

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

THURSDAY, 15TH MARCH, 2018

[CORRECTED COPY]

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THURSDAY, 15TH MARCH, 2018

The Parliament met at 9.31 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 Health and Medical Services; the Honourable Prime Minister and Minister for i-Taukei Affairs, Sugar Industry and Foreign Affairs; the Honourable Minister for Local Government, Housing, Environment, Infrastructure and Transport; the Honourable Minister for Women, Children and Poverty Alleviation; and the Honourable M.M.A. Dean.

MINUTES

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

That the Minutes of the sitting of Parliament held on Wednesday, 14th March, 2018 as previously circulated, be taken as read and be confirmed.

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

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting of Parliament. Again, I welcome too, the Honourable Speaker from the Cook Islands Parliament, who is again gracing our Parliament this morning.

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

For the information of Honourable Members, we have students and teachers from Nakasi High School with us today.

(Applause)

Welcome to your Parliament and I hope that you will enjoy today's proceedings. Thank you for taking interest in your Parliament.

Speaker's Ruling

Ruling on Point of Order Raised by Hon. Viliame Gavoka – 14th March, 2018

Honourable Members, I will now deliver my ruling with respect to a point of order raised by the Honourable Viliame Gavoka during the sitting of Parliament on Wednesday, 14th March 2018, stating that the Acting Prime Minister, the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications must withdraw a certain statement made during the debate on the Motion by the Honourable Netani Rika, Chairperson of the Standing Committee on Foreign Affairs and Defence on the 2014 Fiji Police Force Annual Report.

I have had to watch the proceedings again and also perused the uncorrected copy of the *Daily Hansard* to see whether the Acting Prime Minister had breached the Standing Orders during the debate.

The remarks made by the Acting Prime Minister are as follows, and I quote:

“We had at one stage in the Fiji Police Force a few years ago, where only people from a particular province were hired because the Commissioner of Police came from that particular province. Those were the shenanigans that took place and everybody knows that. There were very few people from Nadroga being hired. The Commissioner of Police was from Nadroga. Please tell me of one instance where a Police Officer has been hired just because that Police Officer has been from Nadroga.”

The Acting Prime Minister further mentioned that he did not say anything inflammatory. He said, and I quote:

“The fact is that I asked Hon. Prasad as he said it happens now and I said no. I said please give me one instance where, because the Commissioner of Police is from Nadroga, only the police officers from Nadroga are being hired or there is a particular proclivity. It does not happen because we have OMRS in place. I did say in the same context, that it has happened in the past and it is a fact, Madam Speaker.”

The Honourable Viliame Gavoka in raising the point of order under Standing Order 62(4)(d) stated that the Acting Prime Minister, the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications should withdraw his statement as he was making an inflammatory statement in that only certain people from certain provinces would join the Police Force. Honourable Viliame Gavoka felt that the Acting Prime Minister was imputing improper motives and that he should withdraw his comments.

After watching the proceedings on the video recording, I noted that the Acting Prime Minister did not make any inflammatory comments because he was actually looking and referring his comments to the Opposition Members of the National Federation Party, who were interjecting. He was not making a general statement about the people of Nadroga or any particular province, but he was trying to defend the people of Nadroga.

Inflammatory comments are provocative and seditious in nature and I did not hear the Acting Prime Minister mention any provocative or seditious words which would warrant a withdrawal.

I, therefore, rule that the Acting Prime Minister did not breach the Standing Orders during the debate and I rule against the point of order raised by the Honourable Viliame Gavoka.

Thank you, Honourable Members.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. SPEAKER.- I now call upon the Acting Prime Minister, the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to table his Report.

HON. A. SAYED-KHAIYUM.- Madam Speaker, in accordance with Standing Order 38, I present to Parliament the Fiji Corrections Service - 01 January–31 July 2016 Report.

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

(Report handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 38(2), I refer the Fiji Corrections Service - 01 January–31 July 2016 Report to the Standing Committee on Foreign Affairs and Defence.

PRESENTATION OF REPORTS OF COMMITTEES

HON. SPEAKER.- I have been informed that there are no Committee Reports for presentation.

QUESTIONS

Oral Questions

Plans - Acquisition of Wide-Bodied Aircrafts
(Question No. 89/2018)

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

Can the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications inform the House on whether there are future plans in acquiring more long-range wide-body aircrafts like the current Airbus A330s or Boeing 777 which would also certainly complement an ever-increasing Chinese tourist market with direct flights from Shanghai?

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

This question is about a very important institution, a very important company for Fijians and for the Fijian economy itself, because as we note in this Parliament and outside also that the tourism sector contributes in excess of about 37 percent towards our GDP. Of course, it is very critical for us to be able to understand and also appreciate the fact that in order to be able to maintain a sustainable tourism sector, we need to have all the ancillary services that contribute to that sector in place. Therefore, it is very critical for a maritime country like ourselves that we have a very strong and robust national carrier. Should, for example, something happens, if for example, there are climatic events, you can see that all the foreign airlines always pull out and when they do pull out, there is nothing left if you do not have a national carrier.

Similarly, Madam Speaker, if you look at other countries that have adopted the approach of what they call the completely “Open Skies Policy”, invariably what happens is that, the larger airlines actually come and cannibalise the local airlines and ultimately the local airlines virtually collapse. And

so we have been very protective about Fiji Airways in that perspective. So whilst we have allowed a liberalised approach for the Open Skies Policy, we have still got certain restrictions and I will explain why in respect and in particular to China.

However, Madam Speaker, in respect of what the Honourable Member has asked regarding the modernisation of our fleet, as we know about four or five years, we actually purchased our first Airbus (wide-bodied aircraft) which was financed, both by the German banks and also funding was provided by the Fiji National Provident Fund (FNPf) in which FNPf actually got a very good rate of return. Madam Speaker, three A330-200 series aircrafts were purchased, and then subsequently we obtained and added to our fleet a fourth larger A330-300 series. Madam Speaker, of course, these aircrafts actually replaced the 737-800s we had and also a 767 that was, in fact, leased at a very astronomical amount by the previous management.

Madam Speaker, I will be happy to announce also today and probably has been said also outside Parliament that Fiji Airways will add two Interim A330-200 series aircrafts this year on short-term lease for four years. Madam Speaker, this will enable Fiji Airways to commence the direct flight to Narita or re-commence the flights to Narita, which is going to be three times a week. It will also mainly increase the frequency of the flights to Singapore.

Singapore is doing well, Madam Speaker, it currently flies twice a week to Singapore - Nadi flights directly to Singapore, we have increased it to three times. We have already in our schedule flights to San Francisco, currently it is twice a week, it will now increase to three times a week. Of course, we are looking at more opportunities and also pushing more wide-bodied into our traditional ports of Sydney and Auckland which also gives us more opportunities as far as freight is concerned.

So, Madam Speaker, they are the sort of fleet changes, of course, as has been announced that we are also buying five brand new 737 MAX 8. These are the 737 new technology, it would also mean, apart from the range, will save fuel of 15 percent, as anyone who knows about airline companies would know that one of the major cost component of any airline is the fuel. Fuel is a major component of the operational expenses of the airline and, of course, it affects the bottom line ultimately. These significant changes, Madam Speaker, will mean that by the end of 2019, Fiji Airways will have one of the world's youngest aircraft fleet, so it is obviously a significant achievement for us.

Currently, Madam Speaker, the Board of Fiji Airways is looking at further wide-bodied aircrafts and within that speak, you could be looking at the 787 Dreamliners, you could also be looking at the Airbus A350s. This will, again, give us new opportunities to fly to longer destinations, including making more inroads towards the East Coast of North America, halfway through it if you go to destinations like Dallas, Chicago, or even further on because as you know that currently we fly only to the Western Seaboard of North America. Of course, we are looking at the Asian markets too to fly further than Singapore. This will present enormous opportunities, but of course these decisions need to be made wisely, with a lot of consultations because these aircrafts do not cost, sort of, lying around, we are not buying candy, we are buying actually very expensive equipment and, of course, we need to have the skill sets available too.

As far as China is concerned, we are quite keen to fly to Beijing. Currently, we serve the southern part of China by flying directly to Hong Kong. The Chinese want to actually have their aircraft fly into Fiji but they want to have onward rights and they want to have rights that enable to pick up people along the way too. This will essentially, Madam Speaker, cannibalise Fiji Airways' routes and we have to protect the Fiji Airways' routes. You cannot, for example, have flights coming from Shanghai/Hong Kong/Nadi/Auckland. You cannot fly via Shanghai/Singapore/Nadi/Auckland; completely eat into our airline.

We have had similar offers. Off course, Emirates, for example wanted to do Dubai/Sydney/Nadi. But, of course, Madam Speaker, they can do the Dubai/Sydney leg; we are quite happy for them to do that, only if they code-share, but they have to go and fly people across for \$50 and you can shut down that route between Nadi and Sydney for Fiji Airways. And then of course, they can pull out whenever they feel like it. We will then have to restart it ourselves, so we have to be able to be clever, strategic in respect of how we allow, of course, code sharing in that respect.

We have successfully negotiated the new Air Services Agreement (ASA) with the Japanese. The Japanese were quite keen, they have given absolutely their onward rights that they did have previously, and we have got a good relationship with them. We similarly look forward to forging a good ASA with the Chinese too, to enable us to have our aircrafts and codeshare with them to fly to destinations, such as Beijing. Given that we are a small airline company, we, of course, need to position ourselves and fly to basically hubs because when you fly to hubs, Madam Speaker, you are also able to connect to other destinations quite easily.

I have also got over here a list of all the airlines that we currently have inter-line relationships with or codeshare arrangements with also, Madam Speaker, should Parliament also want to know about it.

HON. SPEAKER.- Thank you. The motion is now up for debate and I invite input, if any. Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Madam Speaker, the Honourable Minister has outlined challenges that are perennial to Fiji's aviation. I wish it was a Ministerial Statement so that I could have more time to respond to it but one simple question, Madam Speaker. When they came into the scene, they took away the lease arrangements that Air Pacific used to have and went for outright purchases of equipment. Now, they are going back to leasing; it does not seem to make sense. At one time they were telling us, "we should own the aircraft outright, stop leasing" and now they are going back to leasing. Can we have some explanation on that, please because it is odd with what they told us initially?

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I would like to thank the Honourable Member for his question. I did say that Fiji Airways went through, on an interim basis, leased two aircrafts on an interim (means short-term), and I also said for four years. This, of course, gives us that opportunity, in the meantime to make the right decisions about which aircrafts we are going to buy, in particular, with further wide-bodied aircraft, whether we are going for A350s or whether we are going for the 787s.

Madam Speaker, also you need to look at the amortisation rate of aircrafts. When you actually buy an aircraft at a particular price, after a particular period of time, the value of the aircraft drops significantly. So, you need to be able to ensure that you purchase your aircraft and get rid of the aircraft at the right time. That is what Fiji Airways is going through. Of course, all the five 737 MAXs are being purchased outright, all the A330s have been purchased outright, all the five Twin Otters have been purchased outright. So, it is horses for courses and whenever there is a requirement, we are able to lease the aircraft.

Madam Speaker, what the Honourable Member is talking about leasing, the 737s that were being leased were being leased at US\$0.5 million a month, the 767 on which they started the Hong Kong route was being leased at about US\$750,000 to US\$800,000 a month. The 767 on which they started the Hong Kong route was being leased at about US\$750,000 to US\$800,000 a month. They were very expensive propositions, Madam Speaker, and of course, if you look at the companies from which they are leasing in, they could have got better arrangements through that.

Again, I would urge the Honourable Member to actually listen to what we are saying and we have said that we have actually purchased the aircraft and I did say that the aircraft was being leased on an interim basis and only for four years. So, there is nothing contrary to what we have been saying in the past and nothing contrary to the policies that had been developed by Fiji Airways. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Mataiasi Niumataiwalu?

HON. M.A. NIUMATAIWALU.- Madam Speaker, a supplementary question; can the Honourable Minister inform this august House, what are the plans for Fiji Airways staff?

HON. A. SAYED-KHAIYUM.- I am sorry, I did not hear you.

HON. M.A. NIUMATAIWALU.- What are the plans for Fiji Airways staff, as we were talking about getting planes, what about the staff?

HON. SPEAKER.- The Honourable Acting Prime Minister?

HON. A. SAYED-KHAIYUM.- Of course, Madam Speaker, when you buy new aircrafts or when you lease new aircrafts or when you increase the frequency of your flights to a particular destination, you need more crew.

As has been mentioned that over the past number of years, Madam Speaker, in particular since the purchase of the A330s and also the introduction of Singapore as a destination and the frequency to San Francisco and also to Singapore, Fiji Airways has hired a number of crew. This not only included the flight attendants, but also includes the engineers and various other service providers.

As Fiji Airways grows, more and more people are being employed. Fiji Airways today is one of the largest employers. It has a total of 1,384 employees at present and the Airline continues to generate more employment for our people. In 2017, Fiji Airways hired 22 pilots, seven of whom were Fijians while Fiji Link hired seven pilots, four of whom were Fijians, Madam Speaker.

Madam Speaker, Fiji Airways has now commenced, in fact, the ground-breaking ceremony was conducted and words are going around that they have set up the Fiji Aviation Academy. As Members of Parliament would also know that they made a budgetary allocation of \$1million in this year's budget to make our contribution to the Academy.

Madam Speaker, it is very, very important, again, like we have said to have an academy to enable our own pilots to be able to be trained in Fiji. This, Madam Speaker, as you know when the pilots once they start flying, after every number of 100 hours that they fly, they need to go back to the simulator classes. That is a requirement according to international standards. Currently, because we do not have a simulator in Fiji, our pilots actually are sent off to Singapore. They spend one to two weeks or whatever the case maybe, they spend their time there, they stay at the hotels, they use the simulators and, in fact, they sometimes are given very odd times because those simulators sometimes operate 24/7 if there is such a huge demand for that.

Already, Fiji Airways is getting queries from other countries as to when our simulator will be ready, they want to send their people here because there are no other simulators in the region and, of course, there is one or two in Australia and New Zealand but the cost effectiveness of Fiji, with the right salaries paid, Honourable Professor Prasad, you will actually get more and more people to come to Fiji. It becomes a lot more attractive, it creates more jobs, so I will tell you, Madam Speaker, what we are doing.

But apart from that, before I tell you about what we are doing for the staff, Madam Speaker, Fiji Airways is the only company in Fiji in which Government has 51 percent interest where there is actually profit sharing. After the reforms, Fiji Airways is now in a position where every year, wherever these profits are declared and the Board decides on the declaration of profits as to what should be given out as dividends, the staff actually get a profit of the shares. And I am happy to announce, I think the figures will be coming out next week in March and again, they will be getting a share of the profits. From what I understand, it would appear that the profits have again further increased for Fiji Airways.

Madam Speaker, currently the Simulator School has a number of stages; the first stage, second stage and third stage. We will have the 737 simulators there, the A330s there and the third one will be decided once we decide on our fleet that will be chosen, even for the wider-bodied aircraft.

Also, Madam Speaker, in the third stage, there will also be a complete academy and training for even people like flight attendant, et cetera. So they will not have to go anywhere else and, indeed, there are other airlines within the region that will want to send their people across to us.

So in terms of looking after our people in Fiji, Madam Speaker, we want to provide an end-to-end solution for them. When they join, we need to be able to manage their careers, we need to be able to give them the level of exposure and training.

Similarly, Madam Speaker, it is worth noting that the Fiji Link is the only carrier that is satisfied by IATA, it meets the various standards, including Fiji Airways. Thank you.

HON. SPEAKER.- Honourable Ratu Naiqama Lalabalavu?

HON. RATU N. LALABALAVU.- Supplementary question, Madam Speaker.

I thank the Honourable Acting Prime Minister for his reply and now having heard him making a statement on the acquiring of new aircrafts for long-haul flights, et cetera, and subsequent arrangement of getting new crew and more engineers to be ready to accompany the long-haul flights, the question that I would like to raise, Madam Speaker, is, for a quick turnaround, can the Honourable Minister explain whether the catering services will still being handled by ATS here or the host countries take care of it, for this kind of flights?

HON. SPEAKER.- The Honourable Acting Prime Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, Fiji Airways is the largest customer of ATS, as far as catering is concerned. From what I understand, Honourable Member, 85 percent (and I stand to be corrected on the exact figure) of the catering that ATS prepares is for Fiji Airways.

HON. SPEAKER.- Honourable Nawaikula?

HON. N. NAWAIKULA.- Can the Honourable Minister please, explain or clarify the ownership and leasing arrangement, especially the status of Waqavuka Holdings because rumours out there say that the planes are owned by Waqavuka Holdings with interest in Ireland and Germany?

HON. SPEAKER.- The Honourable Acting Prime Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Nawaikula would serve himself really well if he stops relying on rumours.

Madam Speaker, as has been explained previously, Waqavuka Holdings is 100 percent owned by Fiji Airways. The reason why, Madam Speaker, we have a separate company is because to satisfy the financiers offshore. So, you have actually a leasing arrangement with the Waqavuka Holdings and the financial arrangements are with them which is owned, of course, by Fiji Airways.

There is nothing untoward about that. As you stop relying on rumours, he can go and do a company search himself, Madam Speaker, and find out the exactly what it is. He is a lawyer, he knows where the company office is.

HON. SPEAKER.- Honourable Bultavu?

HON. M.D. BULTAVU.- Madam Speaker, just a supplementary question to the Honourable Attorney-General; there has been some issues raised by Fiji Airways and Fiji Link pilots and engineers in regards to their pay. If the Honourable Minister can confirm, given that Fiji Airways have made plenty profits, if you can review the salaries of pilots and engineers. There is a vast difference between local pilots and expatriate pilots who are coming in, so if a review could be done on their salaries and other benefits, especially the Fiji Link pilots and engineers.

HON. SPEAKER.- The Honourable Acting Prime Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Fiji Airways looks after all their staff and obviously salaries are paid according to the level of expertise people bring into the organisation.

HON. SPEAKER.- Thank you. Honourable Dr. Mere Samisoni?

HON. DR. M.T. SAMISONI.- Thank you, Honourable Acting Prime Minister for your explanation on the changes in the new economic order. My question is very basic and it relates to local labour. There is a lot in ATS and I am concerned as a business person that we all have to account for human capital, the past training that has been given out to the ATS workers, how they were treated recently. So what has the present Honourable Minister done about human resource training and the empowerment of people? Today, it is about empowering people.

Empowerment, if I could just explain a little bit here, you recognise people, you reward people and not in a conflict way but it becomes organic and it takes leadership, Madam Speaker.

HON. SPEAKER.- The Honourable Acting Prime Minister?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Member is absolutely right, and this is something that this Government, the Honourable Prime Minister, all the Ministers and all the backbenchers on this side of the House have always said that we believe in empowering the ordinary people and indeed, empowering people who work in respective organisations. This is why we carried out the Civil Service Reforms, salaries have increased, people have been linked to the right positions, Madam Speaker, and that is similarly being done in Fiji Airways.

The Honourable Member should know that the Government does not run Fiji Airways. Fiji Airways is actually a limited liability company with its own Board members, management, human Resources organisation and indeed, department, Madam Speaker. However, I would also like to, just as an example, that in 2017, all Fiji Airways staff underwent a job evaluation grading exercise called the "Hague Group Grading," the remuneration system to determine their remuneration structure, and 470 staff or 65 percent of those staff were eligible for a review, got salary increases based on market rates, as a result.

This year, the Company has instituted a Performance Management System (PMS) called ECAPS which digitally monitors the achievement of corporate departments and individual strategic deliverables and Key Performance Indicators (KPIs). All of these KPIs are designed to directly achieve the airline's vision, which is to be the most desired, most flown, most profitable airline in the South Pacific.

Madam Speaker, we also have to ensure that our service culture also continues. Fiji Airways has also served its vision for its staff which is to "Work as one to take the next step up". This vision underpins the entire movement in Fiji Airways towards the culture of continuous service improvement.

After just one year of its Service Education Programme where more than 86 percent of all staff underwent intensive workshops, the Airline reduced its overall complaints by 65.87 percent, compared to 2016. In this period, Fiji Airways increased guest complements by 22 percent, while Fiji Link increased guest complements by 74 percent. The overall net promoter score, a measure of overall guest satisfaction to the point where guests become advocates, has increased by 3 percentage points from 47 percent to 50 percent. This places Fiji Airways well above the industry average. The newly opened Fiji Airways Premier Lounge in Nadi International Airport has been a huge hit with guests in its average 2018 net promoter score of 86 percent.

So, Madam Speaker, every employee, of course, is committed to improving their scores. Every single employee has got what we call, "a step-up action plan" which they fulfil and update continuously. Staff are recognised and rewarded with stars whenever they go above and beyond to assist either customers or their colleagues. To-date, 183 staff have earned bronze stars and the four coveted silver stars. Thank you.

HON. SPEAKER.- I now give the floor to the Honourable Prem Singh to ask his question.

Resettlement of Squatter Residents - Navakai Squatter Settlement
(Question No. 90/2018)

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

Would the Honourable Minister for Industry, Trade, Tourism, Lands and Mineral Resources inform Parliament when will the Navakai Squatter Settlement Subdivision and resettlement of squatter residents commence?

HON. F.S. KOYA (Minister for Industry, Trade, Tourism, Lands and Mineral Resources).- Madam Speaker, I rise to respond to the question asked by the Honourable Member and I thank him for his question. The one-line answer to that is, it has commenced but I think I know what he is actually looking for.

Madam Speaker, with respect to Navakai (the informal settlement subdivision), it is also known as the Rhombic Subdivision. The scheme plan on that particular Subdivision has been approved and we have about 67 residential lots, one commercial lot and one open space within the area. Specifically, Madam Speaker, with respect to the resettlement, there are only four re-settlers that have been put into that particular Subdivision.

Madam Speaker, the Ministry is in the process of issuing Approval Notices to regularise 54 families, of which 50 currently are sitting tenants and four obviously are there as a result of expired *iTaukei* leases and that have not been renewed. So, they have actually been housed there, Madam Speaker. The Subdivision will end up with the balance of 13 vacant lots that will either be advertised

for leasing but sometimes, Madam Speaker, we keep the 13 in case of an emergency. There are some people who have expired leases or they get removed out of freehold land into squatters, and we actually house them in that place. That is the current status, Madam Speaker.

HON. SPEAKER.- Honourable Prem Singh?

HON. P. SINGH.- Madam Speaker, I thank the Honourable Minister for his response and I believe there are the numbers that the Minister has given us, the registered numbers are 86, if the Honourable Minister would look into that.

My question to the Honourable Minister, Madam Speaker, is that; what is the role of the Pacific Community Network (PCN) in the development of Navakai?

HON. F.S. KOYA.- Madam Speaker, I am not sure what he is actually referring to, PCN, I am not aware but I can check for him.

HON. SPEAKER.- Honourable Jilila Kumar?

HON. J.N. KUMAR.- Madam Speaker, a supplementary question; can recipients of these Approval Notices of lease use this document for security purpose in obtaining loans from lending institutions?

HON. F.S. KOYA.- Madam Speaker, what actually transpires, as I said earlier, they are issued Approval Notices. I know a long time ago, lending institutions stopped taking Approval Notices as security but there are a few institutions now that are accepting Approval Notices. And the process by which they can be used as security there, you can get a mortgage registered on an Approval Notice but it is registered at the Registrar of Deeds at the Titles Office. I know there is a proper form of security, it is legal and there are institutions that actually do that.

Madam Speaker, again, I think this also relates to something that the Honourable Dulakiverata had asked earlier on. This is one of the reasons why Approval Notices help because these people are poor and they require, maybe take a small loan, build their house and have better facilities. Once they get their approval notices, they have a piece of paper that allows them to go to the bank and get some money to better themselves before they get the proper lease.

HON. SPEAKER.- Honourable Niko Nawaikula?

HON. N. NAWAIKULA.- Madam Speaker, the Honourable Minister said that the scheme plan has been approved. Can the Honourable Minister assure this House that the scheme plan complies with all statutory requirements relating to the size of the blocks, roading, sewerage, et cetera?

HON. SPEAKER.- Honourable Minister?

HON. F.S. KOYA.- A fascinating question, Madam Speaker. Always have fascinating questions, Honourable Nawaikula. I think you know very well, Sir, as a lawyer that nothing gets passed without all the necessary approvals in place. It is quite simple, very simple.

HON. N. NAWAIKULA.- (inaudible interjection)

HON. F.S. KOYA.- Approval notices, as I explained

HON. N. NAWAIKULA.- (inaudible interjection)

HON. F.S. KOYA.- Madam Speaker, as a matter of fact, we have here the proposed subdivision which was approved on 7th March, 2018 by the Director of Town and Country Planning. I think you should not settle the score on the back of the Director of Town and Country Planning. You do a good job.

In any event, Madam Speaker, I think I explained the Approval Notice

(Honourable Member interjects)

HON. SPEAKER.- Interjections should not be disruptive to the Honourable Member that is speaking, I have said that before.

HON. F.S. KOYA.- Madam Speaker, this is something that the public need to hear. It is about people who need to be housed and about squatters who need to be resettled. You should hear it. Maybe, you are suffering from very serious hearing problems, I have said it again and again, and I will say it again, Madam Speaker, Approval Notices give them an instant right to go to the bank to get money. It is a process that we do, it has been happening for years, Madam Speaker. It has been happening from when he was throwing people out of the land.

HON. SPEAKER.- Thank you. Honourable Dr. Brij Lal, you have floor.

HON. DR. B. LAL.- A supplementary question, Madam Speaker, when will the Lands Department fully develop the subdivision for the provision of proper drainage, roads, power supply, sewerage, et cetera?

HON. SPEAKER.- Honourable Minister?

HON. F.S. KOYA.- I thank the Honourable Member for his question, Madam Speaker. Madam Speaker, at the moment, the first phase obviously is the issuance of approval notices. Very simple, Sir, would you like me to explain it even slowly?

The second phase, Madam Speaker, is the development which will ensure the full development of this particular settlement. You must remember that some of those people are actually already there, so we have to work around it. The second phase will be the provision of proper drainage, roads, power supply, sewerage and water supply, which would all be sourced and this actually will come about in the next financial year. The precursor with respect to everything that is required to get there, is being done currently, Madam Speaker.

So it is not a long space of time, it is a short space of time but in the interim, they do have temporary access to power, water, except it just needs to be regularised, Madam Speaker. I hope they understand that word, 'regularised'. Thank you.

HON. SPEAKER.- The last question, Honourable Dulakiverata?

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. Section 35(1) of the Constitution gives the right to people, to housing and sanitation. But developing squatter settlement without moving them to properly develop the state, it would not guarantee sanitation. Can the Honourable Minister explain how they can do the development without removing the squatters from where they are?

HON. F.S. KOYA.- Madam Speaker, I think Honourable Member should know better than that to ask a question like that. If he is talking about sanitation when people are already there, where would you like us to take them out to, Sir?

We have to do this subdivision whilst they are there. On the proper sanitation issue, Madam Speaker, as I said earlier on a temporary basis, when we give this approval notices, a lot of them already have access to the necessary infrastructure. They have been there for a number of years, they have the temporary water, power, et cetera. In fact, they have been facilitated for quite a long time.

In terms of sanitation, yes, it is something that is taken care of immediately and you must remember, Madam Speaker, the Department of Environment and the Town Country Planning, they all are on the page when it comes to these things. So they all are very, very much involved from the start right to the end. They are not going to be left behind, they are going to be taken care of and we, Madam Speaker, on this side of the House take our obligation under the Constitution very seriously.

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

Outcome of International Symposium on Tropical Fruits
(Question No. 91/2018)

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

Can the Honourable Minister for Agriculture, Rural and Maritime Development and Disaster Management and Meteorological Services update the House on the outcome of the International Symposium on Tropical Fruits held at the Tanoa International Hotel in Nadi in October 2017?

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

Of course, yesterday, Madam Speaker, I did answer a similar question in this honourable House on the Fiji Agriculture Partnership Project, which is part of the bigger scheme of things, that the Ministry of Agriculture is undergoing so that we can fully realise the potentials for agriculture in Fiji.

Madam Speaker, as raised by the Honourable Member, in fact, Fiji did host the Tropical Fruits Network (TFNet) Workshop in Nadi in October last year and member countries did attend, and I would like to share more about TF Net and how it will benefit Fiji in the long- term.

Madam Speaker, this Symposium on tropical fruits, as I had alluded to, was organised by the Tropical Fruits Network or usually and commonly known as TFNet. It is an organisation that is based in Malaysia and it is both inter-governmental and, of course, interagency because there are lot of academic institutions, research organisations, universities, including the private sector and various agriculture stakeholders who are members of TFNet.

It was jointly organised, again by the Food and Agriculture Organisation (FAO), the Fiji Institute of Agriculture Science (FIAS) and, of course, the Government of Fiji. The theme for the workshop was, “Towards a Sustainable and Resilient Tropical Fruit Agriculture” and yesterday I did mention as well about the importance of industries, not only in agriculture but in other sectors of the economy as, not only to the economically viable but sustainable in the long-term as well. And within the context of our changing environment, of course, the word ‘resiliency’ comes into play as well, Madam Speaker.

The membership, Madam Speaker, TFNet is an expanding network with 248 members from 39 countries and if I may just mention a few; Australia, Bangladesh, China, Indonesia, Fiji, India,

Malaysia, Nigeria, Philippines, Saudi Arabia, Sri Lanka, Sudan, Syria and Vietnam. It has 17 associate members composed of companies and organisations and, of course, extraordinary members as well.

Why is this so important for Fiji, Madam Speaker? Again, yesterday, I had talked about farming as a business. Our sectors within agriculture, Madam Speaker, in order to be developed to commercial level agriculture, one is the demand. There is a significant demand for agriculture producers, not only fruits but, of course, root crops and other commodities and vegetables.

However, the focus of the workshop was on tropical fruits. I mentioned about the demand. Locally, there is huge demand for our tropical fruits, not only in our hotels, supermarkets and restaurants but, of course, day consumption as well. It is not only limited to fresh fruits but, of course, processed fruits as well.

There is one company operating out of Sigatoka Town, AGRANA Fruits (Fiji) Ltd. AGRANA has invested heavily on the infrastructure, more than \$2 million in the last few years, Madam Speaker, and they can process tonnes of tropical fruits particularly and this is one of the reasons why they have set up in Fiji but, unfortunately, we do not have the volumes and this is something that we are working towards.

Market is one of the big drivers, Madam Speaker. The other main driver behind this workshop is the need for us to diversify. We cannot put all our eggs in one basket because of the risks involved and particularly in business, therefore, we need to diversify as well.

We have been concentrating on a few commodities in the last few years, but of course with the market surveys that we have been conducting abroad, there is need for these commodities, therefore, we need to diversify.

Of course, resilience, Madam Speaker. We always talk about climate smart and climate resilient agriculture because for our farmers, farming as a business, first, we need to maximise the returns and for a farmer within that limited space he or she is in, but most importantly spread their risks as well, Madam Speaker.

This is why we need not only to focus on root crops and vegetables but given the changing weather patterns, we need to also bring in tropical fruit trees because it has more chances of withstanding wind speed or the ferocity of the cyclones that we have to a certain extent, Madam Speaker. So that level of resilience is something that can be addressed when we bring in these crops, so huge benefits for Fiji.

It is an opportunity for us to hear the best practices in other countries, Madam Speaker, and not only that, but how can we translate that into local farming communities, and of course looking at developing this to industry level in the years to come.

Madam Speaker, we are already starting with the recommendations from the workshop, I will not go into details, but let me assure this honourable House that we are already starting on a few commodities like breadfruit, jackfruit, avocado and pineapple.

Madam Speaker, based on what our team in Seaqqa and Sigatoka Research Station are currently doing and not only limited within the research station, we want to transfer this technology and of course the planting material as well to our farmers in Fiji. Perhaps, I will end there, Madam Speaker, and I am happy to take questions if there are any.

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

HON. N. NAWAIKULA.- Can the Honourable Minister clarify to the House our current volume of tropical fruit exports and whether in the last years it has been stagnant, going down, or increase?

HON. SPEAKER.- Thank you. Honourable Minister?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I do not have the export volumes, it is statistically in nature but I can provide the Honourable Member if he still requires that.

HON. N. NAWAIKULA.- Going up or going down?

HON. LT. COL. I.B. SERUIRATU.- I do not want to comment on that, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Jiosefa Dulakiverata?

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I thank the Honourable Minister for his answers. Madam Speaker, one thing a farmer faces at the moment and why they do not plant more is because of the uncertainty of the market. Now with the climate in Fiji, we can grow almost anything, and it is surprising that we still import juices such as pineapple juice, fruit juice and we have so much in the country. Can the Honourable Minister inform the House if there are Government plans to have a factory for all these tropical fruits?

HON. SPEAKER.- The Honourable Minister?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, definitely we agree with the issues raised by the Honourable Member. But as I have stated, Madam Speaker, we started from market survey and research and this is why we are now going into the activities that will enable us to supply the demands in the market. I have mentioned about the local demand, particularly on fresh fruits, not only fresh fruits but processed fruits as well.

The unfortunate story, Madam Speaker, as I have stated earlier, now we cannot consistently supply the requirement in AGRANA, Sigatoka. We have the Oblete Brand in Western Dairy in Votualevu in Nadi, they also need fresh fruits. But the reality now, Madam Speaker, as we speak, when we want to do processing in Fiji the pulp is imported from Thailand, whether it will be pineapple pulp, orange pulp, banana pulp, these are all imported from Thailand. So whether it is processed, produced or fresh produce, unfortunately, we are not able to meet the current demand. We have done the market surveys and this is what we are working towards.

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

HON. A.M. RADRODRO.- Thank you, Madam Speaker. A supplementary question to the Honourable Minister in terms of the take-back lessons from the workshop. Can the Honourable Minister advise the House whether they have set up a platform or venue in terms of information sharing for the participants at the workshop, to ensure that the theme of the workshop is maintained, also progressing towards achievement of the SDGs through zero-hunger and ending poverty? Is there any venue or platform that the respective participants can log into in terms of information sharing?

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. I thank the Honourable Member for the question. We have continued not only with the workshop participants but of course the farmers as well. The Ministry has conducted trainings for 38 farmers on some of the technology learnt during the workshop. Madam Speaker, the continuation of this particularly going towards industry development of these products.

The Ministry has developed two plans which have been put together in our Strategic Development Plan Crop Strategy and Livestock Strategy. These have been put together as one document and we will be submitting that to Cabinet shortly. This will see the continuation of these programmes again, taking into considerations the lessons that we have learnt, but not only on paper but most importantly developing these commodities slowly from research, transferring to the farmers until we reach industry level.

If you look at tropical fruits, Madam Speaker, and it is consistent for other commodities probably except for coconuts where we have developed plantations. Breadfruits we are only doing wild harvest, there is no orchard. The first orchard is now being developed in Saunaka and, of course, we are also developing a bit of it in Sigatoka, Madam Speaker. That is perhaps the only orchard on breadfruit (*uto*) we are only doing wild harvest. The same for avocado, we only have one or two trees beside our homes or in our garden, there is no avocado orchard. We need to develop this to orchard standard so that we can consistently meet the high demands in the market, and we do fresh exports and of course processing as well.

HON. SPEAKER.- Thank you. I now give the last question to Honourable Mikaele Leawere.

HON. M.R. LEAWERE.- Thank you, Madam Speaker, supplementary question. I thank the Honourable Minister in highlighting the fact that there is a demand for local fruits in Fiji. The question I would like to pose to the Honourable Minister, Madam Speaker, can the Ministry ensure that our youths, especially 18 to 30 years old, are assisted in terms of this funding initiative or assistance?

HON. SPEAKER.- Thank you. Honourable Minister?

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. The linkage between our youths and of course into farming, one is through Tutu. I do not have the correct figure but I think at this stage we are giving almost \$800,000 to \$1 million to Tutu every year. The same thing with Navuso Agricultural School, Madam Speaker, and of course we have the Commercial Farmers Programme. That is about up skilling because one of the big challenges that we face now in agriculture and we are doing it now in the farm project is up skilling our farms, changing the way they think, taking farming seriously as a profession and taking farming seriously as a business.

Replacement farmers is one of our biggest challenges today and that is why the Tutu Programme is so important for us and as well as the Navuso Agricultural School and the Farming Assistance Scheme. We hope when they graduate and not only for commercial agricultural students, we are trying to link with these institutes so that we will continue and these farmers not only become subsistence farmers but they operate at the semi-commercial and commercial level market oriented, Madam Speaker.

We are targeting our youths and of course our women as well. I have alluded to already in this House that we will be launching again the Women and Agriculture and new agriculture initiatives very shortly. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Members I thank you for input this morning for a debate. We will now adjourn Parliament to have refreshments and we will begin at 11.00 o'clock.

The Parliament adjourned at 10.29 a.m.

The Parliament resumed at 11.00 a.m.

HON. SPEAKER.- Honourable Members, before we proceed, we have with us students from Vunimono High School.

(Applause)

HON. SPEAKER.- You are all very welcome to Parliament, and we trust your visit will be a memorable one. Thank you for your interest in your Parliament. I now invite the Honourable Ro Teimumu Kepa, Leader of Opposition, to ask her question.

HON. RO T.V. KEPA.- Thank you, Madam Speaker. May I add to yours, a very special welcome to students and teachers from Vunimono High School, who come from my neck of the woods. We have a very special relationship with Vunimono whom we are hoping to train with Noco Secondary School in terms of the descendants of the Syria and their rescuers.

Service Turnover Tax & Environment and Climate Adaptation Levy
(Question No. 92/2018)

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

Would the Honourable Attorney-General, Minister for Economy, Public Enterprise, Civil Service and Communications briefly explain as to why local citizens should be paying the Service Turnover Tax of 6 percent and the Environment and Climate Adaptation Levy of 10 percent?

HON. A. SAYED-KHAIYUM (Acting Prime Minister, Honourable Attorney-General, Minister for Economy, Public Enterprise, Civil Service and Communications).- Madam Speaker, I would like to thank the Honourable Leader of Opposition for her question.

The Environment and Climate Adaption Levy or ECAL as commonly known and the Service Turnover Tax, Madam Speaker, are payable under the Environment and Climate Adaption Levy Act and the Service Turnover Tax Act.

Madam Speaker, firstly if I can contextualise it because we are talking about taxes. The FijiFirst Government has substantially cut taxes in Fiji. The income tax threshold in 2006 was \$8,840, today it is \$30,000. In other words, anyone that earns \$30,000 or less does not pay any taxes. Corporate Tax has been reduced from 20 percent from the 31 percent in 2006, and 35 percent in 2000. Of course, Madam Speaker, we have also reduced VAT across the board to 9 percent, and significantly reduced duty in particular of the many everyday items including food that is imported.

Madam Speaker, the question is somewhat perhaps one could say misleading because STT and ECAL are actually specifically designed and targeted at a certain group of consumers, both Fijians and Non-Fijians. This is what you call “targeted taxation”. Indeed what it would call progressive taxation and indeed we would say smart taxation, Madam Speaker. Since the higher you earn, the more you spend and therefore your ability to pay taxes has obviously increased.

For the benefit of Parliament, Madam Speaker, let me highlight where STT and ECAL are actually payable. It is payable at all licenced hotels and tourist vessels providing accommodation, refreshments and other services in those areas. Licenced restaurants, bistro and coffee shops with the annual turnover of more than \$1.25 million (not just small mum and dad outlets), bars and nightclubs,

of course, you want to go to bars and nightclub, you have to pay this tax, travel to a sightseeing services by inbound tour operators, all services including entry ticket fees provided with similar premises.

There are people of course who watch DVDs at home, but if anyone wants to go and watch a movie at the cinemas, then you pay this particular tax; all hired or rental car services, Madam Speaker, but excluding public transportation; all water sports activities such as river safaris, water sports operators; accommodation and other services registered home stay operators; recreational activities such as skydiving, not everyone goes skydiving every day; live entertainment by personal participation of artist or exhibition of products where entry fees are charged with events in the venue; charter flights, Madam Speaker, by aircraft operators except flights for medical or natural disaster relief and evacuation services. If a tourist comes along and wants to charter a flight, charter a helicopter and go and see a particular island or some waterfall, then he has to pay these two taxes, Madam Speaker.

Also, Madam Speaker, the 10 percent ECAL is payable by those people who are individual taxpayers in Fiji, who earn more than \$270,000 a year, whatever amount that they earn more than \$270,000 a year, Madam Speaker, they pay 10 percent on that. Super yachts that come and charter out their yachts, they pay 10 percent, they used to pay 12½ percent as charter fees, Madam Speaker, that has been removed, they now pay the ECAL and the STT; luxury vehicles with engine capacity exceeding 3,000 CC, excluding of course vehicles for public transportation. If you want to go and buy a nice big BMW 3,000 CC engine then you will pay for that, but if you buy a 1200 engine, 2,000 engine, and 2.5,000 engine or if you buy a truck or if you buy a bus, you do not actually pay for those.

Madam Speaker, we also have the \$0.10 levy for plastic bags because everyone from the other side also asked about garbage. The Honourable Leader of the Opposition asked about garbage yesterday and this is one of the ways to get people to change their attitude and their behaviour in respect of how we deal with plastic bags, which is a major contributor to the collection of garbage, Madam Speaker.

As we can see, Madam Speaker, these taxes are only payable when you go and use these services in these specific areas. If you want to go and eat at a fancy restaurant in Denarau you will pay for that, but if you want to go and eat at the restaurant in the market or somewhere else in one of the ordinary shops, you do not actually pay for that, Madam Speaker. Of course, if you are going to drink beer at the nightclub you pay for it, if you drink beer at your home, at your friends place, you do not pay for this tax, you simply pay the VAT. This is how it is actually demarcated and this is what you call specific and targeted taxation.

Madam Speaker, what we should really ask or the argument really should be, why local citizens should pay the tax, whether it is STT or ECAL, but rather it should be about the ability to pay tax? How many Fijians actually go and stay at a hotel every day? How many Fijians actually go and drink beer at a pub every day? That is what should be asked. If you only use those services, only then do you pay those taxes, Madam Speaker. This is why we have increased the income tax threshold, we have to pay for it somehow. This is why, Madam Speaker, we are keeping taxes low for ordinary, low and middle income Fijians, and we have kept a higher rate for higher income earners, including targeted or user pay taxes like ECAL and STT.

Madam Speaker, in this respect, coupled with that we provide as we have highlighted free education, free water, subsidised electricity, subsidised bus fares and increased the social service network. We now provide for example, specific welfare allowances for disabled persons, for people who are pensioners and villagers who never receive FNPF now actually get \$100 a month.

Madam Speaker, all in all, these taxes are specifically targeted. If the Honourable Leader of the Opposition is saying that Fijians should not pay this tax, what will happen, Madam Speaker, as we

had the anomaly with VAT? Say for example, if an ordinary Fijian was to go and stay in a hotel, they are standing in a queue to go and check in, you have a tourist in front of them, they pay the tax, then the Fijian goes and they do not pay the tax, the next person then comes along, pays the tax, the next person comes up and does not pay the tax, accounting becomes problematic. Who is going to monitor it? Who is going to police it?

In the same way, Madam Speaker, studies have shown whenever you are in supermarkets, if you have six items or five items or two items that are what we call VAT exempt and all the others are not VAT exempt, people steal from the system. The taxation becomes very complicated, monitoring becomes extremely difficult and that is when people cook the books, Madam Speaker. What we have done, Madam Speaker, by having a targeted application of this tax in specific areas 'yes' it would have been problematic if we say ECAL and STT is applicable across all restaurants; applicable on everything 'yes' then ordinary Fijians would have been hit by it. But these specific areas is what we call high end spending areas that people actually have to pay for this tax, Madam Speaker. Again, Madam Speaker, I like to highlight that by law the ECAL and STT goes through a particular fund.

ECAL is specific and the funds from the plastic bags and those funds need to be used specifically only for environmental and climate adaptation measures. There is a law that this Parliament passed, Madam Speaker that makes it incumbent upon Government to provide regular updates and to show every year where the money has been spent specifically and it must be only for those areas. Just by way of information, Madam Speaker, we expect to collect in 2017-2018 financial year, \$114.8 million from STT, and from ECAL, \$94.3 million. Madam Speaker, as a percentage of our GDP, STT would be 1 percent, and ECAL would be 0.9 percent. As a percentage of revenue collection, STT would 3.7 percent and ECAL would be 3 percent. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Leader of the Opposition

HON. RO T.V. KEPÄ.- Madam Speaker, supplementary question. I thank the Honourable Acting Prime Minister for his response. This question has come from ordinary moms and dads and ordinary people who are out shopping in the country when they want to have a cup of coffee and find when the coffee arrives with a receipt, Madam Speaker, that they have to pay a 25 percent tax which comprises 10 percent of Environmental Climate Adaptation Levy Tax, the Service Turnover Tax of 6 percent, and 9 percent VAT, Madam Speaker, 25 percent in all. They find that this is a very heavy amount to pay in terms of a cup of coffee in town, not in a hotel, just an ordinary place in Nausori or wherever, Madam Speaker. My question to the Honourable Minister is the collection of this ECAL, how can an allocation for that levy be made to assist in terms of *TC Winston* rehabilitation? Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, there are two questions, the first part of the question is about coffee shops. As highlighted Madam Speaker, if they are drinking coffee at a coffee shop that have gross turnover of more than \$1.25 million, then they will pay ECAL and STT. But I am sure there are not many coffee shops in Nausori that have a gross turnover of more than \$1.25 million, and I would be very worried if they are drinking coffee at a coffee shop in Nausori that does not have a gross turnover of \$1.25 million and still charging the tax. Please give me the name of that company and I will inform them to FRCS. Let us be transparent.

(Honourable Members interject)

Give me the name of the company, because I am sure Madam Speaker, there is no such coffee shop in Nausori.

In respect of the other question Madam Speaker, about *TC Winston*, the budgetary allocation is already being made for the rebuild of *TC Winston* Madam Speaker. We are talking about a revenue collection from these taxes that will be used for climate adaptation measures including, Madam Speaker, environmental management.

HON. SPEAKER.- Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. If I can just quote some figures, in 2006, the SDL Government collected \$667 million in indirect taxes; in 2017, the FijiFirst Government will collect \$2.2 billion in indirect taxes. Madam Speaker, SDL was \$1.2 billion in total receipts, FijiFirst \$3.4 billion. The question is from the people who are suffering, people who are feeling the weight, the heavy hand of Government in taxation; I do not believe any people on earth are being squeezed like the people of Fiji. Madam Speaker that is why we believe that students should be given more scholarships instead of TELS and also Madam Speaker, if I may in the absence of the Honourable Minister of Health, we are seeing some horrific photographs of the bathroom facilities at CWM Hospital, the flagship of Fiji. Can all these be collected and used to improve those bathroom facilities? Thank you.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will address the second question first. The photos that the Honourable Member is speaking about in fact the Honourable Minister for Health showed me which the Honourable Aseri Radrodro referred to yesterday, the International Women's Federation. They in fact posted photographs of bathrooms and toilets that had already closed. When the Medical Superintendent, I think that is the title he has, Mr. Tudravu, he actually raised it with them and said, your *Facebook* page is misrepresenting, like NFP did yesterday, and I will come back to that later. They quickly pulled those photographs off their *Facebook* page.

HON. S.V. RADRODRO.- (Inaudible Interjection)

HON. A. SAYED-KHAIYUM.- He pointed out to them, please, he pointed out to them that those bathrooms had been closed for renovations. She is incorrect, Madam Speaker. We were talking about taxes and I do not know how that kind of snuck in.

Madam Speaker, the first point the Honourable Member talked about SDL collecting \$600 million indirect taxes, I cannot verify those figures (I can come back to those figures) and say that we have collected \$2.2 billion. Madam Speaker, but what he should be looking at is what was the total revenue collection by SDL Government for that year.

HON. V.R. GAVOKA.- \$1.2 billion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, \$1.2 billion, in other words 50 percent of it was collected by indirect taxes. Our total revenue collection is about \$4 billion, and if he is saying our indirect tax is about \$2.2 billion, that is also about 50 percent. Madam Speaker, the revenue collection he is quoting only nominal amounts as a percentage of a total revenue collection. The reality also is this, in a way indirect taxes, if they are being paid by the rich, then is that not a good thing and we are collecting more revenue from that. We have on the other hand increased the income tax threshold.

Under the SDL Government, if you earn \$8,600 you pay taxes, now, Madam Speaker, if you earn only up to \$30,000, then you pay taxes. Only after you earn up to \$30,000 Madam Speaker. Now Madam Speaker, under the SDL Government, they did not have subsidised bus fares, they did not have free education, they did not have subsidised electricity, they did not have subsidised water; all of these things are present, Madam Speaker, free text books, he does not account for that Madam Speaker. The reality is, we have also reduced corporate tax, despite the corporate tax reduction, despite the income

tax threshold our revenue still increased, why? Because we have greater compliance. More companies today are paying their taxes, they are not hoodwinking the system, and we are going after people who are trying to steal from the system. That is how we increase greater compliance, Madam Speaker.

Madam Speaker, it is a progressive form of taxation, it is targeted to the top end user system. If you either like I said eat at an expensive restaurant you will pay that because you can already afford to go and pay \$50, \$60 for a dish, but if he eats at some ordinary outlets where he is paying \$7, \$8, you do not pay it.

Most Fijians go and use those services, most Fijians do not go and eat at Denarau, most Fijians do not go and drink in a coffee shop that has a gross turnover \$1.25 million. I do not know how many of them are there in Nausori but Madam Speaker, the fact of the matter is, I would love the Honourable Leader of Opposition to give me the name of that coffee shop. I really would want to know this coffee shop in Nausori. Madam Speaker, that is putting it into perspective. Thank you.

HON. SPEAKER.- Honourable Dr. Mere Samisoni.

HON. DR. M. SAMISONI.- Thank you, Madam Speaker. For me, I have just been approached Honourable Attorney-General to help with the deplorable situation at CWM Hospital, the rooms are terrible, they are dirty. In fact, I was approached by the board if I could help.

(Honourable Members interject)

Madam Speaker, this is just to explain the situation. The situation is bad so I said why ask me, they said “because you are a nurse”, so as a nurse and as a concerned tax payer, I am trying to help the board and yes, we are trying to solve the problem from the private sector. I just want to reiterate the fact, Madam Speaker, that we are trying to help and the CWM does have problems.

HON. S. B. VUNIVALU.- Point of order.

HON. DR. M.T. SAMISONI.- CWM Hospital does have problems.

HON. SPEAKER.- Point of order.

HON. S.B. VUNIVALU.- Point of Order, Madam Speaker. Under Section 75 of the Standing Order, which is disorderly conduct.

(Laughter)

(Honourable Members interject)

HON. S.B. VUNIVALU.- The Honourable Member, Mere Samisoni should be properly dressed and not have the coat hanging on her shoulders. That shows disrespect too, Madam Speaker, in this august House.

(Laughter)

HON. S.B. VUNIVALU.- Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. If there is any disrespect, the disrespect is coming from all the interjections that were going on and we were not able to hear the Honourable Mere Samisoni. As you

all know, she is given one minute for her question and with all the disruptions, we will give her an extra half a minute to ask her question.

HON. DR. M.T. SAMISONI.- What is the Honourable Minister doing in trying to help CWM Hospital improve its terrible hygienic conditions? Thank you.

HON. SPEAKER.- Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the question is obviously completely unrelated to the substantive question but I will indulge the Honourable Member. I urge the Honourable Member to read the Budget Supplements and look at the Capital Works Programme for CWM Hospital. I urge the Honourable Member to not only rely on *Facebook*. I urge the Honourable Member to look at the works that have been announced and the renovations that will take place, the new buildings that will take place at CWM Hospital.

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

HON. A.M. RADRODRO.- Thank you, Madam Speaker. Just a supplementary question to the Honourable Minister. I hear the explanation given is like comparing avocados with apples. Why do locals have to pay for such taxes when especially the locals are already paying for other services like infrastructure and all these other services? Why do they have to pay these additional taxes? It is just for the ease of monitoring and a compliance issue rather than reflecting the needs and wants of the local people.

HON. SPEAKER.- Thank you. Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- It is a bit like Penang and Rarawai mill getting mixed up.

(Laughter)

HON. A. SAYED-KHAIYUM.- Madam Speaker, the reality is that, he is saying that ordinary people are paying for infrastructure. I do not know how they paying for infrastructure. Madam Speaker, they are not paying for those or for the use of the roads, there is a levy on vehicles, that is about it. Not everyone has a vehicle, I cannot understand that. The analogy is not correct.

Madam Speaker, again he is saying, it is only for the ease of collection. No! Madam Speaker. Again, these taxes are not paid by majority of the Fijians; majority of the Fijians do not go and sky dive; they do not go and stay in a hotel every day; they do not go to bars and nightclubs, maybe some on the other side do on a regular basis; they do not go to travel and tour companies; they do not go to cinema every day; they do not do water sports every day; they do not go to live entertainment every day. They do not do that. It is only for those people who use these services that actually pay Environment & Climate Adaptation Levy (ECAL) and Service Turnover Tax (STT). It is very simple and also again, it is a big issue. The Honourable Member is from an accounting background. He would know this. He should know this.

That, Madam Speaker, when you actually have a business that has multiplicity of different ways of accounting for the services acquired through that business, people have the opportunity to cook the books. It has happened. It has happened on numerous occasions. It has happened continuously. This is why we are now seeing more revenue collection. This is why you are now seeing Fiji Revenue and Customs Services actually being able to tap on the shoulders of people saying, "Your VAT Returns are not up to speed". Before they were able to cook it.

In this way, no one can cook the books in any case. ECAL and STT are only paid by those Fijians who only use these services, which is not the bulk of the Fijian population.

HON. SPEAKER.- Thank you. Honourable Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. What the Honourable Minister is saying is that people under the salary of \$30,000 cannot and should not go to all such places where you pay these taxes.

(Honourable Members interject)

HON. J. DULAKIVERATA.- No, that is what he is saying. The question now is compliance. You find a way where these people that should not pay tax, should not pay those taxes. Thank you.

HON. SPEAKER.- Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, if I can ask the Honourable Member to ask the second part of his question again. I heard the first part, not the second part.

HON. J. DULAKIVERATA.-What you are telling us is the compliance. The system that is in place where these people who should not be paying tax when they happen to go to these places and pay these taxes, they should not be allowed to pay tax. You should find out the system, the way, where these people should not pay tax.

HON. SPEAKER.- Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- I did not say at any point in time that people who earn less than \$30,000 will not go to the cinema. I did not say that at all. That is an illogical deduction he has made.

What I said was that the bulk of the Fijian people do not go and use these services every day. But these are what would be considered luxury items. If you are able to reduce VAT, if you are able to reduce the income tax threshold, that affects people on a daily basis. But if a person wants to go and watch a movie every day, for example, at the cinema, they will pay that, yes, but it is a luxury item. If they want to go and hire a rental car, they do not go and hire a rental car every day, maybe one-off. When you do that, then you actually pay that. If they decide to go and stay at a hotel, I am sure the students who are young, their parents will not go and stay at a hotel every day. So they do not pay that if they do not go and stay there. So the first half, logically is incorrect.

The second part, what I said, Madam Speaker is, if for example, all of us over here go to a particular hotel and assuming every second one of us is a foreigner and the other one of course, will be a Fijian. Then someone needs to be there because when you go up to the counter, it is up to the person receiving funds from you, that can change the system. In order for you to monitor that, you need someone to be there to be watching it all the time.

But if you know that this business, every person that comes to this business will be paying this, then there are no questions asked. If you know that, so everyone that comes to this business will not be paying it, no problem. There is no anomaly. No opportunity to cook the books. That is what he needs to understand.

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

HON. A. NABULIVOU.- Thank you, Madam Speaker. I tend to withdraw my question 93/2018 and it will go in the Ministerial Statement later on today.

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

Government's assistance – Team Fiji's preparation for the Commonwealth Games
(Question No. 94/2018)

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

Can the Honourable Minister for Youth and Sports inform the House what nature of assistance is Government providing for Team Fiji to prepare for the Commonwealth Games in Brisbane, Australia this year?

HON. LT. COL. L.B. TUITUBOU (Minister for Youth and Sports).- Thank you, Madam Speaker. The Acting Prime Minister, Leader of the Opposition and Honourable Members of the House: Yes, in order to prepare athletes for the Commonwealth Games, they have to qualify for the National Championship, the regional, the Oceania and they have to come up with the timings and the effort that they made on what sports, not only in athletics, in the National Sporting Organisation he or she is a member of.

The Government is committed to give grants in the preparation of athletes and this started three years back, not for this year only. But for this year, for the Commonwealth Games, the Government Grant allocated for the Commonwealth Games for 2018 is \$1,791,547. From this total, \$1,124,060 is for team preparation and \$667,487 is for the cost associated with the team participation in the Commonwealth Games. So, the Fiji team contingent prepared for the Commonwealth Games consists of 96 athletes and 45 officials.

Team Fiji will be participating in 12 sports namely:-

- Athletics;
- Badminton;
- Weightlifting;
- Rugby seven;
- Netball;
- Table Tennis;
- Squash;
- Beach Volleyball;
- Swimming;
- Bowls;
- Shooting; and
- Boxing.

I am sure, Madam Speaker, that the Members of this House will join me in sending our very best wishes to the team for a successful outing in the Gold Coast in the coming weeks. That is all, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Alvick Maharaj.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker, supplementary question. Can the Honourable Minister tell this House how much has the Government spent on preparation and participation on the following games such as the South Pacific Games in Port Moresby?

HON. LT. COL. L.B. TUITUBOU.- As I have mentioned before, Madam Speaker, the Government is supportive through the Ministry, for the preparation of the athletes to compete. So the South Pacific Games in Port Moresby, a total expenditure of \$720,000 was provided to support our athletes to compete in that Games.

HON. SPEAKER.- Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. Supplementary question to the Honourable Minister. You mentioned about the 96 athletes, and what would be the gender composition of the athletes and the events?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, I can provide at a later date, the gender composition of the team.

HON. SPEAKER.- Thank you. Honourable Dulakiverata

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. Supplementary question to the Honourable Minister. What is the daily allowance for athletes who represent Fiji in overseas events like this?

HON. SPEAKER.- Honourable Minister.

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker. I must thank the Honourable Member for his supplementary question. The money is given by the National Sporting Organisations (NSO). The Annual Meeting every year, they come up with a budget for tournaments, allowances, et cetera and it is given to NSO. NSO gives it to FASANOC and FASANOC distributes to Team Fiji. We do not have any record of the allowance given to each athlete.

HON. SPEAKER.- Honourable Nawaikula?

HON. N. NAWAIKULA.- I want to ask the Honourable Minister about the Sevens players in particular. How much does the Government, or the Government with Fiji Rugby, or the Government through rugby paying the Sevens Players their current daily allowance or game allowance and whether this will increase?

HON. SPEAKER.- Honourable Minister?

HON. LT COL. L.B. TUITUBOU.- As the NSO for that sport is Fiji Rugby Union, they come up with the allocation and the grants they need to pay for the allowances. From my understanding, after talking with Fiji Rugby Union CEO, they are contracted until the end of the season. FRU can answer that question well.

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

Benefits of new crop varieties – Research Division
(Question No. 95/2018)

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

Can the Honourable Minister inform the House how many new crop varieties has been released by the Ministry's Research Division and will it benefit the farmers?

HON. LT. COL. I.B. SERUIRATU (Minister for Agriculture, Rural & Maritime Development, Disaster Management and Meteorological Services).- Thank you, Madam Speaker, I acknowledge the Honourable Member for this question and I am thankful that students are here when this question is raised.

Through you, Madam Speaker, I wish to encourage the students of Vunimono High School and also to tell them that there are opportunities in the Agriculture Ministry, particularly for science based students.

Fiji is in great need of Veterinary Officers, Pathologists, Entomologists, Plant Breeders, Animal Breeders, Nutritionists, Food Technologists, Engineers and even Scientists, Madam Speaker. There are huge opportunities for those who are taking science in schools and I hope that it is not merely science for the sake of taking science, but these are career opportunities that they can aim and aspire for, in the future.

Because of the potentials in the industries and this honourable House has been informed on numerous occasions that for agriculture to be successful has to be aggressively driven by research and of course marketing as well. Research is an area that is very critical not only for the current demands but most importantly preparing for the future of the industries as well.

Research, Madam Speaker, is time consuming and, of course, demands a lot of investment as well. Madam Speaker, let me assure the House that Fiji is not working in isolation, we have partners. I will name a few; the Australian Council for International Agricultural Research (ACIAR), in fact they were in the country in the last few days, Madam Speaker. I met them on Monday evening and there are a few projects with Fiji, and of course, other Pacific Island Countries as well. We have the Asia Pacific Agriculture Research Institute (APARI) based in Bangkok. We have the National Agriculture Research Institute (NARI) in Papua New Guinea and as we speak, Madam Speaker, three of our officials have probably just arrived yesterday in Papua New Guinea, at Lae for further training and of course exchanges with fellow researchers in Papua New Guinea. Of course together with other donor agencies, we are working together because as I have stated, research is time consuming and requires investment as well.

Madam Speaker, the question this morning is broad because it asks about how many new varieties that has been released by the Ministry's Research Division and how it benefits the farmers.

Madam Speaker, I can go all the way back to 1979 in which we released:

- the first tomato variety that was named - *Alton*
- and then bean variety – *Sobbie* in 1984
- 1985 there were few tomato varieties,

- another tomato variety again called *Alafua large*
- taro we brought in the *Samoa high breed*
- and of course the *Maleka dina* followed in 1995.
- An eggplant variety called *Pritam* in 1998.
- In 1999 another taro variety *Wararasa*,
- Pigeon pea *Uasivi* was in 2002
- 2004 we had chilly called *Birds eye*
- 2006 cow pea capsicum and cucumber.
- 2007 we had soybean variety called *Kalokalo*
- 2010 we had released three banana high breed varieties FH1A which was named “*Mason*” after Mason Smith, who was then Permanent Secretary.
- *FH1A 17* named after *Mili*; Mili was head of research.
- and of course FH1/18 named after Timoci.

In 2014, Madam Speaker, I launched the *moon bean* in Bulileka, Labasa. It was named *sumrat* and of course, in 2015, one of the tomato varieties, we named it *Melrose*. In 2016, was the Rio Gold, another tomato variety and very lately last year, I also launched a guava variety named *Green Pearl*, that has been released to the market.

Madam Speaker, basically, in research, there are two main components:

1. Adaptive research; and
2. Applied research or participatory research as well.

After years of close scrutiny, observation, experiments in the laboratories and of course in the field as well, involving hardening process then it is given up to the farmers for commercial production. These varieties that I have mentioned, Madam Speaker, that you see in our markets today and of course the latest is the *Green Pearl Guava* which is a research exercise in collaboration with the Taiwan Technical Mission of the Republic of China that is based in Nacocolevu.

I have just answered this morning about tropical fruits and this is one of the latest development; the release of this green pearl variety.

Madam Speaker, it is quite attractive in the market for those that wish to go into commercial guava production is about \$7.00 a kg for this guava variety. I think this is better than chilly. This is already commercially given and the seeds are available. Planting materials are also available from our research stations as well.

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

HON. PROF. B.C. PRASAD.- A quick question to the Honourable Minister, Madam Speaker. The Honourable Minister talked about research, extension and training. Can the Honourable Minister inform the House how the actual research on some of those new variety of crops is linked to extension services and training? Because if you do not have extension and training services you could do very good research but it will not be translated into the feed.

HON. SPEAKER.- Honourable Minister?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I thank the Honourable Leader of the NFP for the question. Indeed it is very critical that there is very close linkage and coordination between the researchers, training and of course the transfer of this technology to our farmers.

Madam Speaker, the research and the extension divisions conduct monthly meetings and this is when they get updates. This is when the extension officers also tell our research staff what are the needs, particularly, for the extension officers, in terms of up skilling them so that they can transfer that technology to the farmers. Not only that, Madam Speaker, it is also important that they know the progress in the researches that have been undertaken and of course the timelines that are involved as well. That is very critical.

As we speak, we have a team that is currently looking at the structure of the Ministry for Agriculture. One of the intentions behind this new structure, consistent with the Civil Service Reforms, Madam Speaker, is to also decentralise some of the services provided. We will see agricultural researchers not only based in the research stations in Legalega, Mua, Nacocolevu and Nawaicoba if the new structure is adopted by Government, it will see Agriculture Research Officers also based with the extension officers in the respective geographical region as well.

We have trialled that, Madam Speaker, in Muanidevo where we have taken a female research officer away from Koronivia and placed her in Muanidevo. We saw a significant result when technology, knowledge and skills were transferred to the farmers immediately from the researchers. So, that is what we intend to do.

HON. SPEAKER.- Honourable Prem Singh, you have the floor.

HON. P. SINGH.- Supplementary question, Madam Speaker. The crop varieties that the Honourable Minister talked about, they were all seasonal crops. What is the research doing in terms of off-season crops? I believe this is where we lag behind. Most of our hotels and resorts they import during offseason period. How has research help us to address that situation?

HON. SPEAKER.- Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. I have stated clearly that research takes time. I will take mango, for example. Fiji has got high rainfall throughout the year. We have 69 mango varieties in Legalega, since the early 80s.

At this stage, Madam Speaker, we are zeroing down on four of these varieties, which we hope and with the evidence that we have, should be able to adjust well and adapt to the climatic conditions in Fiji.

I have talked about this tomato varieties, Madam Speaker. I did mention yesterday that we are working together with British American Tobacco (BAT) and they assisted us with eight tomato varieties from India last year. These eight tomato varieties were selected basically on the conditions in Fiji. We have seen the results and most of them adapted well to Fiji conditions. But when it comes to seasonality and particularly offseason, we are of course we are looking for the varieties, genetics and the gem plaza, but it is about technology as well. Technology will badly assist in terms of irrigation, in terms of greenhouses, even some have gone into hydroponics now. There are technologies that can assist the offseason demand apart from the need for the varieties through the research.

HON. SPEAKER.- Thank you, Honourable Anare Vadei.

HON. A.T. VADEL.- Thank you, Madam Speaker. Research is an extensive and a very critical exercise. I would like to ask the Honourable Minister, how will you retain staff because it is a very professional qualified area?

HON. SPEAKER.- Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. I do admit the fact that retention has been a challenge. Once, is term and conditions and of course for Fiji, it is even very challenging because most of the regional and international organisations are based in Fiji. We have the Secretariat of the Pacific Community (SPC), University of the South Pacific (USP), Food and Agriculture Organisation (FAO), United Nations Environment Programme (UNEP), United Nations Development Programme (UNDP), Innovation Funds for Agricultural Transformation (IFAT) and they keep taking away our people as well, Madam Speaker.

I am thankful that in the reform, our specialists have had significant increase in their pay scale as well. I have mentioned that the restructuring is part of the reform and this is also an exercise that we are currently doing to look at the specific skills and areas in which they can get assistance so that we can retain them for the long term.

HON. SPEAKER.- Last question, Honourable Ratu Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. The effects of climate change is also affecting the agriculture sector in the promotion of going back to traditional farming and agro forestry. My question is, we used to have original species of *dalo* like *vavai*, *bila*, *toakula* whether they are still in research or whether they have disbanded all those original species that we used to know as far as the *dalo* species is concerned.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I again acknowledge the Honourable Member for the question, very relevant. Let me assure the honourable House (I think I have stated this last week) that definitely we are demarcating the green, what is needed for our export markets and what between what is needed for our domestic demand, domestic consumption and, of course, the local varieties are very, very critical in this.

One of the major developments in that regard, Madam Speaker, is the development of the Tissue Culture Laboratory in Koronivia, not only from the Government at Koronivia but for the first time as well, there is a private sector-owned Tissue Culture Laboratory in Wainibuku. We have signed a memorandum of agreement because of the space limitation in the area that they occupy in Wainibuku. Most of the hardening process because that requires space will be provided by the Ministry for Agriculture. This is where we will look at the requirements, not only the local varieties which we need to maintain but, of course, looking at those that satisfy our markets as well. So this is indeed a critical area for us, not only in crops but also in livestock as well. We hope that we will retain our local varieties for our food security needs.

Investigation - Capsized Containership in Suva Harbour
(Question No. 96/2018)

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

Can the Honourable Minister inform the House on the result of the investigation into the capsizing of the container ship that is still in the Suva Harbour?

HON. A. SAYED-KHAIYUM (Honourable Acting Prime Minister, Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications).- Madam Speaker, I would like to thank the Honourable Member for his question.

Madam Speaker, there are general steps in the investigation and if I can inform the House what happens when you have investigations. Firstly, you need to appoint the investigators (that has already been

done), then you need to issue summons to all stakeholders involved in the sinking of the vessel (that has already been completed); then you actually have the investigation proper which includes the collation of all ship documents and all relevant documents (which has been completed); interviews of all involved in the incident (it has been completed); analysis of the interview script and all relevant documents (this has been completed); re-conduct interviews if contradicting statements, this is now currently in process. So all the things that I have just read out to you have already been done. They are now going through the re-conduct of interviews should there be contradicting statements.

Then following that will be the preparation of the investigation report itself and submission of the report to the CEO of MSAF. There is a deliberation of the report by the MSAF Technical Committee and the actions to be taken, and communication to all relevant stakeholders and the implementation actions, Madam Speaker. At this stage, they are looking at another four weeks before the investigations are completed, those processes that I have just highlighted to you.

Madam Speaker, also by way of information to the Honourable Members of the House, the *MV Southern Phoenix* is, of course, not a Fijian-registered ship, it is a Panamanian flagged ship.

Madam Speaker, once the report is compiled then, of course, it would be given to the Shipping Company but also MSAF is required to submit a report on the incident to the International Maritime Organisation (IMO) as required under the International Convention of the Safety of Life at Sea and the International Convention for the Prevention of Pollution from Ships and the various protocols which, of course, we are a party to.

HON. M.R. LEAWARE.- Madam Speaker, a supplementary question. I thank the Honourable Minister for highlighting to the House the hazard investigation into the capsizing of the container ship. The question I would just like to pose to the Honourable Minister is, are there plans to conduct an investigation, especially the environmental hazards that is caused by the sinking of that container ship?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I thank the Honourable Member for this question. There are two separate issues, what you are asking is about the environmental impact. Of course, there is an update that will be given by the substantive Minister for Infrastructure, Madam Speaker.

Following the sinking of the ship, the major issue always is, what happens to the oil that is left in the ship, and then when it is trapped, what will happen about the leakage?

MSAF and the other stakeholders have successfully prevented a major spill on the sunken *MV Southern Phoenix*, whatever oil was left in the ship was trapped and removed by MSAF. That was, of course, they were given various assistance by various parties to ensure that there was no spill-over into the harbour area.

There is also the issue apart from the investigation is the actual removal of the ship, and there are two separate issues and that has got another process of its own. Madam Speaker, the MSAF has issued what we call the “scuttling position”. The ship needs to be actually picked up from where it is and we are taking it to another position where it will be then a grave essentially and that is where it will be dumped in that particular area.

MSAF has given the latitudes; 18 degrees South, 16.4 degrees longitude; Eastern, 178 degrees and 24.8 degrees.

Madam Speaker, that site has been allocated by MSAF and the owners and the Ministry of Environment have also been advised. The scuttling position is about 7.2 miles away from Suva and 5.2

miles away from the reef itself, Madam Speaker. The Ministry of Environment is carrying out a risk assessment to enable the commencement of the scuttling of the operation for removal.

HON. RO T.V. KEPA.- Madam Speaker, I thank the Honourable Minister for his response. My question, Madam Speaker, in terms of this question is that, the fisher folk, especially the women of Nadonumai and Navukavu *qoliqoli* areas, the fish, shellfish and the *nama*, et cetera, that they used to find in the *qoliqoli* areas, this particular boat and other boats (I believe there are up to 20 boats that are sunk there in the Harbour) and it is negatively affecting their marine resources. So my question to the Honourable Minister is, how can the Government remove the other boats as well that are there in the Harbour and have been there for over many years?

HON. A. SAYED-KHAIYUM.- Madam Speaker, this question now is going from the investigation to other derelict ships which also have been addressed previously. Madam Speaker, but the fact of the matter is, the Honourable Member is correct that there are a number of derelict ships in the harbour that have been neglected for decades and not being removed. Of course, the Fiji Ports Corporation Limited is looking at it from a holistic perspective.

There are, of course, the shipowners have all, those older ones have all disappeared into the night, no actions were taken by the previous administrations in respect to that. However, we have also asked them to look at it. Various tenders have been called. So, for example, this particular ship, *Phoenix*, tenders have been called to salvage and scuttle the ship. It is awarded to a company in Australia to salvage and scuttle the *MV Southern Phoenix*, of course this costs money and needs to be paid.

Of course, the Fiji Ports Corporation needs to do that and maybe able to claim sums through the insurance through the liability provisions. But in respect of the other ships, Madam Speaker, as highlighted again to this Parliament, there is something like 15 ships have been identified. Some of them have been languishing there for two, three, four decades, and they, of course, need to be scuttled and, in fact, taken out.

The Fiji Ports Corporation Limited, of course, is working with the Ministry of Environment and various other people, but of course, they are looking at getting the expertise because Fiji does not have the level of expertise that is actually required. They will of course probably use some locals but you need the right engineering methodology and the right people who have done this kind of work before, but it is being addressed, Madam Speaker. I would love to find out what the Honourable Leader of the Opposition is mentioning if there could be some direct code relation shown between many of the ships that have been there for about two to three decades and how it has affected them.

HON. SPEAKER.- I now give the floor to Honourable Aseri Radrodoro.

HON. A.M. RADRODRO.- Thank you, Madam Speaker. Supplementary question to the Honourable Minister in terms of the investigation that has been currently ongoing. We are interested in the sort of penalty that will be dished out especially when this involves multiple stakeholders. Say, for the *MV Phoenix*, there is Ports Authority that is involved in terms of loading of containers and there are ship owners and ship captains, so what sort of penalties will be given out in terms of the investigation as a final result? Otherwise, the whole process of investigation will be just a waste of taxpayers' money.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I find it quite extraordinary that the Honourable Member wants the ship removed and then says it is going to waste tax-payers money. The reality is that accidents do happen in the shipping industry, everyone knows that. So, how can you say it is the waste of tax-payers money?

The reality is one of them want it removed and they are saying, “What will the outcome or results of the investigation”?

Madam Speaker, most of the ships are actually insured, and as we highlighted previously in Parliament the insurance company have assessors. The investigation itself is the key part of the process to help determine negligence wherever it lies. If the negligence lies within the premise of the insurance policy itself, obviously the payment will be made and the Port Authority has the ability to claim the insurance. But in the meantime obviously, the Port Authority will need to remove it and that obviously needs to be done. If we say it to you, and as you said it before, while the insurance company take another three years then you will complain about the fact that the ship is still being there. So obviously we need to remove it and we have to use the money through Fiji Ports Corporation Limited.

HON. SPEAKER.- Honourable Ratu Kiliraki, last question.

HON. RATU K. KILIRAKI.- Supplementary question, Madam Speaker. There is a lot of interest as to what the containers contain. Is there any inventory on the contents of the containers on board?

HON. A. SAYED-KHAIYUM.- Madam Speaker, again these are going to the some specifics of the containers, I think from an environmental perspective, the Ministry of Environment is involved and they obviously carry out any assessments, should there be something that is within the container that will cause an detrimental environmental impact, that is what they assess. Whether it is caused by oil within the container or whether it is caused by some plastic toys in the container, we do not know what it is specifically, but from an environmental perspective, we need to be concerned about whatever is in the container, will it actually have a negative impact or detrimental impact on our environment on the foreshore area here.

Written Questions

HON. SPEAKER.- I now call on the Honourable Aseri Radrodro to ask his written question.

Primary and Secondary School Teacher Recruitment (Question No. 97/2018)

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

Can the Honourable Acting Prime Minister, Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications inform the House how many of the 50 new secondary school teachers and 200 new primary school teachers have been recruited by the Ministry of Education as announced in the last budget?

HON. A. SAYED-KHAIYUM.- (Acting Prime Minister, Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications).- Madam Speaker, I will provide a responses as provided for under the Standing Orders. Thank you.

HON. SPEAKER.- I now invite the Honourable Anare Vadei to ask his written question.

Number of Dying Babies - Hospitals and Health Centres (Question No. 98/2018)

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

Can the Minister for Health and Medical Services inform the House on the number of babies who passed away in the last two years in our Health Centres and Hospitals and the cause of death in respect of each area?

HON. LT. COL. I.B SERUIRATU.- Madam Speaker, the Honourable Minister will table the response at a later date as permitted under the Standing Order 45(3).

HON. SPEAKER.- I now call on the Honourable Mosese Bulitavu to ask his written question.

Fiji's Diplomatic Relations
(Question No. 99/2018)

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

Can the Honourable Acting Prime Minister, Minister for *iTaukei* Affairs, Sugar Industry and Foreign Affairs inform this House, which countries does Fiji have diplomatic relationship?

HON. A. SAYED-KHAIYUM (Acting Prime Minister and Minister for *iTaukei* Affairs, Sugar Industry and Foreign Affairs).- Madam Speaker, I will provide the written answer as provided for under the Standing Orders, thank you.

HON. SPEAKER.- That brings us to the end of Written Questions. We will now move on.

MINISTERIAL STATEMENTS

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

1. Acting Prime Minister, Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications has two Ministerial Statements;
2. Minister for Industry, Trade, Tourism, Lands and Mineral Resources;
3. Minister for Employment, Productivity and Industrial Relations;
4. Minister for Fisheries has two Ministerial Statements;
5. Minister for Youth and Sports; and
6. Minister for Waterways.

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 National Federation Party (NFP) or his designate for five minutes.

I now call on the Acting Prime Minister to have the floor.

Accident Compensation Commission Fiji (ACCF)

HON. A. SAYED-KHAIYUM.- Madam Speaker, I wish to inform Parliament on the progress made in relation to the establishment of the office for the Accident Compensation Commission Fiji, which is now known as ACCF, which was enacted through the Accident Compensation Act 2017. Madam Speaker, the ACCF was primarily established to administer the compensation to persons who

suffer personal injury or death as a result of a motor vehicle accident in Fiji occurring on or after 1st January, 2018.

Madam Speaker, we wish to acknowledge the unwavering support of all Honourable Members for the endorsement of the Accident Compensation Bill which was tabled in Parliament on 11th July, 2017. It is important to note, that not a single Member of this Parliament opposed the Bill. The unanimous support is a clear demonstration of the dire need to address the longstanding challenges faced with the now repealed Motor Vehicles Third Party Insurance Act 1948.

Madam Speaker, previously under the repeal law, motor vehicle owners were required or forced by law to go every year and obtain a Third Party Insurance Policy from an insurance company before they could even apply for the registration of their vehicles.

Despite Third Party Insurance being compulsory for all registered motor vehicles, a number of victims of motor vehicle accidents were precluded from receiving fair compensation. This mainly included those who became or were the victims of road accidents, such as passengers, drivers or pedestrians.

Madam Speaker, to reiterate the exclusion provisions within the Compulsory Third Party Insurance contracts did not provide adequate protection to all third parties who were injured from accidents involving motor vehicles and not all insurance claims were redressed fairly in terms of timely compensation and in consideration of the welfare of the victims.

As a result, Madam Speaker, some victims of motor vehicle accidents were denied compensation. For example, an innocent pedestrian hit by a car could be denied compensation by the insurance company simply because the driver of the vehicle did not hold a licence or was found to be drunk driving. Claims to compensation have also been unduly delayed with insurance companies or in the courts where the victims of motor vehicle accidents often waited for years to get compensation and indeed, some lawyers became, what we call, “Third Party Insurance experts”.

Madam Speaker, the Accident Compensation Act 2017 is intended to remedy this economic injustice. The Act established the ACCF to provide a No Fault Compensation Scheme whereby victims of accidents will be compensated without having to prove fault or negligence. The No Fault Compensation Scheme is intended to make a redress for motor vehicle accident victims, simply by providing compensation that the victims deserve by way of application to the Commission. This is far less adversarial in the previous system and more efficient as it saves time, cost and lessens the impact of the trauma both, physical and psychological, as well as emotional suffered by the victims of accidents.

Madam Speaker, following the gazetting of the Accident Compensation Act 2017, four complementary regulations were issued and are now in force. They are the:

1. Accident Compensation Regulations 2017;
2. Accident Compensation Levies Regulations 2017;
3. Accident Compensation Medical Assessment Regulations 2017; and
4. Accident Compensation Third Party Insurance Regulations 2017.

Madam Speaker, in fact, Government had signalled its intentions to review the CTP Insurance market way back in 2011. It was only a matter of time for the announcement of a regime to be unveiled which would be a more efficient compensation scheme that protects all citizens, regardless of their social and financial status.

The insurance industry was made aware of the work undertaken by the Government on the subject matter and it was advised on the potential way forward in the meeting with Government on 13th June, 2017. Indeed, Madam Speaker, the insurance industry was also invited to submit their own suggestions on the review of the law.

Madam Speaker, following the enactment of the new law and based on further consultations with the general insurance industry, we noted objections on two particular sections of the Act by some industry stakeholders in relation to the wording of the then proposed legislation which ultimately became the Accident Compensation Third Party Insurance Regulations 2017. Madam Speaker, this was addressed through the Regulations.

Madam Speaker, the decision by this Government to change the CTP Insurance regime in Fiji needed to be administered in the most efficient manner, noting its impact on the thousands of vehicle owners in Fiji and as highlighted the other day, the increase of vehicle registration on a daily basis has increased exponentially.

To ensure that the ACCF was operational on 1st January, 2018, as the Honourable Minister responsible for the newly passed Act, we made the following appointments to the Board of the ACCF:

- Mr. Ariff Ali (Governor of Reserve Bank of Fiji), Chairperson;
- Ms. Sarah-Jane Wild (CEO Tower Insurance Fiji), Deputy Chairperson;
- Mr. Ashok Patel (LTA Board Member), Board Member;
- Dr. Ifereimi Waqainabete (Board Member), a well-known surgeon also who comes from medical practice, of course. As you know, they will be getting a lot of claims based on the accidents and physical problems with the victims; and
- Ms. Bhavna Narayan (Solicitor), Board Member.

Madam Speaker, there has been some information and, therefore, concerns raised earlier in the week that there is a direct conflict of interest as Chair of the ACCF who is also the Governor of the RBF. He is also the regulator and supervisor for financial institutions which includes the general insurance companies.

There has been comments made that the ACCF is in direct competition with the general insurance companies; far from the truth, Madam Speaker. The ACC Act very strongly and clearly states that the old Act is repealed, and the motor vehicle owners are no longer required to go and purchase Compulsory Third Party insurance from any insurance company. Therefore, it is not an insurance company. Any person knowingly should know that.

Motor vehicle owners now pay a motor vehicle accident levy to the ACCF. Under the new Act, motor vehicle owners do not pay any insurance premium to ACCF, therefore, they are not competing with the insurance companies. On the contrary, what the motor vehicle owner pays is a motor vehicle accident levy fixed by law. Should any person suffer an injury or death on our roads as a result of the motor vehicle accident, ACCF will compensate the victim on a no fault basis.

Therefore, Madam Speaker, there is no conflict as there is no competition between ACCF and the general insurance companies. This is the Act that this Parliament approved unanimously in July last year with no opposition from the Opposition. Of course, there is nothing preventing any insurance company from selling insurance policies, including comprehensive motor vehicle insurance policies to cover the insured for any risk arising out of a motor vehicle accident including property and motor vehicle damage as well as injuries or death. Indeed Government is now a big customer of insurance companies by the very fact that we are actually leasing vehicles and, therefore, it is comprehensive insurance.

Madam Speaker, the Board has advertised and recruited a CEO for a three-year contract from January 2018. ACCF is in the process of recruiting relevant personnel with the requisite skills-set based on the Government's Open Merit Recruitment and Selection (OMRS) process.

Madam Speaker, I commend the assistance and cooperation of the various stakeholder agencies in the smooth and swift establishment of the ACCF, including our Kiwi friends who had helped us set up this structure in the first place.

The ACCF Board had endorsed the motor vehicle accident levies to be changed from 1st January, 2018. The overall levies, Madam Speaker, had come down from what the insurance companies used to charge, ranging from 10 percent to 80 percent compared to the previous levies charge as CTP insurance premiums. Honourable Chand would also know this because of the bus companies and buses he has on the road. Numerous other people who have fleets of vehicles would see the difference.

Madam Speaker, the low levies underlie Government's objective to ensure social justice and not to be profit-orientated. In this regard, Madam Speaker, we are pleased to highlight that in the month of January 2018, there were 13,347 motor vehicle levies paid, totalling \$946,504.69 VIP that was collected. A total of 73 LTA officers in 22 branches have been assisting in this area. The ACCF Head Office is under construction at the LTA building in Valelevu, Nasinu and is expected to be completed later this month.

Currently, ACCF is operating out of an existing office in the LTA building in Valelevu. There are a number of benefits of establishing the ACCF Office within the LTA Office premises, including time and saving for vehicle owners who can get their issues addressed at one location and, of course, to the branch network of LTA, and allowing for closer collaboration with the ACCF and LTA on matters of mutual interest, noting the common customer pool they serve. In other words, we are going to provide a one-stop-shop for vehicle owners or operators.

Madam Speaker, I wish to explicitly respond to the negative sentiments uttered by certain members of the public with regard to Government's decision to take up the management of CTP insurance in Fiji. Notwithstanding the reasons I have outlined earlier on the limitation of legislative framework that existed prior to 1st January, 2018, the establishment of the ACCF is considered a means of providing the rights to social security, protection of the family, inadequate standard of living including freedom from hunger, access to clean water, adequate housing, protection of property and mental and physical health. There are so many people in Fiji who have languished because of the fact they could not get access to third party insurance.

Madam Speaker, the implementation of the Accident and Compensation Act 2017 emphasises the extension of social rights in light of the right of everyone to social security, including social insurance. This is entrenched under Section 37 of our Constitution, providing that and I quote:

“The State must take reasonable measures within its available resources to achieve the progressive realisation of the right of every person to social security schemes, whether private or public, for their support in times of need including the right to such support from public resources if they are unable to support themselves and their dependents.”

Madam Speaker, the no fault scheme under the ACCF has transformed the reach and scope of providing compensation for motor vehicle accidents in Fiji. The burden of seeking legal assistance to initiate claim applications has been eased with the completion of the simple form prescribed under the Accident Compensation Regulations 2017 and submitted with all relevant information to LTA Office around the country.

Subject to the submission and receipt of the required documentation, compensation claims are expected to be processed and paid within three months of receipt. Previously, it has been languished in the courts for years. ACCF is taking a proactive approach and assisting those who may be entitled to compensation. Efforts have been made to contact potential applicants to create awareness of the entitlements and advising them with the process to follow. So they actively go out. They know about an accident, they actively go out and see who is involved so they can help them.

To-date, Madam Speaker, under the new scheme there have been nine fatalities since 1st January, 2018 and the ACCF is close to finalising one particular claim regarding the death of a child, arising from a motor vehicle accident on 2nd February, 2018. Other applicants are gathering relevant information before submitting their applications for compensation on behalf of adult, deceased loved ones. These includes applying for letters of administration because there was no will to establish themselves as a person representative for the purpose of submitting the compensation claim applications to the ACCF who is willing to know who should be paid out to.

Madam Speaker, the new compensation scheme is now providing an opportunity to Fijians, who would be deprived of a fair compensation under the now repealed Motor Vehicle Third Party Insurance Act. Fijians now have access to a quick compensation payment of a reasonable amount obtained with minimum cost and through a simple streamlined administration process and, of course, with the absence of lawyers.

It is important to highlight in this regard that of the number of fatality so far this year, approximately half of them, Madam Speaker, would not have been entitled to any compensation under the old scheme, none whatsoever. Furthermore, unlike the insurance companies that would wait for the victims and their families to contact them, the ACCF has taken a proactive approach to contact the victims and their families with the assistance of the Fiji Police Force and members of the community.

This is how it is done, Madam Speaker, in overseas. If there is a fatality or when there is an accident, the Police and the ACCF will coordinate with them, they will find out who they were, who was injured, who died and get in touch with them directly and say; "Look this is your right to make the claim, this is the form, please fill it out", and you will be compensated.

Madam Speaker, in concluding, I wish to highlight to Honourable Members, the realisation of the tangible benefits brought about by the new compensation scheme as evident from the case of the 10 year old child, who died on 2nd February 2018. Under the old CTP insurance scheme, the family of this young boy may not have been eligible for compensation, given the circumstances of the accident and the burden of establishing fault. The family would have to establish fault. The payment would be made by the insurance company who have big pockets, who have big lawyers and they drag it out through the system.

The ACCF, Madam Speaker, is currently finalising this claim for no fault compensation payment to be made very shortly. The ACCF is trying to accelerate the finalisation of the remaining compensation claim applications and once the necessary requirements are complied with, these claims will be processed in a timely fashion. Thank you, Madam Speaker.

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

HON. A.M. RADRODRO.- I begin by saying practically that the Accident Compensation Commission of Fiji established is supported, it has to be. ACCF promises to reduce the long wait, accident victims have to endure following road accidents. It means all motor vehicle owners will now pay a reduced Motor Vehicle Levy (MVL) from what they used to pay as Compulsory Third Party Levy. The MVL will do what the CTP used to cover.

Indeed in the past, Madam Speaker, our people who have been victims of road accidents have yet to languish for years and years as they await insurance pay-out for their injuries or for families of loved ones who died as a result of road accidents, the determination of who was at fault at the time of the accident. Many survivors of such incidents not only had to live without their loved ones, but for those who are dependent upon the victims who may have died, it meant diminished lifestyle. This is particularly relevant where main breadwinners perish, Madam Speaker.

Madam Speaker, I know that all vehicle owners on our roads and the general public will embrace, particularly the No Fault Compensation Cover. If it is to work well, ethically and morally by those processing accidents claims, then it means victims will not need to establish fault or negligence. However, the ACCF needs to do more advocacies on this new cover as victims need to understand that once they accept payment under the new scheme, that may affect their drivers' right to a judicial review or remedies by the Courts.

Madam Speaker, I am particularly pleased to see that accident covers have been raised for individuals, from what was kept at \$4,000 per passenger to a maximum of \$75,000 for partial incapacity and "150,000 for permanent total incapacity. Today, Madam Speaker, I lament the payment out made to families of the 12 Naevuevu bus fire victims which occurred on 29th August, 2008, who were given merely \$20,000 each in 2015 as a compensation settlement. That was an accident which will live in our memories as one of the worst disasters on our roads. By delaying the pay out and the insignificant amount paid to compensate for worthy lives yet to believe for their full potential remains a major loss of Fiji today.

Madam, Speaker, I am aware that a new Accident Compensation Policy will look at accidents which occurred on or after 1st January, 2018. I ask Government to consider and look at possibilities of reviewing on a case by case basis, some pending accident claims, especially those involved in public service vehicles where the victims played no role in the accident. We will still remember Samuela Sautamata Ritova, a school teacher who is today wheelchair-bound after he was involved in the bus accident in Kalabu, Nasinu in 2014.

The former school teacher was 42 at the time of the accident and his bravery in rescuing many of the school students inside the bus on that fateful morning, resulted in his having had to undergo nine operations. The owner of the bus company involved, the Raiwaqa Bus Company, the same bus company involved in the Naievuevu bus fires, two years after the accident said to the media that he was away when the accident occurred, so he would have to review the details of the accident.

Madam Speaker, this is while Mr. Raitova, a father and husband who should be a national hero remained paralysed at home. That kind of behaviour by the bus company makes us question the ability of Government to resolve matters and bring justice to the aggrieved. I say this because I am aware that Mr. Raitova had sort assistance from the Prime Minister Officer in 2016 and was directed to seek the assistance of Ministry of Labour, they responded, but took forever. No victim must be made to suffer for injuries he/she did not contribute to its making.

Madam Speaker, I ask Government and the newly appointed ACCF to ensure they do not repeat the delays our accident victims used to suffer previously. If Government bureaucracy will again exist, then it will be no better.

Madam Speaker, to conclude, let me just say that it would be prudent now than ever that the LTA plays its role in monitoring motor vehicle compliances prudently; from passing vehicles, for road worthiness, to monitoring driver behaviour on our roads, what it comes down to is the ability of policies to address the linkages between the road accidents and policy compliances.

Madam Speaker, I note the particular exclusion clause in the compensation claims recently revealed by the ACCF, is that an application claiming compensation for the owner of the vehicle, who although has suffered personal injuries or death as a result of the accident will be unable to claim the compensation. If the owner of the vehicle at the time of the accident failed to pay the relevant levy as required by regulations for the payment of compensation for any personal injury or death as a result of an accident under the no fault compensation scheme. Thank you, Madam Speaker.

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

HON. PROF. B.C. PRASAD.- Madam Speaker, I thank the Honourable Minister for his statement on the establishment of the ACCF.

Madam Speaker, I share the sentiment expressed by my colleague already from the Opposition side. We supported the establishment of the ACCF when it came to Parliament and we were aware at that time when some of the issues that were raised in support of the ACCF are very pertinent and perhaps, remain fundamental to the success of the ACCF.

Madam Speaker, in the long term, I think it is important to understand that this is going to be run as a statutory organisation. The no fault system, Madam Speaker, could mean a potential increase in the pay-out in the future, and the most important thing for the success and this is very important for Government to actually understand and listen because if they do not, then we could end up with the pitfalls of what is happening in New Zealand. I mean, in one year, the similar organisation there had about \$3 billion loss.

I just want to ask the Honourable Minister whether the ACCF has actually carried out an actuarial evaluation to figure out the medium long term sustainability of the rate of the levy because if there is no studies or benchmark or if there is no indication as to what the future levy might be, Madam Speaker, we are not sure whether this whole organisation is going to be sustainable.

The Honourable Minister talked about the actuarial studies for the FNPF. It is a very similar issue here, Madam Speaker, whether we know what is going to happen to the levies in the future. It is very important for our people to understand that because we do not want this organisation, Madam Speaker, in the long term to end up being not properly managed, and if the bureaucracy becomes very big, there would be management difficulties and this would be all costs piled up on those who pay the levy.

So, the natural consequence of that, Madam Speaker, could be a continuous increase in the levy in the future. And so we could end up with a situation where, instead of going back and looking at the legislation that we had in the past and the effectiveness of private insurers, we could be piling up burden on the ordinary people for which the objective of setting this organisation was to help them. These are very cautionary and very important consideration for the Government to keep in mind, Madam Speaker, because otherwise we could end up with a lot of difficulties.

I am not sure whether the Honourable Attorney-General is correct when he says that there is no conflict of interest with the Governor of the Reserve Bank chairing the ACCF, Madam Speaker, because at the end of the day, the levy is like the premium that you pay. Instead of paying the premium, you are now paying the levy to ensure the benefits. So, Madam Speaker, there could be potential conflict of interest and I would request the Government to actually look into that.

But the most important thing, Madam Speaker, before I sit down, fundamentally is whether in future we are going to pile up an increase in levy to sustain an organisation that we probably have not

figured out very carefully whether it is going to be sustainable at what rate of levy. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members.

At this point, we will adjourn the proceedings for lunch. Please note that lunch is provided for Honourable Members in the Big Committee Room. Parliament will resume proceedings at 2.30 p.m.

The Parliament adjourned at 12.32 p.m.

The Parliament resumed at 2.30 p.m.

HON. SPEAKER.- Honourable Members, next on the Agenda, I now call on the Honourable Minister for Industry, Trade, Tourism, Lands and Mineral Resources to deliver his statement.

Update on the Geospatial Division

HON. F.S. KOYA.- Madam Speaker, thank you for allowing me to stand up in my capacity as Minister for Lands and Mineral Resources to deliver this Ministerial Statement. It gives me great pleasure to inform this House on the recent updates by the Geospatial Division.

Madam Speaker, in February 2015, the United Nations General Assembly adopted this first ever resolution on Geospatial Information as a tool for sustainable development. Upon introducing the resolution to the UN as a sponsor, our Permanent Representative, Mr. Peter Thomson, highlighted our vulnerability to natural disasters, sea level rise and other climate change impacts for which a good national geospatial information platform could be used for more informed and evidence-based decisions on mitigation and preparedness purpose.

Madam Speaker, the Fiji Geospatial Information Management Council consists of all the relevant Government agencies and the Geospatial Division of the Department of Lands is the coordinating organisation for the implementation and execution of various strategic goals. The Council, Madam Speaker, meets every quarter and holds the National Geospatial Information Management Conference annually, to promote information sharing and highlights the needs of the GIS industry and promote national economic development.

Madam Speaker, in partnership with the SPC, the Ministry through our Geospatial Division recently launched the Pacific Geospatial System and Remote Sensing Council. In addition to our contributions, the Permanent Secretary of the Ministry of Lands and Mineral Resources is made a trustee of the Council, including Geospatial Officers as Board members.

A National Geospatial Strategy has been established and is aimed at providing the foundation for a National Geospatial Platform which integrates different data sets and further boosts accuracy and accessibility of this geospatial information which in turn, Madam Speaker, empowers not only policy-makers and decision-makers but also ordinary Fijians in their everyday lives.

Madam Speaker, the Geospatial Information Management Division of the Ministry, in developing its capacity for VanuaGIS, Fiji's centralised data portal integrates the data initiatives of the Government. Furthermore, we provide holistic support to stakeholders and enhance GIS data and deliver spatial information photos that meet the diverse needs of GIS bodies, for example, the Emergency Response Application which is used during a disaster through the National Disaster Management Office and the Oceans Application.

In our efforts also to improve customer service delivery, the Ministry has developed a Help desk that has the ability to update and notify clients on the progress of their queries and grievances in the monitoring of internal processes. This, Madam Speaker, basically says that the Government has actually gone into the digital age. Sometimes that fact is not realised by the Opposition, Madam Speaker.

In addition, the Ministry has an in-house portal which is called FLIP (Fiji Land Information Portal) with the objective of providing relevant data to all the internal stakeholders for analysis purposes on State Land Leases and these data basically consists of State Land information, current arrears, rental assessments, et cetera.

Madam Speaker, as the Ministry's commitment to the Fiji Geospatial Information Management Council, multispectral satellite imageries were purchased and distributed to all the Council members and this is basically to improve data analysis and visualisation that assists planning and decision-making.

The Ministry also has embarked on a Common Sensing Project, Madam Speaker, in collaboration with the United Nations Institute for Training and Research (UNITAR) and also the United Nations Operational Satellite Programme which is known as UNOSAT and the UK Space Agency's International Partnership Programme (IPP), the objective being to improve resilience towards climate change, including disaster risk reduction and contribute to sustainable development in three Small Island Developing States (SIDS) - Fiji, the Solomon Islands and Vanuatu. Activities will be implemented in support of national agencies and regional Commonwealth structures.

This particular Common Sensing Project, Madam Speaker, aims to provide the tools, information and the building of capacity within the country. This is enabled by earth observation technology to improve resilience to the effects of climate change in the SIDS. In the application, three priority areas were identified:

1. Vulnerability to hydro-meteorological and geophysical disasters - cyclones, floods, droughts and landslides.
2. Food security and maritime sector efficiency.
3. Overall vulnerability to climate change.

The name Common Sensing actually derives from the word Commonwealth Remote Sensing and the earlier mentioned objectives will be achieved through their direct interaction and existing programmes with the Commonwealth Secretariat, including the Climate Finance Access Hub. And activities will be implemented in support of all the national agencies and regional Commonwealth structures.

Madam Speaker, just to clear the air on some issues that were raised by Honourable Dulakiverata on Monday afternoon, I would like to reiterate some things I highlighted during last Friday's very short parliamentary session, the updates on the fair share of royalty provision in the Constitution.

Madam Speaker, as I had alluded to earlier and I know it was late in the afternoon we were trying to finish it quickly but for the sake of thoroughness, that Cabinet Paper after thorough consultation with respective stakeholders is now in its final stages and ready for submission to Cabinet. This was never done by any previous Government and yet

(Honourable Opposition Member interjects)

HON. F.S. KOYA.- Madam Speaker, I always update the House with respect to fair share of royalty. They think that it is something that they can pluck out of thin air and do it really quickly.

(Honourable Opposition Member interjects)

HON. F.S. KOYA.- There we go, Madam Speaker, that is your answer. Refusal to listen.

(Honourable Opposition Member interjects)

HON. F.S. KOYA.- It makes me wonder, Madam Speaker, we have actually gone into the digital age and sometimes it feels like they are still playing marbles.

Madam Speaker, the Honourable Member mentioned also about prospecting licences. Prospecting licences is given by the Ministry over Native Land. The licences given are authorised under the Mining Act and as a member of the Standing Committee on Natural Resource, I think the Honourable Member is fully aware of this.

Government, Madam Speaker, respects the rights of ownership of Native landowners and as a matter of fact, this is the only time I think they have been given the kind of respect that they deserve. We do not hide anything. There is no issuance of licences to prospective companies without the proper consent and support of the landowners registered in the Vola ni Kawa Bula (VKB). This is in the checklist for special prospecting licence applications on any prospective area in Fiji.

Madam Speaker, for the landowners' consent to be sought, the company and the community, a liaison Unit of the Ministry, with certain Government Departments have to (it is a must) conduct consultations and awareness programmes to all landowning units which are within the tenure area that is being applied for. Again, Madam Speaker, this is done with proper coordination through the Provincial Offices to direct proper *iTaukei* protocols that are normally present in the *iTaukei* communities.

As part of the process, Madam Speaker, the landowners and the exploration company have to agree on the compensation for the disturbances caused by the exploration activities prior to the granting of any licence. Government maintains independence during such negotiation but provides guidance as and when required.

The law that allows for mineral development in this country, Madam Speaker, is the Mining Act 1965. Under this Act, all minerals are vested to the State, irrespective of where it naturally occurs. The 2013 Constitution again reaffirms this but goes further with respect to the fair share of royalties.

Madam Speaker, my Ministry acknowledges that there are resource owners to the land where minerals occur and ensures that their right to their land remains and are not restricted in any way through the grant of exploration licences. Similarly, landowners also do acknowledge that the minerals are vested to State and State has the legal mandate to develop such mineral resources for the benefit of all.

Madam Speaker, another issue that was raised by the Honourable Prem Singh in response to the assertion by him that the Ministry is not doing enough to ensure the protection of the environment, let me assure the other side of the House that the process of ensuring that mining companies as well as extensive exploration companies are responsible miners and mineral explorers, checks and balances are conducted through the processing of their respective applications when they first applied, either for exploration or for mining.

The process through its due diligence ensures that an Environmental Impact Assessment (EIA) is approved by the respective authority for mining applications and an Environment Management Plan for exploration applications. Also as a part of the due diligence process, the companies will need to consult the landowners if they have any preferred post-land use of the proposed mined areas and how

the mining company and its operation will prepare the land whilst mining, to meet the agreed post-land use.

Exploration companies will also need to submit rehabilitation plans as part of their application to explore for minerals on the target area. A classic example, Madam Speaker, is Nawailevu Bauxite Mine where the area mined is currently being rehabilitated to replant pine trees as requested by the landowners and today, as I had mentioned earlier, we have 200,000 trees planted in that particular mining area. The value of which, I am informed by my brother here next to me, the Honourable Minister for Forests, on average or roughly if it is harvested in seven years and if it is harvested for pine chips, we are looking at roughly about \$2.5 million. If it is harvested after 14 years as logs, you are looking at double or more. That Madam Speaker, is an investment, so it is a good return for the actual landowning community. Again, this is done in consultation with the landowning units.

As part of the exploration prior to any mining development, there are always extensive and aggressive exploration programmes conducted by the exploration companies to determine the viability of the ore body in the prospecting area. These exploration works deemed to detail all financial models on all options of ore sales, different mining methods, community developments and environment studies before and post-mining. Intensive programmes sometimes could take up to 30 years of exploration until the model is right for development.

When applications are received by the Director of Mines, all detailed assessments are conducted to verify and confirm high confidence level in the viability of the resources with all investment and development risks at minimum level, Madam Speaker. Within this period of assessments, companies can be required to produce extra documentation and work to prove that the development will be robust without being affected, if any risk tend to arise during mining. Therefore, aforementioned processes takes time due to the determination or the robustness of such mining business that should operate throughout the full term of the mining lease.

Also, Madam Speaker, at this juncture, I would like to just mention a little bit with respect to our foreshore leases. The Ministry's policy now is a shift from the original one-off lump sum payment of compensation for loss of traditional fishing rights which would be for the term of the foreshore lease. In a nutshell, Madam Speaker, the compensation payable is determined on the full term of the lease, but the payment is now based on an annual basis. The reason is, that this Government, Madam Speaker, is taking care of the generation now, the generation to come and the generation thereafter.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. F.S. KOYA.- Three generations; normally a term is 99 years but that is three generations that can be taken care of, instead of one generation taking the whole lump sum money and then we get complaints afterwards, so this policy is what exists at the moment.

Madam Speaker, Honourable Dulakiverata knows fully well that compensation for loss of traditional fishing rights is a completely different paradigm from that of land ownership valuations. He should know, he is a valuer, and to dwell solely on the loss of traditional fishing rights without disclosing possible financial and social empowerment opportunity brought about by foreshore developments is quite a distortion of some sort.

The past practice was that, the Agricultural Tribunal determined compensation for loss of traditional fishing ground based on the collection and analysis by the Department of Fisheries that was housed under the Ministry of Agriculture at that time. Madam Speaker, I have nothing but respect at the moment for the Fisheries experts within the Ministry of Fisheries. I know for a fact that the Ministry continues to train and empower its personnel both, in-house and internationally, to ensure

that our Fisheries experts are on par with global trends and developments on the sustainable management of our marine ecosystems. And to say that the Ministry of Fisheries does not have the structure nor the expertise to address the issue of compensation for the loss of traditional fishing grounds is disrespectful and absolutely a shot in the dark by the Honourable Member looking for some kind of political, whatever it is.

Madam Speaker, with respect to gravel extraction licence, I would like to focus on the rehabilitation provisions of gravel and sand extraction licence. There is so much racquet that is created about gravel and sand extraction but we must agree that the excellent roads that we now drive on, not only in the urban centres but also in the rural vicinities of Sigatoka Valley and Buca Coastal Road, Madam Speaker, these necessitates the extraction of gravel and sand aggregate. Again, to achieve the balance between development and sustainability, Government under the Environment Management Act requires an EIA study which outlines mitigation and rehabilitation measures, whilst an environment bond is paid by the extraction licensee for the purpose of the rehabilitation of the site.

Madam Speaker, with respect to the conservation of mangroves, this is an undertaking that numerous Governments had partake in. The remaining area of mangroves in Fiji stood at, at least, 48,000 hectares for the seven larger islands of Fiji prior to *TC Winston*.

Madam Speaker, again and again, I wish to reiterate the significance of the Mangrove Management Plan which is a policy that will regulate the management of mangroves and this is clearly not understood. This was an issue raised by Honourable Prem Singh. And as earlier alluded to, Government and civil society organisations are currently working passionately in collaboration to finalise this document which will regulate our mangroves.

Madam Speaker, I would also like to correct some anomalies from last Friday on issues that were raised by the Honourable Nawaikula and let me say quite clearly, (he is not here), the Fijian Government's ambition and intention is to achieve and secure the best possible deals for the landowners who have voluntarily deposited their land for investment purposes. This is what I am talking about bauxite mining through provisions of the Land Use Act. Government and its relative arm, did all that it could do to ensure that they receive the right advice at Nawailevu, the right assistance to ensure that they invested their money properly and as an example and I will say it again, the traditional fishing rights owners got their qoliqoli compensation and they invested it for which they will reap rewards.

Reflecting on the importance of land governance and the development agenda for best utilisation of economic returns received by Nawailevu and Navakasiga landowning units, concerted efforts between the Ministry of Lands in collaboration with the Commissioner Northern's Office successfully coordinated financial workshop, pre and post leasing periods, and this was on 23rd June to 24th June, 2011, to empower the landowners, Madam Speaker, on the role of trustees, investment and business opportunities available which could be explored by the resource owners, including book-keeping.

The landowner's consultation workshop is also an annual event conducted by the Land Use Division to ensure appropriate trainings and awareness is well executed to build capacity and encourage partnership with landowning units to create locally appropriate investment solutions.

To ensure landowning units are efficiently updated and trained, a progressive Financial Literacy Workshop to the four landowning units in Nawailevu Village was conducted on 2nd February, 2017 with 70 members in attendance. Numerous financial institutions were engaged to conduct the Financial Literacy Workshop for the Nawailevu Village. These institutions included; the Fiji National Provident Fund (FNPF), the Reserve Bank of Fiji (RBF), Bank of the South Pacific (BSP), Life

Insurance Corporation of India (LICI) and the Unit Trust of Fiji (UTOF). This Workshop was a success in upholding the definition (again) of Future Generation Funds, the need to foster holistic livelihood projects to benefit the four *Mataqali*, the women and their family members in the integration of sustainable developments.

Madam Speaker to date, the Future Generation Funds has received for the four (4) *Mataqalis*, the sum of \$1.6....

(Chorus of interjections)

Thank you, Madam Speaker, they do not like hearing the truth.

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

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I thank the Honourable Minister for his Ministerial Statement. From the outset Madam Speaker, this is like a broken record, we have been hearing all these things over and over again, and no actions have been taken.

(Laughter)

All these things are work in progress. When will this be completed? The first share of mineral royalty is in the 2013 Constitution. This is 2018, when you go out next year you would not be able to implement these things. The people of Nawailevu are still waiting.

Madam Speaker, on the gravel extractions, from the records the amount of gravel that had been taken by the Fiji Roads Authority is \$10 million. Before these licences were issued by NLTB they were paid \$6.60 for the royalty. When the Lands Department is issuing the licences now, none of this money goes to the landowners. None! This \$10 million if they pay on that rate, Madam Speaker, the landowners should be getting \$400,000. This is loss of income. On top of that Madam Speaker, I mentioned the other day that when people are extracting from the rivers, they are disturbing the fishing rights of the landowners. These have not been compensated; they should compensate.

HON. OPPOSITION MEMBER.- Compensate.

HON. J. DULAKIVERATA.- You know fishing rights goes to the rivers, the stream and right to the mountains.

(Chorus of interjections)

It is not only on the foreshore.

HON. OPPOSITION MEMBER.- Tell them.

HON. J. DULAKIVERATA.- Madam Speaker, because of time constraints I would like to talk on issues that matter; the land developments. The Lands Department should be doing subdivisions, land development for low costs to supplement the housing development by the Housing Authority. This used to be done by past Governments, unfortunately this Government is not doing anything. They are just working on the squatter settlements which are already settling on the land without developing the land properly and issue registered lessees. The process is too long.

(Chorus of interjections)

You should do the development.

On the GIS Madam Speaker, the Geospatial Information System, you should have a basis for the development, for economic development for Fiji. The GIS in the Lands Department should form the base for all other ministries to be connected to the GIS. You can have a good GIS system but if it is not updated Madam Speaker, it is no good.

(Laughter)

It should be updated all the time so that we have the right, correct information for economic development. Listen! Listen!

(Honourable Members interject).

The way forward, Madam Speaker, the Honourable Minister is the Champion. How can we work in partnership with the civil and private societies to improve all these things? How can we do it? You are the champion, you should have a programme in place. There is none. Provide outsourced from government and in the evolution to create National Geographic System. How can we promote data sharing and send to dissemination of information.

HON. MEMBER.- *Walesi.*

HON. J. DULAKIVERATA.- It is very important, Madam Speaker, to have a very good GIS system for economic development.

HON. GOVT. MEMBER.- (Inaudible interjection)

HON. J. DULAKIVERATA.- Wait! Wait! One minute.

(Laughter)

Talking about the XINFA Aurum Mining Company in Cawailevu, Madam Speaker, they should not have been given new exploration and mining licences until they finished their rehabilitation processes in the old Nawailevu. We should be progressive before they give them all extensions. Now, his controlling all the mining in Vanua Levu. He has been given exploration and everything. I do not know how those things have been given. *Vinaka Vakalevu*, Madam Speaker.

HON. SPEAKER.- Because of the interjection, I would have given him an extra half a minute but you have finished on time. I now invite the Leader of NFP or his designate to speak in response.

HON. P. SINGH.- Madam Speaker, I thank the Honourable Minister for Lands for his Ministerial Statement. I note that he has had a second bite at the cherry this week when addressing his Ministerial Statement.

(Honourable Members interject)

We will keep coming back to this House for answers, so you can be rest assured.

Madam Speaker, at the outset, let me say that I think this is a positive move that the Ministry is engaging and harnessing the brains and experts of the Pacific Region through this council. These

types of technology and approaches are essential tools for Small Island countries that are confronted with various challenges like climate change.

Madam Speaker, just sort of point the Honourable Minister might want to pick up on. In 2016 the Honourable Minister launched the *Vanua* GIS Platform and we do not seem to hear anything more of it. Madam Speaker, the two things that come to mind is the GIS Platform provided for capacity building within the Ministry and it assists in dissemination of data during disasters for purposes of food security and adaptation of climate change.

Madam Speaker, I think having a multi-user and a multi-stakeholder platform like the Vanua GIS is critical particularly when it has been factored into our budget, and I support there are more fundamental issues needed to be addressed like standardisation for example, residential addresses, some have street names, lot numbers which I suspect poses challenges to those who use billings like FEA and Water Authority. But certainly we look forward to seeing more development from this Council and Madam Speaker I think this August House should expect more from our national experts who should be able to drive and mentor their peers from the Pacific Islands.

Madam Speaker, while I was replying to the Honourable Minister's statement last Friday I had very critically mentioned the need for a Mangrove Legislation. This has come about in COP 23 discussions and our adaptation to climate change. Madam Speaker, I again reiterate the need for a legislation to control Mangrove Harvesting. Madam Speaker, reforestation is not only from pine to native trees and exotic trees. It has much more potential with our mangroves because mangroves are plants which absorb more carbon than any other plants. So this is why the need for a sustained well sort out strategy to formulate and regulate the cultivation and reforestation of mangroves. This is what I had said and I hope the Honourable Minister takes it on board for the betterment of all. All of us want a healthier environment. No one wants to realise somewhere down the line we do not have a proper legislation to address this.

In this context I am delighted that the Honourable Minister has come up with answers to some of the issues that I had raised. I hope the Honourable Minister will take it to a level where we can in this Parliament see a legislation to protect our environment through a mangrove legislation. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you.

Honourable Members, before we proceed, I would like to acknowledge the presence of the Finland Ambassador to Fiji, His Excellency Erik Lars Backstrom, who has just presented his credentials to His Excellency the President this morning, accrediting him as the next Ambassador of Finland to Fiji. He is based in Canberra, and is accompanied to Parliament by the Government Protocol Officer, Mr. Samuela Kanakatakata. Welcome to Parliament, Your Excellency.

I now call on the Honourable Minister for Employment, Productivity and Industrial Relations to deliver his Statement.

Ministry of Labour Reforms

HON. J. USAMATE.- Thank you, Madam Speaker. Before getting into my Ministerial Statement just like to address one particular issue that was brought up by the Honourable Aseri Radrodro in the case of Mr. Samuela Saumatua Ritova who sustained his injuries from the bus accident at Kalabu on 28th May, 2014.

The Honourable Radrodro had stated that my Ministry had not done anything about that particular issue. I have just being forwarded information from my staff that they were actually involved in that operation, they have done the post injury assessment. Our Ministry medical assessor had visited Mr. Ritova at his residence and visited him again in 2016 to carry out the final medical assessment. This resulted in a 52 percent whole person impairment assessment. When the Ministry had already sent the compensation claim to the Ministry of Education, Mr. Ritova called the Ministry and advised that he would be engaging a private lawyer in late 2015 to proceed with his injury case under common law. Once that happens, Madam Speaker, our Ministry withdraw ourselves from that particular process.

HON. GOVT. MEMBERS.- *Vinaka.*

HON. J. USAMATE.- Madam Speaker, I rise to inform this House on Fiji's changing industrial relations climate over the past 10 years and overall, the industrial relations practices in Fiji since the completion of the Ministry's Labour Reform through the new Employment Relations Act have significantly improved Fiji's industrial relations climate.

The employment relations machinery in Fiji has taken a more universal dimension, brought about by the pressures from the global economy. The new employment law has seen a shift in the way we manage and resolve our conflicts and how the stakeholders interact with each other, while trying to resolve disputes at the workplace.

The old labour laws generally reflected colonial heritage values, the old norms and the institutions, many of them had outlived their usefulness. The laws were progressively modified on a piecemeal basis since Independence in 1970, but failed to meet the challenges of the labour market. We needed to reform the labour market and laws in order to minimise the negative effects of globalisation on our domestic labour market and at the same time, maximise the positive effects of that globalisation.

The challenge was to strategically position labour market policies, labour market laws, labour market institutions and practices, to make sure that the minimum employment standards and the social protection created are fair, decent and compatible with the needs of both, the workers and the employers. I think that point is very, very important.

The labour reform was designed to establish labour standards that are:

1. Fair to both, the workers and also the employers;
2. Prevent discrimination in workplaces by introducing equal employment opportunities;
3. Promote orderly individual bargaining and collective bargaining through the introduction of the concept of good faith on the part of those who are involved in that bargaining;
4. Settlement of employment grievances and disputes speedily, quickly, effectively and efficiently through the mediation, court or the tribunal; and
5. To encourage consultation, to encourage dialogue between management and workers in the workplace for better employment relations and, therefore, confidence in Fiji that lead to great productivity, development and, therefore, quality of life of the people in our country.

The thrust was to shift our conflict resolution culture from the unproductive adversarial approach that we have seen in our past history to a more consultative, a more collaborative and one that is oriented more towards partnership where both parties win. The reform also gets rid of bureaucratic bottlenecks and delays in resolving employment disputes that have contributed in the past to work stoppages and strikes, causing significant economic losses and downturn in national productivity and also a loss of reputation of our country, especially in trying to attract investment and employment. It created a very productive environment conducive to national wealth-creation.

The current law focuses on building employment relationships between our workers and employers that are based on mutual trust, respect, dignity and fair dealing. The good faith principle, Madam Speaker, is the new foundation of employment relationships. Mediation has been pushed forth as the primary means of solving employment issues.

For the first time in our history, this law, the Employment Relations Act complies with 30 ILO Conventions and the eight Core ILO Conventions which Fiji has ratified. We now have a brand new culture of conflict resolution through dialogue and good faith to build productive and progressive employment relationships amongst the social partners.

Madam Speaker, there had been no legal strikes in Fiji since the inception of this law 10 years ago. Under the old law, from 2003 to 2008, we had a total of 60 strikes. This law came into place in 2008 and since that time to-date, there have only been a total of two strikes that were recorded but were declared unlawful as the workers had walked off their jobs without completing the necessary processes which require constant dialogue to try to resolve the issues. The process is focussed on trying to get the parties to sort out their differences.

The shift in conflict resolution also resulted in consistent achievement of mediation settlement rating above 80 percent, which is higher than the international best practice benchmark of 75 percent.

Madam Speaker, all non-unionised workers now access mediation services for the resolution of their employment grievances free-of-charge. Under the former law, most of these workers suffered in silence as only the unionised workers benefitted from the old dispute settling machinery. Also all marginalised workers, for the first time, enjoyed their improved terms and conditions of employment under the Act.

Madam Speaker, the principle of good faith underpins the Act both, generally and specifically. The simple requirement of the concept is that, the parties to the employment relationship - the unions, employers and workers, deal with each other in good faith, and that those dealings are based on mutual trust, sincerity, honesty, humility, confidence, fair dealing and the genuine desire to settle their differences. This includes directly or indirectly misleading or deceiving each other which should not be happening.

In terms of collective bargaining, Madam Speaker, the core of good faith duties are defined and the Act also provides for the tripartite development of a code of good faith. This code of good faith guides the mediation services, it guides the Employment Relations Tribunal and guides the Employment Relations Court. For individual employment relationships, good faith will be expressed through the application of mutual trust and confidence, as well as specific provisions in the law dealing with unfair bargaining.

The Act provides specific procedural requirements on the orderly conduct of collective bargaining or the way in which collective bargaining should be undertaken. Only employers and registered unions will be able to negotiate and be parties to collective agreements. The parties

bargaining must meet specific good faith obligations but these do not require unions or employers to settle or to include particular matters in the agreements that they make.

Recognising the inherent imbalance of power and influence in their employment relationship, the Act promotes collective organisation of workers. Unions are given specific legal recognition as representatives of workers' interests. The Act makes provision for the lawful operation of unions in order to participate in collective bargaining and to fulfil other roles in the Act, unions must be registered. Registration includes satisfying the Registrar of Trade Unions that the union is an organisation of workers that is accountable to its members, is independent of employers and has appropriate rules that are not unreasonable, undemocratic or contrary to law.

The Act provides for both, collective and individual employment relationships, and sets processes for negotiating employment agreements. Collective agreements set the terms and conditions of union members who undertake the work covered by the coverage clause of the collective agreement. Additional terms and conditions can also be negotiated on an individual basis, provided that these are not inconsistent with those of the collective agreement. Any worker can elect to be employed on the Collective Agreement at any time, if they fall within the coverage clause of the Agreement by joining the union.

The Act makes special provision to protect new workers. For the first 30 days of employment, new workers can be employed on oral contracts. After this period, the parties are to enter into written contract stipulating minimum terms and conditions of employment that are consistent with the Act. This is a new provision to ensure protection of workers' employment, and to facilitate the work of the Mediation Service, the Employment Relations Tribunal and the Employment Court.

We now have a specialist court known as the Arbitration Court that deals with matters regarding essential services and industries. Disputes involving essential service and industries can be brought before the Arbitration Court by unions representing their members or by employers themselves. These matters are considered by a tripartite panel which involves the Chair of the Court, an employer panellist and a worker panellist. This encourages the principle of consultation and inclusiveness in the decision-making process.

Within the Arbitration Court, parties can also have their cases put through the mediation services known as the Fiji Mediation Centre. For collective bargaining in the essential services and industries, the law now includes timelines for discussions, ensuring that parties are able to conclude discussions within certain timeframes. So having the timeframes make sure that they are encouraged to get things done speedily, quickly and efficiently.

In cases where parties are not able to agree within the timeframes, a notification can be sent to the Secretary of the Arbitration Committee, who then consults with their employers and trade unions in an effort to assist them to reach agreement through mediation. Where consultation through mediation does not lead to a collective agreement or the Secretary of the Arbitration Court is of the opinion that mediation will not assist in reaching an agreement, the Chair of the Arbitration Court and the Minister for Employment is notified that the trade dispute exists.

As Minister, upon receiving this notice, Madam Speaker, I can call parties for conciliation which is another term for mediation, to see whether they can reach an agreement. This was successfully done for one case last year, and as I speak, Madam Speaker, I am currently involved in one conciliation.

Employment grievances between a worker and an employer in essential services and industries is dealt with by my Ministry. Such grievances must be lodged with us within 21 days. Our mediation

service assists the parties to reach a resolution. Where the employment grievance is not resolved at mediation level, the matter is referred to the Employment Relations Tribunal, so there is always pathways to make sure that these things are resolved. Due to the nature of the essential services and industries, there are a number of mechanisms within the law to assist parties in resolving their disputes with mediation and conciliation playing a significant role in the process.

Madam Speaker, with the old law, the most marginalised workers in our society were not well looked after. Under the Ministry's Wages Reform in improving work conditions for these workers, the FijiFirst Government for the first time in Fiji's history, has implemented the National Minimum Wage and has already revised this two times.

A key objective of the National Minimum Wage policy is the protection of the most vulnerable in society, who have the least bargaining power or who are the working poor. The National Minimum Wage consultant who conducted the review of the National Minimum Wages and Wages Regulation in 2017, noted in his findings that social wages, along with economic wages reduced working poverty in Fiji by nearly 70 percent.

Good governance principles are also incorporated by design within the labour reform administration systems that the Ministry implements. In our policy design, the Ministry is focussed on ensuring the right balance between grace and justice in the implementation of the reform laws through the Ministry's new administration systems. For example, under section 42 of the Health and Safety at Work Act, the roles of OHS Inspectors include the balance of grace and justice, the spirit of the law and the letter of the law, a balance between the proactive functions and also reactive traditional functions of the inspectors. This is also reflected in the compliance and enforcement policy of the OHS services. Similarly, section 19 of the Employment Relations Act also provides for the proactive and the reactive functions for the Labour Inspectors.

To deliver social justice in Fiji's labour market, we had to do away with old labour laws and replace them with modern and progressive labour laws that have the standard of righteousness or balance between grace and justice with more emphasis on the development of grace. This is where the labour market institutions such as; OHS Committees, LMCC Committees, the Mediation Services, the National OHS Board and the Employment Relations Advisory Board (ERAB), are positioned to generate and sustain the culture of grace in the form of good faith employment relations at the workplace and at national level.

Madam Speaker, only under this environment can a workplace industry or country develop its human capital to its full potential with maximum productivity. Our focus is to develop a strong institutional framework and a strong system that allows stakeholders to work together for mutual, long term and sustainable development.

Madam Speaker, in line with our National Development Plan, my Ministry will continue to put in place some modern and permanent regulatory framework that protects the fundamental rights and principles at work of all employees and also support private sector led growth. The National Development Plan focuses on improving Fiji's labour market standards to benchmark against international best practices, and creates a modernised workforce to meet the demands of globalisation while encouraging the participation of women and recognising the abilities of all workers and all employers.

Madam Speaker, the employment relations machinery in Fiji has immensely improved in the past 10 years. This has contributed towards our national development and ensured the fair distribution of benefits to workers. I thank you, Madam Speaker.

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

HON. M.R. LEAWARE.- Madam Speaker, allow me to respond to the Honourable Minister for Employment, Productivity and Industrial Relations for his Ministerial Statement. Madam Speaker, the industrial climate in Fiji over the last one decade can be summed up as follows:

- Promulgation of Employment Relations Decree without consulting the worker representatives;
- Curtailing the powers of the Trade Union to weaken the voice of the workers in Fiji. I am talking about the last 10 years;
- De-registration of Industrial Associations and Unions weaken the voice of the workers and other stakeholders in nation building;
- Formalising a national minimum wage rate that falls far below the amount needed by the workers of Fiji to sustain themselves from rising cost of living and indirect taxes;
- Worsening the plight of the civil service under the threat of Civil Service Reforms, dreading the prospect of being laid off at any minute like some of their colleagues sent home in the recent past;
- Dilly dallying tactics used to investigate and take remedial actions upon complaints pertaining to labour laws, default of FNPF payments by employers and OHS cases;
- Limitations such as right to the freedom of expression, for example, the non-granting of the permit for the Fiji Trades Union Congress to march in Suva on 24th February, 2018. That is shutting out and silencing the people of Fiji;
- Obstruction placed on the path of organising industrial workers into Trade Unions to present a collective and stronger voice defines over the undertaking given by this Government to the International Labour Organisation to review draconian laws pertaining to worker rights and right to collective bargaining;
- Removal of local labour from certain industries, replacing them with foreign labour and people from other places around Fiji, when the local labour has all the necessary skills for the job; and
- Gross breach of every iota of the tripartite approach to industrial relations issues by this Government, keeping the employers and employees in the dark and under fear of oppression by draconian legislations, policies and forcible actions to break up talks to resolve work disputes.

Those are the past 10 years. As opposed to all these excess of 10 years, Madam Speaker, we will restore the spirit of worker rights and right to collective bargaining. We will increase the minimum wage to \$4 an hour. And empower the Employment Tribunal to deal with the industrial relation matters effectively. It is said 'justice delayed is justice denied'. That is what workers are facing from the Employment Tribunal. In addition, Madam Speaker, we will need the tripartite approach in getting the Government, the employers and the employees to create a better industrial climate for working and living in Fiji.

Madam Speaker, this was the case that many of our young and experienced people who have left our shores and are on the verge of leaving, will not do so and stay and work in Fiji. However, the poor, failed and miserable industrial climate under this Government has agitated our people to a mood of resignation, despair and migration at a huge cost to the national economy in terms of human resources.

The fact of the matter, Madam Speaker, is the socio-economic and geo-political thought of this country has become deeply divided over the last 10 years, and is now probably beyond repair in some cases. The true, we want Fiji for many generations to come, Madam Speaker, as they will suffer from

the excesses of the military dictatorship from 2006 to 2014 and the FijiFirst rule from 2014 to 2018. There is a group of people, Madam Speaker, whose number is diminishing like the aviation fuel who subscribe to the ideologies espoused by this Government based on the Hobbes philosophy, that is, 'surrender in case of conquest by the reason of fear and be a sheep for the rest of your life'.

There is another group of people whose number is now increasing like bees and maid who support the Locke Philosophy, that is, 'to rise up and oppose the conquest of power by few men and seek to establish a just government by the people, for the people and of the people respecting the autonomy of the various arms of Government providing space for the sanity.' And before I sum up Madam Speaker, the industrial climate in Fiji over the last 10 years has gone from bad to worse. After initial signs of industrial boom, the situation is now showing every sign of a doom. This is because of high cost of living, worsened by indirect taxes, and if that was not enough, the gross contempt shown by this Government for workers' rights and right to collective bargaining skins the truth to the bone.

Finally, Madam Speaker, the recent web of contradictions of saying and writing one thing that is glossy and appealing and doing another thing that is the hard crude reality in the twin face of this Government. The consolation the Opposition finds itself in, is how fast the truth is catching up with the people of Fiji at home and abroad. Thank you, Madam Speaker.

HON. SPEAKER.- I now invite the Leader of National Federation Party(NFP) or his designate to speak in response.

HON. PROF. B.C. PRASAD.- Madam Speaker, I thank the Honourable Minister for his Statement. But at the outset, let me say that the industrial relations climate in this country has never been at its worst, than in the last 10 years. This is one of the most oppressive and dictatorial Government as far as workers' rights in this country are concerned.

HON. A. SAYED-KHAIYUM.- Please tell the truth.

HON. PROF. B.C. PRASAD.- Madam Speaker, we had the Employment Relations Promulgations in 2007, forced upon the workers of Fiji through a decrees, as pointed out by my colleague. Then, Madam Speaker, we had the draconian Essential National Industries (ENI) Employment Decree in 2011 again shoved down the throat of the workers.

Madam Speaker, under the ENI, workers did not have a choice but to be subservient to the employers including Government. There was little or no recourse for action. The decree, like many others, could not be challenged in a tribunal or a court of law. Following complaints from the Unions, Madam Speaker, to the ILO, and the ILO's decision to threaten a commission of enquiry if the law was not changed, we had some changes to the ENI Decree. But concerns for the workers remain, Madam Speaker. Most industries are now designated as essential national industries, contrary to the ILO Conventions 87, 98 of ILO; Freedom of Association of protection, right to organise, and collective bargaining respectively.

The Honourable Minister glowingly said, Madam Speaker, that we had no formal strikes but he did not want to tell the fact, that the right to strike is severely restrained in this country now.

(Chorus of interjections).

HON. PROF .B.C. PRASAD .- Strike ballots had to be supervised by the Registrar of Trade Unions who is also the Permanent Secretary for the Ministry for Employment, Productivity and Industrial Relations. I was also a unionist for a long time.

HON. SPEAKER.- Order!. Please we would like to hear him.

HON. PROF. B.C. PRASAD. - Well, that is your view, I can say a lot for personal things about you Honourable Attorney-General as well. You put a pathetic show here as well.

HON. SPEAKER.- Order! Please no personal attacks.

HON. PROF. B.C. PRASAD. - Madam Speaker, for example, last year civil servants wanted to conduct a ballot for strike. The Registrar of Trade Union (RTU) declared the request unlawful claiming the unions have not engaged in good faith bargaining, negotiations were not exhausted.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- This is how restrictive the provision is. Up-to you, Madam Speaker, also ruled out the strike ballot by workers of Air Terminal Services on the basis that it was not supervised.

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- These are restrictive laws that I was talking about, Madam Speaker. They can say “of course there are laws” but these laws are very restrictive.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- Madam Speaker, we all know the ATS saga and the lockout by the management lasted for 34 days.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- That was a badly handled strike by the Government. Within a few hours of the action, Madam Speaker, the Honourable Minister declared it illegal as a strike when in fact it was not a strike. Yet he failed to declare the lockout illegal and ordered the workers back to work. He could have ordered the workers back to work because the lockout was illegal. The Tribunal’s orders, Madam Speaker, confirmed that, the workers were told to return to work without any victimisation and with no loss of pay for the 34 days, except for the few hours they had attended the meeting.

Madam Speaker, it was a great victory for the workers, their families and actually it was a slap on the Government and the Honourable Minister...

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- In a genuine democracy, Madam Speaker, the Honourable Minister would have quit after this colossal failure, in fact he should have.

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- Madam Speaker, let me also say this with respect to ATS workers, as already announced on 4th January, 2018, as a matter of public policy, we will divest 51 percent of Government shares in ATS to the workers, when we are elected to Government. Madam Speaker, to put it simply, it was never this bad in our independent history where worker exploitation,

enforcement of draconian laws, enforcement of arbitrary reforms and contract employment and restriction on workers' rights, have been the game of this regime.

Madam Speaker as I said at the beginning, oppressive and dictatorial Governments always used this garb of bringing industrial harmony...

HON. J. USAMATE.- Yes?

HON. PROF. B.C. PRASAD.- Bringing labour laws which support the economy when in fact, they restrict the workers in exercising the legitimate democratic and human rights when it comes to workplace and the benefits, Madam Speaker. This has been the industrial climate in the last 10 years in this country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Fisheries to deliver his first statement. Honourable Minister for Fisheries you have the floor.

(Laughter)

Statement on Coastal Fisheries and Sustainable Initiatives

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker, for allowing me to deliver a Ministerial Statement on Coastal Fisheries and Sustainable Initiatives.

Madam Speaker, since the establishment of a separate and independent Ministry, the Ministry of Fisheries over the past year, has ventured into goals that we see worth addressing due to its urgency. In particular, with limited resources, our efforts and priorities has centred on coastal fisheries. For every Fijian, marine resources derived from our coastal fisheries have been part of our culture and our tradition. It defines our way of living and links us to the undocumented history of our past.

Madam Speaker, over the past year, the Ministry of Fisheries has reviewed the work currently being undertaken within the fisheries sector to identify the critical areas that needs to be addressed.

We have noted that while the Offshore Fisheries resources of tuna and tuna-like species are well covered through the robust management measures, the Coastal Fisheries resources have been somewhat overlooked. It has been identified that one of the reasons is the fact that coastal fisheries fall under the area of total sovereignty.

Madam Speaker, this means that how Fiji chooses to exploit resources within these areas is entirely up to the priorities and demands of Fiji as a sovereign State. This has also led to a more challenging role of identifying the best option to choose whilst considering socio-economic development, against the importance of sustainable resource management.

Madam Speaker, to help address the gap between offshore and coastal activities, the Ministry of Fisheries have mirrored the offshore operational achievement against the current coastal fisheries status. In doing so, we have identified that there needs to be changes made in the following areas.

Effort levels in coastal areas: Madam Speaker, the increase in scale of effort within the coastal areas is an ongoing issue that has been identified and being addressed by the Ministry of Fisheries. It is important to identify the status of resources within any fishery before any consideration of harvest is allowed.

To address this, the Research Inventory Team within the Ministry of Fisheries have been conducting site surveys in different areas over the past year. These findings indicated there are different levels of available stock that exist within the coastal *qoliqoli* areas.

An example of this is the scientific findings in Viti Levu compared to other isolated islands, including Vanua Levu. While Viti Levu is the main urban centre that generates the most demand, the resource availability comparison indicate that most fish species sold at urban centres are either from isolated islands or are sourced from Vanua Levu.

Madam Speaker, the reason to this is the mere fact that coastal areas close to the urban centres are being overfished or exploited due to increase in urban demand. Whilst having said this, I would like to inform the Honourable Members of Parliament of the mitigating solutions that the Ministry of Fisheries is implementing to help bring back depleted coastal stocks.

First, is the legislative review: There is ongoing work being carried out to make changes to the current coastal legislation. While we recognise the urgency to address depleted stocks, having a supportive legislation will allow us to implement conservation and management measures for coastal resources.

Madam Speaker, in particular the work done to review size limits and restrictions on protected species is one that needs changes in legislation. On the current Fisheries Act, the only size limit on crustacean and invertebrates is for mud crabs. Other species, such as reef and mud lobsters, land and coconut crabs, octopus, clams, freshwater mussels, do not have size restriction limits.

Additionally, Madam Speaker, while Regulation 18 of the current Fisheries Act sets out size limits for fish fin, there are no provisions available to protect these species when they are most vulnerable. This, in particular, is during the spawning season.

Madam Speaker, in previous months there have been announcements made and initiatives discussed in the two species that are most vulnerable during spawning period. These species are cord and grouper or in other words, species of *kawakawa* and *donu*.

In the months starting from June through to September, these species congregate within the reef system to spawn. This is when they are most vulnerable and this is when they are targeted and harvested in great numbers. The sad thing is overharvesting has resulted in the decline in the numbers in many coastal areas.

Madam Speaker, to prevent this, legislative consultations are being finalised to legally ban the harvest, including the sale of threatened species of *kawakawa* and *donu* during spawning season. This is in addition to the protection of other threatened marine species such as turtles, hump head wrasse, *beche de mer* and giant clams.

Secondly, the development on Aquaculture and Fish Aggregating Devices (FADs) as alternative: Madam Speaker, the Ministry of Fisheries recognises that with any ban or restrictions, coastal communities who rely on these species as their means of livelihood would be affected. While keeping that at the back of our minds, it is also important to consider how allowing continuous harvest of certain species will lead to their overexploitation and loss of sustainability for our future generations.

Madam Speaker, allow me to inform Honourable Members of Parliament on the two initiatives that provide an alternative while reducing pressure on species harvested from the wild. First is through the improvement of the Aquaculture Programme. In recent years, aquaculture was focused on semi-commercial farms that are mainly cultured freshwater *tilapia* and brackishwater prawns.

Noting the urgency to address the depleting of wild stock of *beche-de-mer*, cord and groupers, the Ministry of Fisheries through its existing partners have secured funds and technical expertise to commence the commercial breeding of these species. The culturing of *beche-de-mer*, cord, grouper, milkfish and other viable species will be piloted in an upgraded commercialised hatchery in our Galoa Station.

Additionally, Madam Speaker, the survey of suitable agricultural land have been finalised in parts of Vanua Levu and Viti Levu. While we are focusing on the introduction of cage farming for commercialised finfish, land based farms will focus on land areas that have shown evidence of salt water intrusion due to climate change and sea level rise. Areas in Raviravi in Ba and Korovatu in Vanua Levu have been identified as suitable sites to initiate this important programme.

Madam Speaker, to raise awareness on this initiative, the Ministry of Fisheries will be conducting an open day on the “aquaculture programme” and other initiatives. This will also provide the opportunity for investors to look at species that are worth culturing.

Madam Speaker, apart from the aquaculture programme, the other alternative that is being initiated is the deployment of the Fish Aggregating Device (FAD), I had alluded to this yesterday. This fishing device is deployed in offshore areas and is aimed at reducing fishing effort in coastal areas, while ensuring economic efficiency for fishers during their fish trips.

The deployment of FADs and the training on the use of FADs have been completed in more than 50 villages and are now currently being practiced by these villages. In the coming months, further training on the use of FADs will be carried out in other coastal communities and villages.

Let me touch on the Coastal Monitoring Coastal Surveillance (MCS) and Enforcement. Madam Speaker, I would like to end by highlighting the importance of Coastal MCS and Enforcement.

Through the entire history of the Ministry of Fisheries, there has never been any work done in establishing a Division to address these important activities, noting that it is needed to efficiently manage coastal resources.

Madam Speaker, evidence on the work currently being done on this, was present in our shores for six months last year. I am referring to the surveillance assistance rendered to us by our New Zealand counterparts through the patrol vessel, *HMNZ Hawea*. I wish to thank the Government of New Zealand and the New Zealand Navy for this assistance.

In addition to this, our relationship with our partners has grown. We have managed to set up a new Division that will address the MCS and enforcement priorities. This includes the recruitment of about 45 officers to start implementing and enforcing these management priorities.

Madam Speaker, with these recruitments, there will be substantial changes occurring within fisheries and coastal communities as a whole. Certain restrictions and bans will be enforced even further. This might not sit well with many, however, it is important to be mindful of the continuous threat we impose on the limited resources available within our fisheries.

Madam Speaker, in concluding, I would like to emphasise that current initiatives are for the betterment of the Fijian people. It is to ensure that while there are enough resources available today, we are able to sustain and manage it well so that our future generations do benefit from it as well. I thank you.

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

HON. RATU K. KILIRAKI.- Madam Speaker, in reply to the Honourable Minister's statement, I agree that fisheries is long overdue to become a Ministry standalone by itself. It should be allocated substantial budgetary allocation to be able to carry out all the initiatives that has been highlighted this afternoon. But the concern is, if I can address the issues from the sustainable development initiatives, especially Sustainable Development Goal One in addressing no poverty alleviation. Coastal villages in the maritime islands mostly subsist on the use of their resources within the in—shore areas bounded by the reefs. This will impact their way of lives in terms of the management measures that may be enforced by the Fisheries that will affect their livelihood in terms of alleviating poverty.

Madam Speaker, the current issue of urban drift, there is no opportunity in the villages, and currently about 57 percent of the population live in the urban areas; migration to the urban is one of the issues. The Development Plans in the section about demography will be about 61 percent of the population will be expected to live in the urban in 20 years' time. The range will be from 15 to 44 with the elderly at 60 years and over; those in their 40s will be in the rural areas, so that is one of the concerns also.

SDG three on food security and good health, that has been highlighted the NCD's. Marine resources are a very good source of life for the people in the villages and in terms of management denying them the opportunity to harvest resources is very critical.

There is also the licensing issue that we have raised which has not been included yet is one of the issues that we would like to raise, Madam Speaker.

The effect of mining and dredging. Like the mining at Nawailevu, there were issues of the flood water going into the *Bai Ni Vualiku* and barrier reef which will affect the ecosystem. It will affect the lives of the fish, it can also affect the assessment that has been conducted in terms of the population of the area. One thing that I must highlight is the impact of the Surfing Decree in terms of its benefit to the people and denying them the opportunity to have full benefit of their customary right fishing areas. This must be addressed in terms of the coral coast and the hotel areas, they have been denied the opportunity to have full economic benefit and sustainable opportunity to harvest their resources with the imposition of the Surfing Decree, Madam Speaker, especially the value of intangible assets and the cultural, traditional and historical ownership of these resources, Madam Speaker. Thank you.

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

HON. P. CHAND.- Thank you, Madam Speaker, I thank the Honourable Minister for his Ministerial Statement. I must admit I was very curious when I read that this Ministerial Statement would cover the establishment of a new and independent Ministry. It is my summation that the Honourable Minister is possibly suggesting that his legislation needs amending, to take into account our coastal or inshore fisheries and the new and emerging threats and opportunities such as depleted coastal resources and over harvesting.

Madam Speaker, I appreciate the challenge for the Minister. On one hand he has to regulate National Fisheries to ensure that our stock for both inshore and the offshore is sustainable while on the other hand especially after the Honourable Minister's involvement in Fiji's COP Presidency of last year's UN Ocean Summit.

However, Madam Speaker, the larger issue really is that if our inshore fisheries as well as the health of the marine eco-system is not managed well, food security for Fiji's coastal communities is at risk, as well as the subsistence livelihood for those who primarily depend on inshore fisheries for

economic development. This is a challenge for the Honourable Minister because people live with a very high cost of living during the reign of this Government.

Madam Speaker, I am sure the Honourable Minister is overjoyed that the outcome from the UN Ocean Conference on Plastic Bags into very ambitious actions by developed countries such as a ban from Beijing on importing low grade waste includes 24 grades of plastic. The EU is also banning single used plastics.

Madam Speaker, Fiji has miles to go on that front and the environmental levy and plastic bag levy that was imposed which may have been intended to curb plastic consumption, needs a proper assessment to be tabled in this House so that we can understand whether it is working or not.

Madam Speaker, if a certain percentage of funds collected from the environmental levy and plastic bag levy is directed towards the Ministry to directly compensate for reductions in inshore fisheries, that may be a more positive approach to incentivising a transition reduction which may be win-win all around. Thank you, Madam Speaker.

HON. SPEAKER.- I now call on the Honourable Acting Prime Minister, Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications to deliver his second Statement.

Update – Civil Service Reform

HON. A. SAYED-KHAIYUM.- Madam Speaker, I rise to give a Ministerial Statement to update Parliament on the Civil Service Reform undertaken by the Fijian Government through the Civil Service Reform Management Unit. But before I specifically speak on that, Madam Speaker, I thought it would be wise to bring to the attention of Parliament in respect of the many comments that have been made, in particular by the Opposition, that are factually incorrect.

The reason why I am raising this now, Madam Speaker, is because yesterday I issued a Statement on the *Walesi* programme and the update on that. And in that we had specifically said that the *Walesi* actually had a separate Board, I also mentioned who is the Chairman of the Board. I also raised that it is a limited liability company.

Madam Speaker, notwithstanding that, the Opposition continue to misrepresent so much so, the National Federation Party *Facebook* page which I have a print of, says at the bottom of it (apart from saying all the other things and claiming what wonderful things their leader said); The *Walesi* National Digital Television Platform is managed by the *Fiji* Broadcasting Corporation (FBC) of which its Chief Executive, Mr. Riyaz Sayed-Khaiyum is the younger brother of the Attorney-General.”

This is the kind of facts that they are supposedly going out and telling the public. The reason, Madam Speaker, why I am raising this is because this subject matter was raised in this Parliament. If they have the audacity to say this kind of things after things have been made in Parliament, imagine what they are saying out there. This Madam Speaker, led to the Chairman of *Walesi*, Mr. Sharvada Sharm, a who is the Solicitor General, having to release a media statement correcting this. This, Madam Speaker, is the level of politics that is being played both, inside and outside this House.

Madam Speaker, 2017 was a big year for the reforms, with consolidation of the changes that started in 2016 and new initiatives has continued to modernise our Civil Service and create the working environment that will attract high caliber people, who can deliver the services needed by the Fijian people. As you are aware, Madam Speaker, we are fully committed to the Open Merit Recruitment and Selection (OMRS) for all positions in the Civil Service from January 2016.

The principles of Open Merit was strengthened in 2017 through the introduction of an independent appeal mechanism. The procedure review process which adds transparency and accountability to the already robust systems through the ability for applicants who request a review of the process directed to the Public Service Commission.

The next stage of modernising our Civil Service, Madam Speaker, was through the introduction of changes to discipline. In the past, Madam Speaker, discipline has been used to punish people who are not performing or not doing the right thing. The discipline guideline starts the real process of culture change in ministries. Moving away from direct and control, punishing those who do not do the right thing to coach, encourage and reward those who do the right thing. It is a cultural shift, Madam Speaker. This is about starting to create the type of workplace where people want to do the right thing, where they take pride in their work, and where ministries are seen as employers of choice, Madam Speaker.

Madam Speaker, this is the kind of workplace modernisation is taking place in the Civil Service. Of course Madam Speaker, we know that creating pleasant places to work is not enough, therefore the second major change in 2017 was the development of modern stream line salary bands, benchmarked to the private sector. The comprehensive research that went into developing the salary bands cannot be understated. There were two World Bank Review Reports and additional research undertaken by the consulting partners Strategic Pay, New Zealand and PricewaterhouseCoopers of Fiji.

The result in Job Evaluation and Civil Service Remuneration Serving Guideline provided the policy basis for the new salary bands, confirm position base pay for the Civil Service and set the platform to enable performance payments to be introduced in 2018. Implementation required a comprehensive job evaluation exercise conducted by internationally trained and accredited officers from within the Civil Service that moved all jobs in the Civil Service from the old occupational scales across to the new bands.

All civil servants were eligible for salary increases as a result as the jobs were benchmarked to similar jobs in the private sector. In an update of reforms at this time last year, Madam Speaker, we highlighted that the success of the Job Evaluation Payment of staff, new salary bands will be reliant on the work of the ministries themselves. We confirm that jobs needed to be accurately documented and evaluated to ensure they are allocated to the right level on the new scales. This was a huge opportunity to revisit some roles, amend them to take account of the ministry review report and ensure that work is very multi-skilled and outcome focused.

One example of a profession that did this well was nursing. As illustrated through the recognition of specialized nursing positions such as midwifery, before they were lumped together. Other professions failed to take advantage of this opportunity, however Madam Speaker, because of the approach taken through the reforms, ensuring training of staff in all ministries when establishing the job evaluation leadership team, job evaluation is now becoming part of normal work and as jobs are better documented and reviewed, they can be re-evaluated and any amendments made, Madam Speaker, which is currently happening in some of the positions.

This particular reform has ensured that the Civil Service can become self-reliant, able to change and meet the demands of the public for different services and different jobs with of course the salary to match. The salary increase that have been confirmed was significant with some positions receiving up to 76.2 percent pay increases with nurse practitioners receiving one of the highest increase in the Civil Service from \$24,500 to \$43,200. Given such increases, the bold step was taken to ensure that everyone understood that performance will be required to retain positions and to receive the higher

salaries. Where the increases were above 15 percent, positions were declared vacant and any incumbent redeployed to ensure their continuity of employment.

The merit process for the positions declared vacant is ongoing and has resulted in a shift in attitude that will be measurable within the next few years in terms of service delivery. For example, in the Ministry of Education, Heritage and Arts, the heads of school positions have significantly changed in recent years with the introduction of the free education grant and expectations of school-based managers, this has meant that the responsibility levels of the positions have significantly risen and a broad range of skills is required to lead and manage a school. The Job Evaluation results reflect these requirements with increased salaries. For example, for a principal of a large high school, the previous salary grade was ED 1D with a salary base of \$42,691. The salary has now been assessed at \$86,961.80. An increase of more than \$43,000 per annum. This is possibly a 103 percent increase.

Similarly for a head teacher at a large primary school, the previous salary grade was ED 1B with a base salary of \$39,997. The salary has now been assessed at \$65,555.10 per annum. Again, an increase of more than 100 percent. Of course, both the health and education sectors saw considerable increases in terms of pay increases for professionals after performance assessment as a fully competent step. The following technical positions could see considerable increases:

1. Senior Surveyors
2. Town Planners
3. Veterinarians
4. Dental Officers.

These pay increases are in line with the Fijian Government's efforts to appropriately remunerate officers who have jobs of a technical nature. Given the significant increase in the salary, we cannot simply give the reassessed job to the incumbent. A proper assessment is required to ensure that the person selected for the position is capable and competent for the duties and obligations of the role.

Accordingly and as we have already said, where there is a salary increase by 15 percent, these positions were advertised to attract the best people for the position. Indeed, Madam Speaker, that they are rolling out how to go and apply for these positions. They have been helping them as to how to do their CVs and how to answer questions, notwithstanding them. Usually we have seen that some of the positions that has been advertised in the Ministry of Education, they were principals and teachers who have simply given a one answer. One line answer in their assessment. So obviously if a teacher who is more diligent will do a lot better in the interview, if they actually give a thorough analysis as to what their plans are in respect of how they would perform their roles.

A full remuneration review requires that we examine not only the salary scales but also the allowances and other benefits received by civil servants. We have commenced a progressive review of the General Orders to modernise them and develop an overall approach to remuneration that will ensure that civil servants are fairly compensated, do not lose any overall benefit to what they receive now and wherever possible, the administration cost of paying salaries and allowances are minimised.

While this review of the General Orders is taking longer than expected, this has been caused by the data collection requirements to provide evidence of who is receiving allowances and whether they are captured under Job Evaluation. There is also a lot of research required into reasons for allowances as a background to some of our allowances has been lost over time and prior justification of allowances is no longer relevant.

One such allowance that has recently been confirmed is the Scarce Skills Allowance which attaches to positions that are declared as scarce skills, ensuring that we can pay market rates and attract suitable staff to these positions. There are some positions that is required in Government with generally are those skill sets are not available. To be able to attract the best people, we need to be able to pay them an additional allowance to be able to retain them. This allowance is specifically mentioned in the Job Evaluation guideline and I urge the Members of Parliament to read and in particular those on the other side before they make comments on the Civil Service Reforms.

We are pleased to confirm that details have been now documented and positioned declared as scarce skills will be able to be advertised as such and remunerated accordingly. We know some confusions about the Civil Service in the public in relation to the requirement to sign a contract, to receive higher salary rates. We reconfirm that fixed term contracts for civil servants were introduced in 2009 and when the implementation of the Job Evaluation commenced, over 70 percent of civil servants were already on fixed term contracts.

We amended the Regulation in 2017 to provide for contracts for up to five years in duration and all civil servants were offered contracts to move to the new salary bands. This was important to demonstrate the understanding of the performance requirements attached to the higher salaries.

Moving on to performance requirements, the new Performance Management Framework was released by the Public Service Commission in November 2017. We acknowledge past attempts to measure performance but data collected through the CSRMU has confirmed our belief that the system was not robust. It measured some effort but not outcomes.

When you have a Ministry that reports less than 30 percent achievement of the Ministry's KPIs, but the staff performance results are over 80 percent, you have to conclude that something is not right. Obviously the work plan of the Ministry, it only achieves 30 percent, budget spend is very low but they all rate themselves to be 80 percent, obviously something is amiss. This data along with comprehensive international and local research from the World Bank was used to develop the performance management framework. Training is currently underway in Ministries to ensure that all staff are prepared for the assessment phase which will occur in April of this year.

The Performance Management Framework introduces robust evidence based performance assessments. Employees prepare their individual work plan which is matched with the operational plan of the Ministry ensuring that everyone knows what is required of them and how their work contributes to the overall achievements of the Ministry ensuring that their efforts are concentrated in the right direction. Performance is then able to be rewarded based on the evidence of outputs and outcomes, not on feelings or unsubstantiated claims of performance.

This approach, Madam Speaker, is directly linked to the Ministries themselves having better planning documents in place, ensuring that the objectives are well documented and aligned to the National Development Plan thereby ensuring that all efforts are prioritised and directed where they are needed most. The reforms are directly supporting the implementation of the changes to the planning cycle that were recommended by the World Bank.

In their budget submission this year, Ministries are required and will be required to present cost operational plans to fully justify their budget requests. One of the trends we have also started is that we want them to give us their budget for the next two years to three years too so we can plan better. This brings a level of accountability and transparency into this process and we have been working towards it for some time and provides the institutional platform for measuring individual performance as critical to ensuring appropriate service delivery for the Fijian people.

The Performance Management Framework introduces the modern approach of a combination of increments and performance payments to reward the achievements of employees. The new salary bands were created to enable this to occur. Employees move to the step on the band that matches the performance up to step four which is the private sector benchmark step. There is no need to move one step at a time. This is true performance pay so if they move to step one in transition, but are assessed as fully competent, they move to step four, Madam Speaker. Above step four, the step is paid as a lump sum performance payment. So if an employee is assessed as consistently exceptional which is step seven, they receive a one lump sum payment of the difference between step four and step seven and their fortnightly pay continues on step four.

The Performance Management Framework also confirms, which is what you call in the private sector, a bonus, which is what civil servants have not been receiving. The PMF also confirms that where employees are fully performing with requirements of the jobs, their contracts can be renewed without advertising the post.

Madam Speaker, we have announced many times that the requirement to advertise expiring contracts was temporary and then when we have robust performance data to confirm whose contract should be renewed then this will happen. Obviously this will take some time to introduce as any expiring contract should be advertised at least six months prior to expiry. So with the first assessments under this new system occurring in April, contract renewals will continue to occur again for contracts expiring six months after that.

The World Bank institutional reviews have continued to provide us with research from international jurisdictions where change is already happening and we can learn from the experience in better aligning our service delivery to the Fijian people which is the utmost objective of Civil Service. This means that ministries will focus on the core business and some centralised services will enable them to better provide their core business. For example, we want the Ministry of Education to focus on the provision of education, not on buildings and infrastructure. Our Centralised Construction Implementation Unit provides this internal service across Government to enable all ministries to better focus on the core service delivery and actually develop the level of expertise.

The Civil Service Act and Regulations also reviewed in 2017 in order to ensure that they align the changes being made. This will ensure that there is no inconsistency in our legal framework covering the Civil Service. The pace of change is increasing. In 2016 we implemented one guideline. In 2017 we implemented two guidelines already mentioned; the Job Evaluation & Remuneration Setting Guideline and the Discipline Guideline. We started the implementation on the third which is Performance Management.

The final guideline, Madam Speaker, Learning and Self Development is on track for presentation to the Public Service Commission in April of this year. This final plan guideline will complete the overall focus of providing guidance to Permanent Secretaries on how they should manage their constitutional authority and maintain consistency across the Service.

The Civil Service Reforms are moving into a phase of consolidation; reviewing progress and moving forward to embed the reforms into everyday businesses of ministries and the way they manage and reward their staff. This does not mean that there are no further new initiatives coming.

We are pleased to announce plans for Comprehensive Government Road Safety Campaign. This is the next important phase of reform. This campaign, Madam Speaker, will seek to address the underlying attitude of senior officers who direct their drivers to speed or behave unsafely on our roads. The focus for the campaign will be at Government vehicles setting the right example, obeying road

rules and being courteous to others. We know that this should require culture change, respect for the public and enabling better service delivery.

We also recognise Madam Speaker, how these new steps will be for all civil servants and for their service to the public. We are committed to ensuring modern, attractive terms and conditions of employment. As part of our stakeholder engagement, we have reached out to respective unions and recognising that not all civil servants are members of the union, we have also consulted directly with our employees. We have had some very useful and productive discussions with all our stakeholders as we developed our policies and guidelines.

We will of course Madam Speaker, continue to meet with our stakeholders and get constructive feedback on the implementation.

Madam Speaker, it is timely to acknowledge the assistance from our key development partners in the submission programme reforms. Following international best practise, it is our Government who has the vision of where we are headed and our development partners who are supporting us to achieve this vision. These partners are the World Bank through the institutional reviews of ministries and their research supporting guidelines which are the backbone of the reforms, and Australia, Madam Speaker, who has provided technical assistance to support the implementation of the guideline. For example, we are doing a review on the Fiji Procurement Office in respect of our procurement competencies. We are looking at now, Madam Speaker, and currently hopefully finalising the next couple of months online tendering; all the tenders will be online. It creates a new level of transparency and of course it brings about the safeguard that we currently may not necessarily have with people who come and physically deposit things in boxes, et cetera.

The Civil Service Reform Management Unit will continue with the extensive communication and training programme to ensure that all civil servants understand how the changes will affect their terms and conditions of employment. The next stage of the communication strategy aims to reach directly to members of the public so they too understand the extent of the changes of what they can expect from the Civil Service.

Madam Speaker, of course there has been a lot of misinformation spread about the Civil Service Reform process. I am sure we will hear some more after this, but hopefully Madam Speaker, the people will be able to understand what precisely we are doing and these are the reforms that will be implemented which has been welcomed by most of the civil servants. Thank you, Madam Speaker.

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

HON. S.V. RADRODRO.- Thank you Honourable Speaker. I thank the Honourable Minister for that presentation. But first and foremost, Madam Speaker, I would like to highlight to the House that the Civil Service Reform initiative was the SDL Qarase-led Government initiative.

(Chorus of interjections)

HON. S.V. RADRODRO.- It was progressing very well until the *coup* happened in 2006.

Honourable Speaker, even though the Honourable Minister has said all that he had said, that all sounds like a plan. The implementation is what we would like to see and there is big gap. There is a big gap of what he has said and what the reality is on the ground. Let me share these very simple examples, Honourable Speaker.

Whilst on constituency visit, a single mother who had just come out of the CWM Hospital shared her disappointment that because she was discharged by the doctor in the morning round (this was before 7.00 a.m.), she was denied to have breakfast. Even though she was breastfeeding her baby, she asked for breakfast again but the Orderly that was serving breakfast said no, she is not entitled for breakfast because she had already been discharged. That is the level of customer service at the Ministry for Health.

(Chorus of interjections)

HON. S.V. RADRODRO.- Honourable Speaker, another quick example is the issue, still in the Maternity Unit, on the infrastructure. The Honourable Minister had said in the morning that that facility had been closed but what he failed to say was, “Where are the women? Where are the mothers going now?” And if you are familiar about CWM Hospital, that is the only facility available to them, which means they have to take a walk somewhere else around that building. That is the kind of treatment that our mothers are subjected to in the Maternity Unit.

The third example Honourable Speaker, if there is a check on the results of how the Civil Service Reform is being implemented, it is very simple, you go back to the Audit Reports. The Audit Reports speaks volume of the performance of Ministries and Departments and that also speaks volume on how the Civil Service Reform has been implemented. The volume of audit queries is a clear reflection of the failure of the Civil Service Reforms.

Madam Speaker, in any organisation, leadership is pivotal for the success and likewise for the Civil Service Reforms, leadership is pivotal. That leadership rests with the Minister.

Madam Speaker, the Minister for Civil Service Reform is also the Attorney-General, the Minister for Civil Aviation and Communication, the Minister for Economy and the Minister for Education. Honourable Speaker, that side is always talking about equality, do not leave anyone behind. That in itself, he needs to reform that side of the House.

(Laughter)

Why has he not given that responsibility to other Members of the Government side so that the implementation of the Civil Service Reform can be taken on constructively and effectively? Why not give the Ministry for Civil Service to, for example, (let me have a look) Honourable Rika? Why not give the Ministry for Civil Aviation and Communication to Honourable Sudhakar? Why not give the Ministry for Education to Honourable Jilila? Madam Speaker, that demonstrates control and that is very dictatorial because for Civil Service Reform to happen, it needs to happen in a very conducive, enabling environment, where the civil servants are free to be creative and carry out their work effectively.

Madam Speaker on the Permanent Secretary level, these are the leadership levels that will drive the Civil Service Reform. How many changes have we witnessed recently?

Madam Speaker, right now Permanent Secretaries are holding two portfolios; the one looking after Civil Service is also looking after I believe, Forestry. The Secretary to Cabinet is also looking after the Ministry of Health. How can you expect this kind to be able to implement the performance?

Madam Speaker, we are only human beings.

(Chorus of interjections)

And that kind of load with the Minister and with the Permanent Secretary will be reflected in the level of performance in how the Civil Service Reform is being implemented.

Madam Speaker, before I sit

(Chorus of interjections)

HON. SPEAKER.- Order, order!

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

(Laughter)

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

Before I respond to the Honourable Minister, I want to quickly respond to the issue raised by the Honourable Attorney-General with regards to the NFP *Facebook*. Madam Speaker, as far as my contribution in Parliament was concerned yesterday on *Walesi* Platform, I never said the statement that allegedly is on *Facebook*. I have checked that and I have asked those who posted it to relook at it. But, Madam Speaker, I just wanted to clarify that the post could have been linked to a statement made by the Honourable Prime Minister on 8th March, 2014 when he was launching the 60th birthday celebration of FBC. This is what he said, and I quote:

“The Department of Communications will oversee the creation of this Government owned national platform which we handed over to FBC to manage and FBC will form a new transmission company for that purpose.”

So, Madam Speaker, the last sentence that was posted in the *Facebook* which says that the *Walesi* Platform was managed by FBC could have been based on this statement, but I have asked the administrators to relook at that and make sure that if it is wrong, it should be corrected.

Madam Speaker, my colleague, the Honourable Radrodro has quite rightly pointed out in no uncertain terms, the impact of the Civil Service Reform on the outcome. I have always looked at reforms that come from Governments and organisations, sometimes is very clear that the reforms are intended to hide the inefficiencies, ineffectiveness or what is going on. And partly, Madam Speaker, the Civil Service Reform by this Government actually falls into that category.

It becomes a favourite line of this Government, Madam Speaker, that all is rosy, nothing is wrong, the reforms are working, civil servants are happy, the Open Merit Recruitment System is going on well, but, Madam Speaker, that is all in theory. The actual practice or what is going on has created a lot of turmoil and instability in the Civil Service over the last several years. Madam Speaker, if the reform continues in the way it is continuing now, we will see more instability and inefficiency and ineffectiveness not the Civil Service in the delivery of the service to our people.

The Honourable Acting Prime Minister once said to me; “Bring evidence of whether the Open Merit System is working or not”. Madam Speaker, I urge the Honourable Attorney-General to actually do some review of different Ministries and Departments, including the Police Force to see where did the Open Merit System in the recruitment and promotion is working because unless we see a thorough review of what has happened over the last two or three years, he cannot claim that the reforms are working in terms of creating efficiency, cohesion in terms of what the civil servants can do, and encouraging the civil servants or increasing their morale to work effectively.

One of the most difficult areas or the most affected by this arbitrary reforms are the teachers in this country, Madam Speaker. Principals, Vice Principal's, Head of Departments, Head Teachers and Assistant Head Teachers have all gone through a very serious period of instability and they are still anxious, there is lot of anxiety and a lot of concerns about how this is going to be done.

Madam Speaker, the Government actually violates its own contracts. Some of the Principals, Head Teachers, Vice Principals, who were on a substantive contract, who went through an appointment process which was based on merit. Even after 2014, the Principals who were appointed on merit were suddenly asked to go on to acting appointments, reduced to the second level and asked to reapply again. This is the kind of contradiction that we have heard from this Government with respect to Civil Service Reform, and the over reliance on consultants.

Madam Speaker, those consultants I am sure who come here from Australia and New Zealand or other areas would understand that some of these reforms can only work in an environment where there is genuine democracy, where there is no fear, where there is no intimidation, where there is no victimisation. Otherwise, all these reforms that we are talking about - increasing the salaries, Open Merit Recruitment System is not going to work. It is only going to lead to more instability and dissatisfaction amongst the civil servants and the teachers in this country.

I hope that the Government will pause, Madam Speaker, and re-evaluate the policies and the implementation of the reforms to see whether they are actually making a difference. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Members, before we break for refreshment, 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.- Madam Speaker, I move under Standing Order 6:

That so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m. today, to complete all Items as listed in today's Order Paper.

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

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, as listed in the Order Paper, we have a Bill (I believe) and two motions under Schedule 2, thus the request for suspension of Standing Order 23(1) so that we can sit beyond 4.30 p.m.

HON. SPEAKER.- The motion is out for debate and I invite comments, if any?

(Chorus of "Noes")

HON. SPEAKER.- There being no comments, Parliament will vote.

Question put.

The Question is:

That under Standing Order 6:

That so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m. today to complete all Items as listed in today's Order Paper.

Does any Member oppose the motion?

(Chorus of "Noes")

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

Motion agreed to.

HON. SPEAKER.- Thank you, Honourable Members, we will now break to have refreshment, and we will resume at 4.50 p.m.

The Parliament adjourned at 4.20 p.m.

The Parliament resumed at 4.50 p.m.

HON. SPEAKER.- Honourable Members, I will now call on the Honourable Minister for Youth and Sports to deliver his Statement.

Update on the Youth and Sports Sector in Fiji

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker just before I deliver my Ministerial Statement, if you can allow me to answer the question that was raised by the Honourable Ratu Kiliraki this morning, for those athletes who will participate in the Commonwealth Games, the gender breakdown, so male athletes will be 47 and female athletes will be 50. I am happy that females overide the males.

Madam Speaker, I rise to give an update to the House on the progress that my Ministry has made to propel the youth and sports sector forward in Fiji. The Ministry of Youth and Sports provides avenues to upskill and empower youth through sports and youth development programmes.

Firstly, the Ministry provides and promotes physical activity to the community through the Ministry's statutory body namely; the Fiji National Sports Commission. The Sports Commission has eight Programmes which are aimed to reach out to communities which are run in conjunction with expertise provided by the National Sports Organisations. The practice is to target villages and settlements in one visit where one village will be the venue and host of these Programmes. These eight Programmes are:

1. Sports Outreach;
2. Train the Trainers;
3. Kids in Communities;
4. Educate the Educators;
5. Wellness Programme - with the Ministry of Health and Medical Services;
6. Inclusive Programmes - aimed at persons with disabilities;
7. Community Assistance; and
8. Follow-ups.

In these Programmes, one of the main objectives is to combat the rising non-communicable diseases (NCDs) by introducing and sustaining physical activity in the community.

Additionally, the Commission through its visits to implement the Sports Outreach and Wellness Programmes engage the Ministry of Health and Medical Services and Red Cross personnel to make presentations and create awareness about health issues, especially the causes of NCDs. The priority target areas are those where there is a high record number of NCDs.

The Sports Commission's "Train the Trainers Programme" is also already showing signs of success. Numerous community and locally-based trainings have been organised to assist sportsmen and sportswomen get active in sports.

Just to give an overview, Madam Speaker, the Ministry, through the Sports Commission has trained a total of 775 sports personnel from 2015 to 2017. A further breakdown shows 257 sportswomen and 518 sportsmen have been trained by the Fiji National Sports Commission from 2015 to 2017. These training programmes provide individuals an opportunity to become better equipped sportspeople, coaches and administrators. Overwhelmingly, positive comments have also been received from the recent Train the Trainers Workshop.

The Sports Commission has recently placed emphasis on one of the underlying visions of the Ministry which is to reach the unreached. We now see youths from outside urban centres attending the Train the Trainers Workshop and Community Assistance Programmes to the extent that a youth from Lakeba when I visited, was part of the recent workshop organised by the Sports Commission.

I emphasised to NSOs at the recent National Sports Conference that was held last Saturday, that “it is critically important that we give priority to developing all sports in Fiji and it is the vision of my Ministry to make Fiji a sought-after sporting destination in the Asia Pacific region.”

Madam Speaker, another initiative was the Government’s support in putting aside a special day as a public holiday to celebrate the National Sports and Wellness Day. This is encouraging mass participation of members of the community in physical activity to bring communities together to have fun. In some communities, they go back to their traditional games and reintroduce it into their villages and settlements.

Madam Speaker, we experienced great interest last year in over 50 venues from the communities and we hope to widen the scope of participation this year.

Madam Speaker, the Ministry has embarked on decentralising its services to the rural maritime areas. Through monitoring and evaluation exercises, it has been established that there is a lot of sporting potential in these maritime and rural areas.

Currently, the Ministry is constructing rural sports playing fields and two sports complexes, namely the Vunisea Sports Complex in Kadavu and the Sawaieke Sports Complex in Gau. The Sports Complexes means to harness and develop raw talents on the islands as a medium to engage the community in physical activity. These individuals will have access to similar sporting infrastructure, to that experienced in the urban centres.

We envision great inclusivity while delivering our programmes and projects, and are of the strong belief that all Fijians should have equal access to participate in sports and recreational activities. We hope to complete the two projects by the end of this calendar year.

Madam Speaker, apart from sports, the Ministry provides training that is taken to the communities with priority given to those in remote areas where they have limited to no access to services and programmes offered at institutions, such as the Technical College. The Ministry, through its Youth Empowerment Training, provides youths with skills, such as basic financial literacy, budgeting and business planning, together with technical advice relevant to the needs of that community. Subsequently, after these training courses, funding is provided for their income generating projects, to ensure that the training objective is realised and follow-ups are carried out by the local youth officers on their progress.

Madam Speaker, the Mobile Skills and Multi-Skills Training is aimed at empowering youths through the provision of training that is relevant to their situation. Those training courses are skills-based training that youth can use to contribute actively to their respective households and communities. These are training courses, such as Boat Master’s Licence, Class 6 Licence, Small Engine Repair, Screen Printing, Art and Craft, Hair and Beauty Therapy, to name a few, aimed at sustaining the trainees economically, as well as providing such services to their vicinity without travelling to urban or semi-urban centres.

Madam Speaker, further, the Ministry is currently working with the Fiji Higher Education Commission in the review of the Youth Training Centre (YTC) Training Manuals to ensure that the YTCs are adequately equipped to deliver accredited training. Additionally, through in-house training, identified officials are also undergoing training to ensure that the Ministry has accredited trainers. Specifically, the

Ministry has engaged FNU to facilitate the Training of Trainers for identified officers in all the four Divisions. Those officers are now eligible to be training instructors providing accreditation training through registration at the Fiji National University. Furthermore, the Ministry is arranging the possibility of these officers to complete Module 3 and Module 4 so they qualify as training officers.

Madam Speaker, I wish to inform this House about the various programmes that my Ministry is offering that empower and sets a platform for our youths to realise their potential and to excel. Programmes include, empowerment training, mobile skills training, youth grants, Seeds of Success, to name a few. The main focus area of implementing these programmes is to empower youths not to be job seekers but to be job creators.

Madam Speaker, as per the 2013 Constitution, the Ministry of Youth gives equal recognition in empowering and training individuals with special needs. Our training has been designed to include people with special needs in our training programmes and to provide them a chance to find employment and live an independent and sustainable livelihood. We promote inclusivity, despite gender and physical ability, and I am pleased to report that a number of female trainees graduated from our training centres last year. As of recently, 50 special needs students successfully completed training in Hotel Front Office Reception and Housekeeping Services in the Western Division. The main objective of the training was to allow these trainees an opportunity to get placements at prominent hotels and tourism destinations.

Madam Speaker, the Youth Empowerment Programme is a community-based programme, which is focussed at empowering and capacity-building youths to enhance socio-economic development through training. Youth empowerment training programmes allow for the participation of relevant stakeholders or agencies. The programme encourages the establishment of Small Micro Enterprise which is community-based and developed using a bottoms-up approach. Our target for our Maritime Division this year is to conduct 11 training courses, and in the first six months, we have covered 60 percent of the courses in remote maritime provinces which include Lau, Rotuma, Kadavu, Lomaiviti and our urban maritime youths.

Madam Speaker, with the Ministry of Youth and Sports being the lead Ministry in Non-Formal Education, Programmes such as the Duke of Edinburgh's International Award (DEIA) are targeted at empowerment training, especially in developing the young minds of our future leaders. The Award's non-formal educational model supports and provides an alternative way for young people in the rural and maritime areas who are not in the formal education to gain a sense of achievement.

Over 3,000 young Fijians have gained an Award in DEIA with approximately 50 schools and youth clubs being involved. The DEIA in Fiji continues to expand and between 2013 and 2016, there were 297 bronze, 155 silver and 18 gold awards achieved by young people.

The Ministry coordinates the support system by the implementation of the Duke of Edinburgh Award with the Ministry of Education, Heritage and Arts, the Fiji Police Force and the Republic of Fiji Military Forces. This strong partnership, particularly with the Minister of Education Heritage and Arts plays a vital role in developing critical thinking, problem solving skills, and ultimately improving young person's life choices. Madam Speaker, a total of \$120,000 was allocated to the Ministry over the past four years for the delivery of the Award Programme.

Further, Madam Speaker, the Ministry vigorously attempting to facilitate and improve the chances of success for our youths through the various programmes that we offer and most critically, this is sustained through the lives of the youths that have gone through this training. Young trainees at the Youths Training Centre at Valelevu are also exposed to community engagement and participation as part of the training which allows them to gains skills in music, performing arts and a means to employment.

Madam Speaker, in the last few years, we have established a close network and partnership with a number of stakeholders, including Fiji Higher Education Commission, Fiji Corrections Service, Fiji Police Force and the RFMF. The Ministry is working vigorously, consulting and collaborating with the Fiji Higher Education Commission, ensuring that the all courses offered from all our Training Centres are accredited.

Also, Madam Speaker, as an outcome of the Cabinet decision, the Ministry continues to recruit youths as sports workers in respective Provinces and Divisions. We have finalised 20 applications for youths and sports workers, who will be respectively positioned in the four Divisions. One of the primary objective of the recruitment process as per our operational plan is to allow young individuals to take ownership and leadership responsibilities in decision-making processes. These new positions will be responsible for promoting and developing training and employment opportunities through non-formal education for young people, including sports people, those who had dropped out of schools and universities, as part of the Ministry's second chance support system.

Madam Speaker, youth work is a community support activity aimed at young adolescents, depending upon the culture and the community, different services and institutions may exist for this purpose. In our context, youth work is the process of creating an environment where young people can engage in informal educational activities.

Madam Speaker, different varieties of youth work include centre-based work, detached work, school-based work and religion-based work. With this model in place, the placement of youth workers allows young people to engage in coordinated programmes, including those that are recreational, educational or social by nature and design.

Madam Speaker, similarly we have 14 Youth Administrators positioned in four Divisions. Youth administrator like Youth and Sports workers play a key role in delivering and meeting the Ministry's core deliverables. Youth Administrators are to ensure the high quality service delivery of youth and sports development programmes. They consult, coordinate, plans and implement training courses and sustainable income-generating projects with young entrepreneurs, youth groups, youth and sports workers, other Ministries, Provincial Councils, Provincial Administrations and training providers in their respective provinces.

The training we provide to the young people is needs-based and when enhanced, will provide them pathways for further courses or finding employment to improve their livelihood.

Madam Speaker, I hope that with each day that passes, the future look a little brighter for our youth, for our future. Thank you.

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

HON. RATU S. MATANITOBUA. - Madam Speaker, I rise to thank the Honourable Minister for Youth and Sports for his Ministerial Statement and for this opportunity of response.

The youth is the hope of the nation. Fiji has a large young population and going by the Government population of youth, thus figure now constitutes more than two-thirds of the people of Fiji. The fact that our life expectancy rate has fallen to be around 67 years, however, creates serious doubt and calls for the review of the youth age definition.

Having said that, Madam Speaker, I wish to acknowledge the number of things that Government has done for our youth and I go beyond that to also put on record in acknowledging the work of the previous Governments for our youths.

Madam Speaker, there are basically two limbs to the Ministerial Statement:

1. Progress on youth and sports sector; and
2. Up skilling youth via sports and youth development programmes.

The past is the past and whatever has been done is there for the people to judge and deliver their verdict when we face the people sometime this year. I will confine my response to the experiences of the past to map out a smart strategy for the future in my capacity as the Shadow Minister for Youth and Sports.

Madam Speaker, upgrading the skills of our youth is a challenge from which a SODELPA Government will not shy away from. It is something we will put our heart and mind into, to empower our youth.

Madam Speaker, provision of free education up to tertiary level: It is said that the key to success is education. That being so, under the SDL Government, we had made education free up to Form Four level. What this Government has done is only made it free from Form Five, Six and Seven.

Let me also put on record, Madam Speaker, that under the Alliance, SVT and SDL Governments, we never bonded our youth and students into debt by a loans scheme as is the case now. We gave them scholarships and those scholarships have made many lives and helped empower many families. Excelling further into that direction, a SODELPA Government will provide free education up to tertiary level, to upgrade the skills and knowledge of our youth and empower them to become productive citizens.

Enactment of a sports law to protect the interests: Madam Speaker, all the national sporting associations have their statutes and regulations and are affiliated at the international sporting bodies. Within each sport, there are certain codifications of the same sport at different levels. The fact that we have athletes who now engage with sporting bodies by way of employment or sporting contracts makes the situation further complex. Some of these athletes are below the age of 18 years and legally, they cannot enter into any contracts.

Further to these, Madam Speaker, entertainment and competitive sporting events are marred with other issues bordering the law. As such, we advocate strongly for the enactment of a sports law in line with the standards set up by the sporting bodies.

Madam Speaker, introduction of sports medicine studies as part of the medical study: Sports medicine is fast emerging as a demanding branch of the health and medicine sector and also the sports sector, given the rise in competitive sports. Fiji is at the forefront of the competitive sports from the Pacific Island States, competing in the Pacific Games, Commonwealth Games, Olympic Games, Rugby Sevens, Oceania Football Competition and many others.

During the process of preparation and conduction of these competitions by our athletes and teams, they need expertise to administer sports medicine. Sports medicine cannot be administered by anyone. It requires special skills and knowledge to take care of our players.

Madam Speaker, insurance for our athletes: Sporting activities can be classified in three ways:

- Sports for physical well-being;
- Sports for entertainment purposes; and
- Sports for competitive purposes.

In respect of sports for entertainment purposes and competitive purposes, there are considerable risks involved by the reason of which we need to have our athletes insured.

Setting up of a fund for retiring athletes to care for them in their twilight: Madam Speaker, our athletes have suffered from the fate of Jonah Lomu where they play and make Fiji win and excel in the sphere of sports and during the course of these competitive sports, sustain injuries which are painful with passage of time into old age. There is a need for an initiative to care for them and ensure that they live a decent life should they do not have any other skills or trade to earn for themselves and their families.

Madam Speaker, noting that apart from the jobs created and sustained by the labour market for the academically qualified places, there is another labour market available for our youths in the sphere of sports and audio-visual industry. The fact is employment in these industries pay far more than what people receive in other vocations. Sports is also a source of foreign recipients and prime source of internationally youth exchange by and from Fiji and let there be no doubt that we will seek to realize the full potential of these markets and industries to empower our youth.

Finally, Madam Speaker, Sir Winston Churchill said and I quote, “It is easy to deceive the youth because they believe in hope.” That was the case in 2014. In 2018, the youth of Fiji have become smarter and they know what to do; I do not need to say that. The ballot box would vindicate me in 2018. Thank you, Madam Speaker.

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

HON. P. CHAND.- Thank you, Madam Speaker. I thank the Honourable Minister for his Statement and I also take the time to pay tribute to Mr. Tomasi Tiko who has been selected as Team Fiji Head of Commission for the 2018 Summer Youth Olympic Games from 6th to 18th October, 2018.

Madam Speaker, I note that the Honourable Minister has been very busy recently in the village of Bulia, Kadavu and Bau on business fundamentals. I note that much of this Ministry’s priority is on the link between youth and sports and I wonder how involved is his Ministry in the Young Entrepreneurship Scheme that is “YES” that the Honourable Minister for Trade shared in this august House recently.

Madam Speaker, I can assure the Honourable Minister that our next generation of leaders cannot be siloed into different compartments like sports, entrepreneurship, agriculture. They need holistic opportunities that affords them the choice to consider all the options to do that. Madam Speaker, they need one entry point or one portal.

Additionally, we need to build sporting facilities in the Northern and Western Division especially for athletic training. Madam Speaker, perhaps the Honourable Minister should rewind to August 2014 when the then Permanent Secretary Mr Josefa Sania was promoting the Look North Policy to about 2000 netball athletes at the opening of the Fiji Primary Schools Netball Championship in Subrail Park in Labasa. Mr. Sania said and I quote: “There are plans to build a stadium in Seaqaqa here in Macuata with features of a standardised stadium with athletic tracks and other facilities to take up for more sports events.” This has not eventuated, it did not come into fruition.

I asked the Honourable Minister, Madam Speaker, to update this august House on that FijiFirst Government promise in 2014 as we in the North are still waiting for this facility because we lack sporting facilities in the Northern Division. We only have the Subrail Park which most of the time is booked for either soccer or rugby or some other function. Our people are being deprived. In Savusavu, we have a very, very small complex which is the Ganilau Park, that too is not able to cater for the people. This is one of the miserable failures of the FijiFirst Government, going and telling the people of the Northern Division about the promise but not fulfilling those promises.

HON. OPP. MEMBER.- Hear, hear!

HON. P. CHAND.- Madam Speaker. Thank you.

HON. SPEAKER.- I now call on the Honourable Minister for Fisheries to deliver his second statement.

Ban Imposed on *Bech-de-mer*

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker. Madam Speaker, I would like to provide some background on the Ministerial Statement that I am going to make. I received a communication on the ban of *Bech-de-mer* which basically had indicated few issues pertaining to the difficulties after *Tropical Cyclone Winston*. The ban is a pure consequence of COP 23, addressing ban and rectifying it could mean the difference between winning and losing, this was addressed to the Opposition, difference between winning and losing Elections; why are countries such as China, India or USA not leading COP 23. I plead to your party to address and rectify this industry because it will mean winning the Election in 2018.

Madam Speaker, the background to the ban on the Underwater Breathing Apparatus (UBA) has a long outstanding issue. In fact the *qoliqoli -cokovata* of Macuata had asked us two months ago that there was an illegal extraction of *Bech-de-mer* (BDM) in their coastal areas. In fact it reached a situation where they asked the people from Macuata including the island of Kia not to be included in surveillance activities that has been carried out because they believe that there has been information traded between the harvesters of *Bech-de-mer* and the agencies that were assisting us in harvesting.

Let me make some comments, Madam Speaker, on the background to the initial ban. The ban started with the ban on underwater breathing apparatus which basically means we thought that this will save the stock that were under 30 metres of water which was only accessible using the diving tank. This ban was not respected and local people continue to lose their lives on accidents in Viti Levu, Vanua Levu and Yasawa. To totally stop the extraction of *Bech-de-mer* was done because the only way it could revive this stock. The Ministry of Fisheries had to stop the export. The ban was deferred twice to six months to allow *Tropical Cyclone Winston* affected areas to continue to extract, so it gives them another six months to enjoy the income that has been generated by *Bech-de-mer*.

Madam Speaker, the history of the commercial harvest of *Bech-de-mer* is one of boom and bust. This indicates that when decision makers like ourselves fail to make decision fishery similar to this one will basically collapse. Madam Speaker, in May last year the initial close of *Bech-de-mer* fishery was first announced. The decision and the announcement was based not only on scientific information available but also focused on operational information that was gathered over time.

In terms of science, the available stock of different species of *Bech-de-mer* that exists within our region is alarming. Published reports indicate that our species are facing extinction due to commercial trade. In particular Fiji is on the verge of losing two species that were once found in depth of less than 10 metres. These species are golden sand fish and black fish.

Madam Speaker, the irony is that *Bech-de-mer* are easily accessed from the comfort of our beaches. They are stationery, they do not swim away when approached, they cannot fight back if you compare them to other species of finfish which makes them vulnerable of being exploited. In light of this, prior to the announcement of the ban our survey indicated that there have been an increase in the use of scuba tanks in the harvest of *Bech-de-mer*. While we worked to try and combat the illegal use of scuba equipment or UBA, there were not enough species available in depth of less than 30 meters. This, Madam Speaker, is an indication of how our collective resource of *beche-de-mer* is being over exploited due to commercial demands.

Madam Speaker, we have constantly heard that the *Beche-de-mer* Industry raked in millions of dollars every year in revenue. While this indicates a formidable figure the question to ask ourselves is do we continue to harvest this resource to extinction or will we implement the precautionary approach principle of choosing the importance of sustainability over short term profits.

Madam Speaker, the time is now. It is time for every few exporter that have benefited from the trade of *bech-de-mer* to give it back. They need to invest on sustainable fisheries. I have made numerous announcement on aquaculture and sustainable alternatives that is available for investors to venture into. The harvest of wild stock *bech-de-mer* is not one of them.

Madam Speaker, before I conclude I would like to reiterate that the decision made on the ban was not a result of Fiji's commitment during the UN Ocean Conference in June or COP 23 in November last year.

Madam Speaker, we have received numerous reports from the maritime islands and the three provinces in Vanua Levu on the return of *beche-de-mer* in our coastal areas, this is only after one year. We are working with fisherman for example, Wate Soko, the biggest operator in Lau to carry out farming of sandfish in Lakeba. His dad just visited me on Tuesday, he heard about the ban and the alternatives that fishery is providing. We have received positive reports of stock from Lomaiviti, Kadavu, Cakaudrove, Bua and Macuata. The issue is that they are asking when they can start harvesting again. Fisheries need to check the stock level before a decision is made.

Madam Speaker, the decision is based on the fact, the current stock is facing depletion and with continuous harvest the fishery will collapse. Madam Speaker, with the current time we will not be able to sustain current stock to a level that will provide for our future generation. Let us not make the mistake of allowing short term economic benefits to cloud the important decisions of ensuring sustainability. We will not want ourselves to be tagged as the generation that ate it all. Thank you, Madam Speaker.

(Applause)

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

HON. V.R. GAVOKA.- I rise to reply to the statement made by the Honourable Minister. But before I do, Madam Speaker, let me just clarify the issue yesterday with my point of order, it is just that when you talk about provinces it should not be in a manner that can open the door to provincialism. Thank you, Madam Speaker.

Madam Speaker, *beche-de-mer* is the livelihood of many in Fiji, and we are concerned that the ban has been implemented in a manner that has left a lot of people without their sources of income. Resulting in a cat and mouse kind of existence in the BDM areas. I hear that it is almost like marijuana now, it is so lucrative but it has been harvested and sold furtively away from the eyes of the authorities.

It behoves the Government to try and put in place a replacement for that source of income while you have this ban in place. We hear what you are saying but please remember that there is this livelihood for a great majority of our people.

Madam Speaker, we all know that BDM is part of our history like sandalwood and it is lucrative. I am told that in China, in Hong Kong you come with a container load of it, it disappears and it is sold within hours. I do not believe any other product in Fiji has that kind of demand anywhere in the world whether it is tourism or sugar, *beche-de-mer* is so lucrative that we can use it in a big way to drive our economy.

Madam Speaker, I have often asked the Honourable Minister if he could give us an evaluation of what is the stock in the sea. What I was proposing, Madam Speaker, is that we have 410 *qoliqoli*'s in this country, if the Ministry can carry out progressive evaluation on a yearly basis while the ban is in place. We want to know what is the stock in there so that the *qoliqoli* owners can say we have x million dollars of stock in the sea which will harvest when the time is right. This is very important, Madam Speaker, because we all know we say that the *i-Taukei* are asset rich, cash poor. We say that we own a lot of resources but it cannot be converted into cash. This is one way of taking inventory of what we have and perhaps help the discipline that we need to protect BDM.

Madam Speaker, the other day I heard the Honourable Minister speak about wardens in Fisheries, please put this in place and let the *qoliqoli* owners know that there is huge potential for them in terms of earnings from their *qoliqoli*. I am also told, Madam Speaker, that they multiply very easily, that you can breed BDM's. I am told in one part of Fiji here they introduce it into the waters and they multiplied so quickly, which is something that we should be doing, Madam Speaker. We are sad to hear that there are two species that are being threatened but again if they can breed it let us do so.

I cannot stress enough how important it is to us, it can be a totally new industry and it can be controlled. Very soon we will be debating about the *Kava* Bill, how to set up a structure of *Kava* Commission. Why do we not set up a BDM Commission, structure it from the beginning, harvesting to marketing. We have the Sugar Industry, we have the Council of Cane Growers; soon we will have the Council of *Kava* Growers. Let us also have a council of BDM *qoliqoli* owners and help regulate how it is done so that we know that they are bred in the right way, harvested in the right way and marketed with a maximum price for all people. These are, Madam Speaker, are our observations. Yes, we understand the challenges and the threat to BDM but it can be turned around in a big way to benefit the resource owners in the ways that we have never seen before. Thank you, Madam Speaker.

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

HON. P. SINGH.- I thank the Honourable Minister for his Ministerial Statement and I appreciate the challenges before the Honourable Minister. However the unilateral approach to hard limits on our *beche-de-mer* is naturally throwing up strong reactions from both *beche-de-mer* traders and the people who depend on it for its economic development and livelihood.

Our national *beche-de-mer* fishery is at risk of overfishing and what is lost on most of the debates is the most important functions of *beche-de-mer* on our marine ecosystem. These nocturnal creatures as you know wake up every night moving along the ocean floor to vacuum up dead plants and animals, extracting nutrients and excreting clean sand. Madam Speaker, the Honourable Minister has my sympathies as he wades through this, but as the Acting Honourable Prime Minister just pointed out this morning, the Government is expecting \$94.3 million from the Environmental Levy. Perhaps if a certain percentage of funds collected from the Environmental Levy is directed towards the Ministry to directly compensate those losing out from the hard limit imposed on the *beche-de-mer* fishery.

There may be a more positive approach to incentivising a transitioned reduction which maybe a Win-Win all around. Madam Speaker, because the ECAL is for Environment and Climate Adaptation Levy is inclusive in our marine ecosystem which is a necessary buffer against climate change if it is maintained and preserved in a pristine state.

Madam Speaker, I agree with my colleague that a structured approach to *bech-de-mer* fishery be thought up between the resource owners, the Ministry and the other stakeholders who are at loggerheads in this. Perhaps, a clear statement as the Honourable Minister said the ban is not due to our commitment to the various Conventions but it is to safeguard the stockpile. We can manage the stockpile Madam Speaker, and managing it in such a way that it becomes a source of livelihood which is continued to do for so many years as you would know that the fishing and *bech-de-mer* extraction started in Naivakasiga in 1802. Since then the resource owners, villages have become a livelihood for them. Placing a ban overnight, they need some answers and the awareness programme the Honourable Minister talked about and the ministry is doing certain things has to be a top to bottom approach. They must come down to the people, talk to them, consult them, tell them what is there so that this anxiety has somewhat concluded, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. I now call on the Honourable Minister for Waterways to deliver his statement.

Nadi River Basin & Flood Mitigation Strategy for Nadi Town

HON. DR. M. REDDY.- Madam Speaker, Honourable Acting Prime Minister, Honourable Leader of Opposition, Members of the House. Thank you, Madam Speaker for this opportunity to speak on this topic, Nadi River Basin and the flood mitigation strategy for Nadi Town.

Madam Speaker, before I do that, I take you back to earlier this week where I mentioned in one of my statements that work is in progress at Siberia with regards to drainage work. A day later Honourable Mosese Bulitavu came in and said that he went there and there was no work at that area. Madam Speaker, unfortunately the honourable Member is misleading this House. I just want to inform the House Madam Speaker, today at 3 o'clock work at Siberia has completed 2 kilometres of new drain and 2 kilometres of desilting of creek Madam Speaker. So get your facts correct when you speak in this House.

(Honourable Members interject).

Madam Speaker, ever since its establishment in 1947, Nadi Town has grown to become a significant municipality in Fiji. Nadi Town is also well known as a tourist town in the greater Nadi area as more generally considered the tourist hub of Fiji. Madam Speaker, Nadi area now has a higher concentration of hotels, motel and budget accommodation than any other part of Fiji.

(Honourable Members interject).

In addition, the presence of Nadi International Airport within the towns' boundary makes it a tourist gateway and one of the two main ports of entry into Fiji.

Madam Speaker, the growth of Nadi Town as a tourism hub is supported by the transportation sector through the Nadi International Airport and the Denarau Port. The town centre nearby urban and peri-urban settlements provides for major backward and forward linkage to the tourism sector. Madam Speaker, the growing tourism sector has attracted new population and households in Nadi with the latest Census revealing that the new population in the urban area which was 15,220 in 1986 has risen to 45,000 last year Madam Speaker.

Madam Speaker, amongst other issues flooding in parts of Nadi Town and settlements around the Nadi Town area has been a cause of increasing concern. This is because of the severity and impacts of the flooding on the business sector, their households and urban infrastructure including roads which is alleged to have worsened and the return period of these floods appear to be to be quickened.

Madam Speaker, there is a plethora of studies on the possible causes of these and researchers have noted that the following causes are contributing factors:

1. That Nadi Town is located very close to Nadi River bank and it is a very low lying area;
2. That vegetation cover both downstream and the upstream have thinned out leading to rapid run outs;
3. That the land use practices within the Nadi River basin, agriculture and forestry and upstream deforestation and land degradation activities have deposited increasing amounts of sediments in the downstream river basin leading to reduced capacity of the river to hold water;
4. That increase in variability in weather systems and apparent high intensity of extreme events have resulted in increased volume of water being discharged into the waterways;
5. That increased run off with housing and more paved areas is happening;
6. That new settlements have disturbed natural waterways and have also not catered for drainage of water into the waterways.

Madam Speaker, Nadi Town together with Denarau and the Nadi International Airport is situated in the lower and flat planes of Nadi River basin making the location prone to flooding. The length of Nadi River is around 62 kilometre long whereby two-thirds of this length is generally flat and the other one-third rises abruptly to form a steep topography. This means that the flood run off from rainfall travels fast from the mountains to the flat planes of Nadi River but slows down as it travels through the flat plane to the river mouth. Nadi River drains an area of 516 square kilometres, it flows east to west from the Nalatu range to the Nausori Highlands down the Nadi valley into the South Pacific Ocean. The upper part of the basin is steep with many rocky outcrops whereas the lower basin is covered by small hills and dominated by flat a low view terrace into a valley bottom.

Madam Speaker, Nadi River has three major tributaries, the Namosi, Nawaka and Malakula River. Namosi River meets Nadi River at 15 kilometres upstream of Nadi Town.

(Chorus of interjections)

While Nawaka and Malakula River is 1.5 kilometres downstream of Nadi Town.

Madam Speaker, various studies such as the JICA 2016 Report on Nadi Watershed management noted that the highlands from Nadi River basin are covered by natural vegetation and pine plantation while the middle ridge is covered with grassland and patch like sugarcane farms.

Madam Speaker, the forest area covers 48 percent of Nadi River basin; sugar cane fields cover the flats in the lower ridge and mangrove forest, the lowest area in the coastline. The lower area of Nadi River basin is also being used for tourism development, the expense of Nadi Town area. The majority of the town lies within the Nadi River flood plain. The dense natural forest which covers about 3,943 hectares is identified only as the watershed of the Vaturu Dam and the upper ridge of the two tributaries Namosi watershed and Nawaka watershed. Madam Speaker, grassland covers around 11,455 hectares of Nadi River basin and approximately 13,200 hectare is used for agriculture in which 70 percent is made up of sugarcane fields and 30 percent constitutes of other crops.

Madam Speaker, urbanisation of the lower Nadi area is gradually increasing and settlement boundaries are expanding taking over land which was previously used to utilise for crop and grassland and agriculture. So, Madam Speaker, effectively with this development we are losing more and more land area or moving them out of covered grassland or crop or deforestation into open spaces or commercial or construction of industrial areas which does not provide rain for water, Madam Speaker.

Some of the major developments taking place in Nadi now includes the market extension refurbishment, the new FNPF complex, the Wailoaloa sub-division developments, hotel development and convention centre by SGV group along the Nadi Bay Road, four storey commercial complex at Martintar, industrial subdivision provided in Namaka land development, and approximately 400 housing lots by Housing Authority at Matavolivoli subdivision.

Madam Speaker, these developments and housing, commercial and industrial sector will further contribute to flooding in the area because natural crop and forest cover which absorbs water is now removed and natural tributaries are now disturbed and more rapid run-offs are now created while drainage systems are not adequately planned and developed or existing drainage system are not able to handle the new run-off water, Madam Speaker.

Madam Speaker, flooding causes four major cost issues but often when costing is done, flooding or natural disasters, only one is noted and this is damage to the existing infrastructure and the stock. So, normally whenever you see estimates of damage from flooding or cyclone et cetera, this is the main item that has been estimated. It is the damage to the existing infrastructure and the loss of stock whether it is agriculture stock, livestock stock or any other stock or stock in business. Three other losses are not captured.

The second one is the loss of future stream of income from the surpluses that would have been generated and reinvested.

Third, loss of human life and loss of output from the remaining productive years out of this loss of human life whether it is 40 or 10 people loss et cetera. Their remaining active life and their contribution to our peace is not mentioned.

Fourth, the deployment of existing resources to build infrastructure which would have been utilised to create new output. This is not factored in the estimation of loss arising out of the natural disaster. Often, Madam Speaker, and mostly you will see, the actual loss from natural disasters are underestimated. For example, in the January 2009 flood disaster, which was caused by active depression through the trough, which stayed over Fiji Islands from February 7-14, the estimate damage was around \$81.3 million. That was only the loss of infrastructure.

Similarly in 2012 flood, which was caused by the tropical depression, the estimated damage was around \$85m. Again that was, way gross understatement because these types of natural disasters disturb the actual growth trajectory of the country. So, in the absence of those kind of natural disasters, the growth trajectory would have been a different one. A comprehensive flood mitigation strategy was put in place at the beginning of 2006 by the then Land and Water Resource Management Division of the Ministry of Agriculture and included the following four components: Construction of small retention dams; river dredging; river bank protection; and construction of small retention dams.

Let me now elaborate on these four. On the retention dams, the construction of small retention dams were introduced following the report of watershed management for four major rivers in Fiji. The Nadi River basin was chosen as a pilot project area where a series of small retention dams were constructed, mainly along the two major tributaries to Nadi River; Mosi River and the Nawaka River. The Nadi River basin typical problems such as the inundation of the flood water, soil erosion and

sediment deposits have occurred and that is why this river basin was chosen as a pilot project. This retention dam is similar to a hydro dam but is much smaller. Normally, hydro dams are quite large and depending on the catchment size, but these are smaller ones which could be, let us say, the size of half a playing field.

The purpose of the retention dam, differentiates it from a hydro dam and water supply there used for the purpose of flood control and to retain the flood water and then release it slowly, rather than the entire volume of water flowing downstream. In 2006, a total of four retention dams were constructed in Namosi and Nawaka River. An additional two dams are planned to be constructed in the upcoming financial year 2018/2019.

With regards to river dredging, this was again introduced as a flood mitigation strategy and the river dredging along the Nadi River estuary was conducted from 2008 – 2012, where a total of 1.65 million cubic metres of sediment was dredged covering a length of nine kilometres. From 2008 – 2010, the dredging was done in three phases, where 1.27 million cubic metres sediments were dredged covering a length of nine kilometres. In 2012 after the major flood, maintenance dredging work was carried out on the previously dredged channel due to the high consideration of sediments experienced after the 2012 flooding. The total volume dredged in 2012 itself was 370,000 cubic metres of sediments, so those who are arguing that we are doing nothing, they should check with us and get the facts right. This amount of major work has been undertaken to ensure that we open up these rivers for water to flow to ensure that they do have capacity to hold water.

Madam Speaker, a resilient flood control master plan has been developed by Japan International Cooperation Agency (JICA) experts. The master plan was formulated following a three year flood disaster risk assessment study conducted for the Nadi River basin, and was completed in August, 2016. The purpose of the flood control master plan is to improve the flood control measure in the Nadi River basin to infrastructure improvements including river improvement, thus contributing to the reduction of the flood damage and improvement of the living environment of the local residents.

Comprehensive flood control plan: The Nadi River was divided into three sections consisting of flood control measures and the study was based and developed on that. The proposed master plan included both structural measures which includes river widening, retiring basins, construction of dams and surrounding dykes for villages and river improvement and non-structural measures such as improving flood forecasting development of flood hazard map and strengthening river-based management. The implementation of the resilient flood control master plan is not a one year, two-year or 10-year plan. It is a long-term plan; it is a 30-year plan.

Looking at the longer duration needed to implement the master plan, we also need to take into account the massive budgetary requirement for this implementation which is costed to be approximately \$383 million. Some key priority projects were selected from the flood control master plan which has been implemented. Madam Speaker, for river widening, it has been recommended by JICA and it is to ensure that we are able to know the total volume of water that will come from a flood and what is the volume of water that the Nadi River is currently able to hold, following simulation using data from past floods.

With the data, at the current state, the middle reach of Nadi River can cater for flood volumes of 360 cubic metre per second which is 1/5 of the estimated discharge of the 2012 figure, which is 1470 cubic metre per second. The experts have said, at the moment, we have the capacity of 1/5 of handling the discharge that was made in 2012 flood. The JICA report is saying that the Nadi River has to be widened to twice the existing width.

That, along with dredging is to increase the capacity for the water to hold. The report also recommended the construction of retiring basins. A retiring basin is an accelerated area installed adjacent to the rivers and also upstream to protect against flooding by storing water for a limited period. This structure is sometimes also called retention ponds.

The report also recommended construction of surrounding dykes. A dyke is an embankment or levy constructed along the banks of a stream or river for the purpose of protecting the land site from overflowing flood water by confining the extreme flow along the river channel only.

The surrounding dyke for the Nadi River basin is proposed to protect the Nadi Town from overflowing flood water from Nawaka. During the JICA study, flood simulation showed that after widening of the Nadi River, part of the Nadi Town will still be inundated, caused by flooding water of Nawaka River. That is why they have suggested that we should construct surrounding dykes which has been which has been planned for Nadi Town will be constructed along Nawaka River Bank.

Madam Speaker, the report also recommended the construction of ring dykes Madam Speaker, so apart from the river dykes, the report also suggested to have rain dykes along villages. The JICA report has suggested that we should construct rain dyke along Moala Village.

The report also recommended for the establishment of shortcut channels Madam Speaker. This would also allow movement of water outside the river quite rapidly.

Madam Speaker in conclusion, the entire project is estimated to be around \$385 million. We are looking at getting the funding from the German Environmental Fund. The JICA have also shown interest to provide some grants as well as loan, but we need to ensure that we get the funding first from the German Environmental Fund which is a climate change fund and that one will only be given for certain aspects of this work. Only those aspect which falls under the ambit of climate change fund, for example, they will not give money for construction of dykes and retention dams. That portion needs to be allocated for the climate change. The remaining then, could be allocated to other smaller donors and loan.

Madam Speaker, this is an update on this project and I want to thank you for the time.

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

HON. RO T.V. KEPA.- Thank you, Honourable Speaker. I rise to respond to the statement given to this House by the Minister for Waterways and I thank him for that. The truth is that the major works that Government has done so far, according to the Master Plan that the Minister has just spoken about, is not working, Madam Speaker.

They have to work a lot harder in terms of what he has told us that they are going to put up in the different areas around Nadi and surrounding villages. In my mind, it sounds like it is going to be a lunar landscape, Madam Speaker, by the time they finish trying to protect Nadi Town against flooding.

Madam Speaker, in reality, the businesses are moving out of Nadi Town. In a report that was given to the Honourable Prime Minister following the floods in 2012, it was reported that more than 70 businesses alone left the Nadi Town area and have relocated along the main road in the Martintar and Namaka areas. As they are anticipating better road conditions with flood free properties.

Thus, this heavy development and construction along the Martintar and Namaka main roads, which again proves that more businesses are seeking tenure outside Nadi Town.

Madam Speaker, the actions, the Honourable Minister is talking about, is a little too late, Madam Speaker. Maybe, twelve years is too late as more flooding in the last twelve years than ever before, it is unprecedented. That is why Nadi ratepayers are leaving Nadi Town for the flood free plains on the periphery of Nadi.

Madam Speaker, flooding in Nadi is caused by a combination of different factors. Six of which I will just give briefly here, Madam Speaker, and which has been alluded to also by the Honourable Minister:

- Weather patterns;
- Location at the junction of two major rivers systems;
- Two catchment areas surrounding Nadi and supply water to the rivers;
- Topography of the Nadi Valley and Meigunyah beds which limit water absorption. In this regard Madam Speaker, flooding is experienced periodically by settlements like Meigunyah, Solovi, Navakai, Qeleloa, Namaka and other areas. Many houses go under water during flooding times;
- The physical state of the river below the juncture; and
- The badly constricted delta area at the entrance to the sea with the densely developed Denarau area and the Marina including its eight large resorts contribute to this also.

One of the reasons we have addressed flooding in the Nadi Township, is actually because of the FijiFirst mediocre and unsatisfactory flood mitigation and adaptation measures. He is speaking here about the development of retention dams, some of which have already been put up, upstream from the Nadi River is the answer. This is not the answer Madam Speaker. In Nadi Town itself, they do not even have basic structures like proper drains in the town. They just built over the drains, hoping the water, somehow, would disappear. But it doesn't, Madam Speaker, that is why we have flooding in Nadi Town.

Two options that were outlined by the JICA report and I quote and I think this has been alluded to by the Honourable Minister is that "the Nadi River is too narrow and does not have enough flow capacity against flood discharge". Madam Speaker, he has already told us that they put separate catchments that affect Nadi.

(Chorus of interjections)

..you have your time. The Nadi River Catchment supplies 57 percent of the water Madam Speaker. The Nawaka Catchment delivers slightly less water. The area is more compact and assist the three main rivers in draining faster delivering more water sooner to the junction in a flood event.

Madam Speaker, so the fact is that they need to really dredge the river. The massive Denarau Development, with the removal of large areas of mangroves from the 1970s to date, that is 40 years, has changed the course of the river over the years. When a great volume of water flowing down also back up the river and this also contributes to Nadi floods.

So a lot of work needs to be done, Madam Speaker, in terms of regular dredging and other strategic interventions which the Honourable Minister has to come up with, in order to prevent flooding of Nadi Town. Thank you, Madam Speaker.

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

HON. P. SINGH.- Thank you, Madam Speaker. I thank the Minister for his Ministerial Statement.

Madam Speaker, at the outset, let me just say that parts of Nadi and Nadi Town basin are almost five meters below sea level. This is why, when we have major floods, we just have to manage with that. During floods in Nadi, the exit or entry points into Nadi Town are closed. In fact all the entry points are closed. This is one of the reasons why the businesses get to lose out because the business owners are not able to get into Nadi Town, because they live out of town. This is one of the reasons, Madam Speaker.

Madam Speaker, even if you are in town, it will be very difficult to wade through those flood waters. You have to go in to salvage your lifetime earnings, probably a few people don't know about it.

Madam Speaker, even as at January this year, the long drawn out discussions with the Government of Japan through JICA, who have graciously offered to help us with this from as far back as 2016 on the current plan. But the JICA was involved through mid-1990s with their report on Nadi River and to manage flooding as a whole.

Madam Speaker, one of the reasons was the cost that was involved to implement those reports in those days. From my understanding, during my days with Nadi Town Council, it was something like \$68 million in 1996, which was a lot of money at that time. Because the JICA report had concluded that:-

1. 2.1 was to divert the river; and
2. was to widen the river which is a proposition on the table at the moment.

Average width of the Nadi River is 80 metres, whereas JICA report says, they have to be doubled to almost 150 metres widely built. But the challenges we have, Madam Speaker, with this proposition, is there are lot of villages and settlements along the Nadi River.

To implement this Madam Speaker, we need to have consultation with not only the Consultants but with the stakeholders up here.

Madam Speaker, in 2016 there were discussions across various Government agencies for a Master Plan consisting of structural and non-structural measures. Now according to the report, I understand that the structural measures have various effects in river widening, retiring the basins, river improvement, dent improvement. When I saw details on the EIA and the social economic impact assessment I was advised that this project was beyond bad. So, it troubles me when I see in the JICA Report and I quote for the benefit of this august House, 5.3.3. of the Report:

“Resort development project in coastal areas in Nadi Bay and Fantasy Island projects. Resort development project such as hotel buildings were underway in Denarau coastal area of Nadi town, Fantasy Island area in Nadi Bay, hotel facing towards the bay and marinas were being built. Fiji Plaza Project was examined by the private sector in Nadi Bay and stakeholders conference on this side was held but here it was not conducted as of January 2015. The project development was the possibility of establishing outlet in Nadi Bay for drainage, canals which is one of control measures.”

Madam Speaker, the flood control measures, as the Honourable Minister mentioned quite rightly, the run off from the new developments, the 400 houses in Matavolivoli and so many

subdivisions that are coming up, are flooding now where there were no flooding before, during heavy rain because of the natural water course that we said.

Natural water cause meant that all this run off water used to go through the *tiri* tree, through the long fallow land and the sugar cane farms. But now what we are doing is basically collecting that much of water and shooting it down. The new development that has come in place with various small culverts, so, you see flooding in Transville, in ATS subdivision, in Korovuto and all the other areas.

Madam Speaker, this is one of the reasons why we are raising this that Nadi River Basin has to have.....

HON. SPEAKER.- We will move on, Secretary-General.

REGISTRATION OF SEX OFFENDER BILL 2018

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

That the -

- a) Registration of Sex Offender Bill 2018 to be considered by Parliament without delay;
- b) Bill must pass through one stage in a single sitting in Parliament;
- c) Bill must be immediately referred to the Standing Committee on Justice Law and Human Rights;
- d) Standing Committee must report on the Bills to Parliament in the April sitting of Parliament;
- e) Upon presentation of the Report of the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament in the April sitting of Parliament with the Right of Reply given to me as the Member moving this motion.

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

MADAM SPEAKER.- I now call on the Honourable Acting Prime Minister to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. This Bill in fact is a new law that we seek to get the endorsement of Parliament on a urgent basis. However, because it is a new law and a law that does require input also, through the Committee. We referred it to the Standing Committee, Madam Speaker, for it to come back in the April sitting of Parliament.

Madam Speaker, the reality is that statistics released by the officers of DPP on 31 December 2017 indicated that 227 people were charged with a total of 444 separate counts of serious sexual offences.

Also the youngest victim of the sexual assault offences, Madam Speaker, was young as one year and 10 months. Recently it is one year and 11 months where the accused persons were the grandfather or father. There was recently one with the brother.

Unfortunately, Madam Speaker, for many sex offenders, they cannot be easily identified by society. They could be a stranger but it also could be a next door neighbour or an uncle at a family function. This exists even supposedly in safe places like homes, schools, workplace and community

centres. We have a teacher currently before the court also, Madam Speaker. There is an urgent need, Madam Speaker, to intervene and create an avenue to help curtail the serious growing concern in Fiji.

The registration of Sex Offenders Bill 2018 sincerely establishes the Register of Sex Offenders to help monitor sex offenders in the Community and reduce sexual offences.

The Bill requires sex offenders to report relevant personal information about themselves for inclusion in the register. These includes the names, addresses, permanent extinguishing mark, finger prints, places of employment and physical description and registration, numbers of vehicles of sex offenders.

Sex Offenders, Madam Speaker, also require to make periodic reports to ensure that the personal information in the register is current and is up to date.

The rationale, Madam Speaker, for requiring registration periodic reporting by sex offenders is as follows:

1. Protecting the public from sex offenders is a governmental interest and a public interest;
2. Sex offenders pose a high risk of reoffending after their release from custody as statistics show, Madam Speaker.
3. Registration Periodic Reporting reduces the likelihood of sexual offenders reoffending because they are being monitored.
4. Facilitate the investigation prosecution of any future sexual offences;
5. The release of certain information about sex offenders to public agencies in the general public will assist in protecting public safety.

This Bill, Madam Speaker, reflects the approaches taken in Australia and New Zealand and in big countries like USA and various other jurisdiction also.

Madam Speaker, very quickly Clause 1 of the Bill provide Short title and commencement of the Bill.

Clause 2, provides for the definition of the terms used throughout the Bill;

Clause 3, provides for the objective of the Bill; the objective of the Bill is to establish a register containing information on sex offenders to reduce the risk posed by sex offender and the rate of sexual offences in Fiji.

Clause 4, State will be bound by the Provision of the Bill;

Clause 5, of the Bill states that the Bill applies to a person who has been convicted of a sexual offence, unless the person was under the age of 12 years at the time the sexual offence was committed. In the Bill, asexual offence is an offence that is specified in Part 12(B) of the Crimes Act, 2009.

Clause 6 of the Bill provides for the establishment of the register and the information that must be contained in the register.

Clause 7, of the Bill states that the Commissioner of Police will be responsible for the administration of the register. The Commissioner of Police may appoint authorised persons from the Fiji Police Force, as well as the Fiji Correction Service as nominated by the Commissioner of the Fiji Corrections Service to administer the register.

Clause 8, states that an explanation of the reporting obligations of a sex offender must be given to the sex offender at the time of sentencing.

Clause 9 of the Bill, states that the Commissioner of Corrections must give written notice to the sex offender of the sex offenders' reporting obligations, when a sex offender seizes to be in custody.

Clause 10, states that the Commissioner of Police may give written notice to the sex offender of the sex offender's reporting obligations, if the Commissioner of Police suspects that the sex offender has not previously been notified or is unaware of his or her reporting obligation.

Clause 11 of the Bill, states that the Commissioner of Police must give written notice to a corresponding sex offender who enters Fiji of the corresponding sex offender's reporting obligation in Fiji if the corresponding sex offender has not previously been notified.

A corresponding sex offender is a person who has been convicted of a corresponding offence in a foreign jurisdiction. We do not want people to come and carry out those offences in Fiji.

Clause 12 of the Bill, prescribes the relevant personal information that a sex offender must report. These includes the names, addresses, permanent distinguishing marks, places of employment and physical description, and registration numbers of vehicles belonging to sex offenders.

Clause 13 of the Bill, deals with the initial report that must be made by sexual offender.

Clause 14 of the Bill, requires a sex offender to report any change to his or her relevant personal information.

Clause 15 of the Bill, requires a sex offender to make periodic report of his or her relevant personal information. A periodic report simply confirms that the sexual offender's relevant personal information contained in the previous report is correct and has not changed since the previous report.

Clause 16 of the Bill, requires a sex offender to report his or her travel plans.

Clause 17 of the Bill, applies if the sex offender who has travelled away from his or her registered residential address decides to change any travel details previously given to the Commissioner.

Clause 18 of the Bill, applies if a sex offender is required under Clause 16 to report that he or she intends to leave Fiji, and requires a sex offender to report his or her return to Fiji or decision not to leave.

Clause 19 of the Bill, requires a sex offender to report in person at the nearest police station or at such other place approved by the Commissioner of Police.

Clause 20 of the Bill, outlines the rights of a sex offender to privacy and support when reporting in person at a police station or place approved by the Commissioner of Police and that will be done in public.

Clause 21 of the Bill deals with Reporting by a remote sex offenders. A remote sex offender is a sex offender who resides more than 100 kilometres from the nearest police station; on an island where there is no police station; or notwithstanding being 100 kilometres away in an area where transportation from the area to the nearest police station is reasonably likely to be a challenge.

Clause 22 of the Bill allows an authorised person who receives a report by a sex offender in person to take the fingerprint or the finger-scan of the sex offender.

Clause 23 of the Bill allows an authorised person who receives a report by a sex offender in person to take photographs of the sex offender.

Clause 24 of the Bill requires an authorised person exercising a power under Clauses 22 and 23 to inform the sex offender in a language that he or she understands of the purposes for which the powers exercised under the fingerprints, finger-scans or photographs will be retained by the Commissioner of Police.

Clause 25 of the Bill states that the sex offender commits an offence if he or she fails to comply with a reporting obligation without reasonable excuse. The penalty is a fine not exceeding \$10,000 or imprisonment for a term not exceeding five years or both.

Clause 26 of the Bill states that the sex offender commits an offence that he or she provides information that he or she knows to be false or misleading in a material particular. The penalty is a fine not exceeding \$10,000 or imprisonment for a term not exceeding five years or both.

Clause 27, Madam Speaker, of the Bill restricts access to the register. The register will only be accessed by a person who is authorised by the Commissioner of Police in accordance with the guidelines issued by the Commissioner of Police. The guidelines will ensure that a person authorised to access the register can access the register for the following purposes:

- (a) to prevent, detect, investigate and prosecute sexual offences;
- (b) to monitor sex offenders in the community; and
- (c) the purposes specified in clause 28.

Clause 28 states, Madam Speaker, that a specified agency may disclose personal information in the register to another specified agency for the following purposes:

- (a) to monitor the whereabouts of a sex offender;
- (b) to verify personal information reported by a sex offender;
- (c) to manage the risk that a sex offender may commit further sexual offences;
- (d) to manage any risk or threat to public safety; and
- (e) any other purpose prescribed by regulations.

A specified agency means, Madam Speaker, the Fiji Police Force, Fiji Corrections Service, the Office of the Director of Public Prosecutions, the Fiji Revenue and Customs Service, the Ministry responsible for Justice, the Ministry responsible for Defence and National Security, the Department responsible for Immigration, the Department responsible for Social Welfare or any public agency that the Minister identifies as a specified agency by notice in the gazette.

Clause 29 of the Bill deals with “Confidentiality” and it says that a person authorised to access the register must not disclose any information in the register unless he or she is authorised by the Commissioner of Police or by a court of law or under any other written law.

Clause 30 of the Bill outlines the rights of the sex offender in relation to the register. A sex offender may make a written request to obtain all information that is held in the register in relation to the sex offender. A sex offender may also make a written request to the Commissioner of Police to amend any information in the register in relation to the sex offender that is incorrect.

Clause 31 of the Bill prohibits sex offenders who are applying to engaging in child-related employment. The penalty is a fine not exceeding \$10,000 or imprisonment for a term not exceeding five years or both.

We have seen in cases in other countries too where the sex offenders would try and re-establish and then help perhaps as an Early Childhood (EC) teacher or other areas where they could find people who could be their victims, in particular if they are serial offenders.

Clause 32 of the Bill states that any act or omission done by a person in good faith in the administration or execution of the provision of the Bill does not subject the person to any acts of liability, claim or demand.

Clause 33 of the Bill provides the “catch-all provision”. If a person contravenes a provision of the Bill, and he does not constitute an offence under that provision, Clause 33 ensures that the contravention amongst an offence. The penalty is a fine not exceeding \$10,000 or imprisonment for a term not exceeding five years or both.

Clause 34 of the Bill, Madam Speaker, states that the new legislation will prevail in the inconsistency between the provision of the new legislation and any other written law.

Clause 35 of the Bill empowers the Minister following consultations with the Commissioner of Police and the Commissioner of Corrections, to make regulations prescribing matters that are required or permitted by the new legislations to be prescribed or are necessarily convenient to be prescribed for carrying out or giving effect to the new legislation and generally for achieving the purpose of the new legislation.

Last but not least, Madam Speaker, Clause 36 of the Bill sets out transitional provisions. A person who is a sex offender at the commencement of the new legislation must comply with the reporting requirements of the Bill within six months from the commencement of the new legislation.

Also a person who is a sex offender that commence with the new legislation and is engaged in child-related employment must within six months from the commencement of the new legislation cease such child-related employment. If the person fails to comply, or he or she commits an offence and the penalty is a fine not exceeding \$10,000 or imprisonment for a term not exceeding five years or both, Madam Speaker.

HON. SPEAKER.- Thank you, the Bill is now open for debate and I invite input, if any.

HON. S.D. KARAVAKI.- Madam Speaker, may I just seek clarification in this the debate whether it should go through Section 51 or the stage it is in for us to allow.

HON. A. SAYED-KHAIYUM.- Can I clarify?

HON. S.D. KARAVAKI.- Thank you.

HON. SPEAKER.- We will debate it on it at the April sitting.

HON. A. SAYED-KHAIYUM.- Madam Speaker, may I speak just to clarify to the Honourable Member, we are asking for this to be referred immediately to the Committee because the Committee then comes back to Parliament with a report in the April sitting of Parliament and then we debate it and pass it in the April sitting of Parliament.

HON. V.K. BHATNAGAR.- Madam Speaker, I rise to support the Registration of Sex Offenders Bill 2018 to be passed as an Act. As the Ministry responsible for the welfare and protection of children from all forms of abuse, a legislation such as this is very welcomed as it will not only strengthen our ability to deal with sexual offences in a more timely manner, but will also heighten our ability to safeguard our children from sex offenders.

Madam Speaker, as already explained by the Honourable Attorney-General, the objective of this Act is to establish a register containing information on sex offenders to reduce the risk posed by sex offenders and the rate of sexual offences within Fiji by providing specified agencies with the information needed to monitor sex offenders in the community, including after the completing of their sentences and providing current information that assists the Fiji Police Force to more rapidly resolve cases of sexual offences.

In terms of sex crimes against children, we are able to collate data on offences at a national level through the provisions of the Child Welfare Act 2010. This however is a reactive measure. The facility of a national register containing information on sex offenders will now help us become proactive in our approach to safeguarding our children from sexual predators who live amongst us, Madam Speaker.

No one, Madam Speaker, wears a label on their head to say that they are monsters in a human skin. The sickening nature of sexual crimes against children and the alarming figures are enough to say that we need more action and we need more strategic measures to create some level of alertness in our communities. The Child Services Unit records sexual abuse cases like abduction, teenage pregnancy, sexual harassment, molestation, rape, attempted rape, sexual abuse, exploitation.

In 2017, from the months of January to November, 292 cases were recorded as per the mandatory referral system under the Child Welfare Act.

Madam Speaker, a register containing information of sex offenders can help us in the following way. If we discover that a registered sex offender is living nearby, we can take steps to increase the family safety by having a conversation with our kids about interacting with strangers and speaking up something does not feel right. In wanting our children to stay away from someone who is listed on that register, we can explain to them why it is important to stay away. Phrases like, “this person is not safe or mum and dad do not know this person,” it can be helpful, Madam Speaker.

We can also be specific about what it means to avoid this person. For example, we can tell our child, “if you see this person in a store, come stand next to me” or if this person asks you for a favour or offers you are treat, politely say “no” and come back home. For families that have care takers or babysitters who watch the children, we can give them a list of people who are not allowed near your children or in your homes.

Also if you see suspicious behaviour, we can report it by contacting local law enforcement or the probation parole officer. Madam Speaker, for a small country like ours, the statistics are not funny. The figures I have quoted, they are not funny. We also note from the past sexual tragedies relating to children where they were raped and murdered, they were perpetrated by reoffenders.

Our children deserve to be safe Madam Speaker, it is not only their right but it is also our duty to keep them safe and take every possible measure in doing just that. I, therefore, fully support this Bill, Madam Speaker.

HON. SPEAKER.- I invite other input, if any? I now call on the Acting Prime Minister to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think we need to introduce the Bill now for reference to the Committee.

HON. SPEAKER.- Parliament will now vote. The question is, pursuant to Standing Order 51:

- a) That the Registration of Sex Offenders Bill 2018 be considered by Parliament without delay;
- b) That the Bill must be pass through one stage and single sitting of Parliament;
- c) That the Bill must be immediately referred to the Standing Committee on Justice Law and Human Rights;
- d) That the Standing Committee must report on the Bill to Parliament at the April sitting s of Parliament; and
- e) That upon presentation of the Report on the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament at the April sitting of Parliament with the right of reply given to the Acting Prime Minister, Honourable Attorney-General as a Member moving the motion.

Does any Member oppose the motion?

(Chorus of “Noes”)

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

I now call upon the Honourable Acting Prime Minister and Attorney-General to move his motion.

ONLINE SAFETY BILL 2018

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

That the –

- a) Online Safety Bill, 2018 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 be immediately referred to the Standing Committee of Justice Law and Human Rights;
- d) That the Standing Committee must report on the Bill to Parliament in the May sitting of Parliament;
- e) That upon presentation of the Report on the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament in the May sitting of Parliament with the right of reply given to the me as a Member moving this motion.

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

HON. SPEAKER.- I call on the Honourable Acting Prime Minister and Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Online Safety Bill, 2018 seeks to promote online safety through the establishment of the Online Safety Commission providing a specific avenue as Fijians can have their concerns and complaints with respect to electronic communications dealt with.

Madam Speaker, the recent increase in reports of harmful or irresponsible online behaviour reflects changing attitudes in behaviour of people and more importantly highlights the need to address social issues associated with such behaviour. In fact, Madam Speaker, I am sure everyone in this House can attest to this, either from personal experience or through someone they know or in particular, we are concerned about young people and our youth; those in primary school, high school and universities.

In fact recently when we met with the Minister for Education from Australia, they also highlighted what we call cyber bullying, cyber harassment, cyber stalking and what do we call, trolling. If I could just elucidate on those points, Madam Speaker, and indeed the Australians, they have a very similar law which has given this impetus for us to come up with this Bill, they have what they call, Enhancing Online Safety Act, 2015 which commenced in March 2015 and in certain sections commenced in July 2015.

New Zealand also, Madam Speaker, have a similar law. It is called Harmful Digital Communications Act, 2015. Parts of it commenced in July 2015 and later on after 2015. So, for example, cyber bullying, Madam Speaker, if someone is taking picture of a person and then perhaps modifying the image to show some sort of bad hairstyle or whatever it may be, then they bully them online and use that image on a social media website.

It also gets quite serious too, Madam Speaker, you could have people in high school, perhaps the last day of school, some photographs taken, people hugging each other and then the person goes to university, a person is about to get married, genuinely it happens to females, and then that is put online again to put forward the idea this person may be promiscuous, et cetera and then you have a lot of problems that may arise for that. I am sure that a lot of the Members of Parliament here, I am sure when they were young, when we were young, many of the photographs that were taken then, if they were put online too, probably you will not be able to stand for public office.

Madam Speaker, the reality is, in our days we did not have cameras, we did not have these cameras on these things so many of these did not get documented. But today nearly every single child's movement is actually photographed. Photographs are taken, people are innocently being photographed or photographs are taken innocently but used in other means.

Madam Speaker, cyber harassment, personal information being used, takes general information, posts it up and put some pictures of your unsafe characters giving the idea with the person who plays has no services. Of course we have as you know a lot now are using the various methodologies to put people in situations where they were actually were not in. Cyber stalking - someone using personal information and releasing that information online which could be used to attract cyber stalkers. We recently had an incident where one young lady has complained about the fact that someone had secretly installed a camera in her room. We have in some of the student accommodations where people put cameras in their rooms, people change their clothes and gets taken as photographs and videos, then it gets put online.

People are actually using that to blackmail, in particular females again. So all of these are taking place. Trolling of course, when someone goes online and puts out a negative statement on a group of people for the specific purpose of instigating conflict or to create negative reaction, Madam Speaker.

Madam Speaker, I have spoken about many of the terms that actually does take place. So Madam Speaker, there are many vulnerable members of our community and it is to that extent, Madam Speaker, it is prudent, the right environment and attitude is fostered to instil, promote and maintain responsible online behaviour, which of course Government is committed to.

In Australia, for example, a new Safety Commission is appointed by the Minister to carry out these functions which include the promotion of online safety for Australians, administration of complaint system for cyber bullying, material target of an Australian child in co-ordination with activities of Commonwealth departments relating to online safety for children in particular.

In New Zealand approved agencies are appointed by the Governor General and carries out its functions for the purpose of the Act which include the deterrence, prevention and mitigation of harm caused to individuals by communication sent electronically and the provisions on the means of redress.

Madam Speaker, the Bill intends to promote and encourage responsible online behaviour. It establishes the Online Safety Commission where individuals who believe they have been the subject or intended recipient of targeted harmful electronic communication online can lodge their complaints with. It will also seek to deter harmful online behaviour with the creation of specific offences such as the intentional posting of harmful electronic communications as well as intimate images or visual recordings without consent and this could ordinarily be done in a private setting and it does happen.

People who may be seeing each other, young teenagers or couples at universities seeing each other may be taking some intimate photographs with each other and suddenly when there is a breakup, one of them gets annoyed, generally it is the male, as males' egos tend to get bruised very quickly, as you have seen from the other side, and then Madam Speaker, they actually post it online when this female is about to go with some other personal relationship. That female has the full right to enjoy a new relationship without being harassed by someone from the previous relationship.

Madam Speaker, to assist children and those who serve from mental incapacity, the Bill allows for parents or legal guardians or representatives as well as school principals and head teachers or the delegates as appropriate to lodge complaint or such complaint such as child's behaviour on behalf of the person who suffers from mental incapacity of course, Madam Speaker.

Madam Speaker, we are here, of course to ensure and I am sure all Members of this Parliament, wants to ensure access to connectivity for all Fijians. But we need to ensure that we have a safe online culture and environment. While access to connectivity provides a platform for the freedom of speech, expression of publication is provided for under Section 17 of the Constitution, it is important to recognise that accompanying responsibilities and limitations attached to the right particularly where the rights of others may be potentially impinged or limited as a result of exercising such a right to serve an ulterior motive or blatant ignorance of others rights.

Clause 1, Madam Speaker, sets out the short title with the Interpretation clause in Clause 2.

Clause 3 is the objectives of the new legislation.

Clause 4 of the Bill provides the application of the new legislation to the whole lot of Fiji, to any acts, omissions, matters or thing outside Fiji. It further provides or the Bill applies to the electronic communication posted on or after the commencement of the new legislation.

Clause 5 binds the State also.

Clause 6 establishes the Online Safety Commission consisting of the Commissioner who is appointed by the Minister for a period not exceeding three years and such other staff as necessary. The Bill also provides that the Commissioner is remunerated according to rates determined by the Minister.

Clause 7 provide for the source of funds for the Commission.

The Bill outlines the function of the Commission which includes the promotion for online safety, cooperation with other agencies and organisations and they received assessment in investigate complaints lodged by individuals in relation to electronic communication causing harm or intended to cause harm.

The Clause 9 of the Bill, Madam Speaker, outlines the powers of the Commission which includes the power to request for information or expert advice for the purpose of assessing or investigating a complaint. Clause 9 also enables the Commission to regulate its own procedure subject to new legislation.

Clause 10 of the Bill requires a staff member of the Commission or any person engaged by the Commission to disclose any interest in any manner that the Commission may deliberating on or investigating and goes on about what should happen in the interest of disclosure.

Clause 11 of the Bill requires the Commissioner, any staff of Commission, anyone engaged by the Commission to maintain confidentiality with regards to any matter of the Commission with the exception to instances where disclosure is necessary for the performance of a function under the new legislation producing evidence is similar criminal proceedings or for the reporting of assistant in the investigation over a suspected offence.

Clause 12 of the Bill provides the Commission staff and any person engaged by the Commission to protection from liability for the performance of duties or exercise powers carried out in good faith.

Clause 13 of the Bill allows a person to lodge a complaint with the Commission where the person believes that the person is a subject or targeted recipient over an electronic communication intended to cause harm. Clause 13 also allows a parent or legal guardian or representative to lodge a complaint on behalf of the child or person.

Clause 14 of the Bill provides for the investigation and the complaint by the Commission where the Commission may seek to resolve the matter as appropriate, request the removal of the electronic communication or advise further action under Clause 22.

Clause 15 of the Bill allows the Commission to refuse or investigate or cease an investigation under the new legislation where the Commission considers that the complaint is unlikely to cause harm is frivolous or vexatious or whether further action is unnecessary or inappropriate.

Clause 16 of the Bill provides the Commission the power to delegate in writing its functions or powers under the new legislation, Madam Speaker.

Clause 17 of the Bill provides for whom may apply for those people who may have applied to the court for issuance of an order under the Clause 22.

Clause 18 of the Bill provides the threshold for proceedings when an applicant must first lodge a complaint on the Commission before proceeding to make an application to the Court. Clause 18 of the Bill also provides that where the Court finds an application to be frivolous and vexatious or having regard to all circumstances with the police may have made an application to the Court, dismissed the application on its own motion.

Clause 19 of the Bill provides when the Court may in it is consideration of an application refer the matter back to the Commission. The Bill stipulates that the Court may request the Commission for information which must be provided to the Court in a required manner.

Clause 21 of the Bill provides Interim Orders that the court may issue before determining an application made under Clause 17 of the Bill.

Clause 22 of the Bill provides for orders that the court may issue in relation to an application under Clause 17.

Clause 23 of the Bill provides a penalty provision for non-compliance with an order issued by the court in accordance with the new legislation. The Bill provides for an offence of causing harm by posting electronic communication.

Clause 24 further provides factors that the court may consider in determining whether harm was or could be caused or would be caused. The Bill prohibits a person from posting or threatening to post for an intimate visual recording without the consent of the person who is a subject of the intimate visual recording. We seeing that there is a lot of this is happening online at the moment, a lot of it is happening. It could be one of our children - now or in the future.

Under Clause 25 consent is taken to be consent to a specific posting or such intimate visual recording and does not include the consent of a child. So you could be, for example, recording an intimate scene now, it does not mean that just because you have done it now, that you are actually consenting for it to be put online. There are two separate issues.

Madam Speaker, Clause 26 of the Bill provides that the Commission must review the legislation at least once every two years and then provide a report of review to the Honourable Minister with the pace and improvements made to technology, changes in technology online safety must be updated to provide current and well known provisions to modern day circumstances.

The Clause 27 of the Bill requires the Commission to provide the Minister a report at the end of the financial year of its operation for that year for presentation to Parliament.

Clause 28 of the Bill authorises the Minister to make regulations pursuant to the new legislation prescribed on matters that are required or determined the new legislation to be prescribed or unnecessary or convenient for carrying out the functions of this particular Bill which hopefully will come into law.

So with those introductory remarks, Madam Speaker, the Committee to urgently carry out its work or presentation in the May sitting of Parliament because obviously with the passing of the Bill in the May sitting of Parliament, hopefully the Opposition will also support it, will be able to then make the necessary budgetary allocation because to set up the Commission will require a budgetary allocation and funding for it too. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is now open for debate and I invite input, if any? Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. While I appreciate the concerns and the reasons or the objectives behind this Online Safety Bill 2018, I believe that we should not rush this Bill in the May sitting. We should allow at least six months, Madam Speaker, of dialogue, discussion, consultation and dissemination of what is in this Bill because we are all victims of online bullying and commentary, pictures get translated in different ways and there are emotional distresses that are caused by a lot of this communication.

Madam Speaker, the implication of this Bill could be far reaching. The reason why I am saying that we should not rush this Bill is because we need to understand very, very carefully whether this

Bill could be used or the law could be interpreted, the law could be threatening freedom of speech, freedom of communication and the ability of people to communicate online.

Madam Speaker, while countries like Australia and New Zealand might have this legislation already, one difference out there is when they bring out Bills or laws, there is a lot of discussion on the pros and cons. Sometimes, Madam Speaker, thinking of a particular law could change over a period of time. Same Sex Marriage Bill in Australia, for example, a law. Madam Speaker, 20 year ago, 30 years ago could have been considered a taboo. But people's opinions and people's ideas also changed, Madam Speaker. The interpretation, Madam Speaker, just having a quick look at it, I mean this is another problem we have in this Parliament.

We would appreciate, Madam Speaker, that even when we have a debate like this, the Bill is entered, at least, we could have this Bills a day or two before Members of Parliament so that when we come to this juncture where we have to debate, where we have to consider what is in the Bill and whether to support it to go to the next stage, it is important for us to have some time, Madam Speaker. But having looked at it very briefly, it is absolutely necessary, Madam Speaker. We should not rush any law in Parliament, especially for a law that is going to have far-reaching implications on everyone.

I am not debating the merits or demerits of this law, Madam Speaker, in fact I believe there are issues of concern that everyone has about online communication, but that is not the point I am making here. The point I am making is that, we must give enough time and a reasonable amount of time so that when the law actually comes into force, we have done enough consultations, we have done enough public awareness and had the debate on this law so that when this is finally implemented, people understand it better. Going through a Committee for one month is not enough, Madam Speaker. Even two and a half months is not enough, it is unreasonable. Madam Speaker, we should, at least, give about six months for this Bill to be discussed, not only in Committees but outside as well.

Madam Speaker, there are many laws that we have. Although in law ignorance is an excuse but a lot of laws that are there and even over the last three or four years people are not aware, Madam Speaker.

(Honourable Member interjects)

HON. PROF. B.C. PRASAD.- They are not! They are not! You may be aware of it but not our people out there.

Unless we have this kind of discussion both, in Parliament, in the Committees, Committees going out throughout the country and telling the people what is in this Bill. That is more important, Madam Speaker, and that is how you make good laws. You do not rush laws within a month or two when you feel that it has far-reaching implications on other things.

Madam Speaker, I oppose the original motion but I am happy to amend the motion, that we allow six months consultation and consideration of this Bill before it returns to Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- Do we have any other input?

HON. V.K. BHATNAGAR.- Madam Speaker, I believe this is a very, very crucial Bill. Actually, we have heard of people, even in the verge of committing suicide because of cyberbullying and if someone says that it will take six months for us to ponder on this Bill, I do not agree with that because we have heard stories of people who were in the verge of committing suicide because of

cyberbullying. I think this Bill is very crucial and I think a month's time is enough to get through the Bill.

Thank you, Madam Speaker, that is my short contribution.

HON. SPEAKER.- Honourable Bulitavu?

HON. M.D. BULITAVU.- Madam Speaker, I stand to support the idea by the Honourable Professor Biman Prasad, at least, to have six months for the deliberation of the Committee in regards to this. We need proper consultation, public consultation and wider consultation, given that this particular Bill, Madam Speaker, will affect everyone who use social media and online. It is another version of trying to regulate the social media, this is from the back door.

Madam Speaker, that is the intention and it is a fact. Just few minutes ago, Madam Speaker, while the Honourable Attorney-General was still speaking....

(Honourable Members interject)

HON. SPEAKER.- Honourable Members, you will be given time to also have input to this motion. Please, let us here Honourable Bulitavu.

HON. M.D. BULITAVU.- Madam Speaker, the reactions by Honourable Members on the other side proves the intention of this. They are reacting to the intentions of the Bill and that is why we really need to give it more time.

(Honourable Member interjects)

HON. M.D. BULITAVU.- But I do not use fake accounts.

The issue here, Madam Speaker, is that we really need to give more time to the Standing Committee that will be given the responsibility to look into this, so people can give their opinions and views in regards to the Bill.

Madam Speaker, most of the discussions that happen in social media, they do not make their way to the mainstream Media and normally news agencies do not print and that has become an option for the society to use. There has to be proper criteria, Honourable Sudhakar. When the Honourable Attorney-General was on foot speaking on the Bill, one of the impact probably is using a fake account, I was just checking around and he already posted that the Online Bill has been tabled in Parliament, it needs to target SODELPA and NFP on that.

That fake account member, Madam Speaker, its Eroni Latianara. He is a troll, been used, Madam Speaker, I do not know by which party but it is consistently attacking the Opposition, him and another fake account user Canus Creter. These are two fake account users, Madam Speaker, that have already gone up to say that this is a measure that will clamp down the Opposition from attacking the Government side.

But everyone has been subject to all sorts of posters. Madam Speaker, just last week there was a post on me and other few people, I was pictured like a dog, barking but again, those are part of political play. We just have to grow thick skin but that is the rule of the game but again, just to regulate this for the purpose of trying to defend yourself could be useless.

Madam Speaker, I pray that the Honourable Attorney-General will try to reconsider the motion and, at least, give the Committee more time to look into this. This is a big issue and also it comes to implementation and monitoring by the Cybercrime Unit. It will not be a very easy task for them to investigate people who are online, especially when people who do not use real accounts, they use fake accounts. Those are issues, Madam Speaker, which the Committee really needs more time to consider this issue which is a very important legislation, a very new law to Fiji and why the rush, Madam Speaker, in this regards. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Sudhakar?

HON. A. SUDHAKAR.- Madam Speaker, I was not going to speak but then I have been provoked. First of all, I will let you know that my Committee who had been given the responsibility and we will return a report within two months, we can do that and we can guarantee that. There is no need for six months, the people of this country need protection and the Honourable Bhatnagar has rightfully pointed out, some people are actually in the verge of suicide because of cyberbullying and some people on the other side are scared of it.

We know the site to contribute to, we know the site that your supporters run, we know it! That is why when you are scared, you do not want a law of this magnitude to get to the 'trash writing' I call it, that is spread on the blog sites, and it is good that the Bill is now come into place.

The Attorney-General have moved his motion that this Bill be handed to my Committee which I Chair, the Justice, Law and Human Rights Committee and as part of our deliberations, we will advertise for submissions, we will call for public input and we will return a report within two months with the amendments, if there are any to this Parliament.

Now, to take it further, the provisions of this Bill, I will not go into the means of it, Madam Speaker, but they are adequate in curtailing some of the mischiefs that have been spread on social media and as my learned friend Honourable Member have spoken about, it is an essential piece of legislation that is going to bring some order on what is happening currently on social media. I think all of us have experienced this, Honourable Members on this side, the Government side as well as those from the other side have been victims...

HON. PROF. B.C. PRASAD.- You are part of it...

HON. A. SUDHAKAR.- You are part of it, your team!

Honourable Speaker, there are some Honourable Members in this House who are actively contributing. In fact, there was a time and I can give a specific example, there was a spin given in social media about a statement made by Honourable Dr. Reddy, he did not even make a statement about a particular ethnicity and it was given. He just said; "I do not see any Toppers that side." That was given a spin in the social media and in some of the supporters here. In fact, some of the provisional candidates of the National Federation Party and I can say it with guarantee, they were there giving a spin of Honourable Reddy's statement that he was trying to degrade the *iTaukei* community. And it actually went to the extent that Honourable Dr. Reddy had to come with a personal explanation.

This is the type of mischief I am trying to stop here and Honourable Professor Biman Prasad is saying that I am part of it, in fact you are part of it, your team is part of it, and your provisional candidates are part of it. You should not be scared. If they have any energy, Madam Speaker, they can come to my Committee and give their piece of mind, make a presentation. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Viliame Gavoka?

HON. V.R. GAVOKA.- Thank you, Madam Speaker.

Madam Speaker, for quite some time, we have lived in a country where rights have been badly restricted and we still have not come out of that. We want to get rid of the Media Decree but we have been unsuccessful. The only escape for our people right now from all the restrictions is the social media. So, let us be very cautious in how we place restrictions on the social media. That is why I agree with my colleague, the Honourable Professor Biman Prasad that we need time for this, six months.

Six months is not asking too much, you will be removing something that is there as the only hope for people to express themselves freely. We are not condoning bullying but there could be unintended consequences with this by also blocking or limiting people from expressing themselves as they do today, given the environment you are living in Fiji, an environment that was brought upon to us by the FijiFirst people, that has restricted freedom so much in this country.

So, Madam Speaker, let the people of Fiji have their say, and we need the time like six months. Thank you.

HON. SPEAKER.- Thank you. There being no other input. We will have the right of reply from the Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would like to ask all Members of Parliament to please, keep calm. It is not about persons' political posting, it is not about curtailing freedom that the Honourable Professor Biman Prasad seems to always go on about, Fiji not being free, all the other Members, an absolute nonsense!

It is just to bring some sort of sanity to us. We all seem to be going on about our own agenda. If I could just refer to that, Madam Speaker, I talked about online safety, let me read out what it means. On definition it says, 'electronic communication' means any form of communication transmitted or communicated electronically that includes any text message, writing, photograph, picture, recording or other matter that is communicated electronically.

What does harm mean? Harm means serious emotional distress. I am sure Honourable Mosese Bulitavu did not get emotionally distress when someone depicted him as a dog as he claimed.

Madam Speaker, let me read another thing, intimate visual recording, this is the focus of the Bill. Let me read it, it means;

- (a) means a visual recording including a photograph, video or digital image that is made in any medium using any device with or without the knowledge or consent of the individual who is the subject of the recording, and that is of -
 - (i) An individual who is in a place which, in the circumstances, would reasonably be expected to provide privacy and the individual is -
 - (A) naked or has his or her genitals, pubic area, buttocks or female breasts exposed, partially exposed, or clad solely in undergarments;
 - (B) engaged in sexual activity; or
 - (C) engaged in showering, toileting or other personal bodily activity that involves dressing or undressing; or

- (ii) an individual's naked or undergarment-clad genitals, pubic area, buttocks, or female breasts which is made -
 - (A) from beneath or underneath under an individual's clothing; or
 - (B) through an individual's outer clothing in circumstances where it is improper to do so; and #
- (b) includes an intimate visual recording that is made and transmitted in a real time without retention or storage in-
 - (i) a physical form; or
 - (ii) an electronic form from which the recording is capable of being reproduced with or without the aid of any device or thing.

Madam Speaker, I do not think Honourable Sudhakar or Honourable Professor Biman Prasad or Honourable Bulitavu's genitals or pubic is the subject matter of discussion. This is about a particular children, it is about females in particular, where they have been the victims of online victimisation of people using these images to actually cause that emotion harm.

Honourable Veena Bhatnagar is absolutely right, there are people who have committed suicide, not just because of this exposure but because of the harassments, bullying that take place in school now, is taking a different form of bullying, bullying electronically.

People have been text messages all the time by a group of children. You are fat, you are going to fall over when you catch the bus, all sorts of things. A list of emotional distress. Children do not want to go school. Some female would give some person a kiss in high school or is maybe sitting inappropriately and her thighs have been shown, four years later someone pulls that out when she is about to go and get married to dissuade someone from marrying her. All of us have children, grandchildren or great grandchildren, put yourselves in their shoes! How would you like that to happen to your children or grandchildren, Madam Speaker?

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

HON. SPEAKER.- Point of Order.

HON. PROF. B.C. PRASAD.- Madam Speaker, as I said very clearly in my....

HON. A. SAYED-KHAIYUM.- Madam Speaker, that is not a Point of Order.

HON. PROF. B.C. PRASAD.- What the Honourable Attorney-General is implying is that, we were talking about the merits and demerits of the Bill.

HON. SPEAKER.- Order! The Point of Order is not really the content of the speech...

HON. PROF. B.C. PRASAD.- Because he is insinuating that we are

HON. SPEAKER.- And you know that very well, Honourable Professor Biman Prasad, I am sure. So, your Point of Order does not qualify. We are listening to the Honourable Acting Prime Minister.

HON. A. SAYED-KHAIYUM.- This is the problem, Madam Speaker, when the Opposition jumps on a particular bandwagon way of thinking and promise to put everything about no democracy, no freedom, freedom of suppression, all that nonsense.

This Bill, they need to read it and they need to move away from this paranoia that they have, that we are sitting there every night, doing laws to try and curtail their freedom, doing laws so they cannot post lies or deception or false information, whoever it is that is doing it, from doing so. It is not about that. Let us mature and grow up! It is about protecting the vulnerable in our society. Every day is causing another additional person some form of emotional distress inside the space.

Madam Speaker, we have allowed two months, we will get back to Parliament on 14th of May. That is when the bullet was shot there by your leader, over there on 14th May, exactly two months from today. Exactly two months from today the Committee can sit every day.

The Committee has two Bills that are somewhat related to each other; one is about online safety, the other one is about sexual offenders. They fit in quite well, I can bet your bottom dollar, Madam Speaker, if tomorrow or next week the Committee advertises and says we are going to have public hearings in Parliament, in Lautoka, in Labasa, you will get all the groups standing up, parents, teachers, women's organisations, other individual parents or individuals who have got personal experiences will turn up and give their side of the story. It is two months, 60 days, Madam Speaker. I am sure they can work on weekends too, if they want to.

Madam Speaker, this is an important issue, it is about the vulnerable people in our society. It is about these people who we, all of us, whether on this side of Parliament or the other side, we must be all concerned about.

Madam Speaker, this is the reason. In fact, we could have said; "Present it today so let us debate it tomorrow. But, Madam Speaker, we said; "Let us give two months because we know how paranoid they get, so we are giving them two months. We have got one Bill coming in, in April, one Bill coming in May and we need the Bill to be passed to become an Act of Parliament so we can then make the provision in the Budget, and to make sure that the Commissioner is online very quickly so how vulnerable people can keep on reporting to them and hopefully we get rid of this culture.

Social media is a fantastic medium of communication. It is a fantastic tool, but like all tools, Madam Speaker, we have to ensure that the vulnerable are not victimised. That is all. It does not mean that they cannot go out doing their posting and whatever they want to do, it is fine.

Let us think about the vulnerable, Madam Speaker, and therefore I urge Parliament to vote for this motion because to vote against this motion, would be saying to the vulnerable people of Fiji, in particular our children and our youth that we do not care about them. We must unanimously support this so that the Committee goes off and does its work. We come back in May, we look at the report, we debate the Bill, we pass the Bill and we give some sort of comfort and solace to the vulnerable in our society. Thank you, Madam Speaker.

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

Question put.

The Question is:

Pursuant to Standing Order 51, that the:

- a) Online Safety Bill 2018 be considered by Parliament without delay;
- b) Bill must pass through one stage at a single sitting of Parliament;
- c) Bill must be immediately referred to the Standing Committee on Justice, Law and Human Rights;
- d) Standing Committee must report on the Bill to Parliament in the May sitting of Parliament; and
- e) Upon presentation of the report on the Bill by the Standing Committee, the Bill must be debated and voted upon by Parliament in the May Sitting of Parliament

with the Right of Reply given to the Acting Prime Minister and the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications as the member moving the motion.

Does any Member oppose the motion?

(Chorus of Ayes and Noes)

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

Votes cast:

Ayes:	27
Noes:	14
Not voted:	9

HON. SPEAKER.- There being 27 Ayes, 14 Noes and 9 Not Voted, the motion is therefore agreed to.

Question put.

Motion agreed to.

HON. SPEAKER.- Honourable Members, I seek leave of Parliament. Do you want to go for dinner now or shall we finish?

HON. MEMBERS.- We finish it now.

HON. SPEAKER.- Thank you. We have two Bills to go through third reading, however, one of them has been brought to my attention that the Bills Brief Summary on the Succession, Probate and Administration (Amendment) Bill has a number of mistakes and for that, it must be withdrawn.

Therefore, I am instructing that the Bill Summary be withdrawn and the Chamber Attendants will be coming around to collect them from you, Honourable Members.

We may have still another two hours to go through the rest of the Items. Maybe, we need to break for dinner for just for half an hour, before we come back and then sit may be for two hours or it could be less.

In that case, Honourable Members, we will now adjourn so that we can have dinner for half an hour and we will resume at 7.40 p.m.

The Parliament adjourned at 7.10 p.m.

The Parliament resumed at 7.45 p.m.

HON. SPEAKER.- Pursuant to the resolution of Parliament on Tuesday 13th March, 2018, the Crimes Amendment Bill 2018 will be debated and voted upon today. The debate will be limited to one hour. I now call upon the Acting Prime Minister, the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service, Communications to move his motion.

CRIMES (AMENDMENT) BILL 2018

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament passed on Tuesday, 13th March, 2018, I move:

That the Crimes (Amendment) Bill 2018 be debated, voted upon and be passed.

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

HON. SPEAKER.- Before we proceed, I remind Honourable Members that a debate must only be on whether the Bill should pass and not on the content. Now I call on the Honourable Acting Prime Minister to speak on his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker as highlighted on Tuesday by way of background we stated what the actual Bill seeks to amend and to put in a succinct manner, the amendment seeks to increase the penalties that people will face should they for example assault police officers or should they for example as created by some of the new provisions pertaining to specific actions of assault against police officers.

Madam Speaker, the reason why we have done so as highlighted again on Tuesday, is that we need to ensure that whilst we have increased the budget funding for the Fiji Police Force and given them equipment, technology and increase in salaries, we also need to ensure that the law is there to fortify the authority of the police officers which has reigned over a number of years. Now with a Commissioner of Police whose carrying out the modernisation of the Fijian Police Force, we need to ensure we have commensurate laws to give Fijian Police Force that authority, and this is precisely what these amendments to the Crimes Act seeks to do. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is now open for debate. Honourable Professor Biman Prasad

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I rise to support this Bill.

Madam Speaker, it is essential to legislate deterrence for any crime and threatening to assault a police officer is a serious offence and a challenge to the authority of the uniform. The Police Force Madam Speaker, has long been regarded as the ultimate guarantors of peace, security, law and order in our nation. There is no doubt that policemen and policewomen had been assaulted in their line of duty in the past. In our view, a ten year imprisonment term is a sufficient deterrent. However, Madam Speaker, we also need to ensure that ordinary citizens who fall victim to police brutality are treated in the same way, harsher penalties are also enforced.

Madam Speaker, I also wanted to address an issue arising out of the Honourable Attorney-General's comment when he moved this Bill. I agree with him totally that the demoralisation of the force can be traced back to the *coups* of 1987 and in particular the incarceration of the Police Commissioner at that time, P.U. Raman at the Central Police Station.

However Madam Speaker, I think it is also very important for us to recognize and understand that it is an indisputable fact that the professionalism of the Police Force has taken a battering because of all four *coups*, two *coups* in 1987, 2000 and 2006 *coup*. It is appropriate that we acknowledge that aspect of our history and not be selective in choosing 1987 or 2000 or ignoring 2006, Madam Speaker, because a lot of the things happened at that time as well which caused insecurity in the institution and created instability.

Madam Speaker, it is important that we acknowledge that and remember that all *coups* have damaged not only the police institution but other institutions as well. I agree with the Honourable Attorney-General that it is very important for us in this House and as lawmakers to leave a legacy of good, independent, transparent and accountable public institutions. Madam Speaker, it is absolutely important that we do that. If I remember correctly from memory, Fiji has seen eight Police Commissioners and two Acting Commissioners. Out of the eight Commissioners, four have been military officers, one a career Police Officer who succeeded the late P.U. Raman who was terminated after 1987, and three expatriate Commissioners and the two Acting Commissioners who were also career Police Officers.

Madam Speaker, we can trace the incidences and the way in which these Commissioners over a period of time have been dealt with. But more recently Madam Speaker, we had a very good Commissioner prior to 2006 *coup* who was forced to leave. Even in November 2015 when we had parliamentary democracy, the expatriate Police Commissioner recruited by the current Government left and from the interviews he gave later to the local and international media, he actually talked about the interference in the work that he was expected to do.

Madam Speaker, the Police Force has faced since 1987, a brief period of stability but the point is that all *coups* have damaged the institution of the Police Force and as I said many other independent institutions as well. As I said Madam Speaker, we need to be mindful of that history whether it is 1987, 2000 or 2006 that *coups* have done a lot of damage to many of our institutions. It is time to look forward, it is time to support the rebuilding of these institutions and that is why Madam Speaker we are happy to support this motion. I agree wholeheartedly with the Honourable Attorney-General that men and women in the Police Force need to be protected properly. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I rise to give my comments on the Bill which is before the House. I will go back to the illustration that was given by the Honourable Attorney-General the other day where a bunch of men were chasing after a person and they came to a halt when that particular person went behind a police officer. That happened during that time.

The issue here Madam Speaker, I put my argument across it comes down to the respect of the uniform and the role that the police plays in the society. I think the respect and the trust that was there has been lost or there is probably no confidence, or people do not trust police officers. Looking into those situations, Madam Speaker, the question that we will have to put forward is whether the increase in the sentence will actually prevent people from engaging in those kind of activities. If you look at many of the cases that come before the Court Madam Speaker, in regards to cases where police are involved with the public, it normally comes out from another offence where two individuals are fighting and the police comes to the rescue and out of that, Madam Speaker, one of them swings his hand and hits the police officer or in a case where a particular individual resists arrest. Madam Speaker, those are the circumstances or cases that come before the court. I think there is no case in Fiji where a particular person comes directly with the intent to punch a police officer, it is usually the result of an argument. Sometimes traffic cases, there is a police chase, a particular vehicle owner does want to stop and ends up in an argument and the same type of situation.

This side of the House feels that the current five (5) years sentence is sufficient for the SODELPA side of the Opposition. Looking into other jurisdiction in New Zealand, Madam Speaker, I think the sentence there is about three years for the same offence, in Australia, is 14 years and also another seven years that is the alternative sentence that is there. Those are some of the sentences that are available in other jurisdictions. The increase of this Madam Speaker, will allow many situations where the public will not want any particular law to be in place for people to fear police officers. Madam Speaker, police officers and the public need to work together in partnership, that element of fear needs to be removed. I think police work is not about threat it is about securing property and people's life and we believe the current sentence in the law is sufficient enough.

Most of the people especially in our rural areas given this amount of penalty that will be imposed on anyone found guilty of this offence does not help them, Madam Speaker. That is our contribution from this side of the House, and I seek other Honourable Members of the House to consider very well before they make a decision on the motion that is before the House. I stand to speak that this side of the House, SODELPA in Opposition do not support the motion which is before the House.

HON. SPEAKER.- Honourable Alvick Maharaj.

HON. A.A. MAHARAJ.- Thank you, Madam Speaker. Just a small contribution towards the Bill in front of us as spoken by the Honourable Minister we need to boost the morale of police officers. Police is a noble profession, Madam Speaker. It is one of those professions which needs to receive respect and appreciation. The police officers put themselves in a very dangerous and risky position to safeguard Fijians. While they are law abiding Fijians who pay respect to officers at the same time there are people who try to act above the law. In the process they just show disrespect to officers by shouting and creating unnecessary fuss. At the same time, some officers also go through emotional and psychological breakdown and even depression when people try to act above the law and swear at them and their families, spit on them or throw objects at them. We need to realise that there are persons with emotion under that uniform. The Bill in front of us will ensure what I have mentioned above does not become part and parcel of being a police officer, Madam Speaker. Police officers need respect and such law will ensure that people are ready of what is in store if disrespect is shown to the officers. Therefore, Madam Speaker, I support the Bill, thank you.

HON. SPEAKER.- The Honourable Minister for Fisheries.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I rise to support the Bill before the House and provide my short contribution. Madam Speaker, the proposed the amendment to the Crime Act of 2009 is based on the fact that Law Enforcement officers face antagonism and outright violence from members of the public when conducting their work as enforcement officers.

The current contents of the Act fails to provide sufficient deterrence against such action which hinder the enforcement of law and endangers the lives of those within the police force. Currently, Section 277 of the Act sets out antagonism as a serious offence with the maximum penalty of 5 years. The penalty is inadequate when comparing to other parts of the Act, including Section 276 which basically address police officers being assaulted when protecting properties.

The maximum penalty of Section 276 is seven years compared to Section 277 which is only five years. With the comments from Honourable Bulitavu when comparing these penalties using regional and international benchmark, Fiji's current Act is significantly low. In the State of Queensland Australia the penalty for this offence is up to 14 years, New Zealand has the same penalty ranging from three to fourteen years. In light of these factors it is imperative that our jurisdiction also

treat this offence with severity as it deserves. The consultation to this amendment has been completed with relevant agency.

On a final note, Madam Speaker, the Offshore Fisheries Management Act has also a provision of obstruction and assault on authorised officers. The current fine is almost also low due to the fact that the fines cannot exceed the overarching legislation which is the Criminal Act. Only if amendments are made to the Criminal Act, legislations such as the Offshore Fisheries Management Act cannot make amendments to increase these penalties. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister for Waterways.

HON. DR. M. REDDY.- Madam Speaker, I rise in support of the Bill and to make a short contribution. Madam Speaker, some three to four decades ago police officers was seen with a great degree of respect and a symbol of hope in society. As alluded to by Honourable Minister for Justice in the last two decades or three decades this level of confidence and hope has been slightly eroding due to a number of incidents or cases of brutality against police officers by some criminals.

Madam Speaker, in economics there is something called back stock price. It is a price below which people will abuse, misuse or overuse that particular resources. So you need to identify a price where people will think twice about buying, purchasing or utilising that particular resource. How do you obtain that back stock price, Madam Speaker. The back stock price is obtained through simulations or through getting benchmarking data. Similarly in law, you need to get a lot of equivalent technology, No, but a back stock penalty that will ensure that people will think twice about abusing that or breaching that particular law. Madam Speaker, this particular proposed Bill you should benchmarking data to propose amendment. Madam Speaker, I support the Bill.

HON. SPEAKER.- Honourable Mataiasi Niumataiwalu.

HON. M.A. NIUMATAIWALU.- Thank you, Madam Speaker. I rise to add my contribution in supporting the Bill before the House. There seems to be an increase in cases of resisting arrest and related cases from 2014 to 2017. The first two months of 2018 already seized 26 percent of last year's total which is 63 out of 241. This information was received directly from the police headquarters, as currently in 2014 in the East there were 15, North 13, South 74, West 49 a total of 151. In 2017, Madam Speaker, the East recorded 32, North 33, South 99, West 77, a total of 241, and just in the first two months of 2018, North 3, East 8, South 25, West 27, a total 63.

Madam Speaker, respect for law enforcement officers is important. It is an important principle of law and order, assaulting a police officers in any form is a serious crime and there is a need for strong deterrence. Police officers need to be left to do their job in a safe manner, just like other jobs there are occupational hazards and risks that need to be minimised. The public needs to be confident that police officers can safely do their job without fear, intimidation or threat of assault. Protecting our police officers also translates into protecting our community from violence and malicious acts. That, Madam Speaker, is my contribution to support the amendment of the Bill.

HON. S.D. KARAVAKI.- Madam Speaker, let me just relate this incident about a story that was published in the paper, "Young man going home at Lautoka was picked up by a number of police officers, taken to the Police Station at Lautoka, beaten up before he was released to go home", with no reason at all, Madam Speaker. No reason at all.

The deterrence we are talking about here we can even increase the deterrence to 100 years and it will not change the situation if we do not build up the trust between the police officers and the community.

There must be trust, without the trust we cannot address this problem through the deterrence mechanism, we cannot.

Where is the community policing now where police officers need to be integrated more with members of the public, communicate with them about the respect that should exist. The Honourable Attorney-General explained and shared with us a story in Sigatoka where one police officer was able to hold back a number of strong, big-built people by just stopping them and telling them to go home. That happened when the penalty was still five years, not ten years still five years, which is the respect I am talking about, Madam Speaker.

What we should do here is to look at capacity-building with the police officers which would include training, equip them in the way they should be, they should have high self-esteem and be able to handle situations and portray to the members of the public that they are there to protect the law not to harm them because a person who breaks the law understands that he needs to be penalised. If we come to that juncture when a police officer comes to a person and explain to him, “You have broken the law” education have been made that members of the public understand that when they break the law, and they need to be penalised.

Madam Speaker, I have witnessed in a number of homes I have gone to when a baby or a toddler cries the mother or the father will say, “Don’t cry, the police is coming”, we all know that, you know it, and the toddler will stop crying immediately. Because of what? Because they know that the police upholds the law, because the father or the mother has told the child, “Don’t cry”. This is the environment we should find ourselves in and not by bringing fear. We talk about respect, Honourable Maharaj talked about respect, that is the environment we need to foster, respect, Madam Speaker.

We cannot be going through this path to bring fear to the people. We cannot bring this path to do anything to the police officers to help them do their job properly. That is what we want in this country, Madam Speaker, because a person who is beaten up in the Police Station is not alone; he has brothers, sisters, cousins and the relationship extends all over. When they learned about this, the anger or the tendency to revenge those kind of things will always be there. We need to bring an environment of trust where police officers would be able to do their work without fear and know that members of the public respect them. There is no need to increase the penalty.

The respect has been there from the beginning and people respect the police officers when they appear where people would stop immediately if they are fighting, they stop, or if they are told to go to a place where they should be and they follow the instructions of the police officers, not because of the increase in the penalty but because of respect, Madam Speaker. Let the five years remain and do the work of restoring trust between the police officers and members of the community. Thank you, Madam Speaker.

HON. F.S. KOYA.- Madam Speaker, some of the comments from the other side really begs the question why is it that our police officers should not be afforded some extra protection with respect to the law. That is what you ask of every other single citizen.

Madam Speaker, it is not just about the citizen because they are also citizens, they do uphold the law. They also need to feel confident that if an officer is doing his or her job, he or she is also protected by the law, Madam Speaker. It really begs the question why is it that you are so against the police officers getting an extra protection from the law?

Madam Speaker, with respect to issues that were raised by Honourable Karavaki in terms of training, I know for a fact first-hand that the Fiji Police Force has been investing in the education and training of its officers in various areas of policing and also, Madam Speaker, in customer service. They

even go beyond that with respect to dispute resolution, Madam Speaker, trying to cover the whole aspect.

I know for a fact and I say this, Madam Speaker, because my Ministry has been involved through a Memorandum of Agreement with the Fiji Police Force and they have been delivering trainings on customer service to police officers, especially, border police and tourism police officers. Since 2017 (this is a nice statistic for you), Madam Speaker, 112 police officers have been trained so it is wrong to say that they require the training because the assumption is that you are saying that they are not being trained. They are being trained, Madam Speaker, this is an addition, it is timely, and it has to be done. I wholeheartedly support the Bill, Madam Speaker.

HON. S.B. VUNIVALU.- Madam Speaker, I would like to make a short contribution with regard to what was once called the Armed Native Constabulary of Fiji when they used to be armed with truncheons. Before they used to use truncheons for self-defence, and it was later changed during Independence, now you do not see any more truncheons in use by those in uniform.

Madam Speaker, I am an ex-policeman who served in the Police Force for 12 years, it hurts me when I recall being assaulted once in uniform close to the old bridge (not the new bridge). and I know people have been talking about the police but it hurts me that not only I was trained not only me, every policeman was selected through certain criteria from all over Fiji to be recruited. One of the criteria is that, you cannot be an ex prisoner and secondly, you should be educated up to, now it is Form seven before it used to be Form six, then you can be considered to be recruited in the Police Force.

And in the police, Madam Speaker, you are trained to provide only one purpose: law and order. For three years then a police is posted to whichever post either in Viti Levu, Vanua Levu or outer islands, they are still not considered as a qualified policeman. If they commit something during this three years, they easily can be suspended or sacked from the force. And after three years, Madam Speaker, they then have to attend another course, they call it the Final Recruit Course. After the Final Recruit Course, then you are a qualified policeman. When you get married, you can be given a police quarters in whichever police post or police station you are in.

They are not trained to assault people, they are trained to arrest people. It was mentioned by the Honourable Karavaki that someone was assaulted, but Madam Speaker, there are drunkard people that are very violent. I can say that because I do have the experience of bringing the drunkard people charged with rape, breaking in or any other offence. And when interrogating drunkard people, we always remember that there is a Section in the Standing Order of the police that you have to use certain force. If not, you will not be able to achieve what is supposed to be done, which is to charge the interviewed person with the relevant offence and to be taken to court.

And it is up to them if they want a lawyer. They will be given a chance to call a lawyer, if they want to go to hospital, every chance will be given. Food and transport will be provided for the person who has been arrested food, Madam Speaker. When I was sitting down here, I used to sit down here, and they are there, and they listen to what the Opposition are saying about them. It hurts me that they are saying something bad about the policemen. We should respect the policemen and when we sleep at night, I heard that someone mentioned in this august House Madam Speaker, that it is only when they wear their uniform, they are policemen.

Madam Speaker, they are paid for 24 hours, so they can be called from their home at 1 a.m. or 2 a.m., or 3a.m. for any purpose. Whenever the need arises, they have to be called and they have to go. It is not only when they are in the uniform, Madam Speaker.

Madam Speaker, I can talk a lot about the policemen, and the police but we should respect the policemen and let them do their work. With those few comments, I support the Bill.

HON. SPEAKER.- Honourable Veena Bhatnagar.

HON. V.K. BHATNAGAR. - Madam Speaker, I rise to give my short contribution towards the Bill number four, 2018. First of all Madam Speaker, I must take this opportunity to thank the entire Police Force and the Police Commissioner for the efforts and hard work towards ensuring law and order and safety for our people.

Madam Speaker, quite often our police officers get little or no appreciation for the work they do; crime prevention, protecting our people. Madam Speaker, people do not acknowledge their work. How often do we realise the fact that they put their lives in danger for us? How often do we appreciate their efforts in ensuring our safety or how often do we acknowledge the risk, the difficult conditions they work in to keep us safe. Most of the times, we do not even think about what they are doing for our country, for us, for our safety.

One might remember the case, Madam Speaker, where officers stood in the dirty swamp for practically the whole night, to get this escapee. Madam Speaker, it is sad and disturbing when we hear and learn about incidents where our police officers are assaulted, disrespected and even stoned. And some Honourable members in this House, think that the five year penalty is just enough. Madam Speaker, the question is why are our law enforces are so vulnerable to culprits who can go to any extent to protect their illegal activities? This is simply unacceptable, Madam Speaker, and we all must take a stand and condemn these actions in the strongest possible manners and support this Bill. Let us support our police officers in the fight against crime.

Madam Speaker, Honourable Karavaki said it right, people have families, so do police officers. They also have families, wives, children and it is anyone's guess what they must be going through when their husbands, their sons go to work. There is a high risk involved in their line of duty. Someone rightfully said, Madam Speaker, the police officers and their families share a commitment to something larger than themselves and this particular statement just struck me from there.

Police officers may be called to any number of work environments as mentioned by the Honourable Member. Any form ,any variety of task like responding to emergency calls such as crimes, accidents , fire, explosions, natural disasters, flooding, patrolling, controlling traffic, investigating crimes, violence situations and this goes on and on.

The risks involved are many: murder, suicide, drowning, they have to deal with it all Madam Speaker. Sometimes they are emotionally affected too. But who cares? It is their job. Let them do it. The police officer's job. Pulling out dead bodies from rivers, it is their job, let them do it, who cares whether they are affected, they are infected? In anyway, none of our business because we do not care. Madam Speaker, unless and until it affects or involves us directly, normally we do not care.

Madam Speaker, well their sacrifices actually calls for commendation and I applaud their efforts and commitment towards saving our people and it is high time we stop and thought about the safety of our police officers. The penalty needs to be harsher and I wholeheartedly support the amendment to the Crimes Act, 2009 Madam Speaker.

HON. SPEAKER.- Honourable Kubuabola.

HON. RATU I. KUBUABOLA .- Madam Speaker, I was not going to say anything this evening but I would like to just make some comments on some of the statements made by the

Honourable Members on the other side. Madam Speaker, the present Commissioner of Police, let me assure this House, is doing a great job in carrying out the reforms within the Fiji Police Force. Not only doing that Madam Speaker, but also is reintroducing the community policing which was taken away, removed by ...

HON. OPP. MEMBER.- (Inaudible interjection).

HON. RATU I. KUBUABOLA. - ...wawa, wawa , by the Former Commissioner of Police. The gentleman from South Africa.

HON. A. SAYED-KHAIYUM.- Groenewald.

HON. RATU I. KUBUABOLA. - Yes. The present Commissioner of Police is bringing back the Duavata Community Policing. Madam Speaker, let me just respond to the Honourable Karavaki,

HON. S.D. KARAVAKI.- Inaudible interjection.

HON. RATU I. KUBUABOLA.- Some of the things that he said. The respect for police as mentioned by the Honourable Karavaki is not only lacking in the police by the community, it is lacking everywhere. If you look elsewhere, there is no respect for people. It goes back to families. The need for families to teach their children to respect people and that is lacking now.

Madam Speaker, I had to bring in the President of the Fiji Council of Churches last year, who is also the President of the Methodist Church, to share my concern with him on the decay of family values.

HON. GOVT. MEMBERS.- Hear! hear.

HON. RATU I. KUBUABOLA.- And one in particular is the respect for people. We need to teach our children to respect people. You cannot expect people to respect the police, it starts from home.

HON. S.D. KARAVAKI.- (Inaudible interjection).

HON. RATU I. KUBUABOLA. - Yes, it starts from home. You as a leader, Madam Speaker, we need to teach our people, families, to teach their children to have respect for people, for the police and for everyone. Madam Speaker, I support this Bill because we feel very strongly that the present penalty is too low. That should be moved up from five to 10 years. Madam Speaker, as you know, the police play a very important role in our society. They have significant responsibilities to maintain peace and order and to uphold principles of justice without compromise. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members, time has caught up with us and we have just enough time for the Right of Reply. I now invite the Honourable Acting Prime Minister to give his Right of Reply.

HON. V.R. GAVOKA.- Madam Speaker, one second?

HON. SPEAKER.- No, there is no time. We were given only hour. This has been agreed to and now it is time for the Right of Reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will just respond very quickly on the issues that have been raised by the Honourable Members of Parliament in respect to this Bill. Madam

Speaker, it is very important for us to understand that Honourable Karavaki raised the issue about how the story that I told about Nadroga and Sigatoka many years ago when I was a child. He said without the sentence being high is in respect of uniform, it is true. But of course, Madam Speaker, the fact of the matter is its time to change.

We did not have the 1987 *coups*, Madam Speaker, then we of course had different values as the Honourable Minister for Defence did talk about the family values may have changed, in the same way for example, sexual offences, the penalties were much lower previously. We have now increased the penalties, now recognised different types of sexual assaults because times have changed and the law needs to change with the times. And we need to be cognisant of the changes in society and thereby the laws need to reflect these changes and the law itself needs to change.

Madam Speaker, we have the Honourable Prasad who obviously lacks but we are not being selective. This is the first time that they have actually acknowledged the 1987 coup whereas previously they seem to have amnesia about that. Various comments been made about the Commissioner of Police, prior to 5th December, 2006. You can tell many stories about his interference in the political sphere when Commissioners of Police are supposed to stay out of that. The Honourable Minister for Defence has already mentioned about the Community Policing that was removed by Commissioner Groenewald.

Of course, one may say that the police was actually compromised in the events of 2000. If we do not want to talk about it simply just stood by. Madam Speaker, the genesis of course took place in 1987 but, Madam Speaker, the other point that I also want to highlight that some of the Honourable Members of the other side have talked about, this is not a dichotomous approach. When we talk about police brutality or police offences, that is a separate issue. And I am sure we all agree that any police officer that steps out of his or her boundaries or limits will need to face the brunt of the law too. But as far as this law is concerned, we are talking about assaults on police officers and we need to address that holistically and looking only at this issue.

I think Madam Speaker, even man they seems to have this misconception that only when they have true democracy everything was hunky dory. I can tell you, Madam Speaker, in 2007 when we were appointed, we discovered certain police stations, even when they had Parliament then, under the 1997 Constitution, certain police stations used to order bags of chillies. Two police stations that come to mind are Namaka and Labasa, where it was standard procedure to use chillies on suspects. It was the standard order that was made for people to supply chillies.

We stopped that, Madam Speaker, so it is completely inappropriate or in fact misrepresentation to say that everything was hunky dory prior to 2006. There were numerous cases, one particular famous case, when a child was actually handcuffed to a coconut tree for hours on end. In fact it was a compensation that had to be paid by the State then. It was prior to 2006, so let us get that right, where issues of police brutality and police stepping on their line and nothing you do, whichever Government is in power, do about adherence to the procedure that they do have.

A story of trust which Honourable Minister of Defence had mentioned. Trust is all about relationship we built, it is about changing society, about changing of values and systems. But we need to also understand and the reality is that, the current circumstances given our history, we need to ensure that we built back the institutions. In order to build back institutions, you need to have the appropriate laws in place. So people will actually respect the law, people will actually respect the institutions, the institutions are very critical. Similarly, in the way that we treat this arm of the State, then it is in respect of the Parliament. Similarly, you need to have respect for the Judiciary.

There are certain laws against what you can say or cannot say about the Judiciary. Some things that can be said and cannot be said in Parliament. So things can be said and cannot be said about the Honourable Speaker because the Honourable Speaker is the embodiment of this institution. So, Madam Speaker, these are some to the critical issues we need to view in respect of building institutions and it is very critical for us to be able to understand. We need to strengthen the Fijian Police Force; it is being institutionalised in terms of its structure; be given the right of resources let us give it the law to ensure that it acts as a deterrent. The ideas is not to lock up people, the ideas is to deter people and as we know that sentencing does act as a deterrent and Act as an example.

On numerous instances for example the Commissioner of Police recently told us that there is reason to arrest a very violent offender and he tried to attack them with a cane knife. In fact they had backup from the Military, they had to shoot in the air when they went, he backed off. Previously people would not dare to take police officers with cane knives but it is happening and that is the reality. The enforcement of the law needs to take place and therefore police need to be given that level of assurance because they are, as Honourable Veena Bhatnagar has noted, they do put themselves on the line. They are the ones walking on the street, only a few years ago they were getting paid \$6,000 a year and give some kerosene and a roof. Six thousand dollars (\$6,000) a year they were getting. They are thankful it is not the position now, the JEE has been fully implemented.

So we need to recognise these men and women who are protecting us. We need to ensure that we strengthen the organisation within the forefront of, as everyone agrees, maintaining law and order in our country, which is very critical for not just our safety but also for economic growth.

Madam Speaker, I urge all Honourable Members to support this particular Bill. Thank you, Madam Speaker.

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

Question put.

The Question is:

Pursuant to the Resolution of Parliament passed on Tuesday 13th March, 2018 that the:

Crimes (Amendment) Bill 2018 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of “Noes”)

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

Votes Cast:

Ayes	:	28
Noes	:	9
Not Voted	:	13

HON. SPEAKER.- There being 28 Ayes, 9 Noes and 13 Not Voted, the motion is agreed to.

SECRETRAY-GENERAL.- A Bill for an Act to Amend the Crimes Act 2009 (Bill No 4 of 2018), Enacted by the Parliament of the Republic of Fiji. (Act No..... of 2018)

SUCCESSION, PROBATE AND ADMINISTRATION (AMENDMENT) BILL 2018

HON. SPEAKER.- Pursuant to the resolution of Parliament on Wednesday, 14th March, 2018, the Succession, Probate and Administration (Amendment) Bill 2018 will be debated and voted upon today. Debate will be limited to one hour, I now call upon the Acting Prime Minister to move his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament passed on 14th March, 2018, I move:

That the Succession, Probate and Administration (Amendment) Bill 2018 be debated, voted upon and be passed.

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

HON. SPEAKER.- Before we proceed, I remind Honourable Members that the debate must only be on whether the Bill should pass and not on the content. I now call on the Acting Prime Minister to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, being cognisant of the time I will be very brief. Madam Speaker, as highlighted in the introduction of this Bill a couple of days ago, this amendment seeks to essentially bring this last pinnacle, if you like in respect of Family Law in alignment with the changes that have taken place in the Family Law Act and also the FNPf Act where we, Madam Speaker, recognise *de facto* relationships and the ability of those who are in *de facto* relationships to have a provision for them in this Succession, Probate and Administration Act.

It is very important for us, Madam Speaker, to ensure that in particular as we know that most *de facto* relationships in Fiji where the *de facto* partner is a female, they generally turn to lose out. This is why the Family Law Act was amended in 2012 to bring it in alignment and making it fair in the alignment with CEDAW also, Madam Speaker, and of course it now aligns with our Constitution provision which is unfair discrimination provision under Section 26, subsection (3) where we do not have gender discrimination of the person, social economic status. Similarly, Madam Speaker, the FNPf Act also now recognises *de facto* relationships where people sometimes do not for example nominate their partners before they die and so when they do die people who are in *de facto* relationships actually do lose out. But now of course they do not in the FNPf Act.

Similarly, Madam Speaker in this particular situation what we are trying to remedy is that if a person dies interstate, in other words without a will then the *de facto* partner has the ability to be able to claim property under this new amendment that we are seeking to provide. Of course, as we said indirectly also it can affect the children from *de facto* relationships, notwithstanding the fact that now the Family Law Act does recognise *de facto* children. We can also understand, Madam Speaker, if for example the person is in a *de facto* relationship and young children obviously with the *de facto* partner are not being able to access the property would have a huge impact on the young children themselves, in particular if they are below the age of 18.

Madam Speaker, of course, we have looked at various other provisions in other jurisdictions and as the Bill does state it gives that level of comfort for those in a *de facto* relationships. Madam Speaker, with those introductory remarks, I would urge all members of Parliament to support this amendment to the Bill and to bring it in alignment and indeed support women's rights. Thank you.

HON. SPEAKER.- The Bill is now open for debate and I invite input if any?

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. It is very unfortunate that the Bill has been presented to Parliament in this manner, in the expedited way. The Bill contains a very important and as I see it a very serious moral issue, and I only hope that it would have been referred to the Committee to look at it, the religious community can come before the committee and make their presentation, considerations are made and report on the Bill to be referred back to the House. Unfortunately, it has been referred in this way.

I would understand if the Government is looking at it simply giving the right to de facto relationship. But as I look at it, Madam Speaker, it is more than that, it is not just giving the right. We, Madam Speaker, do not worship rights. We worship the God that gives us the rights, that bestows the rights on us. This is very important issue, because if we consider this Bill and pass it we are actually promoting adultery relationship in this Bill. Adultery is the sexual conduct of two persons outside the institution of marriage. There was a reason why the law was made as it is because of the moral issues. If we look at the Bible, Madam Speaker, Deuteronomy 29 and 30, it talks about the curse that would be bestowed to the people who deliberately and continue to break the moral law.

We are actually taking steps now to legalise the breaking of the law. Moral law in the seven commandments says, thou shall not commit adultery. There is a reason why it says that, Madam Speaker, because if you look at the Gospel of Mathew 19, you look at 1 Corinthians 7, it talks about when two are married the body of the wife does not belong to her it belongs to the husband only, likewise the body of the husband it does not belong to him it belongs to the wife only. That bond is sacred, and not to be shared with someone else outside marriage, that is the whole purpose of that.

Now we are promoting a relationship that does not hold that bond. We are therefore legalising, and I am concerned, Madam Speaker, because by doing this the whole nation will come under the curse, which we do not need. The whole nation is cursed because it becomes the national law.

When we make laws, Madam Speaker, unfortunately past governments and this government they do not take up the moral law to put it in front of them to check the law that they are making whether it is in accordance with the moral law or not. That is why I have been saying in the House more often that when we make bad laws it is because we do not take into account the moral law. We make laws that break the moral law itself that invites curse to come upon us. This is exactly what is being done in this law.

Madam Speaker, I know we are not supposed to debate on the content, unfortunately, I see a serious breach in the content where they talk about the matrimonial home being shared because they have also included de facto relationship where there was only the wife or the husband, they have also inserted the de facto relationship. Unfortunately, Madam Speaker, the matrimonial home has not been defined by this Bill.

The definition of matrimonial, Madam Speaker, refers to the institution of marriage, so any matrimonial property is the property of the marriage since the de facto are not married. It is a serious breach, that is in this law. How can the marriage property or assets be also applied to them when they are not married? They should have defined that in the law to also cover the de facto relationship but they did not do that. I have raised a lot defects in the past Bills that have been brought into this House under Section 51, but I hope they have not taken it and changed it because they did not bring it back to the House, because they have passed it here as they were.

I am raising a very serious issue here, Madam Speaker, and I hope that the Government will take into account all these things. It involves very serious morale issues in this law and I am concerned about this nation because this has been in the past, Madam Speaker, where the writing appears on the

wall and it says, “You have been weighed in the balance and you have been found wanting.” The Government should realise that and take that very seriously tonight. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Lorna Eden.

HON. L. EDEN.- Thank you, Madam Speaker.

Madam Speaker, I rise in support of the Bill before this House. As explained earlier by our Acting Prime Minister, this Bill will ensure that the progress made over the years for de facto recognition is not curtailed and that the laws of Fiji are consistent, keeping in mind, Madam Speaker, that de facto relationships were formerly recognized by way of an amendment to the Family Law Act 2003 in 2012.

It will also give further comfort, Madam Speaker, to those who have happily chosen to live in de facto relationships. Madam Speaker, the bottom line is that it is all about choice. In Australia alone, Madam Speaker, there are more than a million couples living happily in de facto relationships and that was from a census done a couple of years ago and they are secure under their de facto laws.

In the 2013 census in New Zealand, 409,377 people were living in de facto relationships and they too are all protected under their de facto laws. Even in the Cook Islands, Madam Speaker, where the de facto rights became law in July last year, they too are well protected. I am not certain what the number is in Fiji, Madam Speaker, but I am sure it would surprise a lot of people in this House today. I would not be surprised Madam Speaker, if there are quite a few Honourable Members here today who are living in de facto relationships as we speak. Madam Speaker, they wanted me to speak yesterday and now I am speaking and they do not want to listen.

Madam Speaker, that they too would like their partners to have a piece of mind with this strengthened protection. I say again, Madam Speaker, which it is all about choices. There are many different reasons, Madam Speaker, as to why people, women in particular are living in de facto relationships. They may not believe in marriage for example or maybe their religious beliefs do not recognise divorce or they may have been in an abusive marriage before and are hesitant to make that same mistake again or they were in an abusive marriage and their spouse will not divorce them thus the circumstance of living with their new partner in a de facto relationship.

There are many reasons, Madam Speaker, but at the end of the day I believe it should be that person or person's choice not ours and that they should be protected all the way. Whatever their reasons for not going the traditional way of tying the knot at a wedding ceremony, it should not in any way preclude them or deny them the right of the benefits as they would have had should they have been in a normal marriage. And this Bill, Madam Speaker, will further strengthen their position and give them comfort in their relationship.

I know, Madam Speaker, of dozens of couples who have chosen to live happily in de facto relationships and some have been doing so for more than 30 years. The ones living overseas are quite happy because their rights are protected to the very end, the ones living here in Fiji, Madam Speaker, I know will be very happy when we pass this Bill tonight which will give them the security and comfort they deserve to match the choices that they have made. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Dr. Mere Samisoni

HON. DR. M. SAMISONI.- Thank you, Madam Speaker. I have been very lucky, I belong to a party that allows for free choice. As you know I am a nurse administrator, and I am also a midwife and mother. While I do support the Bill, I feel that it should have gone through a further process of

more decision making and some religious bodies should also have their say. I think that is important because people need to own this Bill; any problem or any policy or any Bill, people need to own it and this is why I support it. I have been given the right to support this and to say this. The reason is because we have to be realistic today.

While I am a very strong Christian and believe in the institution of marriage, I still believe that we have to be realistic. Realism, Madam Speaker, there are a lot of women who are in the poverty line and with strategic development plan (a), we need to help them and gender equality is strategic development plan (b), we need to help them under Section 17(1) which is justice and women need to be helped. I thank my party for allowing me to say this and thank you for the process, I can say this to help more women and I support the Bill.

HON. SPEAKER.- Honourable Veena Bhatnagar

HON. V. K. BHATNAGAR.- Thank you, Madam Speaker. I rise to contribute to this Bill on the floor. Literally listening to some Honourable Members they make it look like a crime to be in a de facto relationship. Actually this social stigma should be totally removed. Madam Speaker, suppose there are two people who have lost their partners and they come together in a relationship; a husband has lost his wife and the wife has lost her husband. Here are two free people who come together in a de facto relationship, and live together, share and they provide support to each other, what is wrong with that?

Do not make it look like it is a crime to do that. That is how some people perceive it, but we should do away with this social stigma of making it look like a crime. Madam Speaker, people live in de facto relationship for years, 30 years, 40 years, and they do not legalize it for some reason or the other. The reasons are best known to them.

Madam Speaker, I rise to support the Bill and unlike de facto relationships, marriage is actually recognised nationally and internationally. However, the dynamics of these two kinds of relationships are pretty much the same, differentiated only by a legal registered document that legalizes marriage.

Madam Speaker, in my tenure as an Assistant Minister for Women, Children and Poverty Alleviation, I have come across several couples that live together but are not legally married. I have also come across cases where women in de facto relationships at the demise of their partners did not inherit any of his properties or funds with no means of survival. They come asking for welfare assistance from the Government, Madam Speaker, which is an extremely sad scenario that after years of having a loving relationship with someone, making sacrifices and commitment of a legally married wife, women are forced to seek assistance elsewhere or depend on Government assistance when their partners pass away. Children born out of wedlock to de facto couples having to seek Government assistance when one of the parents passes away and the properties and funds of the parent was actually passed on to a legal partner of that parent. Madam Speaker, just imagine where a child is given a comfortable life while the parent was alive, it gets reduced to mere surviving after their parent's demise only because their parents were not legally married.

Women in de facto relationships have cared for their sick and paralysed partners for years but upon the demise of their partner, the woman is left practically with nothing. The moment the partner dies, the woman is kicked out of the house, not even allowed to pay her final respects to the person whom she had given the best years of her life. A woman who supported him through thick and thin, good times and bad. But again, Madam Speaker, thanks to the FijiFirst Government for giving these women the right to live their lives with dignity and respect. Madam Speaker, today with the passing of this Bill, there will be many women who will be happy.

The scenarios actually which I have just related now, Madam Speaker, are enough to illustrate the plight of families of de facto relationship couples and the injustice that happens. The injustice not only affects women but also children. If we stand here lobbying for children's rights without considering such a scenario then we are of course failing them. I support this amendment with the plight of children, women and the underprivileged being the centre of my concern. *Vinaka vakalevu.*

HON. SPEAKER.- Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. As you can see, Madam Speaker, on this side of the House, we are voting on conscience. There is no party line on this one. We were advised that we will vote the way we want to vote in accordance with the way we believe issues of this nature.

This is one, Madam Speaker, that is quite monumental and it is very sad and we are protesting the way it has been brought into Parliament that something this huge is being discussed in this in this manner and passed in this manner.

Madam Speaker, we heard my colleague Honourable Karavaki and he spoke from the scriptures and what it tells us is that we are a people who wear our religion on our sleeves whether we like it or not. This is Fiji. This is the way we do it. Everyone here worships God and that behoves us to be careful when we bring in something like this which is in direct contravention to the Lord God that most of us know. This should have been brought out into the open and discussed in a manner that would give the opportunity to everyone to have a say.

The churches have been the custodian of morality in this country. They have fought hard, they kept us together all this while and here we are without consulting them, we are pulling the rug from under them. All the work they have done since Christianity came to Fiji in 1835, keeping the morality of this country together is going to be over one night like this, we dismantle a lot of what they have done. It would have been better if we had engaged them, give time for this kind of Bill.

You remember the flag. Government introduced the flag. It was on its way to passing but when we went around talking to people eventually it began to fizzle out. Something monumental like the flag, fizzled out because we engaged the public to have a say in something of this nature. So it is very sad, Madam Speaker, that it is happening this way. Something this important has been brought up into this House in this fashion.

In my village, just over the last few weeks, the *talatala* went around and anyone who was living in a de facto relationship was urged to get married. I mean that is the reality of life in most of Fiji. We may be modern, we may be educated, we may live in the cities but the vast majority of the people still believe in the fundamentals of the scripture and that is why we should have taken the trouble to also consult with them. Give time for them to air their views on this matter. Madam Speaker, I will not vote for this, vote against it. Conscience, my own way, my own decision and this is one of the reasons. Something this huge has been brought in this manner which I believe many people need to have a say on it. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Ro Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. If I may be allowed to make a small contribution and I am glad that I am given the opportunity to share my thoughts and vote with my conscience because this is a very sensitive issue and I know all of us here in this House must be given the opportunity to vote on conscience and not vote along party line.

I know most of us here are married. We have got wives, children and when you return home and meet your families, your wife or husband will ask, “why did you vote for that, why did you not vote for that” and you have to answer to them.

So it is very sensitive and on this side of the House, we must give the opportunity for the churches, for the people to air their views through the committees and not be persuaded by other countries to be liberalised or do whatever they want to do.

This is Fiji. As already alluded to, this country is built on moral values and we should not be persuaded by what other countries do because we are different people, we have our cultures, tradition, taboos, values and we must respect that and uphold that because we are the way the world should be and we should be as we are and not copy others to be like them because they want to be like us because of who we are as Fijians.

I hope that we will uphold that. We should love each other. We love those who are in de facto relationships and hopefully they will see the light that for us that is not the way to address this Bill because there are other avenues; you can write a will. If you are in a de facto relationship, you can talk to each other. How can we resolve the issue if something happens; what about the properties? You can write a will. It does not have to be a Bill where it encourages de facto relationships as already being alluded to. So I hope the other side will consider taking this Bill to the Committee so that all of us respect the rights of women and we also respect the men as they have the rights as well. At the end of the day when the Committee comes with its recommendations, be rest assured that whatever decision we make all of us had a say in it. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister for Employment.

HON. J. USAMATE.- Madam Speaker, I think this is a very difficult Bill for a lot of people in terms of their religious beliefs. I want to tell this House that I am also am a Christian. I believe in the tenets of my faith. I also believe that the tenets of my faith holds a number of things supreme. One that you serve the Lord your God with all your heart, with all your soul and your mind and you serve the people around you, you give them love and love is not just about words. Love is about taking care of those that are in distressful situations.

People fall into all kinds of things. In my own life, I would like all my children to be married as I am married, my granddaughters, my grandchildren all of them to be married, but these things do happen and the people that fall victim to this, they are still human beings. I am a product of a de facto relationship. I am a human being. There are thousands of people like me. Why should human beings not be deprived of getting something but will help them in their lives, why not? I believe the way that I view my religion, that helping people that have been through these de facto relationships, their children, husbands, girlfriends, so forth is still about helping people. At the end of the day, we must be here to help all the citizens of this country immaterial of who they are, immaterial of where they come from; everyone that is born, is not born by accident. We are all created in the image and likeness of God, so we must all look after all of them. That is why I support this Bill.

HON. SPEAKER.- There being no other input, I now give the floor to the Honourable Acting Prime Minister to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I would like to thank all the Members who spoke in support of this Bill.

Madam Speaker, just to provide some clarification, the Honourable Karavaki the matrimonial home is actually defined within the substantive Act itself.

Madam Speaker, the reason why this Bill was actually put through Standing Order 51 because it is nothing new. This is already a law that exists in the Family Law Act that recognizes de facto relationships. There is already a provision in the FNPF Act that recognizes de facto relationship. This is the only law to do with marriage and is only applicable in instances where as Honourable Kiliraki talked about; where there is no will. Not everyone writes a will. Sometimes people forget; sometimes people's will are no longer relevant.

Only in those instances, then you rely on the Succession Probate and Administration Act. What we are saying, if that incident arises and already because we are recognising de facto relationships in the Family Law Act and also in the FNPF Act, then we should recognize it in this too. It is very simple.

All those discussions that have already been held, we have had absolutely no opposition to the recognition of de facto relationships under the Family Law Act and also under the FNPF Act.

Madam Speaker, we are not promoting adultery. Just because we pass this Bill today, not everyone is going to run around and say, "let us have an additional relationship." No! That is like saying, if we have passed a law on sexual offences, everyone is going to commit sexual offences. No! If we are not supposed to do anything, whichever faith we belong to, there are certain commandments, but we know that despite the commandments, people are still doing things against those commandments.

Madam Speaker, this is a practical issue also. There are certain people we have known this to happen in particular, low income families, people come with promise that will get married and they lure people. They may be lustful too, whatever the case maybe. They go off and get married in front of a priest or a "kadhi" or maybe go to a pastor who is not a registered legal officer and they say we are married, but he is not a marriage celebrant. He is not a registered officer.

Legally, they are not married. The Civil Law does not recognise. They have been legally married. They are in a de facto relationship. That happens a lot. There are lot of people who do that. So, technically, there are still in a de facto relationship and what we are saying and many people continue to live like that without actually being brought before a registered legal officer and be married. They continue to live like that for a number of years. What this law does, Madam Speaker, it gives them the protection.

Madam Speaker, the point about curse was raised. Personally, I believe that we will be cursed if we do not provide justice to people. I believe, Madam Speaker, that we do not provide fairness and justice and recognize those people who are marginalised in our society then maybe you will be cursed, not by hiding your head in the sand and pretending that these things do not happen.

Madam Speaker, it is happening in our society. We need to recognize this because lot of people are being treated unfairly. That is fundamentally the points that I have to make; it is already an existing law, it is there in the Family Law Act, it is in the FNPF Act. This is the last piece of legislation that we need to bring up to speed; it helps us to bring us in compliance with CEDAW and various other provisions.

We are not worshipping rites *per se*, Honourable Karavaki. We are simply trying to provide justice in the form of revenue of recourse and redress in the event that one of the spouses dies without writing the will and they are in a de facto relationship and indeed, Madam Speaker; it also sets out the definition of what is a de facto relationship in the Family Law Act. It says "in determining where the

two persons are in a de facto relationship or the circumstances in a relationship are to be taken into account including but not limited to the following is namely relevant in a particular case:

- a) The duration of the relationship
- b) The nature and extent of common residence
- c) Whether or not a sexual relationship exist
- d) Degree of financial dependents or interdependence and arrangements for financial support between the parties
- e) Ownership used in acquisition property
- f) Degree of mutual commitment to a shared life
- g) Care and support of children, if any
- h) Performance of household duties
- i) Reputation and public aspects of the relationship

It is not some willy-nilly, just because someone went and held someone's hand or maybe spent two nights with someone, therefore there is a de facto relationship. There is a real test to it to show an ongoing relationship, Madam Speaker. That is since obviously the person who will be aggrieved needs to be in some form of recourse.

I urge everyone in Parliament to actually support this because we already have an existing law and it will provide justice to many people and in particular the women of this country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Parliament will now vote. The question is pursuant to the resolution of Parliament passed on Wednesday, 14th March, 2018 that the Succession, Probate and Administration Amendment Bill 2018 be debated, voted upon and be passed.

Does any Member oppose the motion?

(Chorus of "Ayes" and "Noes")

Votes cast:

Ayes	-	27
Noes	-	9
Not Voted	-	14

HON. SPEAKER.- There being 27 Ayes, 9 Noes and 14 Not Voted, the Bill is agreed to.

SECRETARY-GENERAL.- A Bill for an Act to amend the Succession, Probate and Administration Act 1970 (Bill No. 5 of 2018) enacted by the Parliament of the Republic of Fiji. (Act No. of 2018).

CONSOLIDATED WATER AUTHORITY OF FIJI 2010-2012 ANNUAL REPORT

HON. SPEAKER.- Before I call upon the Chairperson, I wish to clarify that at the end the debate, we will be voting merely to note the report. Once the vote is taken it ends there and the report will not be debated again in Parliament.

I now call upon the Chairperson of the Standing Committee on Natural Resources to move his motion.

HON. CDR. J. CAWAKI.- Thank you, Madam Speaker. I move that Parliament debates the report on the Water Authority of Fiji (WAF) Consolidated Annual Report for 2010 – 2012 which was tabled on 8th February, 2017.

HON. SPEAKER.- Do you have a seconder?

HON. RATU K. KILIRAKI.- I beg to second the motion as a bi-partisan report

HON. SPEAKER.- Thank you. I now invite the Chairperson of the Standing Committee on Natural Resources to speak on the motion.

HON. CDR. J.CAWAKI.- Thank you Madam Speaker.

The Acting Prime Minister, the Honourable Leader of the Opposition, Honourable Members of the House, on behalf of the Honourable Members of the Natural Resources Standing Committee, I take this opportunity to speak on the motion in regards to the review that was made to the Water Authority of Fiji Consolidated Annual Report for 2010 – 2012.

I wish to express my sincere thanks to the Members of the Standing Committee on Natural Resources in the executing this bi-partisan report. I also extend my appreciation to the Executives of the Water Authority of Fiji for their submissions.

Madam Speaker, the 2010 – 2012 Consolidated Annual Reports of the Water Authority of Fiji is the first since the promulgation of the Water Authority of Fiji on 1st January under the Water Authority of Fiji Promulgation No. 25 of 2007.

In addition to this Madam Speaker, each year the Government allocates funds to the Water Authority of Fiji to meet its operational and Capital Expenditure and the money collected from customers are banked into the Government's Consolidated Bank Account.

Madam Speaker, the 2010 – 2012 have been the key in the transition from a Government Department to a Commercial Statutory Authority. The Authority was formed by the Government of Fiji under the WAF Promulgation of 2007 in order to provide environmentally sound sustainable efficient and effective water and waste water services.

Furthermore, Madam Speaker, the Government of Fiji started reforming the Water and Sewerage Department in 2009. The objective of this reform was to enhance the sustainable delivery of water and sewerage services through appropriate level of services. The reform aimed at strengthening the Water and Sewerage Department before establishing the Water Authority of Fiji (WAF) which is dedicated to the delivery of water supply and sewerage services autonomous and be able to mobilise the necessary resources to meet the demand effectively and efficiently at required quality standards.

From 1st January, 2010 the Authority officially took over responsibilities, and functions and operations previously carried out by the Department of Water and Sewerage. The first few years of operation are key to establishing the most effective culture and mix of people, their processes, procedures and governance. The equipment policies, and monitoring and reporting until the sixth year.

WAF is responsible for providing access to quality drinking water and waste water services to over 144,000 residential and no-residential immediate customers residing largely in urban areas, and also setting up water supply systems in rural schemes, reaching over 700,000 people nationwide.

Madam Speaker, one of the highlights of the Authority was the organisational reform and staff capacity building. It was eminent that the staff needed to be up skilled and become effective utilities.

Madam Speaker, at this juncture, I wish to acknowledge the presence of the WAF executives sitting in the gallery at this hour, who are present here with us today and I also thanked the Executives for their response on the findings of the Committee that is in the Report.

The Committee is optimistic that the Water Authority of Fiji (WAF) will implement ways and strategies on the findings and the recommendations of the Committee as a way forward for the Authority.

Madam Speaker, with those few words, as a Member moving the motion I thank you for this opportunity. *Vinaka vakalevu.*

HON. SPEAKER.- Thank you. That motion is open for debate and I invite input, if any? Honourable Ratu Kiliraki?

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. I just want to reiterate that the Reports is a bipartisan one and I acknowledge the response from the WAF in regards to the recommendations and their efforts to address the recommendations that was presented to them and on that note, Madam Speaker, this side of House endorses the Report that is tabled. Thank you.

HON. SPEAKER.- Thank you. Honourable Samuela Vunivalu.

Honourable Samuela Vunivalu if you are going to speak, you have the right to speak. I mean you stood up, you have not said anything that you did not want to.

HON. S.B. VUNIVALU.- Madam Speaker, it is all right because they all laughed.

(Laughter)

HON. S.B. VUNIVALU.- Madam Speaker, the Honourable Acting Prime Minister, the Honourable Leader of the Opposition, Honourable Ministers and Honourable Members of Parliament; on behalf of the Honourable Members of the Standing Committee on Natural Resources, I take this opportunity to speak on the motion in regards to the review that was made on the WAF Consolidated Annual Report 2010 to 2012.

As already mentioned, on 1st January, 2010, WAF officially took over the responsibilities, functions and operations previously carried out by the Water and Sewerage Department.

Madam Speaker, the Government of Fiji started reforming the Water and Sewerage Department in 2009. The objective of this reform was to enhance sustainable delivery of water and sewerage services to appropriate levels of services.

Madam Speaker, the reform aimed at strengthening the then Water and Sewerage Department before establishing the WAF which is dedicated to the delivery of water supply and sewerage services autonomous and be able to mobilise the necessary resources to meet the demand. Effectively and efficiently, it required quality standards.

Madam Speaker, given the time lapse of annual reports, the Committee was of the view that the WAF has taken note of the findings and recommendations of the Committee and aims at improving its services now and in the future.

Madam Speaker, with those few comments, I support the motion before the House.

HON. SPEAKER.- There being no other input, I will now give the floor to the Chairperson of the Standing Committee on Natural Resources to speak in reply.

HON. CDR. J.R. CAWAKI.- Madam Speaker, I have no other comments.

HON. SPEAKER.- Parliament will now vote to note the content of the Report.

Question put.

Does any Member oppose the motion?

(Choruses of “Noes”)

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

Motion agreed to.

HON. SPEAKER.- I will now call upon the Chairperson of the Standing Committee on Foreign Affairs and Defence to move his motion.

**MINISTRY OF DEFENCE, NATIONAL SECURITY
AND IMMIGRATION ANNUAL REPORT 2014**

HON. LT. COL. N. RIKA.- Madam Speaker, I move:

That Parliament debates the Review Report of the Committee on the Ministry of Defence, National Security and Immigration Annual Report 2014 which was tabled on 8th February, 2017.

HON. H.R.T. POLITINI.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now invite the Chairperson of the Standing Committee on Foreign Affairs and Defence to speak on this motion.

HON. LT. COL. N. RIKA.- Madam Speaker, the Honourable Acting Prime Minister, the Honourable Leader of the Opposition and Honourable Ministers and Honourable Members of Parliament; on behalf of the Honourable Members of the Standing Committee on Foreign Affairs and Defence, I take this opportunity to speak on the motion in regards to the Review Report of the Committee on the Ministry of Defence, National Security and Immigration Annual Report 2014.

Madam Speaker, at the outset, this Committee Review Report is a bipartisan one with the comprehensive contribution from Honourable Members of the Committee from both sides of the House.

Madam Speaker, the Committee, during its scrutiny process called the submission from the Ministry and acknowledged their participatory involvement and tireless effort towards the assessment and compilation of the bipartisan Report.

Madam Speaker, the review exercise was possible after a round of consultation with the Ministry. The findings of the review and the recommendation put forward by the Committee are intended to assist the Ministry's service delivery in the future, especially in meeting Fiji's domestic

security defence and safety requirements in addition to fulfilling its international obligation to global security, peacekeeping mandates through the United Nations and other multinational initiatives, therefore the Committee feels that the Ministry will need to consider the recommendation and findings which include the following recommendation:

1. The Ministry to consider an organisational structure to include the Republic of Fiji Military Forces, Fiji Police Force and other agencies as per the Ministry responsibility; and
2. The Ministry of Defence focuses on its core role of maintaining a safe and secure Fiji for all citizens and visitors to ensure economic growth and democratic development processes are achieved.

Madam Speaker, the six findings all come under Recommendation 2, that is, for the Ministry of Defence to focus on its core role. Moreover, the outcome of the consultation was positive in which the Committee had identified areas of concern that need to be addressed in order for the Ministry to effectively achieve its goal and Key Performance Indicators.

Madam Speaker, it is to be noted that the recommendations have been implemented successfully by the Ministry.

Madam Speaker, we thank you and we commend the Ministry of Defence for their commitment in this Report, and I thank you for this opportunity.

HON. SPEAKER.- Thank you, the motion is open for debate. I invite input, if any.

Honourable Ratu Matanitobua?

HON. RATU S. MATANITOBUA.- Madam Speaker, we support the Review Report and I urge Government to consider the Committee's recommendations.

HON. SPEAKER.- There being no other input, would the Chairperson like to give his right of reply?

HON. LT. COL. N. RIKA.- Madam Speaker, I do not have any reply. Thank you.

HON. SPEAKER.- Parliament will now vote to note the content of the Report. Does any Member oppose the motion?

(Chorus of 'Noes')

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

Motion agreed to.

HON. SPEAKER.- Honourable Members, that brings the end to today's sitting and I thank you all very much for your patience and for your healthy debate and input to today's Order Paper, thank you.

Parliament is now adjourned until tomorrow morning at 9.30 a.m.

The Parliament adjourned at 9.27 p.m.