

PARLIAMENT OF THE REPUBLIC OF FIJI



PARLIAMENTARY DEBATES

DAILY HANSARD

WEDNESDAY, 3RD APRIL, 2019

[CORRECTED COPY]

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WEDNESDAY, 3RD APRIL, 2019

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

HONOURABLE SPEAKER took the Chair and read the Prayer.

PRESENT

All Honourable Members were present, except the Honourable Professor B.C. Prasad.

MINUTES

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

That the Minutes of the sitting of Parliament held on Tuesday, 2nd April, 2019, as previously circulated, be taken as read and be confirmed.

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, I second the motion.

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Welcome

HON. SPEAKER.- I welcome all Honourable Members to today's sitting.

I also warmly welcome members of the public joining us in the gallery and those watching proceedings on television, the internet and listening to the radio.

PL100 Students - University of the South Pacific (USP) &
Visitors from Juvenile Centre

Honourable Members, we have another group of PL 100 University of the South Pacific students, and also visitors from the Juvenile Centre. I wish to welcome all of them here today.

Fiji Parliamentary Reporters Handbook

I wish to inform all the Honourable Members that during the refreshment adjournment today, we will have the launch of the Fiji Parliamentary Reporters Handbook, and I invite all Honourable Members to join me then.

Birthday Wish

Honourable Members, at this juncture, I wish the Honourable and youthful Mitieli Bulanauca, a very happy birthday and many happy returns of the day.

(Applause)

But to our visitors today, you are most welcome and I hope you have a very educational and rewarding day.

PRESENTATION OF PETITIONS

HON. SPEAKER.- Honourable Members, before we proceed, I wish to inform Honourable Members that I have received two petitions for presentation today: from the Honourable Mitieli Bulanauca; and from the Honourable Anare Jale.

I wish to advise that I am allowing Honourable Anare Jale's petition to be presented today, but that I have ruled Honourable Mitieli Bulanauca's petition, out of order.

For the information of the Honourable Members, the Petition from the Honourable Mitieli Bulanauca is seeking Parliament to ensure a fair return and effective participation of resource owners in the development and utilisation of the forest resources. In particular, the Petition seeks to revert the ownership of pine and mahogany plantations to the landowners. I will now give my ruling on the Petition.

SPEAKER'S RULING

Petition

Honourable Members, the Petition is clearly an attempt to get Parliament to take action that is not within the power of Parliament to take. As such, this Petition cannot be allowed under Standing Order 37, clause (2)(b).

Honourable Members, it must be emphasised that there are existing written laws that cater for forests, as well as pine and mahogany forests and industries. These include:

- a) The Fiji Pine Act of 1980;
- b) Mahogany Industry Development Act of 2010; and
- c) Forests Act of 1992.

These laws make specific provisions for pine and mahogany plantations, as well as for native timber species.

Furthermore, under the iTaukei Lands Trust Act of 1940 and the State Lands Act of 1945, numerous iTaukei and State lands are leased for various purposes, including forestry for pine and mahogany. These leases are legal instruments which are issued under written law.

Honourable Members, I wish to remind Honourable Members that the Bill of Rights enshrined in our Fijian Constitution prescribes protection of ownership and interest in the land. It also provides for protection from arbitrary eviction. As a Legislative Arm of the State, Parliament has a constitutional duty to ensure that these fundamental rights are upheld, respected, and not undermined in any way.

Honourable Members, given the above, it is only improper for Parliament to make any determination with respect to ownership of these leases as legal instruments. Parliament does not have the authority to revert the ownership of lands which are held under a leasehold by any person or entity, including Government companies. Any action with respect to an existing lease must be taken in accordance with the leases. Any matter of enforcement or negotiation of such leases must be addressed in accordance with the established law by the lessor and the lessee who are legal parties to these leases.

Honourable Members, I wish to highlight that leases issued under written law for iTaukei lands for forestry provide for returns to the landowners for the use of their land, including lease premium, lease rental, stumpage, as well as forest levies. Indeed, it is public knowledge that landowners who have leased their lands for pine plantation to Fiji Pine Limited have received an additional lease security bonus payment, amounting to almost \$12 million since 2013.

Honourable Members, it is therefore clear that any issue with respect to fair returns to landowners, as well as any issue with respect to ownership of land leases, are provided under the terms of the leases issued under the law and as such, it must be dealt with in accordance with those leases.

Honourable Members, given that there are adequate legal mechanisms for the leasing of iTaukei lands, any negotiation or renegotiation of any lease is the prerogative of the Executive, with respect to leases taken by the State or any State entity under existing written laws. Such matters are to be addressed by the Executive, and not Parliament. Any legal issue arising must be addressed in a court of law, and not in Parliament.

Honourable Members, as I had alluded to in my rulings on 14th February, 2019, with respect to petitions, I wish to reiterate that this Parliament must always uphold and respect the constitutional separation of powers between the Three Arms of the State - those being:

- The Judiciary;
- The Legislature; and
- The Executive.

Parliament must not usurp the authority of the Executive and the procedures and the authority that are provided under written law.

Honourable Members, the use of Petitions for such a purpose is fundamentally and legally incorrect, and is a clear abuse of Parliamentary process. The constitutional separation of powers between the respective arms of the State must always be upheld, and never jeopardised.

Legally binding leases and other instruments issued under a written law must be dealt with in accordance with those leases and instruments, and not by Parliament.

Honourable Members, I therefore rule:

That the Petition submitted by the Honourable Mitieli Bulanauca is out of order, and will not be tabled in Parliament.

Thank you, Honourable Members. We will now proceed to the Petition by the Honourable Anare Jale.

Honourable Members, before I give the floor to the Honourable Anare Jale, I wish to advise all Honourable Members that Honourable Jale will move a motion that the Petition be referred to the relevant Standing Committee.

After the motion is seconded, Honourable Jale will be permitted to make a statement of up to 20 minutes. As it is a motion moved by the Opposition, the Leader of the Government in Parliament or his designate may respond for five minutes, after which I will put the question.

Forty (40) percent of the total Members of Parliament must approve which means there must be 21 Members to vote in favour of the motion in order for it to be agreed to. I hope I have made myself

clear on those points. I now have the honour of calling on the Honourable Anare Jale to move his motion. You have the floor, Sir.

Petition by the People of Lau for the Provision of Reliable, Safe and Affordable Shipping Service for the Lau Group

HON. A. JALE.- Mr. Speaker, Sir, pursuant to Standing Order 37(5), I move:

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

HON. P.W. VOSANIBOLA.- Honourable Speaker, I do second the motion.

HON. SPEAKER.- Honourable Members, I now call upon Honourable Jale to make his statement. You have the floor, Sir.

HON. A. JALE.- Mr. Speaker, Sir, I rise to speak on the Petition by the people of Lau for the provision of reliable, safe and affordable shipping service for the Lau Group. In comparison to the shipping services to other groups in Fiji, the service to Lau is far inferior in relation to reliability, safety and affordability.

This Petition, Mr. Speaker, Sir, is the culmination of years of frustration and grave concern, and the people of Lau look to this august House to trigger the initiative to find an acceptable solution and answer to their plight.

Mr. Speaker, Sir, I was born and raised in Lau and only came to Viti Levu when I was 14 years old. I maintain a close link to my people and visit my island when time permits. I know, Sir, that there may be some people in this House who know Lau more than me, or may claim to do so.

Sir, travelling in a boat is unlike riding in a public or private transport on a road on the mainland. Riding in a bus from Suva to Lautoka takes four to five hours. A direct trip to one of the islands in the Lau Group takes 15 to 24 hours. When the sea is calm, passengers and members of the crew are relaxed and happy, however, when the seas are rough and unfriendly, it is scary and it is like travelling to hell. Passengers often succumb to sea-sickness and the most vulnerable are the women, children and those with disability.

Mr. Speaker, Sir, for the past financial years, the Government allocated around \$500 million a year on roading but allocated a negligible amount towards shipping and the franchise scheme and it is operating for shipping services to the maritime groups, including the uneconomic groups.

Mr. Speaker, Sir, I note that there are two-pronged approaches in the FijiFirst 20 Years Development Plan (for the period 2017 to 2036). One of the prongs is “Transformational Strategic Thrust”, no one will be left behind regardless of geographical location, gender, et cetera.”

Sir, I hope that the Government will hold true to its words.

The Franchise Scheme is Not Working: Mr. Speaker, Sir, as you aware, the shipping services to the Lau Group are by a system of “franchise”, operated by the Government. Under this arrangement, the *MV Brianna* services the Central Lau Group; and the *MV Liahona*, the Southern Lau Group.

These two boats are old fishing boats and already retired from that role. Sir, these two boats do not provide adequate cabins for passengers to lie on and rest, but provide instead seats like bus seats in

which you are expected to sit for the whole duration of the sea trip. What an inhumane way to treat the passengers. When the sea is rough and the boat rocks from side to side, passengers need to lie down to avoid their bodies being thrown around in the boat. Mr. Speaker, the only available spaces on these two boats are on the floor, pathway to the public convenience and other parts of the boat, it is worse still when passengers succumb to sea-sickness and are too weak to move to clear the paths for other passengers.

Mr. Speaker, I witnessed firsthand the services and conditions in one of these boats during the Christmas Holidays in 2018. I travelled in the *MV Brianna* from Suva to Tubou, Lakeba. I was with a group travelling to Waciwaci to spend Christmas. I was not travelling to Levuka (where my wife hails from), but to my mother's village, Waciwaci. I sat in one of those bus-seat-like seats for about 18 hours and during the 21 hours trip. The sea was moderate but some passengers succumb to sea sickness. There was an elderly couple lying on the floor as with other women and children. The man was blind, he could not see. Sir, when the man wants to relieve himself, he had to crawl over the bodies of those lying on the floor. I assisted the man on two occasions to prop him up and took him to the side of the boat to relieve himself and to bring him back to his spot on the floor.

Mr. Speaker, Sir, the toilets on these boats are not user-friendly. They are not meant for a bulky Fijian. They were built to service the fishermen from other countries in the world, small and cramped.

Sir, there were no taps for drinking water and no provisions for hot water for a hot cuppa. The passengers have to provide their own food during the duration of the trips. This is unlike the past years, Sir, when meals were provided by the boat which was part of the passages paid. Maybe, this should be considered seriously by the Government when reviewing its "franchise scheme" to maritime provinces in Fiji.

Mr. Speaker, Sir, the *Liahona* in December 2018 had to divert to Matuku to shelter because it almost overturned in the seas of Lau. I was told by some of the passengers that the condition of the boat was the main contributor, not the weather.

Mr. Speaker, Sir, the Government can no longer put to risk the lives of Lauans by subjecting them to ride on these two floating coffins. Mr. Speaker, Sir, on Page 6 of its 20-Year Development Plan, the Government commits, I quote;

"We will also continue to modernise Fiji's air, maritime and land transport networks ..."

Sir, on Page 7 of the Plan, the Government further commits, I quote:

"The inter-island sea-transport is critical for Fijians living in maritime islands. Shipping Services will be improved to ensure reliability, safety, efficiency and affordability of the ferry services. Government will continue to subsidise uneconomical sea routes to ensure that shipping services are provided on a regular basis to these regions. This will support transportation, commerce and income-generating opportunities in the maritime region."

Sir, again on Page 75 of that Plan, Government stated, I quote;

"Given our geographical dispersion, improving inter-island sea transportation is essential for livelihood to trade and commerce."

Mr. Speaker, Sir, the *MV Brianna* and *MV Liahona* do not have adequate dry and refrigeration spaces to hold dry and refrigerated goods to be brought from the islands to be sold for income-generation. The Government's initiative in the constructing of solar refrigerators and ice plants in the islands is

commended in the Lau Group. That should be considered in deciding the appropriate boat to service the Lau Group.

Sir, seaweed farming had thrived in some of the islands in Lau. It was a good source of income for them but seaweed farming collapsed because the cost of shipping dried seaweed to Suva was uneconomical. The freight costs more than the market price of that product.

Sir, again, through Government's initiative, the people of Cicia have embarked on organic ginger farming. This initiative will only be successful with regular and reliable shipping service to the people of Lau since ginger has to be delivered to the market within three days from harvest.

Mr. Speaker, Sir, the Island of Lakeba requires a regular and cost-effective shipping service to ship their processed pine timber and logs to markets in Suva. The *MV Civa* used to help Lakeba in this, but Government had not included the boat in its franchise scheme for Lau. The Government should look into this matter urgently.

Mr. Speaker, Sir, the Honourable Attorney-General answered questions on urban drifts in the last session of Parliament. This is a big concern, more so for the people of Lau.

The Honourable Attorney-General was stating his views on the root causes of urban drifts and some of those were: lack of economic opportunities; communication; and others.

Mr. Speaker, Sir, there are shortages of young women in the islands of the Lau Group. Our young girls come to Suva and decide to stay in Viti Levu. Our young boys would look after our *yavutu*, leave home to come to Suva to look for a partner or partners and wives. Some of our boys take less time to find receptive partners, some would take longer, some found partners who are reluctant to relocate to Lau because of isolation, scared of sea travel and the lack of economic activity.

Sir, the Government has to find answers to these problems. It is a matter of survival for the Lau community and its race.

Mr. Speaker, Sir, on Page 75 of the Government's Development Plan, the Government commits to, I quote;

"Incentives for private sector investments in new ships and equipment will continue, together with subsidies for services to uneconomical routes under the franchise system."

Government will also continuously review the subsidy rates, passenger fares and freight charges in line with cost structures. More investments will be undertaken in the acquisition of new vessels to boost Government Shipping Services (GSS)'s fleet to support development projects and for passengers transportation to the maritime islands."

Mr. Speaker, Sir, the people of Lau welcome the move. Government should further subsidise the boat fare and food for passengers travelling to Lau.

Mr. Speaker on Page 76 of the Development Plan, Government has itemised some of its strategies, and I quote:

- "Amend the law to allow for older but refurbished ships that meet maritime safety standards to be imported.
- Upgrade and construct new infrastructure (jetties and berthing facilities) in the maritime islands, including construction of waiting sheds."

Mr. Speaker, Sir, yes, we welcome the move to construct new jetties and waiting sheds. However, we call on the Government to immediately conduct necessary request and maintenance to jetties in Cicia, Moala and Lakeba.

Mr. Speaker, Sir, please, no more old boats if they are meant for maritime provinces.

Mr. Speaker, Sir, the people of Lau deserve better treatment. We need boats that provide beds, hot meals, hot water, proper toilets and drinking water. We need ships that have adequate holding places for dry and refrigerated cargoes. Section 32 of the Constitution of the Republic of Fiji provides Fijians the right to economic participation and the right to choose means of livelihoods. The Sustainable Development Goal (SDG 9), Mr. Speaker, Sir, is to build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation.

Mr. Speaker, Sir, I pray for considerate leadership in addressing a timely and appropriate way the plight of the people of the Lau Group in relation to shipping service. It is vital to its economic and social development. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Anare Jale for his statement. Honourable Members, I now invite the Honourable Jone Usamate; you have the floor, Sir.

HON. J. USAMATE.- Thank you, Mr. Speaker, Sir. Government agrees entirely with the importance of being able to provide transportation services to all the people of Fiji, in particular the maritime islands and the far-flung islands of Lau and other outer islands. They have a very special place in the hearts and minds of the people that run Government and also in terms of trying to provide the services.

The Honourable Jale has outlined the plans that are already in place to try to address these issues in the Development Plans of Government, so those plans are in place and those are things that will be implemented. As time goes by there will be more and more money put in to the various things that have been highlighted.

But to go back a few years ago, Mr. Speaker, Sir, we used to have a very good Government shipping infrastructure. We had at one time, I believe, almost around 40 ships that used to provide the services to all the islands in Fiji. A lot of these ships were designed to have spaces where people could rest and lie down, they were not old fishing boats. But one of the sad things that has just happened in the history of those that used to run the Shipping Services at those times that those ships were not well maintained. These were the sorts of things that happened during the Governments of SVT and SDL. There were about 40 ships that were not maintained and over time they began to disappear.

HON. RATU N.T. LALABALAVU.- We bought new ships

By that time we came up to 2000, we had ships like *Tovuto*, *Natokalau*, *Daulako*, *Raiyawa*, *Golea*, *Tabusoro*, *Tug 7*, *Tug 10*, *Dautukituki*, *Adi Caginitoba* but a lot of these boats were not maintained. So, a lot of the boats have come out of service. It was only during the advent of the Bainimarama Government that we have started investing in new boats, ...

(Honourable Members interject)

HON. J. USAMATE.- ... Custom-made boats. Over the past few years, we have seen the *MV Iloilovatu* come in, *MV Vatulau*, *MV Rogovoka* and all these boats. Earlier this week, the Honourable Minister for Health was talking about *MV Veivueti*, a Custom-made boat that provides medical services

to people out in the islands of Lau. For the first time, these services are being provided to the islands of Lau.

(Applause)

I agree that the Shipping Franchise Scheme needs to be improved and that is something that we are working on. We know the kind of ships that are going to Lau currently, the *MV Brianna* and the *MV Liahona*, I have been on those boats. They are not the greatest boats to travel in, there are difficulties travelling in those boats, but we know also that these trips to the small islands are uneconomical, so it is always going to be very difficult to get companies to take those particular trips.

Looking at some of the statistics that come about in this, for the *MV Brianna*, for the passenger capacity, in its trips there is only about 45 percent of the spaces taken up by the passengers and only 55 percent for outward passengers for the past four years. So the volume of traffic too is also low. When that happens on small ships, there has to be then a lot of money that is being paid by Government to keep this private sector providers of transport going and the Government is willing to do that and that is what we have been doing for the past few years.

For the past few years also, a lot of the places that used to have shipping services, some used to only have shipping service once a month, now we have tried to increase that to at least twice a month. We also have developed the number of ships that we have under the Government Shipping Services. We have bought in a few over the past few years, they are custom-designed for Fiji. These Government Shipping Services try to provide the backup for the boats that are on the Franchise Scheme, when the Franchise Scheme vessels cannot run, our own boats run. Each vessel that goes on these trips has to be funded by Government.

I would like to say, we have talked about the investment that FRA is putting into the jetties, let us talk about the new jetty now in Wainiyabia in Lakeba, hopefully that will be able to berth larger boats. We might have an opportunity to have a sort of a hub-and-spoke-type system for all of those outer islands. There will be that focus, Government is very focused on providing the services to the people of Lau and the Shipping Franchise Scheme will continue to be improved. We hope to have incentive schemes so we can get better quality boats to provide these services but there will be a strong focus. The people of Lau will never be forgotten by this Government. We have invested in it and we will make sure that we will keep on improving the services that we provide to all the people of Lau; from Ono-i- Lau up to Vanuabalavu and all of us, so that they can provide the shipping services and allows them to come and go to the main islands of Viti Levu as and when they need. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister for his Statement. Honourable Members, Parliament will now vote.

Question put.

The Question is:

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

Does any Member oppose the motion?

(Chorus of 'Ayes' and 'Noes')

HON. SPEAKER.- Open the vote.

<u>Votes cast:</u>		
Ayes	-	23
Noes	-	27
Not Voted	-	1

HON. SPEAKER.- Honourable Members, the result of the vote are as follows: 23 Ayes; 27 Noes; and 1 Not Voted.

The motion is therefore defeated but we go on the percentage and therefore it satisfies the percentage and it will be referred to the appropriate Committee.

(Applause)

That Committee is the Committee for Natural Resources.

Honourable Anare Jale, please, hand the Petition to the Secretary-General.

(Petition handed to the Secretary-General)

(Applause)

As I had said earlier under Standing Order 37, the Petition will be referred to the Standing Committee on Natural Resources.

Honourable Members, we move on to the next Agenda Item, and I have been informed that there are No Papers for Presentation.

PRESENTATION OF REPORTS OF COMMITTEES

HON. SPEAKER.- Honourable Members I now call on the Chairperson of the Standing Committee on Economic Affairs, Honourable Vijay Nath, to present the Committee's Report. You have the floor, Sir.

Pacific Fishing Company Limited 2017 Annual Report – Standing Committee on Economic Affairs

HON. V. NATH.- Honourable Speaker, Sir, PAFCO was a project initiated in the form of a joint venture between the Fijian Government and Japan's Ministry of Trade and Commerce and had later incorporated into a private company in 1963. The Fijian Government had bought out almost full ownership from Japan and at present holds up to 99.6 percent of the shares with the remaining 0.4 percent held by private shareholders.

PAFCO plays an important part in the Fijian economy, not only for the manufacture of canned tuna but is the largest employer on the Island of Levuka. It is also considered as the main economic driver of the entire Lomaiviti Province. PAFCO has a total of more than 1,000 employees (both permanent and casual).

Further to this, they have indirect employment of approximately 100 people such as canteen operators, transport and other service providers. More than 70 percent of the workforce are women. The loin process is largely a manual operation and is heavily labour intensive.

Sourcing highly-skilled individuals remains a challenge for the company due to issues such as limited accommodation and lack of social activities.

The Committee notes the importance of the three stakeholders, they are: the Ministry of Fisheries, PAFCO and Bumblebee and commends the manner in which they are working hand in hand to ensure the smooth running of operations at PAFCO. It must be appreciated that PAFCO meets some of the most demanding regulatory standards, both locally and internationally.

The Committee understands that the capacity used for loining has ranged from 63 percent to 72 percent for the period 2012-2017. This continues to highlight that production at PAFCO is affected by the inconsistent and low supply of the required Tuna species.

The Committee also notes that management has made provisions for the regular upgrading and replacement of their aging equipment and applauds these initiatives. However, the Committee would like to express concern about PAFCO not being able to secure insurance covers for cyclone, which needs to be considered as they are exposed to high risks at present.

Finally, I would like to thank the Committee Members who were part of the Team that produced this Report: Honourable V.K. Bhatnagar (Deputy Chairperson), Honourable G. Vegnathan, Honourable Ro Filipe Tuisawau, Honourable Inosi Kuridrani and Honourable V.R. Gavoka.

I also take this opportunity to acknowledge and thank the Parliamentary staff who have given us invaluable support.

On behalf of the Standing Committee on Economic Affairs, I commend the PAFCO 2017 Annual Report to Parliament.

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

(Report handed to the Secretary-General)

HON. V. NATH.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move:

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

HON. V.K. BHATNAGAR.- Honourable Speaker, Sir, I beg to second the motion.

HON. SPEAKER.- Honourable Members, Parliament will now vote.

The Question is:

That a debate on the content of the Report is initiated at a future sitting.

Does any Member oppose?

(Chorus of 'Noes')

HON. SPEAKER.- As there is no opposition to the motion, the motion is agreed.

Motion agreed.

I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights, Honourable Alvick Maharaj, to present the Committee's Report. You have the floor, Sir.

Office of the President's Annual Reports 2011, 2012 and 2013

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

Honourable Speaker, according to the Constitution of the Republic of Fiji, the President of Fiji is the Head of State and is vested with the Executive Authority of the State. This, therefore, requires the best possible support to be provided, to ensure the fulfilment of the constitutional role entrusted to the President. Support service provided to the President comes in various forms, but none surpasses that which is provided by the Office of the President.

The Office of the President is mandated to provide support to the President of the Republic of Fiji in carrying out such functions as stipulated by the Constitution and to ensure that the responsibilities of the President are carried out in an effective and efficient manner and that various key outputs are achieved, which are inline with that of the Government.

The Office of the President is headed by the Official Secretary who is responsible for coordinating all forms of direct support for the President. As part of this role, an annual report of the financial year is prepared by the Official Secretary which follows the provisions of the Financial Management Act 2004 and tabled in this august House.

The Standing Committee on Justice, Law and Human Rights of the last term of Parliament was referred the Office of the President Annual Report 2011, Office of the President Annual Report 2012 and the Office of the President Annual Report 2013. The same reports had been reinstated in this new Parliament and had been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by the Parliament to review these reports and report back to the Parliament on its findings. The Committee's role in being mandated to review these mentioned reports gives a clear indication of the democratic progress that our beloved Fiji has come to enjoy. This progress should be equally credited to both sides of this august House as portrayed by the work of the Standing Committee.

The Committee took note of and deliberated on the previous Committee's concise work and deliberation done on the mentioned reports. This Report will reiterate the work done by the previous Committee in highlighting issues from the Office of the President's reports and the discussions held by the Committee with the Office of the President on these reports.

Consideration was also given to the requirements of the Standing Orders of Parliament pertaining to the impact on gender when deliberating on the Annual Reports, however appreciated the apparent hiatus in placing emphasis on such requirements when the Reports were drafted and tabled in Parliament.

The discussions held were beneficial as it gave the Committee an indication of the great work already being carried out by the Office of the President and the plans and efforts being put in place for the way forward for the Office in its commitment to providing the best possible support to the President of Fiji and in turn, also ensuring a prosperous nation.

At this juncture, I also would like to acknowledge the Members of the Standing Committee on Justice, Law and Human Rights of the last term of the Parliament for their effort and input, which our Committee also relied on during the review process and in formulating this report. My Committee utilised the salient information noted from the previous Committee to assist it in the direction for its review.

I would also like to thank the Honourable Members of the current Standing Committee on Justice, Law and Human Rights for their deliberations and input, the Alternate Members who made themselves available when the substantive Members could not attend, the Secretariat and the officials from the Office of the President who had assisted in the Committee work.

I, on behalf of the Standing Committee on Justice, Law and Human Rights, commend the Office of the President's Annual Report 2011; Office of the President's Annual Report 2012; and the Office of the President's Annual Report 2013, to Parliament and request all the Members of this august House to take its content into consideration. Thank you.

HON. SPEAKER.- I thank the Honourable Member. Please, hand the Report to the Secretary-General.

(Report handed to the Secretary-General)

HON. A.A. MAHARAJ.- Mr. Speaker, Sir, pursuant to Standing Order 121(5), I hereby move a motion, without notice that a debate on the content of the Report is initiated at a future sitting.

HON. RATU S. MATANITOBUA.- Honourable Speaker, I second the motion.

HON. SPEAKER.- The Parliament will now vote.

The Question is:

That a debate on the content 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.

Motion agreed to.

Independent Legal Services Commission (ILSC) Annual Report 2016 –
Standing Committee on Justice, Law and Human Rights

HON. SPEAKER.- Honourable Members, I now call on the Chairperson of the Standing Committee on Justice, Law and Human Rights, the Honourable Alvick Maharaj, to present the Committee's Report. You have the floor, Sir.

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

Honourable Speaker, the Independent Legal Services Commission is a constitutionally mandated office, tasked with carrying out the functions as prescribed in the Legal Practitioners Act 2009. These functions include:

- carrying out disciplinary proceedings against a legal practitioner, law firm or agent of a legal practitioner or a law firm; carrying out educative role by providing continuing legal education;
- publishing of the Commission's judgment and orders;
- formulating Rules of Procedure for the Commission such as issuing Practice Directions;

The Commission has had a lapse of five years in reporting on its functions and work done from 2009 to 2015. Therefore the current Commission has endeavoured to submit a consolidated report on these lapsed years.

The Standing Committee on Justice, Law and Human Rights of the last term of the Parliament was referred the Independent Legal Services Commission Annual Report 2016. The same report had been reinstated in this new Parliament and have been referred to the current Standing Committee on Justice, Law and Human Rights. Just as the previous Committee, the current Committee was mandated by the Parliament to review the Commission report and report back to the Parliament on its findings.

The Committee took note of and deliberated on the previous Committee's concise work and deliberation done on the mentioned report. This Report will reiterate the work done by the previous Committee in reviewing and highlighting the contents of the Independent Legal Services Commission Annual Report and make recommendations on the anomalies noted therein. It will also highlight the discussions held by the Committee with the Commission with regards to the issues noted from the Commission's report.

Consideration was also given to the requirements of the Standing Orders of the Parliament pertaining to the impact on gender when deliberating on the annual reports, however, appreciated the apparent hiatus in placing emphasis on such requirements when the Report was drafted and tabled in Parliament.

At this juncture, I would like to acknowledge the Members of the Standing Committee on Justice, Law and Human Rights in the last term of the Parliament, for their efforts and input which greatly assisted our Committee in the formulation and completion of this Report.

I would like to also thank the Honourable Members of the current Standing Committee on Justice, Law and Human Rights, the Secretariat staff and all their support staff for their valuable input and support. I would also like to acknowledge the Commissioner of the Independent Legal Services Commission and his team for their commitment in supporting the Committee in its work.

I, on behalf of the Standing Committee on Justice, Law and Human Rights, commend the Independent Legal Services Commission Annual Report 2016 and its content of the Committee's Report to this august House.

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

(Report handed to Secretary-General)

HON. A.A. MAHARAJ.- Honourable Speaker, Sir, pursuant to Standing Order 121(5), I hereby move a motion without notice that a debate on the content of the Report is initiated at a future sitting. Thank you.

HON. RATU S. MATANITOBUA.- Mr. Speaker, I second the motion.

HON. SPEAKER.- Honourable Members, the Parliament will now vote.

The Question is:

That a debate on the content of the Report is initiated at a future sitting. Does any Member oppose?

(Chorus of “Noes”)

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

Motion agreed to.

Honourable Members, we will now adjourn as I suspend proceedings and we will have refreshments in the Big Committee Room.

As I had indicated too earlier, there will be the launch of the Fiji Parliamentary Reporters Handbook, and I invite all Honourable Members to join me in the Big Committee Room.

The Parliament adjourned at 10.31 a.m.

The Parliament resumed at 11.07 a.m.

HON. SPEAKER.- Honourable Members, I have been informed that there are no Ministerial Statements today. Also, I have been informed that there are no Bills for Consideration.

Honourable Members, I wish to clarify that at the end of the debate on the Petition, we will be voting merely to note the Report and once the vote is taken, it ends there and the Report will not be debated again in Parliament.

I now call upon the Chairperson of the Standing Committee on Economic Affairs, the Honourable Vijay Nath, to move the motion.

**REPORT ON THE PETITION FOR iTAUKEI LAND TRUST BOARD (iTLTB)
TO REVIEW THE DISTRIBUTION OF LEASE AND LAND RENT**

HON. V. NATH.- Mr. Speaker, I move:

That Parliament debates the Report on the Petition for iTLTB to review the distribution of lease to personal account, and the land rent premised on Unimproved Capital Value (UCV) which was tabled on 22nd March, 2017.

HON. V.K. BHATNAGAR.- Mr. Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, I now invite the Chairperson of the Standing Committee on Economic Affairs to speak on the motion.

HON. V. NATH.- Thank you, Mr. Speaker, Sir. On behalf of the Honourable Members of the Standing Committee on Economic Affairs, I take this opportunity to speak on the motion in regards to the Report on the Petition for iTLTB to review the distribution of lease to personal account and the land rent premised on Unimproved Capital Value which was tabled on 22nd March, 2017.

On Thursday, 14th May, 2015, a Petition for Parliament to instruct iTLTB to stop and review the effect of lease distribution to personal account and introduce a new lease structure which reflects the open market rate and price, based on improvement, development and economic activity on the land area.

The Petition was referred to the Standing Committee on Economic Affairs for deliberation on the issue and report back at the latest sitting. The Petition was signed by approximately 446 members of the public from all over Fiji.

Following consultation at iTLTB and the Ministry of iTaukei Affairs, the Committee by majority voted was satisfied with the functions and the process performed by iTLTB, and no further action is necessary in relation to the Petition.

Honourable Speaker, Sir, with those few comments to enlighten the House, as the Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Members, the floor is open for debate on this motion.

Honourable Minister, you have the floor.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Honourable Speaker. Honourable Speaker, Sir, I want to make a short contribution to the motion being debated in the House.

Honourable Speaker, Sir, I wish to restrict my contribution to the first portion of the motion, and that is the benefit of equal rent distribution.

Honourable Speaker, Sir, I wish to thank the Standing Committee on Economic Affairs in highlighting the views of the majority of the people of Fiji, including the landowners. The Report clearly indicates that this move to distribute funds equally to all members is supported by the landowners. Section 4 of the Act, the regulation says, and I quote; “After deduction of any sums in accordance with section 14 of the Act, the balance of any monies received by the Board by way of rents and premiums in respect of native land, including any monies received by the Board but not yet distributed at the date of the commencement of the Native Land Trust (Leases and Licences) (Amendment) Regulation 2010, shall be distributed by the Board to all living members of the propriety unit in equal proportion.”

Honourable Speaker, Sir, the above does not restrict landowning unit members if they wish to assign monies to a common project. This is provided in section 3 of the Act, and I quote;

“should the Landowning Unit (LOU) Members agree that they wish to assign their monies for a common project that benefit them, the option is available under section 3(e) of the iTLTB Act, and it reads:

‘With the consent of the Fijian owners whether given before or after 4th December, 1970 which consents and operate an assignment of an irrevocable total is paid any amount due and unpaid in connection to any approved by the Minister for the benefit of the i *Taukei* or Fijian landowners. The balance of this money can then be distributed among the LOU Members. The distribution of lease monies at iTLTB is aligned to the ownership of iTaukei land. If it is owned at Yavusa level then all living members of the Yavusa need to equally share the monies received from all leases on the Yavusa land.’

The benefits of equal rent distribution is clearly articulated in the Report for the benefit of the Members. I will highlight some of benefits that are written in the Report.

1. Ensures that all individual members of a landowning Unit registered in the VKB gets a fair share of rent from their land;
2. Distributing lease monies individually will assist solve internal arguments and disputes within LOU that some members get their share while others do not. This policy will eliminate discrimination and encourages equality in sharing of resources and wealth within the LOU;
3. Provided each and every member of the LOU direct access to the proceeds of their landholding rights which some did not have with prior to the equal distribution;
4. Enhances greater accountability within the LOU level, and individual members are empowered to think for themselves on how best they can best utilise their lease monies.

The list goes on and approximately about 15 listed have benefits to the landowning units.

That, Honourable Speaker, Sir, is my short contribution.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Pio Tikoduadua, you have the floor.

HON. LT. COL. P. TIKODUADUA.- Thank you, Honourable Speaker. Mr. Speaker, this Report, Parliamentary Paper No. 101 of 2016 displays the partisanship in the Standing Committee on

Economic Affairs. In fact, two constituted Economic Affairs Committee before Parliament was dissolved on 1st October, 2018, for the General Elections.

The Report, Honourable Speaker, pays scant regard to a Petition presented in Parliament by the Honourable Ratu Suliano Matanitobua, and we wonder, why? Was it because the Petition was signed by over 400 *iTaukeis*? Was it that the Petition to re-examine Government's policy for equal distribution of lease money benefitted only 4,500, as a Government Member of Parliament is recorded as telling the Committee, instead of the current policy of benefiting 300,000 people. That is the obvious trend set out in this Report and in its Annexures, Honourable Speaker.

Honourable Speaker, this is a majority Report, simply there was no consensus of bipartisanship, and this was obvious right from the outset, when the first Economic Affairs Committee constituted after the Elections, chaired by the then Honourable Balmindar Singh, looked at this Petition.

The second constituted Committee with both Chairperson and Deputy Chairperson being Government Members of Parliament, merely decided not to take any further action, primarily basing their decision on their predecessor's Committee and the fact that both the *iTaukei* Land Trust Board and the Ministry of *iTaukei* Affairs had given their submissions endorsing equal distributions of lease money.

Mr. Speaker, we question the legitimacy of the current Government's policy on distribution of lease money equally to members of a *Mataqali* or landowning unit, for there was merit in setting aside a particular amount for the heads of the landowning units for very obvious reasons. We question even more the manner in which the Petition was dealt with and subsequently derailed.

As the Deputy Chairperson of the first constituted Committee, then Honourable Prem Singh, repeatedly pointed out that the Government-dominated Committee was hell-bent in killing the petition (Annexure from pages 43 to 46 of the Report will prove what we are saying).

Mr. Speaker, both Committees did not even bother to go out to the people and seek their views as to the merits and de-merits of the Petition, and once again we wonder, why? Is it that the issue was at the core of the *iTaukei* motion and sensitivity? Or simply was the Petition against the current Government's policy? Whatever it was, Mr. Speaker, the political or legal correctness of the Petition could only be determined by talking to the people, not to the two enforcers of Government decisions.

If after a widespread consultation both Committees reached a consensus decision that either of the policy was the way to go - this would have been fair and just. But to put the Petition on the backburner, so to speak, and solely rely on two submissions of both Government-controlled authorities, without even casting a glance towards the petitioners was a cardinal sin and a denial of their constitutional right under Section 72 of the 2013 Constitution to have access to Parliament through petitions.

We know the Honourable Attorney-General thinks otherwise that the rights of all Fijians are protected under the Bill of Rights. Therefore, why then have Section 72, Honourable Speaker? His argument that the present Parliamentary Opposition more than adequately meets the 40 percent threshold required as approval for referral of petitions to Committee is nonsensical.

There should be no threshold or barrier, Mr. Speaker, Sir. Period. If you constitutionalise access then you should abide by it - come hell or high water, Honourable Speaker. But in this case of the Petition presented by the Honourable Ratu Suliano, the Standing Committee of Economic Affairs dealt it a bitter blow by not consulting the very people who petitioned Parliament, Honourable Speaker. This was repeatedly pointed out by the Honourable Prem Singh but his logic was drowned out by illogical arguments of the then first Chair and other Government Members, in particular, the then alternate Member to the Committee who is now the Government Whip and Chair of the two most important

Parliamentary Standing Committees of Justice, Law and Human Rights and Public Accounts. The third Government Member, the then Honourable Dr. Brij Lal concurred with them as proven by the Annexure which are the Minutes of the Committee Meetings on 30th June, 2015.

Mr. Speaker, there is an acute need of bipartisanship in this House, both in this Parliament and in the Standing and Select Committees, given the polarisation and compartmentalisation that we have here. Otherwise, this portrait of Parliament must remain just that, Honourable Speaker, a portrait, unable to transcend to all our people, to all Fijians.

This kind of majority Report where clearly the Committee Members ignored the petitioners must become a thing of the past. Thank you. Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member. The Honourable Niko Nawaikula, you have the floor.

HON. N. NAWAIKULA.- Honourable Speaker, allow me first to clarify or rebut some points made by the Honourable Minister on the other side. I think it is a shame for him to come to this House and outline the benefits of the distribution when the Committee itself was stopped from its Chairman from consulting every other people, especially those who matter: the *Turaga ni Yavusa*, the *Turaga ni Mataqali*. So, do not come here and cry out on the benefits because that is not the finding of the Report.

HON. MEMBER.- Then?

HON. N. NAWAIKULA.- That is a submission to the Committee by the iTLTB. So he was simply quoting from the submission of iTLTB. And if he cares to read further, he will see that iTLTB was all for the review because they have had enough. It is time to review all these.

The second point that the Honourable Minister said that equal distribution does not stop them from pulling their money for special efforts. No one denies that. We are not here to debate that, we do not even disagree with equal distribution. Our point here is that, we need to review this because the people who matter were not consulted. The people who matter are the people who own the land and money, namely, the *mataqali*, *Turaga ni Mataqali* and the *Turaga ni Yavusa*; they were not consulted. So there is a need, therefore, for the Petition to go ahead to hear their views so that if it is beneficial and if there is a need for it to be brought back to Parliament, then that is another decision. But, that is the whole purpose, totally wrong there.

But to start with my contribution, allow me to go back and recall the Honourable Prime Minister's comment yesterday. He said, "Niko, go back to your village, go and learn culture before you kill off your mother." That is all right, but I live in the village, I am not sure how many of you here live in the village, and in our *Bose Va-Koro* last month, I am the head of the youths and head of the *Tiko Bulabula*, and in the *Tiko Bulabula*, every Thursday we pick up the rubbish from the village; that is my role. I stay in the village and I travel by bus to Savusavu. So, who amongst you here live in their village? You do not understand any of these because you live in the towns. I am sitting under my tree and the tree is the village.

But to go back to the Petition, there are two things that are aimed at. Firstly, to instruct iTLTB to stop and review the effects of lease distribution to personal accounts and to introduce a new lease structure which reflects open market rates and prices based on improvements.

So, there are two things: the first part addresses equal distribution; and the second part addresses the need to review the formula of lease. If I could just take this House in relation to the second part; the need to review the formula, understanding, of course, that there are two components. On agricultural

land, there is a restriction there of 6 percent of the Unimproved Capital Value (UCV), that is the benchmark. So landowners are not entitled, are restricted by law from demanding more than that, even the market value and in the other kinds of leases, it is the market.

To put it into perspective and in a way that you can understand, what the 6 percent UCV means is this: For every \$100 that is earned from sugar cane production, for example, \$28 goes to the Government (FSC) that crushes it; \$70 goes to the tenant and \$2 goes to the landowners. If you disagree with me, direct a research and you will find the truth and that is the truth; \$2 goes to the poor landowners. That is the meaning of 10 percent of the UCV, so there is a need to relook at that.

If you look at other aspects outside of agricultural leases, it is the open market but it is restricted to the use of the land. Therefore, if there is a tower that is standing here, you assess the rent on the basis of how many metres around it. You do not take into account the potential use. So these towers they make a lot of money, renting it out to, say, FBC, FM96 and all those monies go to them. What do the poor landowners get? Nothing of that, because you do not assess the rent on the potential use, you just assess the rent on the area. So there is a need, and therefore, it is a shame for this Committee to deny the voices of the stockholders. So, shame on the Committee and its Chairman.

Why did not they do this? Now, to go back to the other aspect which is the equal distribution. This came out in a law that was passed in 2010 and the history of it goes like this. In 2010, in about Christmas Holiday, while all the managers from iTLTB were out, this law came by. So, you ask that question, whether iTLTB's management was consulted. The other side will answer that. You ask that question, whether the people that matter who are the owners of this native land were consulted. They will answer it, but I can tell you, both will answer "No".

HON. A. SUDHAKAR.- They are happy!

HON. N. NAWAIKULA.- Not happy. Now he is saying that the landowners are happy with the equal distribution, that is not our point. Our point is that they need to be consulted, it is their right. Now, I will quote you there right after this, I will quote you, a human right, to be consulted before you amend any law that affects them, so you wait for that.

Let us look at the amendment, and it says:

"... After deduction of any sums in accordance with section 14 of the Act, the balance of any monies received by the Board by way of rents and premiums in respect of native land, including any monies received by the Board but not yet distributed at date of commencement of the Native Land Trust (Leases and Licences) (Amendment) Regulations 2010, shall be distributed by the Board to all the living members of the proprietary unit, in equal proportions."

So understand this: what was the law before that? The law before that was that, it says that you will have a portion for the *Turaga ni Yavusa*, you will have a portion for the *Turaga ni Vanua*, then the remainder goes to the Landowning Unit.

When I say, "the landowning unit" remembers this, no native person has any right to the land except use. You only have a life interest, just to use, and the owner always is the *mataqali* or the landowning unit, and that is why it was framed in that manner to allow the community or the owner to distribute it according to custom; that is very important. An example of custom is like this, if I stay in the town (like all of us here) and you do not do your contribution or your *Cakacaka Va-koro*, are you entitled to this? No, because you have to maintain that connection, that is why it was framed in such a manner. So you need to change that to go back to the owners and this is indirect breach of the right of the indigenous people who are the first people of this country, and my learned friend was asking, "What right

you want to ask?”. Let me quote you and mind you, there are altogether about 23 laws, including the law that terminated the Great Council of Chiefs (GCC), the law in which they established the Land Use Decree; all of these are in breach.

HON. CDR. S.T. KOROILAVESAU.- There you go.

HON. N. NAWAIKULA.- Now he says, “There you go”, there you go because it will be there. The injustice will be there all the time until you change it, because it relates to their right.

When it is a right, it is permanent and inalienable, you cannot take it out. You can suppress it like we are doing it now, but, it will come up one day; one day Mafatu.

(Laughter)

HON. N. NAWAIKULA.- So just to go on that because you want to know what right has been breached. The first right that is being breached by passing this law is the right to prior and informed consent.

There are two instruments by the UN:

- UN Declaration on the Rights of Indigenous Peoples (UNDRIP); and
- ILO Indigenous and Tribal Peoples Convention No. 169 (ILO C169).

I say again, with respect to the other side who do not believe in indigenous rights, because you said if we are majority, it does not apply to us. But again I say, where majority does not give you the licence not to consult. It does not give you a licence not to obtain our consent, no; that is totally wrong. So let me quote, this was passed, remember, in the Christmas of 2010 without even the management of iTLTB knowing, and without even consultation with the people that matter; the chiefs and the indigenous people of this country, this is a breach:

“The State shall consult and operate in good faith with the indigenous people concerned through their own representative institution in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.”

So what are we talking about here, we are talking about the Decree of 2010 or 2012 that changed the law about the distribution and this is their human right. What does this human right say? It says that the State must consult. So I am saying here that this is a breach, and they are saying that side, “Here we go again.” Yes, because it will remain there for as long as it takes until we restore those rights.

I was begging the other side, “Please, restore our right”, and I make the same request again. Now because they asked, this is their land right: “indigenous people have the right to own, use, develop and control the lands (that is their resources) that they possess.”

Now, we have a lot of arguments there about Section 28; Section 28 gives us our ownership. What about control and management? No, they passed another law in 2009 where Government now is in total control of iTLTB where they removed and shifted away the nominees that were appointed by our representatives, which is the Great Council Chiefs. Let us be correct on that one thing, we own it but we do not manage it, we do not control it and that is in breach or to be sure, you go to Article 26 of United Nations Declaration on the Rights of Indigenous People (UNDRIP) which is also reflected in the International Labour Organisation (ILO) 169 which Fiji ratified in 1998.

That is the basic gist of what was aimed at in this Petition. We do not disagree at all, this might be good, this might be bad. What we disagree on is the need to consult, so we were asking, “Please, let this go ahead, consult all stakeholders, consult especially the people who own native land and you have no right to be making any amendments without consulting them.” Thank you.

HON. SPEAKER.- Thank you, Honourable Member. Honourable Minister for Health, you have the floor.

HON. DR. I. WAQAINABETE.- Thank you very much, Honourable Speaker. Just listening to my friend and Honourable colleague, Honourable Niko Nawaikula, I just have a very short contribution.

First of all, some of us have to live in the town because the hospital is in the town, and that is why I have been living in the town but; secondly, when I have been travelling around the country, even before joining this august House, there have been many reflections of how useful the equal distribution has been.

For people like me who may not have “Ratu” or “Roko” in front of their names, and some of the people that have actually reflected this to me are the women (mothers, grandmothers), I was in the West when a woman in her 70s said to me that before she used to receive \$60 and with the change, for a very long time, she used to receive lesser than that. Just before the change, it was \$60.00, when the change happened, there was a very significant change also in the monies that she received which was enough to be able to cater for her and also support her and this fund is actually very significant.

Thank you very much for this opportunity, Honourable Speaker, to be able to share some of the things that I have seen in the reflections. *Vinaka*.

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

HON. M.D. BULITAVU.- Thank you, Mr. Speaker, Sir. Good morning, this morning I have been in and out of this august House, running to court and back to Parliament. Today is a great day for me that the Court has actually terminated all proceedings on me, and I also thank the Director of Public Prosecutions (DPP). Today they have filed a *nolle prosequi* for the prosecution against me which has burdened me for the last seven years.

Also, *vinaka vakalevu* to the Legislative Department for accommodating and also the Attorney-General, but back to the motion, Honourable Speaker, Sir, a very important motion, the motion on the Petition that was filed by the Honourable Ratu Suliano Matanitobua, Turaga na *Tui* Namosi, and actually helped in the collection of signatures by landowners in the Northern Division and also in other parts of Fiji.

The importance of this Petition was the call by the landowners for iTLTB to review a policy that was implemented by Government. If you look into the submissions by iTLTB, they actually confirmed and admitted that there were teething problems on logistical arrangements straightaway and they could not implement the policy due to other changes that they had to make in their IT system and also the digitisation system that was done by Yalamanchili and the outsource company that did it. I think there were other errors that were also done that affected the system and still affects the system and that has affected the flow distribution of monies to the recipients.

One of the internal policies was to make everything equal so people can equally receive the same amount of money but again, as it stands, in a particular *Mataqali*, these are some of the things that are commonly faced by members of the Landowning Units where in one month, say, for 30 members of a *Mataqali*, one can collect \$40; the other one can get \$60; another person can get \$80. They do not get the same amount at the same time and sometimes, if some get it in January, they will not receive in February,

then the money will come in March, and it is inconsistent. Those are some of the things that a proper review could bring about, the actual methodology on how these monies are distributed to the individual; that was one.

The other thing is that, this equal distribution has probably given the Honourable Minister for iTaukei Affairs who is here, should Government take note that if iTLTB can review the applications made by landowning units after the implementation of this policy, those who have requested special assignments for the particular project and how many assignments so far has come in. That will indicate how this policy needs to be reviewed. Many of them started with, say 40 percent, to be set aside and 60 percent to be equally distributed. Some have actually gone back to iTLTB saying, "We want to set aside 50 percent" only to distribute 50 percent of the rest that is left, but it again calls for a proper review on the actual practice of this particular policy.

If you look at the presentation by iTLTB on the heading on "benefits of equal distribution", on one of the points that is there, "Equal distribution will create economic activity with individuals now looking at buying shares, investment and just general spending by iTaukei in Fiji." I think there needs to be a proper review on whether that has been achieved and effected, whether the real money that is received by a VKB member is actually being invested to Unit Trust or Fijian Holdings Unit Trust or any other investment or they are just consumed?

Yesterday, the Honourable Minister for Defence was talking about the case from Nawailevu on how money was distributed and it is not reflected on the economic status of the landowners after distribution. If you go to Nawailevu now, it remains the same and no one has become a millionaire in that village or a big business tycoon or has bought a house, all remain the same. It comes down to financial literacy programmes that iTLTB needs to run in line with this equal distribution policy that will supplement on how to empower landowners and move them forward to the economic or commercial sector to be participants.

On the other point that is there on equal distribution will increase construction, the purchase of properties and other activities in the real estate industry. Again, if you look back at the review after this policy has come into effect, how many *iTaukei* people have actually bought a house; how many *iTaukei* have actually bought a real estate property in town or owning commercial buildings?

In the last 10 years, after the commercial loans scheme that was initiated by iTLTB that allowed the Fijian Affairs Board, *Tikina* and *Yasana* to get loans from Fiji Development Bank, to purchase through their communal arrangements on how they can fork out deposits from the various percentage they have agreed as a contribution to purchasing a particular building, it helped them to establish many big buildings, and it changed the landscape in Suva, for example, Ro Lalabalavu House, Kadavu House and Suvavou House; if you go to Macuata, the Macuata House, Katonivere House, Namuka House; if you go to the Western Division, there is the Rogorogivuda House.

We were able to own those properties as an indigenous group, given that we had the ability from our lease money, given that they were set aside to help us to do this; given that this policy has not allowed this. It has been distributed to individuals and now we do not have any form of collection, we can go together as a unit to benefit all this kind of things, those are some of the things. This is not something based on race, it is based not only on fairness but also on how we equally distribute wealth on the various groupings that we have now as we are all now Fijians and we accept that only to the fact that all should be growing equally and benefitting economically equally also.

I think we had a very special provision in the 1997 Constitution. If you look at the Compact of the Constitution where the equitable power-sharing of political power and also economic power were

distributed. These are some of the policies that come down to how these are realised on how a particular group is advancing into business.

The other thing, Mr. Speaker, Sir, that is a very important thing, to have a review. For the last ten years, how many iTaukei businesses have built buildings in the Main Streets of Suva, Labasa, Savusavu and Lautoka, and that is something that the government really needs to take note on how to improve that and see that we continue, not only to be passive land providers in providing leases, but also becoming entrepreneurs and becoming equipped financially to meet the requirements of the bank, and also participate and have access to government programmes that they are offering. Sometimes they are too high in their requirements, for example, the \$10 million grant for iTaukei land. I have been asking my Honourable learned friend there to lower some requirements given that if you have to meet the minimum requirement for that, many of them have to have a Scheme Plan on the process involved.

(Honourable Members interject)

HON. M.D. BULITAVU.- Let me tell you.

Honourable Speaker, Sir, the process involved for a particular landowner to start from nothing: first, get a title, \$1,400 or \$1,500 from iTLTB, that is the offer letter, they will offer a fee

Secondly, they have to engage with a surveyor. The surveyor will have to go and do the survey then a valuer will come then they will do a scheme plan and file it with the Department of Town and Country Planning. Their fees are very high. If they come to a stage where they meet the requirement of the grant and I think there needs to be a review so that other landowners who do not meet the threshold to help them come and meet and benefit also from that.

The other thing, Mr. Speaker, Sir, if you look at the Report on the consent by iTLTB, it clearly stated there the “*vanua*”, that those who are overseas and will not be taking part in *vanua* obligations, they too will be benefitting. Those who are left behind will be carrying out the normal tasks and every traditional obligations of the *vanua*.

In the village, a few weeks ago, we had our meeting. In our *mataqali*, there was a death, and when the *i Liuliu ni Mataqali* sent around someone in the *Mataqali* to tell everyone that we were having a meeting in the afternoon to discuss on how we were going to go to that particular funeral. He told them, “Now, that we have got our lease money individually, you have to contribute to our *reguregu*.” Those are some of the social effects.

Before when there used to be poundage, there used to be special allocation for the *Turaga ni Mataqali* and *Turaga ni Yavusa*, he can cater for those and no need to call for *Yavusa* or *Mataqali* members to come, and after that no one wants to come, everyone has to use their money, then I told him, “Next time, I think, you have to take one bundle of *yaqona* each to them and tell them that there is something that the *mataqali* needs to attend to”, but these are some of the social effects of this policy that actually affects the *vanua*, unity and makes people weak as a unit, people are more into individualism, buy materials for themselves. They do not know the part of the money that is either for social obligations, the *vanua unit*, also for traditional or church obligations, how we live as a group.

The other important thing, Honourable Speaker, Sir, I have been raising from the last four years, Government has recognised the inequitable rent return under ALTA and they have subsidised this from 6 percent UCV, they have topped up another 4 percent on the CBUL programme; still not enough.

HON. A. SAYED-KHAIYUM.- Read the Constitution.

HON. M.D. BULITAVU.- I think iTLTB also, in one of their recommendations, on the other page, Honourable Attorney-General, they proposed to the land reform a submission in 2010 based on open market price and also requesting Government if they could also review the ALTA legislations to allow those adjustments to be done, given that the current rates are not enough, and we are growing in numbers and the landmass will not increase, that is the reality. Somehow, the rents need to be reviewed on a price that it is suitable now or given the high cost of business and everything that we will need when we want to participate on the various programmes that Government offers.

That, Mr. Speaker, Sir, is my contribution to the motion on the Petition which I hope Government takes note of to improve the system and also to encourage indigenous *iTaukei* on how to participate in the business sector and to commercially empower us as a group. *Vinaka vakalevu.*

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

HON. M.R. VUNIWAQA.- Thank you, Mr. Speaker, Sir. I stand to contribute to the paper before the House and on the equal distribution of lease monies. Mr. Speaker, Sir, this is an empowering policy and law which aims to give every individual *iTaukei* landowner a fair share on what belongs to them.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. M.R. VUNIWAQA.- And that is not where it stops, Mr. Speaker, Sir. The Report itself refers to section 14 of the *iTaukei* Land Trust Act which allows for the assignment of lease monies by individuals to a project, that is a fact, Sir, they can give their lease money to whoever they wish to give it to, even to their chiefs and make the chief share more than their own, that is fine they can do that outside of the law.

Alternatively, Mr. Speaker, as an *iTaukei* I want to have a choice, as a registered *iTaukei* in the *Vola Ni Kawa Bula* I want to be able to have a choice in where my share of lease money goes. But, to be able to make that choice, Mr. Speaker, I have to be first given the right over that property. This amendment does that, it empowers 300,000 individual landowners to be able to make that choice, that is all this is about, Mr. Speaker, Sir.

If I lived overseas, should I lose my right to this money that I am entitled to because I am a property owner? I have the right, like anyone living in Fiji, to assign that money to someone, anyone I want to give to. This provision, Honourable Speaker, it matches our equality provision in the Constitution. It matters that every individual who has a share in property be able to realise the proceeds of that property. We have heard some comments on not being consulted on the amendment. This equal distribution of lease money should have been done a long time ago, Honourable Speaker.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. M.R. VUNIWAQA.- Equal distribution should be the starting point, before we make any changes, that should be the platform, to be able to give people the right to decide for themselves where their property goes.

Mr. Speaker, Sir, the fact is chiefs have occupied and continued to occupy a special place in the *iTaukei* governance system of this country. Changing the share of their portion of lease money does not take that away from them. If we impute that the equal distribution of money or if we say that the lessening of money does weaken the chiefly structure or the *vanua* then it is truly a sad day for the *iTaukei* people of this nation. When did we become so reliant on money to define us as a people and as a *vanua*?

And not only that, Mr. Speaker, Sir, the report recognises that new registered *iTaukei* members who are under 14 will have their shares invested by iTLTB until they reach 14 where they get their shares. So we already have young investors who would never have had a whiff of that lease money under the old arrangements.

I reiterate, Mr. Speaker, Sir, if you hear the arguments from the Opposition against the equal distribution of lease money, none of them talks about the right of individual to be able to assign that money

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- It would be remiss of me ...

(Honourable Members interject)

HON. SPEAKER.- Order, order!

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- It would be remiss of me to talk about the equal distribution of money without talking about the impact of this policy on women in this country. Women now have an income as landowners, something they may not ever have received before as we know of the patriarchal nature of our society; women may not have received a cent of this lease money, and now as registered members in the *Vola Ni Kawa Bula*, they have a right as individuals to a share of these lease proceeds and this impacts on us as an economy.

If we were to look at our Census of 2017, out of a total of 392,148 people in Fiji above the age 15, 62.7 percent have bank accounts. If we were to take the female population, 56.8 percent have bank accounts and I am sure, Honourable Speaker, this percentage would not have been there if there was not an individual account allocated for landowners in this country.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. M.R. VUNIWAQA.- So, Honourable Speaker, I stand in support of the equal distribution of lease monies, the policy, the law and the intent behind it because it gives us rights as an individual landowner to be able to decide for ourselves about the proceeds of lease monies, and the law does not stop us from assigning what we receive as an individual to whoever we want to give that money to. Thank you, Honourable Speaker.

HON. GOVERNMENT MEMBER.- Hear, hear!

(Applause)

HON. SPEAKER.- I thank the Honourable Minister. I give the floor to the Honourable Jese Saukuru, you have the floor, Sir.

HON. J. SAUKURU.- Thank you, Mr. Speaker, Sir. I rise to speak on the motion before the House.

Land, Mr. Speaker, Sir, is the inherent right of its owners and not the State, therefore when any decision is made with regards to land, it should not be the State dictating terms to the landowners but rather respecting and recognising the interests and aspirations of the landowners.

Mr. Speaker, Sir, the landowners also recognise that man is a fact of production whilst subscribing substantial development of natural resources. This House must know that the landowners have availed their land, not to everyone who needed it and respected them to benefit from the same and facilitated the development of Fiji.

Mr. Speaker, Sir, the landowners have also availed the land for national interest with the hope that it will turn slate into meaningful development for them, their land and their future generations. Unfortunately, Mr. Speaker, Sir, the way in which life institutions and structures of the landowners have been tampered with, we regard that as a breach of faith and trust given, the basis on which the Deed of Cession was executed; successive constitutional arrangements that were made prior to 2013 Constitution of the Republic of Fiji; and the goodwill on which the landowners have invested their lands into NLTB in 1940.

The manner in which this Petition was dealt with ...

HON. SPEAKER.- Order, order!

HON. J. SAUKURU.- ... as illustrated by the contents of this Report and the gross failure of the Committee to consult the landowners and take the interest and aspirations into account, is not only insulting but a deliberate purge on our rights as landowners which spells a disaster for us in our homeland. Sir, we do not know what will happen to our future landownership and generation, who will inherit land. This is an attack on the soul of this nation and a gross violation of indigenous rights.

Mr. Speaker, Sir, the strength of the landowners is in their solidarity, communal system of working together to enhance the level of our development, elevate our quality of life and standard of living. We should not be told how to live and manage our affairs. We know better and can manage it better.

Customary leadership, Mr. Speaker, Sir, has a vital role to play like a Member of Parliament sitting here. It is important that such leadership be supported and substantiated. Can a Member of Parliament go without his pay? Customary leadership needs to be supported and substantiated. Some of the chiefs have more than six large villages under their leadership and they still continue to serve and work for the development and advancement of all their people. The message must go out and clear to the Government, Mr. Speaker, Sir, that they cannot bulldoze their way to tamper with our traditional leadership, natural resources and way of life.

It is rather unfortunate that the Committee chose to ignore the landowners or rather treat them with contempt and rely on the wisdom of the iTLTB and the Ministry of *iTaukei* Affairs. That has not only managed to kill this petition effectively, but demonstrates that both of these bodies can no longer be trusted as the voice of the landowners. We are now being robbed off our resources, fair share and future by them.

The iTLTB had failed to inform the landowners of ...

(Honourable Members interject)

HON. SPEAKER.- Order!

HON. J. SAUKURU.- ... Ba Province how they are investing the \$7.9 million worth of under-18 lease money, and they have failed to advise the parents, landowners how they can access that money when they reach 18. Mr. Speaker, Sir, based on these reasons and expressing my unwavering loyalty to my chiefs and landowners, I strongly oppose the motion before the House. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Member. I never had this opportunity before to choose, but I give the floor to the Honourable Selai Adimaitoga. You have the floor.

HON. S. ADIMAITOGA.- Thank you, Honourable Speaker, Sir. I wish to make a contribution to this debate based on equal shares. I have been touring all around Fiji to all the provincial councils and I have officiated at a couple of provincial council meetings. Let me elaborate that no one has ever come up with an issue that they are not happy with the equal share of lease monies.

(Honourable Members interject)

HON. S. ADIMAITOGA.- Let me elaborate further to the Honourable Members, even women came to me and told me that they are happy that their share has been given to them.

HON. GOVERNMENT MEMBERS.- Hear, hear!

(Applause)

HON. S. ADIMAITOGA.- That is what I have heard and witnessed and I do not know what you are bringing up in this august House because this is what I have heard and witnessed. I thank you, Honourable Speaker, for giving me the ...

HON. N. NAWAIKULA.- ... it is not even in the bank.

HON. SPEAKER.- Order!

HON. S. ADIMAITOGA.- ... you are not visiting the provincial councils, I have and I am happy, Sir, that I have done that. They have said that they are so happy with the Government not with you. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Member. Honourable Aseri Radrodro.

HON. A.M. RADRODRO.- Thank you, Honourable Speaker, Sir, for the opportunity. First of all, before I comment on the Report itself, I just like to highlight the way the Petition has been treated by the Committee. It was presented on 14th May, 2015 and it was stopped by the Committee on June, 2015.

If the Committee Members would have taken the Petition seriously, especially the manner in which they stopped the Committee through the Petition by way of the majority vote within the Committee and an Alternative Member of that Committee who was not even a Member but an Alternative Member who proposed that the Petition be killed at the Committee stage. That is very obnoxious of the Member himself. Shame on you, Honourable Member.

Mr. Speaker, Sir, seeing the interest that is generated in this House regarding this Petition, I think what we need to address is the comments that have been made by iTLTB when they made their presentation to the Committee. That is why I wanted to generally comment on in terms of the submission that has been made given that iTLTB is the Trustees for the iTaukei landowning units. In that respect,

they hold the responsibility to protect and preserve the interest of inherent rights of a registered VKB indigenous Fijian.

Mr. Speaker, Sir, let me just say that the spirit and the tone of the submission by iTLTB is very obnoxious and insulting in the sense that they can go to the extent of saying that all LOU, having bad accounts, will force members to have TIN numbers so that it allows Government to plan and budget respectively, it is not only intrusive but it is very conniving.

The primary protection of the LOU is lost entirely when terminologies like “force” (I do not know whether they understand the meaning of “force”), which ultimately means policing of LOU leasehold income is very, very dangerous, Mr. Speaker Sir. This is especially when iTLTB is encouraging Government to benefit from the income that they have. This also questions the primary role of the iTLTB which is to represent the landowning units, now in light of their presentation to the Committee, the independence is absolutely out of the window given their heavy slant towards Government preference. Whilst we can appreciate the iTLTB encouraging the better utilisation and investment of LOU monies, we detest manners in which they think they now have a right to enforce their will through Government on landowners.

The question is, Mr. Speaker, Sir, who is Government when it comes to land? All that government owns is State land, even the ownership of that State land remains debatable, for example, land acquired by Government and administrators for purposes of public use under compulsory acquisition like that in Vatukoula, RFMF, Fiji School of Nursing, Fiji School of Medicine, the Monasavu Catchment Area, Wailoa Power Station have now been turned into commercial-generating initiatives, with no or very little return to landowning units.

In fact, today, there are some *mataqali* who have been displaced as a result of this acquisition, Mr. Speaker, Sir. An example is a landowning unit from *Mataqali Nasakiti, Yavusa Tovatova*, who are living in the village of *Sasa* in the *Tikina* of *Bulu* in the province of *Ba*, and who have insistently raised their plight to Government through the Honourable Prime Minister, Mr. Speaker, Sir.

Today, they feel like aliens and suggestions that sometimes they are treated as such for their adopted homes. This brings us back to the initial question, who has given the Government the right to lay charge over our land; the land of our forefathers, the land of our future generations; who has given them authority to dictate the terms of our enjoyment of our land?

If the people had wanted the equal distribution arrangement then a more transparent national consultation should have been embarked independently, not by Government, nor by iTLTB, instead the Government under the Decree saw it fit when they were still a regime and unelected and taken a legitimate Government by force, decided to inflict such an arrangement on us as landowners.

Mr. Speaker, Sir, I also note from the iTLTB submissions that they wish to capture a national database in conjunction with Government for the *iTaukei*. Just yesterday, the Honourable Attorney-General deliberated on Yalamanchili and stated that part of his work is to assist in putting in place systems for equal lease distribution.

The important question to ask is the guarantee of the accuracy of information captured under his database. Recent birth certificates details that have come to light have revealed incorrect inputting of LOU details. For example, Serea is a village.

HON. MEMBER.- Foreign intervention.

HON. A.M. RADRODRO.- They are now having villages of Nabaitavu in their birth certificates, and upon inquiry with the officers at the Birth, Registration and Marriage (BRM) Office, it reveals that according to the records that is there, no such village as Serea.

(Honourable Members interject)

HON. A.M. RADRODRO.- How on earth could this have happened, Mr. Speaker, Sir? If that is the case, where am I from? Mr. Speaker, Sir, records will show that I am rarely agitated about arguments involving land, because normally I like to be accommodating and balance my view in regards to lease, lessees and lessors.

In this instance, I am deeply troubled as a professional and as an *iTaukei* to see an institution, any Government think they can assume the role of dictatorship over the land that they have no business over. There is a saying, Mr. Speaker, Sir, that, “Land has eyes and ears,” and I question iTLTB and all those who continue to ignore the lessons of the past, that history tells us that you have no business meddling with assets that are historically-owned.

HON. OPPOSITION MEMBER.- Hear! Hear!

Mr. Speaker, Sir, my advice to iTLTB is to first carry out its mandated role and protect LOU from exploitation of their resources, get the entities like Energy Fiji Limited (EFL) to do justice and lease land at Wailoa Power Station. At present, Government and the EFL are committing theft, especially when similar acquisitions around the country have proper leasing arrangements.

When SODELPA Government is in place, we will not rule out prosecuting whom they are under their watch, as injustice is being allowed to continue.

On a separate issue, as I have highlighted yesterday on the *Yavusa Vitu* in Monasavu, \$1.08 million, an initial leased amount under the compulsory acquisition, todate it has not been met. Government only invested \$365,000 as previously alluded to by the Honourable Minister for Women. They have always continued to blame the past Governments. I just like to remind them that when Governments come into power, they assume the responsibility of previous Governments, so stop being the “cry baby” and go ahead with the work to see that this inequity is rectified urgently by iTLTB and EFL.

(Honourable Members interject)

HON. A.M. RADRODRO.- On that note, Mr. Speaker, Sir, I ask Government and iTLTB to exercise caution, sensitivity and respect in such matters and establish an independent consultation with all LOU on how they truly feel about this enforced arrangements. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Aseri Radrodoro. Honourable Ro Teimumu Kepa, you have the floor.

HON. RO T.V. KEPa.- Thank you, Honourable Speaker. Honourable Speaker, this regulation came into effect on the 1st of January, 2011. We know that that is New Year’s Day, so that is the Christmas Holiday, so when this regulation came in, Honourable Speaker, it slipped in like a ghostly thief in the night, because people were very surprised by what this regulation entailed, because there was no consultation as we have heard from previous speakers from our side. There was no consultation at all with any LOU and these amendments came through as a Decree. The iTLTB could not implement the policy right away as proper structures according to this Report, were not in place prior to implementation.

This is typical, Honourable Speaker, so much of what FijiFirst is doing. No prior consultation, no informed consent, no nothing, especially when it involves the *iTaukei*, the indigenous, the first people of this land, and this “no consultation”, Honourable Speaker, continued with the Standing Committee, really, to find out what the *iTaukei* people really want because amongst other things, four years later, we do not know what this Decree is about, Honourable Speaker, in terms of the benefits of this regulation in terms of what it really means to the beneficiaries. What it says there in their Report that the iTLTB needed to, amongst other things, upgrade all their IT systems and IT infrastructure, to handle the processing of lease monies from the 4,500 distribution units, that is the *Yavusa*, *Mataqali* and *i Tokatoka* to the 300,000 members that were there in 2015. Right now, Honourable Speaker, we do not know what the actual number is, according to that Report.

My first point, Honourable Speaker, in the distribution of lease to personal accounts as was contained in that Report, this is not happening, Honourable Speaker. People I know, whose *mataqali* land attracts good investment, that means good money, are not receiving that money. They are asking me, “What money? *E warai sara la ni dua na i lavo e qai jiko mai*”...

(Honourable Members interject)

HON. RO T.V. KEPHA.- ... or Honourable Speaker, “*Sikai hila hara ga na i lavo e la koto ma. Ju rogo ju ga, sikai hila na kwa ju tolavia*”. That is what I am hearing from these people whose money is supposed to be coming through but there is no sign of it.

Another point, Honourable Speaker, is what the Honourable Attorney-General told us last night on the *Vola ni Kawa Bula* (VKB), digitisation, which was to include babies and children. Some people obviously are falling through the cracks, \$200 million, he said, has been given out as lease monies (this was yesterday) and more than 640,000 members of the *i Tokatokas* who should, I suppose, be benefitting from this, Honourable Speaker.

So, what the Honourable Attorney-General needs to do is to check on whether equal distribution is really working. All members of *Mataqali* or *Bito* or *Tokatoka*, are they receiving their due under this equal distribution? If not, where is the money parked and who is benefitting big time from this equal distribution policy? Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member. Honourable Inia Seruiratu, you have the floor.

HON. LT. COL. I.B. SERUIRATU.- Thank you, Honourable Speaker, Sir, I want to start by asking the mover of the Petition, the Honourable Ratu Suliano Matanitobua, on whether he did care about the landowners when he was in Government.

Honourable Speaker, Sir, we have all had our opportunities. This is our opportunity to serve the landowners of Fiji that we care about them. It seems that the Opposition only brings issues about landowners when they are in the Opposition. Maybe, perhaps I will ask the same question too to the Honourable Leader of the Opposition and the Honourable Ro Teimumu Kepa; and the Honourable Ratu Lalabalavu because Agricultural Landlord and Tenant Act (ALTA) was Agricultural Landlord Tenant Ordinance (ALTO) initially, Honourable Speaker, Sir. It was an Ordinance and then it became an Act and we have had opportunities to change the Act if we wanted to change the lease rates, for example, Honourable Speaker, Sir, so we have had our opportunities.

(Honourable Members interject)

HON. LT. COL. I.B. SERUIRATU.- So, Honourable Speaker, Sir, as an Assistant Minister for iTaukei Affairs, while he was in Government, what did he do?

Honourable Speaker, do we care? Yes, we do. This Government cares about the landowners.

Let us refer to Section 29(4) of the Constitution: "... through legislative and other measures, we must ensure that all land leases and land tenancies provide a fair and equitable return ...". It is already there. Honourable Speaker, those issues will be addressed and we have already started with that, we are topping up the Unimproved Capital Value (UCV) rate from 6 percent to 10 percent, already, Honourable Speaker, and the new leases, iTLTB is already working on this.

If you go around now, I was in Seaqaqa a few weeks back, Honourable Speaker, Sir, some of the tenants are telling me that the new rate now that is demanded by iTLTB is exorbitant, it is too much because iTLTB is already working on this fair and equitable return, Honourable Speaker, Sir. We care, we care about the landowners.

Let me go now, Sir, to Section 30 of the Constitution. It is about the minerals and the royalties. Nothing that has never been addressed, you had your opportunities. This is our opportunity, we are telling the landowners that we care about them and we will do it.

Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- Honourable Viliame Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Honourable Speaker.

Honourable Speaker, as you know, I was a Member of the Committee, but I was away at a funeral on the day the Petition was killed by the assassin who came from outside of the Committee.

The Petition was tabled in this Parliament in May and it was killed in June. I received the call when I was at the funeral and I could not understand. It took me a while to comprehend the degree or the manner with which they were so disdainful for something so critical, so important to the majority of the people in Fiji.

I was not really shocked because a few weeks earlier, they killed the petition on tourism, so to speak.

(Honourable Government Members interject)

HON. SPEAKER.- Order!

HON. V.R. GAVOKA.- So this is a Government that believes in killing petitions, which is an indication and contrary to what my colleague here just said that they care.

If they care, can they bring back the proceeds that they used to pay for Tavarua to Nabila and Momi? If they care, can they repeal the Surfing Act that has abolished the proceeds collected by landowners for the use of their *qoliqoli* for recreational purposes? They do not care, Honourable Speaker. All they do is prepare for the next Election, working on a script or narrative written by Qorvis.

Honourable Speaker, I also would like to touch a bit on what a petition is, and this is covered in Standing Order 37. Because Government continues to say, "Oh, only so many people signed", Standing

Order 37 says, Honourable Speaker, that there is no number to what qualifies a petition, it can be one person.

Yesterday, the Honourable Koroilavesau, speaking on the other petition, said only 690 tourism workers signed my petition.

(Honourable Member interjects)

HON. V.R. GAVOKA.- See, this is the mentality, the intellectual capacity of the Government. They do not realise that it is not the numbers.

(Honourable Member interjects)

HON. SPEAKER.- Order!

HON. V.R. GAVOKA.- It is not the numbers, Honourable Speaker.

Sometimes I wonder whether the brainpower of this Government belongs to the 10th century because it is very hard for them to understand something simple like that, that you only need one signature to make a petition.

Yesterday, I was not trying to economise on the truth, what I was trying to highlight is that, there are 100,000 workers in the tourism industry, who would benefit from my petition. And as I said, FijiFirst will ignore that at their peril in the next Election, and I really hope they do.

When you talk about petitions, Honourable Speaker ...

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. V.R. GAVOKA.- ... the Honourable Kumar asked whether I had done my research on my petition, which I had done, but bringing it to Parliament in a petition will complete the process of research. By putting it to Committee to go out and get the opinion of others, like we did in this petition here, and the ridiculous statements she made comparing Fiji to Nepal and Bhutan is best illustrative of the brain power on the other side of the House.

Honourable Speaker, much has been said about this Petition and I would just like to ask Government not to touch what they do not know. The *iTaukei* community is very, very complex. It has been surviving for generations before the Deed of Cession, it is intact. You have to tread very, very delicately when you touch anything in the community.

Let me just highlight some of the concerns expressed by the Landowners Unit in their presentation. They say here:

“The hierarchy or traditional position structures will be questioned as all will now be receiving equal share of lease rentals.”

This is happening, as we speak. This is happening in Fiji today. The chiefs and their hierarchy, they are losing their voice, the *mana*, their power.

I live in my village. I do not know how many - I believe the vast majority on that side are city slickers, they live in the city, they do not live in the village. I have seen this happening right before my eyes, Honourable Speaker.

In another of their observations, they are saying, and I quote:

“Land claims will see a marked increase by LOUs, along with disputes, boundary claims and VKB verifications to filter out those that do not belong through bloodlines or through marriage.”

Honourable Speaker, this is happening today. In the community today, in the village, in the *mataqali*, because of this equal share, questions are being asked by people, where are you from? How can you deserve this lump sum out of this lease money?

I got a call about two weeks ago from a Landowning Unit, a *mataqali*, who said, “Please, do something about some people who have blood ties but their grandfather was the *vasu* in that *mataqali*.” And in the old traditional way, we care for our *vasu*, we look after them. But what has happened now is that, three generations later, these *vasus* have become more numerous and they are now getting a giant share of the lease money. They are beginning to ask, what can we do to relocate them to where they truly belong so that there is enough for everyone.

This is why I am saying, “Be careful of touching what you do not understand.” This is happening, Honourable Speaker, be careful of touching what you do not understand. *Vasu* is so important to us. They came under the VKB when no one else but they were not brought up by their father. But what is happening today now, a lot of *vasus* under the VKB are now facing a very delicate situation in all these things, very delicate.

Honourable Speaker, what you are going to see is a slow but gradual disintegration of the way of life in the community. We are a caring people, we are inclusive but before you do anything, take the time to consult with us. There are reasons why we structured the distribution in that manner.

I was really happy when I saw the *Turaga Tui Namosi* present this Petition, that the voices of the people could be heard. But to kill it within one month is the height of disdain, Honourable Speaker.

We could have benefitted more. It could have helped us craft a better legislation, the way forward on how to address these things. But in their disdain for what is traditional, I mean, they abolished the Great Council of Chief, who would have thought that someone in this country would do that. They have done that.

There is nothing sacred to the FijiFirst Government and it is sad, Honourable Speaker, that instead of dialogue, they chose to go this way using their power in the manner and they have killed just about everything worthwhile we come up with.

Thank you, Honourable Speaker.

HON. SPEAKER.- Thank you, Honourable Ratu Naiqama Lalabalavu, you have the floor.

HON. RATU N.T. LALABALAVU.- Thank you, Mr. Speaker, Sir.

I also rise to make a contribution on the debate regarding the motion that is before the House, Sir. In so doing, I also would like to first of all take this opportunity in trying to reply to the statement recently

made by the Honourable Minister for Defence, Honourable Lt. Col. Seruiratu, in asking as to what we were doing during our time, regarding the ALTA legislation.

To be honest and also to provide an explanation on that, he better understand the role that we encountered during that time from the Honourable Leader of Opposition, to us and further beyond that time was that ALTA legislation, because there is a safety mechanism to protect the rights and interests of tenant farmers, and mostly to do with tenant farmers of Indian descendant. Everything that we were talking about then from 1970 onwards, were the rights of indigenous Fijians, everything. What about the rights of the Indian tenant farmers? What about the rights of other races?

This one particular legislation, because it became an entrenched legislation, ensure that it is there to protect the rights and interests of the Indian tenant farmers. If we wanted to make any changes, the process was quite long and difficult to undertake because it was an entrenched legislation, and the late *Turaga na Tui Nayau* ensured that it was there to protect the rights and interests of, the majority of our Indian tenant farmers.

HON. OPPOSITION MEMBER.- Hear, hear!

HON. RATU N.T. LALABALAVU.- And that is the short and long of it, Mr. Speaker, Sir.

On the issue of bank accounts as raised by the Honourable Minister for Women, I would suggest if she gets back to the iTaukei Lands Trust Board and check on those thousands of accounts that she has mentioned, where the account holders are benefiting from the rents that have been derived and deposited into these accounts. I wonder if these accounts are true!

Most of them have been closed, Mr. Speaker, Sir. If you want to open a savings account at the BSP, you have to pay with not less than \$20, and if money is not forthcoming, the bank deducts its charges, and most of them were soon closed. As such, I challenge the Honourable Minister, if she could go back and double check on the number of accounts that she has mentioned and adding to what she has stated that they are happy with the amount of money that they are getting.

Thirdly, Mr. Speaker, Sir, all that this side of the House is asking for is the prior written approval of the indigenous owners of the land be first sought or be first taken. That is all, Sir, simply because, and I challenge the Honourable Attorney-General for this and the learned lawyers on the other side of the House, absolute sovereignty does not exist in Fiji. I repeat, absolute sovereignty does not exist in Fiji!

Sir, 91 percent of all land in Fiji are owned to registered landowners of the VKB, so if the Government wants it, they will have to go and seek the prior and written consent and approval of these registered landowners.

HON. A. SAYED-KHAIYUM.- They do!

HON. RATU N.T. LALABALAVU.- And that is important. What we are asking for, for this particular Petition, we were not consulted....

HON. GOVT. MEMBERS.- No, you were consulted!

HON. RATU N.T. LALABALAVU.- We were not consulted,

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. RATU N.T. LALABALAVU.-... all we were told, “You open the accounts”, and that caused great confusion amongst our tribes and clans. It caused a lot of confusion up until this point in time, Sir. So, all we are asking from this side of the House to the Government of the day, Honourable Prime Minister, please, consult us all the time, first and foremost. That is all we are asking, thank you, Mr. Speaker, Sir.

HON. OPPOSITION MEMBERS.- *Vinaka.*

HON. SPEAKER.- I thank the Honourable Member.

Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Honourable Speaker, Sir.

I rise to support the motion in the House and in particular, calling for the review of the distribution of lease. My contribution, Sir, comes from a good governance perspective in regards to the administration of the lease distribution, in regards to the systems and processes that has been distributed.

I also refer to the presentation by the iTLTB, and I will read the concerns from LOU members, and I quote:

“iTLTB has also received criticism from members of the various landowning units on their outright rejection of the implementation of equal rent distribution policy.”

That is in their presentation.

We have also heard this morning, Honourable Speaker, Sir, from the Honourable Dr. Ifereimi Waqainabete where he mentioned that some women recipients have received an increase, but he failed to quote how much is the increase. We also heard from the Honourable Mereseini Vuniwaqa that women are happy with what they are receiving and also from the Honourable Selai Adimaitoga.

HON. GOVERNMENT MEMBER.- Yes, they are happy.

HON. SPEAKER.- Order!

HON. S.V. RADRODRO.- Honourable Speaker, I speak on behalf of the members of the *Mataqali* Nawavatu in the *Yavusa* of Kalabu, who I have very close relationship with and these are women. They have raised their concerns on the decreasing amount that has come into their bank account without any explanation whatsoever. That is the system and processes that need to be improved.

We are hearing that they have not been consulted, there have not been prior or good consultation with the recipients of the lease money. If they are saying that it has been decreasing without any proper explanation, and we also hear from the other side that there have been increases that they are happy and we on this side and I stand to say that there are recipients who are not happy and that justifies the call for the review.

Honourable Speaker, also on the minors, those who are below the age of 18, according to iTLTB, there about 34,606 recipients who are below the age of 18. In total, we are looking at \$32.7 million, but there has been no feedback given to the recipients on how their money has been invested or how they benefit from these investments in years to come. And this is where my presentation, Honourable Speaker, is calling for proper governance on the administration of these lease moneys to the recipients, particularly, the minors, Honourable Speaker, and looking at that huge number, it will increase, as well as the huge

amount that they are entitled to, how do these recipients actually benefit from the investment on this money? Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, I just wanted to very quickly bring about some legal issues that have been raised. Before I do that, the Honourable Mosese Bulitavu said that since then, none of the Provincial Councils are actually putting up any big buildings. We are currently, actually in negotiation and finalising the rental agreement with the Naitasiri Provincial Council. For them, they are going to put up, I think, a four or five-storey building in which we will be renting premises from them and taking Government services to the province of Naitasiri, therefore, it is incorrect for you to say that. Also he seems to be caught in the time warp with all his arguments. There is also a far more number of *iTaukei* people in businesses and you can see this through business registration.

From a legal perspective, Honourable Aseri Radrodro talked about compulsory acquisition and various lands being given to the State. All of the ones, except for the one that he mentioned about Monasavu, pre-dated independence. In other words, the Colonial Government did do that. It was nothing to do with this Government.

He is trying to obfuscate the arguments. The reality is that, the Colonial Government in those days, basically did whatever it liked and they actually took away land and most of it became part of the State land. And, in fact, this Constitution, Mr. Speaker, Sir, no longer allows that to happen. It cannot happen in the future.

You cannot take away any land willy-nilly, even under the guise of compulsory acquisition. If for example, a hill is taken away for public purposes to build a reservoir, if 10 years later you no longer require the reservoir, the land is reverted to the landowners, whereas previously what happened is that, when *iTaukei* land is acquired by the State for a particular purpose, even though that land was no longer used for that purpose, the land did not revert to the landowners. That is the issue, I just want to clarify that, please, do not mislead Parliament.

Again, they made the issue about all the rental distribution came into effect from 1st January. The reason why it did, Mr. Speaker, Sir, as with most new laws, they do have effect from 1st January because of the fact of the financial year. Most organisations have their financial year coinciding with the calendar year, so when you actually do the calculation, you actually do the calculation from 1st January. So even if the physical distribution of the lease monies or the transfer of the lease monies into the bank accounts took place in the month of May, the actual distribution calculation would be done from 1st January. It is a very simple logic.

Mr. Speaker, Sir, the other thing is, they have asked where did the money go. The money obviously is in bank accounts, it is held in Trust, they are audited accounts in the *iTLTB*, Honourable Salote Radrodro which you can get the information from.

The Honourable Ratu Lalabalavu talked about how you know, the entrenched provisions also protected the rights of the tenants, I refer him again to Section 29, just as it equally provides the ability and to ensure that legally now, henceforth, which the Honourable Lt. Col. Seruiratu has also mentioned, that *iTLTB* must ensure that the landlords actually get fair and equitable rent (we have never had such a

provision), equally the tenants' rights are protected. It cannot be oppressive, where the tenant lease conditions are so oppressive that tenants get affected. So you can be rest assured that that right is there.

I have here, Mr. Speaker, Sir, a lot has been made about the fact that, "Oh, this should have never happened", et cetera, I have legal notices going all the way back when the Honourable Leader of Opposition was the Minister for (in those days) Fijian Affairs. He made regulations without going and consulting anyone and the fundamental premise of what they do not understand ...

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- ... The fundamental premise of what they do not understand, Mr. Speaker, Sir, is that, you have substantive laws and you have subsidiary laws. The subsidiary laws are what you call "regulations", but the substantive laws give the powers to the Minister responsible to amend, change and include regulations. So these provisions pertaining to leases, conditions and distribution were all put in the regulations under the entrenched provision, what is referred to by the Honourable Ratu Lalabalavu.

I also have here regulations signed by the then Prime Minister, Lasenia Qarase; I have also regulations here signed by your good self too, Mr. Speaker, Sir, when you were Minister responsible for iTaukei Affairs.

So the reality is that, we are talking about subsidiary legislation and subsidiary legislation as we know, Mr. Speaker, Sir, you do not actually have to go to Parliament to have that level of consultation.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. A. SAYED-KHAIYUM.- Lastly, Mr. Speaker, Sir, this prompted me to actually speak, Honourable Lynda Tabuya yelled out from across the other side. She said that there was no distinction or no difference between a Convention and a Declaration.

HON. L.D. TABUYA.- No, I did not say that.

HON. A. SAYED-KHAIYUM.- Then she said that I said, "No, these are both from the United Nations." Actually, what she is saying is that both the ILO, as Honourable Nawaikula actually states, are actually from ILO 169. Mr. Speaker Sir, there has been a lot of precedence that has developed around this particular issue, for example, regarding declarations and conventions.

The ILO Convention 169, Mr. Speaker, Sir, notwithstanding the fact that it goes back quite a number of decades, has actually been ratified by 20 countries, out of all the 180 odd countries or so in the UN system.

Mr. Speaker, Sir, there has always been this jurisprudence that is actually being developed or has developed surrounding the definition of what is indigenous within the context of these laws - with the context of the ILO 169 and within the context of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Now one of the declarations under UNDRIP says, I quote:

"...the indigenous should be from a minority culture which is significantly different from the dominant culture of the majority."

Any other construction would lead to the tyranny of the majority over minority groups under the guise of indigenous rights.”

Mr. Speaker Sir, the African Union, the African Commission on Human Rights actually grappled with this issue because as you know there are different tribes, for example, that when the British drew the boundaries of Africa, they actually did not have any consideration of traditional boundaries. They simply drew lines on the sand sitting in Europe, so, there was this whole issue when indigenous rights came up, who actually is indigenous and under which definition should they fall?

And, Mr. Speaker, Sir, it did say that the Report was done and, in fact, it came out and said: “... furthermore the report emphasised that it is not the issue of special rights over and above other sections of the society. It is an issue of the need for specific rights to address the specific forms of discrimination and marginalisation faced by indigenous peoples.”

“What is the definition within this context?”, it said. Some of the characteristics they said should be, their cultures, if you say someone is indigenous, their cultures and ways of life differ considerably from those of the dominant society as to how ILO and UNDRIP would apply. Their cultures are under threat, in some cases, on the verge of extinction. They often live in inaccessible geographically-isolated regions and they suffer from political and social marginalisation, and are subject to domination, exploitation within national, political and economic structures.

Mr. Speaker, Sir, none of this actually applies to the situation in Fiji, ...

HON. MEMBER.- We have told them many times.

HON. A. SAYED-KHAIYUM.- ... and we have, Mr. Speaker, Sir, again, as we have said specifically before, the UNDRIP which has no binding legal effect, Honourable Lynda Tabuya, stems from the experiences of indigenous peoples elsewhere, such as those in North and South America and Australia.

In Australia (and I have said this in Parliament before), after Sunday church, they used to go around as sport, shooting Tasmanian Aborigines. By 1919, all Tasmanian Aborigines were killed.

In Australia, they had a doctrine of *Terra nullius* which meant ‘the land was empty, you can take whatever you like’. This is why the indigenous people in Australia were not counted as part of the population until 1966 or so. They became part of flora and fauna, that is what happened.

(Hon. L.D. Tabuya interjects)

HON. A. SAYED-KHAIYUM.- See, she does not know what she is talking about. Mabo, of course, came and reversed that. My point being, Mr. Speaker, Sir, that the indigenous experience in Australia was not replicated in Fiji, that is the point. Therefore, as has been highlighted, it is not relevant to our experience in Fiji. To roll this out at every turn and corner, is actually misrepresenting to the people of this country. There is no threat to the iTaukei land, culture, institution or religion.

The iTaukei own approximately 91 percent of all the land in the country and iTaukei culture and institution have a cherished and proud place in our national life, protected by very clear and strong provisions in our Constitution. In fact, our Preamble recognises that.

So, Mr. Speaker Sir, when we have these discussions, we have seen that they have brought in a number of issues completely irrelevant legal issues, pertaining to this issue of equal distribution of land lease monies. Those are the points I want to make, Mr. Speaker, thank you.

HON. SPEAKER.- I thank the Honourable Attorney-General.

HON. N. NAWAIKULA.- A Point of Order.

HON. SPEAKER.- I will take a Point of Order and that is all I am taking.

HON. N. NAWAIKULA.- It is to clarify and correct; under UNDRIP, there is no definition of indigenous people, but under ILO C169, it is defined as: “Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.”

Fiji ratified that in 1998.

HON. OPPOSITION MEMBER.- Hear! Hear!

(Honourable Members interject)

HON. SPEAKER.- Honourable Attorney-General.

HON. A. SAYED-KHAIYUM.- Mr. Speaker, Sir, the problem with the Honourable Niko Nawaikula, he did not listen to what I said.

I gave the definition as developed by the ‘African Human Rights Commission’, when they were grappling with the issue and they said that when you look at ILO and when you look at UNDRIP, this is the context within which these Conventions came into place, that ILO came into that place. Because we have many countries, Mr. Speaker, Sir, where we have tribal groups, in the Indian subcontinent, tribal groups in Ecuador, tribal groups in many other parts of the world where they have been completely marginalised.

They are not allowed to even speak their language, their language has been killed off, they have actually been physically killed off. The land has been taken away. They live in territorial autonomous regions where there say, “You go and live in this area. Do not come out of here”, that is it.

That is what this particular Convention was supposed to address. This is why todate, UNDRIP has remained a declaration and not a convention, because there has been wrangling about these issues, and that is the whole point, Mr. Speaker, Sir.

The ILO, as Honourable Nawaikula knows (if he is not going to be mendacious), the fact of the matter is that, this is why there is only 20 signatories to the ILO Convention so because of the lack of definition, but the point being (and this is many of the main stream countries do not sign up to it), because there is no clear definition, but African countries have had to grapple with it in a wholesale manner and they have come up with this as to how and when it should be applied. Thank you, Mr. Speaker.

HON. SPEAKER.- Thank you, Honourable Attorney-General.

Chairperson of the Standing Committee on Economic Affairs, you have the floor for your right of reply.

Do you wish to take the floor? Honourable Prime Minister, you have the floor.

HON. M.D. BULITAVU.- Mr. Speaker, Sir, a Point of Order.

HON. SPEAKER.- There is a Point of Order.

HON. M.D. BULITAVU.- A Point of Order, Sir, I think you have already made the ruling that that was the last Point of Order before you closed off.

(Honourable Members interject)

HON. M.D. BULITAVU.- And this is quite unfair, Sir, given too that yesterday I stood up, you did not give me a chance too, Sir.

(Laughter)

HON. SPEAKER.- Honourable Member, there is a big difference between you and the Prime Minister and the Leader of the Opposition. When the Leader of the Opposition or the Prime Minister asks to take the floor, they take priority, that is the convention.

HON. M.D. BULITAVU.- Very well, thank you, Sir.

(Laughter)

HON. M.D. BULITAVU.- That is clear. *Vinaka*.

HON. SPEAKER.- Honourable Prime Minister, you have the floor.

HON. J.V. BAINIMARAMA.- Thank you, Mr. Speaker.

Mr. Speaker, I will be very brief and I will just briefly touch on some of the issues that have been discussed, mainly that prior to 1st January 2011 the distribution of lease money to landowners was distributed physically in all *Tikina*'s, on six monthly basis and according to the hierarchy structure of the *iTaukei* landowners, that is:

- *Turaga iTaukei* – 5 percent;
- *Turaga Qali* – 10 percent;
- *Turaga ni Mataqali* – 15 percent; and
- *Lewe ni Mataqali* – 70 percent;

Honourable Nawaikula mentioned that there has been no consultation, there has been consultations. I have been doing consultations throughout, that is how we came up with this even distribution of lease money throughout Fiji.

HON. SPEAKER.- Order!

(Honourable Members interject)

HON. J.V. BAINIMARAMA.- Throughout Fiji. I have been to Cakaudrove, he was not there, and that is how we came up with this distribution of lease monies, Mr. Speaker, and, of course, you have heard that the distribution method was used up to 31st December, 2010, and I just want to mention a few major issues that arose from this distribution method, such as the unequal distribution of lease monies.

As mentioned, female members and children below 18 years old were neglected or denied of their right to lease entitlement and, of course, lacks accountability. This prevented all individual members of the landowning unit from accessing and enjoying the income derived from their land.

Honourable Bultavu went on and talked about how many *iTaukei* bought properties after this, how many *iTaukei* bought properties before this? He meandered on like the Mississippi River and went on about the \$10 million land development and he said he wanted to lower the conditions. You just do not walk up to the Minister of Economy and demand \$2 million! That is how we ended up with the agriculture scam.

Honourable Radrodro talked about that there is no village as Serea and he does not belong to a village called Serea, so he is a non-*iTaukei*. I do not know what his ancestors were doing to try to register Serea as a village.

I want to tell Honourable Gavoka that we do not win Elections by speeches, we win Elections by acting, and he questioned our brain power, Honourable Speaker. I think he should look at the contribution they have done so far, I think it speaks for itself.

There were a lot of youths this morning, Honourable Speaker, in Parliament. I do not know whether most of them know that, I hardly remember that these lease monies for our landowners were once paid out in a manner that was completely at odds with the democratic ideals that the Opposition has been harping about. Way up until 2010, lease monies were distributed, not on the basis of equality, but on the basis of privilege; we know that, we have heard that.

The elite, who were paid out money on the basis of circumstances of birth. Honourable Speaker, we know money is power and in many cases the elite took that power and abused it. They bought the nicest houses and while they left their villages to drive around in their nice new cars, leaving behind vulnerable members of our society disenfranchised in a system with no accountability.

Honourable Speaker, the most passionate needs of communities were too often disregarded entirely in favour of short-sighted personal consumption. It was not right, it was not fair and it was not a system of any society that called itself “democratic” and we did something about it.

It was my Government, Honourable Speaker, who finally righted that wrong. I pledged to our landowners after consultation, ...

HON. OPPOSITION MEMBERS.- With who?

HON. J.V. BAINIMARAMA.- ... from your chiefs. You do not know that, you were not there.

... that the distribution of lease monies would occur on an equitable basis so that all *iTaukei* people would benefit, not only a select few. I backed that commitment, Honourable Speaker, in 2011, the equal distribution of lease monies came into effect.

Honourable Speaker, it is hard the equal distribution of lease monies can be boiled down to a single word and that is, they do not understand that. They have talked about someone taking about \$44, not worth it. It is called “empowerment”, Honourable Speaker, empowerment through financial benefit, not for some but for all.

When I was doing this consultation, Honourable Speaker, the former Minister for Education, Mr. Filipe Bole, came and saw me (I do not know whether he was pulling my leg, Honourable Speaker, because he is always pulling my leg) and he said that in Vanuabalavu, when they had that equal distribution of lease monies, by the time it got to them, there was no money left, then they were given a matchstick each to show that they were part of that *mataqali* but they did not have any more money left. But I do not know whether he was pulling my leg, but that was during the consultation. Only in Vanuabalavu!

(Laughter)

HON. SPEAKER.- Order.

HON. J.V. BAINIMARAMA.- But we have seen a lot of entrepreneurial-minded Fijians, who use their lease monies as seed capital for new business ventures. Young Fijians are able to accumulate wealth from a young age, money that can be used to further their education, Honourable Speaker. Women no longer need to fear losing their lease funds, depending on who they might marry. Every member of the iTaukei community, Honourable Speaker, now sees more tangibly than ever the benefits of putting their land to use, and thanks to my Government for the unprecedented assistance in developing iTaukei land. They can pursue that development themselves rather than losing out on revenue by engaging a third party developer.

Finally, we have seen leadership in the *vanua* changing for the better, monies are no longer spent at the whims of a few. No one can tell any landowner in Fiji that we know better than you, how to spend your rightful money. Instead, communities must be consulted, as we have done, consensus must be achieved and that, Honourable Speaker, is the surest path to truly inclusive development that benefits all people. Thank you, Honourable Speaker.

(Applause)

HON. SPEAKER.- Thank you, Honourable Prime Minister. Honourable Chairperson of the Standing Committee on Economic Affairs, you have the floor on your right of reply.

(Laughter)

HON. SPEAKER.- Order! Order!

Honourable Bulanauca, because it is your birthday, it does not mean you go to

(Laughter)

Although, on a friendly basis, I would like to do that but I am going to be held down by the House. You have the floor, Chairperson.

HON. V. NATH.- Thank you, Honourable Speaker, Sir.

I thank all the Honourable Members for their contribution. There were some misleading statements, Honourable Speaker, Sir, like Honourable Aseri has been misleading Parliament and I thank the Honourable and learned Attorney-General for correcting him.

Of course, I was, in fact, stunned with the Honourable Viliame Gavoka's statement about the Alternative Member. In fact, he knows that he is also an Alternative Member of my Committee. If you look at all my Reports, I have been mentioning all the names of all my Members, like the Honourable Deputy Chairperson, Honourable Veena Bhatnagar; Honourable George Vegnathan; Honourable Inosi Kuridrani; Honourable Ro Filipe Tuisawau; and Honourable Viliame Gavoka. I have always been mentioning them for their contributions, so there is no need to say that the Alternative Member is not there, they are also Members.

To conclude, Honourable Speaker, Sir, the policy decision for equal distribution of lease money is welcomed by thousands of people benefitting from it. Previously, only 4,500 people were receiving land lease money and now 300,000 will receive, speaks the volume.

With those words, thank you, Sir.

HON. SPEAKER.- Honourable Members, Parliament will now vote to note the content of the Report. Does any Member oppose the motion?

(Chorus of “Ayes” and “Noes”)

There being opposition, the Parliament will now vote.

Votes cast:

Ayes	:	27
Noes	:	21
Noted Voted	:	3

HON. SPEAKER.- Honourable Members, there being 27 Ayes; 21 Noes; and 3 Not Voted, the motion is therefore agreed to.

Motion agreed to.

Honourable Members, we will now take an adjournment for lunch and we will resume in two hours' time, but I will be generous with you, I will extend it to two hours 15 minutes from now. So at 3.15 p.m. we will resume. You have two hours for lunch, we adjourn.

The Parliament adjourned at 1.06 p.m.

The Parliament resumed at 3.15 p.m.

HON. SPEAKER.- Honourable Members, for the purposes of complying with Standing Orders with respect to sitting times, I will allow a suspension motion to be moved.

I now call upon the Leader of the Government in Parliament to move his motion. You have the floor, Sir.

SUSPENSION OF STANDING ORDERS

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

That under Standing Order 6, that so much of Standing Order 23(1) is suspended so as to allow the House to sit beyond 4.30 p.m. today to complete the remaining items as listed in today's Order Paper.

HON. A.A. MAHARAJ.- Honourable Speaker, I second the motion.

HON. SPEAKER.- Honourable Members, I now call upon the Leader of the Government in Parliament to speak on his motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Honourable Speaker, Sir. As listed in today's Order Paper, we still have on Schedule 1, four motions yet to be debated and, of course, on Schedule 2, the eight Oral Questions, thus the request to sit beyond 4.30 p.m.

Honourable Speaker, Sir, we did well in the last two days. We reduced the time as well under your able stewardship from 10.00 p.m. to 7.00 p.m. last night, and we hope that it will not go to 7.00 p.m. today, Honourable Speaker, Sir. Thank you.

HON. SPEAKER.- Honourable Members, the floor is open for debate on the motion.

There being no one wishing to take the floor, Honourable Leader of the Government in Parliament, you have the floor.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Honourable Speaker, Sir, I have no further comments to make, thank you.

Question put.

HON. SPEAKER.- Honourable Members, Parliament will now vote.

The Question is:

That under Standing Order 6, that so much of Standing Order 23(1) is suspended, so as to allow the House to sit beyond 4.30 p.m. today to complete the remaining Items as listed in today's Order Paper.

Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is agreed to.

Motion agreed to.

Honourable Members, I will now call upon the Chairperson of the Standing Committee on Social Affairs, the Honourable Viam Pillay, to move the motion. You have the floor, Sir.

REVIEW REPORT ON THE UNIVERSITY OF THE SOUTH PACIFIC (USP) 2016 ANNUAL REPORT

HON. V. PILLAY.- Honourable Speaker, Sir, I move:

That Parliament debates the Committee's Review Report on the University of the South Pacific 2016 Annual Report, which was tabled on 12th March, 2018.

HON. G. VEGNATHAN.- Honourable Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, I now invite the Chairperson of the Standing Committee on Social Affairs, to speak on the motion.

HON. V. PILLAY.- Thank you, Honourable Speaker, Sir.

Honourable Speaker, Sir, on behalf of the Honourable Members of the Standing Committee on Social Affairs, I take this opportunity to speak on the motion in regards to the Review Report on the University of the South Pacific's (USP) 2016 Annual Report, which was tabled in Parliament on 12th March, 2018.

The Committee had reviewed the University of the South Pacific's 2016 Annual Report in consultation with the USP Senior Officials, and has unequivocally stated that the year 2016 was a successful year for USP. This is in terms of both, its planned transformation and continuous improvements in its delivery.

Given USP's progress, as has been identified as one of the robust institutions with highly effective governance that has enabled growth and improvement, even as unexpected challenges arise, such as devastating *TC Winston*.

The Review identified the enormous effort and the hard work being put in by USP with all stakeholders into the transformation of USP from good to excellent.

It is important to note that USP was set up to provide Pacific people with a comprehensive rate of excellence and relevant tertiary qualifications. Also note that at the end of 2016, the University finished off on a high note with students enrolment reaching 27,642 which was a record enrolment.

Honourable Speaker, Sir, this figure reflects positively on our people as more Fijians continue to further their studies at the university level and utilising the Government scholarships that are currently in place, and the value of programmes and qualifications that the USP delivers.

Honourable Speaker, Sir, 18 Programmes offered by USP have been internationally-accredited and four Programmes were recognised. Out of these, seven Accreditations and one Recognition was received in 2016 alone. It is very significant that USP's overall performance is steadily improving, that it is educating more people to a higher standard, that it is producing more research and also advocated for the Pacific Region on key thematic areas, such as ICT, HR Development and Climate Change.

We commend USP's main accomplishments as it transforms to be an outstanding focal point of learning and exceptional research and development centre and a regional institution of high importance as the Pacific people journey towards their knowledge in moving to the future.

Honourable Speaker, the Review identified that USP has contributed a lot to Fiji on some very important key areas, such as:

- regional learning institution which is currently based in Fiji at the Laucala Campus, Suva, which is a major employer;
- provides relevant research;
- policy advice;
- community services and outreach;
- promotions and maintenance of culture and language; and
- generates economic activities.

Honourable Speaker, it is important to note in the review that out of the 12 Member Countries, Fiji contributed about 74 percent of the USP's grant.

Honourable Speaker, Sir, with those few comments, as the Member moving the motion, I thank you for the opportunity.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Members, the floor is now open for debate on this Agenda item.

Honourable Minister, you have the floor.

HON. R.S. AKBAR.- Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the motion by my Honourable colleague to consider USP's 2016 Annual Report, which the Standing Committee on Social Affairs reviewed in March 2018.

Mr. Speaker, Sir, the Legislature of Fiji approved the establishment of the Interim Council of USP in 1967, passed the USP Act in 1978 and the Charter of USP was incorporated for Laws of Fiji, Chapter 266.

The USP was constituted by a Royal Charter in 1970, which incorporates a body into a single legal entity and, therefore, does not need to have any incorporated legal entities in any of the Member Countries.

Mr. Speaker, Sir, University Stakeholders are representatives of each of the 12 Member States. It is a complex organisation and one of only two regional Universities in the world, the other one being the University of West Indies.

Mr. Speaker, Sir, Fiji has supported the University of the South Pacific through the allocation of land. Fiji, by far, is the largest and the highest contributor (74 percent) of all stakeholders and donors to a direct grant. Other funding to USP is provided from the Tertiary Scholarship and Loans Board (TSLB). We are justifiably proud of the achievements of USP but as always, we expect more.

Mr. Speaker, Sir, USP aims to provide the Pacific with a comprehensive range of excellence and relevant tertiary education qualifications. Like FNU, USP also offers courses in the field of Technical and Further Education (TAFE), with a focus on skilled-based qualification, Foundation and Preliminary

studies. Usually, universities are self-accredited but I am pleased to note that USP is registered under the Fiji Higher Education Commission (FHEC).

Mr. Speaker, Sir, USP in 2016, began the process of extending its international accreditation with 18 Programmes being prepared to be submitted to the Western Association of Schools and Colleges, Senior College and University Commission. As this was approved in 2018, this means that a number of USP Qualifications are recognised in the Western United States of America, which is good news for our students. I hope this will not mean an increase in immigration of our top performers to USA.

Mr. Speaker, Sir, it is imperative to note that the University continues to play a key role in research, and its application to an informed policy level discussions and decision-makings. In 2016, research initiatives and cooperation of USP were guided by seven strategic research themes, which have not only been relevant to Fiji, but the Pacific Island Countries as well. These themes include:

1. Pacific Cultures and Society;
2. Pacific Oceans and Natural Resources;
3. Environment and Sustainable Development, and Climate Change;
4. Human Capacity-Building and Leadership;
5. Economic Growth;
6. Regional Co-operation and Integration for Sustainable Economy;
7. ICT and Knowledge Economy; and
8. Government Public Policy and Social Cohesion.

These are very relevant to Fiji and have contributed to development efforts in the Pacific by attracting international students to Fiji, and absorbing our Fijian and Pacific culture and understanding, the workings of multiracial and multicultural architecture of our societies.

Mr. Speaker, Sir, this also promotes a focus on our oceans and its natural resources. USP, through its technical research interventions, assists in providing solutions to optimise the sustainable use of our natural resources. The University has also contributed to research and project initiatives in environment and climate change with relevant Ministries and international partners.

Mr. Speaker, Sir, the Annual Report also emphasises USP's contribution towards capacity building and leadership, an area significant to Fiji and other Pacific Island Countries. This is done through knowledge-creation, enhancing research capacities and ensuring that traditional knowledge is an inherent part of teaching and learning, pertinent to governance and leadership. This also includes encouraging innovative and *entrepreneurial* thinking.

Mr. Speaker, Sir, I am delighted that USP has supported students living with disabilities. The Campuses in Suva is largely accessible and relevant teaching learning support is provided through counselling and sign language interpreters; reasonable accommodation during lessons, coursework and exams, coordinated interactions between students with disabilities and course facilitators.

The University also provided buddies and separate exam venues and brailled papers for assessment (as required) for additional support; provision of assistive technologies, such as Braille Sense U2, NVDA, Read & White Gold and audio-recorded notes are also available for students with disabilities. This, no doubt, adds to the ability of our students with disabilities to succeed.

Mr. Speaker, Sir, in 2016 more women graduates than men graduated from USP; more females (55 percent) enrolled, compared to 45 percent male, all good news for gender equality.

Mr. Speaker, Sir, the University has moved towards delivering its programmes and courses through flexible learning modes that can still be accessed by students outside the Laucala Campus. This is a welcome development, as education at a tertiary level can happen anywhere at any time.

The USP Net Satellite System is now 19 years old but continues to support the USP ICT Services. With \$5.6 million support from New Zealand Government, the University is now working to refurbish and replace the main hub at the Laucala Campus and other hubs in Regional Campuses. This project, Mr. Speaker, Sir, should be completed by the end of 2019.

With the view of enhancing teaching and learning support, USP provided tablets to first-year fulltime students, who have paid their fees and are sponsored or on TELS.

Mr. Speaker, Sir, the University hired international local staff in order to promote a local talent, and this is done through intermediate and junior staff positions being locally recruited. Positions below Band 5 are recruited from the region, giving equal opportunities to citizens of all Member Countries to apply.

The Assistant Lecturer positions are also reserved for regional people only. All Senior positions both academic and comparable Bands 5 and 6 are recruited through international advertisements. So anyone, including Fijians, can apply from anywhere and have equal opportunities.

Mr. Speaker, Sir, this ensures that USP attracts the best of the Pacific to build our capacity across the board.

In conclusion, Mr. Speaker, Sir, noting the accommodation recommendation in the Report, renting accommodation in Suva is a recurring thing as prices continue to rise. USP properties located on high end residential and commercial spaces, and an increase of rental to current market levels has been limited by a rental freeze.

Finally, Mr. Speaker, Sir, I am pleased to close by saying that USP is working very closely with the Fiji National University (FNU) and the University of Fiji, to coordinate activities and maximise impact for our students.

With the future strategic direction of the University, social and economic development of the Pacific Island Countries and Fiji will be promoted by producing high calibre work-ready graduates and supporting relevant research and innovation. I thank you, Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Minister.

Honourable Ro Filipe Tuisawau, you have the floor.

HON. RO F. TUISAWAU.- Thank you, Honourable Speaker, thank you to the Honourable Minister and the Chairperson of the Standing Committee on Social Affairs.

Today, we acknowledge the University of the South Pacific, not only me but a few others of my colleagues who are graduates, spent a long number of years there, which is really a credible institution and also an experience which really contributed to our development as human beings and also as graduates, not only as a student but also as staff. On the other side of the House, we also have some former staff and I was also part of the staff in the academic arena, plus in the administrative side.

However, today we are discussing the current Report and just to contribute on a few elements of this Report regarding the findings.

Just to make a few comments on the Findings on Page 6, No. 3, regarding this element called the “Distance Learning Mode (DLM). This is a study, especially when you are away from USP, we used to call it “Extension Studies” at that time, for those in the outer islands or in the Pacific Islands who do not have access to the on-Campus facilities would take this mode which is through distance education, either you do it through assignments going through the mail at that time but now, a lot of it is online.

One of the issues expressed by students now is the high number of courses being put on online studies in the first year and some in the second year. This is also happening for those who are supposed to be on-Campus students. The issue there is, distance study is less advantageous than face to face, so it would be good for the Committee to offer the University to relook at this drive towards distance learning rather than face to face, because the feedback I get from the students is that, they are not benefiting from distance learning because of the lack of contact with the lecturer or lack of face to face which means that they cannot discuss things on time in terms of assignments and also correcting or looking at matters which could mitigate their studies.

Secondly, I want to comment on Page 6, No. 5 regarding a performance audit in terms of the positions filled, the hiring of expatriates, et cetera. This was highlighted by the University in terms of the number of vacancies which they currently have - about 50 or 60. That was the number given and from my knowledge of working in the Human Resource Section there, one of the main problems which happen at that time a few years ago, was the requirement by the Administration or the Vice-Chancellor or whoever decided, that all Academics have PhDs. At that time, only the senior lecturers, professors would be required to have PhDs but they have moved that Minimum Qualification Requirement for PhDs to the lower levels, which resulted in those who were at the Assistant Lecturer Level and Lecturer Level to have PhDs; they required them to have PhDs.

This resulted in quite a number of Pacific Islanders, who were at that level being pushed out because of that requirement. So that is an issue which is not mentioned and also, not taking into account when USP is saying that they have a lot vacancies in the academic area, so that would be an area. For me, I would like to express that probably the requirements have been set too high. Even I was a lecturer but I did not have a PhD but I did well. About 90 percent of my students pass, like Honourable Dr. Mahendra Reddy, he had 100 percent pass.

On Page 7 at the top, it would be good to have a breakdown of Pacific Regional staff because it is a university established for Pacific Islanders. One of the long term objectives is the development of Pacific Islanders or regional citizens to be good academics or public servants, et cetera. So in terms of statistics, it would be good to break that down in terms of total USP staff which are USP regional staff and which are expatriates so that we know the extent of the problem regarding a regional institution, having regional staff which, in my view, is very important.

The other issue regarding USP which have been an issue in the last few years and also highlighted through various mediums is the hiring of staff without advertisements. I am not sure whether it is still happening but that is an issue of good governance. I know that there were regulations there which allowed certain Heads of Departments to recruit staff without an advertisement for a minimum period of time.

But that was abused because they chose who they wanted to choose at the end of that minimum period which was one year, then they would normally advertise and, of course, the person who was there (which they chose without advertisement) would not have the advantage. That could be a problematic issue regarding USP.

I also notice in the Finances, on Page 17, there is quite a surplus there which increased to \$9 million. If there is a surplus, there have been quite a few feedback from the students regarding the increase

in fees. If there is a surplus, then there is an opportunity to decrease the fees in order to benefit the students.

Not only that but, of course, when fees increase, when we look at Government's Scholarship Schemes, we have the TELS and the NTS, so NTS is all right, but for us we have an issue with TELS in terms of accumulated debts of students which, at the time of graduation, they would have about, may be \$15,000 to \$20,000 in debt.

For some, even before they start work, they are already in debt and it would take probably (I do not know, may be 10 to 15 years to pay that off), so it would be good if USP looked at their surplus but also using that surplus or utilising that to decrease the fees and cover that side of their decrease in income or revenue through that surplus.

A final one, Mr. Speaker, Sir, I have not seen it mentioned here which is regarding the accommodation for USP students. I know that USP is working on that but quite a large number of them are living around the USP area, paying very high rents. A lot of them have complained and that is again another issue which needs to be resolved by USP. I know they are working on one or two Halls of Residence, but that would be an ongoing issue regarding the surrounding areas, especially, not for Fiji students from outside Suva but our regional students from our Pacific Island countries.

The other thing I notice is that, they have not mentioned anything on industrial relations. There have been issues with USP intermediate and junior staff not getting the increments. Last year, they walked out, they had a strike and that is an issue that the USP Management needs to resolve quickly in order to ensure that there is a harmonious industrial relations environment at the USP so as not to disrupt the operations, such as what happened last year.

Thank you, Honourable Speaker, and that is my contribution today regarding the Report.

HON. SPEAKER.- Honourable Minister Reddy, you have the floor.

HON. DR. M. REDDY.- Honourable Speaker, Sir, as my colleague has already spoken, I thought I will just make some contributions to some of the points raised by my good friend out there, Honourable Tuisawau.

Honourable Speaker, while in defence of USP, unfortunately, USP is not here to defend itself, but having been an academic at USP and I also served in the USP Council, I thought I would respond to some of the issues that he has raised.

One of the issues the Honourable Member has raised is about the weakness of courses offered through Extension Mode. Initially, Honourable Speaker, you would have noted that they were offering courses through Extension Mode and it was called the Extension Department, Extension Study, which basically means that you can stay at home and study at USP from home or outside the main Campus. At that particular point in time, they were offering those courses through Print Mode. Then later on, they moved towards Distance and Flexible Learning (DFL), which means that there are other ways of offering courses rather than just Print Mode, for example, video broadcasting, online courses.

I recall very clearly when I was at USP, there was this debate about whether quality will be compromised when we offer courses through DFL Mode, and it was then noted that only those courses will be offered through the DFL Mode if the courses quality would not be compromised by offering through those Modes. For example, let us, say, a course in Physics in a final year. It requires the final year laboratory course that you cannot study it from home because there is no physics laboratory in that particular area. So, there was a course rationalisation done at the Senate level to decide whether that

course would be offered at DFL Mode or not, to ensure that quality was or will not be compromised so, for example, Year 1 courses or now they call it “units”, would be offered to DFL Mode and wherever there is a laboratory requirement or let us say, Year 1 Chemistry or Physics in which the laboratories in school, et cetera, were booked to allow for practical to be done.

So, I think the entire world is moving towards DFL Mode. The institution must ensure that they put the safeguards in there that quality is not compromised, and I think USP is doing that and I have no doubts about that.

The other issue, Mr. Speaker, Sir, that the Honourable Member has raised about is putting PhD requirements and therefore shunning out potential local and Regional candidates to get a particular position in USP, I do not think that is true, and that has not really happened in USP.

When I was there, 60 percent of the staff were from the Region and 40 percent were from outside the Region. I know this because I was part of the Union and we were looking at their salary increment and there was a formula that we were using.

The reason why PhD was not enforced for Assistant Lecturer position or Tutor position or Lecturer II positions, beyond that like Senior Lecturer Assistant Professor or Assistant Professor or Professors were required to have PhD, because without PhD you cannot teach students for Masters Programme, because the rule was that if you want to teach students for Diploma Level, you must have a Bachelors Degree. If you want to teach students for Bachelors Programme you must have a Masters Degree, and if you want to teach students for Masters Programme, you must have a PhD Degree, one level up.

So it was encouraged, so they have to, because USP is and was offering Masters Programme so they have to have a good number of cadre of PhD holders. Also if you want to supervise a student's Masters thesis, you will need someone with PhD or with Research profile. So I do not think that that requirement led to lesser number of staff from the Region. At that particular point in time, there were 60 percent of staff from within the Region and I think for now, that particular policy has actually resulted in a lot of regional candidates upgrading their qualifications, and now have PhD.

The other issue that the Honourable Member mentioned was hiring without an advertisement. I know I was the Head of School of Economics there, this only was allowed when you have a programme to offer and someone has resigned without giving a notice and was willing to pay that salary in lieu of three months' notice. So, in that case you need to get someone, so it was allowed to recruit someone on a short-term contract - three months contract, six months contract, for a maximum of one year.

So that, of course, would have been some cases of abuse but it was only to utilise to ensure that there is someone to teach or run that particular programme. So, those cases without advertisement, maximum, you could have given one-year contract other than that, you have to advertise the position.

Of course, there were also other careers, when you have three times maximum (one, one, one-year contract) and after that, you must advertise, you cannot give it to that person again and continuously keep that person.

Mr. Speaker, Sir, the other issue that the Honourable Member raised was about that USP Financial Report shows surplus and, therefore, there should be a reduction in fees. It does not work that way. I was in the Council where all the universities were required to have reserve at a particular point in time, and so, there is something that happens to the funding, there must be reserve to run the institution and in the USP's case and FNU too when I was in FNU, we were required to have reserve equivalent to one term. There are three trimesters so one trimester's operating expense, so FNU, for example, was required

to have one trimester's operating expense reserved, so that assume you do not get grant for one term for some reason or the other, you can run the institution for one term, by then, you are able to make arrangements or persuade the Region or the Government to give operating grants so that we can start.

So, every institution is required to hold reserve, just like foreign reserve to Government - RBF. So USP was required to hold reserve of operating expense - wages and salaries equivalent to one semester, so that if there is an issue, you can run the institution for one term while you are working on getting the finances.

Now, the other issue that the Honourable Member raised about the accommodation (this is an issue for all institutions in Fiji), accommodation is a problem, it is not something that you can deal with overnight because if you look at USP and FNU's enrolment rate, every year it is increasing, and with USP, where you have got a large number of students, I think, around 30 percent to 35 percent are from outside, all of them need accommodation.

Then you have within Fiji, students from Western, Northern Divisions and the maritime islands, they also need accommodation, so USP always have this issue about accommodation. In fact, in our time, we were told that you need to find accommodation outside, preference will be given to Regional students and rightfully so, because they did not have that network and connection and know some of the places to find accommodation outside. But since I was there in the late 1980s, 1990s, since then USP, nearly every five, six years, they used to construct buildings for accommodation, and I think the last or a year before, there was the opening of a new accommodation block at USP.

So, the Capital Grants are not easy to get too, but USP has been fortunate that, I think, New Zealand and Australia have also been funding its core budget for a decade or so. So, I think USP has done extremely well, USP has contributed to the growth and development of the cadre of human capital in the Region, and I think they should be commended. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister.

Honourable Leawere, you have the floor.

HON. M.R. LEAWERE.- Thank you, Mr. Speaker, Sir. I would like to thank the Committee for the elaborate work that they carried out in terms of having this Report tabled. But, there maybe a few issues that I would like to highlight this afternoon, regarding the Report which I would like to bring to the House's attention on Page 36 on Disabilities.

There are a lot of students who have some form of disabilities and some of them are put into mainstream schools and some of them end up in University and this is where the assistance is needed in terms of the various disabilities that they have.

USP has done quite a good job in terms of having to take these students into Campus and some of them have graduated. I know of one who has acquired double Masters and she went through the system. I was just wondering if USP has some form of assistance in terms of speech therapy as alluded to in the Report.

Speech therapy training is a skill that is needed for one in order to take up the course or to teach the students that come in with this type of disabilities, and it is an important component because if we are not careful not to accommodate this type of students with that type of disability, they will not be able to achieve, given that they wish to come out and be successful in life.

The other issue, Mr. Speaker, Sir, that I would like to raise this afternoon is about compliance. As alluded to by the Honourable Minister for Education about the 18 Programmes that have been internationally-accredited, I was just wondering if you can elaborate more on that in terms of the Programmes that are offered; which programmes are these; if future reports can itemise these programmes so that whenever or whoever is reading the report would see not only the numbers that are listed in the Annual Report.

On performance audit, Mr. Speaker, Sir, I think USP needs a very thorough staff audit because I know that there are some who are sitting in some positions and they do not qualify. So I hope that the Auditor-General can take up the issue on that because some are not qualified to sit in the positions that they are currently holding right now at USP.

HON. MEMBER.- How come?

HON. M.R. LEAWERE.- You do your homework and you will find out more.

In terms of staff grievances, we have been told that they have outsourced the Maintenance Unit in terms of cleaning at USP and they were part of the staff. When they work at USP, they are also entitled to whatever benefits that are there in terms of their children attending university by having 75 percent contribution in order for their children to study, and outsourcing this, has deprived those workers with those benefits, they will not be able to accommodate or take their children to USP due to the outsourcing.

Also wayback in 2014 and 2015, the Staff Association had come out with a grievance in terms of their pay and they have been crying from then till now, still waiting for USP to pay whatever was due in terms of their staff pay.

If you look at Finances on page 17, Mr. Speaker, Sir, USP achieved an operating surplus of \$9 million. So why not think of those in the boiler room, the nuts and bolts of working at USP which make USP vibrant in terms of the output that they produce?

These are the issues, Mr. Speaker, Sir, I wish to highlight this afternoon in terms of the Report that has been tabled in the House. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Thank you.

Honourable Jone Usamate, you have the floor.

HON. J. USAMATE.- Thank you, Mr. Speaker, Sir, first of all, I would like to congratulate the Committee for a Report that is being well done and I think all of us are quite happy to see the visible developments that have taken place at USP over the years, also that there has been a lot of good progress in the work that they have just done and it continues to contribute effectively to all the Member Countries in the Region in terms of providing skilled and knowledgeable manpower to help us run our different countries.

Just a number of issues that I thought I would raise. First, I was particularly interested to note the fact that the Engineering Programme at USP, because this is an area of great need that we have to produce engineers. For a long time in the past, we used to get engineers, we used to send our children offshore to get them to become trained as engineers and I know that at FNU and USP, they have started the Engineering Programme. It is an important thing for us to make sure that the quality of engineers that we produce meets the requirements that meet international standards.

I notice from the programme at USP that in the Engineering Programme, they have an affiliation with the New Zealand Institute of Engineers which, I believe, actually meets the standards of the Washington Accord.

The Washington Accord is the international benchmark for engineering training. So I think that is very noteworthy and something that the USP is to be congratulated for being able to produce engineers that meet the standards of the Washington Accord. All across the country, in terms of other engineers that we need to produce, we need to make sure that they meet these international standards.

I notice also that in terms of the accreditation at USP, the statement that was made that in the policy that we have, the Fiji Higher Education Commission, if you are a university, you do not necessarily have to be accredited by the Fiji Higher Education Commission because universities become self-accrediting institutions.

But one of the important things that keeps coming in my mind that we need in our education system in our country is to make sure there is portability of qualifications. If you do a lower level of qualifications at one institute, that qualification should give you access into a higher level qualification in another institute. For instance, if you do a diploma at Jelsoni's Technical Training College and you want to articulate into a programme at university, there should be good pathways that allow you to take your local qualification and articulate into the qualifications that we have at USP. So I keep thinking in my mind if the programmes that we have at university, while they are self-accrediting, if we do not have these direct linkages back to a National Qualification Framework, you might unintentionally force people to duplicate the learning that they have already done in order to get into the next level of accreditation.

I am just thinking in my mind, while the universities are self-accrediting, we need to make sure that if people are doing qualifications at a Regional or local institute in Fiji that does something for instance, at a technological level and they want to articulate into an Engineering Programme, there must be those sorts of pathways so people can progress into the areas of learning that they have. That was one point that I hope that even if USP is not accredited to the Fiji Qualifications Framework that is run by the Fiji Higher Education Commission, that the local programmes in Fiji can articulate into that programme so that they do not have to go and re-learn or re-do what they have already learnt at the lower levels of the programmes that we have.

The other thing that I was interested to see is the emphasis now on open education resources. One of the things that I keep telling staff in my Ministry that they do not have to go to a university to learn a lot of these things because there is so much available on the *YouTube*, all these open educational resources, so I am glad to see that USP is developing these open education resources so that anyone who wants to learn something, these things are free and they are available and people can teach themselves, the things that they need to learn.

I see from the discussions here that the Ministry of Education has been doing this. They have been providing open education resources, making them available and I think that is a good step and it is something that we need to see, not only the Ministry but also at USP which we do a lot of funding. I think we provide more than (if I had the percentage) around 72 percent or 74 percent which I think is \$30+ million dollars, together with more than \$60 million that we give to FNU.

One of the things we should consider is getting these institutions to put more open education resources available, so that the citizens of this country can access them and the things that they need to learn, they can learn on their own.

That is my brief contribution to this debate, Honourable Speaker, Sir.

HON. SPEAKER.- Thank you, Honourable Minister.

I call on Honourable Lenora Qereqeretabua. You have the floor, Madam.

HON. L.S. QEREQERETABUA.- Thank you, Honourable Speaker.

Honourable Speaker, I just rise to offer some thoughts on the motion of the Standing Committee of Social Affairs on USP's 2016 Annual Report before the House, and I thank the Chairperson and the Committee.

Honourable Speaker, the first thing that struck my eye is the Chairperson's remarks where he states that USP is a robust organisation overall, with highly effective governance that has enabled growth and improvement. I have some misgivings about that manner of high praise, given that the Committee's exposure to the University was based on Parliamentary submission processes alone, and I just think that that line of assessment, offering Parliamentary commendation such as that offered by the Chairperson in this Report will only be appropriate if one had actually done an intensive systematic review and audit of the whole organisation.

I note that the enrolments for 2016, as pointed out in the Report, totalled 27,642 students and this was lauded by the Committee as being a record. But I do not see anything in the Report that details how the University was going to expand its infrastructure and facilities to cater for this continuous growth. I just thought that surely as Fiji is a member of the USP Council and as a host country of the main Campus in Laucala that hosts the majority of this huge enrolment figures that we should know how this would be managed. I just wanted to know if the Committee, by the sense of that from USP because this was not immediately clear in the Report.

Honourable Speaker, I am aware though of the lack of study space, inadequate computer laboratories, sometimes the excruciatingly slow bandwidth of *Moodle* and sitting areas for the primary clients of USP, and they need major improvements and this is what some of the students have told me.

Furthermore, there are no recommendations from the Committee and that could be because the Report is dated, Honourable Speaker, and because of the slow progress of the Committees in getting them tabled in this august House. As mentioned before, this is not a good use of the Committee's time nor this House's as we are rehashing a Report from three years ago, and I am sure things in this Report have since changed.

Furthermore, I would be very interested to understand if the University has a legal fund, Honourable Speaker, and if so, how big it is because it is common knowledge that the University has had many legal challenges that have been settled out-of-court and this type of expenditure does not seem to be immediately visible in this Report either.

I note the verbatims contained in the Report that were included from Page 25 onwards that records two presumably senior members of management as having appeared before the Committee and, at least, a question in my mind as to why the then Vice-Chancellor could not avail himself to the Committee, as he is ultimately accountable to this House through the Committee.

At this point, it is important for me to raise here and now that procedurally, when any institution, individual or body is summoned by the Parliamentary Committee, they come. It is perhaps, pertinent for the purpose of enlightenment, especially to the members of the public to read Standing Order 112 on the Powers of the Standing Committees, and I quote:

- “(1) For the purposes of performing its functions and subject to section 74 of the Constitution and any other written law governing Parliament, a standing committee has the power to -
- (a) summon any person to appear before it to give evidence or provide information;
 - (b) compel the production of documents or other materials or information as required for its proceedings and deliberations;
 - (c) determine if it will accept oral or written evidence;
 - (d) determine the extent, nature and form of its proceedings;
 - (e) conduct its proceedings or any aspect of its work at any venue it deems to be most suitable, including, where Parliament is not sitting, a venue beyond the precincts of Parliament;
 - (f) appoint sub-committees in accordance with Standing Order 122;
 - (g) consult and liaise with any government department falling within its category of affairs;
 - (h) in accordance with section 91(3) of the Constitution, compel the attendance of a Minister to testify or to produce documents or other materials; and
 - (i) exercise such other powers as may be prescribed or assigned to it by the Constitution, any law, these Standing Orders or a resolution of Parliament.
- (2) For the purpose of clause 1(a) and (b), a standing committee has the same powers as those of the High Court.”

Therefore, there is a lot of responsibility being placed on the various Committees and the Chairpersons, whose names appear in these public documents while affecting their tasks as set out in the Standing Orders, not least of which is the recording of proper and holistic assessments of their findings.

With those words, Mr. Speaker, I thank the Chairperson for this Report. *Vinaka*.

HON. SPEAKER.- Honourable Lynda Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you, Honourable Speaker, Sir.

Firstly, I am just a bit baffled that Honourable Members from the other side are being defensive about the University because it is really our role as Parliament, as the biggest donors to the University (we are only one of 13 donors), but we are to hold accountable those that manage that money, and that would include the Vice-Chancellor and everyone working there. So, together, we listen to each other and take this to the University.

So we are not judging you, we are judging what is happening in the University so do not be defensive, please. Honourable Speaker, Sir, let us talk this out and we are going to do something about it.

Now, I have had the fortune of teaching there as a former staff at the University teaching at the Law School, very grateful to see quite a star-studded team on the Attorney-General’s team who were my former students, so I take credit for any good decisions he makes in that regard.

(Laughter)

HON. L. TABUYA.- But anyway, I am just referring to the Finance Section and I will just contribute. I agree with my colleague, the Honourable Ro Tuisawau in his sentiments and I would like to just add one more.

While working at the University, I had the fortune of being on the University of the South Pacific's Student Council, for a number of years as the co-opted member, Legal.

Now, while serving there and with the number of years there...

HON. MEMBER.- For how long were you there?

HON. L. TABUYA.- Five years, and I served on the Council, and I represented the students' needs at the Council.

HON. SPEAKER.- Order! Address the Chair.

HON. L.D. TABUYA.- And I did not get paid any extra, Mr. Speaker, Sir.

HON. SPEAKER.- Honourable Member, address the Chair, do not address the Minister.

HON. L.D. TABUYA.- Thank you, Sir.

So, in the Finance Section, with the surplus, one very good concern that the students of the University have is that when they pay fee, there is a portion of their fee that is the Student Association fee. Now, it is quite minimal (about \$50), it might have increased now so for every fee that they pay on a Unit (subject), that is what they pay, it might be just one percent or few percent but when you add it up, I mean, the number of students enrolled in 2016 - 27,600 students, that is about \$1.38 million collected per year.

HON. DR. M. REDDY.- That is not full time

HON. L.D. TABUYA.- Full time or part time, every fee paid, the students pay a student association fee.

Again, I am baffled as to why he is getting defensive, he does not run the University.

(Laughter)

HON. L.D. TABUYA.- Let us work together here, let us hear what the students' concerns are.

Now, with that amount of money, Sir, what has happened, Honourable Speaker, Sir, is that this money goes into the coffers of the University, but it actually belongs to the students. It is to be allocated to the Students' Association.

Now, the USPSA struggled every time that they tried to access these funds, they have to apply for what is called the "Vote Code", so they have to put in their proposal for an event and hopefully get approved and then wait until almost the day of the event to have the money released so, it builds to the inefficiency of the running of their organisations, the branches for students, the clubs, the social aspect of the association of the University, so that students can work together and also enjoy time together in these social events and other cultural events that we are trying to empower them with.

We are talking about the empowerment of students, Honourable Speaker, Sir. I ask the Government as a representative on the Council to, please, look closely at the accessibility of these funds for the students because really at the end of the day, it belongs to the students.

That money belongs to the students, they are paying the Students' Association fee, so it is to be made available. The USPSA federal branch is an independent organisation where that fund can go to them. They have hired the CEO (called the Secretary-General), who can have access to that funds and so this should be available to the students rather than being controlled by the University, and not getting it when they need it. So this is something that I am just asking the Government to hopefully, since we are talking about empowerment, the Honourable Minister for Women stated about empowering the individual to make that choice once they receive those funds, so along the same lines, Honourable Speaker, Sir, advocating for those students to have access to those funds that they can then decide what to do with it.

Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I would just like to make a few comments, given that Fiji, as has been highlighted in Parliament, makes the largest contribution to USP. Of course, as highlighted earlier on, USP recorded a positive financial result in 2016, Operating Surplus of \$9 million, compared to the \$7.2 million in the year before. The total increased income was by 2 percent and, Mr. Speaker, Sir, I think what is really important to note is that, the tuition fees increased by \$66.1 million, largely due to the reclassification of Government-sponsored students from Government grants. This is not just the Fijian Government but other Governments from around the region.

This means that sponsored fees are separated from the grant. The base grant has been reduced but Member Countries are to pay the sponsored fees directly to USP, based on the number of scholarship students. Without reclassification of sponsored students, the increase in fees was only 2 percent due to the reduction in enrolments and higher fee paying students, in particular for Postgraduate Programmes and Masters of Business Administration.

The Development Assistance increased by 4.3 percent to \$52.6 million from \$50.4 million in the year before. Other Incomes include Components of Commercial Revenue; Consultancy (because USP does some consultancy); Interest Income; Deferred Revenue and Exchange Gain; which increased by 0.1 per cent.

Tuition fees, Mr. Speaker, Sir, the income increased to 34.5 percent in 2016 from 28.7 percent, compared to 2015. Mr. Speaker, Sir, in comparison to Development Assistance, this increased by 26.8 percent. Government contributions was about 20 percent, equivalent to \$49.1 million.

The Fijian Government contribution consist of the direct grant of \$35.5 million and then, of course, from TELS and National Toppers Scheme (NTS) of \$13.6 million. The TELS and NTS assisted 3,960 students from that perspective.

Mr. Speaker, Sir, there is digression by the other side talking about the loans for students. Of course, Mr. Speaker, Sir, one should also know that many of the students would not be attending University, if it was not for TELS or if it was not for NTS in the first place.

In terms of spending, the total expenditure for the University increased by 1 percent to \$182.8 million, and Operating Cost became the largest component of the expenditure which stood at 47.1 percent in 2016, compared to 45.6 percent in 2015.

Mr. Speaker, Sir, yes, the cash reserve available at the end of the financial year is \$135.7 million. The University's aim was to generate more cash in the years ahead to exceed the cash reserve level to invest in infrastructure and long term strategy. Of course, some of these would include, capital investment in student accommodation which, of course, we have always talked about. The total net asset was \$135.7 million, an increase of \$18.8 million.

Mr. Speaker, Sir, I would like to highlight one thing that perhaps may have been mentioned earlier on before I came into Parliament, at graduation of 3,224 students, 1,861 were women and 1,363 were men. In other words, there are far more women than men graduating out of the University, and 11 graduates entered the workforce, ready to contribute and serve the community.

As you know, Mr. Speaker, Sir, Government now has a special scholarship for students with disabilities and, in fact, one of the ladies who has graduated is also a sign language interpreter at this Parliament.

Mr. Speaker, Sir, 32 percent of the 2016 graduates were awarded Postgraduate qualifications. USP's Technical and Vocational arm, the Pacific Technical and Further Education (Pacific TAFE) graduated 533 individuals who aim to acquire new skills or reinvigorate their careers, as the Honourable Usamate had referred to, as to how we can continuously be learning.

A total of 18 Programmes, Mr. Speaker, Sir, have been internationally accredited and four Programmes recognised. Accreditation at USP, FNU and indeed at University of Fiji, in particular international accreditation, is critically important to enhance the reputation of that particular tertiary institution, and to safeguard the value and the portability of the degree or the qualification that is actually achieved or received from that particular university, and to be recognised across jurisdictions.

It is important, Mr. Speaker, Sir, also I think there has been some comments alluding to the former Vice-Chancellor and I would like to publicly thank and acknowledge him for the enormous and tremendous work that he has done at USP.

HON. MEMBER.- Hear, hear.

(Acclamation)

HON. A. SAYED-KHAIYUM.- In fact, Mr. Speaker, Sir, I stand to be corrected but my understanding is that the Vice-Chancellor, in fact, under his watch, we gained these international recognitions and accreditations.

Mr. Speaker, Sir, he had the ability to bring in a lot of donors into the University, whether they be Japanese, Australians or Kiwis, that has enhanced further the regional capability of USP.

On the note of the Fiji Higher Education Commission, I just want the Members to know, because we will soon be debating the budget, the Ministry of Economy now only funds the tertiary institutions including institutions, like Corpus Christi, Fulton College, Montfort Boys Town, et cetera, on the basis of the recommendation by the Fiji Higher Education Commission. Indeed, for USP, FNU and University of Fiji, we apply that. So all of them have to have linkage with the Fiji Higher Education Commission.

The Fiji Higher Education Commission not only has set the formula in respect of our ability to calculate as to how much money we should allocate to the universities, but it also sets in place the basic standards that are required.

The Higher Education Commission, with the assistance of the New Zealand Government, Mr. Speaker, Sir, is also putting in train the capacity within the Commission to be able to see where the skills gap in Fiji are, and they can also then steer the universities in developing courses where there is shortage of those skillsets in the workforce. So it plays a very pivotal role, Mr. Speaker, Sir, in that respect.

Of course, USP, as you know, is a regional University. There have been earmarked campuses or improvement in campuses in the Solomon Islands and in the Marshall Islands too. The Tuvaluan Government has also provided for the extension of a Tuvalu Campus, Mr. Speaker, Sir.

As has been highlighted, Mr. Speaker, Sir, earlier on that a number of the engineering courses now are recognised again with international accreditation, and in particular to do with New Zealand. It is very important for us to understand this because the Building Codes in Fiji, for one to be able to get, for example, engineering certification for cyclone purposes, you need to build according to the codes developed in New Zealand. That is how Fiji has long held that association and, of course, there are certain Australian codes creeping in but predominantly it is New Zealand codes.

So, we would like to congratulate the USP and I would like to thank once again the former Vice-Chancellor of USP for the hard work and Government, of course, will continue to fund USP.

The University of the South Pacific does bring in a lot of income for us indirectly. As we know that there are lecturers, students coming from offshore, they rent our premises, they go and eat at McDonalds. I mean, if you need to just go to McDonalds at midnight and you see the number of people who are actually over there or whether it is Fatty's Shop; all of those places are actually consumer-driven markets around USP, and we want to work together with them and, of course, for them to be able to complement some of the courses that are being held at the Fiji National University.

I, too, commend the Committee for this Report. Thank you, Mr. Speaker Sir.

(Acclamation)

HON. SPEAKER.- I thank the Honourable Attorney-General. Honourable Members, I give the floor to the Honourable Leader of the Opposition. You have the floor, Sir.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Mr. Speaker, Sir..

I would like to also commend the Committee for their Report and also the speakers on both sides who have contributed to the debate.

Mr. Speaker, Sir, at the end of our discussions on Shirley Park, you gave us a bit of history about the name, and I cautioned you, I said, "Release no secrets" or "Reveal no secrets".

As we discuss the University of the South Pacific, Sir, I am sure you remember the days when you used to patrol those streets looking after the bomb thumbs that were located in the area of the Campus today.

HON. SPEAKER.- Those were those times.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- We tend to get too serious in our debates, Mr. Speaker, Sir, so I would like to add to, not humour but, a bit of history that you brought into the Shirley Park debate and also I did mention that you used to be the Royal New Zealand Air Force Base and we had a bomb thumb there that you used to go and guard at night. We spent more time looking at the visiting orderly officer rather than the bomb dumb just in case we get caught.

Mr. Speaker, Sir, I was the Chairman of the Campus Advisory Committee of the University of the South Pacific in Labasa. I was invited by the Director of the Campus, out of the blue, I had just lost the Election in 1999, attended a *Tikina* meeting in Lea in Navatu, and I had a mobile phone with me then, I got a call if I could come to the Committee and be part of the Committee.

I went into that committee knowing very little about the University, from 1999 until I was elected the Party Leader by our Party, I served on that Advisory Committee.

I had to resign because I was taking up a political appointment and I also resigned for a few months in 2006 when I was in court. But during the time that I served with the Labasa Campus as an Advisory Councillor, I came to appreciate very much the work of the universities in Fiji, particularly the University of the South Pacific, because I had an intimate association with them as one of their Advisory Councillors. I saw in the North and the Honourable Minister for Defence, who was the Commissioner Northern for a part of that time, interacted very closely with the University.

He came to the University with his understanding of Government machinery and also the requirements of the labour force and the Civil Service and input those to the Director. The Director, Sir, is Dr. Samu Bogitini of Labasa, who was appointed Director when it was set up and he is still there. I think they have forgotten that he posted him there. He is now a very successful farmer as well as an academic and Director. But the interaction between the University and the community resulted in the setting up of their centre in Savusavu and one in Nabouwalu. When I left, we were thinking of one in Taveuni and waiting for the Honourable Ratu Naiqama Lalabalavu to give us space in Naqara, where we could set up a centre there.

We saw the importance of Face to Face for those that could afford the time to come to Labasa Campus, Distance Learning and Flexible Learning Modes. In one of the graduating classes, the top student was a *yaqona* farmer from Balawaviriki, and at the time, Fiji had video tapes, those were the days before the CDs and all those things came around, and he used video tapes, he would send a friend or ask a friend to come home, from the library with video tapes of the various courses and he topped that course.

I would like to congratulate the University of the South Pacific for what they are doing here. They set up the year I left school, but I never managed to get in there or graduate from there, but I was honoured to be part of the Advisory Council Committee. During my term in the University, Sir, as an Advisory Councillor, I would like to make that very clear, I was never an academic at the University, I raised questions about (I just note that the Honourable Prime Minister has gone out) the requirement for them to think about setting up a Centre for climate change or ocean studies. The Campus in Labasa is located very close to one of the most interesting barrier reefs in the Pacific, and we could set up a Centre up in Labasa, especially for reef or ocean studies in association with the world's concern about climate change.

The other point that I had raised is sports at University. You will recall, Sir, during our playing years, most of the colourful representative players we faced in New Zealand and abroad were at University. The University Sports Clubs were some of the best sports clubs in the world. Visiting teams to New Zealand would play against the New Zealand Universities, visiting team to the United Kingdom would play University of Cambridge or the University of Oxford and I was honoured to have played against those two universities and they were very good. A national team like the Fiji Team had to work very hard to beat them, they were top level rugby players in University.

As we talk about our young rugby players now, we must think about what happens after rugby, and encouraging the people that whilst studying to join a reputable and well-run sports club at the University will make sure we have something for them after rugby. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Leader of the Opposition. I give the floor to the Honourable Member. You have the floor.

HON. V.K. BHATNAGAR.- Thank you, Mr. Speaker, Sir. The University of the South Pacific, Mr. Speaker, Sir, has served as a premier Higher Education Institute for Fiji and the South Pacific for the past 50 years with an alumnus of over 50,000 students around the world.

I wish to salute the institution for educating our children and for moulding them into good global citizens. Mr. Speaker, Sir, USP is an institute that channels regionalism and enhances the cultures and uniqueness of our island nations through encouraging cultural programmes and cultural studies for our children. The University also champions vulnerable issues that encircle the Pacific region, and I applaud the University for its relevant research work in areas of:

- climate change;
- sustainable development;
- climate change adaptation; and
- disaster-risk management, among others.

I also would like to bring to light in this august House, that a few weeks ago, USP awarded the first ever PhD in climate change through the Faculty of Science, Technology and Environment. This qualifies the effort of the University to champion our Honourable Prime Minister's fight against climate change.

Also, Mr. Speaker, Sir, I specifically wish to thank the University for their Student Buddy Programme which helps to facilitate our differently abled students to have a student buddy to ensure that he or she is not left behind and that inclusivity prevails at the University.

Education is not a privilege, it is a basic need and I commend the University for its stance on this initiative. I would also like to congratulate all the 2019 graduates of USP and wish them well in their future endeavours. Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member. I now have the pleasure of giving the floor to the Chairperson of the Standing Committee on Social Affairs to speak on his Right of Reply. You have the floor.

HON. V. PILLAY.- Honourable Speaker, Sir, on behalf of the Standing Committee on Social Affairs, I also would like to thank and commend the work of the former Vice-Chancellor and I would like to thank him very much. Thank you.

HON. SPEAKER.- Honourable Members, the Parliament will now vote to note the content of the Report.

Does any Member oppose the motion?

(Chorus of "Noes")

HON. SPEAKER.- As no Member opposes, the motion is agreed to.

Motion agreed to.

Honourable Members, we will now suspend proceedings for refreshments in the Big Committee Room and we will resume in half an hour's time. We are adjourned.

The Parliament adjourned at 4.32 p.m.

The Parliament resumed at 5.01 p.m.

HON. SPEAKER.- Honourable Members, please, be seated.

REVIEW REPORT ON THE FIJI NATIONAL UNIVERSITY (FNU) 2015 ANNUAL REPORT

HON. SPEAKER.- Honourable Members, I now call upon the Chairperson of the Standing Committee on Social Affairs, the Honourable Viam Pillay, to move the motion. You have the floor, Sir.

HON. V. PILLAY.- Mr. Speaker, Sir, I move:

That Parliament debates the Committee's Review Report on the Fiji National University (FNU) 2015 Annual Report, which was tabled on 13th March, 2018.

HON. G. VEGNATHAN.- Honourable Speaker, Sir, I second the motion.

HON. SPEAKER.- Honourable Members, I now invite the Chairperson of the Standing Committee on Social Affairs to speak on the motion. You have the floor, Sir.

HON. V. PILLAY.- Honourable Speaker, Sir, on behalf of the Honourable Members of the Standing Committee on Social Affairs, I take this opportunity to speak on the motion in regards to the review of the Fiji National University 2015 Annual Report.

Honourable Speaker, the Committee commends the vision of FNU which is to be a premier university for higher education, technical and vocational education and training, research and development in Fiji and the Pacific region and to be the national centre of excellence in Fiji for all things to do with training and productivity. This is to respond to the needs of the industry, the marketplace and the non-formal sector of employment to students from Fiji and other countries in the South Pacific region.

The Committee acclaims FNU's performance in 2015 despite its transitional period. It was noted that in 2015, FNU recorded revenue amounting to \$145 million against its expenses of \$124 million. In terms of gender analysis, the Fiji National University has outlined that in 2015, out of the 969 graduates in the Bachelor Programmes, 617 were females and 352 were males. In terms of student roll who were enrolled in 2015, it was noted that there were 4,980 females and 3,856 males.

Honourable Speaker, Sir, the Report has also highlighted that the number of students decreased largely in 2015 by 2,431 when compared to 2014. The vast increase in academic staffing had reduced the number of students per staff member, to all the other things that would improve that educational provision to students. Although there are financial considerations, a lower student staff ratio with the support staff, there is a significant increase. The community also observed that the University had achieved the national accreditation, that is the ISO for international accreditation. Within the University, the National Training Productivity Centre (NTPC) is mandated to improve the quality and efficiency within Fiji in business and so as the ISO 9000 initiative which originated in NTPC.

The University received an Operating Grant of \$38.6 million, Capital Grant of \$0.27 million for the development of the Labasa Campus, \$0.86 million for the Sustainable Livelihood Project, Scholarship Grant of \$0.6 million for TVET and \$0.3 million for Commercial Agriculture.

Honourable, Speaker, Sir, with those few comments, as the Member moving the motion, I thank you for this opportunity. Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Chairperson. The floor is open for debate on this motion. You have the floor, Honourable Member.

HON. M.R. LEAWERE.- Thank you, Mr. Speaker, Sir. I rise to contribute very briefly on the FNU Report as tabled before the House and I would like to commend the Chairperson and the Committee for deliberating on the Report and coming up with the document as tabled here this afternoon.

Mr. Speaker, Sir, I wish to make a short contribution in terms of the Report and as to the comments by the Chairman of the Committee which states that the revenue for FNU declined by 10 percent in 2015 in comparison to 2014. However, Mr. Speaker, Sir, the reason for the decline, it appears was neither examined nor reported so as to enable us to get a fair view of this issue.

Mr. Speaker, Sir, is it a result from a decrease in fees and levies or was there a decline in the number of students? If the fees and levies were decreased, what was the rationale for the same given that most of the students at FNU are learning via TELS? If there was a decline in the number of students, what were the reasons, Mr. Speaker, Sir?

Perhaps if I could just highlight this issue, Mr. Speaker, Sir, the Technical College was launched in 2015 and probably that was not the reason but it was done without any prior consultations with the stakeholders hence the decline in the engineering and trade courses in business and hospitality. Probably this affected the decline in the numbers of students who were enrolled at FNU.

A very important issue on this, Mr. Speaker, Sir, is the non-consultation by the Government with the stakeholders. They should have had this done so that their Report would comprise of what the stakeholders highlighted during the discussion.

Mr. Speaker, Sir, the Committee should have looked into this issue and recommended the same so as to lay down the basis for more objective debate on this Report. Given this, it leaves us much to be desired from FNU and the Committee.

Mr. Speaker, Sir, the Chairman further stated in his comments, and I quote; "... University to effectively contribute towards the betterment of society." This is in line probably with the People's Charter – creating a knowledge-based society; the National Development Plan and the Sustainable Development Goals. However, Mr. Speaker, Sir, the tragedy is as opposed to the past, the scope for discussions, debate and writing on issues of public concern and the policy development with a degree of freedom of expression is now limited either by draconian decrees or a measure of self-censorship which was imposed by academic institutions upon themselves.

Until these issues are addressed, neither the FNU nor any academic institution can effectively contribute to the betterment of the society apart from the teaching and the learning process. Mr. Speaker, Sir, there is one recommendation in the Report dealing with the need for more qualified staff from the Fiji Maritime Academy. Perhaps, the Honourable Minister for Education can highlight whether this matter has been addressed since it is now four years down the line and whether FNU is still in need of this.

Of note and concern, Mr. Speaker, Sir, our ports of entry, including our borders, are important to our national security. Aitken Spence, the Sri Lankan company, manage our seaports and what about our sovereignty and national security when we have foreign administrators looking after our ports. How much, Mr. Speaker, Sir, is Government paying Aitken Spence, especially in 2015 where it paid over \$5 million dividend to the company.

Mr. Speaker, Sir, the dwindling number of students attending classes to complete their Maritime Able Seamen Deckhand Training for Levels III and IV courses is a major concern. I wonder if FNU is putting up all the necessary advertisements to attract students to take up the courses and, furthermore, make the entry points more accessible for aspiring students.

In supporting that recommendation, Mr. Speaker, Sir, we must not forget that Fiji is an island State where Hydrology and Marine Engineering, Navy Services, Sustainable Developments of Marine Resources as well as Maritime Development and Transportation are all important issues.

Also, to those living in the maritime zone and also to those who are from there living in the outer islands and often travel to the maritime zones, given this, Mr. Speaker, this issue and the need to continue with the upgrading of FNU to be in par with other regional universities, it is important that Parliament continues to monitor the pace of progress of FNU and empower it as and when the need arises.

Another issue, Mr. Speaker, Sir, that I would like to bring to the attention of the House is the lack of student accommodation. Students find it difficult to attend courses or classes because they have no, especially halls of residence and the places where they are supposed to be billeted or stay, are not available. Hopefully, the Government of the day will take this into consideration and ensure that our students are not left behind in terms of education.

This is my contribution to the 2015 FNU Annual Report, Mr. Speaker, Sir, and I thank you.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Minister, you have the floor, Honourable Reddy.

HON. DR. M. REDDY.- Honourable Speaker, I want to thank you for giving me the opportunity to respond on this Report. My colleague, the Honourable Minister for Education, will be talking later.

The other comments are gathered so I will make a brief contribution on that. My locus standi comes from my being the Foundation Dean of the Business College at FNU where I spent quite a bit of time and then later on I was also the Chair of the FNU Council.

Honourable Speaker, FNU is an unique university and also a national pride. I think the Members of the Opposition should thank the Honourable Prime Minister for taking the lead of establishing our national University.

Honourable Speaker, I was at USP as a student and as a staff as well, and I noted at that particular point in time in 1998, 1996 and in the 1990s that there was shortage of space at USP. Students were sitting, writing notes from windows, sitting on steps. I know very well when there was the Registrar, Tito Isala, who used to tell us, the academics, "Do not enrol this number of students in accounting, there is no space, give them Management, Biology, Chemistry, et cetera." Students were forced to take up programs which were not in their area of interest. That was the state of USP and then Honourable Prime Minister led to the establishment of FNU and that was the time that I joined FNU. I joined FIT in 1999 and then FNU. It was established as an amalgamation of all the national institutions.

In the first step, apart from FNTC or NTPC, all the other national universities were amalgamated: Fiji School of Medicine, Lautoka Teachers College, Fiji College of Agriculture, Fiji Institute of Technology; all these national institutions were amalgamated to form FNU, which started in 2010.

Honourable Speaker, FNU is the second largest employer in this country, after Government and the largest University in the entire Pacific region, much larger than USP. FNU has programmes which

USP does not have. USP is unique and an excellent university. FNU is the largest University, large number of employees and largest number of programmes, hands down when you compare it with the University of Papua New Guinea, University of Samoa who are way behind FNU.

Honourable Speaker, it took time for all the University management to get FNU accreditation. The problem was that when you had these national institutions, apart from Fiji School of Medicine, the only other national institution which was offering a Degree. All the rest were offering maximum diploma. There was no pathway for students to upgrade their qualification to Bachelors or Masters other than going to USP, Australia or New Zealand, that was an issue.

Secondly, portability and recognition of the programme offered by these national institutions like Lautoka Teachers College, Fiji College of Agriculture. When students who graduated with a Diploma from these national institutions, when they used to go to New Zealand or Australia, they do not get recognised because they were not of that standard, and also they did not follow the qualifications framework, so with the amalgamation and formation of Fiji National University, the University then started to give their own students also a pathway that you do Diploma here, you can then go and do Bachelors Degree and Masters, and now some programs, PhD.

Secondly, on the issue of portability in recognition now, their qualifications are recognised. When I was the Dean of the Business College, we were recognised by the CPA Australia with their Accounting Programmes and similarly FNU's Accounting Degree, so it became recognised and also programs are portable. So, Honourable Speaker, the main thing is our national pride and I think the Members on the other side should thank this Government for Fiji being a leader in the Pacific, honestly, we now have a National University that is our own, where USP, we are one of the stakeholders of the member countries.

HON. GOVERNMENT MEMBERS.- Hear, hear!

HON. DR. M. REDDY.- Honourable Speaker, the other Member, Honourable Leawere, spoke about academic freedom and the staff were gagged and there is no freedom. Honourable Speaker, there is nothing as such in the Universities.

Universities have full academic freedom, the strongest of what they say, what comment they make is based on sardonicism. I tell you why, Honourable Speaker, academics are held at very high repute by the rank and file because these are qualified people, they have Masters, PhD, et cetera. They cannot afford to say anything wrong which does not have a scientific basis, Honourable Speaker, because the members of the rank and file in the community, they look very highly on them, therefore when they speak in public, whatever they say, based on scientific research, they have full academic freedom, they can wave their research paper and say, "This is what I am saying, it is based on research." There are the critics and conscious of the society, they have got that freedom with responsibility.

Honourable Speaker, someone raised the issue of recognition of the programme offered by Maritime Academy. They should thank the Honourable Prime Minister, he noted that and said, "Look, we can play a very important role in the region by churning out quality graduates".

There was a problem with the Maritime School and that being that its programmes were not recognised, about to be cancelled by IMO, but I know that the Honourable Prime Minister got in one of the top companies Sign Ato jointly take the management rights and you can go now and see how the Maritime Academy looks now. We have got one of the most expensive simulators there which even Australia and New Zealand do not have, the latest simulator. It costed the University at that particular point in time, when I was at FNU (I know because I was the Dean, I used to be in the Senate), about \$3 million or so to buy that, Sir. Where did the money come from? It came from Government. Government

gave the money to buy the latest simulator. The Honourable Prime Minister did the commissioning of the simulator.

Now the programs are internationally-recognised by IMO, otherwise we would have lost that and here we have got a Small Unit operating out of Kiribati which is churning out seafarers who are now operating in vessels throughout the world and here we are the largest country in the Pacific, in terms of a leader in the Pacific, and we did not have a maritime school of that standard and thanks to our Government, our Honourable Prime Minister who turned around that Maritime School now.

(Honourable Members interject)

HON. SPEAKER.- Order, order!

HON. DR. M. REDDY.- Now, also, we are able to get Sea Time so that they can get Seaworthiness graduates out of that.

Honourable Speaker, I think our Fiji National University is on the right path, Government is now investing a lot of money. The National University should ensure that quality is there. I think it is one of the top Universities in the region, and I support the Report tabled by the Chairman. Thank you.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Tuisawau, you have the floor.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker. We should create more space here.

Just responding to the motion at hand, I think it is very important that when we are discussing Annual Reports, that we look at all sides. At the moment, Government is sounding like they are the University, they are not the University. The Universities are independent institutions and we are the overseeing authority, including the Committee. So at the moment, it seems as if they are defending the University so I think we should look at it in a more holistic manner.

So for this particular Report, my concern is that, there is just one recommendation but as we know, if you look at the history of FNU in the last 10 years, there has been a lot of controversies, and there is nothing mentioned in this Report nor have we discussed it here. So, it is good that we dig deeper into the issues when we are reading Reports. For example, the issue of the expatriate staff, I have mentioned, in terms of costs, et cetera, and with regards to students, their different accents which come in with foreign staff and there has been a feedback from them.

The other thing regarding that is the absence of mention of the HR succession plan so that would have been something good for the Committee to look at. What kind of succession plan is in place for, as Honourable Reddy mentioned, it is a University for our country so we need to look at having staff from our country rather than expatriate staff.

The other issue which was not mentioned is again regarding staff issues, the outsourcing of security services which happened, I think, two or three years ago. That resulted in quite a lot of heartache for a lot of staff, redundancy, et cetera. There is also the issue of salary review and job evaluation. There has been concern from staff regarding the Performance Management Appraisal System and the fairness in that, so those are some of our concerns.

The interest one, I think, we should really discuss today is regarding the issue of political interference in our academic institutions. I was a victim of that.

Before 2016, in 2011, I left USP and I was applying to a few places, so I applied to FNU as Director, HR. I was one of those who were interviewed by the Council but I waited for the results for nearly three or four months, I did not get any results. Then I called the Registrar of the University and I also e-mailed. Then they said, “All right, we will send you a letter”, and they sent a regret letter.

But from the information from within, what I gathered was, there was a bit of controversy in my application and it would be interesting to look at the file for that position and what exactly was the decision.

Not only that, but also at USP, I also applied for the same position. I am not going on about whether I got the job or not, I am talking about good governance and the transparency in the recruitment system. In that case too I was interviewed but the Appointments Committee Report was stuck with the VC for so long and when I queried, then they sent the regret letter.

Again, it would be interesting, I am not making accusations, but to look at the files of Appointments Committee Reports for those two positions, because my concern is the good governance and transparency of recruitment, because here we see that the Government side is praising and praising. I am not denying that, it is good that we have all these developments, but in terms of governance of the institutions, they must ensure that there is good governance and fairness in terms of recruitment and treatment of people.

The other issue I had in terms of University, is academic freedom. This is a critical element. He mentioned academic freedom, et cetera.

Let me just read what “academic freedom” is:

“Academic freedom is the conviction that the freedom of inquiry by faculty members is essential to the mission of the academy and that scholars should have the freedom to teach or communicate ideas or facts, including those that are inconvenient to external political groups or authorities without being targeted for repression, job loss or imprisonment.”

So, that is academic freedom, it is not what the Honourable Minister is saying where you have the freedom just to publish a paper and read it. No, that is not academic freedom.

Academic freedom is about the expression of ideas, expressing it and whether it supports or opposes the Government of the day, that is academic freedom. So, I leave it to us to judge whether there has been academic freedom from 2006 up to now and we have to ask Professor Wadan Narsey, we have to ask Professor Brij Lal here in Canberra whether that is academic freedom.

(Honourable Member interjects)

HON. RO F. TUISAWAU.- It relates to FNU, to the universities in general.

(Honourable Members interject)

HON. RO F. TUISAWAU.- It would be interesting, on academic freedom, to interview Dr. Ganesh Chand on what really happened. There is a situation which is interesting, let me read it out. In Mauritius, the academic staff have the following rights which are stated in the Constitution of Mauritius, the protection of freedom of conscience, freedom of expression, freedom of assembly and association.

In 2012, a paper on the University of Mauritius, the author states that, “although there are no records of abuse of human rights or freedom of State, subtle threats to freedom of expression do exist”;

subtle threats. So, those threats do not have to be physical or anything, it could be just the threat to embargo someone for saying something and that was the situation from 2006 and even that is still the situation now, even the threat on ideas.

Subtle threats to freedom of expression do exist, especially with regard to criticism of ruling political parties. So, if someone criticises freedom, that is the environment, if someone criticises FijiFirst, they could lose their jobs. Even intellectual thinking or freedom of thought does not really exist because everyone is following what the Minister has to say, that is what I am trying to express here, especially . . .

HON. SPEAKER.- Honourable Member, do not carry a conversation with the other side, include the Chair.

HON. RO F. TUISAWAU.- Because he was pointing at me, Sir.

(Laughter)

HON. SPEAKER.- Ignore the other side, address the Chair.

HON. RO F. TUISAWAU.- He is interfering with my freedom of expression.

(Laughter)

HON. SPEAKER.- You can address him through the Chair.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker, Sir. Through you, Mr. Speaker, I am responding to the Honourable Dr. Mahendra Reddy regarding his version of “academic freedom” which to me is really pinpoint warped, it does not really pinpoint what “academic freedom” is because he is referring to a research paper. If you tell that to the academics, they would really not agree with him. So, subtle threats to freedom of expression do exist. It does not have to be expressed that or physical and the Government of Mauritius endorses practice of academic freedom in the tertiary institutions. Academic freedom became a public issue when the University of Mauritius spoke out against the previous Vice-Chancellor, now does this sound familiar?

You ask the USP staff who had forwarded a circular sent by the Ministry of Education to academics. This circular targeted public officers required to consult with their superiors before speaking to the press. According to the paper, academics were annoyed by the fact that the Vice-Chancellor had endorsed a circular by sending it to them when it is for public officers.

If I recall this is something which also happened in USP when they were told not to issue press releases on ideas which are deemed to be opposed to the Government of the day, or the ideas they have or their policies and whatever they were bringing into place. An academic spoke to the Honourable Prime Minister and the issue was eventually taken up to Parliament, the Vice-Chancellor was then required to step down, in return, the Government publicly endorsed the practice of academic freedom.

The institutional bureaucracy and dependence on the State for funds has restricted the freedom of academics to criticise Government policy. So, that seems to be also parallel to the situation here as they mentioned that Government is funding 70 percent, so why can we not control the University and its administration. From my knowledge, that was what was happening from 2006 until now, probably less now because we have an elected Parliament.

Mr. Speaker, Sir, that is my contribution today in just trying to ensure that we have a balanced view of the institutions in our country, Fiji National University and also University of the South Pacific,

and that it is very important for the management to ensure that good governance and transparency are in place. Sure, it is good to talk about all the developments; the physical developments, the amount of surplus we make, the infrastructure, et cetera. But the leadership must practice good governance and transparency in the management of the University and in the treatment of staff and also ensure there is academic freedom in place as I defined it and not as Honourable Mahendra Reddy is referring to, which is just a reading of an academic journal or academic paper. Thank you.

HON. SPEAKER.- Honourable Minister for Health.

HON. DR. I. WAQAINABETE.- Thank you, Honourable Speaker. I rise to offer a contribution to the motion having being just recently a former staff of FNU, and maybe discuss some of the things that have happened that will allay some of the fears being brought across by my colleagues on the other side.

Academic staff all over the world, as Honourable Mahendra Reddy said, they are a very precious lot and there is always going to be vacancies, especially when all over the world we are competitively looking for very highly academic staff, so that probably explains some of the reasons and I know it because in my Department we had a vacancy, and one of the things that FNU has done which I congratulate them for is that, they have developed what is called, "Industry Advisory Committees" which are Committees that meet with the industry stakeholders.

This, Honourable Speaker, is an initiative that FNU brought forward to be able to discuss what the industry needs and how better the graduates can be able to meet also the needs of the industry and this was cross-cutting right throughout all the Degree Programmes and also the Post-Graduate Programmes. We had to meet with the Ministry of Health and the Associations and to be able to sit down together and actually discuss what are the graduate attributes and what are the competencies that were actually needed. I congratulate FNU for coming up with that idea.

The Appraisal System that is in place, I found it was difficult as a staff member but I thought it was very fair, because we had to justify on a yearly basis the means by which we can be able to hold our academic ranking, whether you are an Assistant Professor or an Associate Professor or a Professor, and as Honourable Mahendra Reddy was saying, part of it was the fact that we had to be able to contribute in terms of papers, their staff will also have to contribute in terms of research and because they contribute in terms of papers and research, they grow an expertise in a particular area which they can strongly put forward a thesis and defend it and therefore they are then experts in that particular field.

Lastly, Honourable Speaker, in my short contribution, I just want to say that the Vice-Chancellor and the University is actually responsible to the Senate which is then responsible to the Council. So there are governance mechanisms in place to ensure that there is a fair and just running of the University, but that the University meets the desires by which it is founded upon. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Adi Litia Qionibaravi and then Honourable Niko Nawaikula. You have the floor, Madam.

HON. ADI L. QIONIBARAVI.- Thank you, Honourable Speaker. I would like to contribute to the discussion on the motion before the House on the FNU Annual Report 2015. I had served as a Director of the Fiji Institute Technology (FIT) from 2005 to 2010 and as a Member of FNU Transition Council from 2010 to 2011.

I wish to congratulate the Committee for its Report before the House and I commend their recommendations. I also congratulate the achievements of the FNU Council and the University for the few years of its existence despite the changes in the position of Vice-Chancellor from 2015 until the appointment of the substantive Vice-Chancellor, Sir.

I wish to raise, in particular, the matter raised in the Report regarding the upgrading, the quality of academic programmes at FNU, the re-designing of the best of engineering to meet the Washington Accord requirements in partnership with the Royal Melbourne Institute of Technology (RMIT) that was launched in 2017. The number of research papers in total, from journal articles, conference proceedings, conference attendances, book chapters, technical reports, consultancies and others, in 2014 it was 244; in 2015, it had increased to 344.

Mr. Speaker, Sir, I wish to raise, in particular, the contribution of the first Vice-Chancellor of the Fiji National University, Dr. Ganesh Chand. Although we differ in some of our views, I still acknowledge his contribution, his hard work in putting together the six institutions to become the Fiji National University, Sir. We have lost him and he is now the Vice-Chancellor of the University of the Solomon Islands, and I would like to wish him the best. His was the difficult role in putting together the six different institutions to form the Fiji National University.

I acknowledge, in particular, the increasing number of women graduates. In 2015, 617 female graduates and that comprised 63 percent of the total graduates; 352 males and 36 percent. In terms of student numbers in 2015, female students comprise 56 percent while the male students 3,856 and 42 percent. We are happy to see the change in the number of students being enrolled as well as the number of graduates.

We, the women Parliamentarians were in Nadi last week and we talked about how we can increase the number of women Parliamentarians, not only in Fiji, but around the Pacific, and I am happy to see the number of women that are being enrolled at the Fiji National University as well as the number of graduates, Mr. Speaker, Sir. It is still a young university but we hope that they will continue to improve whatever shortcomings that have been raised in the House today.

Once again, I wish to commend the 2015 Report to the House. *Vinaka.*

HON. SPEAKER.- I thank the Honourable Member. Honourable Niko Nawaikula, you have the floor.

HON. N. NAWAIKULA.- I wish to make a contribution to the motion. Firstly, let me thank the Standing Committee on Social Affairs for its valuable work, its findings and recommendations and for the record, I went to USP but I sent my children, not to USP or FNU, I sent them to University of Fiji.

The reason for that is because I have confidence in the quality of education that they will get at the University of Fiji. To me, the critical thing here is quality education, you can call yourself a university like the University of Fiji but the point is, are you giving to the children the type of quality education that they deserve and they require for training? For FNU, I do not think so. I think (I stand to be corrected), FNU started when some of the disgruntled lecturers from USP could not get their contracts renewed, so they decided to start a University, but that is behind us.

Now that we have a university, empower it, give it the capacity it deserves because it is totally lacking in every area: academic, curriculum, even in the capital projects and you need only to go to the institutions to verify that, go to the Koronivia Research Station, for example, the School of Agriculture and you see the students lining up. They are eating along the path there because the student facilities are not there. Compare that to USP, you are right there, USP is here, it is right there and all the facilities that were put up, they have broken down and they are selling on the roadside. So I am asking the Government, empower it, give it the money it deserves. Look at this, \$38 million, that is not enough. If you need to look at the facilities

HON. MEMBER.- Old data.

HON. N. NAWAIKULA.- All right, still not enough.

HON. MEMBER.- That's enough.

HON. N. NAWAIKULA.- No, you take a look. You go to Nasinu, you go to

HON. MEMBER.- And what's your figure?

HON. N. NAWAIKULA.- I do not know, you work out the figure but I am telling you, you have been lacking, you give it capacity, you empower it.

You want a university, give it a university, do not give it a technical college and that is what they are doing. It is a technical college and they want to call it a university, increase its capacity, and that is what is lacking.

I was invited as a lecturer for the Law School. Have you seen the facilities of the Law School in FNU? It is just a classroom.

(Honourable Member interjects)

HON. N. NAWAIKULA.- Well, the story was, I was invited and there were instructions from up above (somewhere here) for me to be discharged. So I said, "Yes, nevermind" ...

(Laughter)

HON. N. NAWAIKULA.- ... but you go there, Honourable Speaker, and you see the Law School, you feel sorry, I nearly cried.

(Honourable Members interject)

HON. N. NAWAIKULA.- Desks here, lecturer standing there, nothing!

HON. A. SUDHAKAR.- Face the camera.

HON. N. NAWAIKULA.- Empower it, give it the money it deserves, give it the capital, and there are examples everywhere.

Now turning to administration, Navua was supposed to be a centre for agriculture but where is Navua now? They gave it to Grace Road. So, what about the students? Where will the students go? Capacity is totally lacking and you want a university.

Last year, I came here, I remember with complaints from the Maritime School, some lecturers there were saying that the current lecturers there do not know how to teach. They were tutoring from a very old curriculum and the Attorney-General will remember, he was jumping up and down, trying to defend Maritime College and all its academics that were there and its curriculum, but you look here, this is funny. This is what they say, "The Committee, in its findings identified that there has been a lack of student number in classes in the Maritime Able Seaman Deckhand Training Courses for Level III and Level IV." Then it recommended, "The University to look into substantiating on hiring of more qualified staff for the Fiji Maritime Academy", so lack of capacity.

HON. A. SAYED-KHAIYUM.- They are there now.

(Honourable Members interject)

HON. A. SAYED-KHAIYUM.- We have revived it.

HON. N. NAWAIKULA.- No, I am just trying to help you. Empower it, give it the money it deserves. We need a good university, but you do that.

The other point that I wish to ask here is that, before we had a very clear demarcation: vocational, technical then university. Now, it is university everywhere. Where is the technical college or the poly-techs?

(Honourable Member interjects)

HON. N. NAWAIKULA.- No, those ones are for the secondary schools. Why do they go where the technical colleges are? Because you want to call everything a university and it impacts on whether you have degree. So, it is important for us, now that we have established that, please, empower it, give it the fund, give it the resources that it wants.

HON. SPEAKER.- Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Just again from the financial perspective, yes, this Report is about three to four years old and we, of course, are discussing figures that are three to four years old.

In 2015, we had allocated \$38.6 million, as Honourable Nawaikula highlighted, and there was some small amount of funding available for the commencement of the Campus in Labasa.

Mr. Speaker, Sir, in this year's budgetary funding, FNU received in excess of \$60 million, FNU is completely funded by the Fijian Government and, of course, those people who frequent Vanua Levu would also know that the new campus has already started in Vanua Levu, just across the river from the market that Honourable Qereqeretabua was talking about.

Mr. Speaker, Sir, again, the FNU received the budget in that particular year of \$0.96 million to sustainable livelihood projects. I do not think anyone has actually spoken about that. This is a very important component of what FNU does. It goes out to Kadavu, outer islands, rural areas to provide basic courses and things like ship repair, in terms of hospitality so, for example, when the Kokomo Resort opens in Kadavu, the people who actually go and work there have some basic level of training.

Those Members who are from Kadavu would know that FNU is actually helping your people to get good jobs in respect of the hospitality industry. They provide a number of these staff of courses' certification.

I had the privilege of going to one particular one in Rewa about two to three years ago, and it was a very proud moment for those people to get that level of certification and be recognised for those skillsets and to have some kind of discipline around it.

The Fiji National University plays a very critical role in that respect. Also, there was scholarship grant for the TVET and, of course, the funding for TVET has increased, it was about \$160,000 and, of course, for commercial agriculture. The university as with the USP receives funding through the National Toppers Scholarship and TELS, in fact, you will see more than USP of \$21.6 million, assisting 5,224 TELS and NTS students and, of course, that figure has increased from the previous years.

In 2015, the total income received by the university was \$143.2 million. So, funds of \$81.3 million were from other sources, mainly other incomes, non-tuition fees and charges, enrolment fees, consultancy, income, dividends, et cetera.

Mr. Speaker, Sir, Honourable Nawaikula, in fact, directly said that FNU was only created because of some disgruntled USP lecturers. That is completely furthest from the truth. The reality of the matter is that we had a number of different standalone schools existing throughout Fiji, we have the Agricultural School, the Derrick Technical Institute, the Fiji School of Medicine and various other schools around Fiji, the Nasinu Teachers College, the Maritime School; they are all run independently.

To be able to get the best return on the investment dollar in education, it is better to have a single structure which can actually have this multi-faceted approach providing education facilities to ordinary Fijians, in particular, the young population because today 50 percent of the population is below the age of 27 so we need to be able to provide them with that level of training and access to training.

Honourable Nawaikula mentioned about the Maritime School, of course, there were problems with it. In fact it was run-down at one point in time in the 1970s, some of the Members in this Parliament can attest to that, it was one of the prime training centres.

Of course, over the years because of corruption and various other mismanagement, not having the right personnel, it deteriorated.

Today, if you drive past this afternoon, you will see new structures coming up. The simulators have been put in place and so there is a huge capital project in the Maritime School. We are a maritime nation and we need to have a good Maritime School. We now have certification with various shipping companies such as SEAMECH providing us the conduit to be able to tap into the shipping companies.

There are people who would know about maritime training. You need to have access to shipping companies to get our students to be trained on those ships. You need live training, so by having partnerships with organisations like SEAMEC, we have now reached a particular position, IMO is now certifying various courses, and they are looking up at getting further courses too.

Mr. Speaker, Sir, of course, there has been, of course, no doubt, when you put together a number of schools that have been operating independently, there will be teething and administrative issues, in respect of the management of it, but that is the transition stage of it.

I am sure the Minister for Education would like to make some comments in respect to what we need to be concerned about which is the future direction of FNU.

One of the things that are we quite keen on from the Government's economic and planning perspective is to draw the synergies between the different technical colleges and the FNU regarding that.

I just wanted to make some very quick comments on what we have done in particular in the ITC space. All the FNU Campuses, as announced in the last Budget, Mr. Speaker, Sir, we now have WiFi, and Hotspots in all the FNU Campuses, so the moment you go in there, you have access to a much faster speed of internet, a broader band of internet, what we call "Geo-Fence" all the Campuses: Labasa, Nasinu, Lautoka, Sigatoka, Nadi, wherever they are, they all have Geo-Fence and WiFi Hotspots.

We have also connected the University to AARNET which is the submarine capable that links to the Australasian Universities to those in North America.

The Indian Government also has entered into an agreement, something that we negotiated a couple of years ago. They are now in the ground in respect of building the IT capacity within the University itself.

Mr. Speaker, Sir, the Honourable Nawaikula queried, "...is it a technical college or is it a University?" As was highlighted in the Report earlier on regarding USP, also USP has what we call a "TAFE equivalent", it is called the Pacific TAFE Institute, so they have a Technical College aspect to it within the premise of USP itself being a University. So obviously there is opportunity for FNU. I would hate to think that the Honourable Nawaikula would link the size of the budget to the credibility of the University itself.

If that is the logic, then he should not be sending his children to the University of Fiji, because the University of Fiji has got the smallest budget out of the three Universities. That is the logic he is following, and he is saying that he went to FNU where there was a classroom, classrooms are also used in the University of Fiji, he knows that too, ordinary classrooms.

So, Mr. Speaker, Sir, the reality is, let me say this, the example, Mr. Speaker, Sir, the National University of Singapore in the 1960s, 1970s, even in the 1980s, was not highly recognised.

Today, the National University of Singapore is one of the top Universities in the Asia Pacific Region, and one of the top Universities in the world, the small island State that has been able to achieve the capacity.

We believe we should have similar aspirations for Fiji National University. We are already seeing the regional students attend FNU, and because of the fact that FNU has got a lot more campuses throughout Fiji, we see a lot more ordinary students access University through Diploma or Certification Level, University studies.

So, Mr. Speaker, Sir, we should all be proud of this University, let us all work together to make FNU a truly premier national University of Fiji and indeed for the region. Thank you.

HON. SPEAKER.- I thank the Attorney-General. Honourable Inosi Kuridrani, you have the floor.

HON. I. KURIDRANI.- Mr. Speaker, Sir, I just want to have a short contribution on the issue before the House, and I refer to the findings of the Committee, Item No. 2, which reads;

"The Committee observed that the University had achieved the National Accreditation to have the ISO or the International Accreditation."

My worry or concern, Mr. Speaker, Sir, is whether the Fiji National University has the accreditation of the Fiji Higher Education Commission, which is not mentioned in the Report, according to the University Report, there is mention there of the Fiji Higher Education Accreditation, and the Fiji National University does not mention that, and my fear is that, it does not have the accreditation of the Fiji Higher Education Commission ...

HON. GOVERNMENT MEMBERS.- It does.

HON. I. KURIDRANI.- Then it should be mentioned in here.

HON. GOVERNMENT MEMBER.- Read the Report! Page 75

HON. I. KURIDRANI.- Sir, if that is the case, thank you so much. I withdraw.

HON. SPEAKER.- Honourable Akbar, do you wish to take floor?

HON. R.S. AKBAR.- Yes, Sir.

HON. SPEAKER.- Honourable Rosy Akbar, you have the floor.

HON. R.S. AKBAR.- Thank you, Honourable Speaker, Sir, and I thank the Honourable Members who spoke before me. Honourable Speaker, Sir, I stand in support of the Review Report of 2015 of the Fiji National University, as we all know, we are in year 2019. A lot of progress has been made and I just like to take the House through a few of them.

Mr. Speaker, Sir, 2015 was a year of significant change in terms of both governance and management of the FNU.

On 20th April, 2015, Honourable Dr. Mahendra Reddy, then the Minister stepped down as Chancellor and Chair of the University Council. Honourable Reddy appointed Mr. Ikbal Jannif, the former Pro-Chancellor of the USP, to take over for a three-year term.

The University's first Vice Chancellor, Dr. Ganesh Chand led the University at the end of 2014. The University Council undertook an international search for a new Vice-Chancellor in August, 2015 and Professor Nigel Healey was announced as the new Vice Chancellor at the beginning of January, 2016.

Mr. Speaker, Sir, despite these changes during 2015, the University focused on improving the quality of its academic programmes. An example of the benefit of this focus is engineering where the qualifications were reviewed with Engineers New Zealand. Engineering qualification accredited by any of the signatory nations, professional engineering bodies which includes Engineers New Zealand enjoy mutual recognition in other 20 signatory countries, including Australia, New Zealand, the UK, and United States through the Washington Accord for degrees. So that is progress being made.

Under the Dublin Accord, the same arrangements apply to Diploma graduates who can work in the eight signatory countries. The College continues to receive regular monitoring visits from Engineers New Zealand and is on track for full accreditation when its first graduates complete their programmes in 2021. Mr. Speaker, Sir, in the first few years after FNU was established, all the new colleges developed and launched new higher education qualifications at Bachelors and Masters level. In 2015, therefore, saw a sharp increase in the number of students graduating from Bachelors programmes. In 2015, the number of women graduating with Degrees rose from 431 in 2014 to 617 in 2015. Over the same period, the number of men graduating from Bachelors programmes rose from 211 to 352.

FNU has not only increased access to higher education for the young people of Fiji, but it is making a significant contribution for advancing opportunities for young women. Building on the platform established in 2015, the University has continued to strengthen the quality of its academic provision.

In 2016, a major review was undertaken of all academic programmes to assess the demand by potential students, student satisfaction and progress, and the graduate outcomes in terms of employability and earnings. Following this, every Undergraduate and TVET programme was restructured into a common semester format with standardised courses or units in terms of credit points during 2017 and the new portfolio was launched in 2018.

As its higher education provision expanded, Mr. Speaker, Sir, FNU maintained its focus on vocational education. Although higher education is increasing as a share of total enrolments, absolute TVET enrolments continued to grow with the launch of a number of new TVET Certificates and Diplomas in areas where industry needs new skills, examples include new Certificates in Mining and Extraction, Pharmaceutical and Manufacturing.

The FNU continues to make progress in its research activities. The outputs of research like journals as mentioned by Honourable Member, both conference papers and technical reports rose significantly from 244 in 2014 to 344 in 2015.

Honourable Speaker, Sir, at this point while we are talking about TVET, yesterday or the day before, we talked about the Technical College of Fiji. The new way for FNU now is that the Ministry of Education is going to hand over the Technical Colleges to FNU and for FNU to take charge of all our technical campuses and programmes. Currently, the Technical Colleges offer Certificate II, students enrol in FNU to complete their Certificate III and IV and go on to Diplomas. The trend now, we are announcing today that Technical Colleges of Fiji will now come under the Fiji National University for the new financial year.

Mr. Speaker, Sir, to summarise 2015, of course, we know it was the year of transition for FNU, following its focus on expansion, acquiring new land and facilities and launching programmes in new areas and entering a new era when the emphasis shifted to consolidation and investment in quality.

Mr. Speaker Sir, since 2015, the Fiji National University has completely overhauled and restructured its entire TVET and Undergraduate Student Programmes affecting 95 percent of the students, designing them to international standards and basing them on the international semester model.

They have rationalised its academic ranks, introduced a new promotion system and required academic staff to upgrade their qualifications to strengthen the quality of teaching and research. They have improved the quality of its digital infrastructure connecting the University to AARNET, the submarine cable that links the Australasian universities and those in North America and worked with *Walesi* to provide free unlimited WiFi to students through DigitalFIJI.

Fiji National University has transformed its libraries into social learning hubs with students and staff accessing books and journals online 24/7 from anywhere across the world; increased its annual expenditure on repairs and maintenance five-folds to upgrade the quality of its existing physical infrastructure and launched an ambitious campus masterplan. We have also worked to improve the Fiji Maritime Academy to meet our obligations to safety at sea.

Mr. Speaker Sir, Fiji deserves a national university of which we all can be proud of and in supporting the 2015 Annual Report, I can assure the Honourable Members that as it enters its second decade in 2020, the Fiji National University is moving forward with confidence.

Mr. Speaker Sir, I would like to end with an announcement that today as the Minister of Education, Heritage and Arts, I have appointed Professor Rajesh Chandra as the new Chancellor and Chairman of the Fiji National University Council with very powerful Council members whose names will be revealed tomorrow, a mix of local and international experience and expertise.

Mr. Speaker Sir, we are very privileged to have Professor Rajesh Chandra as the Chairman of the Council. Under him, if I may mention, the University of the South Pacific gained two patents and international accreditation for all the 18 Programmes that we discussed when we were discussing the Annual Report for USP. We have some exciting plans and I am sure under the leadership of Professor

Chandra, the Fiji National University is going to move in a more confident and a positive direction. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Member. Honourable Member, you have just taken the floor?

HON. I. KURIDRANI.- Yes, Mr. Speaker, Sir, this is just a point of clarification regarding the concern that I earlier raised. According to Page 24, which was incorrectly placed in my Report, it was placed at the back and according to the Report that is here with me, it reads, "It is, when I arrived, we have been given a number of targets to achieve in order to fulfil the requirements for accreditation. We did a review of those requirements by our staff in August, 2016. In most cases we had fulfilled them, in a small number of cases, we had not yet fulfilled them so we developed a sort of an action plan to close all those gaps very quickly."

So, it has not been accredited by the Higher Education

(Honourable Members interject)

HON. RO F. TUISAWAU.- No, he said that it is fulfilled in the Report but it is not.

(Honourable Member interjects)

HON. I. KURIDRANI.- All right.

(Laughter)

HON. I. KURIDRANI.- The pages are mixed around here.

(Laughter)

HON. SPEAKER.- Honourable Member, you can correct that later. I am assisting you here.

HON. J. USAMATE.- Mr. Speaker Sir, the line that I wanted him to read was the next line on the next paragraph, "Commission granted us full accreditation in November 2016." Next paragraph, last line.

HON. SPEAKER.- Honourable Members, we will move on. I now give the floor to the Chairperson of the Standing Committee on Social Affairs for his Right of Reply.

HON. V. PILLAY.- Mr. Speaker, Sir, I have no further comments to make on the motion before the House. Thank you.

HON. SPEAKER.- Honourable Members, Parliament will now vote to note the content of the Report.

Does any Member oppose the motion?

(Chorus of "Noes")

HON. SPEAKER.- As no Member opposes, the motion is agreed to.

Motion agreed to.

REVIEW REPORT ON THE FIJI PORTS CORPORATION LIMITED (FPCL) 2015 ANNUAL REPORT

HON. SPEAKER.- Honourable Members, I now call upon the Chairperson of the Standing Committee on Social Affairs, the Honourable Viam Pillay, to move the motion. You have the floor, Sir.

HON. V. PILLAY.- Honourable Speaker, I move:

That Parliament debates the Review Report on the Fiji Ports Corporation Limited 2015 Annual Report, which was tabled on 13th March, 2018.

HON. G. VEGNATHAN.- Honourable Speaker, I second the motion.

HON. SPEAKER.- Honourable Members, I now invite the Chairperson of the Standing Committee on Social Affairs to speak on the motion. You have the floor, Sir.

HON. V. PILLAY.- Honourable Speaker, on behalf of the Honourable Members of the Standing Committee on Social Affairs, I take this opportunity to speak on the motion in regards to the Review Report of the Fiji Ports Corporation Limited 2015 Annual Report which was tabled on 12th March, 2018.

Honourable Members, the Committee in its deliberation process on the Annual Report had called in the Fiji Ports Corporation Limited to respond to the questions raised by the Members in relation to the contents of the Report. Honourable Speaker, Sir, for your information, the Fiji Ports Corporation Limited's vision is to be the maritime gateway in the Pacific region through the facilitation of waterborne transport, trade and commerce and to develop, maintain and improve key seaport and ship repair facilities. This is to enhance the economic growth and prosperity of Fiji.

Fiji Ports Corporation Limited owns and carries out maritime operations in the four main different ports of Fiji, this is inclusive of:

- Suva;
- Malau;
- Lautoka; and
- Levuka.

Honourable Speaker, Sir, Fiji Ports Corporation Limited is responsible for all declared seaports in Fiji, but the main port in Suva handles approximately 54 percent of cargo, Lautoka handles 42 percent, Levuka, of course, is mainly for cargo coming from PAFCO and Malau for the cargo from Fiji Sugar Corporation.

The Committee noted with interest that the main changes in 2013 and 2015 was due to privatisation of the terminals, that is, at that time known as the "Ports Terminal Limited", but now known as the "Fiji Ports Corporation Limited." So with the Public Private Partnership, the FPCL sold 51 percent shares to an overseas ports management company.

Honourable Speaker, Sir, in 2015 another sort of privatisation happened and with that currently the Government shareholding is 41 percent, FNPF is 39 percent and this is again the same overseas port management company, Aitken Spence, has bought over 20 percent of shares. The other subsidiary, Fiji Ships and Heavy Industries Limited, is 100 percent-owned by Fiji Ports Corporation Limited.

Honourable Speaker, Sir, the challenges the Committee noted that some of these contributing factors resulted from changes in the global shipping industry, changes in regional competition in terms

of its ageing workforce, ageing infrastructure and, of course, the change in ownership, privatisation, assets transfers and environmental issues that are present now. Unlike in the past, the change in domestic regulatory requirements and tariff structures are all related challenges faced by Fiji Ports and suggested for a masterplan for the new terminal, like Rokobili Terminal.

The Committee commends the work done by the management and staff of FPCL which was positively executed through the provision of sound strategies, policies and streamlining processes. The Committee applauds the management of FPCL in considering Sustainable Development Goals issues in their performance in terms of gender equality and the eradication of marine and other environmental pollution.

The Committee also observed that the Fiji Ports effectively managed to prevent pollution while carrying out its due diligence in all aspects of their work, thus achieving positive increase in their revenue. I thank the Honourable Members' efforts and contribution towards the scrutinisation and formulation of this bipartisan Report.

Honourable Speaker, Sir, with those few comments, as the Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- I thank the Honourable Chairperson. Honourable Members, the floor is now open for debate on this motion. Honourable Koroilavesau, you have the floor.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Honourable Speaker, Sir. I rise to contribute to the debate on Fiji Ports Corporation Limited (FPCL) which is the motion before the House.

Honourable Speaker, Sir, at the outset, I would like to thank the Committee on Social Affairs and I congratulate them for the great work that they have done. I would also like to congratulate the company, FPCL, and the efforts and the achievements that they have made after the privatisation in 2013 and 2015.

Honourable Speaker, Sir, we know that 90 percent of cargoes pass through our main sea ports and Fiji Ports handle all these volume. Fiji Ports struggled for quite some time in the years before 2006 when I was appointed as Chairman of the Board in 2007. When I joined the Fiji Ports Corporation at that time, Honourable Speaker, Sir, there was no board and there was also no chairman in charge of that Board.

As a new Board, we went out of the norms and asked the Government at that time if we could make some changes within Fiji Ports Corporation status, so that it can improve its bottom line.

FPCL must be amended and it must be noted that the efficiency has greatly improved as the report has highlighted and indicated.

In the end of my tenure as Chairman of Fiji Ports Corporation, the bottom line has greatly improved but I think that the privatisation that has been carried out now has greatly improved the performance of FPCL and has brought in new thoughts and new ideas on improving its capability and efficiency in the operations of our ports. I, again, commend Fiji Ports Corporation Limited for their efforts and achievement to date. Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Viliame Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Honourable Speaker. I also wish to contribute to the motion relating to Fiji Ports Corporation.

I am quite saddened when I look at page 7, they talk about “The Committee also found and noted the details of the divestment of FPCL in 2015 as outlined below. Government divested 59 percent of the ships and FPCL at the value of more than a hundred million dollars. Under an agreement, Government will maintain 41 percent of the shares whilst FNPF will own 39 percent and Aitken Spence, 20 percent.”

HON. CDR. S.T. KOROILAVESAU.- Belongs to FNPF.

HON. V.R. GAVOKA.- We had a debate here around that period, Honourable Speaker, a motion that was introduced by the Honourable Tui Cakau that Fijian Holdings, together with the consortium of companies in Fiji to take shares in the privatisation of this company. It was a well thought-out motion to keep the ownership, 100 percent in Fiji, and the management. Aitken Spence could have been given the management rights, but the total ownership of this to remain in Fiji by Fiji companies notably by Fijian Holdings.

Unfortunately, it fell on deaf ears, but imagine that we could be sitting in today talking about the success of this company having embraced the formula that was suggested by the Honourable Ratu Naiqama at that time. Fijian Holdings, highlighted at that time, would have taken the leadership role in pulling together a group of companies to take ownership of this Corporation and indeed we also decided that we set a platform that for any other public entity that needed to be privatised, to follow the same formula. We highlighted the fact that Fijian Holdings is in partnership with R.B. Patel, and now runs a very successful retail supermarket chain in the country, in partnership with Vinod Patel, for Standard Concrete, a successful partnership with Punjas for TV One and many other undertakings, there are over 16 or so subsidiary companies under Fijian Holdings.

It was a wonderful concept that SODELPA had pushed for at that time, brought into this House and it could have enhanced the value of FHL who we know is 100 percent for the natives of this country who need to be uplifted in their development in the field of commerce. It is just sad that the Government did not heed that suggestion, but hopefully there are still other entities out there which we can relook at the way we structure when we divest the Government shares in these corporations. That is only in shareholding, Honourable Speaker. Another issue here, Honourable Speaker, is on the cost of port charges which is now quite high. PAFCO is crying out for reduced port charges in Levuka.

The Report tabled today by the Chair of the Committee on Economic Affairs on PAFCO would highlight that Levuka today is a high cost environment. And a major part of that is port charges. It increased dramatically with the privatisation of this company. And we would suggest that, to help PAFCO, the people of Ovalau, as you know, PAFCO employs more than a thousand people and benefits the whole province of Lomaiviti. If there could be some leeway in areas of port charges to help PAFCO operate at a profit level that we could all be happy with.

Thirdly, Honourable Speaker, as I look at the report, I see the new Rokobili Project and I see the condition of Kings Wharf, I would just urge Ports to try and create a terminal for the cruise liners in Fiji. Suva is a very unique city. It can do with a lot more cruise liners but the problem is, it does not have a dedicated cruise liner terminal. If you go to Noumea in New Caledonia, there is a separate terminal just for cruise liners and in Noumea, there is about a 165 or close to 200 cruise liners every year, that is about three or four times a week, but imagine Suva with a proper terminal, the number of cruise liners we could be hosting in this city.

Suva is very unique. In my years in tourism, I remember bringing a group of top operators from Japan. One night in Suva, they said, “You know, this place reminds us of Kingston in Jamaica.” I have never been to Kingston and I do not know about Kingston but Suva touched them, made them feel in a very special way. There is a lot happening here. We can bring in more cruise liners but I have spoken a lot during my years in tourism with the cruise operators, P&O, the Carnival Cruises and they said, “Look,

you need a dedicated terminal in Suva. We cannot be parking side by side with fishing boats, cargo ships, it has to be attractive”, so I would urge the Ports Authority, in its future planning, to try and create a passenger terminal for cruise liners in Suva.

That, Honourable Speaker, is my contribution on this motion. Thank you.

HON. SPEAKER.- I thank the Honourable Member. Honourable Bilitavu, you have the floor.

HON. M.D. BULITAVU.- Thank you, Mr. Speaker, Sir. Just a short contribution to commend the Report which is before the House, and also a few things just for Government to take note of. First, we thank the Committee too for the work that they have done and commend them for the recommendations and the conclusion, and also the very comprehensive PowerPoint presentation attached with the Committee Report.

Just a few things, the first as mentioned by the Honourable Gavoka, and that is to have a dedicated terminal for tourists’ vessels coming in. I think that was also raised by the FPCL and also their partners from Sri Lanka when they presented to the Committee and the lack of space that they have at the current locations where it serves all ships that are coming in, given the turnaround time of vessels and also containers leaving and offloading at our wharves. They have improved a lot in the turnaround time and also the changes that have happened around the wharf area.

The other thing, Sir, on our site visit to the wharf is the aging infrastructure of the wharves, not only at the Kings Wharf in Suva, also in Lautoka and Levuka where there was severe damage after *TC Winston* that exposed the aging wharf infrastructure and if Government can look into that, but not to prevent other economic activities and also things that could happen if a cyclone comes around our area in the future which is more frequent now.

The last one I would like to raise, Sir, is a Port in the Northern Division, which I think we have been crying for in the last 10 years, to have a special international port of entry in Vanua Levu. I think the Government had announced once, twice or a few times back of a wharf in Vanua Levu, but for a wharf in Vanua Levu will be very helpful and will run and coincide with the “Look North Policy” and the industrial needs in the Northern Division.

A port in Vanua Levu will also encourage people to participate in opening up garment businesses which they do not enjoy because it is only enjoyed here given the expenses and all the things that they will incur and the time given that less than 48 hours things need to be shipped out, if not penalties will be given to those contractors in those industries.

A wharf in Vanua Levu will encourage the setting up of other businesses and industry which we are ready and even the landowners and also the business community in the Northern Division have also raised this with the Government many times on how they are willing to be economic participants in the economic chain if this could be given to encourage and also increase economic production in Vanua Levu and nationally.

Those are a few things, Mr. Speaker, Sir, that I would like to contribute to commend the Committee’s work and the Report before the House, *vinaka vakalevu*.

HON. SPEAKER.- Thank you, Honourable Member. The Honourable Prime Minister, you have the floor.

HON. J.V. BAINIMARAMA.- Thank you, Honourable Speaker.

Mr. Speaker, many years ago we visited Dubai to meet up with the 20-minute man. He is called the “20-minute man” because he allows only 20 minutes for anyone who wants to talk or speak with him. But I think we stayed there for over an hour. He is the man that puts Dubai together; he is the man now that is still putting Dubai together; he is the guy that is well-known to have developed Dubai to what it is today, and he gave us some ideas on what he did and how we could also develop that in Fiji.

He said for sea port, the Dubai Port was five days away from the sea lane so no one wants to waste time, money and resources. No shipping company wants to come away five days just to offload in Dubai and, of course, the Airport in Dubai was being overflowed by all airlines, because it was non-existent and that was what he did. He put together plans to develop Dubai Port as a transshipment port. So now, no ships go past Dubai Port, and we all know about Dubai Airport. He turned it around, developed it into what it is today, and now no aeroplane or no airline flies over Dubai Airport without stopping over. Of course, everyone knows about the Dubai Airport, and its facilities in duty-free shopping.

Everything that the Honourable Gavoka said about the development of Suva, we have talked about it in the last few years. We have said that many times, it is going to be done. We are going to try and follow what the 20-minute man has done.

Fiji is not the same as Dubai. We are not going to be as big or our port is not going to be as big as the Dubai Port. Our port facilities are not going to be as big as Dubai Port. Our airports are not going to be as large as the Dubai Airport but in the Pacific, we are doing well.

We have started with Nadi Airport, and we are going to work towards the sea ports and it is vital that Fiji’s Sea Ports are adequately managed and that the operations of the Fiji’s Marine Services Sector are supported with sound infrastructure and facilities.

Honourable Speaker, FPCL has upheld Fiji’s position as the major gateway for containers and cargoes movement in the Pacific region. The Port also supports the growth of the Fijian Cruise Tourism Industry, as you have heard. The National Development Plan for Fiji will modernise and expand points of entry into Fiji for both, airports and sea ports. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Prime Minister.

Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir.

Just from a financial perspective, I would like to shed a bit of light. I would also like to ask the Chairperson to perhaps, reword paragraph 4 of the Chairman’s Foreword because he refers to the privatisation of the terminals, at that time, was known as Ports Terminal Limited, but now known as Fiji Ports Corporation Limited.

It was always known as Fiji Ports Corporation Limited, there was a Fiji Ports Terminal Limited that was a subsidiary company that handles actually all the cargo work in respect of the port itself. So the initial partial divestment of the shares took place in what we now call, Ports Terminal Fiji. Fiji Ports Corporation has always remained as that, and of course, the divestment of the shares, not the complete privatisation, took place subsequently.

Mr. Speaker, Sir, the reality of the matter is that, before the divestment did take place, the turnaround times at Suva Port was so abysmal that the cargo ships, the shipping companies used to charge an additional levy because of the inefficiency at the port.

Since the divestment and the benefit we have gained from this international management company, Aitken Spence, which manages other ports around the world, we saw the port turnaround times improved by over 33 per cent in the first six months and, of course, the levies then went. The levies then going, it meant that there was non-additional burden on the consumers and, of course, the various importers of goods into Fiji.

Mr. Speaker, Sir, Honourable Gavoka talked about how we should have some sort of Parliamentary sanction that all divestments only go to the Fijian Holdings. Fijian Holdings is a limited liability company, Mr. Speaker, Sir, so we cannot usurp the powers of the Board of Fijian Holdings and tell them to buy all the shares. Sometimes they may want to buy shares, sometimes they may not want to buy shares, sometimes they may only buy 5 percent, other times they may only want to buy 10 percent, other times they might want to buy 15 percent.

They also need to compete, like all other limited liability companies, in the tender process. The tenders were called, it was an open tender process and any company can bid for it. In fact, they can also bid by joining a partnership with other companies and, in fact, there were discussions at one point in time.

As we have seen subsequently, Mr. Speaker, Sir, just discussed recently in Parliament, that Fijian Holdings has been the successful bidder for the Government Printery. They were the successful bidders, they put in a good bid, they won the bid, but they also decided to go off and form a partnership. They have set up the company called Serendib, and it is 80 percent-owned by Fijian Holdings and 20 percent-owned by Aitken and Spence, the printing division. So they have gone off and done that. They now own the company and they have certain milestones that they will actually have to achieve too.

Just by way of reference also, Mr. Speaker, Sir, the Port charges are actually controlled by the Fijian Competition and Consumer Commission (FCCC) because Port services are what you call, monopolistic positions. They are the only provider of that service. So when you have only one provider of that service in the market, then that price determination is actually done by FCCC. So any charges that need to be changed, decreased or increased, you need to actually make submissions, people can make objections and then they come up with the determination, similarly with landing fees, et cetera.

As the Honourable Prime Minister had said that the developments will take place and, of course, Ports are not built just because you flick a finger, and as announced also in this Parliament previously, that the FPCL is looking at alternative sights to have a port facility where you have the container ships, fishing ships, you also have the slipway, the ship building all at one site so it becomes a one stop shop. This prime real estate can be developed around the Port as you see in most modern cities in Auckland, Sydney and various other places, but the cruise liner will remain.

In fact, because of the huge deterioration of the asset-base, for decades, one part of the Port, in fact, cannot be used for the purpose of container off-loading or on-loading. You will see that it is always down at the Northern end of the Port. Just so that we also again, need to be reminded that FPCL is 80 percent-owned by Fijians: 41 percent is owned by the Fijian Government, 39 percent is owned by the FNPF, Mr. Speaker, Sir, which makes 80 percent. The other 20 percent is owned by Aitken Spence.

One of the other things we did (and I have repeated this in Parliament about three or four times on separate occasions) is that before we actually sold the shares of 20 percent, we moved all the assets that was owned by FPCL, into an asset-holding company called "Assets Fiji Limited" which is 100 percent-owned by the Fijian Government, and then that company has leased back whatever asset is required for the running of the Port. In other words, FPCL does not itself own any real estate, it simply leases the real estate.

Big companies like Aitken Spence, they are not necessarily interested in owning real estate so they had to get away from this way of thinking. They are simply interested from purely market perspective, access to assets that will give them profitability, that will give them the ability to manage things and give them profits. They are not interested in owning real estate, they are interested in gaining access to that real estate and they will generate profits for them. So that is the situation, Mr. Speaker, Sir, so if anyone starts going off and saying, we have sold 20 percent of Fijian real estate, forget about that.

Mr. Speaker, Sir, of course, just to put it into perspective, as Honourable Semi Koroilavesau stated, that we have come a long way in respect of the profitability of FPCL a few years ago. Net Profit After Tax (NPAT) in 2018, was \$28 million, of which the Directors and the Board decided to then give out as dividends \$16 million. So they have retained approximately \$12 million within the company which, of course, they will then use it to buy further assets to improve the quality of the company.

Of that \$16 million, \$6.6 million was paid as dividends to the Fijian Government and 6.3 percent was paid as dividends to FNPF. Every single person in this Parliament (those of you who may have gone over the age and may still be contributing and I understand Parliament still contributes now towards the FNPF), actually have benefited from the fact that this divestment took place and FPCL is doing well and the value of your pension, of your FNPF contribution has increased even further. So, this is the kind of opportunities that these divestments actually provide to us and also in the process, we are now becoming much more of a sought-after hub.

This ties in very well about the discussion we had earlier on. The Maritime School is being improved, you have more ships coming through here, more employment opportunities. In the same way, in Nadi, because the airport is being developed further, more planes are coming through, we have got an Aviation Academy set up which the Honourable Prime Minister, God-willing, will open in December of this year where we will have simulators, where we will have Fijian pilots being fast-tracked because of the Aviation Academy, but also provide an earning opportunity for the country because other countries will send their pilots to access our simulators. That is the kind of strategic planning that the Government has in place to be able to ensure that we get the maximum return for our investment and capital, Mr. Speaker, Sir.

So, I would like to thank the Committee for this work and, of course, we have come a long way since 2015. But just for the Chairperson to note about the fourth paragraph in respect of the distinction between the Ports Terminal Limited and Fiji Ports Corporation Limited. Thank you, Mr. Speaker Sir.

HON. SPEAKER.- I thank the Attorney-General.

Honourable Ro Filipe Tuisawau, you have the floor.

HON. RO. F. TUISAWAU.- Thank you, Mr. Speaker Sir, just a short contribution. Thank you to the Chairman of the Committee and the Report.

The Government side mentioned the importance of the *iTaukei* landowners, *qoliqoli* owners yesterday, so it is very critical to involve them in Government commercial operations. When we look at the ports and the ships, they are moving through the *qoliqolis* in terms of here in Suva and in Lautoka.

My contribution today is, if in your heart you really, really want to assist the *iTaukei* and the *qoliqoli* owners, you include them in any share divestment or in part-ownerships of the Fiji Ports Corporation Limited. That is something which should be seriously considered because in the beginning, they willingly gave up the areas of which these ports are located for public use but now they are commercial operations, so the whole purpose of the use has changed from public to commercial. So if it becomes commercial, then there are grounds to include them in this ownership and, of course, for them

to benefit too from the proceeds. There are millions of dollars of profits, and I commend the Board and the Ports Fiji Limited for the good performance.

The other issues from the *Vanua Navakavu*, *Turaga na Roko Baleni* and *Vanua Nadonumai*, *Turaga na Tui Suva* raised by them, the villages of Muaivuso, Nabaka, Waiqanake and even Suvavou, are about the derelict vessels and the pollution which originate from ships coming in and from the operations within the port area. They are making profits but also there are environmental impacts from the derelict ships, pollution, et cetera, which affect the *qoliqoli* and the livelihoods of the people.

I know this is addressed in Page 49, where they have mentioned the removal of derelict ships, et cetera, and it is very costly. So what needs to be enforced is the insurance for the ships coming in to Suva which covers for the ship, if there are ship wreckage structure and the damage they cause.

There is an international convention (I cannot recall it now), I am not sure whether Fiji is signatory to it, which Fiji needs to enforce on the ships to ensure that they have that insurance to cover pollution or damages to the *qoliqoli*, et cetera, which can compensate for that if we enforce that international convention on insurance for whatever ships are entering our waters.

On the new port which the Honourable Attorney-General had mentioned, wherever that will be relocated to, in your negotiations with the *qoliqoli* owners or the landowners, please, include them in the final commercial arrangement so they are also beneficiary rather than just being a passive participant as we have seen in a lot of these kinds of arrangements. So those are just some of my requests which I hope will be noted and taken care of as the Honourable Prime Minister has mentioned, “We are here for the *iTaukei*.” *Vinaka*.

HON. SPEAKER.- I thank the Honourable Member.

(Honourable Members interject)

HON. SPEAKER.- Order!

I now give the floor to the Chairperson of the Standing Committee on Social Affairs for his Right of Reply. You have the floor, Sir.

HON. V. PILLAY.- Thank you, Honourable Speaker, Sir.

Honourable Speaker, Sir, as the Chairman of the Standing Committee of Social Affairs, I take note of the point that has been raised by the Honourable Attorney-General. Honourable Speaker, Sir, I do not have any other further comments. Thank you.

HON. SPEAKER.- I thank the Honourable Chairperson.

Honourable Members, the Parliament will now vote to note the content of the Report.

Question put.

Does any Member oppose the motion?

(Chorus of “Noes”)

HON. SPEAKER.- As no Member opposes, the motion is agreed to.

Motion agreed to.

REPORT ON FIJI DEVELOPMENT BANK ANNUAL REPORT 2016

HON. SPEAKER.- Honourable Members, I now call upon the Chairperson of the Standing Committee on Economic Affairs, the Honourable Vijay Nath, to move the motion. You have the floor, Sir.

HON. V. NATH.- Honourable Speaker, I move:

That Parliament debates the Report on the Fiji Development Bank Annual Report 2016, which was tabled on 18th April, 2018.

HON. V.K. BHATNAGAR.- Honourable Speaker, I second the motion.

HON. SPEAKER.- Honourable Members, I now invite the Chairperson of the Standing Committee on Economic Affairs, to speak on the motion. You have the floor, Sir.

HON. V. NATH.- Thank you, Honourable Speaker, Sir. Mr. Speaker, Sir, on behalf of Members of the Standing Committee on Economic Affairs, I take this opportunity to speak on the motion that Parliament debates on the Report on the Fiji Development Bank Annual Report 2016, which was tabled on 18th April, 2018.

Mr. Speaker, Sir, the Committee, after examining the Fiji Development Bank Annual Report for the year ending 30th June, 2016, was pleased to note that despite intense competition in the market and the fallout during *TC Winston*, the Bank still managed to record a net profit of \$7.31 million; an increase of 18.98 percent over the same period for 2015.

By way of background, Mr. Speaker, Sir, the FDB first operate, open for business in 1967, taking over operations of the former Agricultural and Industrial Loans Board. As per section 5 of the Fiji Development Bank Act 1966, the functions of the Bank include facilitating and stimulating the promotion and development of natural resources, transportation and other enterprises in Fiji and in the discharge of these functions, the Bank shall give special consideration and priority to the economic development of the rural and agricultural sector in Fiji's economic development.

The Committee had put forward a list of six general recommendations that it believes will complement and strengthen the objectives of the Bank. Mr. Speaker, Sir, with these few comments to enlighten the House, as the Member moving the motion, I thank you for this opportunity.

HON. SPEAKER.- I thank the Honourable Chairperson. Honourable Members, the floor is now open for debate on this Agenda item.

Honourable Viliame Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Honourable Speaker. I am a Member of the Economic Affairs Committee and I sat in this Committee to scrutinise the Report of Fiji Development Bank (FDB) and it is always a delight talking to the Executives, to the people of the Bank. As noted in the recommendations that the staff retention at FDB is very high, about 14 years. People in there who are very proficient in the area of lending and hence the results that we have seen over the years.

I just wish, Honourable Speaker, to touch on the second recommendation that we made. The Committee notes that the Bank's lending portfolio in support of mechanisation of the sugar industry is

largely confined to purchasing harvesters. The Committee is encouraged that the Bank is also considering mechanisation for land clearing in joint venture with FSC. The Committee recommends that this is pursued in line with the proposed sugar industry reforms.

What we feel in SODELPA, Honourable Speaker, is that FDB should realign itself to its original intention. We believe its name initially was Agricultural and Industrial Loans Board, but it has veered away from that, granted by the pressure of the marketplace in order to survive but we wish that being a development bank, it goes back to that and this is one area where it can really reclaim its original purpose by lending to land-clearing machines.

As we note here, Honourable Speaker, harvesters are now adopted in Fiji because in the sugar industry, a major challenge is harvesting. You can grow any amount of cane but harvesting is always an issue; it is now a big issue hence the focus now on harvesting mechanically and FDB is funding that. It has funded quite a number of harvesters across the country and helping in a big way.

In addition to that, we would like to see them also funding the purchase of machines to clear land for cultivation of cane. I come from an area, Nadroga/Navosa, where a lot of cane fields in the past are now overgrown and it is not only in Nadroga/Navosa. I was part of the Economic Affairs Committee that did the due diligence or consultation on Bill Nos. 19 and 20 regarding the revamp of the sugar industry and we travelled all over Fiji; Viti Levu and Vanua Levu and there are huge areas, huge swathe of land that are overgrown and they need to be cleared in order to bring sugar back to the production level that we want.

FSC today has a joint venture scheme with a number of landowners, but we would like this to be broadened to become the mainstay of its effort to regain production to the level we want. What is killing the industry in many ways, Honourable Speaker, is the number of small farmers; 10 acres, 20 acres, they are not economical. What we need is to go into large scale farming and this is where you need the mechanised machines to clear these huge areas that need to be cultivated and I say this as a motivation for our landowners to get back into cane farming. I remember the days when we used to be proud of having our sugarcane contract. I had one myself and I was proud of having one, and I produced cane for a number of years and then it fell by the wayside because I could not harvest, because the leftover cane was so depressing that I gave up eventually. But I would like to go back into cane farming but it needs a lot of work to clear up all the land that has overgrown. This is why I would like to stress on this recommendation, Honourable Speaker, if the Bank can look at funding these types of loan for land clearing.

I was talking about the sugar industry, Honourable Speaker. I was quite saddened to learn a few weeks ago that one very bright son of Fiji, who I admired a lot, had abruptly resigned and headed back to Australia where he lives today. I got to know him very well during the consultation and I was very impressed. He had spent years with Coca-Cola, one of the leading companies in the world. He came to Fiji and he was so passionate and all of a sudden I heard that he had gone away because of personal reasons.

But just prior to his going, Honourable Speaker, he made a statement because I know he was concerned about the drop in sugar production and he made a statement saying, when the lease expired back then, \$28,000 were paid to the farmers whose lease had expired. He said that that kind of money should also have been given to the landowner to help him develop that farm. I saw that to have been a very profound statement by someone who was very keen to see cane revive itself. He said, he wished that that money could have also been given to the landowners. I just hope that that statement did not cause him to take premature departure "leaving for personal reasons", because this ties into what I am saying that the landowners want to take up cane farming, we want to bring back production to its level of the

past, we need lands to be cleared and we look forward to the day where they could assist to take over the farms that are now idle.

That, Honourable Speaker, is my contribution on this Report, highlighting what FDB can do and also what we can do, especially with the landowners to revive their interest in sugarcane farming and help revive the sugar industry. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Member.

Honourable Adimaitoga, you have the floor.

HON. S. ADIMAITOGA.- Thank you, Sir. I wish to make a contribution. I believe that the Government has done so much for the farmers. There is assistance for preparation of land, money was given for that and for an acre, they were given assistance of \$800 for preparation of land, and for planting, another \$800. I do not know what he is talking about because preparation of land and planting, there is assistance from the Government and the farmers are happy about it. There is a lot of assistance from the Government to the growers, I am one of the growers and I know that.

I want to just elaborate on this that I am happy about the assistance from the Government. Thank you, Sir.

HON. SPEAKER.- I thank the Honourable Member. Honourable Adi Litia Qionibaravi, you have the floor.

HON. ADI L. QIONIBARAVI.- Thank you, Sir. I would like to also thank the Committee for their Report. I just have two issues to raise:

1. Gender analysis: I note on Page 6 of the Report that for the executive positions in the Bank, it is 100 percent males in 2016. I hope and trust that the Bank is working towards increasing the number of females in the executive positions in the Bank.
2. Focus and non-focus component of the Banks' portfolio: On the focus portfolio which is supposed to be the main focus of the Bank's lending activities, it stood at 42.26 percent in 2016 whilst the non-focussed portfolio was at 57.74 percent. I am just wondering as to what plans does the FDB have in reversing the loan portfolios with FDB given that the Bank was established for particular reasons, for development, in particular the agricultural sector. Now we see the focus areas stands at 42 percent in 2016 whilst the non-focus areas stands at 57.74 percent.

Thank you, Sir

HON. SPEAKER.- I thank the Honourable Member. Honourable Mitieli Bulanauca, you have the floor.

HON. M. BULANAUCA.- Thank you very much, Mr. Speaker, Sir. I also wish to thank you for delivering the birthday cake at 5.00 o'clock this morning at my home. Thank you very much indeed, God bless you.

Just a few comments on the Report here for Fiji Development Bank.

Firstly, I wish to thank the FDB for the assistance that have been given to some farmers who actually do not have any lease. But just by their consistent hard work, they were given assistance by FDB

to buy their vehicles to carry their cargos from the farms to the market, and I wish to thank FDB for that, and I wish they can increase that kind of assistance wherever it is possible to do so.

Also, I would like to request if FDB could increase its lending portfolio, particularly to Agriculture, rather than 42 percent, increase it to 50 percent because that is exactly the purpose for which FDB was created, to assist the agricultural sector of our economy because about 50 percent of our population depend on the agriculture sector of our economy. I therefore request if FDB could increase lending in that area in the future.

Also if the FDB could work together with the Ministry of Agriculture to encourage landowners rather than just focussing on subsistence farming to increase their efforts, hold on to commercial farming and I hope the Ministry of Agriculture will have strategies in order to assist those landowners to have more focus on commercial farming rather than just depending on subsistence level of farming all the time.

On the same note, Mr. Speaker, Sir, I would like to request the FDB if you wish to go into commercial farming, you need some technology to go with it, particularly, two machines that I wish to recommend:

1. Digger, to assist them whether through the Ministry of Agriculture or by commercial lending; or
2. Portable sawmill, to assist them in building their houses, et cetera, to go into commercial areas as well, whether through the Ministry of Agriculture or Forests as well.

With those few words, Mr. Speaker, Sir, I commend the Report. Thank you.

HON. SPEAKER.- I thank the Honourable Mitieli Bulanauca. Honourable Koroilavesau, you have the floor.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Honourable Speaker, Sir. I wish to make a short contribution to the motion before the House. I wish to congratulate Fiji Development Bank and its performance as shown in the Annual Report for 2016.

I also wish to thank the Chairman and the Standing Committee on Economic Affairs for the Report that was reported today.

As an iTaukei, I would like to encourage all the Members of the House, to encourage all iTaukei resource owners and landowners to approach the Fiji Development Bank for any assistance that they would like to get.

I have a very personal experience with the Fiji Development Bank, Honourable Speaker, Sir, as an iTaukei. They are very lenient when it comes to timelines on payment, unlike the normal commercial banks. We have discussed a lot of issues about the iTaukei as a race, and iTaukei as resource owners. The only way we can develop our land and resources is basically to stand up, go to the Fiji Development Bank, get financing and then develop our resources. Without that, we will be discussing the development of our assets and land in this Parliament, and it will not come to anything.

I think the Honourable Leader of the Opposition knows very well when I started Captain Cook Cruises back in 1988. I struggled through with the experience of borrowing money from Fiji Development Bank. I borrowed \$40,000 and I bought the Ex-Government Vessel, the Governor General's Vessel, *Ra Marama*. I again went to the Development Bank and asked them for \$120,000 to convert the ship at the Fiji Government Shipyard, and at the same time, we were building Reef Endeavour at the Government Shipyard.

All this took huge responsibilities and a lot of financial commitments. If it was not for the Fiji Development Bank, and if it was a normal commercial bank, I would have been declared bankrupt many years ago.

HON. MEMBERS.- *Vinaka! vinaka!*

HON. CDR. S.T. KOROILAVESAU.- That is my contribution to this motion. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister.

Honourable Attorney-General, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. Just to contribute as FDB becomes the responsibility under the Ministry of Economy, just a few comments, Mr. Speaker, Sir.

We have seen that we have this Report which emanates from a time when we had the largest cyclone that hit us. This Report relates to the period of 2016 and FDB obviously, like other financial institutions, in fact more so than other financial institutions, would always be hit hard because generally in the Agriculture Sector, the small businesses, and unlike perhaps the other commercial banks, where their portfolio is very heavily tilted towards those sectors or companies that are quite large and cash rich.

Mr. Speaker, Sir, again the FDB activated its disaster rehabilitation package, through the Reserve Bank of Fiji, where its primary purpose is to support Government rehabilitation reconstruction initiatives by assisting in post-cyclone recovery of existing FDB customers, and offers repayment moratorium, interest rate assistance, and rehabilitation of loans, someone alluded to what the Honourable Koroilavesau was saying. So we put in place this process of working through the RBF for those lenders or people who had borrowed funds for their businesses or farming enterprises to be able to put a moratorium in the repayment to slow it down so they could actually then rebuild and continue with their businesses themselves.

Mr. Speaker, Sir, FDB is carrying out a number of initiatives and it has got what we call offsite “oversight” by the Reserve Bank of Fiji, it monitors them offsite because it is not part of the mainstream financial institutions. But nonetheless, recently the IMF also made some recommendations as to how we could further improve the Government structures.

The other point that I would like to make about FDB, Mr. Speaker, Sir, is also that FDB has highlighted a couple of days ago that they have now got accreditation from the Green Climate Fund. In other words, it has got accreditation up to \$10 million, and we are now working on the gaps for it to be able to get full accreditation up to \$50 million. There could actually be a huge game changer, in other words, the FDB’s customers and others who want to source funds with the Green Climate Fund would be able to do it through the FDB who would be the facilitator so even small businesses getting to areas such as renewable energy and various other projects and community projects could actually get funding.

More so, Mr. Speaker, Sir, there is an opportunity for FDB to be able to then also provide financing also regionally too, and be the conduit for that because it is indeed the only development bank in the Pacific that has got accreditation from the Green Climate Fund.

Mr. Speaker, Sir, the other point, yes, agriculture is very, very important. We still need Food Security, there is a lot of opportunities.

Honourable Viliame Gavoka talked about how we need to have large commercial farms. Large commercial farms, that is true, that is one of the ways to go but he also needs to remember the large commercial farms need security of tenure. But more so than that or in conjunction with that, they also need long term leases, and in Fiji, the mentality has always been, if you look through the history, both leases granted through Government, through the Lands Department and also through the iTLTB in those days, called the Native Lands Trust Board, used to give leases for only 30 years.

If you want a company to get into large scale commercial farming, they do not survive on 30-year leases. If you look at all the hotel properties, majority of them are built on *iTaukei* land, they all have 99-year leases. Commercial properties, they all have 99-year leases, residential properties have 99-year leases. We have industrial properties that have 99-year leases. Now, that is when mainstream banks actually get into the play too because they have security of tenure, they have security of a particular asset that has got a 99-year lease. This is why also you do not find many commercial banks that have gone into the agricultural sector.

Crop liens that used to be given only by the National Bank of Fiji because it was the Government-owned bank, then, of course, it carried on to subsequently Colonial and BSP.

So this is precisely the reasons, Mr. Speaker, Sir, when we talk about the agriculture sector and the growth of it, it is not only about accessing funds, it is also about making sure that they have the security of tenure and the tenure is actually a long tenure to be able to get mainstream commercial financing and, of course, FDB's portfolio would be even greatly enhanced too, because they, in fact, go out to the market.

Every year, we come to this Parliament to get Parliament to approve the guarantee so when FDB goes out and borrows in the market, they raise promissory notes, they raise bills, they raise bonds so that the people who actually buy those bonds know that FDB would pay it back. So to be able to ensure that we get more confidence in the system, we need to also ensure that we change our mindset towards leasing of land for agricultural purposes.

There are successful partnerships in Vanua Levu too where the landowners actually have partnered with FSC in terms of sugarcane farming. One of the reasons why it is successful is because of the security of tenure, because it is the landowners themselves and they realise "Of course, have the tenure of the land."

Similarly if we want to open up the agricultural sector we need to ensure that other investors who do come in and participate in this phase have these prerequisites.

So, Mr. Speaker, Sir, I would like to also thank the Board of FDB. They have been doing a good work. There have been some changes since this Annual Report was tabled in the management but also in the Board itself. Some of the members are still there, just maybe one or two changes, and I also would like to acknowledge people like Robert Lyon (or Bob Lyon, more commonly known) and it has been good to get the services of people like Mr. Bob Lyon to be the Chairperson of FDB. He has been the Head of the ANZ in Fiji and centrally and regionally too of ANZ, to get that level of financial nous, financial understanding and discipline and bring it into the Development Bank which is meant that we have been able to clean up the balance sheet, which makes it a lot attractive for future investors too. Thank you, Mr. Speaker.

HON. SPEAKER.- I thank the Honourable Attorney-General. Honourable Mosese Bulitavu, you have the floor.

HON. M.D. BULITAVU.- Thank you, Mr. Speaker, Sir. I rise to give a very short contribution, only two or three points.

Firstly, I commend the Committee for the Report and I also commend FDB, given the calls by the Honourable Minister for Fisheries in encouraging *iTaukei* farmers and those who want to participate economically to go to the Bank and ask the Bank on the various programmes that are available and the requirements that they need to provide in order to benefit from the various schemes that are there.

The other thing, I also thank the Honourable Koroilavesau for raising that important point, given that he also benefitted from the offers of concessional low interest loans for Fijians and Rotumans through commercial loans scheme through partnership with FBD that was under the SVT Government, and also it came through the SDL Government, and we ask Government to reinstate some of those programmes to enable potential indigenous *iTaukei* and Rotumans to spring into the commercial sector, given that there were springboards in place.

I think that is something that is not available now, and I encourage Government, the Bank cannot work alone. The other stakeholders that will have to work with the Bank need to provide the necessary atmosphere and environment to allow for growth and then to reach the Bank. That is a very important policy and probably I call on the Honourable Minister for *iTaukei* to review that and also to revisit, review and look into the benefits of how *iTaukei* and indigenous people have benefitted when the low interest loans scheme was available then.

The other thing, Sir, the environment that we have now, given that most of our indigenous operators who are now clients of the Bank are facing difficulties in loan repayments in terms of their participation in the logging industry. They have cutting contracts, for example, we have the Bua forest and pine landowners, who are contracted into the Fiji Pine Industry.

They have difficulties in repaying loans to FDB, given the problems that they face from the business they go into and the current LTA rules, where a ten-wheeler truck can only go up to 12 tonnes, so in one trip they do not make much, and they go into a contract with Fiji Pine for \$14.60 per tonne and for 12 tonnes, they get only \$172 a trip, it is non-economic in that sense, and they face difficulties in that. Then LTA fines them \$1,000 for an extra tonne if they are booked for overloading. These are some of the environment that needs to be adjusted to make it conducive for them to operate in.

So, both their business ability; how they are going to make repayments with the bank to meet the requirements of the Bank; how they are going to survive in that industry, to continue becoming participants; how they can participate economically and improve their economic status; and also how they develop their villages and also the other communal settings they are in, those are some of the things that Government can consider and could also help the Bank and everyone to advance in business.

We take note of the Committee's Report and we commend their Report. *Vinaka va'levu.*

HON. SPEAKER.- I thank the Honourable Member.

I now give the floor to the Chairperson for his Right of Reply. You have the floor.

HON. V. NATH.- Thank you, Honourable Speaker, Sir.

Overall, the Committee was pleased with the FDB Annual Report and commends the Bank for the job well done. I would also like to thank and appreciate the work by the CEO and the Board Members, committing every second month to look at the Bank's business.

Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Chairperson.

Honourable Members, Parliament will now vote to note the content of the Report. Does any Member oppose the motion?

(Chorus of 'Noes')

HON. SPEAKER.- As no Member opposes, the motion is greed to.

Motion agreed to.

HON. SPEAKER.- Honourable Members, we have one more Agenda Item to deal with. What I am going to do is to suspend proceedings for an hour, so that you can have dinner which is being served in the Big Committee Room.

After dinner, then we will deal with Questions; we adjourn.

The Parliament adjourned at 7.16 p.m.

The Parliament resumed at 8.16 p.m.

HON. SPEAKER.- Honourable Members, there has been a slight change in two of the Questions, and I have allowed that the Honourable Aseri Radrodro ask Question No. 61/2019, instead of the Honourable Mosese Bilitavu, because he is unavoidably away during this session.

The same goes for another Question from the Government side. I have allowed that to take place. If the House is in agreement, we will proceed with that.

I do not see any objections. I now give the floor to the Honourable Aseri Radrodro to ask Question No. 61/2019. You have the floor, Sir.

QUESTIONS

Oral Questions

Provision of Security in Places of Worship (Question No. 61/2019)

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

Can the Honourable Minister for Defence, National Security and Foreign Affairs advise whether Government intends to provide security in places of worship?

HON. LT. COL. I.B. SERUIRATU (Minister for Defence, National Security and Foreign Affairs).- Thank you, Mr. Speaker Sir. The answer is, no, but under two possible scenarios, it can be considered: One is based on threat level assessments and reliable intelligence information; and of course, if there is a special request from a community that feels threatened for whatever reason, then it may be considered.

Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Thank you, Honourable Minister.

Honourable Mikaele Leawere, you have the floor.

HON. M.R. LEAWERE.- I want to thank the Honourable Minister for his response to the question. I would like to pose a supplementary question: and the question is, can the Honourable Minister advise whether there has been an evaluation during the Defence Review Prospects for lasting peace and national security in Fiji, to prevent attacks similar to the Christchurch mosque attacks?

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

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, let me say that national security is always fluid, depending on so many trends or factors.

But, let me say, Honourable Speaker, Sir, and I assure the Honourable Members of the House that Cabinet, through the National Defence Secretariat Sub-Committee and, of course, the Ministry gets weekly assessments by the National Defence and Security Secretariat, and that provides us with the opportunity to constantly monitor our security situation.

In as far as long term policies are concerned, Honourable Speaker, Sir, the Ministry is currently reviewing the draft of our Defence Policy and the Defence White Paper and covered under these are the threat assessments as well within the region and, of course, domestically as well. Thank you, Honourable Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Minister.

Honourable Member, you have the floor, Sir.

HON. RATU S. MATANITOBUA.- Thank you, Honourable Speaker. I thank the Honourable Minister for his contribution. Has the National Counter-Terrorism Plan been completed? The work started in 2015.

HON. LT. COL. I.B. SERUIRATU.- Honourable Speaker, Sir, one of the initial changes that has been done by Government that is in the Act itself but unfortunately, I do not have the copy with me, and that was done in 2016.

However, Sir, as I alluded to on Monday in one of the discussions on one of the motions that was before this House, I had the opportunity to be in New York last week and I visited the Office of the Director of Counter-Terrorism while still in New York. I had conveyed a letter inviting them to come over to Fiji, simply because counter-terrorism is an issue that we do not deal with in isolation. There is Resolution 1373 of 2001 under the Security Council that requires all Member States of the UN to implement a number of measures intended to enhance their legal and institutional ability.

Today, Honourable Speaker, Sir, prior to the sitting of Parliament, I had approached the Solicitor-General and hopefully, we will have a quick meeting tomorrow. I have requested his Office, if a legal officer from the Office of the Solicitor-General can be dedicated to this work, together with my senior staff, so that we can look again at what we have in place and the need for us to align to Resolution 1373 of 2011, and a few other Resolutions that have been passed - Resolution 2341 of 2017 and there are a few others, Honourable Speaker, Sir.

So we have a bit of work to do, we admit that, but let me assure the Honourable House that we are not working in isolation. There is a lot of assistance too from Australia and New Zealand. Honourable Members would have noted that a few weeks ago, the Head of Security and Border Agencies was here, led by General Campbell, the Chief of Defence Forces of Australia. I have just been informed by the Police Commissioner this morning, that the Commissioner of Police of New Zealand will be here next week from the 7th April to 9th April, 2019, for us to discuss more on the regional arrangements and how we can look at the sharing of information and, of course, the other aspects in as far as counter-terrorism is concerned.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Members, we will move on to the second question for today and I give the floor to the Honourable Vijay Nath to ask Question 62/2019.

Regularisation of Informal Settlements
(Question No. 62/2019)

HON. V. NATH asked the Government, upon notice:

Can the Honourable Minister for Lands and Mineral Resources update this House on the current status of the Regularisation of Informal Settlements and when will these lessees be issued proper leases?

HON. A. SUDHAKAR (Minister for Lands and Mineral Resources).- Thank you, Honourable Speaker, and I thank Honourable Nath for his question.

Honourable Speaker, the issue of informal settlements also known as squatter settlements is not new for Fiji, and let me remind the Honourable Member and other Members present here, that until the FijiFirst Government came to power, no one took any strong step to regularise informal settlements. Since its inception, Mr. Speaker, of the regularisation of informal settlements in 2015, the Ministry to-date has surveyed a total of 55 informal settlements out of the 64 identified.

Central Division	-	21
Western Division	-	17
Northern Division	-	17

Furthermore, Mr. Speaker, Sir, the Ministry has issued a total of 515 approval notices for 22 informal settlements, benefitting approximately 2,575 individuals and 515 families. Of these, 89 families are in the Central Division (6 informal settlements); 293 for the Western Division (8 informal settlements); and 133 for the Northern Division (8 informal settlements).

Mr. Speaker, Sir, as my predecessor had stated in this august House, security and freedom is what the Fiji citizens seek and that they shall find. The approval notice leases are issued to informal settlements to regularise their occupation on State land after which the Ministry hands over to the Department of Housing for the proper housing development with proper provisions of water, power supply, drainage and sewerage reticulation, drainage and sewer line connection to individual lots is provided, road construction to FRA standards and survey. Once the development is completed and the survey plan is approved, the Ministry then issues proper leases to the individual tenants.

Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- Thank you, Honourable Minister. Honourable Lynda Tabuya, you have the floor.

HON. L.D. TABUYA.- Thank you, Honourable Speaker, Sir.

Thank you, Honourable Minister for that short presentation. I just have a question about the current undertaking of demarcating the properties in informal settlements according to the required setbacks between homes now. This is what is being faced currently especially in the informal settlement I grew up in, is that there are homes that are so close to each other that it is impossible to be able to separate them and are conformed to a particular setback. What is your proposal to deal with those two families that have homes so close to each other and how would you be able to sort that to demarcate according to building codes and to conform with what is currently in the city areas, that the spaces between homes which is faced a lot in squatter settlements and informal settlements. Thank you.

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

HON. A. SUDHAKAR.- Thank you, Mr. Speaker, and I thank the Honourable Member for her supplementary question. What is to be understood here, Mr. Speaker, is that what we are doing currently is reverse engineering. In the normal course of events, a plot of land is surveyed properly, there are blocks demarcated and then people are allowed to go and build after all the engineering plans, the roads, the drainage, the sewer lines, the power lines, et cetera, are set up.

But here, people have already built on a particular lot and then we have to go and survey and demarcate and take the lots out. It is actually a very difficult exercise and that is why it takes a lot of time

because here some houses are very close together and the minimum we can do, we can go to 500 square metres or in the worst case scenario 400 to 450. Anything smaller than that will not be viable, you will not be able to have a suitable house. So if two houses are very close together, what we do is, we survey then in a single lot and we have common driveways, we have enough space for fencing and just enough space for compound and backyard as well. So if it is just over 600 square metres, what we do, we try our best to subdivide these lots. Even if it is not a perfect square, it can be triangular or look like a trapezium, rectangle.

(Honourable Member interjects)

HON. A. SUDHAKAR.- Yes, you did not do it in your term, sorry, so we had to do it.

So what we do is, we try our best to get enough space for that particular house but to answer the Honourable Member's question, if two houses are very close together then those two will come into one lot and there has to be some personal arrangements between the people to live peacefully at those lots. Thank you.

HON. SPEAKER.- Thank you. Honourable Member, you have the floor.

HON. RATU T. NIUMATAIWALU.- Thank you, Honourable Speaker. A supplementary question: Can the Minister advise this august House on the status quo of Lagilagi Housing Project which seems to be a failure? Thank you, Sir.

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

HON. A. SUDHAKAR.- Honourable Speaker, that issue is not within the ambit of my Ministry. It is being handled by the Ministry for Housing. There was a private contractor that was doing it and as the Honourable Member would know, that currently it is under investigation and the Ministry of Housing will be the proper Ministry to address this question.

HON. SPEAKER.- Thank you. Honourable Bulanauca, you have the floor.

HON. M. BULANAUCA.- Has the Minister considered commissioning a national competition for builders and architects to submit low cost houses to help those living in informal settlements? Also if they are considering constructing buildings for strata leases to help them with low cost housing?

HON. SPEAKER.- Honourable Minister.

HON. A. SUDHAKAR.- Once again, Honourable Speaker, that issue is again being handled by the new Ministry, that is the Ministry for Housing and Community Development headed by the Honourable Premila Kumar. What we currently do is, we survey the land and then hand it over to the Ministry of Housing and they are the proper body who considers strata titles?

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

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Mr. Speaker, Sir. I believe the Honourable Minister will remember when he was a very successful cadet officer in his secondary school, I came up and presented him the prize for that cadet year. At that time, Mr. Speaker, Sir, we were negotiating the moving of irregular settlers at the Pony Club as well as those that were living in areas of Rewa Street, the Fiji Golf Club and I would like to just thank the Minister and the Government for continuing the programme of regularising the irregular settlements. Thank you.

HON. SPEAKER.- Thank you. Honourable Members, we will move on to the third oral question for today.

Replication of Northern Development Programme
(Question No. 63/2019)

HON. I. KURIDRANI asked the Government, upon notice:

Can the Honourable Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development explain to the House as to why the successful Northern Development Programme has not been replicated in other Divisions to improve access to finance for small scale farmers?

HON. P.D. KUMAR (Minister for Industry, Trade, Tourism, Local Government, Housing and Community Development).- Mr. Speaker, Sir, I thank the Member for the question and also for acknowledging the success of this initiative. The Northern Development Programme (NDP), was initially established to address the severe impact of the expiry of sugarcane leases on the economy of the North.

When the sugarcane leases expired, many in the North were uncertain of their future. Farmers and their families left to look for opportunities in Viti Levu affecting many businesses in the Northern Division.

According to the Fiji Bureau of Statistics between 1996 and 2007, *Tikina* Labasa lost 8 percent; *Tikina* Macuata lost 10 percent; *Tikina* Sasa lost 30 percent of the population - that was the level of step migration.

The Fijian Government in 2007 felt the hurt of the people and the substantial depression in the Northern Division's economy. The Government focussed on how to revive the economy of this very important region.

The Domestic "Look North Policy" was introduced during that time. Once such programme under Look North Policy was the Northern Development Programme, so this program was specifically to arrest the migration of the population from the Northern Division to Viti Levu. So, the NDP was part of the Fijian Government's greater desire to improve the livelihood of Fijians in the Northern Division while developing the economy of the North.

Mr. Speaker, Sir, this programme has been successful and I shared some of the successes in my last Ministerial Statement in February. I also like to say, in order to be effective, the programme and initiative must take into account the economic characteristic of each region.

The NDP has gained widespread recognition and, yes, there is interest to replicate the NDP in other parts of the country. But then there are many other programmes which are running in Viti Levu, Vanua Levu and outer islands as well. Some of these similar programmes for MSMEs in all parts of Fiji are:

1. Food Security Programme;
2. Micro Small Business Grant;
3. Integrated Human Resources Programme;
4. National Exports Strategy;
5. Young Entrepreneurship Scheme (YES);
6. Special Economic Zone;
7. Development of Co-operatives;

8. Fisheries Support;
9. Self Help Assistance;
10. Community Development Funds; and
11. Other income-generating projects.

Mr. Speaker, Sir, another important programme that provides access to credit and finance for small scale entrepreneurs is the Small and Medium Enterprises Credit Guarantees Scheme which is run by the Reserve Bank of Fiji. This Scheme enables Small and Medium-size Enterprises to access loans from commercial banks.

Mr. Speaker, Sir, we recognise the importance of MSMEs play in creating a robust and resilient economy. Therefore we will continue to provide support required by MSMEs in all parts of Fiji, including programmes such as NDP. We will not leave any Fijians behind as our Honourable Prime Minister says.

So, Honourable Speaker, Sir, thank you for the opportunity to respond to this question.

HON. SPEAKER.- Thank you, Honourable Minister.

HON. A.D. O'CONNOR.- A supplementary question, Mr. Speaker.

HON. SPEAKER.- You have the floor.

HON. A.D. O'CONNOR.- Thank you, Mr. Speaker. Madam Minister, you just mentioned about the Small and Medium Enterprises Credit Guarantee Scheme, what is the success of this; and how can the loan be accessed? Thank you.

HON. P.D. KUMAR.- Thank you. As at January 2019, a total of 1,927 loans valued at \$113.4 million were registered under the SMEs Credit Guarantee Scheme. The total loss claims amounted to just \$0.08 million. Under the Scheme, the Government guarantees 50 percent payment of the principal outstanding on the defaulted SME loan of up to a limit of \$50,000 per business.

There is \$4 million allocated for this Scheme. This is one of those Schemes where SMEs can take a loan and the Government guarantees in case they default their payment. For example, for a \$100,000 loan taken, if the borrower defaults on the full amount, the lending institution will be able to recover \$50,000 under this scheme. If the borrower had repaid \$50,000 of the principal amount, the default amount falls to \$50,000 and out of this again the Government will only cover \$25,000. So this is another scheme which has been benefiting a number of small and medium enterprises.

HON. SPEAKER.- Thank you, Honourable Member.

Honourable Kuridrani, you have the floor.

HON. I. KURIDRANI.- Honourable Speaker, Sir, can the Minister inform the House as to what other insurance measures that will protect the small SMEs during natural disasters?

HON. SPEAKER.- Honourable Minister.

HON. P.D. KUMAR.- Thank you, Mr. Speaker, Sir. For disasters, again, there is a level of assistance given. In other words, sometimes depending upon who is affected, they bring their case to the Ministry and the Ministry looks into it. It does not mean that under this project or programs, if a particular small business is affected, they will be left on their own, they are not. They can always come to the Ministry for assistance where everything is assessed and based on individual cases, assistance is given.

HON. I. KURIDRANI.- Based on the small SMEs so that they cannot

(Honourable Members interject)

HON. SPEAKER.- You have the floor.

HON. I. KURIDRANI.- My question is regarding the insurance, Mr. Speaker, Sir, my question is regarding the insurance policies that might be in place to ensure the small SMEs, so that during the time of disaster, they are not waiting for Government's assistance, like the insurance that is being covered by the cane growers.

HON. SPEAKER.- Honourable Minister.

HON. P.D. KUMAR.- I can talk about the Small and Medium Enterprises, definitely the responsibility lies on the business owner to take out an insurance. Thank you.

HON. SPEAKER.- I thank the Honourable Minister. We move on to the next question.

I give the floor to the Honourable Dr. Salik.

Non-Communicable Diseases (NCDs)
(Question No. 64/2019)

HON. DR. S.R. GOVIND asked the Government, upon notice:

Can the Honourable Minister for Health and Medical Services inform this House why Non-Communicable Diseases (NCDs) appear to be increasing; and what is being done to curb this?

HON. DR. I. WAQAINABETE (Minister for Health and Medical Services).- Honourable Speaker, I thank the Honourable Member for the question.

The World Health Organization (WHO), in November 2018, at the Executive Board Meeting said that irrespective wherever you are in the world by 2030, NCD is going to be a problem, irrespective of wherever we are in the world.

Initially, was the thought that this was a problem only of high income countries and low income countries did not have an issue with it, but it is actually growing right around the world. There have been two major decisions that have been captured at the UN General Assembly: HIV and AIDS; and secondly is NCD, which was on the agenda in September, 2011.

What is now known globally is a fight right across the world, headed by the World Health Organisation on what is thought to be the NCD countdown in 2030. This is a global strategy of independent collaboration to form policies and strengthen health systems to reduce the worldwide burden of NCDs. If we look at NCDs and actually just demarcate one part of it, which is diabetes, in this country diabetes prevalence was only 2 percent in 1970. By about 2002, this had risen to 15 percent; and by 2011, this was 16.3 percent. So when you see the graph, the graph is climbing, we seem to think that we are plateauing and that is what we hope, that we just curve the graphs, and as I said earlier, this is a worldwide problem.

There were about 58 million deaths in 2016 all around the world, 71 percent of these were NCDs and 40 percent of these deaths from NCDs were from low income countries and 90 percent in high income

countries. So what that data seems to suggest is that high income countries have a greater burden of NCDs, the low income countries had a lower burden of NCDs but as I alluded to earlier, WHO is saying that by 2030 it is a problem, irrespective of wherever you live in the world. The NCDs we are talking about today are diseases like cancers, cardiovascular and chronic respiratory diseases and diabetes.

As I have said earlier, Honourable Speaker, the NCD rise is global, it is not peculiar to Fiji. The step survey of 2002 and 2011 seem to suggest that while we are plateauing a little bit with diabetes and also with tobacco use, we still continue to struggle with overweight, obesity and high blood pressure, and it is encouraging to note that the 10-year difference seems to suggest a 1 percent to 2 percent rise.

So while it is encouraging to see that it is a small rise, what is discouraging though is that over the last 30 to 40 years we have come that far. Looking back at the Government commitment of the fight towards NCD, the Government and the Ministry is firstly very grateful to the increase budgetary provisions from before 2011 until today.

Secondly, Government has increased taxes on alcohol, tobacco, palm oil and reduce taxes on fruits and vegetables. NCD drugs are now available throughout health centres and health facilities but also the free medicine programme which was initially 40 than 60 medicines and now are 160.

Lastly, whilst we are picking out those who have NCDs in the community and we are actually being able to manage them with medicines, and as they continue to grow with NCD, there is a possibility of getting complications, we have begun to be able to introduce speciality care and I have discussed that earlier on this week in cardiology, nephrology, eye, and surgery, to name a few. So our main challenge at the moment is the intermediate risk factors of obesity, high blood pressure, nutrition and physical activity. This is a challenge that needs a whole of society approach. All of us who are Members of this august House can be able to work with the community to be able to achieve this.

We have new directions with the Ministry of Health and Medical Services and this has come about again because we are looking at what is the best practice from around the world and this is something that we have adopted over the last three or four years. We have moved from just a primary health care concept to what I have been discussing again earlier this week on universal health coverage. It is being able to take the specialist services right down to the community so it is available at the point of contact.

We also are using wellness approaches through the antenatal clinics, maternal child health and the school health services. We also have now what is called a "Wellness Passbook" that we are consulting so that we can give to all Fijians so that they can be able to look as they continue with their lives on their wellness indicators of nutritional status, dental status and also while they were younger, immunisation status. This proforma creates a platform for early detection and referral of cases. Again, as I said, we are moving in the concept of universal health coverage.

In order to curb NCDs, I am sure that the Honourable Member will agree with me that everyone's effort is needed and not only with Government alone. At the end of the day, the aim is to promote healthy lifestyle from conception all the way to the tomb. So it is a womb-to-tomb approach, as Dr. Tukana would say. Thank you, Honourable Speaker.

HON. SPEAKER.- I thank the Honourable Minister. Honourable Ro Filipe Tuisawau, you have the floor.

HON. RO F. TUISAWAU.- Thank you, Mr. Speaker. Just a "Thank you" to the Honourable Minister for the brief on NCDs. There are a few issues which I would like to raise with the Government regarding NCDs because the Honourable Attorney-General ...

HON. SPEAKER.- What is your supplementary question?

HON. RO F. TUISAWAU.- ... he is talking, he opened a tobacco plant facility two weeks ago in the West, so I am puzzled as to whether he is supporting smoking or he is against that.

The other issue is uncontrolled advertisement of liquor. We see it on the board here in the City and also sponsorship by junk food companies of sports events, like Coca Cola, Twisties, et cetera, so what is the Government's view on this? Are they supporting things which cause NCD or are they against it?

HON. SPEAKER.- Honourable Member, the Minister for Health is the one who is answering the question.

HON. RO F. TUISAWAU.- Yes, I am asking the Honourable Minister.

HON. DR. I. WAQAINABETE.- Thank you, Honourable Speaker. I was a bit confused because he was asking the Honourable Attorney-General, but anyway, I had said earlier

HON. SPEAKER.- I will make the correction. He was asking the Honourable Attorney-General, yes, but the Honourable Attorney-General was not answering the question in the first place that was asked. You are the Minister responsible for this. The thing is, he was mis-directing his question to the Honourable Attorney-General, that is what I was trying to point out to him.

HON. DR. I. WAQAINABETE.- Honourable Speaker, Government, as I said earlier, increased taxes on alcohol, tobacco and palm oil and reduced taxes on fruits and vegetables. I have also, for the benefit of time, did it include it but now that he has asked, I will talk about it. We have also now at the moment reviewing our Public Health Protection Bill in which we have done some work around it and these are all approaches that we have done in regards towards NCDs. Thank you.

HON. SPEAKER.- Thank you. Honourable Leader of the Opposition, you have the floor.

HON. MAJOR-GENERAL (RET'D) S.L. RABUKA.- Thank you, Sir. I have a supplementary question to the Honourable Minister for Health: Has the Ministry of Health relayed that the NCDs trend that we now have through the evolution of society where we have moved away from a purely, variant society and hunter gatherers, now to a more sedentary life and whether they are being incorporated in to your programme of preventive, curative, at primary, secondary and tertiary levels? Thank you.

HON. DR. I. WAQAINABETE.- Thank you, Honourable Speaker. That seems to be so and sedentary lifestyle has been found to be a risk factor for NCDs. This has also been found in groupings of people, for example, Asians who have gone from Asia and now live in the States, the rate of NCDs is actually higher than their relatives who were back in their former countries. So what is a known fact is that you may have a relatively good gene, but if you move to a more sedentary lifestyle and have the environmental influences, then the risk factors that are there in that area and the prevalence, is something that you will also be faced with.

We support movement and keeping healthy and I know that some of us in this august House have been doing lunch hour walks and training which I am very grateful to.

The other thing that we have been trying to do is actually just getting our people to understand that simple things such as drinking water is quite helpful because we live in a climate that is actually quite hot, people can be dehydrated, so instead of thinking to eat something, maybe make use of our water. These are some of the simple things that we have done.

On a greater scale, what I am pleased to share with us is that, Government has gone over the last few years to introduce mechanisms to allow us to move - the Albert Park and its surroundings; the Suva seawall is a place where we see a lot of Fijians in the weekend; also in Lautoka around the waterfront which has been done up nicely and there have been pathways and people are walking along there.

The fact that we have more footpaths makes it more possible for Fijians to walk; the fact that we have lights makes it also more possible for people to get off work in the evenings and be able to walk safely in their neighbourhood. So I think, it is looking at the bigger picture and I know that many Fijians might not have the capacity to enjoy sports, but the fact that we are being able to keep physically active, have grounds to use and recreational facilities also help. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister.

Honourable Ro Teimumu Kepa, you have the floor.

HON. RO T.V. KEP A.- Honourable Speaker, my supplementary question to the Honourable Minister is; so many young professional women are dying from cancer and leaving young families behind: how is it that only 20 percent of women are getting screened and 80 percent are falling through the gaps, so what is not happening?

Should I repeat the question?

HON. SPEAKER.- Could you repeat the question for the Honourable Minister?

HON. RO T.V. KEP A.- I am not asking you people over there. I am asking the Honourable Minister. I know it is late and you all want to go to bed.

(Laughter)

HON. RO T.V. KEP A.- Let us bear. You are the ones that changed the Standing Order.

(Laughter)

HON. RO T.V. KEP A.- Do not blame anyone, blame you people.

HON. SPEAKER.- Ignore these two.

HON. RO T.V. KEP A.- They want to sleep.

(Laughter)

HON. RO T.V. KEP A.- My question, Honourable Speaker, is, so many young professional women are dying from cancer (that is well-known), and leaving young families behind: how is it that only 20 percent of women are getting screened and 80 percent are falling through the gaps? What is happening or not happening? That is a statement from the Ministry of Health. Thank you.

HON. SPEAKER.- Thank you. Honourable Minister, you have the floor.

HON. DR. I. WAQAINABETE.- I thank you. Yes, cancer is an NCD, the cancer that possibly the Honourable Member may be alluding to is cervical cancer.

With women, the most common cancer in Fiji now is breast cancer. It used to be cervical cancer but is now overtaken by breast cancer. The fact of the matter now is that we have vaccination/immunisation (HPV vaccination) that we are giving our daughters, and that we believe will begin to plateau, and continue to reduce the burden of cervical cancer, we hope, because it is an immunisation against HPV.

With breast cancer, this is the space that we are continuing to grow expertise in and also we have mammograms available. For cervical cancer, there are mechanisms of screening. Initially, it was a type of test, now it is changing, and we are hoping soon with some of the work that we are doing, with support from external agencies, that we will be able to introduce more non-invasive testing to an extent so that we can be able to pick up those ladies who may have cervical cancer. Thank you.

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

HON. S.V. RADRODRO.- Thank you, Honourable Speaker, and I thank the Honourable Minister for the explanation. We know that NCD-related diseases are considered a crisis in Fiji, and we also know that Fiji is a consumer-driven society, therefore lifestyle changes. It is going to take time so in the meantime and for the near future, will the Ministry consider including medications for diabetic patients and hypertension, for example, in the Free Medicine List? Thank you, Mr. Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. I. WAQAINABETE.- Thank you, Honourable Speaker. I am very happy to reiterate that as I have said earlier, it is in the Free Medicine Scheme, it is.

HON. SPEAKER.- Last supplementary question, you have the floor.

HON. P.W. VOSANIBOLA.- Mr. Speaker, Sir, in 2012, I think the Ministry of Health established the National Wellness Unit to curb the alarming increases of Non-Communicable Diseases amongst our population. My question to the Honourable Minister is, are there plans to establish these wellness centres at Divisional and Subdivisional levels?

HON. SPEAKER.- Honourable Minister.

HON. DR. I. WAQAINABETE.- Wellness is like a headquarters for NCD strategies. We have in the Subdivisional Hospitals through WHO support, developed what is called a PEN Model, which is the ability to go out into the communities, screen those who are at risk of NCDs and give them what we may think of something like a green prescription. For example, ask them to do more exercises, eat a healthy diet, and identify those who are at immediate risk to high risk, and then start the medicine, so it is protocolised, based on what we call the "PEN Model", but it is all run out of this wellness centre.

Now, we have taken it all the way right down, Honourable Member, to the Subdivisions and also at the Health Centres.

One of the Subdivisions that actually champions this is the Savusavu Subdivision, the Cakaudrove Subdivision. They do it very well, so I am very hopeful that this will reduce the NCD burden, not only Cakaudrove but for all Fijians. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister.

We will move on to the next question and I give the floor to the Honourable Mikaele Leawere to ask Question No. 65/2019. You have the floor, Sir.

Redress Mechanisms for Pensioners
(Question No. 65/2019)

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

Can the Honourable Attorney-General and Minister for Economy, Civil Service and Communications explain as to what grievance or redress mechanisms are in place for pensioners; whose pensions were affected by the reforms in 2011?

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Economy, Civil Service and Communications).- Thank you, Mr. Speaker, Sir.

Mr. Speaker, Sir, I assume from the question that the Honourable Member means the FNPF pension reforms because there are obviously other types of pensions that Government also gives. Of course, you have the Military Pensions, et cetera.

Mr. Speaker, Sir, we have traversed this ground previously. The reality of the matter is that the reforms were essential in FNPF. As a number of reports including under past Governments, World Bank, IMF, ILO, they had also the actuary firm Mercer Australia that had previously alerted the other Governments to say, "If we do not reform it, all the funds in FNPF actually would have finished by 2056."

So in other words, currently young people who are engaged in employment, by the time they would have retired, there would have been no money left for them to actually take out as pensions. This, by way of a very short summary as to why the reforms were carried out, and these reports are widely available.

In respect of the people who are in pension at that point in time of the reforms, there are approximately 10,000 people who were on pension at that point in time of the reforms. I will give you a breakdown as to what happened.

Out of the 10,000 pensioners, all of them were given the option, either to go along with the reforms or if you want, you can actually take out all your pensions if you like. So out of the 10,000 pensioners, about 6,700 decided to stay on but in different methodology and I will tell you what happened to them.

Sir, 33 percent took out all their pension funds. They said, "We do not want to be part of this, we will take out," They had the opportunity, so withdrew all their funds. Some people collected \$30,000, \$40,000 whatever it was, they collected their pensions.

Now, the balance of the 67 percent that remained, there were two groups who actually did not, if you like, affect their pension. There were approximately 1,405 pensioners who were, prior to the reforms, receiving less than a hundred dollars a month in pension. Say, for example, if you work as a carpenter in those days, you do not get paid much. So, when they actually retired, their pensions were less than a hundred dollars, Mr. Speaker, Sir.

With the reforms, now no one gets less than a hundred dollars, so they all topped up and they are getting at least a hundred dollars. Previously, people used to get as low as \$7 because someone may have worked and you were earning \$5,000 or \$6,000 a year for 20 or 30 years. They only were getting \$7,000 pension when they retire, so they were topped up to \$100. Those people who were getting pensions between \$100 to \$300 before the reforms, they retained that amount, they were not affected.

There was another lot which is the 2,910 of them, their pension was not affected at all, they had the same. There were 1,830 pensioners which I assume they are the ones you are referring to, whose pension sums were actually reduced.

There was one pension in particular who was receiving \$10,000 a month because they were getting a rate of return at 25 percent. They opted to stay but instead of using that \$10,000 as an example, they are now getting \$6,600 a month.

In respect of the Honourable Member's question, out of the 10,000 who were pensioners at that point in time, 1,830 had their pension sums reduced, and you could see that these are the ones who were receiving very high amount of pensions on a monthly basis.

Mr. Speaker, Sir, as part of the reform, the Act was changed. As I also mentioned in respect of the Board itself, we now have professionals who sit on the Board, they bring a particular level of skillset to the Pension Scheme itself, how we have strengthened in terms of the redress mechanisms; there are better governance mechanisms in place; we have established a sustainable pension scheme which was actually actuarially tested and certified solvent. We have separated the pension business from the current members' fund to eliminate cross subsidisation because that is precisely what used to happen.

The Honourable Leader of the Opposition would know in his time as Prime Minister, that there was something like about 25 reasons upon which a person could go and withdraw funds from the FNPF, basically treating it like a savings bank. FNPF is not a savings bank, it is actually there for your pension when you actually retire. And also, it is there for you to be able to utilise during the term of your employment for things like, housing, et cetera.

Mr. Speaker, Sir, I would also like to highlight to Parliament about what the current position after the reforms of FNPF is. The net profit increased by 21 percent to \$538 million in 2018, attributed to the better investment returns. Net profit is now doubled from the \$242 million in 2011, prior to the reforms. That is what is done.

From this profit, \$297 million was credited to members' funds or to their accounts, equivalent to 6.3 percent in interest paid. The Fund has credited actually over \$1 billion to its members in the last four years. The total assets of the Fund now stands at FJ\$7 billion, which is more than sufficient to cover its liabilities of \$5.5 billion. In other words, if tomorrow everyone decides to withdraw all their funds, say we are going to shut down FNPF, there is enough money to pay everyone and still have \$1.5 billion left. The net assets is now over \$900 million with cash and deposits currently sit at close to \$700 million.

After applying the mandatory solvency requirement of 10 percent as we have, for example, SDR - Statutory Deposit Reserves with the Banks, there is still surplus assets of \$317 million. This, Mr. Speaker, is a major improvement from the \$337 million in 2010, prior to the reforms. Thank you, Mr. Speaker.

HON. SPEAKER.- Thank you, Honourable Minister.

Yes, Honourable Member, you have the floor.

HON. M.R. LEAWARE.- Thank you, Mr. Speaker, Sir. I would like to thank the Honourable Minister for highlighting the issues that have been raised. The question is, given the increase in net profit as you had alluded to in your response, are there any plans to review the pension rate, given that FNPF is serenading that there is a lot of money being accrued in terms of the savings?

Thank you, Mr. Speaker, Sir.

HON. SPEAKER.- I thank the Honourable Member. Honourable Minister for Economy, you have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Mr. Speaker, Sir. As I highlighted in my address, Mr. Speaker, that because of the profits being made, interest paid for the members' accounts funds was actually 6.35 percent. So that is actually how the members benefit. You do not increase your overall return on the investment but you credit it. When you do well, you credit the account with 6.35 percent interest. That is how you actually build it.

I think one of the Honourable Members from the other side earlier on said, "Oh, they made this much profit (I think it was in USP), they should now spend the money." Well no, you actually have to wait because there could be payments required. There are also opportunities for them to invest so you get better rates of return so your account value actually increases. You just suddenly do not increase your overall interest paid or the rate of return paid on it.

Mr. Speaker, Sir, if you go to countries like Australia and New Zealand where they have opened up or liberalised the market and the superannuation fund, the rate of return in those funds is about 2.5 percent to 3 percent and it changes with the market. In fact, the overall value of the superannuation fund can decrease whilst you actually may put more money or add more money in the previous year. It depends on the markets. In Fiji, by law, there is the rate of investment of 8 percent, that is guaranteed, which is extremely very high.

HON. SPEAKER.- Thank you. We will move on to the sixth oral question for the day.

Works at Nakauvadra Creek, Rakiraki
(Question No. 66/2019)

HON. R.R. SHARMA asked the Government, upon notice:

Can the Honourable Minister for Agriculture, Rural and Maritime Development, Waterways and Environment brief the House on the river improvement works being carried out at Nakauvadra Creek in Rakiraki?

HON. DR. M. REDDY (Minister for Agriculture, Rural and Maritime Development, Waterways and Environment).- Honourable Speaker, I want to thank the Honourable Member for asking this question. Honourable Member, Rakiraki Town, as you all know, used to experience floods frequently, at least twice if not thrice a year, prior to the river improvement works that we undertook last year and early this year.

Honourable Speaker, this has been due to many factors involving sub-standard farming and logging practices up in the catchment, logging activity, now increased farming activity which is resulting in the movement of sediments with the waterways and therefore siltation of the waterways downstream.

The other factor was that, this creek that we had, it was loaded with not really debris but trunks and logs. It is amazing the amount of logs and trunks there. So, Honourable Speaker, Sir, because of this massive amount of rain happening, secondly because of the activities in the catchment and farming activities which is pushing in debris and top soil onto the waterways and because of logs and tree trunks being deposited in the waterways, the discharge capacity of these waterways was very, very low, and because of that, often you will find that the waterways used to overspill and this resulted in flooding of the town area and also nearby residences and farms as well.

Honourable Speaker, last year, on 18th June, we commissioned the work as approved by the Ministry of Economy, worth \$1.49 million to clear the creek and de-silt 3.5 kilometres of the Nakauvadra Creek. Where there is a timber crossing in the town, three kilometres downstream and one kilometre upstream, a total value of \$1.49 million and total length of 3.5 kilometres.

Honourable Speaker, prior to the commencement of the work the total discharge capacity of the creek was 35.86 cubic metre per second, 35.86 cubic metre of water could be discharged; every second 35.86 cubic metre. Now, Honourable Speaker, after the improvement work, we have raised the discharge capacity from 35.86 cubic metre to 123.92 cubic metre per second, 300 percent improvement in discharge capacity, Honourable Speaker. So you can see that prior to that, we had 35.86 cubic metres and now 123.92 cubic metre discharge capacity.

Honourable Speaker, also what we have done now, the soil in that area is very soft and the riverbank after doing the work is not very stable. So, what we have done last week and this week, our staff have been there planting the vetiver grass along the river banks. That work is continuing, we want to do that for the full 3.5 kilometres.

Honourable Speaker, this is a massive amount of work. This demonstrates Government's commitment to protecting communities as was the underlying theme of the current budget that was announced by the Honourable Minister for Economy.

Honourable Speaker, we want to now go further upstream and widen, deepen and de-silt the Nakauvadra Creek. As I said from the crossing in town upstream, we have done half a kilometre, we want to now take it further up 3 kilometres. So for that, we are now undertaking surveys. Our surveyors are down there because there is also meandering of that river, like some meandering that happens on the other side. We want to see, Mr. Speaker, whether we can straighten that.

Honourable Speaker, a lot of people are coming to us saying, "We want to straighten that creek." But we also want them to know that there are times when we do not want to straighten the creek because by having a meandering of the river, it also slows down the speed of the water. There is a natural reason why that river is meandering that way.

So, our engineers are down there to see whether we really want to straighten that river upstream. Once we have done a comprehensive survey work then we will come to a conclusion as to how we want to really widen, de-silt that and whether we want to also straighten upstream. Where there is an issue, at one place the bank has busted and there is another pathway that the river has created upstream, so we want to fix that.

So, Honourable Speaker, I want to say that work is continuing. Also downstream, we want to open the river mouth, there is quite a bit of sand and gravel at the river mouth, but the initial quotation was close to \$2 million so we are re-looking at that. We really do not want to throw a figure because it will be tendered out. There is also the issue of the EIA that we had, expired. Within the Ministry, we are particular, the EIA that we did, there is a three-year timeframe for EIA that has expired so we have to redo the EIA and then we will do the downstream river mouth opening and also upstream and we want to extend that. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister. Honourable Qereqeretabua, you have the floor.

HON. L.S. QEREQERETABUA.- Thank you, Honourable Speaker. I thank the Honourable Minister for the answer to the question. Could I, through you, Honourable Speaker, also ask the Minister, well to say, "Thank you" first of all. I am sure the people of Rakiraki are happy to note all the works

that have been done to try and prevent more flooding of Nakauvadra and the township but could I, please, ask the Minister, through you, Honourable Speaker, what about the works that are happening upstream? There is a lot of money being poured into the curative measures but what about preventative and what kind of eyes have they got on upstream works, in fact, farming and also the logging practices that could be exacerbating the situation? Thank you, Honourable Speaker.

HON. SPEAKER.- Honourable Minister.

HON. DR. M. REDDY.- Honourable Speaker, I think it is getting late in the night, it looks like my colleagues on the other side are not really listening to the response that we are providing. I just said that one of the colossal factor is what is happening upstream in the catchment area. That is not only there, throughout Fiji, 30 years ago or three or four decades ago, we did not have that amount of logging activity being undertaken at the catchment.

We did not have farming activity there. Now, three or four decades later, there are a lot of logging activities. What is happening is that, they are trimming it off, leaving that in the waterways, top soil is coming onto the waterways, it comes downstream and reduces the volume of discharge. So what we were saying is that, that is something that we are looking into.

There is a Land Conservation Bill that is now with us, we need to do some more consultation on that. That will define the conduct of those who are undertaking activities up in the catchment. So, comprehensively we need to deal with that, once we have defined their behaviour in the catchment, and also the Land Conservation Unit that we have within the Ministry of Agriculture is also talking to farmers about proper land cultivation practices, also contour farming practices, . All these will ensure that we minimise the amount of top soil flowing into the waterways, and therefore reducing the volume of discharge.

These things will help us to really provide a sustainable solution to siltation of waterways downstream. Thank you.

HON. SPEAKER.- Honourable Viliame Gavoka, you have the floor.

HON. V.R. GAVOKA.- Thank you, Honourable Speaker. Firstly, I must thank you, Honourable Speaker, for allowing this question, because we had this ridiculous rule in the last term that we could not ask a question specific to an area. I could not ask, "When are you going to build that road at Natadola?"

(Honourable Members interject)

HON. V.R. GAVOKA.- So, I am grateful to you, Honourable Speaker, for allowing this, setting a precedence going forward and we can bring in names of places to questions now. Thank you very much, Honourable Speaker.

Can I ask the Honourable Minister, Rakiraki was underwater for almost every month not long ago, is he assuring us now that with this outlay of funds that we will not have Rakiraki Township underwater again?

HON. DR. M. REDDY.- Honourable Speaker, if the Honourable Member can assure me there will be no more excessive rain, I will assure him there will be no more flooding.

(Laughter)

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

HON. M. BULANAUCA.- Thank you, Mr. Speaker, Sir. The Minister for Agriculture has explained properly about logging the upstream, also the conservation, farming so that the top soil does not get into the river, but we appreciate the works being carried out to ensure that the quality of water in that stream, whatever that stream is in Rakiraki and also the rivers.

(Laughter)

HON. M. BULANAUCA.- I go along with the explanation he gave on Monday, that it is important that we keep our waters clean, of good quality, et cetera. But the question that I wish to ask, what strategies have you put in place to ensure that the fertilisers that we use in agriculture does not get to the water and spoil the water?

(Laughter)

HON. M. BULANAUCA.- What strategies do you have in place to ensure that agriculture in Fiji produce organic certified products to export overseas? Thank you.

HON. DR. M. REDDY.- Honourable Speaker, it is a slightly different question. He is talking about how we minimise fertiliser-usage as well as chemicals because with the heavy utilisation of fertilizer and chemicals, they will flow into the waterways as well as leach down and get to our water table and contaminate.

Honourable Speaker, there is a paper that will go to Cabinet in a few weeks' time, after that I will be presenting a Ministerial Statement on our quest to promote organic farming in Fiji. I want to leave it there because it is something for Cabinet to consider, if that gets through then I will present a Ministerial Statement on our strategy to get into organic farming. Thank you.

HON. SPEAKER.- Thank you. We will move on to the seventh Oral Question for today. I give the floor to the Honourable Adi Litia Qionibaravi.

Update on Land Buy Back Scheme
(Question No. 67/2019)

HON. ADI L. QIONIBARAVI asked the Government, upon notice:

Can the Honourable Minister for Lands and Mineral Resources inform the House on the current state of the Land Buy Back Scheme?

HON. A. SUDHAKAR (Minister for Lands and Mineral Resources).- Thank you, Mr. Speaker, Sir. I thank the Honourable Adi Litia Qionibaravi for that question.

Mr. Speaker, Sir, the Ministry, in the act of strengthening *iTaukei* land ownership is assisting *iTaukei* landowners who had little or no cultivable agricultural land in buying back ancestral land alienated as freehold lands. Under the Buy Back Scheme, the Government purchased freehold land on sale on behalf of the native landowners on a fair market price determined by Government Registered Valuers through interest-free loans on the terms and conditions stated under the Sale and Purchase Agreement document and the landowning unit are given 30 years to repay the loan.

Mr. Speaker, Sir, todate out of the 26 freehold buyback land, four landowning units, namely:

- Yavusa Wairuku, Cakaudrove;
- Yavusa Waidau, Levuka;

- Mataqali Nailagobakola, Nausori; and
- Yavusa Nasuva, Taveuni

These landowning units have paid off their debt totaling to an amount of \$858,770, and three out of the four land parcels have been transferred, namely:

- Yavusa Nasuva, Taveuni, Cakaudrove;
- Yavusa Wairuku, Savusavu, Cakaudrove; and
- Yavusa Waidau, Levuka.

Mr. Speaker, Sir, in addition, 10 freehold buy back land has been leased to assist those landowning units who are defaulting in their payments. This is through subdividing the unutilised freehold lands for leasing to individuals who would incur regular revenue. This income is to be directed towards the repayment of loans. Issuance of lease in itself provides security which should inspire the lessee to till the land and thus contribute to the local production whilst also reduce the loan repayments.

Further, Honourable Speaker, so far the total Freehold Land Buy Back Scheme has 26 buy back lots. The total area is 8,520.74 acres, the purchase cost paid by the Government so far is \$4.74 million and the loan repayment that has been recovered is \$1.746 million, the total amount paid by the four landowning units is \$858,770.00. Thank you, Mr. Speaker.

HON. SPEAKER.- Thank you, Honourable Minister. Honourable Peceli Vosanibola, you have the floor.

HON. P.W. VOSANIBOLA.- Thank you, Honourable Speaker. Mr. Speaker, Sir, before I ask my supplementary question to the Honourable Minister, I would like to extend my sincere appreciation and gratitude to the previous Governments and leadership for the Land Buy Back Scheme initiative which enabled the handful landowning units like the Waidau Clan in Ovalau acquiring 400 acres of freehold land that have been fully remitted their dues way back in 2015 and yet they have not received their Certificate of Title.

So my question to the Honourable Speaker, to the Honourable Minister, I am sorry, Sir, ...

HON. SPEAKER.- I can answer that question too.

HON. P.W. VOSANIBOLA.- ... my question to the Honourable Minister, why a legal covenant attached pertaining to the release of the Certificate of Title; and are the landowning units with the Land Buy Back Scheme required to pay Capital Gains Tax? Thank you, Honourable Speaker.

HON. A. SUDHAKAR.- Thank you, Honourable Speaker, and I thank the Honourable Member for that question. From my records, I am not certain whether Capital Gains Tax is applicable in this particular case, but for any land sales, there is a legal requirement for a 10 percent Capital Gains Tax which is payable by everyone. So if it is a transfer of a freehold land to a particular group or a particular person, the 10 percent Capital Gains Tax will be applicable; it is the normal legal requirement.

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

HON. M.R. LEAWERE.- Thank you, Honourable Speaker. Thank you, Honourable Minister for enlightening the House, the best Minister from 2014 now is you, you have done quite a lot.

The question that I would like to pose to the Honourable Minister is: What about Namaqumaqua Village, they are also on that Land Buy Back Scheme, is there any update on that, Honourable Minister? Namaqumaqua is located near Man Friday Resort (the road that goes inside), is there any update on that?

(Honourable Member interjects)

HON. M.R. LEAWERE.- No, I am still waiting.

(Laughter)

HON. A. SUDHAKAR.- Thank you, Honourable Speaker, and I thank the Honourable Leawere for that question. In fact that Lot is not in my list at the moment, but as I said that there were 26 Land Buy Back Schemes of which three had been completed and one is under the process of payment. When that happens, the four will be transferred. If there is a specific area that he wants he can come and discuss it with me and I will follow-up on all the 26 files and brief him.

HON. SPEAKER.- Thank you. Honourable Member, you have the floor.

HON. RATU T. NAVURELEVU.- Thank you, Honourable Speaker. A supplementary question: I am a landowner, I own the land collectively with my landowning unit but I do not own the land as an individual. I must thank the previous Government for respecting and recognising that right. Just a question, Honourable Speaker, Sir: Can the Honourable Minister advise this House, if there will be any condition attached to the Land Buy Back Scheme upon its full payment; if yes, can the Honourable Minister explain, why? Thank you, Honourable Speaker.

HON. A. SUDHAKAR.- Thank you, Honourable Speaker, and I thank the Honourable Member for the question. So far, the only condition is that if the money had been paid, the land will be transferred to them as owners. There is no condition on a freehold land. It is usually on *iTaukei* land and Crown land but not on freehold land.

HON. SPEAKER.- Honourable Bulanauca.

HON. M. BULANAUCA.- Thank you, Mr. Speaker, Sir. I thank the Honourable Minister for the answers. Perhaps if he can just go and check the caveats on the transfer then he should pay the Capital Gains Tax. I believe that they should not pay the Capital Gains Tax, anyway, I thank you for the four Schemes that have been paid: one is in the process; another for subdivision and given leases, and the Lot for them to repay, what about the others? Are there any programmes that the Director of Lands and Minister for Agriculture will do to enable these landowners to generate some money from the projects that they can implement and pay off the loan immediately?

HON. A. SUDHAKAR.- Thank you, Honourable Speaker, and I thank Honourable Bulanauca for that question. I think the birthday boy was not listening to me when I was answering the question. What we have said in here is that, for the landowning units who are not able to pay their instalments, we are subdividing the land and leasing it out so that they generate some revenue which will then go towards the repayment of the money so that the land can be transferred to them. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister. We will move on to the last question and I give the floor to the Honourable Sanjay Kirpal.

Process Involved in EIA and its Implementation
(Question No. 68/2019)

HON. S.S. KIRPAL asked the Government, upon notice:

Can the Honourable Minister for Agriculture, Rural and Maritime Development, Waterways and Environment explain the process involved leading up to undertaking of an Environmental Impact Assessment (EIA) and how it is implemented?

HON. SPEAKER.- Thank you, Honourable Member. The Honourable Minister for Agriculture, Rural and Maritime Development, Waterways and Environment, you have the floor.

HON. DR. M. REDDY (Minister for Agriculture, Rural and Maritime Development, Waterways and Environment).- Mr. Speaker, Sir, I would like to thank the Honourable Member for asking this question. This is a very important question, Mr. Speaker, because often there seems to be some misunderstanding amongst the public as well, so I do hope that this message will go out to the public.

Mr. Speaker, Sir, to maintain the control and the sustainable use for our natural resources, the Environmental Impact Assessment (EIA) is a very important regulatory tool to identify the environmental, social and economic impact of any project prior to decision-making of whether the project will go ahead or not.

Mr. Speaker, Sir, there are two parts of it. It is not only during the construction process but it is also about after the project starts its commission, let us say, it is a hotel project. Once the hotel is completed and then the hotel staff also, what are some of the things that need to be done to mitigate the possible environmental impact that will affect the running of that particular hotel?

So, EIA will be utilised to ensure that when the construction is undertaken, the environmental damage is dealt with, there is no mitigating factor, ensuring that there was no environmental damage and also Post project. As alluded to, it aims to predict the environmental impacts and the potential degradation at an early stage and find ways to reduce and mitigate the adverse impacts of that particular project on environment.

Mr. Speaker, the key stages in the EIA process under the Environment and Management Act of 2025 and the Environmental Management Regulations is firstly, Screen. So any developer who would want to undertake a project should write to the Department of Environment. There a form called "EIA Screening Application Form" where our officers will go down and undertake a screening of whether EIA is required or not.

So, once that is done and if the EIA is required then the next step is for our officers to go down and do a scoping and determine the terms of reference, that will be given to the developer to engage a EIA consultant on the Ministry of Environment's list. These are the approved list of EIA consultants for different kinds of work. For example, Mining Project, there will be a set of consultants who can do EIA for mining. If there is a river dredging, there is a set of consultants who are allowed to do EIA work for river dredging. We have a list of 150 EIA consultants or so and all of them can do any kind of EIA, that is now the way it is, so, once the screening is done and if it is determined that you need an EIA then again our officers will go down, do a survey and do a Terms of Reference (TOR).

Once the terms of reference is done and it is given to the developer to hire the consultant from our list. We will tell the developer, "Out of this list, choose anyone you prefer to attend to it and get it to us and then we will develop an Environmental Management Plan using the recommendation of the EIA consultant for that particular project before it is given the go ahead."

Mr. Speaker, before I go further, I want to bring to your attention an issue that was raised by the Honourable Lenora Qereqeretabua last year. The Honourable Qereqeretabua, during the last sitting of the House, referred to two different projects having the same TOR.

Mr. Speaker, Sir, I personally went to the Honourable Qereqeretabua and asked her, “Give me their names, show me so that I can find out if there is a problem, if we have incompetent staff or if we have made a mistake, I wanted to find out.” Todate, she never came back.

Mr. Speaker Sir, we carried out our own research and we found out that the two terms of reference that she was referring to; the Momi Bay one and the other one was the Magma Mines Limited which I am going to leave it here for them to examine.

The Honourable Member made no effort to check the accuracy with the Department and us for the facts for the TOR and the evidence that I am providing to this House. Mr. Speaker, we strongly refute the claims made by the Honourable Member that the terms of reference were generic as was claimed by her. I will produce it here for examination and perusal by all the Honourable Members here.

A proper examination by the Honourable Member would have easily revealed that both terms of reference are very different, and the terms of reference with Magma Mine, details scope was different in comparison to the one for Momi Bay.

The mention of the jetty operation and access in the terms of reference for Magma Mine is fully justified, the one she said she had a problem with, it was in line with the scoping concept proposed by Magma Mine for the construction, I quote:

“Construction of proper wharf, complete with barge loading facilities and the construction of a bridge to link the island to the main island.”

The access jetty, bridge work was vital for mobility and ease of movement during sand extraction operation. The terms of reference were tailor-made to suit two different developing concepts, that is:

1. Jetty Construction at Momi Bay; and
2. Dredging and extraction of heavy minerals and mining at the mouth of the Sigatoka River.

Mr. Speaker, Sir, back to the process, once the EIA Report is submitted to us by the consultant, the Department of Environment makes a complete Report available and appropriate notifications for viewing by the public.

So, Honourable Speaker, once the consultant by that particular company gives us the EIA report, then we at a particular location make it available to the public and we advertise in the papers saying, “That EIA report is now available for public viewing”.

The Department may give notice through publication. We do that by radio and we normally do it by print media. Mr. Speaker, Sir, the general public is given 28 days’ notice to view the EIA report and submit their comments in writing to the Department of Environment, and we take this particular aspect of the entire year very seriously. It is not a task that we have to fulfil, absolutely not, as some Members have said in this House previously.

It is not a task, we take it very seriously. We take members’ contribution, landowners’ contributions and concerns very seriously. I, myself, personally went down to Navua, on the left there is a road going up where there is quarry and there were some issues raised by the villagers there about what is happening at the quarry upstream. Immediately, we ceased operations of the quarry and said, “These

are the things that you need to do, if you want the operations to start.” Of course, the gentleman went all around, making calls, et cetera, but we said, “No”.

I personally went down and met with the villagers. But this is how seriously we take when there are issues raised by either during the EIA consultation process or even after when there is a project ongoing and we see there is a breach to the Environmental Management Plan that was approved and given to the developers saying, “This is how you will manage the environment as you will continue the project.” When we find a breach, we will immediately stop the development project, Honourable Speaker.

Mr. Speaker, Sir, after considering all the review, comments and submissions made during the review period, the decision on the EIA report is made within 35 days from the submission of the EIA report.

The Department, in its decision, may not approve the project proposal, recommend any additional study on the proposal or approve the proposal with conditions so, Honourable Speaker, this is the process that we follow and I want to let this House know that in 2018, an unprecedented 51 prohibition notices were issued for breaches under the Environmental Management Act 2005 and its subsidiary legislations.

Honourable Speaker, 40 of these were issued for violations relating to EIA. In 2018, with the assistance of DPP’s Office, the Department successfully prosecuted a company for undertaking development without an EIA. The company was fined by the Court and instructed to dismantle the plant in Nausori. Again, unprecedented success in terms of ensuring that we really enforce the Environment Management Act.

Honourable Speaker, this is not something that we just go around in the market and pick something up, this is something that we had to do serious work on, before we use the legislation, for your information, Honourable Gavoka, thank you.

(Laughter)

HON. SPEAKER.- Thank you, Honourable Minister.

HON. V.R. GAVOKA.- Honourable Speaker, they were so lax for so long, what did they say, “18 last year”, for years they were so lax and so reactive, the horse has bolted. A lot of damage has been done in Fiji. Now, they are trying to play catch-up. Can I ask about Sovi Bay; what happened in Sovi Bay? Why were you slow in addressing the situation there, and likewise, Malolo?

HON. DR. M. REDDY.- Honourable Speaker, I do not have specifics of the Sovi Bay issue. You raise it in a question, I will get the information for you.

HON. SPEAKER.- Honourable Lenora Qereqeretabua, you have the floor.

HON. L.S. QEREQERETABUA.- Thank you very much, Honourable Speaker, Sir, and I thank the Honourable Minister for the answer to the question. Could I, please, ask the Honourable Minister through you, Honourable Speaker, about any plans in the future to ensure the independence of the EIA Consultants because as we know the Consultants are paid for by the developer and, therefore, the concern is there that their reports are not biased and will always be in favour of the developer?

My question is, the EIA Consultants that are on the roster of the Ministry, could we, please, hear from the Honourable Minister if there is a way that they can ensure that they are independent of the developer and of the landowning units? Thank you.

HON. SPEAKER.- Honourable Minister.

HON. DR. M. REDDY.- Honourable Speaker, as international practice that the developer pays for it and for those EIA Consultants who are on our list, they are there because they have the required qualification. Of course, they will do it as per the Terms of Reference developed by us.

Our experts inhouse would develop the TOR, Honourable Speaker, and they provide the report, they do not decide the Environmental Management Plan. Based on the report, we then decide and put up an Environmental Management Plan that the developer must adhere to. So, there is no issue of biasness, and I do not know where the issue of biasness is coming from. The TOR of what needs to be done and how it needs to be done is developed by us given to them. Thank you.

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

HON. J. SAUKURU.- Thank you, Mr. Speaker. I would like to ask the Honourable Minister, what is the status of the ban on Walt Smith International?

HON. SPEAKER.- Honourable Members, I think we have come to the end of our tether on this question.

We have asked already three or four supplementary questions and I intend to bring the questions to an end.

The night has flown again. Honourable Members, I intend to adjourn for the day and I look forward to seeing you all at 9.30 tomorrow morning.

I thank you for your co-operation and your forbearance. We adjourn.

The Parliament adjourned at 9.48 p.m.