Heritage and Arts homepage. It is copyright but anyone can download free. The circular was sent to school for the implementation of the new syllabi and textbooks, and the textbooks were given to every school so that the teachers can use it as resource materials. Thank you.

HON. SPEAKER.- Thank you. Honourable Leader of Opposition?

HON. RO T.V KEPA.- I have a question, Madam Speaker. I thank the Honourable Minister for his very longwinded explanation on a very simple question when he told us that this goes through the Curriculum staff, HODs, Curriculum Council, Content, et cetera, Madam Speaker.

There were olden tried and tested ways where we had safeguarded any security measures, Madam Speaker, in terms of the course content and the diagrams that children were exposed to in terms of their textbooks. I picked up a Year 7 textbook, thinking that it might be one of the textbooks belonging to Years 12 or 13 because the diagrams in that particular textbook is very specific and there are a lot of graphics. My question, Madam Speaker, is if it goes through all these different groups, how is the

HON. SPEAKER.- Honourable Minister would you like to answer? I am sorry your time has lapsed before you asked your question.

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

HON. PROF. B.C. PRASAD.- Can the Honourable Minister inform the House about his big announcement on textbooks being supplied on tablets to Year 12 and Year 13 students?

HON. DR. M. REDDY.- Madam Speaker, this question deals with hiring of textbooks and syllabi. If the Honourable Member wants to ask about the literacy programme, he should fill a separate question tomorrow.

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

HON. PROF. B.C. PRASAD.- Point of Order, Madam Speaker.

HON. SPEAKER.- Yes, Honourable Members.

HON. PROF. B.C. PRASAD.- I think it is ridiculous for the Honourable Minister to say that I need to ask a new question, it is about textbooks. He promised the students of this country that he will provide textbooks on tablets. This is the problem, he makes big announcements without thinking, but he needs to answer why he said that.

HON. SPEAKER.- Thank you, you asked your question you got an answer.

Honourable Leawere, you may have the floor.

HON. M. LEAWERE.- Madam Speaker, I just want to ask the Honourable Minister, who print the textbooks for Year 12 and Year 13?

HON. DR. M. REDDY.- Madam Speaker, most of them, given the volume of the textbooks, we have to tender out through the Fiji Procurement Office. Some of them are also printed at the Government Printing.

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

HON. V.R. GAVOKA.- Madam Speaker, I saw a textbook today and is illustrating the reproductive system in very graphic terms. My question is, who decides on the content of these textbooks? Year 7 now have illustrations of the reproductive system in very graphic terms. There must be a value system that translates to what we want our children to learn through textbooks. Who decides on this?

HON. SPEAKER.- Honourable Minister?

HON. DR. M. REDDY.- The experts decide, thank you.

(Laughter)

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

Progress of the National Development Plan Consultation
(Question No. 23/2017)

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

Can the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications advise this House on the progress of the National Development Plan Consultation?

HON. A.SAYED-KHAIYUM (Minister for Economy, Public Enterprises, Civil Service and Communications).- Madam Speaker, I rise to respond to the question asked by the Honourable Member.

The progress of the National Development Plan Consultation is now in the second phase. We have a draft copy of the National Development Plan, we also have an abridged version of the National Development Plan.

Madam Speaker, as you know that we had widespread public consultations on the NDP. It is now currently being reviewed internally. Of course the setbacks for *TC Winston* and *Tropical Depression TD04F* had an impact on our ability to go out to the public but nonetheless it also has given some opportunity to continue with the work.

As you know, Madam Speaker, just to recap, as highlighted to Parliament previously, we have an internal consultant from ADB, through the assistance of the Australian Department of Foreign Affairs to provide technical guidance in the preparation of the NDP. We also have the Global Green Growth Institute that has provided their Green Growth Specialist to mainstream the Green Growth Framework for Fiji and the National Climate Change Policy into the Development Plan.

Madam Speaker, we also have to take into account the 17 SDGs to be included within the NDP. We have also got additional assistance from the Australian DFAT, to mainstream cost-cutting issues, including gender considerations and other issues affecting Fijians living with disabilities, and for example, our youth.

Madam Speaker, before we go out to the members of the public again with the draft, we are going to hold internal consultations. When I say internal consultations, I mean, without having public meetings but with meeting specific groups - the various civil society groups, the Chambers of Commerce and other organisations like women's groups, et cetera, to get their feedback also.

Madam Speaker, we hope to have these two versions, once they are completed before we have the public consultations. They will be available to members of the public and also be available online.

Madam Speaker, I can also tell you that we have a programme that has also been a test. We start the public consultations which would be advertised in the media from 20th March to the 31st March. In fact, all the venues, times and dates have been fixed, except for Lau, Kadavu and Lomaiviti which are still being sorted out, but all the other provinces in different areas in Fiji, we have already identified the venues, the times and the dates where we will be there, and the team will be there to get the feedback again.

Madam Speaker, one thing that is quite interesting to note is because we have not had a development plan in Fiji since the first *coup* in Fiji in 1987, a lot of people actually are not necessarily aware of what NDP should actually include. It is very interesting to note that when we went out for the consultations, the general public is not necessarily concerned about what is going to happen or what their view is in 15 years' time, they are more concerned about the "here" and the "now". And it is, in a way, natural for them to talk about it, in particular, for example, if you go after a cyclone. They want their immediate needs addressed.

They want to say, "Look, we want the power pole fixed up, we want the water to come here, we want the roof to be fixed up", so those are the more immediate concerns. However, a successful NDP is one that looks at matters of the State and the nation in a strategic manner. For example, at the moment, 69.4 percent of the Fijian population is below the age of 14. What is the impact of that on our health system in 20 years' time? These are the kind of things we need to be able to address in the NDP. What does that mean in terms of employment issues? What does that mean in terms of the pension scheme? All of these are strategic placements on what we need to be able to address in the strategic plan and how we, as a nation, should work towards that.

It should also be a document that will send a message out to our development partners so they themselves can specifically target their development agenda with Fiji and work together with the Government, to ensure that we are able to meet our national objectives *viz-a-viz* all the different international imperatives that we have to meet, for example, the SDGs, and also our own targets in respect of the national programmes, for example, reducing our carbon footprint. So these are the kind of issues that we want to address in the NDP and, of course, working also together with the Ministries which will provide a guidance to the budgets to come.

That is the progress, Madam Speaker. The work is continuing, we have got a number of fresh eyes looking at the draft. There have been drafts of the re-drafts and, of course, we have got the programme as I said, that we will be having public consultations with the public from 20th to 31st March this year.

HON. SPEAKER.- Thank you. I open the floor to questions, if any.

HON. S.V. RADRODRO.- Madam Speaker, I thank the Honourable Minister for his explanation.

Madam Speaker, in his 2015 Budget Address, there was a promise there that the five-year development plan was going to be completed in the first quarter of 2015, and likewise in the 2016-2017 Budget Address, it says there that the 20-year and 5-year NDPs are expected to be finalised before the end of 2016. Can the Honourable Minister explain what is he going to do because definitely those stated targets have not been fulfilled?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I just wish to highlight what the Honourable Member has highlighted, she knows that 2015 and 2016 have already gone past. But as we have said, the NDP has not been finalised and we are telling you some of the reasons as to why it was not, and we are also giving you a plan as to when we will have a second round of consultations.

We could have presented a dud document to this Parliament, but then you will criticise that also but also for our own purposes, Madam Speaker, we want to have a good document. It is going to be after-all, a 20-year plan or a 5-year plan and we want to do it right. And if we do not have the right resources and if we do not have the right input, let us not put up a document that is going to be a dud document. Let us get it right and that is what we are trying to do. So if it has been delayed and it has been delayed which we accept and we have said previously, then so be it but we want to put up a good document. But I urge the Honourable Member, you will be seeing the advertisements in the papers, go and attend the public consultations and make your contribution.

HON. SPEAKER.- There being no other questions, I now give the floor to the Honourable Anare Vadei to ask his question.

Progress of the Implementation of the Free Medicine Programme
(Question No. 24/2017)

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

Can the Honourable Minister for Health and Medical Services advise this House on the progress of the implementation of the Free Medicine Programme?

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

Madam Speaker, as discussed in the Business Committee meeting yesterday, this matter will be addressed in detail in my ministerial statement later today.

HON. SPEAKER.- Thank you.

Honourable Members, we have now come to our lunch hour and Parliament is now adjourned for lunch and we will resume at 2.30 p.m.

The Parliament adjourned at 12.33 p.m.

The Parliament resumed at 2.30 p.m.

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

We will continue from where we left off and I now give the floor to the Honourable Howard Politini to ask his question.

Fiji's Participation in UN and Non-UN Peacekeeping Missions
(Question No. 25/2017)

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

Can the Honourable Minister for Defence and National Security inform this House on the level of Fiji's (RFMF, Police and Corrections) participation in both United Nations and Non United Nations Peacekeeping Missions around the world?

HON. RATU I. KUBUABOLA (Minister for Defence and National Security).- Thank you, Madam Speaker. First I would like to thank the Honourable Howard Politini for his question.

Madam Speaker, international peacekeeping is the centrepiece of Fiji's foreign policy. The Fijian troops deployed to Southern Lebanon in 1978 was a commitment for a young nation recognised as a responsible global citizen and the minority contribution towards our foreign exchange earnings and employment for youths. The pressure on Fiji to sustain its peacekeeping commitment further required more troops for the deployment to the Multi-National Mission in Egypt in 1982.

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

Madam Speaker, the Fiji Police Force has also engaged in the peacekeeping arena with its participation in United Nations Mission in Namibia, Cambodia, Iraq, Kosovo, Liberia, Sudan, South Sudan and our own regional mission in the Solomon Islands.

Our Correction Services also has an ongoing quota with the United Nations Mission in South Sudan.

Madam Speaker, peacekeeping has changed dramatically ever since Fiji was initially involved in 1978 with non-state actors involved becoming more radicalised with the use of unorthodox and unconventional tactics. The contemporary peacekeeping space today unlike before is shared by innocent civilians, peacekeepers, state and non-state actors with dynamically opposed agendas of the major parties involved forcing the operating environment to be more fluid, increasingly complex and lethal.

As of today, Madam Speaker, we have 848 peacekeepers in different missions; 90 percent from the Military, 10 percent from the Police and Corrections. We have 203 in Sinai (the Non-UN Mission), 288 in UNDOF, 148 in UNIFIL, 168 in Iraq, 28 in South Sudan, 3 in UNSOL and 13 in Darfur with a total of 848 Peacekeepers from the Military, Police and Corrections. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The floor is open to supplementary questions, if any? Honourable Alvick Maharaj.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker. Can the Honourable Minister explain if Fiji is meeting the UN requirement in regards to women's participation in peacekeeping?

HON. SPEAKER.- Honourable Minister.

HON. RATU I. KUBUABOLA.- I think that is a new question, Madam Speaker. I would like to ask the Honourable Member if I can answer that tomorrow.

(Laughter)

HON. SPEAKER.- Thank you. Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. We salute our troops in the foreign fields especially in combat areas. In a number of occasions, Madam Speaker, when life is hot in one part of the region, they always come down to Israel for their sanctuary like we had in Syria in 2014 and Sinai and all that. So it behoves us to keep the relationship with Israel as friendly and supportive as possible. My question, our Ambassador to the United Nation and President of the General Assembly Peter Thomson was seen donning the PLO scarf and flag in a UN function. Can you explain that? When you want to keep Israel on side why was he insensitive in donning the PLO scarf? Thank you.

HON. SPEAKER.- Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, I can assure the Honourable Member that we have very good relations with Israel, we have no problems with Israel and they respect our position in the United Nations in regards to what they request from Fiji.

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

HON. N. NAWAIKULA.- Madam Speaker, from the amount that UN pays to Fiji for our personnel, can the Honourable Minister clarify whether the Government makes a deduction to itself or does it pay the whole sum to the personnel and if so what percentage goes to the Government?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, I believe that is a new question. We can put that question to another day and I will be able to answer that.

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

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I would like to ask the Honourable Minister as to how much money the United Nation owes to the Fiji Government for the participation of our Fijian troops in the United Nation.

HON. SPEAKER.- Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, I also believe that, that is a new question. I will be very willingly to answer that on another day.

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

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I hope this is not a new question.

(Laughter)

Could the Honourable Minister identify which is a United Nation Peacekeeping Mission and which one is a Non-UN Peacekeeping Mission? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, as I mentioned in my statement the Multi-National Mission in Sinai is a Non-UN Peacekeeping Mission.

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

HON. M.R. LEAWERE.- Madam Speaker, I just want to ask the Honourable Minister for clarification, how much is funded by UN and how much is funded the Fiji Government?

HON. SPEAKER.- Thank you. Honourable Minister.

(Chorus of interjections)

HON. RATU I. KUBUABOLA.- Apologies, Madam Speaker, I believe that is a new question and it is very much related to the question that was put before. Thank you, Madam Speaker.

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

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. For future engagements, is there any reduction or it still maintains the number of forces engaged in peacekeeping, what is the projection?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. RATU I. KUBUABOLA.- Madam Speaker, the reduction in number of peacekeepers, yes, recently we had a reduction in Sinai.

HON. SPEAKER.- Thank you. There being no other question, I now invite the Honourable Viam Pillay to ask his question.

HON. V. PILLAY.- Madam Speaker, I withdraw my question, thank you.

HON. SPEAKER.- Thank you.

(Question No. 26/2017 withdrawn)

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

National Gender Policy
(Question No. 27/2017)

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

Can the Honourable Minister for Women, Children and Poverty Alleviation inform this House on the implementation of the National Gender Policy? Thank you, Madam Speaker.

HON. M.R. VUNIWAQA (Minister for Women, Children and Poverty Alleviation).- Madam Speaker, Fiji's National Gender Policy is a guiding national policy on gender related issues. This was launched under your leadership, Madam Speaker, and it encompasses the whole spectrum of relevant elements which are necessary for our effort as a nation in driving towards gender equality. The main aims of that policy; improvement of the quality of life of men, women, boys and girls at all levels of society through the promotion of gender equity and equality.

It re-enforces strong links between gender equality and sustainable development goals, it promotes active and reasonable gender mainstreaming in all sectors and within civil society to ensure gender equity and equality and it removes all forms of gender inequality and gender discrimination.

For our national policy, Madam Speaker, it is pretty young and in working towards attainment of gender equality in related issues, it has been ongoing for years, it predates the policy, not only by Government but also by our non-government partners.

At present, Madam Speaker, the main focus of our implementation lies in gender mainstreaming advocacy and awareness. Some of the main tools of implementation being used are the appointment of focal officers within Ministries in Government. At the moment we have appointed up to 20 focal officers in different Ministries and trained them to be gender sensitive and also to keep an eye out on how these Ministries can incorporate gender into the policies carried out within those Ministries.

Madam Speaker, like any other nationally important working paper, knowledge of the policy is very important for all stakeholders. To that end, the Ministry is working towards translating the National Gender Policy into the main languages.

We also have a gender advisor who is working with National Planning to ensure that the National Development Plan is gender sensitive as well. There is also work currently ongoing to ensure that gender issues are mainstreamed into Government policies.

As the lead agency for women, Madam Speaker, my Ministry is taking the lead in training all officers within the Ministry on gender.

Madam Speaker, apart from what I have spoken about, we do all know that our non-government actors are also very active in the work that they do to contribute to our national effort towards gender equality. Given that it is a cross cutting issue, the answer lies in the multi-stakeholder approach between Government, non-government actors, religious organisations, communities and individuals to be aware of the negative impact of gender inequality in our progress as a nation, to be aware of the National Gender Policy and its aims and to do what we can in the positions that we hold to take a step closer towards the aim of gender equality.

Madam Speaker, some employers in the private sector, like Mr. Fareed of FHL has come out to encourage the appointment of women on Boards of FHL subsidiaries. Just last week, the Governor of the Reserve Bank of Fiji in a public statement stated how he wanted to see more women of merit on the boards of publicly listed companies. The Honourable Prime Minister himself is my favourite example, in his own words to me before I stood for Elections, "I want more women who can articulate themselves in Parliament to join my party." It is these leaderships and advocacies that can contribute a lot towards attainment of the aims of our National Gender Policy. Thank you, Madam Speaker.

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

HON. S.V. RADRODRO.- Thank you, Madam Speaker and thank you Honourable Minister for that presentation, explanation on the National Gender Policy. The availability of sex disaggregated data is crucial for the effective implementation of the National Gender Policy. Can the Honourable Minister please confirm if this is available within the Ministry and if not what strategies or actions the Ministry has in place to pursue that sex disaggregated data is made available to the Ministry?

HON. M.R. VUNIWAQA.- Madam Speaker, I totally agree with the statement that has been made that we need sex disaggregated data in order to come up with programmes that are more effective and more targeted. To that end, as I have mentioned we have appointed focal officers in all ministries; about 20 at the moment for this very purpose. That is one of the work that they are undergoing apart from inculcating gender related issues into National Policies.

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

HON. N. NAWAIKULA.- Can the Honourable Minister please explain to the august House how the policy has been applied and has impacted rural women in general and also rural indigenous women?

HON. M.R. VUNIWAQA.- The policy, Madam Speaker, is multifaceted. It not only talks about the empowerment of rural women, it also talks about women in the labour force and other spheres of life. For the particular question, he is asking about rural women in particular, there are already programmes within my Ministry and also our non-government partners; programmes that are geared towards the empowerment of women in rural areas.

Here I am talking about income generating projects. It is an opportunity for women to be able to earn a living for themselves and their families. It is not only my Ministry that does this, we also know about the grants that is being given by the Ministry of Industry and Trade, there are women who are also eligible for that and have actually received that particular assistance. So, as I said, it is an all-encompassing policy and yes rural women is definitely one of the hallmarks of that policy.

Madam Speaker, further on that point, on the empowerment of rural women, there is a National Expo that is being run by Government through my Ministry that will be held in June this year from 14th to 16th. That is targeted towards rural women to empower them to find markets for the projects that they have started.

HON. SPEAKER.- Honourable Politini.

HON. H.R.T. POLITINI.- Just a supplementary question to the Honourable Minister for Women, Children and Poverty Alleviation. What is the update of gender mainstreaming in the Civil Service?

HON. M.R. VUNIWAQA.- Again, Madam Speaker, that is ongoing work with the 20 focal officers that we have in the different Ministries.

HON. RATU K. KILIRAKI.- Supplementary question, Madam Speaker. In As alluded to in the employment in the Civil Service, where does open merit system apply as against to gender equality?

HON. M.R. VUNIWAQA.- Madam Speaker, when we advocate about gender equality we are not saying that women who are not eligible for a job should get a job. The open merit policy does

apply but what we are advocating is for women who have the necessary prerequisites for a job in the Public Service will definitely get a job through the open merit system.

HON. A.M. RADRODRO.- Supplementary question to the Honourable Minister for Women. I hear a lot about the general implementation of the policy but just recently the Honourable Minister supported the motion to suspend one of the female Members of the House. Can the Honourable Minister highlight to us some of the specific challenges that her Ministry is facing in terms of the implementation of the gender policy?

HON. M.R. VUNIWAQA.- I do not see how that example works, but we are all here as Members of Parliament. There are rules that apply to us. When we talk about gender policy, again I say, we are not advocating for women to have special rules. We need women with merit to be recognised and if women do not follow the rules, they need to be disciplined as well.

HON. GOVT. MEMBER.- Tell them, tell them.

HON. SPEAKER.- Yes, Honourable Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Can I ask the Honourable Minister is there anything in her plans or in the vision for the future to cater for the nursing mothers in the workforce? Do we give them a break in-between the date of birth for say 24 months, et cetera?

HON. M.R. VUNIWAQA.- I did mention, Madam Speaker, this National Gender Policy is all encompassing. It also talks about women in the workforce and like any policy, we are not going to realise this overnight. It is going to take us quite some time, a long time to achieve all the targets in this policy, even the most developed country in the world is still struggling with the issue of gender equality. It is a working document, there are aims in here, targets and yes it also addresses the issue that has been raised in relation to women in the workforce.

HON. SPEAKER.- Thank you. There being no other question, I now give the floor to the Honourable Samuela Vunivalu to ask his question.

Fish Poisoning Issue – Gau Island
(Question No. 28/2017)

HON. S.B. VUNIVALU asked the Government, upon notice:

Can the Minister for Health and Medical Services inform the House on what were the actions of her Ministry in regards to the fish poisoning and eventual death report on Gau Island in Lomaiviti?

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

Madam Speaker, please allow me to say that it was really an unfortunate start to the New Year with the unfortunate incidents of fish poisoning where four lives were lost. The four lives lost were due to what we know is confirmed as the Ciguatera Fish Poisoning. If I may inform the House about what that fish poisoning is and how it occurs.

Ciguatera poisoning is a form of fish poisoning that is caused by eating fish that has ciguatera toxin. Ciguatera toxin is produced by dinoflagellates, being small marine organisms that live on or near coral reefs. These marine organisms may attach to seaweeds, corals and algae in warm seawater

ocean reef environments. Small herbivorous fish eat algae that have ciguatera toxin and the potency of the toxin increases as it accumulates up to the predatory food chain with very high toxin levels present in bigger reef fish.

Many species of reef fish have been known to cause ciguatera poisoning in humans. The toxin does not affect the appearance, odor or taste of the fish and is not destroyed by cooking, refrigeration or freezing. Madam Speaker, here we have a list of all those fish species that are known to have ciguatera poisons/toxins and this is one of the information charts that has been used by the Ministry of Health in conjunction with the Ministry of Fisheries in informing the public about what fish to eat and what fish not to eat.

Coming back to the four deaths on the island, again like I said it is very unfortunate and regretted. In total, we lost 4 lives and about 17 people were affected who have since then recovered from this poisoning. Medical health was sought for a number of people with suspected fish poisoning from eating the fish that we know now as *Daniva* fish.

Madam Speaker, after that two more cases were reported from Votua Village, Ba and fortunately for us they sought medical assistance very quickly, they were treated and have since now recovered.

Since the moment this issue was brought to the attention of the Ministry, as I mentioned in the House yesterday, our medical officer based at the health centre was in Suva and had accompanied a sick child to CWMH and the nurses and the team acted promptly to ensure that no further lives were lost.

We promptly deployed a medical and public health team from Levuka to be stationed there and they carried out visitations to the villages around to follow up on the affected villages and they provided further medical treatment and further advice to the villagers on the signs and symptoms of fish poisoning and other preventative measures. Any patient who appeared to be at a risk was carefully monitored and treated and like I said have since recovered.

At this point in time I commend and acknowledge the two nurses based at Qarani and Nawaikama Nursing Stations who responded in a very timely and professional manner in treating all the villagers that were affected by the *Daniva* fish poisoning even though our medical officer was not present there.

Madam Speaker, at this point in time I would also like to put on record my appreciation to all our doctors, nurses and all health medical staff throughout the country. They worked through good times, they worked in challenging times, they work in difficult times, and they work in remote environments but at all times we have to ensure that all our Fijians have access to the care they need, when they need it and the public can be assured of that. We will do everything within our means, within our capacity to provide services to our fellow Fijians.

The Ministry of Health and Ministry of Fisheries, Madam Speaker, has continued to bring awareness on fish poisoning prevention. We have also used the social media and the media to create awareness and communicate with messages to the general public on fish poisoning prevention. In terms of the Ministry of Health, our team was advised and updated to inform their clientele on what needs to be done and how these fish poisoning cases could be detected and there are measures taken like awareness programmes. We would like to plead to the public that when information is given, they need to take heed of this and should they see that they would be suffering from any form of fish poisoning, they need to report at the earliest to the nearest health centres for any preventative measures.

Madam Speaker, another information that I would like to bring to the august House, like I said, ciguatera fish poisoning, the common features in a fish for example, in herrings and sardines which are commonly used as baits that suggests that it may have poisonous toxins. These fish may have distinctively red and swollen eyes. It is encouraged that fish is carefully scrutinised for unusual features that may suggest the possibility of toxin presence.

In terms of the effects of fish poisoning, Madam Speaker, symptoms usually occur within 2 to 24 hours. However, we have had cases reported to occur as early at 15 minutes of eating any poisonous fish. I am sure someone is going to ask me what are the symptoms of that, so please let me tell you before you ask. A person with fish poisoning may have;

- vomiting
- diarrhoea
- stomach cramps
- headaches
- fatigue
- fainting
- joint and muscle pains
- tingling around mouth, fingers and toes
- burning sensation or skin pain on contact with cold water
- extreme itchiness or can become unconscious in severe cases

It is recommended once again that anyone suspected or shows symptoms of fish poisoning seek immediate medical attention. There is no cure or specific antidote for fish poisoning although the supportive treatment can be provided and most patients do fully recover without any serious complications. Thank you.

HON. SPEAKER.- Supplementary questions?

HON. N. NAWAIKULA.- (inaudible)

HON. SPEAKER.- I have not given you the floor yet.

Alright Honourable Nawaikula, you may have the floor.

(Laughter)

HON. N. NAWAIKULA.- Can the Honourable Minister please inform the House whether the Qarani Health Centre was stocked with the right medicine to fight this toxin? If yes, why did they die? If the Health Centre was not stocked with the right medicine/toxin, why it was not stocked because it is prevalent in any coastal country.

HON. SPEAKER.- Just repeat your question, please?

HON. N. NAWAIKULA.- Can you please explain if the Qarani Health Centre was stocked with the right medicine to fight this toxin? If yes, then why did these four people die? But if it was not stocked, then why not? Why was it not stocked?

HON. R.S. AKBAR.- You are talking about stocking of medicines to cure that, that was not the reason....

HON. N. NAWAIKULA.- (Inaudible)

HON. R.S. AKBAR.- Sorry, I do not know where you got the report from. Apologies, Madam Speaker. When this incident happened, there was a lot of reports that came in the media, some were actually substantiated by facts and we did manage to clear the air with all the media stations, both the print and the television. What came out was that, the patients did not die because there was negligence on the part of the Ministry, and there is no report to state that our health centres were not stocked with the medicine, that is why we managed to save the other villagers. What I gathered from the report was that they were presented very late to the health centres and that eventually led to the death, but those who presented themselves earlier to the health centres, they were looked after, treated and they recovered. Thank you.

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

HON. A.T. VADEI.- Thank you, Madam Speaker. I know that this is not the last time for fish poisoning in our country. Has the Ministry conducted some research on the use of traditional medicine to cure fish poisoning in maritime islands or remote areas where they cannot have access to modern medicines?

HON. SPEAKER.- Honourable Minister?

HON. R.S. AKBAR.- Madam Speaker, I thank the Honourable Member for the question. Well, to answer your question straight, Honourable Member, we have not considered that option but we are aware that many communities, villages and individuals have their own ways of testing whether the fish is poisonous or not.

As part of the medical facility, we encourage people not to take that risk and be sure of what fish is to be eaten. Like you have said, that is something that we can consider, if it works for people then will consider that. At the moment, we have not considered that.

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

HON. V.R. GAVOKA.- Thank you, Honourable Speaker. Honourable Speaker, the species that the Honourable Minister had displayed have some fish that some of us did not believe are poisonous. I love fish and some of my favourites are in there, and I was ignorant of this.

(Laughter)

HON. GOVT MEMBER.- Eat it!

I wish you good health too. The indication of the danger in this is our people, Madam Speaker, that their level of ignorance is quite high in this country about what is poisonous.

I would ask the Honourable Speaker to lift the level of awareness, whether by television, radio or by newspaper because that is the first time some of those species have been identified as poisonous. So, how far can you go in terms of creating awareness?

HON. SPEAKER.- So, you have given me an extra role, Honourable Gavoka?

HON. V.R. GAVOKA.- I am sorry, Madam Speaker.

HON. SPEAKER.- So, you have given me an extra role, you told the Speaker to increase the awareness.

(Laughter)

HON. V.R. GAVOKA.- I would ask the Honourable Minister as to how much more she can go to in terms of creating awareness because the way I look at it, it can be that this is an acute emergency.

HON. R.S. AKBAR.- Thank you, Madam Speaker, and I thank the Honourable Member for that concern. I am sure we are all concerned about our communities and I can assure the Honourable Member and this august House that I will go all the way with the Honourable Minister for Fisheries to ensure that we raise the level of awareness.

This morning, during conversation, I was informed by the Honourable Minister for Fisheries that these are all over the places; the fish markets with communities, but like you said, this is not enough. We really have to uplift our level of awareness to ensure that people do not consume this.

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

HON. J. DULAKIVERATA.- Thank you, Madam Speaker, a supplementary question. This fish species, *Daniva*, has never been known to be poisonous, and this is probably the first time in the history of Fiji that it has been poisonous.

HON. GOVT MEMBERS.- No.

HON. J. DULAKIVERATA.- I want to ask the Honourable Minister, because this fish is not in the list of poisonous fish under the Department of Fisheries, is this a one-time only incident or it will be listed as one of the poisonous fish species? Thank you.

HON. SPEAKER.- Honourable Minister.

HON. R.S. AKBAR.- Thank you very much, Honourable Member. I do not know what list you are talking about but I have been told by my colleague here that it is part of that list, and you talking about *Daniva*. So, the point here is for us to create awareness amongst our communities not to eat that and then I cannot guarantee you whether it is a one-off thing or a long-term. I will have to ask some experts and I will get back to you.

HON. SPEAKER.- Honourable Minister for Fisheries, would you like to add to that answer?

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, the list that has been published in the daily papers and also in the blog sites include *Daniva* also. So, I am not sure if the Honourable Member has read his list or maybe it is a different list that he can read or he cannot read.

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

HON. S.D. KARAVAKI.- Madam Speaker, I was just indicating that charcoal is the natural remedy for poisoning; whether the Ministry of Health would consider also recommending or working together with the use of natural remedies to complement the medical treatment that is given? Because in this case, Madam Speaker, if they were told to use charcoal right there and then, no one would have died. I would just ask the Honourable Minister if she could take that into account and consider, and also working together with those who work on natural remedies.

HON. SPEAKER.- Thank you. That was not a question, it was a statement. There will be no more questions. We are now on to the written questions for today and I invite the Honourable Ro Teimumu Kepa, the Leader of Opposition, to present her written question.

Written Questions

Number and Location of *Qoliqoli* owners in Fiji
(Question No. 29/2017)

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

Can the Honourable Minister for Fisheries provide the following:

- 1) The number and location of *qoliqoli* owners in Fiji; and
- 2) The breakdown of annual fees collected from licensees in these *qoliqoli* areas from 2009-2015?

HON. CDR. S.T. KOROILAVESAU (Minister for Fisheries).- Madam Speaker, pursuant to Standing Order 45(5) I here table my written response to Question No 29/2017 by the Honourable Leader of the Opposition.

(Applause)

HON. SPEAKER.- Could you please hand your written response to the Secretary-General?

(Written response handed to the Secretary-General)

Thank you, it is not surprising that you are tabling it because the way you responded to all the questions that came in the Speaker's Debate was just excellent. Thank you, Honourable Minister.

(Acclamation)

HON. SPEAKER.- I now give the floor to the Honourable Jiosefa Dulakiverata to ask his written question.

Formula -Royalty
(Question No. 30/2017)

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

Can the Honourable Minister for Industry, Trade, Tourism, Lands and Mineral Resources provide the formula calculation for fair share of royalty paid to landowners for the last four years, as mentioned in Section 30(1) and (2) of the Constitution?

HON. F.S. KOYA (Minister for Industry, Trade, Tourism, Lands and Mineral Resources).- Madam Speaker, I thank the Honourable Member for the question, and I will table by answer at a later sitting date as permitted under Standing Order 45(3).

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

HON. V.R. GAVOKA.- Thank you, Madam Speaker. May I also commend the Minister for Fisheries. I asked a written question on Monday, I got my answer on Tuesday, and a very comprehensive one and beyond what I asked for, which is very much appreciated. Thank you, Honourable Minister.

(Acclamation)

Formula - Compensation to Yatu Malolo
(Question No. 31/2017)

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

Can the Honourable Minister for Industry, Trade, Tourism and Lands and Mineral Resources outline the formula with which compensation is calculated for those in the Yatu Malolo, who during filming of a movie or documentary, (which can run into months), are denied access to the “no go areas” established by the filmmakers; areas which in their normal daily lives are –

- routes of travel by sea;
- routes of travel by land; and
- fishing grounds?

HON. F.S. KOYA (Minister for Industry, Trade, Tourism, Lands and Mineral Resources).- I thank the Honourable Gavoka for his question and Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3).

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Mikaele Leawere to ask his written question.

Current Status – Government Printing Press
(Question No. 32/2017)

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

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications provide an update on the current status of the Government Printing Press?

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communication).- Madam Speaker, I will table my answer at a later sitting date as permitted under Standing Order 45(3). Thank you.

HON. SPEAKER.- Thank you. The Question time is now over.

MINISTERIAL STATEMENTS

HON. SPEAKER.- Honourable Members, the following Ministers have given notice to make Ministerial Statements under Standing Order 40, the:

- Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications;
- Honourable Minister for Education, Heritage and Arts and National Archives of Fiji;
- Honourable Minister for Industry, Trade, Tourism and Land and Mineral Resources;
- Honourable Minister for Health and Medical Services; and
- Honourable Minister for Youth and Sports.

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 five minutes. There will also be a response from the Leader of the NFP, or his designate, to also speak for five minutes. There will be no other debate. I now call upon the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to deliver his statement.

Update – Performance of the Fijian Economy 2016-2017

HON. A. SAYED-KHAIYUM.- Madam Speaker, I wish to present an update on the performance of the Fijian economy in 2016 and in 2017, including Government initiatives that support our growth momentum and the highlight prospects for 2017 and medium-term, and also as the philosophy of FijiFirst is “to empower ordinary Fijians”.

Madam Speaker, the vision of the FijiFirst Government lies not in making all decisions for its people but in creating the conditions that allow Fijians to seize those opportunities to improve themselves, to create, to grow and to contribute to building a nation that is more prosperous, more just and more modern every day.

Madam Speaker, we have repealed and revised our Fijian Laws to promote inclusive developments and support investor-confidence.

We are investing in education and working to close the skills gap through technical colleges. We are modernising the Civil Service to improve access to and delivery of Government services.

We continue to invest heavily in infrastructure, roads, bridges and jetties, including footpaths and street lighting. We are charting new air links to increase connectivity to the world and visibility to investors.

We are connecting Fijians to the grid electricity. We have taken further steps to develop *iTaukei* land to benefit resource-owners and ordinary Fijians. We are providing metered, safe drinking water to Fijians and empowering them with social protection programmes.

We are also introducing new laws to improve workers’ rights, and of course, securing our FNPF.

Madam Speaker, Government is doing what it should do, investing in the enablers that will support Fijians to fully participate in the economy and drawing genuine investors, both domestically and internationally, that share the Fijian Government’s vision for inclusion with sustained growth and development.

Madam Speaker, despite the destruction of *TC Winston*, the Fijian economy is estimated to have expanded by 2 percent in 2016. This means that the Fijian Economy has recorded seven years of consecutive economic growth, seen only once before in the post-independence era, which was in the 1970s.

For 2017, the economy's forecast is to accelerate with 3.6 percent growth. The positive growth of the economy is again achieved, this will become the longest period of sustained economic growth since Independence.

Madam Speaker, 2018 and 2019 also looks promising, with the economy projected to grow by 3 percent, and if achieved, Fiji will register 10 years of consecutive economic growth. This unprecedented growth trend, Madam Speaker, and particularly the strength of this growth is clear evidence that our economic policies and investments Government is undertaking are doing what we intended them to do and that is the right economic course for Fiji.

Madam Speaker, the current economic expenses are driven both by public and private sector activities and we must sustain this growth momentum.

Madam Speaker, the Revised Edition of Laws of Fiji was launched in December last year. The consolidation of the laws which has not been done for 30 years provides clarity regarding the laws applicable in Fiji. This makes doing business easier and more transparent, which in turn boost investor-confidence and facilitates domestic and foreign investments. The Government's legislative programme is also focused on facilitating business in Fiji.

We are currently working with the United Nations Commission on International Trade Law (UNCITRAL) and the ratification of a number of Conventions, including the United Nations Convention on the use of Electronic Communication in International Contracts 2005, the report of which will be tabled we understand, in Parliament soon and the United Nations Convention Contracts for International Sale of Goods.

Madam Speaker, the ratification of these Conventions and the effects on our domestic laws will make it easier for Fijian businesses to transact internationally and indeed attract foreign businesses to Fijian business. Along with these initiatives, such as the National Switch, which will be debated in Parliament tomorrow, we understand the reforms by the Government foster increased business confidence which will have a flow-on effect on the economy. It will make the cost of doing business a lot more cheaper. It will also mean that our individual citizens will be able to access finance facilities at a much lower cost.

Madam Speaker, modernising the Civil Service as we talked about builds public trust and confidence in governance and service delivery. A modern Public Service is also essential for building and sustaining investor-confidence.

Introduction of new technology, not just introduction of new technology as in the hardware but also the process of modernising the methodologies relating to the processing of the applications.

Madam Speaker, there are number of positives in 2016. All sectors expanded with the exception of the primary and manufacturing sectors, which declined due to the impact of *TC Winston*.

The Tourism sector continued to grow and reached the new milestone. Arrivals have achieved or reached a new record of 792,320 persons, which was 5 percent higher than 2015. Whilst visitors from one of our traditional sources, Australia dips slightly, new highs were recorded for New Zealand and China, which grew by 18.3 percent and 22.2 percent respectively.

For the visitor economy, we introduced direct flights to Singapore in April last year. This year again, we have achieved yet another milestone with Fiji Airways announcing plans for twice a week direct flight from Adelaide to Nadi, starting from 30th June this year. With the launch of the

4th Australian route after Sydney, Brisbane and Melbourne, you will now see our expansion from the Eastern seaboard of Australia into the Centre of Australia, which will provide a new catchment area.

Madam Speaker, the new route will also be a gateway for flights to the United States, including Los Angeles and San Francisco via Nadi. The new lag will also connect South Australia with other South Pacific regions, including Tonga, Samoa, Vanuatu via Nadi and comes as Fiji Airways announces its new 737 Max 8 Aircraft, which will start coming on stream from next year.

Madam Speaker, the wholesale and retail sector is estimated to have contributed 0.5 percentage points to the 2016 growth. Feedback from the Reserve Bank of Fiji's Retail Sale Survey revealed that businesses expected retail sales to grow in excess of 8 percent in 2016.

The Construction sector is estimated to have contributed approximately 0.4 percentage points to growth last year. This is supported by partial indicators that is double digit growth in both the value of work input and domestic cement sales.

The Mining sector also showed a turnaround with production increase in 2016 and a pick-up in electricity production despite significant damages to related infrastructure.

Madam Speaker, these sectorial performances reflect strong confidence in Government's policies and the economy as a whole. This is evident in the results of the Reserve Bank of Fiji's Business Expectation Survey, where almost 80 percent of the responders to the survey said that they would invest in plant and machinery over the next 12 months, while almost 70 percent said that they would invest in buildings.

Madam Speaker, this is further supported by a number of partial indicators that are closely monitored by the Reserve Bank that showed that both consumption and investments spending remained strong over 2016. These include VAT collections adjusted for the 40 percent reduction in VAT rate from 15 percent to 9 percent.

Imports and new and second-hand vehicle sales, employment PAYE collections and remittances, although we believe there is still scope to have more VAT collections and there is still a lot of VAT dodging still going on, both at the border and within the border itself.

On an annual basis, inward personal remittances rose by 10.2 percent to a record of \$541.8 million in 2016, following the 28.3 percent growth in 2015. Madam Speaker, again, spending remained high with private sector, credit expanding by 4.9 percent in the year to November 2016, demonstrating business confidence.

Madam Speaker, inflation rose between May and September 2016 period, to above 5 percent due to a shortage in supply of primarily fresh fruits, vegetables and *yaqona*, but declined to 3.9 percent at the end of the year.

For 2017, Madam Speaker, the Reserve Bank forecast inflation to decline further to around 2.5 percent at the end of this year. At the end of December 2016, foreign reserves held by the Reserve Bank was \$1.9 billion, sufficient to cover 5.4 months of retained imports. Currently, reserves are at a similar level, which is unprecedented, Madam Speaker.

Madam Speaker, labour market conditions also remain favourable. The Reserve Bank of Fiji's Job Advertisement Survey showed a growth of 15.1 percent for the whole of 2016, after an 18.7 percent rise in 2015.

In terms of job creation and micro and small enterprise development, Madam Speaker, the Micro and Small Business Grant Scheme, under the Ministry of Industry, Trade and Tourism, has to-date disbursed \$5.5 million in grants to grassroots people. The total recipients since the launch of the initiative in July 2015 stands at 5,853 people.

Madam Speaker, \$6.4 million allocated in the 2016-2017 Budget will be used to rehabilitate businesses affected by *TC Winston*; \$2.2 million will be disbursed to assist 2,508 affected grant recipients. A further \$4.7 million, as highlighted by the Honourable Minister the other day, grant by the Government of India will be used for assisting new applicants. So far, 19,850 new applications are currently being considered by the Ministry.

Madam Speaker, given that around 70 percent of our total population is below the age of 40, the Fijian Government will continue to provide the necessary tools to ensure that our youths are not only successful job seekers, but also become job creators themselves. We need to move away from that mind-set, which of course we appeal to the other side to think about also.

Madam Speaker, to support this, Government provided \$18.8 million in the 2016-2017 Budget, to fund the operations and establishment of technical colleges. Madam Speaker, to-date, 13 technical colleges have been established, the latest being Ratu Mara College in Lakeba, Lau that was opened on Monday 6th February, 2017.

Of course, Madam Speaker, we expect this technical colleges to be able to fulfil the huge trade skills gap that we have at the moment in the country and this is of course one of our challenges. We are actually importing people at the moment as we highlighted the other day from other countries to fill in the trade skills gap.

Courses undertaken in these colleges are modified training programmes and short courses specifically designed to enhance career developments in workplace essentials, in the discipline of construction, as highlighted, engineering, tourism and hospitality and agriculture.

Madam Speaker, giving all Fijians a better life that is safe and secure is a paramount focus of the Government. One of the many ways in which the Government is creating a secure and productive society and increase commercial opportunities, Madam Speaker, is through the street lighting programme, in particular the rural street lighting programme. The benefits of the programme go beyond improving visibility for drivers and reducing pedestrian accidents.

Street lights supports streetscape enhancements and bring a new ambience for our communities. It incentivises night time trading for small vendors and supports productivity and longer working hours as people feel safe travelling home at night, people feel safe getting off and buying that hot *sila* that they normally buy only during the day.

Having streetlights, Madam Speaker, also supports healthier living as people feel safe to walk home or exercise at night, which is an added benefit, considering our fight against NCDs. And this is quite visible, Madam Speaker, with the new footpaths that have been put from Nadi Airport all the way now to Wailoaloa, the back road to Denarau, you will actually see now dozens, if not hundreds of people literally walking every day and using those footpaths. I have relatives who actually work at the Fijian Hotel and will now walk home to their villages because of the street lights. Some of them of course are losing weight as a result of that.

Madam Speaker, the FRA is installing street lights in villages, settlements and peri-urban residential areas, along with improving existing street lights. All new street lights are now being installed with LED light bulbs or LED, because it projects the lumen output of the LED more

efficiently, which allows for wider coverage of the consistent light pattern. Madam Speaker, needless to say, LED lights are environmentally-friendly because it consumes so little energy. They are free from hazardous chemicals as in mercury and lead which releases toxins.

Madam Speaker, the Western village street light programme currently underway will see the installation of 122 new street lights upon completion. The total costing project which is the question I asked earlier on is around \$1.6 million, Madam Speaker.

The installation will cover the entire stretch from Korotogo by-pass road to Nailaga village, with this section, 100 percent of the trenching and pole foundation has already been carried out in the Cuvu section, Korovutu section, Queens Road and other pole installation.

Madam Speaker, the other sites along the stretch will be completed by July or August of this year. The section in front of *Nailaga* village will be installed completely with solar street lights which will contribute to our commitment under the Paris Agreement. Also, Madam Speaker, you will see that in some of the villages which are very large villages, wherever there are existing poles, we put what we call outreach, extensions from those poles to provide the street lighting within the villages themselves.

Madam Speaker, of course on the other side of the island too, I do not want to go into all the specifics, all the details. Tenders have already gone out, will go out by the end of February 2017, which will take care of all the street lighting from Suva, all the way up to Korotogo village, going along the Queens Road, and that preliminary estimate cost for that project is about \$3.5 million.

On the other side, Madam Speaker, of Kings Road, we again from Nailaga village all the way up to Nausori town, villages or wherever there is heavily populated settlements or groups of houses wherever, for example, is a large intersection, where people get off at a bus at night and walk into the roads inland or wherever there is Police Stations or Health Centres, street lights will also be put there. The cost of this of about 181 sites, currently underway that we are surveying and the project is estimated cost about \$3.9 million, and I have got a list of all the villages and all the different areas, including QVS, RKS, Lodonu village, Verata and all the way to Rakiraki village, et cetera.

Madam Speaker, the installation street lights in Vanua Levu, from Labasa to Savusavu in the populated areas will also be scoped in the next two weeks' time. Tenders are expected to be advertised by early April this year and the project is anticipated to be completed by March of 2018.

Madam Speaker, we of course are not only focussing on rural street lighting, we are also looking at urban and peri-urban street lighting. This includes the greater areas within the Suva-Nausori corridor, where there are no street lights, such areas in Nadera, Nadawa, including Wainibokasi, Votualevu in Nadi.

Madam Speaker, the scoping works of these areas will be carried out in the next two weeks and tenders are expected to go out by April this year and the project is anticipated to be completed in March 2018.

We have, Madam Speaker, given out the street light maintenance contracts to a number of companies, all of them are local companies that are actually benefitting from this outsourcing of work. At the same time, however, we are looking at an Expression of Interest for innovative street lighting proposal for Fiji and we are open to innovative financing funding models. We have been talking to international partners about this, looking at public-private partnerships, where you build, own or operate and transfer these street lighting.

In fact, the state of Orissa in India has done it very successfully or in fact, companies have come in, they have installed the street lights at no cost to the Government but the electricity bill that they used to pay is what they get paid, depending on the efficiency of the lighting system.

We are also talking to Osram and Philips, a number of these people are in fact interested in coming to Fiji. We expect to almost double the number of street lights that we have. We currently have about 8,750 street lights, some of them are not working very well, up to 20,000. Thirty percent of these street lights will be solar and all lights will be lead.

Madam Speaker, we also again want to provide an enabling environment for our people, to be able to incentivise them to feel good about themselves, to be able to create commercial activity. We are also focusing on development of footpaths, and that is very very important and goes hand in hand with street lighting.

We are focusing on these, these are the nuts and bolts of how people get confidence, when you have street lights, when you have footpaths, you are able to do land developments and the Honourable Prime Minister was together with the Minister of lands in Navua, where they gave us 68 leases for 99 year leases for people. People who have been living in squatters, the moment you give them leases, though you have street lighting, you have footpaths, they feel good about themselves, they build their homes, they are able to participate in the mainstream financial sector, they are able to go to commercial banks to get loans.

We also hope to have discussions with insurance companies and the banks and currently we are working with various models in respect to that. We have new footpaths going along with a cost of \$953,000 for Suva, Raiwaqa, Nabua, Raiwai, Nausori, Nasinu, Lami, Sigatoka, Lautoka, Ba, of course some of these areas include the very high traffic areas like Ratu Dovi Road, Fletcher Road, Grantham Road, Lami, Mission Road in Sigatoka, Nawa Street, Vitogo Parade in Lautoka and various other places, Madam Speaker.

Cunningham Road, for example, there are literally tens of thousands of people who live there, currently they do not have footpaths. They need to have footpaths in those places, they sit there, and they stand in the mud and catch their buses, Madam Speaker.

Also, we have further tenders for the construction of footpaths in Votualevu and Nadi, we are looking at the Legalega, Koroitamana Road, all these areas will be covered, including of course further scoping works in the areas such as Rakiraki, Nausori, Nasinu, Labasa and Savusavu is currently underway and all works are expected to be completed by April 2018.

Rural roads, Madam Speaker, we are providing huge focus on rural roads, there is a number of connectivities that of course need to be put in place. A number of bridges have been completed, both in the eastern islands, we have partially completed road projects with Kadavu Rural Roads Upgrade Tender has been awarded and work is expected to begin soon. We have scoping work that have been carried out in places like Maumi and Cautata Roads, Wainivesi Road, all of these places are all covered and I do not want to go into all the specific details or the specific locations.

Of course at the same time, Madam Speaker, we have to give an example. Government has funded the rebuilding of the new Denarau Bridge. Also as part of that, we are going to have a bus bay built on the opposite of Denarau Island side, so ordinary transportation people who are on mini buses and ordinary buses, as well as those who come in their private cars can get dropped off there so that they can actually walk on to the island. There will be a bus bay created in that area. So these are the kind of long-term opportunities we are looking at where the private sector and small businesses can also participate by creating the right infrastructure.

A lot of new bridges have been done at Vunidilo, Vuniwaiwai, Lomawai, Cogeloa and all have been valued about \$16.5 million, Madam Speaker. As you know a lot of bridges were damaged in Ovalau because of *Cyclone Winston*, they have been completed. The Penang Mill Bridge was repaired at the cost of \$700,000 and the Tamavua-i-Wai Bridge at \$1.5 million.

Madam Speaker, at the same time, we are working on other bridges and other crossings throughout Fiji, and rural water supply. As you know that water is very essential and we are working on a number of projects and a number of projects have already been completed, including rural electrification which is very critical.

The rural electrification grid is expanded and we have villagers who can now have their own freezers, they have cooler boxes, they catch their fish and they have the ability to negotiate with third parties to be able to sell that fish as long as it is not poisonous fish. They can, of course, Madam Speaker, be able to get better prices but if they do not have electricity, they do not have fridges, they have to sell it at a price that is not necessarily the right price they should be getting. I have a whole list of rural electrification projects, Madam Speaker, that have been put in place and they will be completed in the next few months.

A lot of these have been languishing within the system. We, of course, have the Wairabatia Project, the Lawaki/Saweni Project, Elevuka and Vuda and the Yadua and Nadroga, these are the *iTaukei* Land Development Projects that we have announced earlier on. They are going ahead full swing, Madam Speaker, and there are a few more that have come online as well, and we will be revealing those details again.

Social Protection Programmes in the Ministry of Social Welfare, Madam Speaker, that of course, is continuing and we have literally 22,700 households in the Care and Protection Allowance Benefits. But, Madam Speaker, what is really interesting is that the recent GINI Coefficient Index which is the most common inequality measure shows Fiji's income inequality trending downwards. In 2008/2009, Fiji's GINI Coefficient was 0.43 which by 2013/2014 was 0.36, a reduction of 16.3 percent.

Madam Speaker, there are a number of projects in place. Only yesterday, the Honourable Minister for Local Government and Housing, we had a meeting with some experts and consultants from overseas where we were looking at some very quick and long-term solutions in the private sector to provide low cost housing, bought for rental purposes and also for ownership purposes and we are also looking at some long-term planning for our urban centres, Madam Speaker.

Madam Speaker, in respect of the update to be provided, we want to tell Honourable Members of Parliament that a great deal of equalisation is actually taking place where rural dwellers and the disadvantaged are empowered through resources and critical infrastructure. We, of course, will continue on the development path and we will continue with sustained economic growth driven by very very positive figures. Thank you, Madam Speaker.

(Applause)

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

HON. A.M. RADRODRO.- Madam Speaker, I rise to respond to the Ministerial Statement by the Honourable Minister for Economy. For a moment, I thought that the Ministerial Statement was coming from the Honourable Minister for Infrastructure and Transport.

I see his enthusiasm about Fiji's economy and its supposed growth, however, Madam Speaker, I am unable to reconcile the statement made by the Honourable Minister for Economy as I look at the issues that grapple us today. We are not blind but the fact is, many of our people are still living in tents. Some schools continue to learn in make-shift tents, as Government promised to get assistance to them remains to be realised. The issue, Madam Speaker, is on prioritising development.

On the percentage of growth alluded to by the Honourable Minister, I wonder whether that also captures investment projects like the One Hundred Sands Casino Project in Denarau, the Waila City Project and other similar ventures that have faded into the scenery.

The Minister for Economy's statement today does not seem to give us any hope. He paints a picture that things are rosy. We know that it is not, employment generation remains low and many of our graduates still roam the streets looking for equitable jobs that are to commensurate with the level of qualifications they have attained. It will be interesting to note in the last 10 years how many new jobs have been created, particularly on how the National Employment Centre figures improved.

Looking through investment figures, Madam Speaker, I wonder how actual registered businesses have materialised on the ground and how many of these are joint venture businesses with local partners or resource owners. The long-term sustainability of projects will always be a measure of success for our people, as it often dictates the reliability of projects and commitment by its owners.

Many times business ventures end up with earning of profits, shipped overseas with minimal returns maintained in countries. It is this reason, Madam Speaker, why I will always push for local participation to capture responsibility on the part of our business owners.

I also look at this issue of economic growth in terms of infrastructure provision. Following *TC Winston*, Madam Speaker, a lot of our roads today still remain in shambles, providing either one-way road, or slipped highways or alternative bypass roads like those in Kasavu and Sawani/Serea Road, for example.

On the rural electrification, Government has said that its removal of deposits for rural electrification is to assist those struggling to get energy, a basic necessity for our people. Yet, there are people in settlements still crying with no electricity at all. We have settlements like the Sasawaira Settlement, Waisa in Naitasiri, Nairevurevunicagi in Valelevu and parts of Tailevu North, as well as other places around Fiji who remain without basic energy provision.

On street lights, Madam Speaker, I had informed the House last year that the people of Kuka Place in Narere are still waiting for only one, Madam Speaker, of their street lights to be fixed and till today, they are still waiting. Narere, as you would know, is a densely populated area. Businesses in there are also complaining, it is breeding criminal activities on that particular road.

Madam Speaker, we have also witnessed daily media reports of crying citizens still waiting for Government assistance they were promised after *TC Winston*. As you can see from yesterday, I think, one of the Honourable Members of this House was being questioned about the promise that he has made to one of the residents awaiting to be assisted after *TC Winston*.

We have not even talked about the tropical depression faced around the country during the Christmas period of last year, leave alone the current ones currently faced in Waimalika, Nadi. How do we recover from this and imagine how our people are still struggling in tents with no homes and destroyed farms.

Signs of struggles are real, Madam Speaker. Why are we encouraging seasonal workers programmes when we should be promoting instead local domestic investments and job creation with the high reliance now on foreign remittances by our human resources working in various countries abroad to assist towards growing our economy? We have become a reliant country, not one which is sustainable in the long-term because these major income earners are part of the vulnerable sectors that can be easily affected by external and internal forces beyond our control.

Madam Speaker, let us stop hoodwinking our people and let us start delivering to them the promises we have made.

(Honourable Members interject)

HON. A.M. RADRODRO.- With Elections around the corner, we will soon see all sorts of gimmicks out again. I hope for honesty and for genuine provision of services to the people, give them their priorities. Prioritise and eliminate the risks of putting the nation into further debt, Madam Speaker.

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

HON. PROF. B.C. PRASAD.- Madam Speaker, I thank the Honourable Minister for a very detailed ministerial statement. I note that he is acknowledging that there were unprecedented growths in the 1970s but just to put things in their context, I acknowledge the growth rate in the last four years. Obviously, the average there is about 3.9 percent and that is a reasonable level of growth.

However, Madam Speaker, if you look at the average for 2006 right up to 2016, if you average the growth over that period, it is almost less than 2 percent, it is about 1.82 percent. So a lot of the growth that we see in the last three or four years is a lot of catching up as well. But the other one point I want to make and I know the Honourable Minister made references to a number of things, like making sure that ordinary people benefit from the growth. He talked about investor confidence, Civil Service Reform, infrastructure, productivity, *iTaukei* Land Development Fund, workers' rights, but let me just point to him the recent World Bank ranking on the 'Ease of Doing Business' because he did talk about investor confidence.

I think this is a serious issue. Our ranking has actually gone down 13 point from 84 to 97. The only positive thing is, starting a business the ranking has improved from 166 to 159. Ranking on getting credit is another important one, constructing permit, getting electricity, registering property, paying taxes, enforcing contracts and resolving insolvency has all gone down, Madam Speaker. So I think the Government needs to seriously look at what it means by creating confidence in the economy.

The other point I want to make, Madam Speaker, is the growth in the last four years. As I have said, it is acknowledged, but if you look at the other indicators, Government's borrowing by July this year is roughly going to be about \$5 billion and the Honourable Minister pointed out the high-rise in remittances more than \$0.5 billion.

However, we also have to remember that our debt repayment - principal and interest is likely to reach about \$0.5 billion as well. So what that means, Madam Speaker, in the end is that the Government, while acknowledging that some of the expenditure and some of the borrowing have gone into infrastructure, and infrastructure is going to produce benefits in the medium to long-term, that is acknowledged, but if you look at what is happening in other sectors, that means that

Government will have to look for revenue, and that means raising taxes which Government has done. I mean, while they reduce VAT overall to 9 percent, they actually put a 9 percent VAT on basic food items. And this is where I want to question the Honourable Minister when he talks about ordinary people and inclusive growth.

The other point I want to make is the National Minimum Wage, Madam Speaker. The Government has made a big deal of \$2.32 as a National Minimum Wage but let me tell you, one day the National Minimum Wage, the Wages Councils have not been taken away, and they are still there. I acknowledge that there are some Wages Councils where they have very high wages but in the garment industry workers are paid less than the National Minimum Wages so effectively there is no National Minimum Wage.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- I have got a letter from one of the garment factory owners who pays workers \$2.27 because the Wages Council Order is still there.

So I think, Madam Speaker, the point that the Honourable Minister made about inclusive growth and ordinary people, we need to look at a living wage, we need to look at a wage rate where a person can work full-time and still go above the poverty line. There are many workers in this country today who are working at the wage rate which keeps them below the poverty line.

We acknowledge the fact that there are improvements in certain areas that the Honourable Minister highlighted, but I think we have to be very careful, it seems to me that the Government is forgetting the ordinary people. It is being hijacked by a cabal of business people in this country and many of the policies, many of the incentives. I can point out incentives, Madam Speaker, which have been given by this Government, which have been used by big businesses to make millions of dollars of the expense of the poor people in this country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I will now adjourn the House for refreshment and Parliament will resume at 16.15 p.m.

Thank you very much, Honourable Members.

The Parliament adjourned at 3.44 p.m.

The Parliament resumed at 4.15 p.m.

HON. SPEAKER.- We will resume from where we left off and I now call on the Honourable Minister for Education, Heritage and Arts to deliver his statement.

Technical Educational Opportunities

HON. DR. M. REDDY.- Madam Speaker, the Honourable Prime Minister and Honourable Members of Parliament; as already alluded earlier on , I am going to speak on technical educational opportunities with particular reference to short courses and latest developments at the College Campuses.

Madam Speaker, the idea of establishing Technical College Campuses was mooted by the Honourable Prime Minister in 2014 via our FijiFirst Party Manifesto. The FijiFirst Government from the onset was adamant that education in Fiji must reach out to all Fijians. The Government noted that many students have an aptitude for technical education and for them, the pathway of higher education brings failure.

The Government had analysed that Fijians from across all walks of life had enormous talents and skills, and these areas were largely untapped. We had students dropping out of secondary school and ending up back in the village or settlement just because they were forced into higher education stream in which they had no interest. The number of youths unemployed in our villages and settlements had been zooming to levels of great concern, Madam Speaker, just because the previous education system did not address some of their aptitude.

Madam Speaker, on the other side, we had Fijians who were already in the employment sector but not paid good wages because they had no formal qualification. These people were basically struggling with the little income they had. Madam Speaker, now we have established 13 Technical College Campuses of Fiji across our island nation. The Campuses are located not only in the heart of cities or urban areas but also in rural and maritime zones. At present, the demand for this new national institute is overwhelming, to say the least.

Madam Speaker, our enrolment for full time courses in 2015 on one-year Certificate Level II award course in 2015 at the four campuses was 1,289 students. In 2016 it grew to 2,631 students, Madam Speaker. We are in the enrolment phase of 2017 but we have already enrolled 1,952 new students at these Campuses.

Madam Speaker, for the benefit of the House and those listening outside, I want to give the enrolment figures at these various Colleges for this one year long Certificate II course, and the breakdown is as follows:

No.	Campus	2017 Enrolment till date		
		Male	Female	Total
1.	Nadroga/Navosa Provincial Campus, Sigatoka	146	106	252
2.	TISI Sangam Shadhu Kuppuswamy Campus, Rakiraki	133	16	149
3.	Tagitagi Campus, Tavua	95	74	169
4.	Ratu Epeli Ravoka Campus, Bua	51	16	67
5.	Ratu Ilisaniti Malodali Campus, Wainikoro	53	12	65
6.	C.P Singh Campus, Navua	65	4	69

7.	Suva Hospitality & Textile Training Campus, Suva	51	130	181
8.	Nabua Sanatan Campus, Suva	168	7	175
9.	Vanua Levu Arya Campus, Labasa	130	103	233
10.	Anjuman Hidayat –uI-Islam Campus, Nausori	124	66	190
11.	Ratu Sir Kamisese Mara Campus, Lau	63	6	69
12.	Lautoka Sanatan Campus, Lautoka	96	15	111
13.	Dr. Shaukat Ali Sahib Campus, Nadi	113	109	222
	Total	1,288	664	1,952

Madam Speaker, two interesting things that I want to highlight out of this. These are one-year long full programme awarded Certificate II. This office enrolment, 34 percent are females. Interestingly with the structure of the technical programme, award recognised programme by Higher Education Commission we were able to attract females into technical education in the technical scheme. It is a very interesting statistics, Madam Speaker, that 34 percent of the students are females, and are now taking up technical education in the campus.

Madam Speaker, the other interesting aspect is that, you note that the numbers in smaller campuses are also increasing. Now with the campus in Bua, we have 67 and I feel that by next week, we will have much more. The others like Wainikoro, we have 65 fulltime students, Navua - 69 and Ratu Sir Kamisese Mara in Lau - 69 students. So interestingly, we can see that the numbers are increasing.

Madam Speaker, before I go onto the new campus, let me highlight the programmes that we offer out of these Campuses. In the Nadroga/Navosa Campus we offer five qualifications there:

- Automotive Mechanical Engineering;
- Carpentry;
- Cookery;
- Cabinetmaking and Joinery
- Baking and Patisserie; and
- Electrical Fitter Mechanic.

Madam Speaker, this year we are offering this new programme of Electrical Fitter Mechanic because of the demand. I met a businessman from a big electrical business company who said, "I need 100 electricians, to do wiring. We have one or two persons with a wireperson's licence. I do not need persons with a wireperson's licence, I need electricians." Interestingly he said, "I am going to take all of them", so we offered this programme for the first time ever at this Campus.

There are students when they go for industrial attachment they do not want to come back, the industry wants to retain them. This is the level of competency that we have in these programmes to offer, of very high quality.

At the Rakiraki Campus, we offer four programmes:

- 1) Automotive Mechanical engineering;
- 2) Automotive Electrical Engineering;
- 3) Welding and Fabrication; and
- 4) Carpentry.

At the Tagitagi Campus, we offer five programmes:

- 1) Automotive Mechanical Engineering;
- 2) Automotive Electrical engineering;
- 3) Carpentry;
- 4) Cookery; and
- 5) Electrical Fitter Mechanic.

At the Ratu Epeli Ravoka Campus, there are two programmes offered:

- 1) Automotive Mechanical Engineering; and
- 2) Carpentry.

At the Ratu Ilisaniti Malodali Campus in Wainikoro, there are two programmes offered:

- 1) Automotive Mechanical Engineering; and
- 2) Carpentry.

At the C.P. Singh Campus in Navua, programmes offered are:

- 1) Automotive Mechanical Engineering;
- 2) Carpentry; and
- 3) Welding and Fabrication.

At the Suva Hospitality Textile Campus, there are two programmes offered:

- 1) Cookery; and
- 2) Baking and Patisserie; and
- 3) Textiles.

At the Nabua Sanatan Campus, four programmes are offered:

- 1) Automotive Mechanical Engineering;
- 2) Automotive Electrical Engineering,
- 3) Carpentry; and
- 4) Agriculture.

At the Vanua Levu Arya Campus, one of the largest campuses, we have:

- 1) Automotive Mechanical Engineering;
- 2) Automotive Electrical Engineering;
- 3) Welding and Fabrication;
- 4) Body Works and Spray Painting;
- 5) Carpentry;
- 6) Cookery;
- 7) Cabinet making and Joinery;
- 8) Baking and Patisserie;
- 9) Plumbing and Sheet Metal Works;
- 10) Agriculture; and Electrical Fitter Mechanic.

It has a wide range of programmes and it is one of the largest campuses.

Madam Speaker, similarly the other large campus in Nadi offering the same programmes. At the Nausori campus, the Anjuman Hidayat –uL- Islam Campus offers:

- 1) Automotive Mechanical Engineering;
- 2) Automotive Electrical Engineering;
- 3) Carpentry;
- 4) Cookery;
- 5) Cabinet Making;
- 6) Agriculture; and
- 7) Electrical Fitter Mechanic.

Madam Speaker, at the Ratu Sir Kamisese Mara Campus in Lau, they offer:

- 1) Automotive Mechanical Engineering;
- 2) Automotive Electrical Engineering; and
- 3) Cabinet Making and Joinery.

The Lautoka Sanatan Campus offers:

- 1) Automotive Electrical Engineering,
- 2) Welding and Fabrication;
- 3) Carpentry; and
- 4) Electrical Fitter Mechanic

Madam Speaker, at the beginning of this year, we opened another Technical College Campus this time in Lakeba, Lau. This is based on the demand from that area. The students in this Campus are from the islands of Vanuavatu, Nayau, Ogea, Moce, Komo, and Namuka.

Already we have close to 70 students enrolled there. The unique thing about this campus is that, it has a hostel to cater for boarding needs of the students. We had seen that travelling to and from the school for students in the island region would be very extremely difficult, Madam Speaker, so we quickly refurbished the dormitory, providing beds, student cabinets, setup study benches, improved the overall infrastructure, provided the school as well with an outboard motor engine and a boat, and conducted professional development of staff and appointed some new staff there so that we meet the quality requirement of the Higher Education Commission. Madam Speaker, this is the vision we have to gradually take technical education closer to the people, closer to their door steps.

Madam Speaker, a very interesting dimension of development at these campuses is the offering of short course programmes and I want to take the rest of my time talking about these and these are some of the interesting dimensions of the short courses.

Madam Speaker, in 2015, we offered short courses out of the initial four campuses and we had 1,912 doing the short courses. These short courses were for the duration of four, five or six weeks course and interestingly for the short courses, the students do not have to pay a single cent.

In 2015, the Nabua Sanatan Campus had 630 students; Suva Hospitality Textiles and Training Campus - 555 students; Dr. Shaukat Ali Sahib Campus - 635 students; and at the Vanua Levu Arya Campus - 92 students. So in 2015, we had a total of 1,912 students undertaking short courses, who never would have seen the doorstep a tertiary institution, Madam Speaker.

In 2016, with the additional campuses coming in, interestingly, Madam Speaker, we had 7,190 students doing short courses, out of these campuses without having to pay a single cent. Let me just give an overview as follows:

No.	Campus	Short Course Enrolment Numbers
1.	Nadroga/Navosa Provincial Campus, Sigatoka	330
2.	TISI Sangam Shadhu Kuppuswamy Campus, Rakiraki	113
3.	Tagitagi Campus, Tavua	113
4.	Ratu Epeli Ravoka Campus, Bua	103
5.	Ratu Ilisaniti Malodali Campus, Wainikoro	51
6.	C.P Singh Campus, Navua	294
7.	Suva Hospitality & Textile Training Campus, Suva	987
8.	Nabua Sanatan Campus, Suva	1,229
9.	Vanua Levu Arya Campus, Labasa	481
10.	Anjuman Hidayat –uI-Islam Campus, Nausori	568
11.	Ratu Sir Kamisese Mara Campus, Lau	
12.	Lautoka Sanatan Campus, Lautoka	1,024
13.	Dr. Shaukat Ali Sahib Campus, Nadi	1,897
	Total	7,190

Madam Speaker, for the short courses, we analysed what are the short courses that are in demand from the students. We noted that the top three are in the area of construction, engineering and cookery. All of these three have more than 1,000 students. In the Construction sector short course, we had 3,040 students; Engineering, we had 1,330; Cookery, we had 1,082; Baking and Patisserie, less than 634; Beauty Therapy, 571; Agriculture. 271 and Garment Textile,- 262.

Madam Speaker, we analysed the student profile to see how these campuses are in respect to short courses. One dimension we found was similar to the one year award course is that, of all the 7,190 students who did these short courses, 31 percent were female. So we were able to attract females who were staying at home, et cetera, not engaged who came and did short courses, 2,237 female students were enrolled, which is 31 percent of the overall 7,190 students, a very interesting dimension, Madam Speaker.

The other thing we noted, Madam Speaker, is that the campuses such as the larger campuses we had analysed whether they are working students or they are not doing anything and came and did the short course. The campuses which are located in the interior and the remote areas, we found that most of the students who did short course, they were not working, Madam Speaker. So it kind of demonstrated that we were able to attract those unskilled workers to come and undertake a short course and then get engaged either in the labour market or go and establish their own entrepreneurship.

For example, in the Nabua Sanatan Campus, 80 percent are already working. It is an urban area, so working students wanted to come and upskill themselves. At the Suva Hospitality and Textile Training Campus, 61 percent are working students. At the Nadi Campus, 61 percent are working and the Labasa Campus, 68 percent are working students.

However, the Nausori Campus, only 30 percent are working students, which means the 60 percent are not working. They are not doing anything so they came to upskill themselves so that they can go and enter the labour market. At the Nadroga/ Navosa Campus, 80 percent of the students were already working somewhere and they came and upskill themselves. At the Rakiraki Campus, 62 percent were working; the Tagitagi Campus, Tavua - 77 percent were working

However, interestingly, the Ratu Epeli Ravoka Campus in Bua, only 9 percent were working. So we can see that they are in the interior, so all those youth in the villages, settlements, et cetera, 91 percent of them were actually not doing any work, so they were able to get some formal qualification.

The same thing applies to the Wainikoro Campus, 90 percent of them were not in the labour market. The Navua Campus, 77 percent were in the labour market and they came and did the short course. In the Lautoka Sanatan Campus, 60 percent of them were not in the labour market.

Madam Speaker, we provided the short course programme at the four Technical Colleges and out of that, 80 percent on an average were in the workforce and 20 percent were not.

Madam Speaker, as I alluded to earlier on, some of these students have never ever seen the doors of a tertiary college and let me quote from the few students who graduated out of these Technical Colleges. I quote the words of 55 year old Juita Daucina of Nawaca Village in Bua as reported in the *Fiji Sun* dated 15th December 2016, and I quote:

“I wanted to build a house for some time but the carpenter had just squared it and left it. After the training at Ratu Epeli Ravoka Technical College Campus I have started to work on the house, now it is going fine. The provision of a technical college campus as such has opened opportunities for us, especially the older generation. I dropped out of school at Class 6, at that time education was different. Once you leave school or miss a level it was hard to go back. Today, I am 55 and I have got my first tertiary qualification, this was not possible before.”

Madam Speaker, Mr. Daucina is 55 years old, dalo farmer and a father of seven children who was enrolled at Ratu Epeli Ravoka Technical College Campus in Bua. Let me quote the other person, Madam Speaker, who graduated out of the Tagitagi Tavua Campus. Both the father and son graduated together. The 59 year old Nacanieli Cagimaicama and his 36 year old son Sitiveni Wainia both received certificates from the Technical College of Fiji. The pair mentioned that they had prior experiences but no formal qualification which was now possible through the Technical College of Fiji campuses. Mr. Cagimaicama mentioned that he had lost what qualification he had when his house caught fire. The father and son received Certificates in Carpentry.

Madam Speaker, the stories of success with Technical Colleges Fiji are many. No one can doubt the importance it has on ordinary Fijians who have attained formal qualification over the last two years. They are holding their heads high in the job market now, no longer are they going to be side-lined for not being qualified, no longer will they worry about the wage rate that they will get because they have got something now to negotiate the wage rate, Madam Speaker, they are not part of the minimum wage cycle.

Madam Speaker, some of the people who graduated had been motivated to start their own entrepreneurship. Some have started garages, some have gone back into farming to do commercial farming after the agricultural programme that is offered out of the Naduna Campus in Labasa.

Madam Speaker, this is the way forward for our nation as the Honourable Minister of Economy has alluded to earlier on saying that, this is the time we need to look at how we could produce job creators rather than having that mind-set about job seekers. My colleagues in the

Ministry would recall students coming in and saying, “We have done this qualification, graduated out of USP, et cetera, where is the job?” There is the mind-set that when you graduate out of USP or FNU or University of Fiji, et cetera then Government should provide a job, but I think we need to change that mind-set Madam Speaker, so that students can start thinking big, dream big and think about starting their own businesses. Then only will be able to expand the private and business sector.

Madam Speaker, we are in the right track in terms of ensuring that we meet the aptitude of the students, if the students aptitude is in the technical area then we should have institutions ready to absorb them and provide them the technical education path, otherwise we are pushing them into the higher education path and they would not be able to make it in that particular path, because their interest is not there.

Madam Speaker, as alluded to earlier on, this year we started one new campus in Lau, we are looking at two other campuses. The Honourable Prime Minister was there in Nausori when someone asked, if we could have a campus in Tailevu. So we will be having a campus beside the Tailevu North College, Madam Speaker, and we will have another one at Ba in Nukuloa, just beside the Nukuloa College, Ba later on this year.

Madam Speaker, the Technical College of Fiji is a new dimension for children, bright young minds who would want to pursue technical education, finish off Certificate II at a Technical College Campus and then pursue their degree dreams at the Fiji National University. Thank you.

(Applause)

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

HON. M.R. LEAWARE.-Madam Speaker, Honourable Prime Minister, Honourable Attorney-General and Cabinet Ministers, fellow Parliamentarians, I would just like to respond to the Honourable Minister for Education’s statement on the Short Courses that is available at the Technical Colleges in Fiji.

Madam Speaker, from the outset let me say that most of these Technical Colleges were established in schools which were already offering vocational course. Setting up of these technical schools will mean that students are going to pay for more expensive courses compared to the normal school fees that they pay at secondary school level. We understand that school fees is free from the beginning but how long will this last before they start levying school fees just like any other technical institution.

Teachers of course, Madam Speaker, will need to be paid for conducting these short courses. Short courses are a pathway to higher learning and they should lead to diploma and degree level. Where will they go after completing these courses? Are these short courses aligned to FNU or USP units? These are some of the serious concerns that the Honourable Minister should clarify in this august House as to what the next step is to these short courses.

HON. GOVT. MEMBER.- (inaudible)

HON. M.R. LEAWARE.- Later, later.

Why then was FIT - Fiji’s Technical College merged to be part of FNU when we are going back and establishing new technical colleges, it is just like redoing what has been undone. The

Government has used up a lot of taxpayers money on this exercise and \$19 million allocated in this budget is a lot of money.

Another question I would like to pose to the Honourable Minister, Madam Speaker, is, are the establishments of these Technical Colleges going to stay or will the Ministry again convert them to secondary schools or academic vocational schools? If this fails, it will mean a waste of taxpayers' money. Will the establishment of these technical colleges, Madam Speaker, include the Ministry of Education's strategic plan or was it something that was plucked out from thin air by the Honourable Minister and included in the plan? Was there any consultation carried out before it was fully implemented?

HON. GOVT. MEMBER.- (Inaudible)

HON. M.R. LEAWERE.- Okay, hold on.

New initiatives by the Honourable Minister for Education are now considered to be failing, like free textbooks, Madam Speaker. We do not want this to fail at the expense of the taxpayers of this country. There needs to be a thorough consultation with education stakeholders on these new initiatives.

Other new initiatives that were being boasted by the Honourable Minister had not really provided the maximum outputs as being expected. A typical example would be exam markers, the Eighth Year Exam markers should have been teachers from Years 7 and 8. Some of these markers, Madam Speaker, were teachers taking Classes 1 and 2 from the various schools they were teaching in.

Years 7 and 8 teachers, Madam Speaker, know the subject content and the level of expectancy for a correct answer. We all know that some questions could have so many correct answers, if you as a marker, or as the Honourable Minister would know the subject content, a Year 3 and Year 4 teacher would only give a correct answer based on the given correct answers that are in the marking sheets. This is because they are not familiar with the level and subject content of what is being questioned.

In one of the primary schools in the Central Division, Madam Speaker, three students have gone not only for recounts but also for remarking. It is rather unfortunate that all the students have gone for the remark after the 30-day period had lapsed. One of the students had gone from a mark of 448 mark to 486, an increase of 38 marks altogether. This is a big difference, Madam Speaker, and also for the other two students. Another student scored 100 in three science subjects, sadly this is water under the bridge, a student scoring 486 marks could have been grabbed by any secondary school. She was rather depressed, Madam Speaker, when she got her results because she believed she could have scored higher marks

Many corrections will come into the view of students and this could have been avoided if there was a trial run carried out.

To conclude, Madam Speaker, the Honourable Minister should, as I had reiterated earlier in this House, convene an Education Summit to discuss education issues instead of piece meal basis on this education reform. Thank you, Madam Speaker.

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

HON. PROF. B.C. PRASAD.- Thank you Madam Speaker. I actually agree with the Honourable Member when he said that it is time that the Education Minister through the Government and his staff become a bit more consultative instead of centralising decision-making in the way they seem to be doing. So, I agree with that.

Let me come back to the subject matter of Technical College. I think the narrative that the Minister provides, Madam Speaker, as I said is very similar to what he has said before. We need not be told in this House about the value of technical education, the statistics, how many students and what courses they are doing; we all know that. I think what he needs to concentrate on is in the medium and long term which will be beneficial for us as a country. It is to look at rationalising what is being offered already by the three institutions, now technical colleges. We have USP which has got a Pacific TAFE. For example, they offer cookery and the technical college also offers cookery. The only difference is they are certified, then you have the NTPC, it is not about Level One or Two, it is about the courses. Madam Speaker, he needs to look at how all these three institutions offer and if this could be rationalised.

The other point that I want to make, Madam Speaker, the Honourable Minister makes a big deal of the short courses. These are new things. It is good that there are people who are working and are going to upgrade their qualifications and see whether they can move from one area to another; that is alright. What he needs to understand is that what he is creating is not going to be sustainable in the long-term and that is why I want to say it to him, “review whatever you have got, look at the courses that you are offering now, look at the calibre of the teachers.” It is not about technical education, you need good people. He gives good examples of employers being happy but I can also give him many examples of employers telling me the opposite. I do not want to get into that, but the point is that, he has not mentioned a word about quality, about accreditation, about creating a pathway; he has not talked about it.

HON. GOVT. MEMBER.- (Inaudible)

HON. PROF. B.C. PRASAD.- Yes, he mentioned here and there, but not substantially what is important. I think, Madam Speaker, instead of making a lot of noises on the other side, the Honourable Minister should listen because this is not about him, this is not about anyone of us.

HON. SPEAKER.- Honourable Members, please do not drown their speech.

HON. PROF. B.C. PRASAD.- Yes. This is not about him yelling from the other side. He can yell as much as he wants,

but that fact is that he needs to come up with substantive information as to how these other institutions are contributing to the labour market, whether we are training the right skills which match what the employers want, matching of skills is also very important. So, I think Madam Speaker, he needs to do some research in that area and not just come here and blurt out figures as to how many students are there.

Madam Speaker, can I, through you, just remind the Honourable Minister to have some decency about using words like “blurting out”. He is an Education Minister, they keep looking at him.

Madam Speaker, I think the important point is that he needs to step back, look at the issue of quality, accreditation and the matching of these skills to what the employers need in the labour market. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you Honourable Members, I have a suspension motion. I now call upon the Leader of the Government in Parliament to have the floor.

SUSPENSION OF STANDING ORDERS

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker.

Madam Speaker, I move that so much of Standing Order 23(1) is suspended so as to allow the House to complete the Government Business before the House and on that note, I request if we have the rest of the Ministerial Statements tomorrow and we proceed with the Bills for the remaining session of the day.

HON. SPEAKER.- Thank you. Do we have a seconder?

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

HON. SPEAKER.- Thank you. I now call upon the Honourable Leader of the Government in Parliament to make his speech.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- - Madam Speaker, as I have alluded to, we just need the Bills to come in now because of the urgency of the Bills as we stated in Monday's sitting. Therefore, we request that the Ministerial Statements be deferred to tomorrow and we have the Bills debated now. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, the floor is open for comments, if any. I take it that there is no opposition to the motion. Thank you very much. We will therefore have the Ministerial Statements for tomorrow and we will go straight into the Bills.

SECRETARY-GENERAL.- Consideration of Bills.

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

COP23 PRESIDENCY TRUST FUND BILL 2017

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

- a) That the COP23 Presidency Trust Fund Bill 2017 be considered by Parliament without delay;
- b) That the Bill must pass through one stage at a single sitting of Parliament;
- c) That the Bill must not be referred to a Standing Committee or other Committee of Parliament;
- d) That the Bill must be debated and voted upon by Parliament on Thursday, 9th February, 2017 and that one hour be given to debate the Bill, the right of reply given to me as the Member moving this motion.

Thank you, Madam Speaker.

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

HON. SPEAKER.- I call upon the Honourable Attorney-General to deliver his speech.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. As highlighted by the Honourable Prime Minister on Monday, 6th February, 2017 when he gave his Ministerial Statement regarding the Presidency of COP23 which Fiji has been given the honour of and the Honourable Prime Minister will be holding the Presidency Office, there is a need to be able to resource our presidency.

As a result of that, a number of international organisations, development partners and foundations have given indications about how they want to help Fiji along with the presidency. Indeed, Madam Speaker, this presidency is very, very important in respect of the implementation of the rule book emanating from the Paris Agreement and also in respect of Climate Change and Gender with the civil society groups, private sector and thirdly, of course, the focus that has been provided by Fiji in respect of adaptation and finance.

Madam Speaker, the Conference of the Parties as we know, that is what COP stands for. A lot of people do not know what COP means. COP is actually a short form or acronym for Conference of the Parties. It is the supreme decision-making body of the United Nations Framework Convention on Climate Change (UNFCCC). It is their overall responsibility keeping under regular review the Convention and any related instruments to it, Madam Speaker.

As highlighted, Madam Speaker, this international community once they assist Fiji, then a result of that, we want to put in place a transparent trust that will be created in Fiji where interested development partners and agencies will be able to pool their funds to be able to help Fiji with its presidency. We have already received extremely positive results. In order to create, show and demonstrate not just to the ordinary Fijian people but also to the rest of the world, the international community that there is a trust fund that operates and has been given the power and the backing of Parliament, we have proposed this very simple Bill, Madam Speaker, that is to deal with Government's Trust Fund that has been created.

If you see, Madam Speaker, the provisions of the Trust Fund is very brief. It sets out what is the purpose of the Fund, it tells you exactly what the Fund will be used for. It talks about the application of the Fund, for example, specifically the Fund will be used for vis-à-vis the purpose. It talks about the management and financial provisions; it also has in place an audit done by an external auditor outside Government to carry out the regular audits of the Fund and also that the Ministry responsible for finance must prepare a report every six months on the activities and expenditure of the Fund, including financial statements for the Fund and submit the report to Cabinet within six months from the date of the six-month period to which the report relates. The Minister must also cause a copy of the report to be laid before Parliament in the next sitting of Parliament after Cabinet receives the report. So it also puts in place a reporting mechanism to Parliament itself in respect of the Trust Fund.

Madam Speaker, this is the gist of what this Bill is about. There is of course an urgency to have this Act of Parliament approved as quickly as possible because we already have a number of donors and agencies who want to participate in the COP23 Presidency and the effort in that and we need to have this in place as quickly as possible, Madam Speaker. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now invite comments from the House, if any? There being no comments, would you like to make concluding remarks?

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

HON. SPEAKER.- Does any Member oppose this motion?

HON. MEMBERS.- No.

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

PUBLIC ORDER (AMENDMENT) BILL 2017

HON. SPEAKER.- Pursuant to the resolution of Parliament on Monday, 6th February, 2017, the Public Order (Amendment) Bill 2017, Financial Transactions Reporting (Amendment) Bill 2017, Workmen's Compensation (Amendment) Bill 2017 and the Value Added Tax (Amendment) Bill 2017 will all be debated and voted upon today. The debate will be limited to one hour for each Bill. I now call upon the Honourable Attorney-General to move his first motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on Monday, 6th February, 2017, I move:

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

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, as introduced in the introduction of this Bill on Monday, the main point or the amendment being sought under this Amendment Bill is to allow for public meetings to be held in what would be called "private places without a permit". So, as we highlighted on Monday that the Bill specifically creates a new definition of what is, as is set out in the Bill, about what is a public place.

Madam Speaker, if you look at Clause 2 of the Bill, it talks about:

"Subject to subsection (2), any person may organise or convene a meeting or procession in a public place without the need for a permit under this Act."

For the purposes of this Act, Madam Speaker, if you look at sub section 7, it says:

"For the purposes of subsection (2) and section 10(1)(a), "public park or public road" means any highway, public street, public road, public park or garden, any sea beach, river bank, public bridge, wharf, jetty, lane, footway, square, court, alley or passage whether a thoroughfare or not."

So, essentially what it means is that you only need to apply for a permit if you are going to have a public meeting in anyone of those places, but if you have a meeting in any other place, whether it is Suva Civic Centre, whether it is ANZ Stadium, whether it is the *Soqosoqo Vakamarama* Hall, whether it is *Khatriya* Hall, you do not need a permit.

If you want to have a public meeting at Honourable Prasad's compound in his house or put up a shed or tent, he does not need a permit or if he decides to have a meeting at Albert Park which is a public park, he then needs to apply for a permit.

If SODELPA wants to have a meeting in the middle of McGregor Road, they will need to apply for a permit. If they want to march on the road, they need to apply for a permit, but if they want to go and have a meeting anywhere else, they do not need a permit, so we are doing away with that.

What the amendment also continues and this is not necessarily the law but the law does say that however should in the course of them having that meeting, whether it is in Civic Centre or Honourable Prasad's house, in the yard, if they have a meeting and if there are words uttered that will affect communities or cause communal discord, then the authorities have the ability to come and stop that meeting. This is something that is not peculiar to Fiji. It is relevant in most jurisdictions in the world, so Madam Speaker, this is what this amendment seeks to do, to remove the requirements of having the need to apply for permits. Thank you, Madam Speaker.

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

HON. M.R. LEAWERE.- Madam Speaker, I would like to thank the Honourable Attorney-General and Minister for Economy for introducing this Bill. Even though we welcome some of the amendments in the Bill, Madam Speaker, especially on meeting places, it does take away our rights especially when you have to seek a permit to conduct the meeting in the street or the park. We would like to ask, why not allow a meeting on the street, park and river banks? We would like to ask; why not allow meetings to take place, irrespective of the places that are in the Bill?

The Bill, Madam Speaker, is before the Committee on Justice, Law and Human Rights and by using Standing Order 51 to fast-track its way into the House circumvents the work of Parliament.

Parliament, Madam Speaker, has mandated the Standing Committee to discuss the Bill widely and by fast-tracking, it will deprive the people of this country to come forward and make their views known.

Section 70 of the Constitution, as we all know, Madam Speaker, establishes Committees and it is incumbent upon Parliament to ensure that we comply with the law. The question we would like to pose to the Government is, why the haste? Why is the Government trying to invoke Standing Order 51 when the Committee is yet to scrutinise the Bill properly and submit it to Parliament for the House to debate on?

The SODELPA, Fem-Link Pacific, Aspire Network, NGO Coalition on Human Rights, Fiji Revenue and Customs Authority and other political parties have made submissions to the Committee and expect a robust debate on the report in Parliament, now this is not going to happen.

HON. GOVT MEMBER.- (inaudible)

HON. M.R. LEAWERE.- Can you listen?

We are witnessing a dictatorial government on the guise of democracy. This Government knows that they are not going to make it in 2018 and now they are doing their best to keep themselves in power.

Amnesty International has made a number of recommendations and one of which is to repeal the Public Order (Amendment) Decree. It is an international organisation which has seen the need to repeal the draconian decree.

This country should not continue to be under a permanent state of emergency and this is how the international and local communities view this Government. It is not good for the country in as far as investor confidence is concerned.

This Bill is simply a deliberate attempt to stifle any march or rally by political parties and SODELPA will ensure it is reviewed when it comes into power. Thank you, Madam Speaker.

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

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

I think the first point I want to make, Madam Speaker is that some of these Decrees, including the Public Order (Amendment) Decree and other draconian decrees ...

HON. A. SAYED-KHAIYUM- They're Act. Acts.

HON. PROF. B.C. PRASAD.- Now Acts were not reviewed but secretly done.

HON. A. SAYED-KHAIYUM.- Not secretly.

HON. PROF. B.C. PRASAD.- Some of those decrees preserved in the Constitution, Madam Speaker, I believe would have had to be reviewed when the new Constitution was implemented. We know, of course, the Honourable Attorney-General will say, "go and challenge it in the court", that is easier said than done. But I think many of those decrees in my view, if challenged in court, will find that they are not compatible with the provisions of the 2013 Constitution.

The Public Order Act, Madam Speaker, was always there and the definition of "public place" is probably the same as it was in the old Public Order Act, so there is no difference but I would have thought that the Government will improve it further since they are bringing this change and in many countries, of course, the authorities have the power to stop any meeting if they feel that the meeting is getting out of hand or that it is inciteful or whatever we might call it. Of course, the authorities have the power to stop any meeting if they feel that the meeting is getting out of hand or that it is inciting or whatever we might call it, but I thought that the way to deal with public places is by notification.

So for example if FijiFirst wanted to have a meeting in Sukuna Park, all they need to do is inform the Police that they are going to have a public meeting would have been better if it was instead of a permit a notification so that the authorities know. You do not have to go and apply for a permit and notify the authorities and if they have issues they could always come back and say "look you cannot have this meeting on so and so date and time because there are public safety issues". That in my view would have been much better.

The other provision and maybe the Honourable Attorney-General may want to clarify this a little bit more when he responds is the reference to people who might have breached the Public Order (Amendment) Act or Decree previously. Of course they would have to have been convicted if that is the definition. But I am just wondering whether that is also the right thing to do, where many people did contravene the law which was under protest any way in many ways.

I am not too sure how that applies and whether that would create difficulty in future. So essentially I mean what we are doing we will not need a permit, meeting in public places and many of the places mentioned by the Honourable Attorney-General are technically private places, managed by private property owners. So it was wrong in the first place to require permits to have meetings in those places anyway.

The other point that I want to make is the point that Honourable Leawere made, whether the other Bill which is before the Committee (I know it is on a different subject matter) whether we need to bring those together into one Act to amend the Bill. I know this Public Order Act has been a subject of a lot of criticisms by many of us, some of us has been victims of the previous requirement.

Madam Speaker, the improvement with the old Public Order Act would have shown that Government has actually gone a step further in making sure that people are free to meet, discuss issues of natural importance and one final point I want to make, where the Honourable Attorney-General talked about the kind of words that people might utter. Who defines that? Obviously there are things that people should not say that is understandable but there are things that could be bordering on this side or that side.

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

HON. PROF. B. PRASAD.- So it is not good to leave that provision open, I think it needs to be carefully looked at. It is not about us or you doing something, it is about the interpretation of what might be said and what might not be said.

So, Madam Speaker, those are issues that we feel that should have been considered and it could, if taken into account lead to a huge improvement in the Bill itself. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Are there any input? Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker and I thank the Honourable Attorney-General for his briefing on the Bill and Madam Speaker, whilst we recognise and can appreciate the amendments that have removed the requirements of having to apply for permits in indoor premises, what I was really sort of looking forward to is as also alluded to by Honourable earlier speakers, the need to also remove the requirement to apply for permits in public spaces.

I say that, Madam Speaker, because right now, the Public Order Amendment Decree 2012 is still in force and also Bill No. 23 of 2016 is still with the Committee. This amendment, I believe should also be looked at in conjunction with the Decree and Bill No. 23 of 2016.

Also, Madam Speaker, in my view, the 2012 Public Order (Amendment) Decree that is still in place sort of embeds provisions of the 2009 Public Emergency Regulations and which kind of put Fiji in definite or sort of permanent state of emergency.

Madam Speaker, even with these proposed amendments, that are only being specified for indoor premises, the fact that we still have to apply for permits for open door spaces, that still restricts our freedom for expression of opinion. Therefore, Madam Speaker, this is sort of in breach of our democratic rights to free exchange of information and ideas as citizens of this country.

Madam Speaker, the fact that we still have to apply for permit for open door spaces and particularly so as we have heard from the Honourable Attorney-General that the 2018 General Election is just in front of us and this restriction will sort of hobble or restrain political parties, particularly opposition parties from doing our work because permits are required for ordinary opening meetings or rally. We know that we still have to apply for permits and open meetings or rallies in public spaces is a preferred mode in terms of addressing the members of the public when it comes to the 2018 General Elections.

(Honourable Member interjects)

HON. S.V. RADRODRO.- So, whilst, the removal of the requirement to apply for permits in indoor spaces ...

(Honourable Members interject)

HON. S.V. RADRODRO.- ... the fact that we still have to apply for permits, for example if we want to apply for a permit to hold a rally at Sukuna Park, we still have to apply for a permit. We would rather have it just like we used to have before, whereby the Divisional Commissioners, Police Commissioner and the Commissioners work with the community in having to give out permits or authorisation for anyone or for any organisation or for any political party to hold any rallies in parks.

Therefore, Madam Speaker, the Public Order (Amendment) Decree in 2012 which is still in force should really be repealed in its entirety because it binds our citizens unfairly, limiting our human rights and freedom of speech, freedom of expression and freedom of opinion and freedom of assembly. Madam Speaker, this recommendation was also part of the Transparency International recommendation that the Public Order (Amendment) Decree of 2012 be repealed. Thank you, Madam Speaker.

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

HON. V.K. BHATNAGAR.- Madam Speaker, I rise in support of the Public Order (Amendment) Bill 2017. As the Honourable Attorney-General has said the Bill proposes to remove the requirement for a permit when organising or convening a meeting or procession in a public place, other than public park or public road and this, to answer Honourable Radrodro and Honourable Leawere, is to ensure security, safety and interest of others who use these amenities.

Being responsible citizens of Fiji and being responsible leaders of the nation, we have to take care of other people as well who use these amenities, we cannot just go and without permit do whatever we want to do there. These are some of the reasons, I mean we think about the security of other people.

Madam Speaker, it would be most welcoming news to most people but sometimes no matter what you do, you cannot please everyone but on the same token, this amendment would be most welcoming news to a lot of people. This will save people from all the hassle of applying for the permits, waiting for clearances, et cetera. In fact when Honourable Attorney-General was reading out the Public Order (Amendment) Bill, I could see affirmative reactions from Honourable Prasad, but anyways had agreed to some of the stuff there.

Actually thanks to the FijiFirst Government for bringing about amendments to the very archaic practises which has been there since colonial days, Madam Speaker. Also, law and order will be maintained whenever and wherever it will be necessary to do so. This will be done in the best interest of the beloved people of Fiji and it does not take a scholar to know what words are spoken, either they are inciting fear, they are inciting chaos. It does not take a scholar to know that, I think Honourable Professor Prasad asked who defines when it does not take a scholar to define that anyway.

Of course this Bill will bring relief to many and I support this Bill. Thank you.

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

HON. S.D. KARAVAKI.- Madam Speaker, I rise to contribute to the debate on the Public Order (Amendment) Bill which is now being put through this House through Section 51 of the Standing Order.

When I look at the Standing Order, Madam Speaker, I see a clear vein of process, in order to safeguard and maintain the integrity of the work of this House. When someone asks a question, which is already been similarly asked by someone else, Madam Speaker, would say, the question has already been asked. It protects the duplication of work in this House, a very clear vein that is well illustrated in most of the sections in the Standing Order to ensure that we move forward with clarity.

I say this, Madam Speaker, because I am concerned, and on the same vein, I see that this Bill is clearly an abuse of process. Why I say it is an abuse of process is because a previous Bill that was referred to the Standing Committee of Justice, Law and Human Rights is equally for the same purpose, to amend the Public Order Act and through the submissions that had been made to that Committee, and also to the deliberation of that Committee, the issue is being brought up now in this Bill, the expedited Bill would be part of the report of the Committee. And the Committee is here to come back to the House for the third reading of the Bill. Now the work of the Committee would be made redundant.

I wonder, Madam Speaker, what would be the role of the Committee anymore if this kind of approach is accepted or is allowed to continue, to be produced in the House like this? There would not be any purpose for the Committee to sit on those kind of Bills. We have talked about these kind of issues many times in the past, Madam Speaker, and I could not recall that, Madam Speaker, had ruled in a number of occasions of which petitions are being raised for a similar nature and Madam Speaker had ruled that it is already with the Committee.

Now we have a Bill that would achieve the same purpose as the one that is already with the Committee is being allowed to come in. The only difference is this, Madam Speaker, the Government is trying to hijack what would come through the Committee. It becomes the Committee's recommendation because the issues that will come through the Committee are considerations of those that had appeared before the Committee and had made submissions.

But now the Government knows that, that is imminent, it is coming through. It is coming through because it has been reflected in the reports of NGOs, it has been reflected in the submission presented to the Committee. It is imminent that that will come through in the report, the change that is to take place.

To me, Madam Speaker, the proper pathway the Government should have taken is to come before the Committee and make its presentation. That is the proper pathway because Bills of the same nature has already been committed. What they should have done is to come before the Committee and say "this is our submission." So the Bills that come from the Committee would become a total consideration, including the Government who had the opportunity to make submissions before the Committee.

Now if we allow this kind of approach then, Madam Speaker, I think we have to reconsider having Committees. We have to reconsider having Committees because there would not be any good purpose of having Committees if we allow this kind of approach to take away, yes, or to hijack the work of the Committees, it removes the very parliamentary purpose.

HON. S.B. VUNIVALU.- Point of Order!

HON. SPEAKER.- Point of Order!

HON. S.B. VUNIVALU.- Madam Speaker, can the Honourable Member explain to the House why is he using the word 'hijack', , if no, he has to withdraw his statement. He has to explain first, it is like a threatened word towards us. Thank you, Madam Speaker.

HON. SPEAKER.- I think the word 'hijack' is not so serious that it has to be withdrawn, I would accept that word.

HON. S.D. KARAVAKI.- I withdraw the word 'hijack'?

(Laughter)

I believe, Madam Speaker, that he has the capacity to understand the word and its application here. He is a very high standing Member of Parliament and I believe that we do not need....

HON. SPEAKER.- Order! Please do not elaborate on the ruling that I have made. You can continue with your debate.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I would like to conclude, Madam Speaker, to conclude that this House should rule that this Bill is out of order. Out of order on the reason, Madam Speaker, that we have a similar Bill that will produce the same outcome is already before the Committee and because it is an abuse of process, this Bill should be ruled out of order and wait for the report of the Committee to come into the House for the third reading.

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

HON. P. SINGH.- Thank you Madam Speaker. Let me say at the outset that this Bill gives some relief to parties like ours.

HON. GOVT MEMBERS.- Thank you.

HON. P. SINGH .-Just as a starting note, Madam Speaker, this has come about after lot of lobbying, thoughts, hue and cry by parties and people who were affected all along and Madam Speaker, to distinguish between the private and the public places, there was always this requirement, but in a very different form.

Political parties used to conduct meeting, rallies, conventions in public places and, Madam Speaker, what I refer to is the specific question that I need to be clarified on is when someone has talked about it, will the authorities or persons who are tasked with either approving or rejecting an application to hold a meeting and in their consideration, if it found that a person or a political party at some point in time had breached or convened a meeting without proper facilities?

Madam Speaker, the question is; will this Bill apply retrospectively to that in approving and rejecting the applications?

Secondly, Madam, in the last General Elections, this requirement was waived and I hope that in future we will improve upon this. This is a very important Bill for us and this Bill, in its entirety, has been reviewed in such a way that it progresses to a path, shows the path, but not enough, not enough in the sense and I would like to see a new day dawned in this Parliament in Fiji, where we practice democracy freely. Freely in the sense that we are not required to apply for permits as the

Government side because Sukuna Park is a public place. The FijiFirst party in the last Elections had an Open Day without a permit and now if we intend to do it now, we will have to apply for a permit.

So, these are some of the issues that I bring to this Parliament and I hope to receive clarifications on these.

HON. SPEAKER.- Thank you, I now give the floor to the Honourable Dulakiverata and you have nine minutes.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I would like to contribute to this Bill that is before the House. I thank the Honourable Minister for bringing in this Bill. Madam Speaker, there has never been a time when the people of this country are unhappy and angry because Madam Speaker, their lives have been heavily regulated.

HON. A.M. RADRODRO.- Here, hear!

HON. J. DULAKIVERATA.- Madam Speaker, I thank the Government for allowing permits not to be issued in some places, but I urge this Government to free everything and not to disallow any permit. We are law abiding citizens, we are law abiding citizens in this country. We have an educated society and we have cultured and respected people in this country, you do not have anything to be afraid of.

Madam Speaker, we should look forward, we should expect the good from the people. You have to preach democracy and stand by it. Madam Speaker, I do not know what our young people would think of our democracy, if they have been following the Elections in the US where people are free to express their opinions, have freedom of speech and expression, and I hope that we will soon have that in this country. *Vinaka.*

HON. SPEAKER.- There being no more input, I will now call on the Honourable Attorney-General to speak in his reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reaction today is very different to the reaction from Monday, and I completely concur with Honourable Bhatnagar's statement that when we did table this Bill on Monday, there was really a very positive response on the faces of everyone from the other side.

Madam Speaker, let me correct a few things and I think that the Opposition by the opposition to this Bill emanates from the fact that they do not think or do not want the public to think that we are doing anything positive. You see this is a rhetoric, they have been going around and telling everyone, everywhere in Fiji "this Government does not allow us to have meetings, it is oppressive, this, that." They are caught up in a time-war like Honourable Nawaikula this morning. They are caught up in a time-war because when we do make changes, when we do make positive changes, they do not know what to do, they are kind of scuttled, they think 'oh my God, this is the rhetoric they are spreading', now they look good because this is the misinformation that we are spreading. That is the problem with the other side, they have talked about on numerous occasions that we want to be able to hold meetings without permits.

This Bill allows them to have meetings without permits. If you go to so many jurisdictions, if you go to the jurisdiction in Fiji, even prior to 2006 you will still needed a permit. You could not go and walk down McGregor Road, Honourable Radrodoro was saying that we should just walk down if we want to, that is democracy. The whole definition of democracy they have got it wrong. Everything they do not like, it is a lack of democracy.

The Honourable Biman Prasad is saying “we should simply give a notification” try walking down George Street with notification with 100 people in Sydney, try walking down Auckland without a permit with 100 people, you have to be, Madam Speaker, in public places like Honourable Bhatnagar have mentioned that we have to consider the rights of other people. If they simply are going to walk in a public place which is a public road, which is a public park, now for example all they simply have to do is every single open park that they have, just say if it is gazetted as a public park or not, if it is not, go and have a meeting there without a permit, advertise, have a meeting, go and hire any hall in Civic Centre, Lautoka Town Hall, whatever hall, have a meeting without a permit. I would think that they would think it is good but they are objecting to it and the Honourable Karavaki says, ”oh we are sort of venting the process because there is a similar topic before the Committee.”

The Committee, Madam Speaker, is one that deals with terrorism financing issues as obligated under the international law requirement. That is what that Amendment Bill is all about. It is about terrorism finding thing, it is not about holding meeting permits, it is not about permits for meetings, it has got nothing to do with that and Honourable Speaker, if you go and look at the *Hansard* of other Parliaments in Fiji since independence, you actually have amendments to I and II to the same Act. There is nothing peculiar about that.

The Honourable Radrodro, she talks about "oh the Public Order (Amendment) Act should be repealed in its entirety" Has she read it? The Public Order (Amendment) Act talks about, it is an Act now Honourable Karavaki. The Public Order (Amendment Act) talks about control of arms and ammunition. This is the government that specifically introduced laws pertaining to terrorism offences, specific laws is introduced by this Government and the Bainimarama-led Government before that, they introduced terrorism offences specifically, no other Government had done it, we did it.

Now, she is saying, “Let us repeal the entire Amendment Act”, that means let us get rid of terrorism offences. They do not know what they are talking about. They simply do not know the subject matter. And the problem is, Madam Speaker, that they are simply opposing for the sake of opposing.

The reason why we have hurried this along because I know Honourable Prof. Prasad wants to have more meetings. The Honourable Leader of the Opposition probably wants to have more meetings. We are giving it a freedom, go and have meetings. Maybe your leader outside Parliament wants to have more meetings, so go and have more meetings. There is no need for a permit, San Bruno or whatever, that you have the meetings at.

The point is, Madam Speaker, that there are other hotels like hotels, like San Bruno and other places in Fiji which we can recommend to them too where they can have similar meetings.

Madam Speaker, the point is this, Honourable Radrodro confuses open spaces with public parks and public roads. She says she cannot have meetings in public spaces. Of course you can. She has suddenly brought up a new definition.

The Amendment actually talks about it and says, you cannot have a meeting on a public road or a public park which means those that are gazetted and also includes places like alleyways, river banks, et cetera, which are public pass. People may be fishing, they may be bringing in their boats, you cannot go and have a meeting there because it is a public place.

However, you can go and have a meeting a Churchill Park, for example. Churchill Park is not gazetted as a public park, you can go and hire Churchill Park, pay the rates at Lautoka City Council and have a meeting there or at ANZ Stadium, you can do that.

HON. MEMBER.- Churches.

HON. A. SAYED-KHAIYUM.- Churches are exempted, read the Act! Read the Act! Religious congregations are exempted. Funerals and religious processions are exempted. That has been there, Honourable Karavaki, for such a long time. The Public Order Act, Madam Speaker, comes from the public ordinance in the colonial days.

We, Madam Speaker, have brought it, we have modernise it, we are here today, bringing about an Amendment we thought as Honourable Radrodro again had mentioned, Election is around the corner, you want to have meetings, please go. Those political parties is this House, outside this House, go and have your meetings. No problems, we are allowing you to do that. Not a problem! So, we would think that you would actually support this but it is simply, Madam Speaker, the problem is that, they do not appreciate any positive changes that are being made.

Madam Speaker that is the fact of the matter and we would urge everyone in this House to support this amendment because as the public of Fiji will be informed through this live broadcast that we are actually now saying, “Please go and have your meetings without a permit but please do not have your meetings in a public park or a road because you will affect the rights of other people.”

Honourable Dulakiverata talks about, “we will one day have freedom in Fiji. We will one day have democracy in Fiji? *Areh*, you have it now! The point of that matter is you do, and the way they talk about rights as if there is no limitation. Honourable Singh talks about, “we want all the rights without limitation.” There is a limitation to rights, Madam Speaker. There is a limitation to rights. We have the freedom to speak but you do not have the freedom to use that freedom of speech to spread hatred. You have that freedom to do many other things but it should not impinge upon the rights of others. That is the fundamental premise of the Universal Declaration of Human Rights.

Madam Speaker, that is the point, so let us get away from the rhetoric, let us focus on the amendment that is before the House and the amendment before the House, Madam Speaker which we are seeking to amend is to allow not just political parties, but anyone – trade union officials, NGOs, Civil Society Groups if they want to have a public meeting from today hopefully, God-willing when we vote for this, it becomes an Act of Parliament, it will not have retrospective application, Honourable Singh.

You know that it would not be deemed as natural justice and that there is a fairly redundant question, so when the Act come into force say from tomorrow, so from tomorrow onwards, everyone can go and have a meeting. Just please do not have it in the spaces that we have said not to have it in the Act which is let me say, public park, public road which means highway, public streets, public road, et cetera, as we have said. Anywhere else you can have a meeting. I can tell you, everyone else outside this House is rejoicing about this, the only problem are the only people who are not because they have lost their supposed moral high ground is the people on the other side.

We urge everyone in this House to take a bipartisan approach and vote for this very progressive amendment that is put before this Parliament.

(Applause)

MADAM SPEAKER.- Thank you, Honourable Member, for keeping us awake. Parliament will now vote.

The Question is that pursuant to the resolution of Parliament on 6th February, 2017 that the Public Order (Amendment) Bill 2017 be debated, voted upon and be passed. Does any Member oppose the motion?

(Chorus of “yes” and “noes”)

MADAM SPEAKER.- There being opposition, Parliament will now vote.

Votes Cast

Ayes	:	31
Noes	:	12
Not Voted	:	6

Question put.

Motion agreed to.

MADAM SPEAKER.- Thank you. I now call upon the Honourable Attorney-General to move his second motion.

**RESUMPTION OF DEBATE ON THE FINANCIAL TRANSACTIONS
REPORTING (AMENDMENT) BILL 2017**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on 6th February, 2017, I move that:

The Financial Transactions Reporting (Amendment) Bill 2017 be debated, voted upon and be passed.

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

MADAM SPEAKER.- I now call on the Honourable Attorney-General to speak on this motion.

HON. A.SAYED-KHAIYUM.- Madam Speaker, as highlighted on Monday, this Bill seeks to introduce three Amendments to the existing Financial Transactions Reporting Act in order for us to be able to comply with international standards as had been identified by the Asia/Pacific Group on Money Laundering. And money laundering, Madam Speaker, as you know the laws on that need to be strengthened in Fiji.

In 2015 Fiji’s Framework on Combatting Money Laundering and Terrorism Financing is subject to Peer Review by the Asia/Pacific Group. The Assessment Team noted gaps in the Act and in the Regulations themselves.

In October 2016, a Mutual Evaluation Report on Fiji was published by the APG assessing the level of effectiveness of Fiji’s Anti Money Laundering and Counter-Terrorists Financing System. The report provided recommendations on how Fiji could strengthen its legislative framework on combating money laundering in terrorism financing in accordance with international standards.

Both the APG Assessment Team and the report noted that there are opportunities to improve Fiji's Legislative Framework and according to the Report, the Act should prescribe penalties for certain sections in the Act and noted that the regulations do not prescribe those penalties.

The Bills seek to address the gaps noted by the APG Assessment Team and the report by introducing provisions that will strengthen the penalty provisions.

Madam Speaker, if I can very quickly go through them Clause 1 of the Bill provides for the short time commencement provision. Clause 2 of the Bill amends Section 40 of the Act to remove the requirement to prove that a director, controller or officer had knowledge, authorised, permitted, or consented to the offence of the body corporate. So, in other words, there is no defence for a director to say, "Well I personally did not know that the company in which I am a director actually did this" and that fiduciary duty and obligation of directors now, of course, exist within our Companies Act. That is the way that modern companies need to be run and that is the way the modern application of fiduciary duty of directors have been applied.

Madam Speaker, Clause 3 of the Bill amends section 42 of the Act, to allow the Minister to prescribe penalties in the Regulations and the Regulations currently do not prescribe penalties.

Under Section 25(v) of the Interpretation Act, the Minister has a general power to prescribe penalties not exceeding \$400 or to a term not exceeding 6 months or to both in relation to any subsidiary legislation.

Taking into account, Madam Speaker, the gravity of the offence of money laundering in terrorism financing, this penalty is too lenient. For that reason, Clause 3 of the Bill amends section 42 of the Act to allow the Minister to prescribe penalties in regulations made under the Act of a fine of not more than \$150,000 or a term of imprisonment not exceeding 5 years or to both.

Clause 4 of the Bill inserts new part titled "Penalties". The new Part A provides for penalties under the Act.

The new section 43(1) prescribes the general penalty provision for the contravention of any offence stipulated under the Act which does not have a prescribed penalty.

The new Section 43(2) prescribes the penalty provision for persons who have failed to comply with any instructions or directive issued by the Financial Intelligence Unit of the Reserve Bank of Fiji, Madam Speaker.

So that, Madam Speaker, is what the Bill is about. As we have said that we are continuously looking at improving our position, our image and our ability to comply with international standards. And this is a particular gap in our standard so if this Bill gets approved by Parliament, Madam Speaker, and people look at our laws, they know that we are up there in terms of our obligation in international standards, in particular in the very critical area of money laundering and terrorism financing. Thank you Madam Speaker.

HON. SPEAKER.- Thank you the Bill is now open for debate and I invite comments, if any. There being no comment, do you have concluding remarks, Honourable Attorney-General?

HON. V.R. GAVOKA.- Madam Speaker, we thank the Attorney-General for briefing us on this Bill. We are a little concerned about penalising the body corporate whenever an offence is committed. There is no need now in this Bill to prove that an officer of a corporate body had committed an offence, so it is a blanket penalty for the body corporate if something goes wrong.

I am sure, like me and other people here have who run an organisation that you can have the best control systems in place, you can have your internal audits, you can have your policies, operational procedures and all that, there is always a bad egg and it happens in the best of organisations. You may know that Volkswagen, the biggest car makers in the world had to pay huge penalties because someone in the organization was fiddling with some systems. And the penalties are billions and billions of dollars.

You now remove that responsibility from the person who is guilty to just penalize the company in a way that is beyond the control of the people in the organization. If I ran an organization, which I used to do, and if one of my staff had fiddled with anything, and got penalized with \$150,000.00, I would feel insecure as CEO or General Manager of an organization if this is the case. Whereas I can identify the wrong doer, the culprit, and isolate him and penalize him. In this case now, whether I like it or not, whether I knew or not, whether I was observing all the control systems, we would penalise the body corporate, the company that I run, the organization that I run.

I just wonder if this is the way to go in Fiji. How will it affect the leadership, the people who run organisations; there will be fear, there will be suspicion. You take control to a level that will impact on performance. Sometimes you need freedom of expression to make it work, give people the ability to think for themselves and you give a bit of room to do their own thing. This way you would be putting in place control systems that can be very prohibitive and limiting the ability of people to do their work

So I am very uncomfortable with the removal of this clause from the principal Act of 2004 which said that "It would be individual liability". It now ends on the body corporate. So on that basis, Honourable Speaker, I would be hesitant to agree to the amendment. APG, we are reporting on the Annual Report, I do not think this is material enough to make this change, as it is, it is sufficient to make the FIU organization to be effective in doing its work. As it is, in the sense, stick with the principal Act as it exists today. I would be very hesitant to do this, I speak as a practitioner, I run organization and the control would be too much and it would affect the running of an organisation, Honourable Speaker, thank you.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Minister for Education, Heritage and Arts and National Archives of Fiji.

HON. DR. M. REDDY.- Madam Speaker, money laundering and financial terrorism financial crimes which has economic effect on countries and these effects can be characterized as major on small island economies like Fiji.

Madam Speaker, they can threaten the stability of the country's financial sector or its external stability more generally. The activities that we can undermine are:

1. The integrity and stability in financial institutions;
2. The banking system, the non-banking system;
3. Discourage foreign investment;
4. Distort international capital flows or in-flows.

Madam Speaker there may have negative consequences as I alluded to earlier on, on the financial stability of a country and of course, in relation and then therefore flow on to have an impact on the performance of the country, therefore resulting on the welfare losses both in the micro and macro levels and bringing the sources for more productive activities to the select few, Madam Speaker.

Madam Speaker, our Government has been active through the Financial Intelligence Unit in addressing money laundering and terrorism financing so far, Madam Speaker. But the current legislation is limited in terms of the penalty, I really cannot understand where Honourable Gavoka is coming from.

Madam Speaker, looking at the current penalty of not exceeding \$400.00 to a term not exceeding 6 months or to both is no way a deterrent. The proposed fine of not more than \$150,000.00 for a term of imprisonment not exceeding 5 years is something that people would look at and say, look this is probably not worth it in engaging in this kind of activity.

Madam Speaker, Fiji is a hub of the Pacific and I think we need to give a signal that we are serious about these things and therefore there are rules and regulations administration which will ensure that these things would not be entertained. And our challenges are greater than our neighbouring countries and we need to show them the pathway as well.

Madam Speaker, money laundering and financial terrorism exploit both the complexity inherent in the global financial system as well as differences between laws and systems. And they are especially attracted to jurisdictions with weak or ineffective controls where they can more easily move their funds without detection, Madam Speaker. Therefore, we need to continuously, align our laws to deter certain activities at our shores, Madam Speaker. Thank you.

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

HON. DR. B.C. PRASAD.- Thank you, Madam Speaker. I agree with the amendment with respect to the penalties and I also agree with the fact that the \$400 fine and probably a term not exceeding six months was too little. But one of the things that I have noticed generally with this Government is that even in other cases, for small minor offences, we are always thinking about big fines, big jail terms and this may be another example but even if we accept that, the more important thing, I think is changing the principal Act Clause 2 of the Bill in Section 40 of the Act to remove the requirement to prove that the director, controller or officer had knowledge, authorised, permitted or consented to the offence of the body corporate.

I am not sure whether that is also already part of the Companies Act and obviously we had serious issues with respect to the Companies Act so it is, it is already there but that is the point we want to make. Madam Speaker, that it is not just about reporting of financial transactions. I mean, we may inadvertently also give signals to investors, potential investors who may look at this and think it is a bit onerous in terms of the penalties and also in terms of the Companies Act and now included in this, in terms of where they do not need to be or the omission need not be proven beyond doubt with respect to what is likely to happen.

So, really that is, you are saying here, Section 40 of the Act to remove the requirements to prove that a director, controller or officer had knowledge, authorised, permitted or consented to the offence of the body corporate.

So, I think and I agree with Honourable Gavoka that, that is an important issue and whether by having such a huge penalty and a jail term of five years, we are giving a different signal or a mixed signal or a confused signal to potential investors as well. So, it is not just guarding against terrorism financing and other breaches of financial transactions, we also have to ensure that we do not do this in a way that we affect the business environment in the country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Minister Faiyaz Koya.

HON. F.S. KOYA.- Madam Speaker, I support the Bill to amend the Financial Transactions Reporting Act 2004. Just quickly Madam Speaker, with respect to this being a threat to potential investors, I do not think any investor that would come here with a clean heart and a clean mind would actually mind that at all. Absolutely. If someone is coming here with a suspicious background, et cetera, then they would look at that and say, "Maybe I should not go to Fiji," but we do not want those kind of investors in this country.

Madam Speaker, money laundering is actually a problem, I support what the Honourable Minister of Education said, it enables criminals to render their legal assets or earnings of crime and cash, and cash and non-cash assets and to make it appear to look legitimate, where they are hiding their true source of their assets. The law enforcement agencies, Madam Speaker, are at times helpless to detect and take action against these particular types of crimes.

Now, if I could just give a statistical point to this and it is quite important, very important. In 2015, Madam Speaker, the majority of the suspicious transactions were on the grounds of suspected tax evasion and in 2014, it was about 18 percent; 2015, 15 percent. So, unusual account activity and unusual large transfers were prevalent contributing to approximately 28 percent of the total suspicious transactions reported.

Now to add suspicious transactions involving large value transactions over about half a million dollars and more accounted for 7 percent of total suspicious transactions reported as compared to 3 percent in 2014.

Madam Speaker, see the important fact to know that this is a very very important legislation and the amendments to the Financial Transactions Reporting Act 2004 not only strengthens the role of the regulator, but also obviously gives the powers to the line Minister to prescribe stringent penalties not exceeding \$150,000 or to a term not exceeding five years or to both as compared to earlier penalties of \$400 a term or not exceeding six months.

Why should it not be that much? It is a deterrent, we are trying to stop people coming in and using Fiji in that particular sense. Madam Speaker, the Act applies to a variety of businesses in Fiji, such as banks, accountants, lawyers, credit and lending institutions, foreign exchange dealers, money transfer service providers or money remitters, insurance companies, brokers, agents, real estate agents and businesses, investment advisers, brokers, dealers, unit trust or investment fund managers.

Madam Speaker, from my perspective as the Minister responsible for Industry, Trade and Tourism, I also welcome these new provisions, purely on one particular point and this is with respect to the real estate sector, which is quite vulnerable to money laundering activities. We are responsible through the Real Estate Agency Licensing Board and the licensing of real estate and this will act as a deterrent to those who intend to launder their money through real estate dealers. We need growth in these industries, Madam Speaker, and businesses but through honest and fair dealings and transaction. As such more businesses and industries will now be presenting a fair and true and correct and accurate business information.

I thank you Madam Speaker and I reaffirm my support for the Bill.

HON. SPEAKER.- Thank you. There being no other input, I now give the floor to the Honourable Attorney-General for his right of reply.

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

Madam Speaker, I think there is enormous confusion on the other side of the House and Madam Speaker, the point is again, they sort of read sentences half way through and suddenly come to a conclusion.

There is also a difference between a company, a body corporate and an individual that works for the company. If you read Section 40 in its entirety, it says, "where any, body corporate is convicted of an offence". It does not mean, as Honourable Gavoka is trying to imply that should an officer be convicted who works for that company, if he or she is convicted therefore, the company is liable too, that is not the case.

It says if the company is convicted, you know the officers of the company, in other words, the directors are held accountable, that obviously makes sense. So, if I as an individual am working for a particular bank and I have come up with some scheme to launder money and I have been found guilty and I am convicted of that, it does not mean that the bank will be held culpable. The bank has to be found guilty and convicted, then only all the directors will be found guilty or be convicted of that offence.

So, there is a difference, you see there is a difference between, the legal entity which is the company, the legal entity which is the natural person. They are two separate things and they are confusing it and they need to just sit back and understand it, there is a huge difference.

The other point, Madam Speaker, is that modern day money laundering and terrorism financing is done precisely in that manner. Many people will come up, they will set up a company and then the company will get in the business of money laundering, the company will get in the business of terrorism financing and then the company disappears. So they hide behind the corporate veil.

Modern day jurisdictions, modern day way of looking at laws, they go behind the corporate veil. So you cannot have directors hiding behind the corporate veil. This is why modern day Companies Act, which in our case, just commenced recently, approved by this Parliament, in fact had borrowed standards from Australia and New Zealand, where they similarly, if they want to use Australia and New Zealand as a yard stick, where they similarly go behind the corporate veil and look at the fiduciary duty and the obligations of the directors. So gone are the days where you can, in every instance, hide behind the corporate veil.

If you look at the literature on terrorism financing or money laundering, you may have some mafia group that may come and set up a company here. Say that set up a laundry business or massage parlour, whatever the case may be, and then the company will be doing the illegal business. Then we can convict the company but then they say, "Well, we are not the company, we are simply the directors" so you charge the company, the company will pay the fine; they get away scot-free. That should not be the case because they have simply used the company as a front for their own personal gain, that is why this particular provision has been put in place.

Madam Speaker, there is no fear of suspicion. Again there is always fear mongering by the other side, "Oh, it will create fear and suspicion in Fiji." These laws are in Australia and New Zealand, is there fear and suspicion? Please, let us get realistic, let us lift up the standard of debates and contribution in this Parliament.

We cannot just simply be making all sorts of comments because it suits the occasion. The fact of the matter is, Madam Speaker, is that as the Honourable Minister for Trade has highlighted, if you read the Offence Provision, it says “up to \$150,000”. If you read the Crimes Decree, it says “The judge may convict up to life sentence.” Does it go up there? Sometimes it does, sometimes it does not, it depends on the matter at hand before the Courts.

Similarly in this case, it is a criminal offence, so that has to be proven beyond reasonable doubt. It is not a balance of probabilities, a standard applied in civil cases, Honourable Prasad. It is about criminal cases beyond reasonable doubt.

Madam Speaker, this is the point. The point is that this law brings us in alignment with other countries. The point is that this law is good for Fiji, the point is that this law sends a positive signal to the rest of the world, to our trading partners and others that Fiji has the appropriate laws in place and this is a safe place to go and do trading. We will not be dealing with people who are dodgy and should there be any dodgy people, there are laws there to get rid of the dodgy people; put it in very simple terms. So, Madam Speaker, I urge that Parliament votes for this Bill.

HON. SPEAKER.- Thank you. Parliament will now vote. The question is, pursuant to the resolution of Parliament on 6th February, 2017, that the Financial Transactions Reporting (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.

Votes Cast:

Ayes	:	31
Noes	:	9
Not Voted	:	9

There being 31 Ayes, 9 Noes and 9 Not Voted, the motion is agreed to.

SECRETARY-GENERAL.- A Bill for an Act to amend the Financial Transactions Reporting Act 2004 (Bill No. 2 of 2017) enacted by the Parliament of the Republic of Fiji.

(Acclamation)

HON. SPEAKER.- Thank you. We will move onto the next item on the Agenda and I now call upon the Honourable Attorney-General to move his motion.

WORKMEN'S COMPENSATION (AMENDMENT) BILL 2017

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on 6th February, 2017, I move:

That the Workmen's Compensation (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 call on the Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just very briefly to highlight this particular Bill, this Bill seeks to give more rights to ordinary workers in Fiji by allowing the workers of Fiji more time to be able to make their worker's compensation claim from 12 months to three years.

Furthermore, Madam Speaker, this Bill also seeks to give the workers further rights by saying that if they leave the employ of their current employer and then they realise, even after 12 months or even after they have left the employ of the current employer that they can still make a worker's compensation claim regarding an incident that took place with a former employer.

At the moment, Madam Speaker, the workers in Fiji are restricted by the 12-month timeline. So assuming that I am working for a particular company, I get injured, I must make the claim within 12 months. But if I do not, therefore I am out of bounds and there has been a recent case that the courts have actually interpreted that timeline in a very strict framework.

The current impediment, Madam Speaker, is that if I am working for someone and say I get injured today and the injury may not be that big a deal for me at that point in time, and two months later I leave and go and join someone else, I then realised that the injury that had occurred to me, in fact I need to make a claim, I am again debarred from doing that because I am no longer employed by them.

What this amendment seeks to do, Madam Speaker, is give that right to that worker who has been injured to make the notification of that claim, irrespective of whether they are still in the employ or not but within three years; 300 percent increase if you like.

Madam Speaker, the other point, of course is, that the Bill seeks to have all doctors who are going to carry out the assessment to go through what they call an Impairment Assessment Training. This will now be a requirement, so the Permanent Secretary for the Ministry of Labour will say that all of you need to go through the training so that we can have you better qualified to do the assessment.

The third one, Madam Speaker, there was a reference to a notification, a demand notice actually to obtain documents or information from the employer, the existing reference but there was no such form in the Act itself. So we are now under the schedule, in fact through the amendment, putting the actual form that should be given out to the employer when the Ministry of Labour sends out the notification to obtain documents or information pertaining to the claim that the employee is making, Madam Speaker. That, Madam Speaker, is a very quick summary and introduction of the amendments that are sought.

Madam Speaker, this of course is on the back of the fact that Government has recently also increased the compensation that is payable to workers. Previously on death, you could only receive \$24,000, now it is \$50,000 and of course for other forms of disabilities, it is more than \$50,000. So we are continuously looking at practical ways of how we can make things a lot more easier for the workers of this country in respect of being able to, not just enhance their rights but the existing rights to make it a lot more practically applicable for them so they are able to actually ascertain those rights in a practical sense.

HON. SPEAKER.- Thank you. The Bill is now open for debate and I invite comments from the House, if any? Honourable Professor Prasad you have the floor.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. This is a progressive Bill and we would like to support it and we will vote for it. Having said that, let me also say to the other side that they are not the only source of wisdom on everything.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- When we oppose something, we do not oppose for the sake of opposing, Madam Speaker, certainly I do not do that. They need to be reminded of that.

Having said that, I just wanted to point out two issues which may be useful in terms of how these changes to the issue, Madam Speaker, which may be useful in terms how these changes to the Workmen's Compensation Act can be publicised. It has gone through ERAB within the Ministry of Employment and I am sure there will be a lot more people wanting to understand the changes and how they can help those who might be affected and benefit from this Bill.

Just on the background, Madam Speaker, there is no provision and I got this from the people who were affected during the floods before Christmas. There were many workers who were not able to get to work and this was just before Christmas, and many of them were not paid by their employers through no fault of theirs. It was simply trying to get to work, prevented by floods, not being able to get to work and that is why I think we need to think about this provision.

The Act says that employers provide monetary compensation to workers who were injured during and in the course of employment and to the dependence of workers whose deaths were related to employment. I was just wondering whether that aspect of employees prevented from getting to work will be interpreted as in the course of employment. I would like to think so that, that will be in the course of employment; they were trying to get to work, prevented by floods, their employers do not pay them. So maybe that is something that the Ministry of Employment may want to take on board and see whether we can have another change of regulation to compensate for those who do not make it to their work and are prevented by no fault of theirs to be paid as well.

HON. MEMBER.- (inaudible)

HON. PROF. B.C. PRASAD. - I am just saying that the definition of "in the course of employment" could be interpreted as that being in the course of employment. If they are prevented from getting to their work, Madam Speaker, because of say, flood which was the example that I gave and many

HON. MEMBER.- (inaudible)

HON. PROF. B.C. PRASAD.- Well, I am just trying to say, if they are trying to get to work and they are prevented because of floods or other reasons not of their own making, whether they would be eligible for compensation? It is not part of that but that is what I am saying, that is something that the Ministry of Employment needs to look at as well.

(HON. MEMBER.- (inaudible)

HON. PROF. B.C. PRASAD.- I know it is not about that but that is the point that I am trying to make, that it is an issue and many workers, Madam Speaker, as I said made their presentation to us, and so in the discussion I am raising this for the Honourable Minister for Employment to think about. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Leader of the Opposition.

HON. RO T.V. KEPA.- Madam Speaker, in support of this Bill I just request the Honourable Attorney-General to look at the title of the Bill, which I believe should be gender inclusive rather than gender specific. Here it has for an Act to amend the Workmen's Compensation Act 1964 and in 1964, Madam Speaker, meaning women were not in the workforce especially in high risk employment. Looking back at some of the Amendment Bills that were in place, especially the Amendment Act of 1964, it had Worker's Compensation (Amendment) Act. So I would wish on behalf of the women who are in the workplace and in high risk employment that, that Act to amend the Workmen's Compensation be termed the Worker's Compensation Act.

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

HON. RATU S.V. NANOVO.- Madam Speaker, we also support the Bill but request that all outstanding matters relating to the compensation payment be fast-tracked with all the relevant personnel given to the required ministry to look into those. Thank you, Madam Speaker.

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

HON. J. USUMATE.- Madam Speaker, I would like to support the Bill also. I think it is a very timely Bill. This Bill is once again a reflection of Government's commitment to its workers, to try to make sure that social justice is applied and things that are coming out of this Amendment Bill allows us to deal with those who have been disadvantaged, even though they are outside of the original time limitations. We are also glad to see, one of the problems that we noticed right now in the Workmen's Compensation is that sometimes people go to different doctors and they come up with completely different percentages of impair assessment and that is something that the Ministry has been dealing with, if I am not mistaken, over the past three years. So there has been a concerted effort to train people in the international guidelines that are used to assess the impairment assessment.

Right now, as I speak, in the Ministry all around Fiji we already have around 215 doctors who have already been trained. These are doctors in the private sector and they are also in the public sector. So by making sure that all doctors who do the impairment assessment are the ones that go through the training, there is more likelihood that there will be a reduction in the time that we need in order to be able to assess the exact quantum that needs to be paid for the workers who have suffered their injury.

I think the point that was raised by Honourable Professor Biman Prasad is something that can be considered later on but Workmen's Compensation is about injury or death in the workplace. I think this particular Amendment Bill will deal with precisely that. The issue that has also been raised by the Honourable Ratu Sela Nanovo about dealing with backlog; that is something that we are trying to address to the best of our ability within the Ministry using the resources that we have. I commend the Bill. It is something that is going to make a distinct difference in the lives of people who have been injured or have had death in the workplace. Thank you, Madam Speaker.

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

HON. V.K. BHATNAGAR. - Thank you, Madam Speaker. Actually, I rise in support of the Workmen's Compensation (Amendment) Bill because this amendment has actually touched my heart. This Bill is a breath of fresh air and light of hope to so many workers who work in hazardous environments. Every wife, every mother, every daughter, every husband and every individual would be relieved to know that there is hope to get compensated, and if, God forbids something unwanted happens at work, the extended timeframe from 12 months to three years, Madam Speaker, to five compensation claims is actually a blessing. Ask the people who have been injured at workplace, ask their families the pains and suffering that they go through when they are denied even the hearing because they did not meet the 12-month requirement. People have lost their lives at workplaces and families were left helpless again because they do not meet the 12-month requirement. The question is, Madam Speaker, should they be deprived or denied their right because they could not claim within the timeframe required by law?

No, Madam Speaker, it is high time the amendment was brought about and once again thanks to FijiFirst Government for being so compassionate. Our Government cares and we will continue to do so.

Madam Speaker, after this Bill is passed, the injured will no longer be obliged to be even examined by the medical examiners who are actually recommended by the employers. But of course they will be examined by the trained professionals as the Honourable Minister has said. There are so many people who are still grieving their loss and also had missed out on compensations due to limited provisions in the principal Act, that is the Workmen's Compensation Act 1964, but this Bill will certainly bring about solace to many, many people and many, many workers. Thank you, Madam Speaker, and once again thanks to our Government because we care.

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

HON. A.T. VADEI.- In support of the Bill, Madam Speaker, I just want to clarify whether sports people are also included in the Workmen's Compensation because they are representing our country and also carrying the flag for us. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Attorney-General for his right of reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think there seems to be general agreement about the amendments. I completely note the points raised by the Honourable Leader of the Opposition that the terminology of the Act is actually very gender biased, it reflects our history more than our present.

In fact, Madam Speaker, I need to get back to you, I stand to be corrected, that in the Revised Edition of the Laws of Fiji, the Act that was passed by Parliament, it did say that there needs to be amendments made to any of the laws that is gender discriminatory. So, wherever there is a need to amend it, it will get done, but I can get back to you specifically on that. Because this is an Amendment Bill, you need to amend the substantive law to change the actual title. Most definitely that is something that we have been working on and in fact the Act we passed did talk about making gender neutral.

Madam Speaker, again, I think everyone has recognised the fact that there is a need for this. It enhances the worker's rights. The Honourable Minister for Labour has already highlighted that he and his team are working on a number of other issues that relate to improving the lives of ordinary workers in Fiji and how they can be given more clarity.

The point that was raised by Honourable Professor Prasad is a question of about definition, it is a question of where responsibility starts and where it ends. All those are very critical issues that need to be clarified and understood. The Permanent Secretary is actually working with the Solicitor-General's Office in a number of other areas, so you will see some further amendments in that respect. So, we urge the Parliament, Madam Speaker, to vote positively on the amendments that have been proposed by this Parliament.

HON. SPEAKER.- Thank you. Parliament will now vote and the question is, pursuant to the Resolution of Parliament on 6th February, 2017 that the Workmen's Compensation (Amendment) Bill 2017 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of "noes")

There being no opposition, the motion is passed.

SECRETARY-GENERAL.- A Bill for an Act to amend the Workmen's Compensation Act 1964, Bill No. 3 of 2017 enacted by the Parliament of the Republic of Fiji. (Act No. of 2017).

(Acclamation)

HON. SPEAKER.- Thank you, Honourable Members. I now call upon the Honourable Attorney-General to move his next motion.

VALUE ADDED TAX (AMENDMENT) BILL 2017

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the Resolution of Parliament on 6th February, 2017, I move:

That the Value Added Tax (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 on the Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, this Bill was drafted following a number of consultations with the Fiji Institute of Accountants, FRCA and the Solicitor-General's Office. The amendments to the Act as introduced on Monday carries two specific issues.

One of them is the first which is of a very, as I said perfunctory nature and that is just a simple alignment of the code numbers that exist in the Value Added Tax Act with the HS system that Parliament approved last year in which it actually came into effect from 1st January, 2017 and that follows the World Customs standards that Fiji has adopted.

The second issue, Madam Speaker, is to do with the issue of the rentals that is collected by landlords, and allowing those landlords who currently collect rentals of less than a \$100,000 to be registered for VAT purposes, even though their rental collection at the moment is less than a \$100,000 in anticipation of the fact that they will actually reach a \$100,000.

This, Madam Speaker, encourages landlords to build more apartments, it also gives them the level of comfort that they can also make VAT claims. So, thereby, Madam Speaker, this is what the amendment seeks to do. Following on from the comments from the other Members of Parliament who made further comments by way of introduction as I set out on Monday, these are the two key issues that this amendment seeks to do.

HON. SPEAKER.- Thank you. The Bill is open for debate and I invite comments from the House if any. Honourable Aseri Radrodro, you have the floor.

HON. A.M. RADRODRO.- Thank you, Madam Speaker. I wish to make a contribution, not in support of this Bill, for two reasons. First is on the first amendment on the alignment to the system of nomenclature. I think this is warranted in line with the reporting requirements as probably recommended by the Fiji Institute of Accountants.

But the second reason for this Bill which addresses the construction of residential accommodation accumulating a gross turnover of less than \$100,000, to be able to register and claim VAT brings into question a lot of concerns, Madam Speaker.

First of all, there is an existing policy for first home builders, where they are able to claim VAT for the construction of their home buildings, and this specific Bill questions the intention of those who will be expecting a turnover of \$100,000. We cannot allow this. There is an existing Bill which allows people to register and when to register for VAT. They either claim or get refunded, or pay VAT.

This particular Bill seems like it is one-sided. For those who have yet to reach \$100,000 in terms of rental arrangements, they can claim VAT and not be able to pay VAT if there is a VAT difference in terms of what they earn and what they pay. That, Madam Speaker, brings a lot of questions also in terms of the governance principles that the Government is usually highlighting. I note that the Chief Executive Officer has the power to review this arrangement with those construction agencies and construction owners if they do not get \$100,000 turnover in the preceding 12 months. There has to be a Board that needs to cross-check the CEO ...

(Hon. Members interject)

HON. A.M. RADRODRO.- ...but the Act says that the CEO may cancel a person's registration and not the FRCA Board. That, Madam Speaker, raises a lot of questions in terms of the governance of this particular Bill, especially when you have an existing rental arrangement that is

less than \$100,000 and you expect your rental income to continue increasing to reach \$100,000 and what if it is not?

HON. A. SAYED-KHAIYUM.- Within 12 months.

HON. A. M. RADRODRO.- That is exactly my point, within 12 months, if it is not, then the CEO has to cancel the arrangement but who checks that? That, Madam Speaker, is my contribution to this Bill.

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

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I do not support this Bill as a matter of principle. I think the intention of the Bill in the short to medium term is to allow individuals to create more accommodation. It will lead to an increase in the residential accommodation, but it appears to me that a large majority of the people in this country as individuals, let alone businesses, as individuals may not have rental incomes anywhere near \$100,000.

This is really going to help those at the upper end and that may be a good reason for us to do that, it is going to help those at the upper hand and maybe a good reason for us to do that now because we may want to increase the supply of rental properties, particularly flats that we see coming up in a big way around the country and in major towns and cities.

I am concerned that as individuals, if they are big investors, they already can claim interest on loans they take, you know the cost of borrowing can be offset against the income for tax purposes. So, in a way they already have a subsidy, in theory from Government because Government then does not collect that tax. So if I am an individual investor, I buy a house, I borrow, I can claim interest because the Government loses that.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- I said “in theory”, but that is what it means, the Government does not collect that. If I am able to save \$5,000 tax, Madam Speaker, that means Government does not collect that \$5,000 tax, because I saved that.

So, in a way, it is going to be a kind of double subsidy for those at the high end of the income, wanting to take this opportunity to build more houses and the other problem that might arise in future, I am talking about medium to long term, we may actually have more accommodation coming, but it will all be at the high end, the rental market, rental will be very very high.

I am looking at this Bill from the point of view of the housing situation that we have in the country, Madam Speaker. While Government has support policy for first-home buyers, I would actually think that we do not go this way, we actually increase the amount that we give to first-time buyers and we encourage more first-home buyers and those in the middle-income range to get into more building and construction with further support from Government. And maybe some of those revenue that we get by not doing this could be used for that, because Madam Speaker, the rental market in the housing situation, housing affordability is becoming a big issue, especially in major towns and cities, and especially around the Suva–Nausori areas.

There are people who are struggling to acquire land and build a house or buy properties. So, I am not sure that, that is what is being done through this Bill is really going to address the issue of housing for the low income and the middle income households and it be good. I know this Bill will

be passed by the Government, but I urge the Government to review this within the next year or so and to see what is the level of interest and how the construction of mostly flats, I guess, would take place because I know in the Australian example, where they had these incentives, you actually see the serious issues with respect to the rent rates, rental has not gone down it has actually gone up and there is a possibility that, that might happen here as well in the medium term, not probably in short term but in the medium term that could be a big issue in Suva–Nausori area and other towns and cities.

So, as a matter of principle, Madam Speaker, and I think this is really geared towards helping those at the high end and not necessarily dealing with the fundamental issues of housing affordability, rental affordability or availability of rental properties which is affordable to a large majority of the people in this country. Thank you Madam Speaker.

HON. SPEAKER.- Thank you, there being no other input, I will now invite the Honourable Attorney-General to give his right of reply.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, I urge Parliament to support this Bill.

Madam Speaker, the Opposition constantly falls into the trap or maybe they just think like that, they have a very dichotomous approach to things, they think that if we are going to do this, which is about value-added tax, is not about making housing available, it is about value added tax and how you treat value added tax for a budgetary announcements that was made about those people who have residential property, rental income over \$100,000 it becomes VATable which is then collected by Government as revenue. Of course when something is VATable, you can make VAT claims also, this gives them the opportunity, Honourable Radrodro of course is deluding Parliament by saying and creating up all these concoctions, the law is quite clear, it says within 12 months and then you get deregistered.

The current CEO of FRCA has various other discretionary powers too and they are also checked by the Board, there are practice notes that are issued and should there be an issue with it, a particular taxpayer has the ability to now go to a very robust tax tribunals and should they not be satisfied with the tax tribunal, you can go also to the High Court. So, there are always avenues of redress.

So, Madam Speaker, he is imputing and insinuating some form of wrong doing by the CEO FRCA and the CEO FRCA's job is actually monitored by the Board. When he said the Board, and then he said 'oh yes they do have a Board'. The Board of course checks which other Act of Parliament refers to the Board in respect of those statutory bodies. He should know, he worked for National Fire Authority, he worked for LTA, he worked for the Fiji Sports Council, he is no longer in those places but the fact, you did not work for NFA sorry, you were on the Board.

The point of the matter is, Madam Speaker, the Government takes a multipronged approach. This is about landlords who are going to have rental income over \$100,000. This does not mean that Government does not have other policies pertaining to affordable homes. As I mentioned in the Ministerial Statement earlier today, the Honourable Minister Bala and I met up with some housing experts, we are looking at more innovative ways of increasing the number of roofs available for people not just to buy, but also to rent and how we can also participate with the private sector to expedite the number of properties available to low income people, but not at the same time create ghettos.

We had a situation where we build low cost housing in specific areas and those people, even though they bought those homes or flats, they were never able to make what we call 'social progression' because the entire area was known as a 'low cost housing area'. In reality when you buy real estate, your real estate must always appreciate in value, but if you are condemned to be a low cost housing area, it falls into a ghetto situation. So, people who may buy a flat for \$10,000 in 5 years' time the value of the flat is still sitting at \$10,000. It is riddled with a lot of problems, there is no maintenance of the properties, these are the long term issues that we are looking at and how we can actually change the scenario.

We are looking at countries like Singapore and various other countries, where they have been able to integrate affordable housing homes, middle income homes and high income homes in the same area and by that way we are able to appreciate the real estate. So, people actually make a progression. A person who buys a 2 bedroom flat, one day may be able to buy a 3 bedroom apartment or a free standing home and the only way they can do that is if the property appreciates in value. So, these are the long term issues we are looking at. So, they are being addressed but the impression being given is that by us only looking at this, that we are only thinking about the high-end developers or high-end landlords.

Landlords in Fiji, Madam Speaker, as the Government announced in several occasions and the Honourable Minister announced also that there is a freeze on residential property rents. No landlord can increase the rent of a sitting tenant. If a landlord want to seek an increase in the rent, they have to go to the Commerce Commission. This is how we are protecting low-income earners or middle-income earners who may be able to find a housing or rental affordable. That is how we are protecting them. Yes, for the long-term we need to change that policy. We need to be able to square off these issues and see which bracket we can probably free up but until such a decision is made, until there is a wide range of housing accommodation available, that is the protection we are giving to ordinary people of Fiji that there needs to be price control from that perspective. If the landlord wants to increase the rental, they need to make application to show why the rental is to be increased, Madam Speaker.

So, Madam Speaker, again there is too much of theorising being done, too much of song and dance being made of a simple amendment that seeks to be able to implement the Value Added Tax (VAT) principle that the VAT Act applies to.

In respect to the housing issue, Government is dealing with that. Government has also created if anyone notes, more Public Rental Board available flats in a very short period of time and in fact the quality of those public rental flats are improving. We are looking at how we can improve it further and provide better quality but also to reduce the construction cost because if you are able to retain or control the construction cost, then you will be able to actually build more. If you are able to work together with the private sector, their various models, if you work with them, you will be able to expedite that even further. But all of these should be done with the idea of ensuring that our people have the ability to socially progress in a housing sector.

So, Madam Speaker, I would once again urge the Members of this House to please look at the Bill in its context and if we can now have a vote on it. Thank you, Madam Speaker.

MADAM SPEAKER.- Parliament will now vote.

The question is, pursuant to the Resolution of Parliament on 6th February, 2017 that the Value Added Tax (Amendment) Bill, 2017 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of “yes” and “noes”)

There being opposition, Parliament will vote on the motion.

Votes Cast:

Ayes	-	31
Noes	-	11
Not Voted	-	7

There being 31 Ayes, 11 Noes and 7 Not Voted, the motion was agreed to.

SECRETARY-GENERAL.- A Bill for an Act to amend the Value Added Tax Act 1991, Bill No. 4 of 2017 enacted by the Parliament of the Republic of Fiji. (Act No. of 2017)

(Acclamation)

HON.SPEAKER.- Thank you, that brings to the end the items on the agenda on our paper for today. Dinner is being served and I thank you for your patience for being here.

The Parliament is now adjourned until tomorrow morning at 9.30.

The Parliament adjourned at 6.44 p.m.