

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

THURSDAY, 12TH JULY, 2018

[CORRECTED COPY]

CONTENTS

	<u>Pages</u>
Minutes	2386
Communications from the Chair	2386
2018-2019 Appropriation Bill 2018	2386-2387
2018-2019 Consequential (Budget Amendment) Bills 2018	2387-2464
Suspension of Standing Orders	2465-2466
PSMA on IUU Fishing and WHO Protocol on Tobacco Products	2466-2470
Parliamentary Remunerations (Amd't) Bill 2018	2470-2472
Presentation of Papers & Certain Documents	2472-2474
Presentation of Reports of Committees	2474-2485
Adjournment	2485-2486

THURSDAY, 12TH JULY, 2018

The Parliament resumed at 9.36 a.m., pursuant to adjournment.

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable N. Nawaikula.

MINUTES

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

That the Minutes of the sitting of Parliament held on Wednesday, 11th July, 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

I welcome all Honourable Members to today's Parliament Sitting, as we continue with the debate on the 2018-2019 Budget.

I also welcome the teachers and students from Yat Sen Secondary School, who are here to witness the continuation of debate. Welcome to Parliament.

I also welcome 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 taking interest in your Parliament.

Delay – Daily Hansard

For the information of Honourable Members, the *Hansard* Reports will be delayed due to the prolonged sitting last night and will be circulated once the Secretariat finalises the Reports.

Given that we had completed the Committee of Supply last night, we will proceed to the next Item as listed in the Order Paper.

RESUMPTION OF DEBATE ON THE 2018-2019 APPROPRIATION BILL 2018

HON. SPEAKER.- I now call upon the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications to move the Third Reading of the 2018-2019 Appropriation Bill 2018 (Bill No. 10 of 2018).

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

That the 2018-2019 Appropriation Bill 2018 (Bill No.10 of 2018), be read a third time and do pass.

HON. SPEAKER.- Parliament will now vote on the Third Reading.

Question put.

The Question is:

That the 2018-2019 Appropriation Bill 2018 (Bill No. 10 of 2018), be read a third time and do pass.

Does any Member oppose the motion?

(Chorus of “Noes”)

HON. SPEAKER.- The motion is, therefore, agreed to.

Motion agreed to.

Bill reported without amendment, read a third time and passed.

[A Bill for an Act to appropriate a sum of Four Billion, Two Hundred and Forty Nine Million, Twenty-Nine Thousand, Two Hundred and Ninety Eight Dollars for the ordinary services of Government for the year ending 31st July, 2019 (Bill No.10 of 2018), enacted by the Parliament of the Republic of Fiji (Act No. of 2018)]

HON. SPEAKER.- Parliament has now passed the 2018-2019 Budget. I congratulate all Honourable Members for their contribution to the significant and integral process.

(Applause)

Honourable Members, you may be aware that we have now completed all items in today's Order Paper. Nonetheless, given the resolution of Parliament on Monday, 9th July, 2018, we will now proceed to the consideration of the Consequential Bills.

RESUMPTION OF DEBATE ON THE 2018-2019 CONSEQUENTIAL (BUDGET AMENDMENT) BILLS 2018

HON. SPEAKER.- Pursuant to the resolution of Parliament on Thursday, 28th June, 2018, I now call on the Honourable Attorney-General and Minister for Economy, Public Enterprises, Civil Service and Communications, to move his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, shall I speak on the Bills now because we have already moved this motion?

HON. SPEAKER.- No, you will speak on the Bills.

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on Thursday, 20th June, 2018, I move:

That the following Consequential Bills be debated, voted upon and be passed—

1. Tax Administration (Budget Amendment) Bill 2018 (Bill No. 11/2018);
2. Income Tax (Budget Amendment) Bill 2018 (Bill No. 12/2018);
3. Value Added Tax (Budget Amendment) Bill 2018 (Bill No. 13/2018);
4. Service Turnover Tax (Budget Amendment) Bill 2018 (Bill No. 14/2018);
5. Environment and Climate Adaptation Levy (Budget Amendment) Bill 2018 (Bill No. 15/2018);
6. Fiji Revenue and Customs Service (Budget Amendment) Bill 2018 (Bill No. 16/2018);
7. Excise (Budget Amendment) Bill 2018 (Bill No. 17/2018);
8. Customs (Budget Amendment) Bill 2018 (Bill No. 18/2018);
9. Customs Tariff (Budget Amendment) Bill 2018 (Bill No. 19/2018);
10. Employment Relations (Budget Amendment) Bill 2018 (Bill No. 21/2018);
11. Telecommunications (Budget Amendment) Bill 2018 (Bill No. 22/2018);
12. Drainage (Budget Amendment) Bill 2018 (Bill No. 20/2018);
13. Tertiary Scholarship and Loans (Budget Amendment) Bill 2018 (Bill No. 23/2018); and
14. Parliamentary Retirement Allowances (Budget Amendment) Bill 2018 (Bill No. 24/2018).

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

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

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

Madam Speaker, as part of the 2018-2019 Budget, the Fijian Government has introduced a number of fiscal reforms and policies. These reforms have been outlined as part of the Budget Address or otherwise set in the Budget Estimates, the supplements or the information packages that have been released by the Ministry of Economy. These and other budget reforms require changes to the laws and the 19 Consequential Bills to this year's Budget.

Madam Speaker, if I could very briefly touch upon the various amendments that we are seeking through various laws.

The first one, of course, is the Tax Administration (Budget Amendment) Bill 2018, which seeks to amend the Tax Administration Act 2009 to strengthen tax administration in Fiji. Generally, these laws include the following:

- in relation to the offences relating to tax agents registration;
- offences from making any false or misleading statements;
- jurisdiction of tax tribunal;
- offences for failure to file a tax return;
- issue of taxpayer identification number;
- offences for failure to comply with obligations under the Tax Administrations Act 2009;
- updating data for FRCS;
- strengthen self-assessment regime;
- issuance of infringement notice for offences under the Act;
- mandatory declaration of assets by all taxpayers; and
- offences and penalties for specified offences.

These are the key amendments, then of course, if there are any questions, we can discuss in relation to that.

Under the Income Tax (Budget Amendment) Bill 2018, Madam Speaker, the Bill seeks to amend the Income Tax Act 2015 to specifically empower the Honourable Minister to introduce other incentives to regulations. These incentives include, Madam Speaker, tax deduction for salaries and wages paid under Paternity and Family Care Leave as we have introduced these leave now but we are set to provide relief to employers when they are able to carry out 150 percent tax deduction.

Incentive package for Electric Vehicle Charging Stations, again we want to encourage the use of electric cars in Fiji, so we are now providing further incentives for those people who invest in setting up charging stations.

Tax incentives for the 2019 Annual Meeting of the Asian Development Bank (ADB) Board of Governors to be held in Fiji, Madam Speaker, as you know that Fiji has been given the honour to host for the first time in the Pacific Islands the ADB Annual Meeting. This will cost us some money, of course, but it is a huge exposure to Fiji as we have done with other events, for example, the South Pacific Games, if people sponsor these events or contribute towards it, they get a 150 percent tax deduction.

Madam Speaker, we have also provided for the application on medical incentive package for Public Private Partnerships (PPPs), the Income Tax Medical Investment Incentives Regulations will be amended to include hospitals which are operated and maintained by PPPs to be eligible for medical tax incentives.

Modernisation of buildings in towns and cities, Madam Speaker, and also buildings outside where people upgrade their buildings, and they will be able to get a 125 percent tax reduction on total expenditure, and a 25 percent investment allowance on total capital expenditure incurred for extension or re-development. Of course, Madam Speaker, we also encourage these infrastructural changes to take place for buildings where they will allow access for those people with disabilities, wheelchair access, et cetera.

We also put in place, Madam Speaker, incentive package for research and development (which is a 250 percent tax deduction), to be introduced in relation to any expenditure incurred by eligible company investing in research and developing the ICT and renewable energy industries. A lot of young people out there in the gallery, many of them are very good with ICT, with the phone applications (apps.), developing apps, we want to actually encourage them to do so.

Of course, Madam Speaker, we also have an incentive for those that will invest in electric buses. We have got the incentive for electric charging stations and, of course, if any bus operator, say, if Honourable Chand wants to bring in electric buses and introduce them to Vanua Levu, he will get a tax deduction of 55 percent.

Madam Speaker, tax deduction for salaries and wages paid for staff training through accredited training providers. Again, this is part of the reform of staff training through the TPAF initiative that was there. Now, what we are saying is that, any employer, indeed, the small employer or any other size employer, if they are going to send and spend money on their staff for training purposes, they can claim a 150-percent of that as part of tax deduction.

Madam Speaker, in respect to the Value Added Tax (Budget Amendment) Bill 2018, under the Value Added Tax Act 1991, of course, this used to be a Decree that was brought out during the post 1987 *coups*, of course, it is now called an Act, as all Decrees are called an Act. Supply of goods and services deemed to have taken place at the time, a tax invoice is issued by the supplier or recipient. Any payment that is received by the supplier or the delivery of the goods and services takes place,

whichever is the earliest, Madam Speaker. This, of course, is to cut down any loopholes in that respect.

Under Section 18(2)(e) of the Act, Madam Speaker, where goods and services supplied directly in the construction, major reconstruction, manufacture extension of the building or engineering work pursuant to an agreement or enactment which requires consideration for that supply to become due and payable in instalments or periodically in relation to the progress and nature of such works, the supply of goods and services in these instances is deemed to be successively supplied where each successive supply is deemed to take place whenever any payment in respect of the supply becomes due is received or any tax invoice in relation to the payment issued, whichever is the earliest, Madam Speaker.

Madam Speaker, the Bill, therefore, seeks to inter alia amend the Act to include land development as an activity in which the rules for the time of supply of goods and services apply for periodic and successive payments.

Madam Speaker, the other amendment is sought to the Service Turnover Tax. The Service Turnover Tax (Budget Amendment) Bill, Madam Speaker, which was tabled in Parliament on 28th June, 2018 seeks to amend the Service Turnover Tax Act.

The Service Turnover Tax Act was introduced in 2012 with the imposition of Service Turnover Tax or commonly known as STT. The rate of STT, Madam Speaker, is 6 percent on the turnover or any person providing a service that is prescribed in the Schedule to the Act which is called Prescribed Service.

Currently, Madam Speaker, the Prescribed Service in the Act are listed as follows:

- Provision of accommodation, refreshments and any other services by a licensed hotel.
- Any services provided in a vessel that is wholly or principally engaged in the carriage of tourists within Fiji.
- Provision of meals or beverages, and any other services in a licensed bar (the purpose of this paragraph “bar” includes any club).
- Provision of services such as music, dancing or other entertainment, including other services in a licensed nightclub.
- Provision of inbound tour services.
- Live entertainment provided wholly or substantially by the personal participation of artists at the place of performance or exhibition of products, where fees are charged.
- Provision of services for recreational activity for gain.
- Provision of services relating to any exhibition of films to the public or to a section of the public which includes the production of any music, speech or other sound whatsoever in connection with the projection of a film, where the exhibitor is licensed under the Cinematographic Films Act (Cap. 271) and a charge is made for admission to the premises where the exhibition is held, including any other services provided by cinema operators.

- Provision of services relating to hire or rented motor vehicle by a person that operates a business of rental cars licensed by the Land Transport Authority Act 1998 (and the provision of chartered transport services for tourists by an omnibus or a minibus operator).

It also relates, Madam Speaker, without getting all the details to:

- Provision of meals, beverages and other services by bistros or coffee shops and their annual gross turnover is over \$1.25 million.
- Provision of meals, beverages and other services regularly supplied on sale to the public for consumption on the premises of a licensed restaurant with an annual gross turnover of \$1.25 million.
- Provision of charter flight services.
- Provision of all water sports.
- Provision of accommodation in a private residence or property that accommodates tourists, international students or overseas visitors, but excludes schools registered by the Ministry of Education, primary schools, secondary schools, FNU, Montfort Boys' Town, et cetera.

Madam Speaker, what this Bill does though is now adds another proviso to it. What the Amendment Bill now seeks to do is to extend the minimum annual gross turnover threshold which currently applies only to bistros, coffee shops and restaurants with an annual gross turnover of \$1.25 million to all the prescribed services. So every single list of business that I have just read out is currently caught under the prescribed services, they will still be there but if any of those businesses has a gross turnover of less than \$1.25 million, they will not actually have to pay STT. In fact, few of those persons now, Madam Speaker, will be required to pay STT and they in turn can, of course, invest that money which would be otherwise used for paying STT in hiring of employees, buying better equipment, facilities and ultimately providing better services for Fijians.

On the Environment and Climate Adaptation Levy (Budget Amendment) Bill 2018, Madam Speaker, the Act imposes the Environment and Climate Adaptation Levy (ECAL) on prescribed services, items, imports and income.

The Bill, Madam Speaker, seeks to amend the Act to increase the ECAL charge on plastic bags from 10 cents to 20 cents and to extend the minimum annual gross turnover threshold to all prescribed services. We have also announced that the plastic bags will be completely banned by 2020 so we are giving everyone a two-year notice essentially. In the meantime, the levy will go up to 20 cents and as with STT, Madam Speaker, ECAL will no longer be payable on any of those prescribed businesses if the business gross turnover is less than \$1.25 million.

Madam Speaker, the other amendment is the Fiji Revenue and Customs Service (Budget Amendment) Bill. The amendments to the Act before Parliament, Madam Speaker, address the following issues:

1. To allow the Fiji Revenue and Customs Service (FRCS) to appear and institute proceedings in courts of competent jurisdiction; and
2. To amend Schedule 1 to the Act to provide for the inclusion of Stamp Duties Act 1920 where the service primarily administers.

The Excise (Budget Amendment) Bill 2018, Madam Speaker, we have also said that in the Budget announcement that the FijiFirst Government intends to maintain a consistent 15 percent excise duty for alcohol and tobacco products for a three-year period and this is the third-year period where we negotiated with the cigarette companies, the cigarette company in particular, British American Tobacco, and also the alcohol companies that will keep the increase to 15 percent for the three years and this is the third year.

I know the Opposition likes to give free beer or cheap beer, but Madam Speaker, the reality of the fact is that beer is not an everyday item and the beverages companies have actually agreed to this. Therefore, Madam Speaker, on this third and final leg of the above-mentioned policy, the main gist of the Bill before the House today is to amend the Act for the purpose of implementing a 15 percent excise duty for alcohol and tobacco products.

Madam Speaker, on the Customs (Budget Amendment) Bill 2018, the gist of the Bill is to introduce the applicable changes highlighted in 2018-2019 National Budget with the custom aspect of the Fijian tax laws.

Madam Speaker, the Customs Tariff (Budget Amendment) Bill and Customs (Budget Amendment) Bill 2018 seeks to implement under the Customs Tariff Act the relevant changes in relation to Customs Fiscal Excise and Import Duty and Duty Concessions granted under the 2018-2019 National Budget.

In summary, Madam Speaker, the Bill amends Parts 1, 2 and 3 of Schedule 2 to the Act to provide the following changes to the Fiscal Excise and Import Duty for the following items. There is a reduction of fiscal duty on used vehicles, two years or less in the year of manufacture from 32 percent to 15 percent.

Secondly, allowing for duty-free fresh vegetables and fruits that are not generally grown in Fiji which includes things like apples, carrots, grapes, pears, strawberries, asparagus, et cetera, Madam Speaker, the list is there.

Madam Speaker, also we have carried out the separation between telecommunication electrical cables in the tariff breakdown, providing a duty reduction on telecommunication cables from 15 percent to 5 percent because we do not have any local manufacturers of telecommunication cables in Fiji and because we want to have a leapfrog into the telecommunications sector and into the ICT sector, we have reduced the duty, from 15 percent to 5 percent.

Madam Speaker, also we have increased the fiscal duty on Linear Low Density Polyethylene Stretch Wraps (LLDPE) to protect the local manufacturers.

We have increased the fiscal duty from 5 percent to 32 percent on structural floor decking sheets to protect the local manufacturers.

Madam Speaker, we have increased fiscal duty on imported sweetened and carbonated drinks to 32 percent or \$2 per litre (whichever is greater), as highlighted in the Budget Address, that whilst we have imposed excise duty on local manufacturers of carbonated drinks, we found there is a lot of cheap imported carbonated drinks that were coming in. So this, of course, is to put a trap on them by imposing the duty and, of course, Madam Speaker, the increase on the import excise duty on cigarettes, tobacco and alcohol.

Madam Speaker, the Bill also provides for the introduction of the following concessions, providing a concession for the public transportation sector by extending concessionary duty rates for

taxis to vehicles two years or less from the year of manufacture, that run on diesel or petrol, reducing fiscal duty from 15 percent to 7.5 percent or quarter with specific rate, whichever is greater.

For the inter-island shipping sector, Madam Speaker, including a Concession Code 245 ‘marine paints not manufactured or available locally’ at 15 percent Fiscal duty, Free Import Excise and 9 percent VAT. So, this is again to help the maritime sector or those providing shipping services.

Madam Speaker, again, providing a New Concession Code for Food Grade Plastic Pallets to the food manufacturing industry.

Madam Speaker, Expanding Concession Code 275 to reduce duty on the importation of noodle taste-makers (flavours) in bulk for repacking. As you know, we have two major companies that make noodles in Fiji, but the flavours (chicken, curry or whatever it is) that they actually put inside the noodle packet that you buy, that is not made in Fiji. So because it is an imported item, it pushes up the price of noodles so we now actually agreed to reduce the duty for them to get the flavour. So, then the Fijian-manufactured noodles can actually also be exported and it becomes attractive. As you know we export quite a lot of that to the Pacific Island countries

Madam Speaker, including a New Concession Code 217A for goods used by local airline companies providing international flights, including a New Concession Code 231A to grant a concession on packaging materials to approved exporters of local fresh produce.

Madam Speaker, the Drainage (Budget Amendment) Bill provides for the declaration of drainage areas, authorised in the execution of drainage works and provides for the establishment of drainage boards for the maintenance and improvement of certain drainage areas. This is the Drainage Act of 1961.

In 2017, the Ministry of Waterways was established by the Fijian Government to address the growing threat that flooding poses to Fijian communities, a threat that is projected to worsen as a result of the effects of climate change and, of course, to have a holistic approach to water management issues in Fiji.

Since its establishment, the responsibility of maintenance of drainage systems and management of waterways have been handled by the Ministry of Waterways, as we have seen which is now going to be called the Ministry of Waterways and Environment. However, to-date, Madam Speaker, the Ministry and the Drainage Board share the same function of maintaining drainage systems.

Accordingly, the Drainage (Budget Amendment) Bill 2018 amends the Act to facilitate the transfer of the roles from Drainage Board to the Ministry. What it does is, essentially all the responsibilities of the Drainage Board will now go to the Ministry of Waterways and Environment, Madam Speaker, and the Bill is actually quite explicit in what are the responsibilities that actually getting transferred across to the Ministry.

Madam Speaker, an offence provision in respect of those who carry out any offence in relation to the drainage systems in Fiji.

We also have some transitional provisions in the Act which are fairly straightforward.

On the Employment Relations (Budget Amendment) Bill, Madam Speaker, we are one of the few countries in the region that guarantees comprehensive legal rights and entitlements to the female workforce. Under the Employment Relations Act 2007, currently prior to the proposal in the Budget, the Fijian women currently have a 12-week maternity leave entitlement and full pay for the first three

pregnancies. They have guaranteed legal protection against discrimination on the grounds of gender, pregnancy or marital status which is now a new entry discriminatory provision as being put under the 2013 Constitution and a return to work guarantee to ensure that no employer might just dismiss a woman if she chooses to take maternity leave.

Madam Speaker, of course, we have decided to do better than this. The Employment Relations (Budget Amendment) Bill 2018 seeks to amend the Act to first and foremost extend maternity leave entitlement for a further two weeks at full pay to ensure that our working women have more quality time to spend with their new-born children and, of course, the family. It is of utmost importance to us that we promote the fact that having children is a natural part of life and choosing to have a family should not deter anyone from actively participating in the workforce. This also brings us into alignment with the International Labour Organisation Standards for Maternity Leave under ILO Convention, No. 183.

The Bill also introduces, Madam Speaker, a paternity leave entitlement of five working days, to ensure that fathers and partners are also able to take time out from work to help their partners during this very important time. We must discard the view that child rearing, as highlighted in the Budget, is solely the responsibility of the mother alone and we must create the active engagement of both parents in nurturing and caring for the children and, of course, the mother of the child. A modern Fiji, of course, Madam Speaker, is a considerate Fiji with strong and inclusive family values.

On that note, Madam Speaker, the Bill also establishes a Family Care Leave entitlement of five days in a year. This is a general entitlement applicable to all workers in Fiji for the purpose of allowing them to care for or support their family members when their care or support is needed. No longer will Fijians have to use their annual leave entitlement to attend to family emergencies or to be present at important family events such as graduation, wedding or even an accident.

Fijians now have the freedom to attend these momentous occasions for those families and for themselves without having to sacrifice their annual leave which they have worked so hard to earn during the year and indeed which is their entitlement.

Finally, Madam Speaker, the Bill seeks to amend the transitional provision on Part 19, Division 8(a) of the Act. Parts 7 and 11 of the Act set out leave entitlements for workers in Fiji. These include Annual Leave, Sick Leave, Bereavement Leave and Maternity Leave. That also, Madam Speaker, does not provide for family or paternity leave entitlements and limits maternity leave entitlement to 84 days which is not aligned to International Best Practice. The Bill, Madam Speaker, therefore seeks to amend the Act to provide for Family Care Leave and Paternity Leave Entitlements including the increment in the number of weeks available for maternity leave.

Madam Speaker, the Telecommunications Act, 2008 provides for the regulation of the telecommunications industry in Fiji. Telecommunication is an important tool that not only enables Fijians all over the country to stay connected but connects Fiji to the world like never before.

Madam Speaker, telecommunications is also a fundamental tool for the running of business. It is a key element in team work enabling employees to collaborate easily with one another and business partners from wherever they are located. Telecommunication also allows businesses to communicate effectively with customers and deliver high standards of customer service.

Given the significance, Madam Speaker, of telecommunications in this modern age, the Telecommunication Budget (Amendment) Bill seeks to amend the Act in an effort to prevent telecommunications service disruptions or outages.

Madam Speaker, the Bill amends the Act by empowering the Minister to make regulations which prescribe standards of codes of practice for service providers to ensure the resilience of telecommunication networks and telecommunication services in Fiji.

The Bill also amends the Act by empowering the Minister to prescribe fines not exceeding \$1 million for telecommunication service disruptions or outages and to prescribe a framework for compensation to be awarded by service providers to consumers for service disruptions or outages. Countries like Singapore, Madam Speaker, for example, have similar provisions where Telecom companies actually have to pay a penalty if the downtime is higher than a particular percentage.

There are certain places in Fiji already now, if you drive along even Rewa Street, you will find there is a black spot. There is absolute calls dropout, there is no data. We cannot actually help Telecom companies do that. We cannot have Telecom companies, for example, cherry-picking, so we cannot have, for example, Vodafone or Digicel deciding, “We are not going to go into that part of that village” or “we are not going to provide a better antenna service there because there are only 20 people living there.”

So this is again to make sure that they provide better services, they actually get punished for any dropouts. This is again to bring about that particular level of service, and it is essential in this modern day and age, in particular if Fiji is going to tout itself to be a modern nation State with sound telecommunication systems.

Madam Speaker, in the Tertiary Scholarship and Loans Budget (Amendment) Bill 2018, Government plans, of course, to improve accessibility to tertiary education and assist students financially by way of scholarships awarded and Loans Scheme under the Tertiary Scholarship and Loans Act.

In particular, Madam Speaker, the scholarship allocation for National Toppers Scheme has increased now to 970. Specific scholarships for teachers in-service have also been provided to upgrade qualifications from Diploma to Postgraduate Studies, including scholarships for studies overseas in specific subject areas. So those students, for example, who may be in Year 13 who are sitting out there, if one of them gets a place in university and wants to study a particular course that is not available in Fiji, as we highlighted, for example, architecture, they can actually get a scholarship to do that. The Act needs to be amended to cater for those changes.

Furthermore, those in the private sector are also eligible for TELS now, Madam Speaker, to pursue their studies and upgrade their qualifications.

Madam Speaker, furthermore, a new Scholarship Scheme has also been created to cater for Postgraduate studies, as well as upgrade to Bachelor of Medicine and Bachelor of Surgery qualification. This, essentially, is for people who may, for example, have graduated as a Science student or may be a Pharmacist, et cetera, if they want to become doctor, we have also made provisions for that. Of course, the Act needs to be amended to cater for those changes.

Madam Speaker, the Parliamentary Retirement Allowances, I am sure all the Members of Parliament will be very interested in this. Under the 1989 Act or the Parliamentary Retirement Allowances Act, it was promulgated to provide for the payment of allowances to persons who have ceased to be holders of a qualifying office, including their widows and widowers.

Section 2(1) of the Act defines a qualifying office as any of the following:

1. a Member of Parliament;

2. the Prime Minister except if he or she opts for an annual pension or allowance under any other law;
3. the Attorney-General;
4. a Minister;
5. an Assistant Minister;
6. the Speaker of Parliament;
7. the Deputy Speaker of Parliament;
8. the Leader of the Opposition;
9. the Leader of the Government in Parliament;
10. the Opposition Whip; and
11. the Government Whip.

Including the following past officers:

1. a member of the House of the Representatives;
2. a member of the Senate;
3. the Deputy Prime Minister;
4. a Minister of State;
5. the Speaker of the House of Representatives;
6. the Deputy Speaker of the House of Representatives;
7. the President of the Senate;
8. the Vice President of the Senate;
9. the Deputy Leader of Opposition;
10. the Leader of Government Business; and
11. an Advisor on the President's Council of Advisors, and includes the following in any government after 10 October 1970 other than in the Council of Ministers of the Fiji Military Government:
 - a) the Prime Minister except if he or she opts for an annual pension or allowance under any other law;
 - b) the Attorney-General;
 - c) a Minister;
 - d) an Assistant Minister;
 - e) the Deputy Prime Minister; and
 - f) a Minister of State.

Madam Speaker, Section 6 of the Act states that the person who has ceased to be a member of a qualifying office is entitled to receive an allowance if, *inter alia*, his or her aggregate period of reckonable service is not less than four years. This minimum requirement, Madam Speaker, took into account the tenure of the Members of the Senate and the House of Representatives under the 1970, 1990, 1997 Constitutions, which ranged between four to six years.

As we all know, Madam Speaker, the term of Parliament, under the previous Constitution was five years and, of course, the appointment of Senators range between four to six years. Now, in order for one to put in simple terms, in order for one to receive any pension should they leave Parliament, they should serve at least four out of the five years.

Of course, Madam Speaker, this is no longer applicable to this Parliament as the term of this Parliament is actually four years. So if you have four out of five, what we are proposing, Madam Speaker, we should have three and a half out of four, otherwise nobody over here (as some of the Members of the Opposition may not come back), will not actually be entitled to any pension or any of the allowances that you will get.

(Laughter)

So in order to cater for you, Honourable Members, what we are proposing is that, the term of Parliament for which you will be eligible is actually reduced after a lapse of three years and six months. The requirement of an aggregate period of reckonable service is not less than four years is inconsistent with Section 58 of the Constitution where the Parliament can be dissolved as early as three years and six months from the first meeting, Madam Speaker.

Madam Speaker, the Bill seeks to, *inter alia* amend section 6 of the Act to remedy the inconsistency in section 6 of the Act. So, Madam Speaker these are the brief speaking notes on the Bills that were introduced on the 28th of June. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is now on the floor for debate, and I invite input. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I thank the Honourable Attorney-General for his presentation on the Bills.

Madam Speaker, as I have said before, it is rather unfortunate that we have to rush through all these Bills, which has been a hallmark of this Parliament and I hope that the next Parliament will not be like this. We will have a lot more time, Madam Speaker, even if we do not have any disagreement with some of the Bills and with some of the suggestions, it is nonetheless important for us to talk about it in a bit more detail, have some honest debate about where the implications of the Bills might be, and how it could be affecting people in different ways. So unfortunately we will not have the time to do that, Madam Speaker.

However, that said I am just going to pick on some of the Bills, not all, and say very briefly what we think about it. Madam Speaker, I know the Minister of Economy talked about free beer. In terms of the Excise Tax on alcohol in particular, we are not saying that we are promoting the consumption of alcohol or consumption of beer but, Madam Speaker, to have a price increase for the last three consecutive years with a 15 percent rise on something which we know is consumed by a lot of people, when we put taxes on what we call “sin taxes” (tax on cigarettes, beer), that has always been understood and governments, Madam Speaker, find it very convenient. I mean, it is very tempting for governments all over the world to keep raising taxes on these “sin” goods, like cigarettes and alcohol.

Madam Speaker, we must have some judgment as to how far we can go because as the Honourable Minister and others on the side would understand, what we call the “elasticity” of the demand for these goods, people who consume beer, if you increase prices, it does not necessarily mean that suddenly people are going to start consuming less beer. All they would do, Madam Speaker, those who continue to drink beer is to realign their expenditure and sometimes, making it prohibitively expensive and can have a lot of social consequences in terms of the intra-household expenditure, intra-household income alignment.

I think the incentive or the primary driver for the Government in increasing taxes is revenue. That is understandable, Madam Speaker, but they need to have a balance on this. I am quite disappointed that we have had such exorbitant increases through the increase in extra stake on this particular item.

The Prime Minister, myself, and others on the other side, can probably afford beer but people who earn much less, Madam Speaker, would also like to have a bottle of beer at the end of the week and enjoy it socially. They might find this very, very difficult now, Madam Speaker.

(Interjections)

On the ECAL and STT, Madam Speaker, I think the Government has probably realised that this tax is having a lot of negative impact on small businesses and, particularly, those associated with the tourism industry.

The amendment, Madam Speaker, does not go far enough. I think \$1.25 million is too small a threshold. I would have thought that we should go up to \$5 million so that we are able to promote small holder operators, particularly in the tourism industry, to also participate in the industry because it is very important when we look at the multiplier effect, the distribution of benefits from tourism.

We do not just want to promote resort-based tourism. We also want to take tourism activities to the communities, to people generally so that we retain the better part of the dollar that tourists come and spend in this country.

Madam Speaker, the way in which we can do that is to promote a domestic entrepreneur. I know the Government talks about promoting young entrepreneurs, getting investment from our people. These taxes (ECAL and STT), Madam Speaker, is not going to help and if I may add, the tourism industry, whether Government likes it or not, is actually under strain. If you look at the real sector of the economy, namely sugar, non-sugar agriculture, fisheries, - the real sectors of the economy, we are having problems.

We have tourism, remittances but this tax is going to have a long-term negative effect on the tourism industry in this country. I would have thought that Government would have listened to the representations from the tourism industry and looked at how it could review some of these taxes because, Madam Speaker, at the end of the day, our sole objective should not be about just raising revenue in a particular period of time.

We need to have a better understanding of the capacity of the economy and the different sectors, to actually generate taxes and align our expenditure based on that. I do not think that the Government is doing this very well.

On the Drainage Board with the Ministry of Waterways, Madam Speaker, I am not sure why we need to do away with the Drainage Board, but it is not surprising that this Government sometimes thinks that no one else is out there who can actually contribute and help in terms of policy and realisation of activities and outputs from different sectors.

I thought the Drainage Board was a useful Board in terms of working with the Government, getting the people to represent views about how things should happen, so I am not sure whether getting or doing away with the Drainage Board is necessarily going to improve the efficiency or the effectiveness of how drainage systems in this country are maintained and developed.

Finally, Madam Speaker, let me come to the Parliamentary Retirement Allowances Bill 2018. Obviously, Madam Speaker, this is an amendment to the Retirement Allowances Act 1959 and may seem simple and straightforward. It sort of realigns the term of Parliament as stated by the Honourable Attorney-General to align it with the new term of this Parliament which is four years and three and half years. That is all well and good, Madam Speaker, but I thought that this was probably a good opportunity for a government that prides itself with providing justice to everyone as it claims.

In terms of accountability and transparency, it does not actually deliver justice in this Bill for all Members of Parliament who were elected over the last so many years. And I think they had a chance, Madam Speaker, and I would urge to correct that, but that has not been done in this Bill.

(Honourable Member interjects.)

HON. PROF. B.C. PRASAD.- Again, Madam Speaker

HON. A. SAYED-KHAIYUM.- Explain! Explain!

HON. PROF. B.C. PRASAD.- I will explain.

Again, Madam Speaker, this is an example of this Government not working with the Opposition or having a bipartisan discussion on important matters like these. Let me talk about why this Bill is not providing justice.

There is no provision for Members of Parliament who were deposed in all the military *coups*; 14th May, 1987; 19th May, 2000 and 5th December, 2006; who have not returned and not been re-elected to Parliament, no fault of theirs because they have not served at least four years of their Parliamentary term in the old Parliaments. I believe, Madam Speaker, this is blatantly unjust and unfair.

Let me give you an example. The National Federation Party (NFP) FLP Coalition Government of 1987 was only five weeks old when it was toppled in the military *coup*. It is through no fault, so some of those people were removed. If they were not removed in a *coup* on 14th May, 1987, they would have received pension, assuming that they would have been alive for the whole term of Parliament, they would have received pension.

Madam Speaker, one of the Members of that Parliament, the late Temo Sukanaivalu, just passed away this week, he was a Member of Parliament, held a ministerial position, so in fact, he should have been on a pension for that office, Madam Speaker, he was denied that.

The Fiji Labour Party (FLP)-led People's Coalition Government was exactly one year old when it was taken hostage in Parliament in 2000. Again, Madam Speaker, after that, many of the Members did not return, no fault of theirs. They were removed illegally. Some chose to contest, some did not win, some chose not to contest again, and therefore, if they were not removed, they would have got the pension, assuming that they would have been alive and served the full term.

Similarly, Madam Speaker, the SDL-FLP multi-party Government was six and a half months old, so those people who were removed in 2006 did not contest, did not come back. They should also rightfully justly like those in 1987, 2000 and 2006 received their Parliamentary pensions and Cabinet Ministers who lost their positions should have been included in this Bill.

I talked about people, I think, it will only be right, Madam Speaker, for us as Members of this Parliament to actually provide that justice to those who lost out. I met one Member of the 1987 Cabinet yesterday and I talked about this Bill. He now lives in New Zealand but he has got investments in Fiji. Madam Speaker, he also felt that justice could have been done through this Bill.

Madam Speaker, I have heard the Honourable Attorney-General talked about some people in this Parliament. Apart from Honourable Members of Parliament, for example, he talked about Dr. Anirudh Singh and he referred to me as not referring to him.

HON. GOVERNMENT MEMBER.- Yes.

HON. PROF. B.C. PRASAD.- Let me tell you one thing, Madam Speaker, I was the witness in his case for compensation. Now, Madam Speaker, this is what he does not tell.

HON. GOVERNMENT MEMBER.- Political

HON. PROF. B.C. PRASAD.- No, he was politicking, Madam Speaker, this is what he did not tell this Parliament about Dr. Anirudh Singh. He filed a case for compensation for his abduction in 1990. Madam Speaker, the Court granted him compensation but the Honourable Attorney-General did not tell that he was the Appellant. He appealed the case to deny him the compensation, in fact, he did not get the compensatory compensation because of that. He got less than what he should have got, Madam Speaker.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- That is what the Honourable Attorney-General does not say, Madam Speaker.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- It is actually quite pathetic, Madam Speaker, for the Honourable Attorney-General to come out and say that I do not talk about Anirudh Singh and he did not tell that he was the one, as the Attorney-General, who appealed against the compensation claim that was ordered by the Court.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- So, Madam Speaker, I think when we talk about justice, when we talk about Parliamentary Pensions and what happened, we need to be honest, we need to think about some of the other people. The Honourable Member talks about Dr. Som Prakash. We were with him, Madam Speaker, throughout his incarceration and many of us were at his side to help him. So, the Honourable Attorney-General should stop accusing some of us who were part of the struggle at that time, Madam Speaker, to actually bring justice to some of these people that he keeps talking about.

(Chorus of interjections)

HON. MEMBER.- Political rhetoric!

HON. PROF. B.C. PRASAD.- So, Madam Speaker, the Honourable Attorney-General can come into this Parliament and talk about a particular individual without giving the full facts, in fact he was misleading about what I should have done with respect to Dr. Anirudh Singh.

So, Madam Speaker, this Bill was an opportunity and there are many people who suffered as a result of the military intervention in elected governments; people have been sacked; people were removed at gun point, people were taken away in 1987, in 2000, in 2006. All these people, Madam Speaker, need to be compensated for. But more importantly with respect to this Bill, I would suggest that all Honourable Members of Parliament who since 1987 and many of them may not be around anymore, Madam Speaker, but those who are around, we should, as a Parliament, as a matter of justice, as a matter of fairness, compensate and put them on Parliamentary Pension because that would be the right thing to do.

Madam Speaker, I just wanted to reiterate, like the STT that I had talked about, ECAL is again an environmentally-friendly tax. I have no issues with Government policies to align our tax regimes to promote eco-friendly activities, eco-friendly economy but, Madam Speaker, we need to be careful about burdening businesses, individuals with this kind of taxes and the rate at which we are applying, Madam Speaker. So it is important, Madam Speaker, for us to understand that these taxes need to be

reviewed because in the long-term, these will have negative consequences on small businesses and those who were trying to invest and be part of the economy. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Members. Time has caught up with us and we need to adjourn the proceedings for morning tea. We will have an extended morning tea time at 10.30 a.m. to 11.30 a.m., to allow Honourable Members of Parliament to have a longer time looking at the Bills before we resume at 11.30 a.m.

The Parliament adjourned at 10.30 a.m.

The Parliament resumed at 11.31 a.m.

HON. SPEAKER.- Thank you, we will resume from where we left off and the floor is open for debate. I now call on the Honourable Minister for Waterways and Environment to have the floor.

HON. DR. M. REDDY.- Madam Speaker, I rise to support the Budget Amendment Bills that have been tabled.

Madam Speaker, just an overarching comment, whatever we do in this Parliament, whatever Bills we present in this Parliament, it is about ensuring that we advance the welfare of the society or make their lives better.

Having said that Madam Speaker, sin goods are by definition “harmful for the society”. If you look up the definition of “sin goods”, Madam Speaker, it is by definition “harmful for the society”. Therefore, Madam Speaker, I am kind of taken aback and shocked to see that the Honourable Professor Prasad is now taking about you know looking after our people, the society and wanting to promote sin goods, Madam Speaker, when we are wanting to use an instrument ...

(Honourable Member interjects)

... within the control of Government to reduce consumption, Madam Speaker.

HON. DR. M. REDDY.- Madam Speaker, my second comment is in relation to the Drainage (Budget Amendment) Act and I note the Honourable Professor Prasad saying that he is worried about the Drainage Board history. Madam Speaker, unfortunately, Honourable Professor Prasad does not have full information.

Madam Speaker, the Drainage Board Act was established in 1972, Madam Speaker, when that was the only institution doing drainage work on designated areas. The Drainage Schemes, Madam Speaker, 92 of them. Madam Speaker, now with the establishment of the Ministry of Waterways, we are dictating and we are now in the budget, you must have seen allocations for new areas, drainage for villages, settlements, rural residential areas, Madam Speaker, drainage for sugarcane farms and non-sugarcane farms. Madam Speaker, the Drainage Board cannot do bylaw in these areas because bylaw, they can only do on the 92 Drainage Schemes. So, Madam Speaker, what we have now

(Honourable Member interjects)

HON. DR. M. REDDY.- Wait, let me finish because unfortunately, you will stand up and speak without having full information.

So, Madam Speaker, what we now have in the Ministry are designated staff, engineers and operation to undertake drainage work in these areas. So, Madam Speaker, why do we need to spend a quarter million dollars a year to have another set of staff, Madam Speaker, to do this work? We cannot, Madam Speaker, we want to utilise public funds better.

It is therefore, Madam Speaker, we decided and said “Look, our Ministry of Waterways will be doing these sites as well, which are adjacent to those places where we will be doing” That is on the Drainage Board, Madam Speaker.

Madam Speaker, Honourable Prof. Prasad says that you know we are not looking after those people who were deposed in the *coups*, we should also be giving them pension, Madam Speaker. I am

shocked, Madam Speaker, that Honourable Prasad wants to give pension to those people who are not in Parliament, Madam Speaker. They did not serve the Parliament.

HON. PROF. B.C. PRASAD.- I never said that!

HON. DR. M. REDDY.- No, you said that. This is the quality of policy making he is suggesting, Madam Speaker.

HON. PROF. B.C. PRASAD.- A Point of Order!

HON. SPEAKER.- Point of order.

HON. PROF. B.C. PRASAD.- A Point of Order, Madam Speaker. The Honourable Minister is thoroughly misleading the Parliament and misleading the people. I never said, Madam Speaker, the people who were not in Parliament. All I said was about the people who were in Parliament and were removed in 1987, 2000 and 2006 because if they were not, and if they had served their full term in 1987, 2000 or 2006, they would have got the pension. That is what I said.

Madam Speaker, I never said the people outside of Parliament, I mean how ridiculous can the Minister be.

HON. SPEAKER.- Thank you.

HON. DR. M. REDDY.- They were in Parliament for one month, Madam Speaker.

HON. SPEAKER.- The Honourable Member is quite right. He was referring to Members of Parliament who were in Parliament but cut short by the events. So, please withdraw that comment.

HON. DR. M. REDDY.- I withdraw, Madam Speaker.

HON. SPEAKER.- Thank you.

HON. DR. M. REDDY.- Madam Speaker, my last short comment is about the amendments to the Bills on the FTRA, FNU and the membership. The existing legislation tied the Minister responsible in terms of appointing the right people, right skills, right attributes, right qualification to govern the Boards of these institutions, Madam Speaker. Therefore, the amendment is very timely to ensure that we have the right people to provide governance leadership to these institutions, Madam Speaker. I therefore, support all these Bills, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Semesa Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. This is a short contribution to the Bills now before the House. We understand, Madam Speaker, that the Bills are designed to put the legal framework so that it can accommodate the new policies that are being introduced in this Budget; that is understandable. But I will only raise one issue, and that is the amendment of the Parliamentary Retirement Allowances (Bill No. 24/2018).

In addition to what the Honourable Professor Prasad had raised, I notice that there is a part that the Honourable Attorney-General has not addressed yet. Section 6 of the Bill has been addressed in the part, Madam Speaker, in regards to the term in Parliament. That is fair enough, Madam Speaker, understandable and the reason behind it is in line with that. But my concern, Madam Speaker, is 1(b) because the qualification for one to receive pension, he must serve in that prescribed period.

Now the amendment has brought the change that instead of four years, to be three and half years. The reason for that, the House has heard from the Attorney-General, it is fine. But (b) talks about, he or she has attained the age of 55 years.

We, in this House, Madam Speaker, always talk about creating a modern State and the modern State, Madam Speaker, should look at the old policies like this - revisit it and attend to it so that it is part of a modern State that we talk about.

If we look around the world, we see the President of France, a very young man, not even 55 years old; the Prime Minister of Canada, a young man; the Prime Minister for New Zealand, she is young. We talk about the generation that we have gone past, we accept that the decision-making was basically left to the older people. This is why we had 55 years old in here, so those who have reached 55 years old should be entitled to receive pension.

But now we are talking about empowering youths of nations in the world to be part of the decision-making. Many young people come out from the universities with wealth of knowledge: Degrees, Masters and even PhDs and they are putting up their hands to be part of the decision-making in the nations. Now, if people like that join this Parliament, they would be denied the benefits given in here.

If you look in this Parliament, Madam Speaker, we see Honourable Sudhakar sitting there, he is a young man. You talk about 55 years, he will be denied, Madam Speaker; Honourable Maharaj; and Honourable Dean are sitting there. There are many in here, Madam Speaker, who have the potential to become leaders of this nation, but the benefits are not reflecting that, the laws are not reflecting that.

Madam Speaker, we cannot mix the old and the new. If you want the new one, remove the old and put the new one totally, because you cannot put the new wine into the old bottle. You put the new wine into the old bottle, it will burst and spill. That is what will happen here. We do not do this, Madam Speaker, in piecemeal like this. You want to bring in the Modern State, bring in the Modern State and explain it to the people. I see that we have a very complicated issue here where those who will be 55 years old, and there are those who are not 55 years old.

Honourable Vunivalu is all right with it because he is already 55 years old. He will be expecting his pension. But we must attend to all these, and do not leave anyone behind, Madam Speaker. We must take everyone with us, do not leave anyone behind.

My proposal, Madam Speaker, what the Bill should have done, it should delete (b), because (b) says "he or she has attained the age of 55 years old". Just remove that and open it. Then we have the new wine in the new bottle. That is the main issue that I would like to raise over here, Madam Speaker.

I would also like to very briefly reflect on the issue of the increase in the fees for the plastic bags from 10 cents to 20 cents, Madam Speaker. I would have thought that banning the plastic bag totally would be the right thing to do, because we can buy it at 50 cents, we can even buy it at \$1. But what will happen, that same act will be achieved, discarding all those plastic bags into the ocean.

The increasing of price would not deter people from disposing plastic bags in the way that we are trying to stop to curtail over here. But the only thing that will happen, Madam Speaker, there are some people who benefit more financially from this. - just keep giving them the money. The best thing that I would suggest is just to stop totally the use of plastic bags. Thank you, Madam Speaker.

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

HON. P. SINGH.- Thank you, Madam Speaker. I just very briefly speak on some of the Bills that are before us, the Consequential Bills to the Budget.

Madam Speaker, firstly the Tax Administration Decree, I note that this Bill now empowers self-assessment of a single taxpayer. It deletes section 8 of the Act which was in respect of self-assessment but this makes it more powerful and empowers the taxpayer to file his tax returns.

The two important issues that arise out this Bill, Madam Speaker, is one where the self-assessment provides for a loss for that income period, and the other is the Value Added Tax (VAT) on Section 8(b) has also been included. You will note that we have a provision where the threshold for VAT Registration is \$100,000 and there are prescribed offices and businesses or business services which continue to charge VAT. So what this Act does is to encourage them to de-register if they fall within the threshold.

Secondly, Madam Speaker, the self-assessments now will not be just taken on board but the authority with FRCS has the powers to amend the self-assessment. Also, in cases where the self-assessment perhaps a loss situation, that can be treated as a notice of re-assessment by the authority. So this is an improvement from the old section and, Madam Speaker, we welcome this.

On Customs and Excise, Madam Speaker, I know there is a lot of comments from the other side on Excise Duty on beverages. Madam Speaker, you will note that in the last three years we have had 45 percent increase on beverages, alcohol and cigarettes.

We are not promoting the drinking of beer and consumption of cigarettes. What we are trying to do is to put it in perspective for the other side because there are people on the other side who can afford champagne every day and there are people on this side of the House who cannot afford two bottles of beer a day, that is the difference, Madam Speaker.

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

HON. SPEAKER.- A Point of Order.

HON. A. SAYED-KHAIYUM.- Actually, he is misleading Parliament. I do not drink champagne everyday, I do not think anyone on this side of Parliament would do that.

HON. P. SINGH.- I said some.

HON. A. SAYED-KHAIYUM.- Even some of them. No one on this side of Parliament can afford champagne everyday.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- No, you take it metaphorically then you state it metaphorically, if you want to be clever. If you want to be sarcastic, be clever about sarcasm because sarcasm is the lowest form of wit, you know that.

HON. SPEAKER.- Would you like to withdraw that statement?

HON. P. SINGH.- Yes, all I said was, some people from the other side can afford it.

HON. SPEAKER.- You withdraw the statement?

HON. P. SINGH.- Yes.

HON. SPEAKER.- Yes what?

HON. P. SINGH.- I withdraw. Madam Speaker, just to put it into perspective, the 45 percent increase in Excise Duty on alcohol and cigarettes in the last three years is a sin in itself.

We have got to look at the social responsibility, a good Government would always look at the people on the lower rungs of the ladder. Beer, we have talked about, it is something which is treated as a social drink. Yes, of course, there are people who drink, get drunk, who consume in excess, that is another story but if you treat it as a social drink, particularly, for the people who are low wage income earners, people who live on minimum wage, if they can afford, how could they afford a few drinks on a weekend with their family members? To do this now with this increase, Madam Speaker, they will need to readjust their lifestyle.

Madam Speaker, this in itself, we are not doing justice to our people who are on the lower rungs of the ladder. I will give you, an example, Madam Speaker, there is a difference between the social aspect and the economic aspect of it.

Madam Speaker, the duty on alcohol and cigarettes, I will give you an example of beer. Government collects \$35 to \$41.07 from the sale of a carton of beer, and that is huge as it runs into multi-million dollars when you compare it on a national scale per year, Madam Speaker. Is this an act to penalise people or to reduce consumption? It cannot be used both ways, Madam Speaker.

On the Drainage Board, Madam Speaker, the Honourable Minister for Waterways said that the Drainage Board was established in 1972 with two specific schemes.

HON. MEMBER.- 1992.

HON. P. SINGH.- 1992, all right, he said 1972.

Madam Speaker, the Drainage Board is up to now, doing its work within the confines of all the drains within the periphery of rural sectors. All they had to do was to extend that work. There is no use taking them out and getting them under a new Ministry because I can tell you, there was the Western Drainage Board, there were the Drainage Boards with other divisions and they had work planned out for the rest of the year (year by year), and it is only in the last 12 years, Madam Speaker, that these Boards have not been active because the members were not appointed in time, the funding was not available to them (to the extent that they requested). We could have entertained that within the existing structure, Madam Speaker.

I cannot see the logic of why we are dismantling this and then we are having within the Ministry their own staff, so what will happen to the staff, would they be taken in? Madam Speaker, whatever happens, this is not a right move to do at this point in time.

Lastly, we talked about the Bill on pensions, and I think I agree with the Honourable Leader of the NFP when he said that you should make it available to all those people who were affected in Parliament because of the acts beyond their control. Madam Speaker, as someone said rightly, we are moving forward, there can be no reconciliation without compensation and this is one form of compensation that we can give to our deposed people. Thank you.

HON. SPEAKER.- Honourable Viliame Gavoka, you have the floor. My apologies, can I call one from the Government?

HON. V.R. GAVOKA.- Sure, ladies first.

HON. SPEAKER.- Honourable Veena Bhatnagar.

HON. V.K. BHATNAGAR.- Thank you, Madam Speaker. I rise to support all the Bills on the floor.

Madam Speaker, being a woman and working in a Ministry where every day we see cases of domestic violence, child abuse, molestation et cetera, et cetera, what appals me most, Madam Speaker, is that Honourable Prasad and Honourable Singh stand in this august House and promote beer. They are feeling sorry for the beer buyers.

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

HON. SPEAKER.- A Point of Order.

HON. PROF. B.C. PRASAD.- Madam Speaker, I think the Honourable Assistant Minister is misleading the Parliament and the public again. Never had we or I said, that we are promoting the consumption of beer. All we are saying, Madam Speaker, is about the level of taxation that Government has put on these items. So it is actually quite misleading and wrong for the Honourable Member to say that we are promoting beer. Madam Speaker, let me just explain again.

HON. SPEAKER.- The Point of Order is ...

HON. PROF. B.C. PRASAD.- ... because it is totally misleading.

HON. SPEAKER.- The Point of Order is clear and I do agree with you. It has been mentioned that they were not promoting beer, please, withdraw.

HON. V.K. BHATNAGAR.- What does it add to, Madam Speaker, when they are saying “feeling sorry”?

HON. SPEAKER.- Withdraw the statement saying that they are promoting beer?

HON. V.K. BHATNAGAR.- All right, I withdraw, Madam Speaker.

On the other hand, yes, from the statements made by Honourable Singh and Honourable Prasad, I mean, it is clear that they are feeling sorry for the people who will be purchasing beer at a higher price, they have in their statements. It reflects that they are feeling sorry for the people who will be purchasing beer at a higher price, definitely.

Madam Speaker, I am wondering if people are feeling sorry for the women and the children who are beaten up after the consumption of beer. I am wondering if they are feeling sorry for those people and there are fathers, there are partners who are beating up their wives after consuming beer, and I hope this is taken into consideration.

If this is not promoting domestic violence, then what is it? Hear the Government on our side, we are trying to promote a healthy Fiji, Non-Communicable Diseases (NCDs) are on the rise and everyone knows that the consumption of beer is also contributing to NCDs, diabetes. People who are diabetic consume beers and that is not healthy for them. Like I said, we are promoting “a healthy nation”, “a healthy Fiji” and people on the other side are opposing taxes on cigarettes and beers.

So I leave the judgement to the women outside this Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I do not know where that came from - you drink beer, go and beat up your wife?

(Inaudible interjections)

Madam Speaker, let me contribute to this debate. At the outset, let me say - I know I should be used to it by now, but sitting here today and the Honourable Attorney-General reading out all those Bills (about twenty something Bills), I was asking myself, I should be used to it but I am still shocked and disturbed that we are still making laws in this manner.

You look at it, Telecommunications, FNU, Environment, this tax and that tax; these Bills should take a lot more than one morning of reading, I know you are doing it, Madam Speaker.

I, like most Honourable Members here today, will be finishing four years of Parliament, and I have enjoyed the work, Madam Speaker. I have enjoyed the making of laws, I have enjoyed the Committees, I have enjoyed the extent to which we go to, to make laws. It has been a wonderful journey for me.

I came from the private sector, this is my first time in Parliament and I have enjoyed the making of laws and I hope that we (I know this side of the House) all come back next year, we have all been given our ticket. I wish that side of the House will also be given their ticket.

I feel sorry for them that they are still in suspense. They do not know where they stand because I have really got to like quite a lot of them. It is too bad that our 51 tickets have been spoken for ...

(Inaudible Interjections)

HON. V.R. GAVOKA.- ... because I could prevail on my President to give some to some of the people, I mean, they are all right.

There is the Parliamentary process that I have really enjoyed, and I have enjoyed my Committee, I have enjoyed the extent we went to in making laws. These are Bills that are important to the people of Fiji, this is not about picnic in Nukulau, the way it is being done here.

Madam Speaker, on past Parliamentarians, this country regrettably has a *coup* culture - 1987, 2000 and 2006. We must make amends for those who were hurt by the Parliamentary takeover of the Military.

I have an uncle in Sigatoka who was part of the Labour Government in 2006. He gave me a letter one day, he said, "Nephew, see what you can do with this letter." I brought it over here and gave it to the powers that be. He said, "Look, I campaigned really hard for 2006. I spent a fortune to get into Parliament. I got elected in May, I got overthrown in December". He said, "What can be done to compensate me?"

In Labasa, we ran into a former Parliamentarian, same story. So I think for this country, for us, to put this *coup* culture to rest, let us look after those Parliamentarians who were forcibly removed from leadership in 1987, 2000 and 2006, I think we should do it.

If you remember, Madam Speaker, the *Soqosoqo Duavata ni Lewenivanua* (SDL) Government had come up with a Reconciliation Bill, exactly this, “Let us reconcile, put all our differences to rest and move forward.”

(Honourable Government Member interjects)

HON. V.R. GAVOKA.- As the way it is now, Madam Speaker, there are a lot of people out there who are still hurting and it is within our power to do something about it. I hope that we could, as Parliamentarians, as the leadership of today (21st Century), that we can look at cleaning things up and make some restitution to move forward as it is. But I think it is very important, and I agree entirely with my colleague, the Honourable Professor Prasad, on this one.

Madam Speaker, on the bit about tourism, we welcome the threshold that has been given - \$1.25 million, but I think it could be \$2 million because a lot of budget operators, backpackers, et cetera, are all in this. They could be given a bit more room to enable them to run their businesses and not suffer the burden of the tax that they now pay.

Madam Speaker, I know I am being ridiculed about my million-visitor mark but this is it. Like I said yesterday, the inventory in this country is about 12,000 rooms plus. Occupancy on this inventory is about 70 percent and if you look at that and you look at the figures given to us by Government, it is 880,000 visitors. You move your occupancy by 5 or 6 percentage points, you get a million visitors, so all these talk about us would have been the capacity is not true - that is the long and short of it, Madam Speaker. I know people feel that I am advocating for mass tourism, I am not. All I am saying is filling up the quality inventory: rooms, cabins, whatever we have in this country, to a level that will give you the numbers, that is all I am saying.

I am saying, Madam Speaker, that in 2005, we had 82 percent occupancy. So if it is 70 percent today, you move it up to 76, 77, you will get a million visitors. So, Madam Speaker, let it be known that I am not advocating for mass tourism, I am advocating for numbers to occupy the current high value inventory we have in this country. We are not doing enough of that, that is where I am coming from. Thank you, Madam Speaker.

On the environment (on the plastic bags), Madam Speaker, environment is a generational thing. In Australia, it is so clean and I ask my colleagues in there, “How did you do it?” They said that they only took a generation - a generation of education, empowerment to make Australia what it is today, in terms of the environment.

Everyday you heard the Honourable Prime Minister’s voice on the radio “Do not litter, do not do this” but, Madam Speaker, you follow a car or bus on the road, you cringe when you see things flying off the window. What I am saying is, “Are you not listening to the radio, are you not watching television?” But it is a generational thing.

From this side of House, Madam Speaker, we rather just totally ban plastic bags and motivate people to go shopping with their bags (the ones that the *maramas* make). That to me, Madam Speaker, is going to set in a culture of care to realise that, “Yes, this is the way to go about it.” Imagine when you send a child to go to the shop to buy bread and you said, “Do not go without taking the bag.” It becomes a culture that will help us appreciate the environment and help us live without the plastic bags.

That, Madam Speaker, is my contribution and the position of the Party from this side rather than tantalising the consumer, increasing it to 20 cents, just ban it totally and instil in our people a culture of using the proper bags. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable O'Connor, you have the floor?

HON. A.D. O'CONNOR.- Thank you, Madam Speaker.

Madam Speaker, as the Assistant Minister for Public Health, I thought I might need to contribute to speakers before me, particularly in the high crisis that the country faces this very moment insofar as the rise of NCDs.

Madam Speaker, I applaud the increase of the duty on cigarettes, alcohol, carbonated drinks and beverages for the very reason (and hope that those who are listening to the Parliament proceedings this morning will realise), that we are driving at the younger generation, particularly, because they are our future and this Government continues to deliberate on that, that we consider the families as well as the generations to come so, hence the reason that was.

In years to come, if I am voted back into this Parliament, Madam Speaker, I will put my neck on the chopping block and continue to see that this excise duty on those items will continue to increase and not going against those who would like to consume alcohol or cigarettes. My wife smokes, she understand where I am coming from that it is for the future generation that we would like to put this forth as well as alcohol. For those who drink a lot of beer, we need to curb the crisis that the country faces today in NCDs, and not only NCDs, those consumables are also affecting our NCD crisis as well, Madam Speaker. Thank you.

HON. SPEAKER.- Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport.

HON. P.B. KUMAR.- Thank you, Madam Speaker. I rise in support of the Bill that is before the House.

Madam Speaker, I just want to briefly speak on the modernisation of buildings but before that when people are sick, they need some time for recovery and as the Honourable Attorney-General has said earlier on, we can observe that some of the Honourable Opposition Members are on political recovery, the type of statements coming from them and maybe they are trying to clear the mess that they have created in the last three and a half years.

HON. MEMBER.- It is obvious.

HON. P.B. KUMAR.- Madam Speaker, I welcome this incentive. The reason is, I have been in municipal councils for almost 20 years and the councils do not have a legislation in terms of upkeep of properties, especially in towns and we have tried a few times. This Government could have just come with the law saying that business licence will not be issued if the building is not in-par or to the satisfaction of the local authorities but this is a caring Government. The Government has come up with 125 percent tax deduction on total expenditure incurred for renovations and redevelopments. This is a welcoming incentive, Madam Speaker, for the property owners.

I just want to highlight that when I was in Lautoka, when we approved the development for Tappoos, we were branded, especially myself, I was branded that I have sold Lautoka but the effect of development is the development of the City of Lautoka.

HONOURABLE MEMBERS.- Hear! Hear!

HON. SPEAKER.- By having Tappoos there today, you can go and see the tourist buses park there. I have been told by the Lautoka City Council that all those property owners in front of Tappoos have submitted building plans to the Council for the renovation of their buildings, and those buildings for the last 20 years or 30 years were just there. Some of the buildings have got *Kai*. So, this incentive, Madam Speaker, will really assist the property developers to bring the buildings up to par.

Madam Speaker, the next issue that I wanted to speak on is the Electric Vehicle (EV) Charging Stations. Madam Speaker, this is also a welcoming incentive and the municipal councils will work very closely with all those who intend to purchase this type of buses, especially municipal councils who will provide space for the stations. I have been talking to the councils when this was announced, that for the first, two to three years, there should be no charges levied to the bus companies for using that area because if we bring in such incentive then the other stakeholders must work together and this is where municipal councils will come and assist the bus operators.

Madam Speaker, a lot has been said about these environment policy initiatives. We have just heard the Honourable Gavoka. When the 10 cents per plastic bag policy was introduced, after this, this message went to the ordinary Fijians like red fire.

HON. A. SAYED-KHAIYUM.- That's true.

HON. P.B. KUMAR.- Some of them are sitting here, Madam Speaker. They went to the ordinary Fijians and you know what they said, "Hey, look at this Government. They now even charge 10 cents for you to pay for a plastic bag". You will not believe it, Madam Speaker, but this is the truth. They can stoop so low just to get votes.

(Honourable Members interject)

HON. P.B. KUMAR.- Now, I know what will happen after this "20 cents per plastic bag", but they are not telling the truth. The truth is that, in years to come, in the not too distance future, it will be totally banned, that is one. Secondly, the space given to all these companies to clear off their stock, let us be fair. Do not just come here and say, "Just burn it". This is the only Government which has got the will to bring up legislations like this. Where were all these governments? This plastic bag policy just came now. What happened during SDL's term, SVT's term, there were no plastic bags? So, let us be honest about what we say and what we do.

(Honourable Members interject)

HON. P.B. KUMAR.- Madam Speaker, the last one that I want to test is, a lot has been said about drainage board. They really do not know why the drainage board was removed. In the past, the board was appointed on a political line, political appointments. So, who will benefit the drainage works that need to be done? You know, I am telling you because I am staying in a rural town and know how this used to operate. Those of whom who were sitting on the drainage board, if someone wants to have the drainage done and if you know someone sitting on the drainage board, then and only that drainage will be done, otherwise forget about it.

(Honourable Member interjects)

HON. MEMBER.- Shame.

HON. P.B. KUMAR.- That is why it is a good move that the drainage board has been removed and works will be carried out throughout wherever there is a need. That is the truth, so I thought I will just clear the air on the allegations laid by Opposition, thank you, Madam Speaker.

HON. SPEAKER.- Honourable Jone Usamate, you have the floor.

HON. J. USAMATE.- Thank you, Madam Speaker. I would like to contribute to the debate on the Bills that are before the House, on the Consequential Amendments that need to be put in place to make sure that you can put into effect everything that has been agreed to in the Budget.

Just a few points that I would like to speak on: first of all, I would like to just counter again some of the arguments that have been made in opposition to the increased taxation on alcohol and tobacco. I think the important point to remember is that this is not just a taxation on beer, it is a taxation on alcohol. I am speaking on the issues that were raised by the Honourable O'Connor, so many times in this House we about the impact of Non-Communicable Diseases on our population. We speak about this so often and there is no one sitting in this Chamber who does not agree with the importance of addressing Non-Communicable Diseases (NCDs). These NCDs are now forcing 80 percent, that means 80 percent of everyone sitting on that side of the House will die immaturely before they reach the age of 70 because of NCDs.

Sometimes when we want to address NCDs, we just talk about telling people to make the right choice. That is the difficult thing to do, to just tell people "You have got to eat right. You do not drink this, you drink that. Make sure you put this gas into your lungs rather than that gas." That is one approach we are trying to do, just getting people to do the right thing. But what Government can do is to create an environment in which people are encouraged to make the right decisions. It is about creating an environment in which people are encouraged to make the right decision, and that is what this is all about.

When we enhance; when we increase the taxation on sugar sweetened beverages; when we increase taxation on alcohol; when we increase taxation on cigarettes; we are encouraging people to move away from things that will harm their health and to come up with alternatives that are better for their lives. That is what it is, that is what this is all about. It is about creating an environment in which people make the right decisions for their lives. That is why if you believe that NCD is the greatest blight that affects this country today, you have got to support this. Because when you support this, you are supporting the lives of Fijians who live today and Fijians that will follow tomorrow, that is absolutely essential.

If you talk to everyone in the medical sphere, they will tell you that a lot of the diseases that are happening now in hospitals, where people are clogging up beds, have been made worse by all these NCDs.

In the medical sector, they talk about the biggest way of addressing NCDs is this terminology that they use - SNAP. You have got to SNAP out of NCDs. What does SNAP stand for? "S" is for smoking, and here you are talking about this, a reformed smoker talking to you now.

HON. PROF. B.C. PRASAD.- Do not give a lecture on it.

HON. J. USAMATE.- This is why it is very important, when we are talking about these things. I am a reformed smoker, so I invite other smokers, "Join the bandwagon, come with me. Get off that bus, join this bus, Nakasi bus, this side."

(Laughter)

HON. J. USAMATE.- "S" stands for smoking. This is the most single one thing we can do to have the greatest impact of NCD - stop smoking. All the Ministries of Health around the Pacific have

agreed to try to discourage people from smoking in the Pacific, I do not know by what year it is, either 2025 or 2030. That has to be our focus.

So “S” is for Smoking; “N” for nutrition, that is why the reduced duty that we have on all of those fruits and vegetables is very good because we want people to have more access to good food, and not all the glitzy food that we see advertised that actually leads to more destruction to your lives. All right, listen to the third one.

SNAP – S-N-A-P in case people do not know how to spell: “A” is for alcohol, remember that, and the “P” is for physical activity, so, every now and then, you have got to move. That is why, Madam Speaker, I support that because when you support those increases in taxation, you are supporting life, you are supporting this generation of Fijians and you are supporting the future generations of Fijians.

(Applause)

HON. J. USAMATE.- The second issue that I want to address, Madam Speaker, is the issue of Parliamentary Pensions. I think there has been a lot of good discussions on Parliamentary Pensions. There has been a call that we should include people that unfortunately could not complete their Parliamentary term because of *coups* or other things. But let us just think about “What does ‘pension’ mean?”. What is pension?

A pension is something that you get because you have served a certain period of time. You worked this length of time, then you get the pension. In other words, you cannot just say you worked for, or I might have served that time, that is why I am eligible for the pension. Pension is for time served. So, if that is how we define “pension”, then how can you give pension to someone that did not serve that time? That is the first point.

The second point that is being raised, “Why do we not give pension for people that are below the age of 55 years?” The idea of pension is to give people money when they have lost or reduced the capacity to earn. That is why people get pension after the age of 55 years. That is basic, that is what pension means, that is what needs to be applied. So, all of the arguments that had been raised are totally nullified by what I mean by the term “pension”. So, remember that, pension is for time served and secondly, you get pension after you reach 55 years so that it helps you to sustain your life into the future.

The third point, I support once again the sentiments that have been expressed by my comrade, fellow Minister here on the plastic levy and how it has been put into place. I support that and it is true. When you first introduced the plastic levy, there was such a hue and cry made, and I am glad to see that now you have seen the light and you have come on this side and working together with the Honourable Prime Minister to try to preserve our environment because our pristine environment is one of the most important things that we have.

The Honourable Minister has talked about the gradual approach that we have, we know that when people know that in 2020 when there would be a complete ban, a lot of supermarkets will start changing plastic bags for paper bags. It gives them time to do that, to pick their stocks and our people are getting acclimatised to this idea or understanding that in the year 2020, there will be no more plastic bags, so they should be able to move and prepare themselves along that particular line.

Madam Speaker, the last one that I want to talk about is in relation to the amendments that had been made in the Employment Relations Act. I think this has been expressed and I think this is for all mothers in Fiji, everyone who is born of a mother, who is a husband of a wife or has grandchildren will be grateful for the fact that in these amendments, we have changed the duration of time in which

mothers can have with their newborn children, from 84 days to 98 days. This is something for all the mothers of Fiji. The great thing about this amendment is that, it allows us now to be in accordance with Convention 183 of the ILO which stipulates that the minimum maternity leave protection for women should be not less than 14 weeks, and I think this is absolutely fundamental.

Educationists talk about the fact that when children are young, this is the time they need to be with their mothers. We encourage breastfeeding so babies can get the best possible nutrients into their body at that time, so the longer that mothers can be with their children, it is absolutely good for the baby and it is good for the family so that is something that we really applaud to see in this particular amendment to the Employment Relations (Amendment) Bill.

And not only that, Paternity Leave is also fabulous. I think the fathers now, when the baby is born, they have an opportunity, I think a few days before the birth and a few days after the birth, to be with them. There can be nothing more special than having the father and mother there during the birth to look after the baby in those times when the baby is just being born. And I think all the women who are about to give birth, all the families who have children on the way will thank FijiFirst, this particular Government has come up with this Paternity Leave.

(Applause)

HON. J. USAMATE.- The third amendment that has come out of the Employment Relations (Amendment) Bill is the Family Care Leave, which allows parents to take some time to deal with things related to their family. So I think right from the very outset, the Honourable Minister for Economy has said that this Budget is a family-based Budget, it is a Budget for families.

And that is not something that you only see in this 2018-2019 Budget, it is a continuation of all the sorts of changes that we have been putting in place ever since FijiFirst Government came into being into 2014 and even the Bainimarama-led Government before that. From 2006, there has been a constant focus on making sure that we do things right for all the families in Fiji.

So with those words, Madam Speaker, I am very glad to give my full support to all the Bills that are before the House. *Vinaka vakalevu.*

HON. SPEAKER.- Honourable Faiyaz Koya, you may have the floor.

HON. F.S. KOYA.- Thank you, Madam Speaker.

Madam Speaker, I am actually very happy and extremely overjoyed today and there are two reasons; one reason is, unfortunately, the Honourable Gavoka who is the Shadow Minister for Tourism has left but I want to tell him, Madam Speaker, that it took me three-and-a-half, almost four years to convince him about something and he has admitted to it today.

He has admitted to quality tourism, Madam Speaker, and I take my hat off to him, three-and-a-half years it took me, but like they say, Madam Speaker, if at first you do not succeed, you try and try again, and I think we have succeeded. And I am so happy, Madam Speaker, I want to run across and given him a hug.

(Laughter)

Secondly, Madam Speaker, I am quite overjoyed today that he says that he has got a few friends on this side of the House because I know that he is indirectly saying that he loves his son-in-law.

(Laughter)

Thank you, Honourable Gavoka!

Madam Speaker, once again with respect to the tourism industry, I think the numbers speak for themselves. The 1.9 billion odd dollars that we earn from tourism, Madam Speaker, you have to put it into perspective; that is not money earned by Government, that is the whole industry earning \$1.9 billion.

It is a feat that has never ever been achieved, Madam Speaker, on the numbers that we actually get into the country, so when you look at it and put it into perspective, Madam Speaker, the taxes that were put into place with respect to ECAL and STT, now, Honourable Professor Biman Prasad says that the \$1.25 million ceiling is not enough, it should go up to \$5 million. I am actually flabbergasted, Madam Speaker! Where does he get the \$5 million from? Has he done the calculation; where is the statistics, Madam Speaker?

(Honourable Member interjects)

HON. F.S. KOYA.- He has not even mentioned one single statistic or fact to actually support his idea that we should raise it to \$5 million, let alone realise, Madam Speaker, that the Boffins who sit at the Ministry of Economy actually did their homework when they have decided and came up with a figure of \$1.25 million as to how many hotels, how many businesses, et cetera, will be affected?

Madam Speaker, when you come to this House, you do not just come here and start shooting in all directions and say something is going to stick. Please, come here (and this is a lesson for you in the future, if you do end up there again) ...

(Laughter)

HON. F.S. KOYA.- ...that when you come here, please, just like we do all the time because the people of Fiji are listening and they are not ignorant, they are very smart. They are a smart population and I will tell you a few other reasons why.

You come here, armed with statistics and facts to back up what you are going to say which we have done, Madam Speaker, from day one. So this idea of \$5 million, what it captures, we do not know? You never even gave us a chance to even think about it. You just plucked it out of the air, you did not even give us any facts. You have not! It is no use giving it to us later, we are about to vote on it.

Madam Speaker, with respect to

(Honourable Member interjects)

HON. F.S. KOYA.- I beg your pardon?

(Honourable Member interjects)

HON. F.S. KOYA.- I do not need your presentation. I have a wonderful team that gives me a presentation.

Madam Speaker, let me also point out that one of the most important things about this Budget was the theme of the Budget and that was actually "families". With respect to the Employment

Relations (Budget Amendment) Bill on Family Care Leave entitlement and I know there is a lot being said by the Honourable Minister for Employment, Productivity and Industrial Relations, Family Care Leave allows workers to provide care and support to their immediate family members and members of their household.

The Bill will introduce for the first time ever, Madam Speaker, for Fiji's workforce, a Family Care Leave. Any worker who has completed three months of continuous service with the same employer and wishes to provide care or support for a member of the worker's immediate family or a member of the worker's household, will be entitled to be paid Family Care Leave of up to five days during each year of service. This has never been done, Madam Speaker!

Madam Speaker, this will contribute, again, to a more happy worker and a workforce, and a harmonious and motivated team, just like this one because our Honourable Prime Minister has said, time and time again, Fijian families matter. Caring for a child, as rightfully pointed out by the Honourable Minister for Employment, Productivity and Industrial Relations, is part of a balanced work and family life and the fact that caring for a child is part and parcel of a parent's essential duty.

A male worker now, who is a father to a child and/or who is the primary caregiver for the child can now take up to five working days of Paternal Leave to attend to his child and wife. I know that just about every single father would feel wonderful about this particular provision that is being offered and this, he can either take three months before or after the birth of his child, Madam Speaker. An important point about all fathers, this allows the sharing also of the caregiving responsibilities between the father and the mother of the child.

Madam Speaker, also with respect to the amendments to the Income Tax Bill, not too much we have mentioned about it, but this particular amendment will support the Fijian Government's pro-growth economic policies, something that we have mentioned time and time again in Parliament. It provides investment incentives, it provides particular industry or research and development (no one said anything about it), climate change mitigation incentives, modernisation of buildings as mentioned by the Honourable Minister for Local Government, Housing and Environment, and housing development incentives and capacity-building of employees and employment incentives.

Madam Speaker, private sector investments are crucial for the Fijian economy as they contribute to our employment-creation, et cetera, modern technology. In order for Fiji to maintain its actual growth trajectory, there is a need for all the stakeholders to play an important part and role in meeting the overall vision of the Fijian Government.

Research, innovation and enterprise are the cornerstones to develop a knowledge-based innovation-driven economy and society, and that is what Fiji will end up in, Madam Speaker, and we are well underway to do that, investing in innovation and higher value-added activities and boost up productivity, et cetera.

Also in relation to research and development, Madam Speaker, ICT ties in well with our Ministry's new programme to develop and implement Fiji's first National Innovation Framework (NIF) under the central coordinating agency of the MSMEs. This is a long-term strategy, Madam Speaker, just like everything else that we have done.

Madam Speaker, as I have said earlier with respect to the STT, that is to align to ECAL and to reduce the administrative burden also on Fiji Revenue and Customs Services (FIRCS). FIRCS will have a threshold of STT that is similar to that of ECAL and it is \$1.25 million which is applicable to ECAL and currently levied on licensed restaurants, bars, clubs, bistros and coffee shops.

These, Madam Speaker, also ensures that micro, small and medium business and tourism operators below that particular threshold will no longer be required to pay their STT. It will especially benefit businesses that work closely with the community-based activities, for example, we have Talanoa Treks, Rivers Fiji, the Leleuvia Island Resort, who are equally passionate, Madam Speaker, about the preservation of Fiji's natural environment and the engagement of communities in valuing and protecting our natural resources.

Madam Speaker, also with respect to ECAL, this again is to extend the minimum gross turnover threshold to all prescribed services with a threshold of \$1.25 million and the exemption of all the prescribed businesses with the gross turnover of less than \$1.25 million, will not only ease the burden on smaller Fijian business operators, but also it will actually raise their competitiveness, Madam Speaker.

The use of plastic bags contributes largely to the waste disposed at our landfills, and 50 million to 60 million plastic bags are used annually in Fiji and this is a major concern as plastics take longer to degrade, so increasing the levy would only be sensible.

Madam Speaker, lastly, the issue raised with respect to beer, no one says that you are actually promoting beer. Honourable Prem Singh says that all will want to have a sit down and have a beer in the afternoon at the end of the day, now it is not going to be able to be affordable. Let me offer him a wonderful alternative, Madam Speaker, the question that needs to be asked is, "Do you drink beer to get drunk, or do you drink beer because you enjoy beer?" But if you do enjoy beer, buy non-alcoholic beer.

Madam Speaker, I fully support the Bills before the House and I would also like to take this opportunity to thank you for being so patient with us, thank you for all the wonderful three-and-a-half to four years or so, that we have been here, and thank you for being you, Madam Speaker.

(Applause)

HON. SPEAKER.- Honourable Members, I beg your indulgence, we are on to our lunch hour now, shall we finish this Bill before we break for lunch?

HON. A. SAYED-KHAIYUM.- Yes, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Lorna Eden.

HON. L. EDEN.- Thank you, Madam Speaker.

Madam Speaker, I do not want to harp too much on about the plastic bags but I have to say that I am appalled that Honourable Members from the other side of the House said that the 10 cents levy that we initially put out has made no difference. Have they got some facts that show that it has made no difference?

I know for myself, I definitely take a re-usable bag every time I go and may be some of them do not bother, but just for facts, the Fiji Fuel Retailers Association carried out a survey from the day that the 10 cents levy was put out and within the first four months, they noticed a reduction of 75 percent on the distribution of single-use plastic bags and that is a fact, and this is every shop that is in every service station throughout the country.

It is working, it is not useless, and like I said in my speech on Monday, it is a deterrent. It is there to remind people that we should bring our re-usable bag. We do not need those single-use plastic

bags, bring your own bag, keep it in your car, keep it by your main door, keep it wherever you will remember to take it with you whenever you go shopping so it is working, it is not 'not working'.

The increase is up to 20 cents now and yes, of course, we will ban them completely but like the Honourable Minister said a little while ago, these things take time, we have to give time to people to use their stocks and get rid of the stocks. At the end of the day, Madam Speaker, I think whatever we do on this side, we are damned if we do, and we are damned if we do not. Thank you.

HON. SPEAKER.- Thank you. Honourable Viam Pillay.

HON. V. PILLAY.- Thank you, Madam Speaker. Madam Speaker, I rise to support the Bill before the House. Actually, I did not want to speak but with the number of messages I am receiving from the communities and the farmers around Fiji, I need to speak. They are saying: "Please, advise Honourable Professor Biman Prasad not to worry about the beer and the lamb chops. With the amount of assistance given by the Ministry of Agriculture, we will be having more poultry at home so we will be enjoying the *jungle* chicken; we will be enjoying the duck at home; we will be enjoying the goat meat at home, not the horse meat", as said by one of the Honourable Members here, "and also we are just requesting Government to provide us with good roads, electricity, water, and for our children to go to school, and we have stability in our nation, and we continue to have farming assistance and we all live united and peacefully in Fiji."

Thank you, Madam Speaker.

(Acclamations)

HON. SPEAKER.- Honourable Samuela Vunivalu.

HON. S.B. VUNIVALU.- Thank you, Madam Speaker. I also rise to support the Bill. My contribution is in regards to the Parliamentary Retirement Allowances. Madam Speaker, I think some of the Opposition Members are talking nonsense ...

(Laughter)

... and they do not know what they are saying because of the fact that we are working on this Constitution. Gone are those constitutions, and we are now going forward. What the Honourable Members of the Opposition are elaborating in this House is for us to move backwards. So I urge you not to move backwards but move forward according to this Constitution. The Honourable Members whose names you have mentioned: Honourable Dean, Honourable Maharaj and the Honourable Government Whip, they like this Constitution. They will work until they are 55 like us because not everyone will be able to come into this august House.

The Honourable *Talatala* Karavaki should read Jeremiah Chapter 1 Verses 4 and 5, which state that before we were born, we were already ordained, even before you were formed in the womb of your mother ("*Before I formed you in the womb I knew you, before you were born I set you apart*"), so not everyone is qualified to come here, it is entirely up to God, Amen.

HON. MEMBERS.- Amen.

(Laughter)

HON. S.B. VUNIVALU.- So, Madam Speaker, talking about the 1987 *coup* and the other *coups*, they have gone and finished. Those who took part were pardoned and there was immunity, as we see

here in this Constitution, so we are moving forward now. To the people of Fiji who are listening right now, that is why we are succeeding. The FijiFirst Government is successful because of this good Constitution. We hardly see Constitutions like this before, Madam Speaker, during our time. Now it is translated, but ...

HON. MEMBER.- Aljazeera!

HON. S.B. VUNIVALU.- ... you should have it translated into English and *iTaukei* vernacular, not Indian, so that you can understand.

With regards to the Parliamentary Retirement Allowances Bill, Madam Speaker, it is also written in the Constitution (Section 55 or Section 56); it is there. There is no problem about that. It is your age that matters, as mentioned by Honourable Karavaki. Some of us never go to universities as you mentioned, but it is the experience that matters, considering the age and wisdom that God has given us. We have been to places which we have never been to. Amen.

(Laughter)

No, I am not saying that

HON. S.D. KARAVAKI.- A Point of Order, Madam Speaker.

HON. SPEAKER.- A Point of Order.

HON. S.D. KARAVAKI.- Madam Speaker, just a correction. I did not say that there are some people that are in here who did not go to the university. I was saying that there are bright people who have gone to the university who can be a part of the decision-making of the nation and just because of the age limit, they would not qualify for the pension. That was what I said, and now he is twisting it around and I would like to correct that, Madam Speaker. Thank you.

HON. SPEAKER.- The correction is noted. Honourable Vunivalu?

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

Some of our colleagues here and there, they were just replacements. I think they are not qualified but just because of this Constitution, they will come again next year so that they can serve in Parliament again for the next three years and six months or four years.

(Laughter)

So, Madam Speaker, my second contribution is in regards to beer. For example, in the Military, we are allowed to drink beer; in the Police, we are allowed to drink beer; in the Fiji Corrections Service, they have their three types of Mess. When you drink, it shows that you are happy.

Secondly, Madam Speaker, when you drink, you control yourself, you can ask any Military personnel present here, they can vouch for that. The whole idea is not to drink too much. If you want to drink, you go to your Mess. As mentioned by the Honourable Assistant Minister, after every week, they sit down with the *sardhar*, drink some *yaqona* and a little bit of beer which they call “wash-down” and cook some good chicken. They contribute individually so that they can buy, you do not have to use a lot of money.

Thank you, Madam Speaker, that is my contribution.

HON. SPEAKER.- Honourable Cawaki, you have the floor.

HON. CDR. J.R. CAWAKI.- Madam Speaker, allow me to contribute to the Amendment Bills. I stand on behalf of the rural and maritime people as the Assistant Minister for Rural and Maritime Development and I will talk mainly on the Drainage (Budget Amendment) Bill 2018.

The old Drainage Board only looks after designated areas and again as being said, the Drainage Boards are appointed through political parties and they favour people in their political parties and the work is not being done evenly to the people. However, the new Drainage Act will allow everyone, including people in the rural and maritime areas.

I also see an allocation for drainage for rural residential areas, these include communities and villages. With the rise in sea level and the climate change which our Honourable Prime Minister is the President of COP 23, this is the way forward for us. We will be seeing the Honourable Minister for Waterways and his staff around the country, clearing drainages and also coastal erosion protection works for the bigger rivers.

Three weeks ago, I was with the Honourable Minister sitting down with the community at Vunibau in Deuba at the starting of work on the embankment of the Navua River.

Again, there are areas that are flooding that need drainage. So this amendment to the Drainage Bill allows the people access. As I speak, I just received a photo from the Chairman of the Nakovacake Development Trust where the digger is now digging the drains that have been blocking the villages of Namotomoto and Navoci in Nadi. So, the amendment to this Drainage Act helps our people to clear what has not been cleared for years. *Vinaka*, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Mohammed Dean, you have the floor.

HON. M.M.A. DEAN.- Thank you, Madam Speaker. I rise to give a short contribution to two of the issues which I really support in regards to the amendments to the Bills.

Firstly, is with regards to Paternity Leave. Madam Speaker, we can see that there is a very huge shift in social paradigm in terms of how modern families work. We see the involvement of more males when it comes to nurturing and taking care of their new born babies. I believe that this is a very good recognition that the Government has given to all the young fathers out there, that whilst they will have their babies they will get to spend more time with them. I believe that when it comes to nurturing a child, nowhere is it written that a mother can always give the best of love, it can be the father too. So, this is a very good way in which young families, especially the fathers are being recognised.

When my child was born, I always wished that I could spend more time with him but unfortunately, I had to go back to work because during those days the entitlement was not there. Those were very beautiful moments which I feel that I had missed out on. This sort of leave that have come into place, actually encourages us (fathers) to show more love and nurture our children.

The other issue is in regards to the increase in duty on cigarettes and alcohol. Let me give the perspective of a teacher, Madam Speaker. Cigarette is a very, very important issue when it comes to students. We used to come across cases of students smoking before coming to school, after school or during school hours or whilst out on school functions. When we increase duty on these things, at least there is some sort of reduction to this problem.

In regards to the consumption of alcohol, Madam Speaker, I know that people love to consume alcohol but for the youths, that is something that we should not encourage. Now, with the price of

alcohol increasing, at least, they will sort of control their habits in regards to consuming alcohol. I had a case where a dear friend, wayback during my university days, died because of drinking and driving. That was a very sad moment. These are some of the things that our youths in Fiji engage themselves in provided they get a little bit of encouragement. If the price of alcohol goes down, the social problems in terms on drinking, especially amongst the youth, will increase for sure so, Madam Speaker, it is good that this is discouraged.

The other thing is that, Honourable Professor Biman Prasad was trying to explain the economics of it. Yes, he must also remember that those things which have addiction in them, like alcohol and cigarettes, are things where the Government should have a social responsibility to control it through their policies. It is the FijiFirst Government which is encouraging to control the demand of these kind of substances and products which in actuality, harm the people of Fiji, in this case, the youths.

So, with those words, Madam Speaker, I strongly support those two amendments, and thank you.

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

HON. A.A. MAHARAJ.- Thank you, Madam Speaker. I rise in this Parliament Chamber today to give my short contribution on the 20 or so Consequential Bills that are in front of us. Madam Speaker, I was surprised when, all of a sudden, my name actually started coming up in the debates.

For the past four years, no one spoke about us in Parliament so why on the eve of Elections, all of a sudden, my name, Honourable Sudhakar's name, Honourable Dean's name keep coming up? All of a sudden, we actually stand here and start talking

As we stand here and begin to speak, they would say things, this is what is happening. These are the people who are trying to empower youth or young people and when we actually stand in Parliament and speak, soon after we sit down, we are asked "Hey, what are you talking about? You do not know what you are talking about." They do not respect us over here, how can they go out and respect others? How will they empower young people?

(Applause)

The very moment I stand here and try to talk, the Honourable Leader of the NFP will turn back and say, "Hey, what are you talking about, you do not know what you are talking about." My colleagues over here can testify to that. As soon as I stand up here today, he actually turned back. This is what is happening.

Madam Speaker, I believe our names have been coming up a lot with regards to pension. I can, at least, speak for myself or my colleagues: Honourable Dean, Honourable Sudhakar, we are not here for pension, we are not here to secure our future, we are here to serve our people. We are all qualified graduates, we can be working outside but yet we chose to serve our people, and that is why we are here. That is why, whether it be 30 years, 40 years or 45 years, we do not have a problem ...

HON. S.D. KARAVAKI.- That is not the issue.

(Laughter)

HON. A.A. MAHARAJ.- ... and the reason we do not have a problem is because our hard-earned income is actually sitting with FNPF and we know that our future is secured over there with FNPF.

It is not like some of Honourable Members sitting in this House, who are actually above 55 years, withdrawn twice from FNPF and they know they will not be getting any pension. All of a sudden, they start talking about pension because they need to secure their future. Our thoughts are not like that, Madam Speaker.

As for me, like any other young person in Fiji, Madam Speaker, we have our hard-earned income sitting in the FNPF and this is how we want our youth and every citizen to be empowered in this way. Let me tell you, Madam Speaker, the only way we can empower our youth is through education. If they have education, we can empower them. Just by talking to youth about their empowerment will do nothing, like some people are going outside and doing at the moment, because the Elections is near.

We need to change our mindset, Madam Speaker. We are not here to actually secure our future. I also heard someone saying that we can afford a bottle everyday. I do not want to talk about others, Madam Speaker, but yes, I can. Though I do not drink beer, I can afford it and the reason I do not drink is why I am here today, because I am not wasting my money and time on beer or cigarettes. That is why I am standing here as a healthy Member of Parliament because I do not smoke. I have never smoked nor tasted beer in my life and we need to prioritise ourselves, Madam Speaker.

(Honourable Member interjects)

HON. A.A. MAHARAJ.- Thank you, Sir.

(Laughter)

All these, Madam Speaker, is just because of one person's initiative, we have been able to and we are actually empowering our youth, and that is our Honourable Prime Minister.

(Applause)

He has been doing it since 2006 and to testify that, Madam Speaker, I am one of those graduates who actually graduated under his leadership; promoted every year as a civil servant under his leadership. As a young entrepreneur, under his leadership, I started up my own business in 2009; I have just opened my second branch under his leadership as a young businessman; I have opened a wholesale business under his leadership; and just because of his leadership, his policy and principle, I am standing here today as a Member of Parliament, Madam Speaker.

(Applause)

I would like to take this opportunity, Madam Speaker, to thank the Honourable Prime Minister for this, and not just for myself, but all the young entrepreneurs who are actually benefiting from his principle, his policy, Madam Speaker.

I have said this before, Madam Speaker, but I just wanted to repeat this as some people are going out and talking about empowering youth but yet when our young Members of Parliament stand here, they are the ones who are saying to us that we do not know anything, this is their mentality.

With those words, Madam Speaker, I would like to support all those Bills that are in front of us. Thank you.

HON. SPEAKER.- Thank you, shall we continue, Honourable Members?

HON. A. SAYED-KHAIYUM.- Yes.

HON. SPEAKER.- Thank you. I will give the floor to Honourable Parmod Chand from the Opposition.

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

Firstly, I rise to make some contribution to this debate. I would like a clarification from the Attorney-General if he could inform Parliament about the qualification of pension, whether those who held positions in the Interim and Military Governments that came into being after the democratically-elected governments were removed, also qualify for pension for the offices they hold? That is something I would like to know?

Secondly, a lot has been said about the plastic bag levy from 10 cents to 20 cents. I believe, Madam Speaker, as it was told that these companies that manufacture plastic bags are given the period of three years to finish off their stock.

The knowledge that I have gained after talking to some of these manufacturers that there is the bio-degradable compound that can be used in these plastic bags that can degrade that and finish off within two to three months.

The second question is: these people also must have invested millions and millions of dollars in putting up their factories and it is very, very important to see that some sort of solution is found that these people do not lose out completely by losing their factories or closing them down. It is important as there is a solution to it, and if these compounds can be used in those plastic bag manufacturing, definitely it will be finished off and it will not be a hazard.

Another thing, there was a lot of talk about beer. I do not know what to say about it but one thing is that, when people are unable to buy luxurious things, they might resort to make, for example, home brew because one time in my bus, there were some people from different areas who just make home brew and they put in the bus and somebody picks it at the bus stand, but one or two times they fail to pick it from the bus stand without the knowledge of the driver and it came to the garage.

When I got hold of it, I rang the police to come and take it. They went and took it away and this fellow came, asking me to not report or say anything but I said, "I do not know anything, I do not know who put it there." What I am trying to say is this: in society, for example, poor families always want to celebrate a birthday, an engagement or any other thing. People need to have some sort of relief. It is very, very important standing up and grandstanding and saying, "We want good health for the people of Fiji". All right, then do something to reduce the price of food items in Fiji.

There was a Tebbutt Research done which says that more than 50 percent of our families are saying that the cost of living is very expensive in Fiji. What they were able to

HON. MEMBER.- That's

HON. P. CHAND.- Regardless

(Honourable Member interjects)

Fiji Times is a good proof.

Madam Speaker, the thing is this, when people are unable to afford good food, they will not be eating nutritious food, they will not be healthy. It is very, very important and the most important thing that Government should do is to look at the price of food items. That is something that will help

families to have three square meals in their homes, just like yesterday I said, “Fish Ban - Certain species of fish were banned” and has put so many fishermen out of job, out of business.

HON. MEMBER.- ... future.

HON. P. CHAND.- I agree it is for the future but the important thing is that, when rules and regulations are made, they should be tailor-made for the people of Fiji, for the people in the country that you live in. If you go to other countries, you will see there is a particular size and species of fish. So, Madam Speaker, the cost of living

HON. SPEAKER.- A Point of Order!

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, he is misleading Parliament. There are only two species that are banned, and there are about 40 other species that can be caught. He should withdraw that.

HON. SPEAKER.- Honourable Member, would you like to

HON. P. CHAND.- I did not say that, all I said was

HON. SPEAKER.- Would you like to withdraw that statement, just put the realities in their proper perspective so that the people will understand. Just withdraw that statement, please.

HON. P. CHAND.- Thank you, I withdraw.

HON. SPEAKER.- Thank you.

HON. P. CHAND.- Madam Speaker, it is very important for us to understand that the cost of living should be brought down.

In conclusion, I must say that when we talked about Drainage Board, we were told that there are always political appointments. I know right now in Labasa, the Chairman of the Advisory Council is a FijiFirst executive, he is put up there, that is also a political appointment, not apolitical. So it is very, very important to understand that in a country like this, we all need to talk together.

The Government always wants to talk about talking together, *talanoa* sessions but it is very, very important that we look at the communities of Fiji. We all want better living standards and conditions for the people of Fiji; we all want the people of Fiji to be healthy and it is important to see that when laws, rules and regulations are made, that they are suitable for everyone. Thank you.

HON. SPEAKER.- Honourable Minister for Women, Children and Poverty Alleviation.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. I rise to give my full support to the Bills before this Honourable House and I would like to make mention of a few of them, particularly the Employment Relations (Amendment) Bill and the provision of Paternity Leave. A lot of our colleagues in the House have spoken about it and I would like to emphasise the importance of this to our community.

On gender equality, one of the greatest challenges in achieving that goal has been the role of women in the unpaid care economy, the fact that it is not recognised and the fact that it is being given a status that is lower than paid work. This is an opportunity, a statement from the highest authority of this land to say that it is important work and there is a role to be played by our male counterparts. I

give my utmost appreciation and congratulate the Minister for Economy for coming up with this initiative, Madam Speaker, particularly, on the Family Care Leave, also a very important aspect of sharing the work of caregiving within members of the family, even those who are undertaking paid work.

A lot of us who undertake paid work may want to spend that important time with parents, especially who are living with them and need this extra care during their times of sickness or even on their death-bed but are not able to take leave simply because they do not have access to such Family Care Leave, and I welcome that.

The plastic bags levy that has been going on for some time, Madam Speaker, and it is quite encouraging when you go out to do your family grocery shopping, to just look at other families in the supermarket and see them coming with their old reusable bags, making use of cartons that are also in the shops. So people's minds are being encouraged to think of the alternatives to plastic bags and that is the exact aim of this law; not to ban immediately but to encourage people to voluntarily think of the alternative and to make use of it.

But apart from the environmental impact, Madam Speaker, there is also a very important component of this and that is the empowerment of women, those who actually sew those re-usable bags. When this initiative was launched by the Honourable Prime Minister, the Ba Women's Forum comprising of over 70 women's groups in Ba that had made re-usable bags out of cloth and with the generosity of the Fijian Holdings Limited through R.B. Patel's supermarket that purchased thousands of those bags to sell in their supermarkets throughout the country. There are women around the country who continue to make these re-usable bags and they are being sold in the supermarkets and also in markets.

Madam Speaker, there is another group of women in the Suva Market who make these re-usable bags and I would like to thank the Honourable Minister for Local Government, who also encourages the selling of those re-usable bags in the municipalities around the country. I encourage Honourable Members of the House to take this opportunity to not only impact positively on our environment but to also empower our Fijian women, and men also who may take this up as a way of livelihood.

Madam Speaker, the Tertiary Scholarship and Loans Board (TSLB) Amendment Bill, I welcome that, particularly on the addition of two institutions to the eligible list of institutions (pilot schools) for TELS, which will encourage a lot of our young people who would have viewed becoming a pilot as out-of-reach because of how expensive it is to train as a pilot. Now, with those two institutions in the list, a lot more of our young people coming out of schools will see the opportunity to become a pilot a reality, and it will become a reality for our young boys and girls in the near future - a lot more of them.

On the tax on beer, alcohol and cigarettes, I voice my support to what has been said on this side of the House and that part of the House in relation to the tax on this, to actually encourage Fijian people, particularly those young people who have not had a taste of alcohol and cigarettes yet; to know that it is a very expensive exercise but also more importantly, the impact on health and on families as alluded to by the Honourable Assistant Minister for Women.

Madam Speaker, the Fiji Women's Crisis Centre, in a recent study, looked at the number of women who had come to their institution as victims of domestic violence and they do have figures on this number of women and they have actually asked that question, "How many of those who have perpetrated domestic violence against you are actually taking place in the vicinity of drunkenness?" Alcohol may not be the root cause of domestic violence but it is a contributing factor, like many other things.

Out of those women, 22 percent of them said that their partners drink alcohol weekly or daily, so alcohol does contribute to domestic violence in this country and we should not limit ourselves to domestic violence. How about violence generally? How many people have died in the hands of bouncers in nightclubs around the circumstances of drunkenness? So I welcome the tax on alcohol and cigarettes because it will actually abhor our minds to the negative impacts of these in our society. I thank you, Madam Speaker.

HON. SPEAKER.- Thank you, and lastly I give the floor to the Honourable Inia Seruiratu.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Madam Speaker. I will just make a few quick short contributions: one is on the Bill to amend the Telecommunications Act. I speak as Minister for Disaster Management and Meteorological Services; and as Minister for Agriculture and, of course, Rural Development as well.

I welcome this amendment to the Bill because I know that the service providers have a huge responsibility as well. I always like what Dr. Mohammed Yunus termed as a ‘double bottom line reaping profits and doing social good’, and I think that is one of the key responsibilities of service providers while they are reaping profits.

They also have a responsibility to the people at large in terms of doing social good. It is very, very critical, Madam Speaker, when it comes to disasters, when people need assistance when we need to mobilise the emergency service providers. So communication and information are very, very critical and we all know that without communication, we cannot command. Information is power, and that is why I welcome this Telecommunications (Budget Amendment) Bill.

Of course, in Agriculture, we are talking about modernising Fiji’s agricultural sector and on e-agriculture, we have already started with FAO, Madam Speaker, on using technology, not only for marketing purposes and awareness, but for extension services as well.

We do not have officers in some of the rural remote areas, but we can use technology in the absence of officials physically on the ground, we can use technology, Madam Speaker, and this is why the services as allowed too by the Bill to avoid disruptions or whatever is very, very critical, and I welcome this amendment, Madam Speaker.

On ECAL, a lot of the Honourable Members have spoken and, of course, as climate champion as well, I just wish to again reiterate the fact that we all have a responsibility to keep our environment. Of course, we can link that to the ban on the fish species as well, Madam Speaker. It is about biodiversity, it is about sustainable development.

“Sustainable development” was defined in the United Nations wayback in the ‘80s as “meeting the needs and aspirations of today without compromising the future.” Development is good but it comes with prices as well, Madam Speaker, and we have to take responsibility when it comes to making tough decisions sometimes, and that is leadership because it is important for the future.

Of course, the ECAL is most welcome, Madam Speaker, because we have a responsibility to look after our environment. I always advocate wherever I speak that we look after our environment and the environment will look after us. We are stewards of the environment, we have a responsibility to look after the environment and again, I welcome the amendments that are already in this Bill.

About the Drainage Board, Madam Speaker, I wish to acknowledge those that have previously served in the various drainage boards in the four divisions. They have done their time, they have contributed to the development of this country, Madam Speaker, but we must move on, we want to

create a modern nation, a modern State, times have changed, external environment dictates the change within. As the external environment changes internally, we must make the necessary changes as well, Madam Speaker, and this is about being relevant and being effective, efficient in how we can deliver services to the people that deserve it.

I welcome this while acknowledging the work that has been done by the previous Drainage Boards, but time has come for us to make the change and keep it “simple stupid”, Madam Speaker, avoid the bureaucracies because as Minister for National Disaster Management, one of the big contributors to flooding in Fiji is the state of the drains; whether it be Municipal Council drains; farm drains or whether in the sugarcane area or the roadside, it is the drains and how we litter those drains as well. This is why we need to make such changes because it is so necessary so that we can be relevant, effective and efficient and most importantly, Madam Speaker, Fiji, as a tourist destination, we need to be environmentally friendly to welcome those who come to our shores.

Very quickly, Madam Speaker, I am surprised that there is not much contribution coming from the other side about the Employment Relations (Budget Amendment) Bill. The family is the very foundation of society and we need to speak about it because when it comes to the Budget. Madam Speaker, they are talking about freebies, they are talking about, “it looks fluffy”, they are talking about “deception”, they talk about “fear”, they talk about “failure”, they talk about “sugar coating” but, Madam Speaker, I would have expected every Honourable Member of this august House to speak about the Employment Relations (Budget Amendment) Bill 2018 because we need to have stronger families so that we can have better communities as well.

We welcome the extension to the Maternity Leave, the Paternity Leave as well, Madam Speaker, and of course the Family Care Leave. Every Member of this august House should strongly support this, but it is too late because they have already branded the 2018-2019 Budget as vote buying, bribery, et cetera.

Madam Speaker, are free school fees and free bus fares about vote buying? No, it is about family, Madam Speaker. How about food vouchers to pregnant mothers, is that about vote buying? I strongly think that it is about families, Madam Speaker.

Weet-Bix and Milk Programme, Madam Speaker, is that about vote buying? No, it is about the family, Madam Speaker. Pension to the elderlies, they can now ride for free on buses. I just learnt that previously it was for those who are over 65 years but now it has come down; they used to pay half fare but now it is free for everyone, that is about the family, and that is what this Budget is all about and that is what this amendment is all about.

Madam Speaker, I strongly support the amendments in the various Bills that are before the House. Thank you.

HON. SPEAKER.- Thank you. I now call on the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications to take his Right of Reply.

HON. A. SAYED-KHAIYUM.- Honourable Jiosefa Dulakiverata is signaling to me, I do not know what it is about.

HON. J. DULAKIVERATA.- (Inaudible)

HON. SPEAKER.- All right, one of my roles is to allow Members of Parliament to speak their minds in Parliament and I will allow the short and sweet contribution.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. I will make it short and sweet.

(Laughter)

Madam Speaker, I would like to contribute only on a few Bills, not all, and I would like to contribute to the Employment Relations (Budget Amendment) Bill 2018.

Madam Speaker, we all agree that it is important for parents to be with their babies after birth to develop that relationship. The increase of the Maternity Leave from 84 days to 98 days, Madam Speaker, may be good for the family but I would like to see it from the other side of the coin, which is the employer who would be paying for the salary for the mother while she is on leave and not actually working.

I also look at it, maybe on the negative side on the part of the mothers because employers will have to consider these things in employing young women, looking at the economic way of things, Madam Speaker. It is natural that business people will have to look that way: how you run your business; how the people contribute to your business; but if you are paying someone and not working for three months, definitely you will have to think at other alternatives but while it is good for the mothers to be on Maternity Leave, it could also have that effect on the employers. They will have to make decisions on who they employ in their business. That is all I can say, Madam Speaker, on the Employment Relations (Budget Amendment) Bill 2018.

On the STT, Madam Speaker, I agree with the Honourable Leader of the NFP that we should increase the threshold because you have to have the small business people to improve their businesses and employ more people, may not exactly be to increase it to \$5,000 but I think it is not good to lower the threshold because as I see it, more people and more businesses will be subjected to the STT if you reduce the threshold. That is my contribution on that, Madam Speaker.

On the amendment to the Parliamentary Retirement Allowances Act, Madam Speaker, I agree with what the Honourable Leader of the Opposition had said. We should consider the fate of all those people who were in Parliament when the *coups* happened in 1987, 2000 and 2006. I say this, Madam Speaker, because their aspirations and dreams have been killed. It was none of their fault but I think if this Government really cares for the families, for the people of this country ...

(Honourable Member interjects)

HON. J. DULAKIVERATTA.- You wait!

(Laughter)

... then there should be consideration for those people. If they are not paid pension, at least, there should be some sort of compensation for their loss of employment. That is my contribution to the Bills, Madam Speaker, thank you.

HON. SPEAKER.- Thank you, I give the floor to the Honourable Dr. Mere Samisoni.

HON. DR. M.T. SAMISONI.- Thank you, Honourable Speaker.

My reply will be very short. I would like to just say as a new Member of Parliament, I have just come in and I am learning the systems and processes. I feel that I have not had much time to look at the principles of these amendments. I would have liked to have had more time to have contributed more in the discussion and I think the parliamentary processes are so important, Madam Speaker, that

we all bring in our social capital, intellectual capital, technical capital, spiritual capital and information capital into this that we can add value for everyone to help in the decision-making, and that is what this new economic order is all about. I can see the Government moving that way and I applaud that, but I feel that I have not had the time.

If I could probably just pick on the plastics bags, as you know, I use a lot, thousands and thousands of plastic bags. My company has been in place now for 37 years, Madam Speaker. I have been working with the University and the plastic bag people all this time. We have been trying to work and get through data and research, we have been trying to develop something. I know for a fact that I use biodegradable plastic bags.

I was also trying to move away from that and try to make my own plastic bags because today it is about innovation, it is not only about laws, it is also about innovation but, of course, working with the laws, and with this, it did not work. I tried to make my own bags out of cloth, it did not work. Why? Because not enough people were helping out in that area. I just feel, sort of, so alone in that area but I am sure if more people work towards that vision and mission, we would be able to get over this plastic bag issue.

The fact that this Government is trying to, in about two years and I think you said you are going to ban to walk right out of it, that is good.

We need to work together and I applaud that, Madam Speaker. I wish I just had the time to have read more on the principles of this so that I could have contributed more.

I do agree with the Honourable Usamate, Honourable Eden and Honourable O'Connor; it takes time for us to change and it takes time to reform, it takes time to educate people and it is not only about imposing the law, it is about empowering people so that they understand, they take responsibility of their problems so that we can all move forward together. Thank you, Madam Speaker.

HON. MEMBER.- First time I hear something positive from the other side of the House.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, I will be very quick. Unfortunately, I will have to respond to some of the comments from the other side.

Madam Speaker, it was said that we cannot have an honest debate if things are brought under Standing Order 51, that is nonsense. Of course, you can have an honest debate at any time, even at short notice or long notice.

Madam Speaker, let me very quickly just highlight to Parliament how much revenue we collect from the following:

- cigarettes, we actually collect \$63 million;
- beer, \$83 million (in terms of revenue from the taxes that we impose);
- ECAL, we collect \$170 million; and
- STT, \$130 million.

By applying the \$1.25 million threshold to all businesses under the prescribed list, we are actually losing revenue of \$16 million. That is the cost of the increase in the threshold or applying the threshold of \$1.25 million.

Madam Speaker, to put it into perspective, these revenues actually from alcohol and cigarettes are substantial amounts of money, but also at the same time, it is a deterrent as many of the other

speakers have said. I just want to put those figures out so that people understand the implications of actually not putting in place these taxes or reducing the taxes.

Similarly, it has come to a cost to Government by actually having the threshold of \$1.25 million across-the-board, but it has been a calculated reduction in revenue because we see it as generating long term investment and even giving some relief to those businesses that needed the relief, Madam Speaker.

Of course, as has been said that the FRCS, together with the staff of the Ministry of Economy, have actually done their calculations, have actually met with all the stakeholders and \$1.25 million, Madam Speaker, captures a vast amount of small businesses that are linked to the tourism sector.

Madam Speaker, the other issue is that, of course, lamb chops, butter and beer now seem to be increasing in respect of it, however, Madam Speaker, the point of the matter is that, there seems to be a sort of a bit of an emotive reign given to beer, et cetera. They say, "beer is obviously alcohol."

Madam Speaker, the point of the matter is, they all were up in arms when we reduced the duty on motor vehicles. So let us say, you have traffic congestion so that you either deprive a person who is a low income earner from owning a motor vehicle, but rather give them cheaper beer. That is the logic this seems to be implying.

But I just want to make a comment but I want to highlight to what the Honourable Minister for Women said, if you go to the Magistrates Court, many of the incidences, Madam Speaker, in terms of common assault, grievous bodily harm and even manslaughter cases are linked to alcohol-related incidents. How many times have you heard of a young man being hit on the head whilst inebriated or drunk and has caused them their lives?

We are not saying that people should not drink, that is their choice. The fact of the matter is, Madam Speaker, whilst there is tax on it, the idea is to get people to think twice about it.

In Fiji, we also have a culture, Madam Speaker, that when we drink, we drink to genuinely get drunk. The issue of social drinking is not something that is very common in Fiji. Generally, when people drink, they can buy one carton, they buy the next carton and buy the next carton, until they are basically legless, we want people to be able to think. We are not saying that no one should drink, that is their choice. Again, all of those issues being raised are regarding that.

Madam Speaker, I want to highlight about what Honourable Professor Biman Prasad spoke about. He spoke about Dr. Anirudh Singh and Dr. Som Prakash. At no stage in all of these discussions throughout the past few months, whenever we talked about the 1987 *coup*, he said that the NFP condemns coups, he said that, but he has never mentioned specifically about (this was my point) the detrimental impacts of the *coups* in 1987, and the detrimental impacts specifically of 2000 too.

Honourable Chand ridiculed me when I talked about the women in Dreketi and Muainaweni when some of them were raped, some of them had things put up their vaginas, he said it openly, and he made fun of that.

Madam Speaker, the point I was trying to make was that, our leader allows us to be able to talk about things freely. When we talk about history, when we talk about supposed reconciliation, we need to be able to quote things as they are without hypocrisy. After about two rounds of hassling him, of badgering Honourable Professor Prasad, then finally he relented, he only talked about Dr. Brij Lal and then he relented and yesterday, Madam Speaker, they spoke about Dr. Anirudh Singh and then spoke about Dr. Som Prakash.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM,- Not in this Parliament!

I also badgered him, Madam Speaker, on Monday because I had mentioned to him about how Honourable Niko Nawaikula said that this Budget was a racist Budget because of the allocation to the commemoration of 140 years of the *Girmitiyas* and the setting up of a museum. I said that to him because we generally tend to speak to each other. He then stood up but he did not mention Honourable Nawaikula's name, he said, "I do not agree with people who say 'He's racist'"

Madam Speaker, this is the point, but let me highlight the point. He said that I was the one who objected to Dr. Anirudh Singh's claims, completely false! He does not know anything about Government. Let me just highlight, Madam Speaker.

On 24th October, 1990, Dr. Singh was assaulted by five RFMF soldiers.

On 22nd November, 1990, the Military Officers pleaded guilty to criminal charges and despite the horrendous things that were done to Dr. Singh, they were given a suspended sentence, and they were asked to pay a fine which they were supposedly going for reparations to Dr. Singh.

On 25th June, 1993, Dr. Singh commenced proceedings in a High Court's Civil Case against the five soldiers. Madam Speaker, today, if Honourable Professor Prasad walks out of this door and a civil servant comes and slaps him during the course of his work, Dr. Singh can take a civil claim against this civil servant. "I did not slap the Honourable Professor Biman Prasad," but when he sues the civil servant, I will be named as a nominal defendant. All Attorney-Generals will always be listed as the nominal defendant against any civil case and against any civil servant.

In the same case, Madam Speaker, when the five RFMF soldiers, whose names are here (I have all the cases here and I will not read out their names, there are five of them), the sixth nominal defendant is the Attorney-General of Fiji. So when the case proceeded against the Attorney-General of Fiji, Madam Speaker, in 1993 whoever was the Attorney-General was the Attorney-General, it does not matter who the person was.

He commenced proceedings in 1993, Madam Speaker. The High Court ruled on 1st November, 2006, some seven or eight years afterwards (this was how the Judiciary used to function). Some seven or eight years afterwards, the five defendants and the State were liable in damages for the injuries sustained by Dr. Singh. Nearly a year later on 4th September, 2007, the High Court awarded Dr. Singh the damages of \$250,000; \$75,000 for pain and suffering; \$75,000 for special damages and \$100,000 as exemplary damages.

On 16th November, 2007, the Attorney-General's Office according to instructions, and the Attorney-General's Office, Madam Speaker, anyone who knows about Government and this Constitution, that legal proceedings and the running of the proceedings are in fact carried out by the Solicitor-General.

The Solicitor-General's Office is an independent office. Under the Constitution, he is appointed by the Judicial Services Commission. He then, Madam Speaker, represents his clients. Who are his clients? The RFMF. His clients then, upon the Solicitor-General's instruction from the RFMF, appealed the judgment of the High Court, not in respect of the damages but in respect of the quantum of the damages, and in respect of the precedent that has already been set in the Fijian jurisdiction in respect of exemplary damages. He does not know the fairness of the law. He stands here and says, "Oh, you did this."

So, Madam Speaker, on 16th November, 2007, they appealed the decision of the High Court.

On 3rd December, 2015, the Fiji Court of Appeal allowed the appeal by the Office of the Attorney-General through the Solicitor-General's Office for RFMF and reduced the award of damage - the quantum. So for pain and suffering, it remained at \$75,000 awarded by the High Court; \$30,000 for special damages; and exemplary damages were actually removed.

Madam Speaker, that is the precedent in Fiji and that is what the High Court of Appeal actually ruled so that, Madam Speaker, are the actual facts pertaining to that case.

Madam Speaker, the reality of course is that, all of these talk now about the 1987 and 2000 *coups*, about the Members of Parliament being paid, why did they not put this in their manifesto; why did they not raise this before? Honourable Dulakiverata now stands up, why did not the SVT Government do that; why did the SDL Government not do that if they felt so aggrieved? Why did they not take their petition to them, Madam Speaker?

The reality, Madam Speaker, is that it was not just the Members of Parliament. Why should the Members of Parliament be given special treatment? There were so many other Fijians who suffered after 1987. There were people in the Civil Service, who, overnight were removed, demoted, beaten up.

There were people being beaten up when Dr. Bavadra was released after his captivity in Albert Park, he had a prayer meeting, I remember that. There were running mobs in the streets of Suva. The Port's Terminal staff were released to go and bash up anyone who looked like a *kai Idia*, that is the reality. Why are they not talking about that now? Why are they not talking about the 2000 events. Madam Speaker, that is the reality. So, Madam Speaker, why are only the Members of Parliament being singled out from 1987, 2000 and now 2006?

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Now, he is yelling but he did not say this, now he is saying it, maybe he said it outside, Madam Speaker.

There were a lot of good people also in the Civil Service who were demoted so that is the reality. It is not time for political point-scoring. If we are to talk about our history, talk about it with facts and with the truth and without hesitation to speak the truth, let us not be hypocritical, let us not only give limited information; that is the fact, Madam Speaker.

Madam Speaker, let me get on to other things now. Just on the Parliamentary pension, Honourable *Talatala* Karavaki, the Parliamentary pension, like the FNPF, is payable at 55. A Member of Parliament can get it at 40 as well but at a reduced rate. Parliamentary pension is also payable only after a person finishes his or her term which obviously cannot be during the term. If a person retires from Parliament at 40 then he or she will get 50 percent of the pension. If a Member of Parliament retires before 40, he or she can get 50 percent of the pension when he reaches 40, so that is the legal position, Honourable Karavaki.

Madam Speaker, the other issue is that, they mentioned about the Reconciliation Bill, et cetera. Madam Speaker, we all knew what the implications of the Reconciliation Bill was. What was the primary purpose of the Reconciliation Bill? Firstly, it was to actually interfere with the judicial process.

HON. A. SUDHAKAR.- Very poor.

HON. A. SAYED-KHAIYUM.- It would have given the power to the State to interfere with any process before the courts, if they felt it was going to bring about reconciliation. It would have meant that the State would have been the Executive, and would have been given the authority to go and release people who were in prison without going through things like the Mercy Commission, and we know who they wanted to release.

The Honourable Leader of the Opposition, one of the first few questions she asked when this Parliament sat in 2014, we know that, Madam Speaker, and that was the purpose of it. So reconciliation was all “smoke and screen” under the SDL Government. It was only to actually further a particular agenda, not true reconciliation.

Madam Speaker, on the issue about plastic bags, I think a lot of the Honourable Members of Parliament have actually said that but one thing that we want to say is that the plastic bags in Fiji, as we speak, even if we go to the market, there is no plastic bag levy or people who sell the goods in the market if they give you your vegetables in a plastic bag, they do not charge you the 10 cents. We started off with the point of sale in supermarkets, et cetera. We have now said, Madam Speaker, we will move it to 20 cents.

As the Honourable Minister for Women, Children and Poverty Alleviation highlighted (which I think the other side missed out), which the Honourable Prime Minister launched when we started the 10 cents levy, the Ba Women’s Forum made all the bags which were sold. We need to continue with that, and the Honourable Minister for Local Government is absolutely correct. When this levy was put out, a lot of tunes from the Opposition went out. We had so many people saying, “Oh, you see this Government is now making you pay 10 cents per plastic bag.” It is political point-scoring.

These are matters of the State, for the nation. We need to be able to take a united front in that respect. We are not here to have a pow-wow and sit across the table, hug each other for this type of thing, everyone should understand that. So we have given two years to allow for everyone to be able to adjust themselves to the total ban. Samoa just did a ban recently. Madam Speaker, what we have done is highlighted that people have stocks. We need to make sure that they get rid of the stocks, we need to ensure that we are engender culture of people are using more re-usable bags.

Madam Speaker, the Honourable Parmod Chand talked about the cost of living. He always makes those kinds of superfluous comments. Without backing any empirical evidence, I remember when he talked about the Labasa Hospital about the medicine not being there and the Honourable Minister for Health said, ‘Oh, it’s there!’ How can you come here and make those kinds of statements?

Madam Speaker, as we all know, the VAT has been reduced but as may be repeatedly said, the reduction of VAT is not the only measure and only way in which to bring down the price of goods. It is really a very narrow-minded myopic way of looking at the cost of living.

The cost of living, Madam Speaker, has a lot to do with demand and supply. The cost of living has a lot to do with the fact whether those goods are produced in the country or not? The cost of goods in the country has a lot to do with whether there is only one supplier in the market as we have said continuously, whether it is corn flakes, cereals, baby products, we have zero-rated duty in all of these things.

Madam Speaker, but the fact of the matter is, in cases where prices have gone up because people have monopolistic positions, we have now empowered the Fijian Competition and Consumer Commission with various laws to be able to go behind the retailer, to look at the people who hold monopolistic positions as to how they can price control that also. That is what we are doing, Madam

Speaker, and that is really the true success to be able to bring about the kind of pricing within the market.

Madam Speaker, the other point that I also would like to highlight is that, I would like to echo the sentiment of the Honourable Minister for Agriculture on the comments by the Opposition with respect to the Employment Relations (Budget Amendment) Act, that their silence was very deafening. The fact of the matter is, hardly any of them spoke out. Honourable Dulakiverata, to his credit perhaps, after the egging on by the Honourable Minister for Agriculture, actually made some comments on that.

The reality is, Madam Speaker, I remember this a couple of years ago when we brought about the amendments, we went off to the ILO, we agreed to do certain amendments, they were all there, yelling and screaming, "Oh, you're not doing enough" even though we had a Tripartite Arbitration-based system which was also in the Ratu Mara days; they still opposed it. We have that system now, they still oppose it because it was done by Government, and so they feel they have to oppose it. This is the quality of their contribution.

Now, Madam Speaker, when we actually brought out an amendment to the Employment Relations Act in respect of Maternity Leave, Paternity Leave, Family Leave, they are not anything at all, the reality is, we have the Honourable Dulakiverata unfortunately giving a very patriarchal take on Maternity Leave saying, "Now, women will have less chances to be employed" because we have increased Maternity Leave by two weeks. Is he saying that women are unworth, paying them additional leave for two weeks; they do not have the intellect; they do not have the know-how, so they cannot do the work?

That is a very patriarchal notion and we have seen that, replete from the other side, not just today but in the past three to four years boxing various other issues that have come about. Honourable Karavaki had said that women should not box, they should stay home, et cetera, I remember that.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Madam Speaker, just because a female is a boxer does not mean she is not loved. In the same way, just because a male is a boxer, it does not mean that the male is not loved.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- Madam Speaker, I would urge the Members to support this Bill. A lot has been said that these Bills were not being given time. All of these Bills that we are just discussing now were given one week.

Madam Speaker, all other past Governments, when they proposed a budget and the budget is then tabled, they have to have laws that give effect to the budget, and the budget will come into effect from 1st August, 2018. If these Bills are not passed, there is no point passing the Budget because these amendments bring revenue, give the incentives, it gives effect to the entire Budget. In the same way, most of the Bills that were presented yesterday also give effect to the Budget and the Budget announcements made in the Budget.

This is nothing new, and we believe that the Honourable Members of the Opposition have the right level of intellectual capacity to be able to digest these Bills. Are they saying they do not have the level of intellectual capacity? Of course, they do, Madam Speaker, and if you look at the Bills, they

are not anything substantially new, most of them as it says “Amendments” to existing Bills, Madam Speaker.

Madam Speaker, I want to highlight that these sorts of issues that have been raised up over and over again, most of their comments have been obfuscations, most of their comments have been not on the subject matter at all. There is a lot of other things that we can say but in the interest of time, Madam Speaker, I like to reserve my comments and I would like to also say that we would like to, please, urge all Members to give effect to these amendments so that we can actually put into effect the Budget. *Vinaka*. Thank you.

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

Question put.

The question is:

That pursuant to the resolution of Parliament on Thursday, 28th June, 2018 that the following

HON. PROF. B.C. PRASAD.- Madam Speaker, I just need a clarification. Our position is that, we are not going to support four of the Bills, we will support the rest, and I want this to be recorded in the *Hansard*. We do not support the:

1. Bill for an Act to amend the Service Turnover Tax Act 2012 (Bill No. 14 of 2018);
2. Bill for an Act to amend the Environment and Climate Adaptation Levy Act 2015 (Bill No. 15 of 2018);
3. Bill for an Act to amend the Drainage Act 1961 (Bill No. 20 of 2018); and
4. Bill for an Act to amend the Parliamentary Retirement Allowances Act 1989 (Bill No. 24 of 2018).

We support the rest.

HON. SPEAKER.- Thank you.

HON. GOVERNMENT MEMBER.- What about SODELPA?

HON. SPEAKER.- Secretary-General, just give me those four Bills that they do not support, please.

HON. S.D. KARAVAKI.- Madam Speaker, may I be allowed just to state our position also in this matter. We support the Bills, except the one in regards to the pension. I know, Madam Speaker, that will be

HON. SPEAKER.- I think that is irrelevant to this particular concluding time for this Bill. They are now looking at the Bills and not the person.

You have additional Bills that the Opposition do not support, additional to the four. I want to actually mention those Bills that you disagree with, this is why I want it very clear.

HON. PROF. B.C. PRASAD.- Madam Speaker, all that I was saying, to make it easier, we just want our position to those four Bills recorded in the *Daily Hansard*; that is all.

HON. SPEAKER.- Yes, it is just that you are reading it from your order and I just want to be very clear.

HON. PROF. B.C PRASAD.- Thank you.

HON. SPEAKER.- Only four Bills?

HON. S.D. KARAVAKI.- Madam Speaker, just adding to what I have said before, we withdraw what we have stated, for *Hansard* purpose, our position is that we support all the Bills.

(Applause)

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

The question is:

That pursuant to the resolution of Parliament on Thursday 28th June, 2018, that the following Consequential Bills be debated, voted upon and be passed.

1. Tax Administration (Budget Amendment) Bill 2018 (Bill No. 11/2018);
2. Income Tax (Budget Amendment) Bill 2018 (Bill No. 12/2018);
3. Value Added Tax (Budget Amendment) Bill 2018 (Bill No. 13/2018);
4. Service Turnover Tax (Budget Amendment) Bill 2018 (Bill No. 14/2018);
5. Environment and Climate Adaptation Levy (Budget Amendment) Bill 2018 (Bill No. 15/2018);
6. Fiji Revenue and Customs Service (Budget Amendment) Bill 2018 (Bill No. 16/2018);
7. Excise (Budget Amendment) Bill 2018 (Bill No. 17/2018);
8. Customs (Budget Amendment) Bill 2018 (Bill No. 18/2018);
9. Customs Tariff (Budget Amendment) Bill 2018 (Bill No. 19/2018);
10. Drainage (Budget Amendment) Bill 2018 (Bill No. 20/2018);
11. Employment Relations (Budget Amendment) Bill 2018 (Bill No. 21/2018);
12. Telecommunications (Budget Amendment) Bill 2018 (Bill No. 22/2018);
13. Tertiary Scholarship and Loans (Budget Amendment) Bill 2018 (Bill No. 23/2018); and
14. Parliamentary Retirement Allowances (Budget Amendment) Bill 2018 (Bill No. 24/2018).

Does any Member oppose the motion?

(Chorus of 'Noes')

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

Motion agreed to.

HON. A. SAYED-KHAIYUM.- I am sorry, Madam Speaker, I just want to raise a point of clarification: the National Federation Party is saying that they oppose the Pensions Amendment Bill. So, are they saying that given the fact that we now have a four-year Parliament, they do not agree with the reduction of time to three years and six months, is that your opposition to it?

HON. PROF. B.C. PRASAD.- ... seven months.

HON. A. SAYED-KHAIYUM.- Then what is your position?

HON. PROF. B.C. PRASAD.- Madam Speaker, what we are saying is that, the Bill in its current form, is not acceptable to us, that is all we are saying, and therefore we do not support the Bill. You cannot go on a specific thing (just three and a half years), we are talking about the Bill. The amendment to the Pensions Act, we are saying that we do not support this amendment, Madam Speaker, in its current form, and I have explained why we think that this amendment should have included other things.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the amendment is a specific amendment. The amendment basically is saying, for the information of all the Honourable Members, is that if, for example, NFP had its way and did not have the majority and did not approve this amendment, it would mean that all of the people sitting here, if they do not come back to Parliament or even if they have served a full term of four years in Parliament, they would not get the pension.

(Honourable Professor Prasad interjects)

HON. A. SAYED-KAIYUM.- No, it is the law. The law at the moment, Madam Speaker,

HON. PROF. B.C. PRASAD.- We do not support it in this form.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the law at the moment which we are talking about says that there is a five-year Parliamentary term, you serve four and a half years then you are entitled to pension. What we are saying, Parliament is no longer five years, Parliament is now only four years, so a Member of Parliament must serve three and a half years to be entitled to the Pension, that is all there is to it.

What the Honourable Leader of the NFP is trying to say is that “We don’t want that amendment.” He is basically objecting to that Bill and he is saying, “I want the five years to be there, I want all Members of Parliaments to serve four years,” that is what it tantamounts to because the amendment speaks for itself. The amendment is not about adding other things. These are all political gimmicks, I am just trying to help him understand. From a legal perspective, that is what it means, the amendment is simply about that.

HON. MEMBER.- Now, you support.

HON. SPEAKER.- Clarifications from both sides are noted and thank you for that. So, does any Member oppose the motion?

(Chorus of ‘Noes’)

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

[The following Bills:

1. Tax Administration (Budget Amendment) Bill 2018 (Bill No. 11 of 2018);
2. Income Tax (Budget Amendment Bill) 2018 (Bill No. 12 of 2018);
3. Value Added Tax (Budget Amendment) Bill 2018 (Bill No. 13 of 2018);
4. Service Turnover Tax (Budget Amendment) Bill 2018 (Bill No. 14 of 2018);
5. Environment and Climate Adaptation Levy (Budget Amendment) Bill 2018 (Bill No. 15 of 2018);
6. Fiji Revenue and Customs Service (Budget Amendment) Bill, 2018 (Bill No. 16 of 2018);
7. Excise (Budget Amendment) Bill 2018 (Bill No. 17 of 2018);
8. Customs (Budget Amendment) Bill 2018 (Bill No. 18 of 2018);

9. Customs Tariff (Budget Amendment) Bill 2018 (Bill No. 19 of 2018);
10. Drainage (Budget Amendment) Bill 2018 (Bill No. 20 of 2018);
11. Employment Relations (Budget Amendment) Bill 2018 (Bill No. 21 of 2018);
12. Telecommunications (Budget Amendment) Bill 2018 (Bill No. 22 of 2018);
13. Tertiary Scholarship and Loans (Budget Amendment) Bill 2018 (Bill No. 23 of 2018); and
14. Parliamentary Retirement Allowances (Budget Amendment) Bill 2018 (Bill No. 24 of 2018);

enacted by the Parliament of the Republic of Fiji. Act Nos. of 2018]

HON. SPEAKER.- The Bills are hereby enacted.

(Applause)

HON. SPEAKER.- Thank you, Honourable Members. We will now suspend the proceedings for lunch and we will return at 3.30 p.m.

The Parliament adjourned at 1.57 p.m.

The Parliament resumed at 3.33 p.m.

HON. SPEAKER.- Pursuant to the resolution of Parliament on Wednesday, 11th July, 2018, I now call upon the Honourable Attorney-General, Minister for Economy, Public Enterprises, Civil Service and Communications to move his motion.

**RESUMPTION OF DEBATE ON THE
2018-2019 CONSEQUENTIAL (BUDGET AMENDMENT) BILLS 2018**

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to the resolution of Parliament on Wednesday 11th July, 2018, I move:

That the following Consequential Bills be debated, voted upon and be passed:

1. Public Hospitals and Dispensaries (Budget Amendment) Bill 2018 (Bill No. 25/2018);
2. Medical and Dental Practitioners (Budget Amendment) Bill 2018 (Bill No. 26/2018);
3. Nursing (Budget Amendment) Bill 2018 (Bill No. 27/2018);
4. Workmen's Compensation (Repeal) Bill 2018 (Bill No. 28/2018); and
5. Public Health (Budget Amendment) Bill 2018 (Bill No. 31/2018).

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. I would like to, without necessarily going into detail, give a brief summary of what these amendments seek to do.

Madam Speaker, as announced in the 2018-2019 Budget, the Government intends to upgrade Fiji's hospitals into world class healthcare facilities by partnering with the private sector. By partnering with the private sector, Madam Speaker, the Government is able to utilise the private sector's expertise and efficiencies to improve the quality and increase the range of healthcare services available in Fiji and in particular, more tertiary care services are available, including cardiac care. This has been highlighted previously also, the idea is to get these services very quickly.

Madam Speaker, with this Public-Private Partnership (PPP), the Fijian people will have access to these services here in Fiji, in the same way they currently receive healthcare services at the public hospitals in Fiji. Madam Speaker, the proposed amendments before Parliament clarify that even where a hospital or dispensary is operated, maintained or managed by a private entity but through a public-private partnership, the hospital or dispensary is deemed to be and continues as a public hospital or public dispensary. The hospital or dispensary does not stop being a public hospital or public dispensary, simply because the hospital or dispensary is managed by a private entity through a public-private partnership.

The proposed amendments also streamline the application process for registration as a medical practitioner, dental practitioner, nurse, midwife, nurse practitioner or specialised nurse. These streamlined application processes will allow for the efficient registration of medical specialists and experienced medical professionals to be brought in under the PPP arrangement, so that not only are tertiary-care services provided at our public hospitals, but these medical specialists and professionals are also able to help build the capacity for our local medical professionals too.

So for example, Madam Speaker, one of the conditions that we have attached to the public-private partnership is that whoever is a successful bidder will need to provide, for example, JSCs certified hospital, in other words, International Recognised Hospital, recognised across-the-board. They need to provide 24/7 cardiac care which includes open heart surgery.

Now there are no open heart surgeons available or based permanently in Fiji. So, if we have to do that, we have to bring in these people from overseas, the actual entity will do so. So, we need to be able to get them to be recognised and get the approval, registration done quickly.

They may, from time to time, bring in specialists. In the future, for example, if they did kidney transplants, they will need to bring in specialists. You do not do kidney transplants every day. You may get, for example, a week of kidney transplants but you normally have care about donor that matters, et cetera, but when you bring them in, we need to ensure that these people are very quickly recognised because once they are registered in Fiji, then they face the same disciplinary procedures and processes as any other practitioner that is registered under the relevant Act, but it is the process of getting them registered is what we are looking for, Madam Speaker. So, that is part and parcel of the amendments that we have brought about to be able to streamline the processes.

In respect of the Workmen's Compensation (Repeal) Bill 2018, Madam Speaker, the Workmen's Compensation (Repeal) Bill 2018 seeks to repeal the Workmen's Compensation Act of 1964, and:

- a) facilitates a comprehensive and effective transition to the no-fault Compensation Scheme, as spoken by the Honourable Minister for Labour under the Accident and Compensation Act of 2017 for workplace-related accidents; and
- b) (which hardly anyone has spoken about) it allows for the extension of the no-fault Compensation Scheme under that Act to accidents occurring on any school premises.

The Workmen's Compensation Act 1964, Madam Speaker, was promulgated as the "Ordinance 17 of 1964" to provide for a compensation to workmen for injuries suffered in the course of employment.

In spite of the many amendments (as highlighted yesterday) made since the Act's promulgation that makes the structure of the compensation, the Workmen's Compensation Act 1964 still reflects the archaic, fault-based system of the era in which that was promulgated.

The framework set out in the Workmen's Compensation Act 1964 is elaborate and necessitates in practice a lengthy and time-consuming process. For example, claims under the Workmen's Compensation Act 1964 can often run for more than 6 years after the date of an accident before a decision on compensation is finally made. These cumbersome processes have an unfortunate effect of delay and therefore denying justice for accident victims.

The Workmen's Compensation Act 1964 also places unnecessarily restrictive limitations when injured persons were accessing compensation. Injured parties under the Act are not entitled to compensation unless they are unable to attend work for three or more days after the accident. Therefore, injuries which may manifest at a slightly delayed stage or where the severity of such injuries manifest at a slightly delayed stage, are often unreasonably excluded. For example, I may get hit on my back, I may be all right for two or three days but two or three weeks later, the injury may actually manifest itself in the actual symptom caused by the injury. So, for example, my vertebrae may be all right for two or three days but a week later, it may get out of place. So under this, we say, 'Well, why didn't you come to work for three days, this must have happened somewhere else?'

Furthermore, liability for injuries or deaths in the Workmen's Compensation Act 1964, is placed primarily on the employer, but allowances are also made in the Act to allow the reduction of setting of compensation amounts, in other words, contributory negligence. This means that proceedings for compensation in genuine cases are often tied down by the adversarial system of finger-pointing and blame-shifting.

So, for example, if I am operating a machine and my finger gets caught and I lose one finger, then they will say, 'Well, you know, we gave you everything but you did not do it right', then I say, 'Well, you did not give me exactly everything', and therefore, people do not get compensated.

These circumstances are deeply unfair to Fijians in the workplace, similar to the circumstances which compelled the Government to enact the Accident Compensation Act 2017 during last year's Budget.

Last year, we introduced a Compensation Scheme for motor vehicle injuries that is fair and ensures that persons who are injured are compensated for the injuries without seeing to allocate contentious blame on any particular party. Our vision for the Accident Compensation Act 2017 at the time it was tabled was always as we said in Parliament, to extend it to provide for other forms of compensation on a no-fault basis.

Given the success of motor vehicle third party insurance compensation this past year, we are now obviously prepared to extend this framework to compensation for workplace-related accidents and accidents occurring on school premises.

As highlighted again yesterday, Madam Speaker, to reiterate, this Bill facilitates the extension of the reach of the Accident Compensation Commission Fiji to cover school-yard injuries and also in-classroom injuries so that the families of students hurt at school can benefit from a No Fault Payment Scheme. Of course, when children get injured sometimes with accidents, where someone may be holding a pen and is running around with it and pokes someone's eye, we have had this kind of incidents taking place of people getting beaten up in schools, and sometimes suffering very severe damage or injuries.

So, Madam Speaker, this will again help provide relief to the families and again, Madam Speaker, we will also be able to gather data on school-yard injuries or school injuries and see which schools are actually more notorious for that and how we could bring about some remedial measures.

Madam Speaker, the Public Health (Budget Amendment) Bill 2018, as announced in the 2018-2019 National Budget last week, we have moved Rural Local Authorities from the Ministry of Health and Medical Services to the Ministry of Local Government. The Public Health (Budget Amendment) Bill 2018 seeks to amend the Public Health Act 1935 to reflect this move, Madam Speaker.

Madam Speaker, as we stated again yesterday, the idea is to move or keep all the health components of the Public Health Act 1935 within the Ministry of Health, and all the others, which will generally be called the non-health-related matters, for example, Approving of Buildings, et cetera, to go to the Ministry of Local Government, and similarly, for example, Rubbish Collection to go to the Ministry of Local Government.

So in the actual Bill you will see the amendment actually provides the Minister responsible for Local Government to be able to assign these areas that now will fall under his Ministry or under Local Government to see which municipalities or how his Ministry will actually look after, for example, Rubbish Collection, et cetera. So the actual public health outreach from the Ministry of Health will continue to stay with the Ministry of Health, Madam Speaker.

So with those introductory remarks, Madam Speaker, I would like to recommend that we approve these Bills. Thank you.

HON. SPEAKER.- Thank you. The Bill is before the august House for debate and I invite input. Honourable Professor Biman Prasad?

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I thank the Honourable Attorney-General for the presentation of the Bills.

Madam Speaker, let me just start with the first Bill which is in relation to the Workmen's Compensation Act 1964, and for related matters. The problem I have with this Bill is that it is not in totality. My problem with this Bill is the amendment on the insertion of the new orders under the Fiji National Training Levy Order 1988.

The history of the grants levy, Madam Speaker, has been somewhat both, successful and unsuccessful to some extent, successful in the sense that for a long time, the old TPAF or the Fiji National Training Council (FNTC) and then the Training & Productivity Authority of Fiji (TPAF) at that time before it got merged with the Fiji National University (FNU), and the Honourable Usamate can testify to what I am saying, was a very successful training institution, and the levy was for industrial training by employers. Of course, some employers did not take the opportunity as they should have and they may not have been able to claim the 100 percent.

I know, Madam Speaker, when the question of merger was being discussed, there were a lot of arguments for and against as to how the future will turn out if you are going to merge that institution which was very successful in training industrial workers, with the FNU. Obviously, there was a view that merging it with FNU will provide even better quality assurance and that will be more organised and perhaps, there could be a much better link to the FNU's other training programmes in technical areas. So I think with that intention and with, of course, opposition there, this was made.

We know, Madam Speaker, that we have serious problems with respect to industrial training with respect to trained workers. Many employers in this country are complaining about not getting trained technical workers. We used to have a very successful apprenticeship programme for many years and I know, even those who did not go to the Fiji Institute of Technology (FIT) at that time, Madam Speaker, used to go to vocational training centres in high schools, even in some of the junior secondary schools. Many of them would then end up after completing a two-year programme (whether it was in mechanical, joinery or carpentry) at the FNTC, and they would be trained for further upgrading of their level of certification. I think many of them, even those coming out from the schools, were actually good mechanics, good carpenters, and good joiners, of course, aided by those coming out of the Monfort Boys' Town.

So Madam Speaker, what I see in this Bill, is that the levy will now be distributed differently. In fact, 4B says, and I quote;

“(a) 10% to be paid into the funds of the University to be used by the Council primarily for in-service training of employees of levy-payers, managing apprenticeship schemes, trade testing, productivity promotion and education and training in the national interest.”

This is quite a lot, Madam Speaker, in terms of the actual training. Madam Speaker, continuing on from 4B, I quote:

“(b) 40% to be paid into the Accident Compensation Fund established under section 30 of the Accident Compensation Act 2017; and

- (c) 50% to be paid into a special purpose trust fund established by the State for the purpose of facilitating public access to private medical services.”

Madam Speaker, what is happening here is, 90 percent of the levy will now not be available to the employers who contribute this 100 percent to the FNU through the training arm. So, Madam Speaker, the argument for this may have been, for example, that many employers are not taking or utilising the benefit, utilising their own levies.

That may be so, Madam Speaker, but I think the question one should ask FNU is whether the University is actually promoting the use by the employers in terms of the levy that they have. So, we may be shifting this money for other purposes, and that is fine, Madam Speaker. I would have thought that we should leave this 100 percent levy there with FNU and ensure that the University actually puts in programmes and policies and other methods so that the employers, Madam Speaker, will actually use that fund to train their workers.

I think it will be a very useful way of doing that instead of taking away the money. It is like “I am contributing the money here and I am supposed to use that at some point in time and I do not use it and you take it away” a kind of example, Madam Speaker.

So, I would urge the Government very strongly to think about this carefully because ultimately we have established all these technical colleges, where students are attending, they would need additional training to become good carpenters, good mechanics, good joiners and the rest. I do not think right now that those Technical Colleges actually train people up to that level where employers, I mean, some will always be able to find jobs and upgrade their skills, but this is the feedback.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- The evidence is from the employers, Madam Speaker. I am saying that this is going to be a regressive step in terms of taking away the money which will help those who are coming out like, for example, I said that the people who used to come out from the technical colleges in schools and then go on to FNTC and get the next level of skills, they were very fine examples of technical skills. People use that certificate to actually migrate and they used to get immigration points based on the training that they got there. It was a very effective way to train skilled workers in this country and I think this is going to have a serious impact on the level of training and the pool of trained workers in this country.

(Hon. Dr. M. Reddy interjects)

HON. PROF. B.C. PRASAD.- Madam Speaker, the Honourable Minister who is interjecting made a mess of the whole education system in this country, so he better keep quiet.

Thank you, Madam Speaker. On the Hospitals and Dispensaries Act 1955

HON. DR. M. REDDY.- (Inaudible interjection)

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker, I will let the Honourable Minister finish his interjection.

Madam Speaker, the amendment in clause 4 and maybe perhaps the Honourable Attorney-General can respond to this in his right of reply and explain a bit more because when the Honourable Parmod Chand made this remark in his response to the Budget Address that if we go into Public-

Private Partnership (PPP) in Lautoka and Ba Hospitals, then people in the West could end up paying more, then he was asked to withdraw that statement.

But, Madam Speaker, in the principal Act that is being amended in section 4 by administration of (a) (b), and clause (c) says, and I quote:

“(2) In the case of a public-private partnership hospital, every person seeking admission for treatment therein shall, save in the case of those admitted under any of the provisions of section 5, either deposit with a person appointed by the Permanent Secretary or a person authorised in that behalf by him or her a sum sufficient to cover the cost of his or her maintenance and treatment therein for one week or give to the person appointed by the Permanent Secretary or person aforesaid such guarantee of payment of all charges and fees for maintenance and treatment as to such person appointed by the Permanent Secretary or person may appear satisfactory.”

Section 5(b), Madam Speaker, although it says that, I quote:

“In the case of a public private partnership hospital, a person appointed by the Permanent Secretary or a person authorised in that behalf by him or her may admit to the hospital any person who requires medical care and treatment but who appears to be unable by reason of poverty to pay thereof.”

This is again, Madam Speaker, going to be an issue. Let us assume that we have the definition of “poverty” as per Government’s threshold of income, where they are able to access some of the services. But even those, Madam Speaker, who may be marginally above the threshold income, they would have to fork out this deposit. So he may not have been entirely incorrect when he said that people would have to pay.

One last point that I want to make, Madam Speaker, and this is what I have said before, and this is not to discredit all the arguments that the Honourable Attorney-General put with respect to what we need, in terms of our hospitals, efficiency, especially the care facilities, I agree with all that, Madam Speaker.

But, Madam Speaker, I want to again put this question to the Government because there is a lot of evidence. In fact there is overwhelming evidence about public private partnership elsewhere, it has worked in some cases of infrastructure, in some countries it has worked but rarely I have come across where the public health services have been delivered cheaply by public private partnership. In fact, in the long term, there is always a possibility and in fact this is what has happened in other places that the cost could rise because the incentive to make profit by the private partner can derail the services that we provide for our people. So I would caution the Government and I know the Honourable Attorney-General did say the last time that they are going to have very good contracts, they will have people who will negotiate all the details, I accept all that.

But Madam Speaker, having said all that, even if you have all that there is always a possibility that we will end up escalating the cost. He may want to explain this further as to how those on the margins of the poverty line, whether they would be affected and whether they would end up paying large amounts of deposits.

So, with those words, Madam Speaker, I really do not think I can support these two Bills because there are a lot of questions in relation to what I have said. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Parmod Chand.

HON. P. CHAND.- Madam Speaker, following on from what the Honourable Leader had said, first of all, I declare my interest and I want to remind this House that we are not living in the past, we also want to move into the future.

This Workmen's Compensation Bill is actually about industrial training, and I would also like to make some comments on this because as a businessman, we have found serious difficulties in getting training for our staff.

Today, the Government of the day is embarking on the modernisation of Fiji, modernisation of businesses, and even the modernisation of buses, that being electric buses, Euro V fuel buses - all these are very complicated issues.

In Fiji, we hardly have mechanics, technicians, repairmen that will be able to do these kinds of things, with the 10 percent of retained levy for training of industrial workers will be very, very difficult.

(Chorus of interjections)

HON. P. CHAND.- We have problems.

(Chorus of interjections)

HON. P. CHAND.- Madam Speaker, as a businessman, I have said that many other businesses, together with me, have suffered from this.

HON. A. SAYED-KHAIYUM.- We call it the "lack of courses".

HON. MEMBER.- That's right.

HON. P. CHAND.- Yes, lack of courses, so the courses should be available because we pay the levy of 1 percent. My company pays about \$100,000 a year to Fiji National University, so we should have courses. When we send our workers to be trained by them in order to have the OHS Certification for the fire, we are told that they are not able to do it. We will have to go to the National Fire Authority and pay more fees. What we are doing here, as I said, the cost of doing business in this country is very expensive now because of the various new legislations, rules and regulations coming up.

So, what I am trying to simply say, Madam Speaker, it is very very important for the Government to understand that when they take out a chunk of money from somewhere to put it elsewhere, you should be able to finance them. You do not just go and pluck things out of thin air, just like we are being told.

(Chorus of interjections)

The next issue, Madam Speaker, I would like to speak on is on the Bill to amend the Public Hospitals and Dispensaries Act. Very truly, the leader has already mentioned this that when I said that the people will have to fork out money, now it is very clear here in this Bill, it will come to pass, and I was unfortunately asked to withdraw what I had said.

HON. A. SAYED-KHAIYUM.- You should.

HON. P. CHAND.- I served in the 1994 to 1999 Parliament and I have never seen an arrogant Government like this. We just came out of the *coup* and we were able to walk the talk.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, a point of order.

The Honourable Member is misleading Parliament. In his statement he said that he is paying \$100,000 a year to FNU.

HON. J. USAMATE.- Madam Speaker, a point of order. Continuing on this point.

HON. SPEAKER.- Is that another point of order or your clarification?

HON. J. USAMATE.- On this point, Madam Speaker, misleading the House. If you are paying a \$100,000 in levy, that means your gross payroll is \$10 million per year. So, if your payroll is \$100,000, he said he paid \$100,000, the payroll is 1 percent of the gross payroll. So, is he telling this House that he pays all his workers, salary bill of \$10 million per year? If that is not correct, then he is misleading the House.

HON. P. CHAND.- My apologies, Madam, that is not \$100,000, we pay more than a million dollars in wages, salaries and emoluments.

HON. SPEAKER.- No, they are talking about the \$100,000?

HON. P. CHAND.- No, that will come to a lesser amount.

HON. GOVT. MEMBERS.- Misleading!

HON. P. CHAND.- It is not misleading, I was speaking, you were interjecting.

HON. SPEAKER.- You did say \$100,000.

HON. P. CHAND.- Yes, I did said that, I withdraw that.

HON. SPEAKER.- I would like you to withdraw.

HON. P. CHAND.- I withdraw that.

HON. SPEAKER.- Thank you. Can you carry on, no more reference to that issue.

HON. P. CHAND.- No, I will not. What we are saying, our company is paying more than a million dollars in wages, emoluments and salaries to people. So, we are paying a handsome sum of levy.

The thing is this: we need to have services and we need to train our staff, our management, more training for our bus drivers, mechanics and we need to train various other people. We have about 80 employees working for us.

Likewise, there are various other bus operators throughout Fiji and this does not only apply to bus operators but also to many other businesses. That is why it is very, very important for us to have a fair share of that money in that system so that training would be very, very adequate and our people will be trained properly.

Just recently, we had a bus from Japan, an Isuzu bus. We had some problems and they were not able to fix it here, they had to fly out some engineers from Japan to come and fix that bus, despite the warranty. What I am saying is, once that warranty finishes, then what happens? These are the kinds of things we have to consider. They are very pertinent and very, very important things that we need to think about.

On the Bill to amend the Public Hospitals and Dispensaries Act, I firmly believe that when we come out and say things, that should be accepted. If something is wrong, in the right of reply, the Honourable Attorney-General or whoever the Honourable Minister responsible, should tell us then. Thank you.

HON. SPEAKER.- There being no other input. Honourable Jone Usamate?

HON. J. USAMATE.- Madam Speaker, I would just like to speak on two of the Bills and one is on the Fiji National University (Amendment) Bill 2018.

I note that the Fiji National University (FNU) is one of the most critical organisations that we have in this country. It is our national university. It is the institute that we give most of our money out to when we do the grants for the institutions of higher learning, so it is very critical for our country in particular, that the Fiji National University remains effective and efficient. We applaud what it has been able to achieve and we always look forward to it playing a better role in the future.

I think the amendment is talking about trying to make their governance the way that they do their governance efficiently, in terms of the number of members that they have in the Council, and in particular, the way in which they are appointed to the Council.

One of the things that I would like to highlight here that has been very good, is the fact that now there is an emphasis on making sure that Council members are fit and proper.

HON. PROF. B.C. PRASAD.- Madam Speaker, can I just get a clarification. Are we looking at the Fiji National University Bill or are we looking at the Compensation Bill?

HON. J. USAMATE.- Bill No.29?

HON. PROF. B.C. PRASAD.- I think he is talking about the Fiji National University Bill, we have not come to that yet.

HON. J. USAMATE.- Madam Speaker, I thought we were also talking about Bill No. 29.

HON. SPEAKER.- No.

HON. J. USAMATE.- All right, my apologies for that. Can I continue so that I can talk about the other Bill?

HON. SPEAKER.- Yes.

HON. J. USAMATE.- So, the Bill in particular is the Workmen's Compensation Act 1964.

Before I talk about the repeal of the Workmen's Compensation Act, I just relate back to the issue that the Honourable Parmod Chand said.

Under the present Levy Grant System, if you bring in someone offshore to carry out training for you people, you can claim grant for that. You do not have to rely on the programmes offered by the Fiji National University. There are provisions there where you can run your own programmes to suit your own needs within the current provisions. So, that is where something that you could have utilised for that particular issue, there are those provisions.

Madam Speaker, I would like in particular to support Bill No. 28 of 2018, which is the Workmen's Compensation (Repeal) Bill 2018. This is something that is long overdue and I think with this repeal, we will see the dawn of a new No Fault Compensation Scheme.

As the Honourable Attorney-General has mentioned, this has always been something that hampers the speed with which we have been able to process worker compensation payments because when it is due to be done, there is always this huge blame game that goes on as to who is to blame for the injury or the death that took place. As has been stated from 1st of January, 2019 there will be a No Fault Workers Compensation Scheme that will be administered by the Accident Compensation Scheme. As I mentioned before, that is what Fiji needs to see where we do not spend too much time on establishing the blame, if not, things drag on for too long.

We have had a lot of cases, currently now and in the past where we have a lot of Workers Compensation cases where employers do not agree with the claim for compensation then it has to be referred to the Tribunal and this becomes a very time-consuming process where staff have to carry out further investigation, taking statements from witnesses, conducting company searches, all of these processes.

Sometimes, we have experienced that while going through these processes, companies get wound up, and when the companies, of course, get wound up, then it is difficult to extract the payment of the compensation for services for them. This leaves the workers with an entitlement to compensation but no one to pay for it, and this has been the case that we have had currently.

With this change in the scheme where you move from the scheme where we are looking for who to blame to one in which there is no fault so that we try to give to either body, that particular problem will be addressed and it will not happen anymore.

Also, under the current system, some employers deny the liability to pay compensation and because of that, even though the worker was an employee of the company. Now, with this new Scheme that will no longer be an excuse that any employer can use.

The Ministry has had to first establish the rightful employer before we can even begin to make any assessment of compensation. That has been the case in the past, to identify who that employer is. Now, that will no longer be an issue because that is also something that takes up a lot of time.

There have been issues with trying to get and locating witnesses to take up these cases to the Tribunal. That also will be removed. Cases have often taken two to three years to be filed into the Tribunal and cases that are in the Tribunal can take up to five years to be determined, and then within this time we have experienced employers who have closed their businesses and witnesses that are not available or cannot clearly remember events that took place years before a matter is heard in court. So with the No Fault Compensation Scheme, payments will be done in a more speedy manner, ensuring that workers receive justice.

As I said before, Madam Speaker, this change in this programme towards the Worker Compensation Scheme will provide social justice. It will save time and money and when you save time and money, because we always say that 'Justice delayed is justice denied', if it takes too long for

us to get a compensation to give to that family, if it takes two, three or four years, by that time the family has already gone into the cycle of poverty, it then becomes very difficult for them to pull themselves out of that particular situation.

So we are very glad to see that this will come into place. On the expenditure side from the employers, it is useful in the sense that they are already paying this levy, so there is no imposition of an additional levy to what they are already paying. So, we look forward to this particular matter being something that all the families of Fiji, all workers that have been injured, those who have passed away in the workplace, will be able to get their compensation speedily and also the changes that we have heard about children getting injured in the school yard.

So, with those words, Madam Speaker, I commend that particular amendment to the House.

HON. SPEAKER.- Thank you. I now call on the Honourable Attorney-General and Minister for Economy to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker.

Just in response to some of the comments, Madam Speaker, the TPAF levy essentially, as the Honourable Minister highlighted, is 1 percent of the salary that you pay out. As highlighted again in the Budget Address, we said we collect approximately \$21 million from this levy on an annual basis. That moneys have been going into a trust account that FNU now administers. As mentioned also in the Budget Address, there is the amount of \$30 million currently sitting there.

The University also, Madam Speaker, actually uses money. They charge actually a fee for the employers when they send their employees for the courses, so they make money from that too.

So, there is \$30 million dollars sitting there. All of this has not been done, we do not pluck things out of the air, we have been looking at it for quite some time. We have actually got some very smart people who have been dealing with it too.

Madam Speaker, let me just tell you, the employers are actually divided into two categories under this whole TPAF Scheme: the groups are called “Method A employers” and “Method B employers”. The “Method A employers” are the large employers. They have been contributing about \$11 million and they have been claiming around \$8 million. The “Method B employers” (who are the small business people), may be perhaps, Honourable Chand’s business might fall in Method B, they have been putting in around \$11 million themselves but they claim only \$2.5 million.

So, essentially what it means from the small employers, Madam Speaker, is that they pay this but it is like a sinking fund. They pay this on an yearly basis but nothing comes out of it. Most small employers, Madam Speaker, do not even have the opportunity to even send their employees, because there may be only four or five of them. They say; “But I cannot afford to send them.” There are a lot of businesses in Fiji that employ about four, five or ten people, some of the smaller bus companies, apart from the drivers, may have only four or five mechanics. They do not even have the chance to send them across for training. So, for a lot of them, the money they put in, they are actually not able to claim it back.

So, Madam Speaker, the reality is, that the claim mechanism was actually structurally flawed as we have it now. For Method B because they could not claim as per existing structure, and they would never have use for training. Large companies like ANZ will have in-house training. They can bring in people from overseas, they are the ones who are claiming all the money. So the bigger companies that

are better organised, better structured are the ones who are able to claim the money and they generally fall within the “Method A employers”.

Madam Speaker, what the Honourable Members from NFP also failed to highlight, as in the Budget and the earlier amendment we just approved, there is now the opportunity for all employers to claim a 150 percent tax deduction. So, if it is a small employer or big employer, they can claim 150 percent tax deduction.

Now, let us look at this: by the logic of saying because now only 10 percent of that will go towards the training does not suddenly mean that the training course will wither away. In fact, Honourable Chand has already admitted (his very own admission) that currently the courses are not necessarily relevant. All the courses that they want are not available. We have already had a discussion with the Vice-Chancellor and the Chair of the Fiji National University. We do all these in the Budget consultations and we have also said to them that some of the courses we are offering or the courses you are not offering actually should be made available and they have actually agreed.

So part and parcel of this entire process is to see what courses need to be made available; how many of these courses can actually now be delivered through the 24 campuses? This is part and parcel of the rejuvenation if you like, of the employer/employee training mechanism we have put in place. Let us not forget, we are allowing them now a 150 percent tax deduction.

Madam Speaker, the other point is this: the balance of the 90 percent, 40 percent of it, Madam Speaker, will go towards the funding of what is called the “Workmen’s Compensation or Workers Compensation”. Majority of the smaller companies in Fiji, Honourable Usamate will tell us, do not have worker’s compensation.

As I highlighted the other day, there was a company that was a sub-contractor up in Nadroga/Navosa doing some roads and the truck rolled back, the driver got crushed, he died. The employer has no compensation, absolutely none! So now even if the employer is found to be guilty, he will either go into bankruptcy to pay it or will take ages to pay the amount to the employee.

Through this methodology, Madam Speaker, every single employee in Fiji working for every single employer will now be covered. In fact, the small employers we have spoken to, we usually talk to them too in covering this Budget. They said, “This is good, we do not mind actually giving 40 percent of this because now I do not have to go to an insurance company and take out an insurance policy. It already comes out from my 1 percent so this 1 percent being segregated into different expenditures is absolutely no extra cost to the employer.” They are already paying 1 percent, all we are doing is changing the permutation of that 1 percent.

I also fail to mention that \$30 million is sitting in the trust at FNU that they have been collecting as levy. That money is there and we have already got an agreement as to how the Fiji National University will be able to work that through to develop better courses.

The other 50 percent, Madam Speaker, is setting aside funds for what we are calling, the “Private Medical Services” to be made available. I highlighted some of these in the Budget Address. Imagine from an employer/employee perspective, if I am working for someone or assuming that I employ someone and if my staff, because they wake up in the morning, they have got the influenza (flu), they cannot afford to go to a private doctor which is nearby work, they have to go to the public hospital and sit there, assuming it takes a few hours for them, losing their work time. But if they can very quickly go on the night before or in the morning to the local doctor, to whom we will actually pay the services for and get the consultations done, get the prescription and they can come to work, it creates efficiency. It also allows for the opportunity of private practitioners, General Practitioners (GPs) to go

into areas where there are currently no private practitioners. There is no private practitioner in Korovou, Korolevu, Nabouwalu, Seaqaqa, Nasorowaqa, Dreketi, none, because at the moment if they go and set up shops there, most people will still choose to go to the nursing station or the sub-divisional hospital. In this way they will get the traffic, in this way they will get their income and in this way as we have actually said, we will help people set up shops or practicing professions in rural areas.

So, Madam Speaker, this is a form of protection and it is not just applicable for employees, every single Fijian will benefit from it. What is wrong with that, Madam Speaker? Are they saying they are opposed to that? Are they saying that they do not want the queues to be decreased or diminished in size at the public hospitals?

Madam Speaker, this will actually alleviate the problem. This is logically so simple. The logic has not, I know being the forte of those two gentlemen but the fact of the matter is that, this will actually alleviate the problem. Yes, we recognise the fact that certain courses are necessarily available. Yes, Madam Speaker, they need to be made available and just by having 10 percent contribution does not mean this course will now be not available, that is the point.

Madam Speaker, the reality is this, the Fiji National University, if they bother to look at what we are doing to that University, the funding, two budgets ago, was \$45 million for FNU. This financial year (which is about to end) is \$56 million. The next financial year for which we are voting for is \$65 million. It is a wholly-owned funded Government University. Obviously, we want to build capacity in this. As announced also, all the campuses will have Wi-Fi hotspots in all the 24 campuses. We are building capacity, Madam Speaker, so we need to look at this holistically.

Now, the other point, Madam Speaker, that they said because in the amendment in respect of the Public Private Partnership that there may be fees payable, they forget that there will be people who come to that hospital who may be from other Pacific Island countries. Obviously, they will pay fees, they are not going to get it for free. There maybe someone coming from overseas.

HON. PROF. B.C. PRASAD.- That is why, and you know that.

HON. A. SAYED-KHAIYUM.- They will pay the fees.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Madam Speaker, this is why that clause has been put in there. We have said on a number of occasions, that the current fee structure will not change for ordinary Fijian citizens ...

HON. GOVT. MEMBER.- Hear, hear!

HON. A. SAYED-KHAIYUM.- ... unequivocally, the mind will boggle all the time.

Our definition, Madam Speaker, of what will be someone who gets subsidised by government in terms of the definition of "poverty" under the Act is obviously subject to what we will decide and we have decided, Madam Speaker, that every single Fijian citizen at the moment, who may be visiting Lautoka Hospital, if they are going there now and paying only 50 cents, they will continue to pay 50 cents. If they are going there now and not paying anything, they are not going to pay anything. This is why if you bother to look at the documentations, they can go to the Fijian Government website. If they went to that website, they will actually see the tender link that they have got.

That means if we bring in the extraneous factors (I am talking about extraneous factors), and Madam Speaker, they will see how the structure is formed, and they will see all the documentation that is available. We are working with International Finance Corporation (IFC), we have certain requirements in respect of how this PPP will work.

See for them, they are saying this so that they could go out to the public and say, “You know, they are doing this PPP, the Government is going to charge medical services, we will not do it, so vote for us”, that is what it is. It is all cheap tricks, it is all political posturing. Madam Speaker, we know what the Opposition is like, in particular, NFP, they go out and do all of these things.

HON. PROF. B.C. PRASAD.- No, speak the right thing.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- No, you never say the right thing.

But, Madam Speaker, let us focus on the Bill.

Madam Speaker, the reality also is, they talked about the technical college before I round off. The Technical Colleges Madam Speaker, we have set up 13 Technical Colleges. When this TPAF system started, there were no Technical Colleges. We have also announced in Parliament that we are working with the Australian Government to do a gap analysis for those Technical Colleges, Madam Speaker, to be able to improve the quality of the courses that are available.

We are doing that and it is actually nonsense to say that people are finding it hard to get jobs because of the qualifications at Technical Colleges. You can go to many Technical Colleges and I have said in this Parliament before, the last one that I went to is in Nadroga/Navosa. Actually, the Head Teacher there was complaining to me, that a lot of them when they went out doing their on-job training, they did not come back because all the employers were actually taking them up. There is such a huge demand for their services.

So, Madam Speaker, the point of the matter is, I think a lot of the comments that have been made, in fact, does not really warrant much of a response, but I would like, Madam Speaker, to again highlight the fact which they did not touch upon at all, which is the Accident Compensation Act, the amendment to that. This is a very ground breaking law that has been brought about, the amendment.

We have seen the success as far as third party insurance has been concerned. We know that one insurance company objected to it and they have made all sorts of allegations, their CEO, I understand, is overseas now. Perhaps they are talking to the other side about it. We have been told that they have been given assurances that should they come in, they will roll it all back.

(Honourable Member interjects)

HON. A. SAYED-KHAIYUM.- Madam Speaker, we met with the insurance companies also, before this actually was put in practice. All the insurance council members, all the banks, Madam Speaker, we came and had a meeting with them. So this has been done with the people in the industry with their consent also.

So, Madam Speaker, the fact of the matter is that they all also agree that this is a good thing to do. The Honourable Minister will also agree that this is a good thing to do, all Fijian workers will now be covered and, Madam Speaker, it is a no fault system. We have now also, Madam Speaker, included what we call the “school yard” or “in-class injuries”. That is also an important matter and we would

like to also say, Madam Speaker, that we are currently looking at other types of injuries or accidents that actually can be included within this.

One of them, of course, Madam Speaker, which is dear to many of us, is sports injuries. But we need to be able to ensure that there is some form of revenue that we can actually attach it to. I still remember the days when we were at Marist Brothers High School and one of the seniors, as we were playing rugby with Suva Grammar School, he went into the scrum, he never got up again. Someone snapped his neck and he was quadriplegic for most of his life until he died, I think in his 30s, so these sorts of incidents do happen.

If we actually care for families, if we actually care for these young people of ours, we need to put in place mechanisms. And this is precisely some of the things that we are going to do, and it is actually growing but we need to obviously acknowledge that we cannot do it all at once, Rome was not built in a day. But whatever we are introducing, Madam Speaker, it is done on our basis of sustainability and ensuring that we actually hit home the runs with the people who actually deserve it. So, Madam Speaker, I would urge everyone to support these amendments. Thank you.

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

Question put.

The question is:

That pursuant to the resolution of Parliament on Wednesday, 11th July, 2018 that the following Consequential Bills be debated, voted upon and be passed:

1. Public Hospitals and Dispensaries (Budget Amendment) Bill 2018 (Bill No. 25/2018);
2. Medical and Dental Practitioner (Budget Amendment) Bill 2018 (Bill No. 26/2018);
3. Nursing (Budget Amendment) Bill 2018 (Bill No. 27/2018);
4. Workmen's Compensation (Repeal) Bill 2018 (Bill No. 28/2018); and
5. Public Health (Budget Amendment) Bill 2018 (Bill No. 31/2018).

Does any Member oppose the motion?

(Chorus of 'Noes')

HON. PROF. B.C. PRASAD.- Madam Speaker, we wish to record our opposition to the following Bills :

1. A Bill for an Act to amend the Public Hospitals and Dispensaries Act 1955 (Bill No. 25 of 2018); and
2. A Bill for an Act to repeal the Workmen's Compensation Act 1964 (Bill No. 28 of 2018).

Madam Speaker, that was just to record our position to those two Bills.

HON. SPEAKER.- It is noted. Does any Member oppose the motion?

(Chorus of 'Noes')

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

Motion agreed to.

The following Bills -

1. Public Hospitals and Dispensaries (Budget Amendment) Bill 2018 (Bill No. 25/2018);
2. Medical and Dental Practitioner (Budget Amendment) Bill 2018 (Bill No. 26/2018);
3. Nursing (Budget Amendment) Bill 2018 (Bill No. 27/2018);
4. Workmen's Compensation (Repeal) Bill 2018 (Bill No. 28/2018); and
5. Public Health (Budget Amendment) Bill 2018 (Bill No. 31/2018).

enacted by the Parliament of the Republic of Fiji. (Act Nos. of 2018)

HON. SPEAKER.- Bills have been enacted.

HON. A. SAYED-KHAIYUM.- Madam Speaker, just for clarification, so the NFP has objected to the Workmen's Compensation Act and the?

HON. J.V. BAINIMARAMA.- Bills Nos. 25 and 28.

HON. A. SAYED-KHAIYUM.- The public hospital one. So, they are opposing the Worker's Compensation Act to include workers under the accident compensation.

HON. SPEAKER.- It will be noted in the *Hansard* Report.

Pursuant to the resolution of Parliament on Wednesday, 11th July, 2018 I now call on the Honourable Attorney-General, Minister of Economy, Public Enterprises, Civil Service and Communications to move his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, pursuant to the resolution of Parliament on Wednesday, 11th July, 2018; I move:

That the following Bills be debated, voted upon and be passed -

1. Fiji National University (Amendment Bill) 2018; and
2. Fiji Teachers Registration (Amendment Bill) 2018.

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

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, in respect of the Fiji National University (Amendment) Bill 2018, the actual Act itself, Madam Speaker, the substantive Act establishes the Fiji National University (FNU) to serve the needs of the post-secondary education required for the Republic of Fiji.

The Act provides for the functions, powers, management and administration of the University. The Council of the University, established under section 7 of the Act is the governing body that exercises the powers conferred on the University by the Act. The Fiji National University (Amendment) Bill 2018 seeks to amend the Act in relation to the appointment and composition of the members of the Council.

Madam Speaker, we have had numerous consultations on this Bill. Madam Speaker, by way of background, pursuant to section 12 of the Act, the members of the Council consist of 4 official

members, appointed members, elected members and co-opted members. The Act provides that there are 4 official members, 14 appointed members, 8 elected members and 6 co-opted members which totals up to 32 members.

The Bill seeks to amend the Act to reduce the number of members of the Council from 32 to 26 for the purpose of efficiency and practicality in the operations of the Council. In comparison, Madam Speaker, with the other two Universities in Fiji, the Council of the University of the South Pacific (which is a multi-country-based University), consists of 31 to 43 members; and the Council of the University of Fiji consists of 25 members.

In New Zealand, for example, Madam Speaker, the Education Act which governs all the higher education universities limits the members of the council of the institutions to a total of 8 to 12 members. In Australia, the number of the University Council members ranges from 10 to 21 members.

Currently, Madam Speaker, Section 14 of the Act empowers the Minister responsible for tertiary education to appoint 10 members from a list of nominees, submitted by the following institutions, in consultation with the official members:

1. Fiji Institute of Engineers;
2. Fiji Institute of Valuers;
3. Fiji Institute of Accountants;
4. Fiji Hoteliers Association;
5. Fiji Medical Association;
6. Chamber of Commerce;
7. Fiji Law Society;
8. Fiji Institute of Applied Studies;
9. Fiji Principals Association and Fiji Nurses; and
10. Midwives and Nurses Practitioners Board.

The Minister also appoints two members from the list of nominees submitted by the national employer bodies and two members from the list of nominees submitted by the registered Trade Union confederations.

This particular provision, Madam Speaker, requires the Minister to appoint members of the Council from a list of institutions and does not require the appointment of persons with adequate qualifications, skills, expertise and knowledge. So, for example, if the Fiji Mid-Wives or the Trade Unions submit a particular name, they essentially have to appoint those people.

The Bill seeks to amend the Act to allow merit-based appointment of the members of the Council. The Bill will enable the Minister to appoint members with the qualification who, in the opinion of the Minister, have adequate qualifications, skills, expertise and knowledge to contribute to the disciplines offered by the University and the general administration and financial management of a tertiary institution.

We know, Madam Speaker, FNU has had some issues with the financial management side of things too, Madam Speaker. Moreover, in relation to the elected members, the Bill amends the Act by introducing the demarcation of student representatives to the Council to specifically state that one student will be elected to represent Undergraduate students and one student will be elected to represent Postgraduate students, currently that distinction does not exist.

Under the Bill, there remains on the Council a representative from the Heads of the Colleges of the University which is actually elected; University's fulltime professional staff which they elect; and

University's fulltime non-professional academic staff which they elect, to reduce it from two to one from each of those categories.

Madam Speaker, clause 1 of the Bill provides for the Short Title and, of course, the rest of it is what I have just said in that respect.

Madam Speaker, as far as the Fiji Teachers Registration (Budget Amendment) Bill is concerned and, Madam Speaker, before I do that, you may recall that the FNPF under the old Act, we had two representatives from the Unions, two from the Employers and two from Government.

Madam Speaker, as we saw in history, it tells us that many of the Union representatives, perhaps even employer representatives or even government representatives did not necessarily have any financial management skills nor any expertise in project management, nor any background in engineering, et cetera, nothing. There simply were representatives from these organizations and they were making multi-hundred million dollar investment deals and approvals through the approval of the Board and we saw some of the debacle that took place.

Madam Speaker, so the provision currently under the FNPF Act is that the appointment must state based only on qualification they have, their professional skillset that they actually bring which is essentially required of a Board of that nature. We tried to bring that also, Madam Speaker, in respect of the running of the Council of the University.

Madam Speaker, the Fiji Teachers Registration (Budget Amendment) Bill 2018, tabled yesterday is a very succinct piece of legislation that seeks to amend the Fiji Teachers Registration Act. By way of background, Madam Speaker, the Act establishes the Fiji Teachers Registration Board and provides for its functions and powers in relation to the registration of teachers.

The Bill currently provides under Section 4 for Board membership and composition and while the Minister is empowered to ultimately appoint all 14 members to the Board, he or she can only do so upon receipt of nominations from the different prescribed groups under the Act.

The Board composition currently needs to prescribe nominations for:

- two practising teachers and a Ministry of Education representative by the Permanent Secretary for Education;
- two union-member representation, each from the two prescribed Teachers Unions;
- two members from Teacher-Training institutions;
- two practising-teacher educators nominated from Higher Education Institutions;
- two from school management boards; and the
- final two as parent representatives.

The Bill seeks to amend such membership and composition by allowing for merit-based appointments of the members of the board and reducing the total number of members of the Board from 14 to 9 to allow for the purposes of efficiency and practicality in its operations under the Act.

Madam Speaker, that essentially in the appointment of those persons, the Minister must ensure who, in his or her opinion and the adequate qualification skills and expertise to ensure:

1. the overall development of the teaching profession, education standards and administration and the financial management of the Board; and

2. the Board operates effectively and in a manner that is able to best achieve its functions under the Act.

Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, the motion is now before the House for debate and I now invite input. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. I once again thank the Honourable Attorney-General for the presentation of these two Bills.

Madam Speaker, the Honourable Attorney-General talked about logic. In our argument, Madam Speaker, I can say the same thing that many of the arguments can be demonstrated to be illogical and I think the desire to change the composition of the Council of the Fiji National University and indeed the composition of the Teacher Registration Board demonstrates a very good example of what I have been talking about in the past, that this is a Government which feels that they need to make the decisions about the running of particular institutions and organisations. This is a very good example, Madam Speaker.

We have seen the legacy of generally appointed members by Government. We have seen the legacy of Advisory Councils, Sugar Cane Growers Council, appointed administrators, having promised that we will have the Elections, we are finishing this term of Parliament, Madam Speaker. If you analyse those legacies, you can see some of the problems that we have.

With respect to education, Madam Speaker, let me just talk about the Teacher Registration (Amendment) Act, 2008 and the decision to change the composition.

Madam Speaker, education in this country was always about partnership. In many countries where governments actually fund all schools, most of them are public schools as opposed to what we have here, governments spend a lot of money to bring the parents and partnership. Here, we have a Government which is trying to do away with that partnership, partnership with the management, unions and partnership with parents.

Madam Speaker, it is not logical to say that just because there are more members on this board, that it is not efficient, it is not doing its job. In fact, what will happen as a result of this amendment is that, the Teacher Registration Board is unlikely to remain independent. In fact, we should have a very independent Registration Board, Madam Speaker, because here, the Minister will appoint members of the Board on the so-called merit and to reduce the number of members from the Board from 14 to 9.

HON. MEMBER.- (Inaudible)

HON. PROF. B.C. PRASAD.- What are we assuming? We are assuming that representations from the Teacher Unions are not going to be merited individuals about education.

HON. A. SAYED-KHAIYUM.- Sometimes, yes.

HON. PROF. B.C. PRASAD.- Possible, there could be.

HON. A. SAYED-KHAIYUM.- Yes.

HON. PROF. B.C. PRASAD.- But the fact is that they are in partnership, two members from Teacher Training Institutions, in fact I would actually go further and suggest that we should have

three: FNU, USP and the University of Fiji (there is no Lautoka Teachers College now, we should have amended that), Madam Speaker. Two members were practising teacher educators to be nominated by institutions of higher education on merit, the Minister may do that but this current composition actually requires the Government to go by this composition.

You are leaving all the decision to the Minister now. So if you do not like Unions, you are not going to put any Union members there or Union officials. If you do not like representation from Universities, Madam Speaker, you may decide you are not going to have anyone from the University, so the logic behind this chain, I do not understand. I am not convinced by the explanations given by the Honourable Minister with respect to the change in the composition.

The same applies, Madam Speaker, with respect to the composition of the FNU Council. We can have different compositions, I mean, New Zealand may have very few; Australia may have a range of membership for University Councils. Yes, I understand that you need people with the skills.

I have sat in University Council for more than 10 years, Madam Speaker, and we have seen representation from governments who may not necessarily have the expertise on curriculum, who may not have the expertise on finance, who may not have the expertise on a range of things that the University does but, Madam Speaker, it builds the partnership.

HON. MEMBER.- True.

HON. PROF. B.C. PRASAD.- The Universities are not strictly commercial entities, Madam Speaker.

The University has its own requirements to have a good finance division. They have expertise in different faculties, and so the Universities deal with some of these governance issues in a much more effective way than an organisation which is a purely commercial organisation.

The other point that I want to make, Madam Speaker, and this is not the trend just here, but a trend around the world. In fact, the trend is being reversed now, it is the increasing so-called intrusion of the corporate culture within the management of the University. It was considered to be very good for a long time in the recent past but increasingly many academics are now questioning that model and questioning whether that model actually allows one of the fundamental principles about Universities, and that is academic freedom, where the researchers and teachers will have the academic freedom to develop, teach and disseminate research independently.

In Universities, Madam Speaker, anywhere (even in Australia and New Zealand) where they fund Universities, once they give the fund to the University, the Government does not have any kind of direct control on the management of the Council of the University. So it makes sense, Madam Speaker, and I think the drafters of this legislation had put a lot of thought into it, and I can understand why they would have this large council. I would have thought that you could have reduced the size of the council by taking away the co-opted members if you wanted to, Madam Speaker, if that was causing some discomfort.

HON. A. SAYED-KHAIYUM.- You said you wanted inclusion!

HON. PROF. B.C. PRASAD.- Co-opted members can be from anywhere, but the ones, Madam Speaker, that are stipulated here which says “these different institutes” and I was going to also suggest to them, I think the Minister has the power to ask for several names from these institutions, it does not have to be one. The Minister will still make the appointment, Madam Speaker.

So if I run an institution that has a representation there and the Government will write to us and say, "Look, provide us three names or four names or two names" and the Minister will ultimately appoint. If the Honourable Minister does not like those people on the list, he or she can ask for a new list. So I think if the Government was thinking of control of the university, Madam Speaker, then they could still do it within the existing Act because Government, of course, provides funds, taxpayers' funds. Government would need certain scrutiny, Government would need certain communication.

But, Madam Speaker, universities thrive, universities excel with complete independence in terms of what they teach, disseminate, research and sometimes that comes through financial independence and governance independence as well, because when you have a situation where the governance of the university may be interfered with, and we know this happens in other countries too, so I would say to the Honourable Minister and the Government, let this work, Madam Speaker.

We, as the Parliament, as the Ministry of Economy, as the Ministry of Education, have a role in the management of the university and if there are any issues with respect to efficiency and effectiveness, the Government ultimately has the authority and the power.

HON. MEMBER.- Of course.

HON. PROF. B.C. PRASAD.- It does not matter to me, as far as I am concerned, whether the size of the council is 26 or 32, as long as it brings the representation. The same applies to the Teacher Registration Board, Madam Speaker, because one reason why the education system has been sustainable in this country and of good quality, of course, is that, there is always room to improve because we have had this partnership.

Historically, our parents, our forefathers, our communities, our religious organisations, they built schools for the children. Today, you know, they may be getting more funds from the Government, that is good and we support that. But, Madam Speaker, that partnership, that environment in the school with the parents, with the teachers, with the unions, should not be destroyed.

Sometimes, Madam Speaker, we bring out changes to the law and policies and I am not sure whether the Ministry of Education and the Honourable Minister has had some discussions with the unions, the school managements and others because I think that doing away with that composition will be doing disservice to the teaching profession, and I urge the Government side to withdraw these Bills and have some more discussions, public consultations, and let us see what the people also say, Madam Speaker.

This is another reason why we are saying that these Bills should not have come under Standing Order 51. We should have put this Bill to the Committees, for example, because we would have given the opportunity for different stakeholders and those who are represented on the council to actually make their views known and some of these organisations that are there, Madam Speaker, are very useful. I mean, the Honourable Minister may still appoint some of them, that is fine, but the law will not be there because you will not be able to get specific representation from those institutions, Madam Speaker.

HON. A. SAYED-KHAIYUM.- Because you are obsessed about it.

HON. PROF. B.C. PRASAD.- I am not obsessed about the different institutions. The partnership in education is very important and as someone who has been in a higher education institution, I know even when you are an individual lecturer, Madam Speaker, you have to deal with parents, you have to deal with students, you have to deal with their relatives. It is very, very important to build that

partnership and representation in the governance of universities and institutions, it is very important. You know, it could be politically motivated!

(Laughter)

HON. PROF. B.C. PRASAD.- It could be, Madam Speaker, that the Honourable Minister for Education or someone in Government does not like some of these individuals who are out there, and so now you change the law to get rid of them.

(Laughter)

HON. PROF. B.C. PRASAD.- I hope it is not that, Madam Speaker, I hope it is not that. Or you simply do not want the unions to be sitting in that Board, Madam Speaker.

(Honourable Members interject)

HON. PROF. B.C. PRASAD.- Madam Speaker, these are individuals, they represent organisations, they may not be there, so we must, by law, have those representations, so I urge the Government again, please, take this Bill away and let us have more consultations and keep the governance structure. Thank you, and I wish you well.

HON. SPEAKER.- Honourable Dr. Mahendra Reddy.

HON. DR. M. REDDY.- Madam Speaker, I wish to speak in support of this Bill, to amend the Fiji National University Act.

Madam Speaker, when the University was established, it was an amalgamation of various national institutions: Fiji College of Medicine, Fiji College of Agriculture, Fiji Institute of Technology, Teachers College, and all of them had their own boards.

So transition naturally in the University at that particular point in time because of the nature of amalgamation of these tertiary institutions, national institutions ended up with a large Board. Madam Speaker, over time, I was in the Council as Dean of the Business School at FNU and I noted that the members were not able to undertake the fiduciary duties, Madam Speaker.

The Teachers College Board members would come and ask for support and resources, salary increase for the teachers, education lecturers, the Medical College Board members would come and ask for their constituency and resources, it just could not work. We need to appoint people on merit to advance the objectives, mission and vision of that particular amalgamated institution. We cannot continue to have members in the council of a board fighting with each other to have their own performance if it could be advanced. That is why, Madam Speaker, we need to appoint people on merit with a clear vision to advance the institution.

Secondly, Madam Speaker, you would have seen in the old Act, we had a union sitting there. But, Madam Speaker, when we asked them, "Who are you representing?" They said, "We are representing the staff" but, Madam Speaker, the staff already had representatives there in the council. There were two representatives from the colleges, two non-professional representatives there, so who were the unions representing? There is duplication of appointment in the council.

Madam Speaker, it is now time to gradually clean up all these institutions to serve a modern and future Fiji about how they could advance these institutions, and I support this amendment which will

give us fresh new brains to move the council of this University in the right direction that is required of a modern Fiji. Thank you.

HON. SPEAKER.- Honourable Jone Usamate.

HON. J. USAMATE.- Madam Speaker, I was speaking about this particular Bill when I was speaking earlier, so I would just like to add my little bit to it. As I was saying, the Fiji National University plays a critical role in this country and I have also been a member of the council of the university during its transitional times and I agree entirely with the sentiments that have been expressed by the Honourable Minister for Waterways.

As I was just listening to the Honourable Biman Prasad, some of the statements that he makes seem to imply that there are some sort of conspiracy by Government to try to be in control of everything. I would like to tell Honourable Members of this House that there is no such conspiracy, if there is one conspiracy, there is this conspiracy; to make sure that we always deliver the best for the people of this country. That is our conspiracy, that is what we try to do. I think that is an admirable conspiracy to have, to try to be able to do that; to make sure that the governance institutions that we have in these national universities, like USP, Fiji National University, for instance, where we give a significant portion of the money through the Higher Education Commission to make sure that it works well.

I think, when you have smaller bodies within the governance structure, it makes them much more effective and this issue of “fit and proper”, I mean this terminology that is used here “merit-based appointments, appointing members who have the adequate qualifications, skills, expertise and knowledge”, this is absolutely essential.

I have sat in board meetings where we have board members who do not say a word from the first year, second year or the third year because they have nothing to contribute. When they do contribute, they contribute on something that is completely at odds with what we are trying to discuss. A lot of board members come and do not realise that their main duty as Director is always to work in the best interest of the organisation and not their sectoral interest.

(Honourable Members interject)

HON. J. USAMATE.- This is something that I have seen over and over the years and years again. When they sit and make a contribution, it is always about “my group”. The role of a Director is not to talk about “my group”, the role of a Director is to talk about the best interest of the institution for the best interest of the country. That is what needs to be done, this Government will make sure that this will be done for the people of this country.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, again unfortunately I have to do a few responses to the political gesticulating by the Honourable Professor Prasad.

Madam Speaker, the assumption that because now the appointment methodology has changed, then suddenly the council will not be independent. It is just all hearsay, this building stuff, plucking things out of the air, that is precisely what it is.

Madam Speaker, what he should be looking at is the law, have we changed any other provisions of the substantive law to say that the independence of the council is gone? No, those rules still lie. He said, "Oh, it may change because of the composition." No, Madam Speaker, in the same way, for example, a judge or the Chief Justice of Fiji, under the 1997 Constitution was appointed by the Prime Minister, with the concurrence of the Leader of the Opposition.

Today, the Chief Justice is appointed by the Prime Minister with the concurrence of the Attorney-General. The question that we need to ask is this: once the person is appointed to a particular position, are they allowed to function independently; are the laws there that govern that particular organisation or that institution allowed to actually function without any interference? That is the test.

In New South Wales, the judges are appointed by the Attorney-General directly. Do we say that the independence is gone? No. Yes, the independence is gone after the appointment; if some untoward behaviour takes place, that is the test. For Honourable Professor Prasad to come here and insinuate that just because the composition of the methodology, I should say, will change therefore the independence is gone, it is actually all hot air.

Madam Speaker, again he goes on about partnership. You plug onto this thing now, you start with inclusiveness, then you say "Oh, maybe it is now inclusive". We have actually kept the numbers to 26 because the fact of the matter is, as Honourable Minister Reddy highlighted, the Fiji National University did not start from scratch as the Fiji National University.

As we all know, there are different schools throughout Fiji. They are all put together in a conglomerate form and it was then called the FNU. Obviously, at that point in time, there were transitional issues and they have solved that. So any good government, any good law maker or makers would actually move with the times. Now we have gone through transitional position, now we need to be able to focus on the next phase, and this is the next phase.

Madam Speaker, the fact of the matter is that, just by having this does not mean that we are not being inclusive, we are being inclusive. Just because the Honourable Minister is actually given a particular criteria against which his appointments must take place or her appointments take place and that is set out as the Honourable Usamate highlighted, that it must be based on merit.

It must be based, Madam Speaker, the Honourable Minister must ensure that it is based on merit, have adequate qualifications, skills, expertise and knowledge to contribute to the disciplines offered by the university. In other words, the areas of studies by the university and the general administration and financial management of a tertiary institution. It has a peculiar set of financial ways of running.

Madam Speaker, to then insinuate also and make this sort of illogical leap and say, "We are now, therefore, perhaps making it a profit-making organisation", what utter nonsense. I have just highlighted earlier on, Madam Speaker, that if that was so, we will not be increasing the University grants. We have jumped from \$45 million to \$65 million, an increase of \$20 million in the span of two years.

If we were profit-driven, we would have said, "Increase the fees, cut down these courses and let us only do these courses so we can make some money."

Madam Speaker, the insinuation they make is completely illogical.

Madam Speaker, again, he says, "Oh, maybe under the current law, if he does not like the list that has been given by the various organisations, he can say to them, 'Give me another list'", no!

There is no provision for that. Essentially, the Minister is given a list of nominees by the different organisations and the Minister has to choose from that list.

As I had highlighted earlier on, Madam Speaker, look at what happened in Natadola, look at what happened in Momi! The Board of FNPF at that point in time agreed to partner with a man called Gerrath Celior (an undischarged bankrupt), who served a jail sentence. The company he set up was paid about \$700,000 a month in consultancy fees. When he used to land in Nadi, a helicopter used to take him from Nadi to Momi. Guess who bore the cost? The FNPF members. Madam Speaker, all of these could have been avoided if the Board had the necessary skillsets to make the necessary inquiries and do their due diligence.

Madam Speaker, it is a very unnecessary link because as the Honourable Member highlighted, there is actually a fiduciary duty. The Honourable Jone Usamate very eloquently stated that when members come there with a preconceived notion of why they are there and only to look after their own little field, when you become a member of a board or a council, your entire fiduciary duty is to that organisation, otherwise you will be in breach of your fiduciary duty.

So, we have the sectional interest coming on board. You are saying it is irrelevant, of course, it is relevant because the people who were appointed to the FNPF Board did not have the skillsets. Sometimes, I feel sorry for them, they did not have the acumen. Someone puts nice drawings in front of them and a lot of people still fall for that in Fiji. They put nice drawings and said, “We are going to do this and we are going to invest a billion dollars”, and then “Oh, wonderful when can we start?” without reading the fine print.

A similar thing in Momi, the person who started that also is in jail and has served a jail sentence in New Zealand. I remember when the Honourable Prime Minister, when Cabinet met up with them between 2007 and 2008, we asked them, what is the contribution of these people? They said, “Our intellectual property worth \$90 million”, and that is how they value their contribution apparently. But guess where the contribution came from? FDB and FNPF, so, Madam Speaker, what we are saying is that, we need to ensure that when we appoint these people to the Board, that Minister, whoever is the Minister is actually guided by these qualifications which these people may have.

The Honourable Professor Prasad himself also admitted: “We will, of course, or may end up appointing people from a trade union, we may not; we may end up appointing someone from a parent organisation, we may not; we may end up appointing someone from a parent organisation, we may not; we may end up appointing someone who is a parent, it does not have to be belonging to a particular parent organisation but a parent; we may appoint someone from USP, a former educator, some of them have retired.” Who knows, when the Honourable Professor Prasad does not have a job after the Elections, we can put him on the Council.

(Laughter)

HON. A. SAYED-KHAIYUM.- A former educator. So, Madam Speaker, we are open to suggestions. We want the right people, we know he is very passionate about the Fiji Higher Education Commission, he can sit in there.

Madam Speaker, but the reality is that, it does not mean that there is not going to be any partnership, in fact, it is fostering partnership and partnership in itself is not the ultimate objective in itself. The ultimate objective is to ensure that the organisation runs well, not so we can all feel good about each other and sing *Kum ba yah*. The whole idea is, Madam Speaker, that we actually appoint the right people so that the organisation runs well, and the law provides for the independence of the

organisation. Madam Speaker, I again would urge all Honourable Members to look at it from that perspective.

Madam Speaker, as we have said, our commitment to the Fiji National University is there, our commitment to improving the teacher qualifications is there. Again, the Teacher Registration Act, Madam Speaker, we have, in this Budget, provided for additional scholarships for teachers who currently have Diplomas to get them to do their Degrees, and we are funding that. So, all of these is in-train to ensure that we have a holistic approach to education and that the people who are appointed and given the independence to run these organisations, actually run them well. Thank you, Madam Speaker.

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

The Question is:

That pursuant to the resolution of Parliament on Wednesday 11th July, 2018 that the following Bills be debated, voted upon and be passed.

1. Fiji National University (Amendment) Bill 2018 (Bill No. 29/2018); and
2. Fiji Teachers Registration (Amendment) Bill 2018 (Bill No. 30/2018).

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	-	31
Noes	-	12
Not voted	-	6
Abstention	-	1

HON. SPEAKER.- There being 31 Ayes, 12 Noes, 6 Not voted and 1 Abstention; the motion is therefore agreed to.

Motion agreed to.

[The following Bills:

- 1) Fiji National University (Amendment) Bill 2018 (Bill No. 29/2018); and the
- 2) Fiji Teachers Registration (Amendment) Bill 2018 (Bill No. 30/2018);

enacted by the Parliament of the Republic of Fiji (Act Nos.2018]

HON. SPEAKER.- Honourable Members, we will now suspend the proceedings. We will adjourn for tea and return at 5.40 p.m.

The Parliament adjourned at 5.07 p.m.

The Parliament resumed at 5.44 p.m.

HON. SPEAKER.- Honourable Members, before I call on the Honourable Leader of the Government in Parliament to move the suspension motion, I remind Honourable Members that Parliament had passed the resolution on Monday, 9th July, 2018, to allow business to be brought forward from the following sitting day. In that respect, the Business Committee has agreed to complete all business listed for Friday today.

Additionally, I remind Honourable Members that as per Parliamentary Convention, only Budget and urgent matters are dealt with in the week of Budget Debates.

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

SUSPENSION OF STANDING ORDERS

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

That so much of Standing Order 34 is suspended so as to allow the House to complete all Items listed on Friday's Order Paper, today, Thursday, 12th July, 2018.

HON. LT. COL. N. RIKA.- Madam Speaker, I second the motion.

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

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker. I know we have had a long and tiring week. As you have alluded to in your recent remarks, I think this has been discussed and agreed to in principle on Monday, 9th July, 2018.

The Business Committee has been circulating the Order Paper for Friday and it only involves the presentation of a few papers and certain documents, particularly an Audit Report and a few Annual Reports and, of course, two motions that are listed on Friday's Order Paper. We hope that we can only use another hour or two to complete those today, Madam Speaker, so that all the Honourable Members can have a good rest tomorrow. Thank you.

HON. SPEAKER.- The motion is up for debate and I now invite input.

(There was no input from Honourable Members)

Thank you. Leader of Government in Parliament?

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- No, I have none, Madam Speaker, but I wish to thank all the Honourable Members for their patience and cooperation.

Question put.

HON. SPEAKER.- Parliament will now vote.

The Question is that under Standing Order 6:

That so much of Standing Order 34 is suspended so as to allow the House to complete all Items listed on Friday's Order Paper, today, Thursday, 12th July, 2018.

Does any Member oppose the motion?

(Chorus of 'Noes')

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

Motion agreed to.

**AGREEMENT ON PORT STATE MEASURES ON IUU FISHING AND
WHO PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS**

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

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker.

Madam Speaker, pursuant to Standing Order 130(4), I move that:

Parliament approves that -

1. Fiji accedes to the Agreement on the Port State Measures to Prevent, Deter and Eliminate Illegal Unreported and Unregulated (IUU) Fishing; and
2. Fiji ratifies the World Health Organisation Protocol to Eliminate Illicit Trade in Tobacco Products.

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

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

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Chair of this Committee had actually presented this Report and he had spoken to some extent on the Report itself essentially, and this was tabled on 17th May, 2018.

Madam Speaker, in its Report, the Standing Committee recommended that Parliament accede to this Agreement. I would like to add that no reservations have been made to this Agreement due to the fact that Article 30 of the Agreement states that no reservations or exceptions may be made to this Agreement, Madam Speaker.

By way of background, Madam Speaker, Port State Measures are measures that Port States apply to vessels from the time they request entry to port until the time they leave the port, for example, vessel inspections.

The Agreement establishes a set of minimum standards on the management of access by foreign-flagged fishing vessels, not including foreign-flagged charter vessels and related support vessels to Ports.

The Agreement fills a gap in the International Fisheries Governance Framework by setting internationally agreed standards for Port State Measures. If widely implemented, it will reduce the availability of 'ports of convenience' which a Port with weak controls in place making it increasingly difficult and less economic to undertake IUU Fishing.

A reduction of IUU Fishing, Madam Speaker, would have environmental, social benefits, including economic benefits to Fijian fishers operating in high value international fisheries that are targeted by the IUU fishers, Madam Speaker. I am sure all the Honourable Members of Parliament have actually read the report and know exactly what it is about.

Therefore, I would recommend that we, as Parliament, agree unanimously to approve that Fiji accedes to this Agreement. Thank you.

HON. SPEAKER.- The motion is up for debate and I invite input, if any.

Honourable Ratu Kiliraki?

HON. RATU K. KILIRAKI.- As part of the Committee, we from SODELPA support the motion to accede to the Agreement because of the importance of the Convention to Fiji. We have our tuna industry, as well as the domestic inshore fisheries. We know that there was a report from illegal fishing inshore but for the port measures, one of the biggest threats is the unreported fishing in terms of those who have licences registered in Fiji but they under-report their catches; that is one of the issues.

It is important for these Agreement on Port State Measures to be in place so that vessels are fully and properly regulated in terms of those institutions that look after the ports, especially the Customs, the Ministry of Fisheries, the Navy and all those institutions we mentioned in the Report for their integrated approach to this, so they have combined efforts in terms of addressing those measures.

For illegal fishing, that depends on the Navy for surveillance with the help of Australia and New Zealand Navies and the regional fisheries organisations, such as the Forum Fisheries Agency (FFA) in Honiara, the Western and Central Pacific Fisheries Commission (WCPFC).

Unregulated and unreported fishing are those catches that are not reported and unregulated if you are fishing without the regulation on the sizes, the species of the fish and all those issues that are encompassed in this Convention, so from this side, we fully support the endorsement of the Convention. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Lt. Col. Netani Rika?

HON. LT. COL. N. RIKA.- Madam Speaker, I rise to make my short contribution on the Agreement on Port State Measures to prevent, deter and eliminate IUU fishing.

Madam Speaker, the objective of the Agreement is to prevent, deter and eliminate IUU fishing through the implementation of effective State measures. IUU fishing undermines efforts to sustainably manage fish stock and has a range of negative environmental, economic and social consequences, including the Fijian fishing industry.

Madam Speaker, being party to the Agreement signals a country's willingness to fight against IUU fishing, but it is equally necessary to implement its provisions. The State's inter-governmental organisations and NGOs are coming together to assist parties, bridge gaps in their legal institution and

operational capacity to enforce the Agreement, and this includes aligning legislation to the Port State Measures Agreement (PSMA).

Madam Speaker, there are also specific social and cultural effects for Fijians anticipated by the Treaty. However, a reduction of IUU fishing will have wider social implications, particularly for developing countries where communities are dependent on fishing for their livelihoods. This will mean less likelihood for our coastal fishes being plundered, basically not only at the international level but also on a local level. If we are able to deter and reduce IUU fishing, this will mean more fish for our local fishers and our local economy.

Madam Speaker, according to the United Nations Food and Agriculture Organisation (FAO), and supported by the academic study, IUU fishing represents an estimated 15 percent to 30 percent of global annual catches although the extent of damaged fisheries vary significantly by region and species. Madam Speaker, this is one of the greatest evils of our oceans today; the severe tonnage of juvenile fishes and sea creatures in our oceans. The IUU fishers are driven by the spirit of self-greed, illicit activities, dishonesty and criminal mind, living for pleasures thus not realising their effect will cause to our future generation.

Madam Speaker, once again, we are being reminded of our role as human beings living in this world. We are the custodian of it. We must always be mindful of all living things that support our existence here on earth. We are not the only life in this world so remove the idea of owning the world to yourself and give chances to other living beings to survive. We must protect our environment, including sea creatures as well.

Madam Speaker, I take this opportunity to fully support the acceding of the Agreement of the Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Thank you.

HON. SPEAKER.- Honourable Howard Politini?

HON. H.R.T. POLITINI.- Thank you, Madam Speaker. The Honourable Prime Minister, Honourable Leader of the Opposition and Honourable Members of Parliament; I wish to express my sincere appreciation to the Honourable Members of the Standing Committee on Foreign Affairs and Defence for the bipartisan Report on the Port State Measures Agreement (PSMA) on Illegal, Unreported and Unregulated Fishing.

I concur with the Committee recommendations that:

- Parliament accede to PSMA in terms of IUU;
- Conscious of the role of the Port State in the adoption of the effective measures to promote the sustainable use and long-term conservation of living resources;
- Recognising the measures to combat IUU Fishing should build on the primary responsibility of flagged States;
- Use all available jurisdictions in accordance with the international law including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in IUU Fishing.

A 2016 Forum Fisheries Agency (FFA) study to qualify IUU Fishing estimated the loss of economic rent to Pacific Island countries resulting from IUU Fishing at US\$152.67 million annually.

Madam Speaker, all this, you have two 50-metre vessels with large nets behind them and all they are doing is trawling the oceans. So you have dolphins, sharks, whales, tuna, all in that catch, so that is pretty much what this law protects against.

The benefits of the accession include continued leadership of Fiji in the region and globally, in supporting efforts to combat IUU fishing in closer collaboration with flag States.

It is important to recognise that PSMA entered into force relatively recently in June 2017. It is still in its infancy stage of development. For the PSMA to work effectively, it will be crucial to have all the tools in place at various levels beyond the national level, for example, contact points of flag States to receive the inspection reports, FAO as the central database for receipt of list of designated ports and information for the parties and the fund for developing States. This includes ensuring that our resources are protected from IUU Fishing.

It is important to recognise that port state measures is only one tool that needs to be integrated into the suite of World Leading Monitoring Control and Surveillance (MCS) measures that have been put in place by FFA members to combat IUU fishing. These include the FFA Vessel Register, Vessel Monitoring System, Observer Programme, Capacity Development and Training, including Dockside Boarding, Prosecutor Training, Coordinated Aerial Surveillance and Surface Patrol.

Work continues to strengthen in the MCS Framework, including harnessing of new technologies and innovation in areas such as electronic monitoring, through cameras on board vessels, electronic reporting by vessel captains or masters and fisheries observers and the collection and sharing of information on persons of interest involved in IUU Fishing.

Madam Speaker, with those few comments, as Deputy Chairman of the Committee supporting the recommendation of this Report, I thank you for this opportunity. Thank you.

HON. SPEAKER.- Thank you. I now invite the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, I think there is enough being said about it and I believe that we should now vote.

HON. SPEAKER.- Parliament will now vote.

Question put.

The question is:

That pursuant to Standing Order 130(4) that Parliament approves that:

1. Fiji accedes to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal Unreported and Unregulated Fishing; and
2. Fiji ratifies the World Health Organisation Protocol to Eliminate Illicit Trade in Tobacco Products.

Does any Member oppose the motion?

(Chorus of 'Noes')

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

Motion agreed to.

PARLIAMENTARY REMUNERATIONS (AMENDMENT) BILL 2018

HON. SPEAKER.- I now call upon the Honourable Jone Usamate to move his motion.

HON. J. USAMATE.- Madam Speaker, I move:

1. That Parliament adopts the following amendment to Part B of the Schedule to the Parliamentary Remunerations Act 2014 –

“4 Superannuation - FNPF Contribution:

Members who can no longer be readmitted to the FNPF Scheme shall be entitled to the 10% employer contribution as top up to their current salary”;

2. That the Amendments to Part B of the Schedule to the Parliamentary Remunerations Act 2014 to be adopted as an amendment to the Determination pursuant to section 3 of the Parliamentary Remunerations Act 2014; and
3. That this amendment to the Determination to take effect from 6th October, 2014 and expire on 31st December, 2018.

HON. P. SINGH.- I rise to second the motion, Madam Speaker.

(Applause)

HON. SPEAKER.- I now call on Honourable Jone Usamate to speak on his motion.

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

The issue of the FNPF contribution is something that has been discussed at length in a number of meetings of the House Committee. In fact, most of us here are probably still members of the FNPF but there are a number of Members of Parliament within the House who could not re-join the FNPF Scheme, as some of them have withdrawn twice, or are beyond 55 years. There are also Members in the House who are beyond 55 years, but still members of the FNPF.

So in order to address this particular issue to see what could be done about it, the House sought opinion from the Solicitor-General's Office and the response was received from the Solicitor-General's Office who gave us information on how the remuneration of Members of Parliament is organised under the Parliamentary Remunerations Act 2014. They also informed us that the Remuneration of Parliament is determined by the resolution of Parliament.

They also highlighted from the Solicitor-General that some Members of Parliament can no longer be readmitted to the FNPF Scheme. When they cannot be readmitted, the employer is no longer legally obligated to make the payment of 10 percent of the total wages payable to the FNPF. But they also highlighted that under section 12 of the Parliamentary Remunerations Act 2014, there is a scope that there to be some adjustments based on whether there are any defects or we can also amend the specified term or the Determination if Parliament is satisfied that in all the circumstances, there are particular and special reasons that justify the amendment.

The defect here or the special reason is that some Parliamentarians are getting their 10 percent contribution from the employer because they are still members of FNPF, and the others while they are no longer entitled to this through the FNPF legislation, they do not get that benefit. Obviously, FNPF members get this 10 percent contribution (it is not taxed), it goes into FNPF and they get 6.5 percent to 6.6 percent return on it. We thought we should also get the views of a third party so it was also raised with the PricewaterhouseCoppers who had a look at this particular issue.

In terms of social justice, their observations were that there are Members of Parliament who are not receiving the 10 percent FNPF employer contribution as normally required. That privilege is available to other members and members of the society in general but not available to certain Members of Parliament so there is some element of discrimination in there. They were also able to inform us that in certain instances with similar circumstances, employers pay the equivalent of the 10 percent FNPF contributions in cash to members to ensure that all employees are receiving the same level of benefits.

So given the fact that we have the opinion of the Solicitor-General and given the fact that we have observations by an independent third party that has shown that they are practised in Fiji, that allows us to make these changes and the interest also of trying to treat each Member of Parliament as fairly and equally as possible. Just as we like to treat all the citizens of this country fairly, we are making this proposal for the House to consider as per the motion that I just read out earlier. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is before the House for debate and I invite input, if any?

HON. A. SAYED-KHAIYUM.- Just to clarify that the Members will actually have to pay tax on that.

(Laughter)

HON. SPEAKER.- Thank you. Honourable Usamate, would you like to make concluding remarks?

HON. J. USAMATE.- Madam Speaker, I think there is unanimous agreement in the House and it is getting late so I will not say anything more. Thank you, Madam Speaker.

HON. SPEAKER.- Parliament will now vote.

Question put.

The question is:

1. That Parliament adopts the following amendment to Part B of the Schedule to the Parliamentary Remunerations Act 2014 –

“4 Superannuation - FNPF Contribution:

Members who can no longer be readmitted to the FNPF Scheme shall be entitled to the 10% employer contribution as top up to their current salary;”

2. That the Amendments to Part B of the Schedule to the Parliamentary Remunerations Act 2014 to be adopted as an amendment to the Determination pursuant to section 3 of the Parliamentary Remunerations Act 2014; and

3. That this amendment to the Determination to take effect from 6th October, 2014 and expire on 31st December, 2018.

Does any Member oppose the motion?

(Chorus of 'Ayes' and 'Noes')

HON. SPEAKER.- There being opposition, the Parliament will have to vote. Open the vote.

(Chorus of interjections)

HON. SPEAKER.- There were oppositions. Open the vote.

(Chorus of interjections)

HON. SPEAKER.- I said, does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- No opposition?

(Laughter)

HON. SPEAKER.- This is new. There is no opposition from this side.

(Laughter)

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

Motion agreed to.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. SPEAKER.- I now call on the Honourable Attorney-General to table his Reports.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker.

Madam Speaker, in accordance with Standing Order 38, I present the following Reports to Parliament:

1. Report of the Auditor-General of the Republic of Fiji Audit Reports on:
 - i. Management of Duty Concessions Scheme; and
 - ii. Management of Prisoners, Employees and Assets Management System;
2. Report of the Auditor-General of the Republic of Fiji Audit Reports on:
 - i. Procurement of Biomedical Equipment, Ministry of Health and Medical Services; and
 - ii. Audit of Rural Postal Services Quarterly Returns; and
3. University of the South Pacific 2017 Annual Report

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

(Reports handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 32(2), I refer the following Reports to the Standing Committee on Public Accounts:

1. Report of the Auditor-General of the Republic of Fiji Audit Reports on:
 - i. Management of Duty Concessions Scheme; and
 - ii. Management of Prisoners, Employees and Assets Management System;
2. Report of the Auditor-General of the Republic of Fiji Audit Reports on:
 - i. Procurement of Biomedical Equipment, Ministry of Health and Medical Services; and
 - ii. Audit of Rural Postal Services Quarterly Returns; and

Under Standing Order 38(2), I refer the University of the South Pacific 2017 Annual Report to the Standing Committee on Social Affairs.

I now call upon the Honourable Minister for Women, Children, Poverty Alleviation to table her Reports.

HON. M.R. VUNIWAQA.- Madam Speaker, before I table my Reports, I would like to take this opportunity to thank the Director of the Poverty Monitoring Unit of the Ministry, who is sitting with her team in the public gallery today, for compiling these Annual Reports in the short time that was given to her.

Madam Speaker, in accordance with Standing Order 38, I present the following Reports to Parliament:

- (1) Ministry of Women, Children and Poverty Alleviation Annual Report for the Year ended 31st December, 2014;
- (2) Ministry of Women, Children and Poverty Alleviation Annual Report for the Year ended 31st December, 2015;
- (3) Ministry of Women, Children and Poverty Alleviation Annual Report for the period 1st January, 2016 to 31st July, 2016; and
- (4) Ministry of Women, Children and Poverty Alleviation Annual Report for the period 1st August, 2016 to 31st July, 2017.

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

(Reports handed to the Secretary-General)

HON. SPEAKER.- Under Standing Order 38(2), I refer the following Reports to the Standing Committee on Social Affairs:

1. Ministry of Women, Children and Poverty Alleviation Annual Report for the Year ended 31st December, 2014;

2. Ministry of Women, Children and Poverty Alleviation Annual Report for the Year ended 31st December, 2015;
3. Ministry of Women, Children and Poverty Alleviation Annual Report for the period 1st January, 2016 to 31st July, 2016; and
4. Ministry of Women, Children and Poverty Alleviation Annual Report for the period 1st August, 2016 to 31st July, 2017.

I call upon the Honourable Minister for Youth and Sports to table his Report.

HON. LT. COL. L.B. TUITUBOU.- Madam Speaker, in accordance with Standing Orders 38(1), I present to Parliament the Fiji National Sports Commission (January-July) 2016 Annual 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 National Sports Commission (January to July) 2016 Annual Report to the Standing Committee on Social Affairs.

PRESENTATION OF REPORTS OF COMMITTEES

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Economic Affairs to present the Committee's Report.

Standing Committee on Economic Affairs - Fiji Broadcasting Corporation's Annual Reports for the Years 2010 to 2015

HON. L. EDEN.- Madam Speaker, the Standing Committee on Economic Affairs was tasked to scrutinise the Annual Reports of the Fiji Broadcasting Corporation (FBC) for the years 2010 to 2015. During the deliberation of these Reports, the Committee held a meeting with the FBC Management and conference-calls with relevant ministries. This enabled us to gain a better understanding and an appreciation of FBC's overall operations.

As at the Year ended 31st December 2015, FBC's total Asset value was \$21.137 million and their total Liability stood at \$18.769 million.

Despite facing enormous challenges during those years, for example, graduating to television in 2012 which increased their annual expenses from approximately \$4.5 million to \$13.5 million, the Committee was pleased to note that the Corporation has evolved to become the viable Government Commercial Company it is today.

Some of the challenges highlighted by FBC were the competitive environment they operate in, and the ever-growing cost of operational expenses associated with radio and television production. The Committee sympathised with FBC and felt that the support and current fee structure offered by Government could possibly warrant a revision to reflect the value of what FBC actually delivers.

Having said that, however, it was noted with interest that a positive move in favour of FBC was a Cabinet Decision, effective 8th March, 2016, which re-classified the term 'grant' to 'fee' for services rendered and as such has enabled FBC to categorise these fees as revenue in their Profit and Loss Statement.

Another challenge for FBC is the continued and costly operation of their AM Radio stations. Other commercial companies have moved away from AM to FM, which is more economically viable, however, to reach our citizens in remote areas, AM is a necessity.

Each year, an average amount of \$800,000 is spent on maintenance and the upkeep of these stations which FBC will continue to air as part of its social obligation included in the fee structures mentioned above.

Looking forward, the Committee was pleased to note that FBC is transitioning from analogue to digitalisation, with a planned switch-over date of 2020. They currently operate 6 radio stations and 3 television channels. Two of those radio stations and the television stations receive funding via the Public Service Broadcasting fees from Government.

According to FBC 2016 and 2017 Financials, they show a much brighter future for FBC, including recorded profits after many years.

We commend the FBC for their dedication and persistence, and a job very well done. We also compliment them on their consideration of the principle of gender equality. At the end of 2015, they had a total of 169 employees, out of which, 40 percent were female.

I thank our Committee Members who were part of the team that produced this Report: the Honourable Vijay Nath, Honourable Alvick Maharaj, Honourable Viliame Gavoka and Honourable Prem Singh.

I also take this opportunity to acknowledge and thank the Parliamentary staff who have given us invaluable support over the years: Ms. Komal Khushboo, Ms. Lia Korodrau, Mr. Krishnesh Prakash and Ms. Tiri Logavatu.

On behalf of the Standing Committee on Economic Affairs, I commend this Consolidated Report on FBC's 2010 to 2015 Annual Reports to Parliament.

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

(Report handed to the Secretary-General)

HON. L. EDEN.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. V. NATH.- Madam Speaker, I beg to second the motion.

Question put.

HON. SPEAKER.- Parliament will now vote.

The Question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the Report is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Social Affairs to present the Committee's Report.

Standing Committee on Social Affairs -
Review Report on the Consumer Council of Fiji 2016 Annual Report

HON. V. PILLAY.- Madam Speaker, I am pleased to present the Committee Review Report on the Consumer Council of Fiji 2016 Annual Report.

It was pleasing to note that despite the devastation of *TC Winston* in 2016 which left trails of destruction, the effects of which are being felt by the consumers, nevertheless, robust consumption and investment activities by the Council continued during this period.

In 2016, the Council remained focussed on resolving consumer complaints and providing sound advice to Fijians who sought redress for unfair treatment in the marketplace. The Council registered a total of 1,365 cases during the seven months of 2016, worth of \$2,963,326, out of which 1,011 cases with the value of \$1,551,221 was recovered from traders and service providers.

The Council has played a very positive and assertive role in achieving the marketplace where consumers were well-informed, confident and protected from unlawful deception, misleading or otherwise, objectionable practices. The year marked enormous achievements by the Council bringing smiles to the faces of Fijians through the passing of the Fair Reporting of Credit Act of 2016 to regulate Data Bureau Limited, followed by the launching of Fiji's first ever National Consumer Help Line, a toll free telephone service that provides direct access to consumers, irrespective of where they live in Fiji.

Madam Speaker, I thank the Deputy Speaker, Honourable Ruveni Nadalo, Honourable Veena Bhatnagar, Honourable Salote Radrodro, Honourable Anare Tui Vadei and Honourable Ratu Tevita Niumataiwalu (as an Alternate Member) for their contribution towards the scrutiny and formalisation of this bipartisan Report.

On behalf of the Standing Committee on Social Affairs, I commend this Report to Parliament, Madam Speaker.

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

(Report handed to the Secretary-General).

HON. V. PILLAY.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. V.K. BHATNAGAR.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Parliament will now vote.

Question put.

The question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

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

Motion agreed to.

HON. SPEAKER.- I now call upon the Chairperson on Standing Committee on Social Affairs to present the Committee's Report.

Standing Committee on Social Affairs -
Review Report on the Fiji Ports Corporation Limited 2016 Annual Report

HON. V. PILLAY.- Madam Speaker, I am pleased to present the Committee Review Report on the Fiji Ports Corporation Limited 2016 Annual Report. The Committee believes that the global maritime transport industry has been growing by around 3 percent annually for the past three decades, with over 80 percent of the world trade now conducted by sea.

Maritime transport is, without question, seen as the most important means of transporting goods and remain the cheapest way of transporting large amounts of goods compared to other methods.

The Committee noted that the Year 2016 was noteworthy as it represented the Company's first full year of operation under its new privatised structure on the Company's robust financial results mirrored the success of the divestment of a percentage of shares in the Company to the private sector. It was also pleasing to note that under the partnership, 80 percent of the total number of shares remained in Fiji's hands.

The year in-review signifies FPCL's commitment to fulfilling its obligation as a professionally-managed commercial maritime Company, demonstrating across-the-board improvement in its delivery of services. An area worth taking note of is the achievement of the operating gross profit for the year which significantly increased at \$26,254,954, in comparison to the 2015 profit after-tax figure of \$13,577,091.

Increasing the globalisation of trade and complexity of Port operations require the Company to stay up to date with the Port operating systems as it grows. The size of shift has also doubled over time and continues to add challenges to managing Port operations while addressing the demands for even larger logistic efforts. The way forward hinges on continuous investment in infrastructure and the protection of its human resources to ensure FPCL is positioned amongst the best in the region.

Once again, I thank the Deputy Chairperson, Honourable Veena Bhatnagar; Members: Honourable Salote Radrodro, Honourable Ruveni Nadalo, Honourable Anare Tui Vadei and Honourable Ratu Tevita Niumataiwalu (as an Alternate Member), for the contribution towards the scrutiny and formalisation of this bipartisan Report.

With those words, on behalf of the Standing Committee on Social Affairs, I commend this Report to Parliament.

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

(Report handed to the Secretary-General)

HON. V. PILLAY.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. V.K. BHATNAGAR.- Madam Speaker, I second the motion.

HON. SPEAKER.- Parliament will now vote.

Question put.

The question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

I now call on the Chairperson of the Standing Committee on Social Affairs to present the Committee's Report.

Standing Committee on Social Affairs -
Review Report - Ministry of Health and Medical Services (January-July) 2016 Annual Report

HON. V. PILLAY.- Thank you, Madam Speaker. I am pleased to present the Committee's Review Report on the Ministry of Health and Medical Services' (January to July) 2016 Annual Report.

The Committee noted that the first six months of 2016 had been quite challenging for the Ministry of Health and Medical Services. The Ministry's facilities suffered losses estimated at around \$13.9 million, but it was pleasing to note that despite the devastation of *TC Winston*, the Ministry, through collaborative and ongoing efforts, managed to accomplish some key achievements including the commissioning of the dialysis machine for acute dialysis at the Intensive Care Unit (ICU) in the Colonial War Memorial (CWM) Hospital; launch of the rheumatic heart disease mobile clinic; development of the Clinic Information System (CIS) or Health Information System (HIS); Strategic Plan 2016 to 2020; and the introduction of the two-dose *Human Papillomavirus* (HPV) Vaccination Programme in schools.

The Committee also acknowledges the contribution and support provided by its development partners and international organisations, and commend the overall performance and achievements of the Ministry with a few recommendations to be considered.

Once again, Madam Speaker, I thank the Committee Members:

1. Honourable Veena Bhatnagar (Deputy Chairperson);
2. Honourable Salote Radrodro;
3. Honourable Ruveni Nadalo;
4. Honourable Anare Tui Vadei; and
5. Honourable Ratu Tevita Niumataiwalu (as an Alternate Member).

Madam Speaker, I thank the Committee Members for their contribution towards the scrutiny and formulation of this bipartisan Report.

With those words, on behalf of the Standing Committee on Social Affairs, I commend this Report to Parliament.

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

(Report handed to the Secretary-General)

HON. V. PILLAY.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

A Motion without Notice that a debate on the contents of the report is initiated at a future sitting.

HON. V.K. BHATNAGAR.- Madam Speaker, I second the motion.

Question put.

HON. SPEAKER.- The Question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call upon the Chairperson of Standing Committee on Social Affairs to present the Committee's Report.

Standing Committee on Social Affairs -
Review Report on the Unit Trust of Fiji (UTOF) 2016 Annual Report

HON. V. PILLAY.- Thank you, Madam Speaker. Madam Speaker, I am pleased to present the Committee Review Report on the Unit Trust of Fiji 2016 Annual Report.

The Committee noted with interest that 2016 was another successful year whereby the Unit Trust of Fiji recorded a better growth and return compared to previous years. With the continuous rebalancing of asset classes, Unit Trust of Fiji (UTOF) distributed a record dividend to unit holders of 6.10 percent per unit under income and growth funds. This result is a dividend yield of 4.02 percent

and a positive capital growth of 7.01 percent. The total return to unit holders fund under this fund was 11.03 percent.

The Committee was pleased to note that the implementation of the Employee Investment Scheme (EIS) has gained prominence since its launch in 2015 and has continued to provide investment opportunities to the Fijian workplace for their financial wellbeing. The Unit Trust of Fiji's success is prominently driven by the investor confidence and competent tax free return which has led to an increase in total number of unit holders from 16,011 to 17,309; an increase of 7.4 percent.

As a managed fund, Unit Trust of Fiji operates in a very competitive environment in terms of managing risks and return for its investors and as a financial institution in the capital market. One of the key challenges includes market competition in its product line with banks and other financial institutions.

The Committee is confident that UTOF will continue to strive for better performance and deliver unit holders' expectations in terms of the return on investment and enhancement of its services and commends the overall performance and the immense achievements of UTOF in 2016.

Once again, Madam Speaker, I thank the Committee Members:

1. Honourable Veena Bhatnagar (Deputy Chairperson);
2. Honourable Salote Radrodoro;
3. Honourable Ruveni Nadalo;
4. Honourable Anare Tui Vadei; and
5. Honourable Ratu Tevita Niumataivalu (as an Alternate Member).

I thank the Members, Madam Speaker, for their contribution towards the scrutiny and formulation of this bipartisan Report. I would also like to thank the Secretariat team: Mr. Save, Ms. Leba and others, who have been assisting us all-around.

With these words, on behalf of the Standing Committee of Social Affairs, I commend this Report to Parliament, Madam Speaker.

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

(Report handed to the Secretary-General)

HON. V. PILLAY.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. V.K. BHATNAGAR.- Madam Speaker, I beg to second the motion.

Question put.

HON. SPEAKER.- The Question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- Since no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Foreign Affairs and Defence to present their Report.

Standing Committee on Foreign Affairs and Defence -
Review Report on the Fiji Police Force (January to July) 2016 Annual Report

HON. LT. COL. N. RIKA.- Madam Speaker, I am pleased to present the Review Report of the Standing Committee on Foreign Affairs and Defence on the Fiji Police Force (January to July) 2016 Annual Report.

Madam Speaker, the Standing Committee is established under Section 109(2)(e) of the Standing Orders of the Parliament of the Republic of Fiji. The purpose of the review was to scrutinise the Fiji Police Force (January to July) 2016 Annual Report, specifically on the Department's Operations and Administration.

Madam Speaker, the Fiji Police Force is undergoing reform and restructure whilst continuing its core role of maintaining law and order, defending national security interest, and maintaining Fiji's contribution to global peace.

Also in 2016, the strength of Fiji as a nation was tested with the worst Category 5 *Tropical Cyclone Winston* to hit the Fiji Group. The resilience of the nation and its people, with helping friends from the region and the globe, shown through with the resilience in post-cyclone relief recovery and return to normalcy.

The Fiji Police Force has made significant improvements in terms of meeting its key performance indicators in trying to reduce complaints and disciplinary offences against officers by 50 percent, with the reduction by 2 percent, the crime rate decreased by 6 percent, close to the target to reduce overall crime rate by 10 percent.

Similarly, the serious crimes decreased by 5 percent, close to the target to reduce serious crimes by 10 percent.

Crimes against children and women both decreased by 2 percent over the 10 percent reduction target for both.

Also road fatalities decreased by 23 percent, close to 30 percent reduction target. Our rate of detection was 61 percent, closer to the 70 percent target.

Madam Speaker, in its effort to reduce the overall crime rate, the Fiji Police Force has invested in modern information, communication, technology, such as CCTV and drones. It has also focussed on better resourcing of each scientific legal cyber policing and forensic functions. In addition, the Fiji Police Force continues to support its Duavata Community Policing Initiatives and police through sports.

Human resource records are being consolidated into internally designed database and the Police White Paper consultation is currently in progress.

Madam Speaker, the Committee commends the good work of the organisation and achievements reported in the 2016 Annual Report. While applauding the achievements of the Police Department, the Committee have identified some opportunities for improvement. These are outlined in the Report.

Madam Speaker, I take this opportunity to thank the Commissioner of Police, including all his staff and their families for their commitment and dedication to national service.

Madam Speaker, I also take this opportunity to convey my appreciation to all the Members of the Standing Committee on Foreign Affairs and Defence for their support in putting together the Agreement and the Protocol we have just tabled. The Members include:

1. Honourable Howard Politini (Deputy Chairperson);
2. Honourable Jilila Kumar;
3. Honourable Ratu Suliano Matanitobua; and the
4. Honourable Ratu Kiniviliame Kiliraki.

Madam Speaker, thank you for this opportunity.

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

(Report handed to the Secretary-General)

HON. LT. COL. RIKA.- Madam Speaker, pursuant to Standing Order 121(5), I hereby move:

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

HON. H.R.T. POLITINI.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Parliament will now vote:

Question put.

The Question is:

That a debate on the contents of the Report is initiated at a future sitting.

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.- I now call on the Chairperson of the Standing Committee on Natural Resources to present the Committee's Report.

Standing Committee on Natural Resources -
Review Report on the Ministry of Agriculture's 2013 Annual Report

HON. CDR. J.R. CAWAKI.- Madam Speaker, I stand to present the Review Report of the Standing Committee on Natural Resources for the Ministry of Agriculture's 2013 Annual Report.

Madam Speaker, the purpose of the review was to scrutinise the Ministry of Agriculture's 2013 Annual Report to compare and to analyse the performance of the Ministry in terms of its administration, legislation, organisation structure, financial management, functions and programmes for 2013.

The Committee, in its review process, has identified areas of concern that the Ministry will need to clarify and validate to assist the Ministry's management, extension and service delivery to all agriculture stakeholders.

The review exercise was made possible through consultation and verification meetings with the Deputy Secretary, Mr. Vatimi Rayalu, and senior staff from the Ministry of Agriculture.

The Standing Committee on Natural Resources recommend that the House takes note of the Committee's Report, especially, the way forward.

Madam Speaker, I extend my appreciation to the Honourable Members and the secretariat who were involved in the production of this bipartisan Report. My Committee colleagues are:

1. Honourable Alivereti Nabulivou;
2. Honourable Niko Nawaikula;
3. Honourable Samuela Vunivalu;
4. Honourable Jiosefa Dulakiverata; and
5. Honourable Salote Radrodro (Alternate Member for Honourable Niko Nawaikula).

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

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

(Report handed to the Secretary-General)

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

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

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

Question put.

The Question is:

That a debate on the contents of the Report is initiated at a future sitting.

Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to unanimously.

Motion agreed to.

HON. SPEAKER.- I now call on the Chairperson of the Standing Committee on Natural Resources to present the Committee's Report.

Standing Committee on Natural Resources –
Review Reports on the Ministry of Employment, Productivity and
Industrial Relations 2014, 2015 and 2016 Consolidated Annual Report

HON. CDR. J.R. CAWAKI.- Madam Speaker, I rise to present the Review Report of the Standing Committee on Natural Resources for the 2014, 2015 and 2016 Consolidated Annual Reports for the Ministry of Employment, Productivity and Industrial Relations.

Madam Speaker, the purpose of the review was to scrutinise the Ministry of Employment, Productivity and Industrial Relations for 2014, 2015 and 2016 Annual Reports, and to compare and analyse the performance of the Ministry, in terms of its administration, legislation, organisation structure, financial management, functions and programmes.

The Committee, in its review process, has identified areas of concern that the Ministry will need to clarify and validate to assist the Ministry's management, extension and service delivery to all stakeholders. The review exercise was made possible through consultations and verification meetings with the Permanent Secretary and senior staff of the Ministry.

The Committee recommends that the House takes note of its Report and the way forward.

Madam Speaker, for the last time, I extend my appreciation to the Honourable Members and the Secretariat, who were involved in the production of this bipartisan Report. My Committee colleagues are the:

1. Honourable Alifereti Nabulivou;
2. Honourable Niko Nawaikula;
3. Honourable Samuela Vunivalu;
4. Honourable Jiosefa Dulakiverata; and the
5. Honourable Salote Radrodoro, standing in for Honourable Niko Nawaikula.

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

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

(Report handed to the Secretary-General)

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

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

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

HON. SPEAKER.- Parliament will now vote.

The Question is:

That a debate on the contents of the Report is initiated at a future sitting date.

Does any Member oppose?

(Chorus of 'Noes')

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

Motion agreed to.

HON. SPEAKER.- I would like to thank all the Chairpersons of the Committees and all the Honourable Members of Committees for their hard work, so many Reports have been tabled today, thank you very much.

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

ADJOURNMENT

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker, before I move the motion for Adjournment, I just wish to acknowledge your goodself, on behalf of Government, Madam Speaker, for your leadership and wisdom. We know that it comes with a lot of challenges but we thank you indeed and acknowledge you as the first female Speaker of the House of Representatives and your achievements over the last few years, and once again we just wish to acknowledge you in your role as Speaker of the House.

(Applause)

HON. SPEAKER.- Thank you.

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

That Parliament adjourns *sine die*.

HON. A. SUDHAKAR.- Madam Speaker, before I second the motion, I wish a Merry Christmas to everyone and Happy Elections.

Madam Speaker, I second the motion.

HON. SPEAKER.- The Question is:

That Parliament adjourns *sine die*.

Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, Parliament is now adjourned *sine die*.

Motion agreed to.

Honourable Members, I thank you all for your contributions to this Week's Sitting and once again, I congratulate you for the passing of the 2018-2019 National Budget.

Honourable Members, as we draw near to the end of another Parliamentary term, I wish to pay tribute to all those who have contributed in one way or the other to the efficient functioning of this House.

From me personally, I would like to thank you very much for the words of appreciation that I have received. Thank you so much, it was a pleasure serving you.

(Applause)

HON. SPEAKER.- May God bless us all and may God bless Fiji.

Before we leave, we would like to take a photograph of everyone.

Honourable Members, I now adjourn Parliament *sine die*.

The Parliament adjourned *sine die* at 6.43 p.m.