

[VERBATIM REPORT]

PUBLIC HEARING CONDUCTED BY THE S/C ON JUSTICE, LAW & HUMAN RIGHTS

BILL

**Electoral (Registration of Voters) (Amendment) Bill 2020
[Bill No. 51/2020]**

VENUE: Shalini Apartment Conference Room,
Sigatoka.

DATE: Tuesday, 12th January, 2021.

**VERBATIM REPORT OF THE PUBLIC HEARING OF THE STANDING COMMITTEE
ON JUSTICE, LAW AND HUMAN RIGHTS HELD AT SHALINI APARTMENT
CONFERENCE ROOM, OLOSARA, SIGATOKA, ON TUESDAY, 12TH JANUARY, 2020,
AT 2.50 P.M.**

Present:

Hon. A.A. Maharaj	-	Chairman
Hon. R.R. Sharma	-	Deputy Chairperson
Hon. Dr. S.R. Govind	-	Member
Hon. M.D. Bulitavu	-	Member
Hon. Ratu S. Matanitobua	-	Member

Submittee: Residents of Olosara, Korotogo and Malaqere, Sigatoka

In Attendance:

(1)	Mr. Mohammed Janif	-	Businessman
(2)	Mr. M.W. Frost	-	Retired Pilot
(3)	Mr. Jinesh	-	Police Officer
(4)	Mr. Kesho Kant	-	Businessman (Kant's Electrical)
(5)	Mr. Anshar Ali	-	Architect
(6)	Mr. Sesha Reddy	-	Land Development Business
(7)	Mr. Mestry Arvind	-	Advisory Councillor (Olosara and Korotogo)

MR. CHAIRMAN.- I welcome you all to the Shalini Apartment Conference Room. I would like to welcome each and every one of you who are present here, on behalf of the Parliamentary Standing Committee on Justice Law and Human Rights. As you might be aware, we are going around collecting submissions on the eight Bills that are before the Committee. These Bills are the:

- (1) Trademarks Bill 2020;
- (2) Patents Bill 2020;
- (3) Designs Bill 2020;
- (4) National Payments Systems Bill 2020;
- (5) Investment Bill 2020;
- (6) Electoral (Amendment) Bill 2020;
- (7) Electoral (Registration of Voters) (Amendment) Bill 2020; and
- (8) Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2020.

The eight Bills were presented to this Committee in the December Sitting and we are supposed to report back on those eight Bills by April this year. The mandate given to us by Parliament is that, the National Payment System Bill 2020 is supposed to be presented in the February Sitting and the three Bills relating to the General Election are to be presented back to Parliament in the March Sitting. The remaining four Bills are to be presented back to Parliament in the April Sitting.

As per the Committee's mandate through the Standing Orders and the Constitution of Fiji, it is our responsibility to go around Fiji collecting submissions on the Bills, getting people's views, stakeholders and any interested parties who would like to submit on the Bills that are before us. We are in Sigatoka today and this morning, we covered Sigatoka Town and upon the request from Honourable

Dr. Govind, to have one of the public consultations at his apartment. We thought it would be a good idea to come and discuss.

Please, feel free to present. We can have this as an informal discussion whereby we can talk about the Bills. I know that the three Bills relating to the General Election is of more interest to the general public. The other Bills are very technical in nature and very much focussed, for example, the Trademarks Bill 2020, Patents Bill 2020 and Design Bill 2020 which relate to the manufacturers and business people who want to register a particular name or brand to themselves so that if we register a particular brand as our trademark, then no one anywhere in the world can use those names.

The National Payment System Bill 2020, as you might be aware, a lot of money is being exchanged either through money exchange agents, such as Western Union, Foreign Exchange, and Money Exchange, and through electronic means by Digicel, Vodafone, Telecom Fiji and Post Fiji. All these while, there was not any law governing how the money was being transferred from one person to the other, so we needed some legislation to guide them as to how the money is supposed to be transferred so that money laundering can be prevented.

Then we have the three Bills relating to the General Election. Basically what happened was, we had the Multinational Observer Group (MOG) who were here to actually observe the General Election in 2018. They came up with some recommendations and they thought it would be wise to give their recommendations as to what changes are needed to be done in order to streamline the processes of the election and simplify the election. It went to the Electoral Commission and the Commission decided that certain recommendations are deemed to be adopted so they adopted those. But in order for them to implement those, some changes need to be done to certain law governing the General Election at this point in time. So those were some of the amendments that came through.

The other thing is, you might have known the Political Parties (Registration, Conduct, Funding and Disclosures) (Amendment) Bill 2020 that is also being amended, especially with regards to the funding. For any General Election, any individual can actually give a donation of \$10,000, not as a company, but as an individual.

There were certain individuals and certain political parties who actually received more than \$10,000 and in their books, since there was a loophole, all they actually displayed there was fundraising. Now, who is giving how much in a particular fundraising was questionable.

In order to find out who is funding how much and where that money is coming from, there are certain amendments. For example, if you do a fundraising, whoever is giving any particular amount during their fundraising needs to have a proper receipt given by a political party. That kind of report can be given to the Registrar of Political Parties, who is basically the Supervisor of Elections. So those are some of the changes that have been brought about. I will now open the floor. You can either speak in English, or if you want you can also speak in Hindi. There is no issue in that, we have translators.

One other important thing is, this is a formal meeting, so even though we are having an informal discussion, please note that everything is going to be recorded. As part of the Standing Order, whenever we go out for public consultation, anything spoken about the consultation is recorded and kept as record in Parliament. So whatever is spoken today is going to be recorded. Nevertheless, if you want yourself not to be recorded, you can let us know that you want that to be off the record and we will not be recording those statements given by you. Once again, thank you very much. I will now introduce the members of the team.

(Introduction of Honourable Members and Secretariat by Mr. Chairman)

Without any further delay, I am opening the floor. May be just to start off, if you had voted through this electoral system and through the previous electoral system, you may actually come up with your experience and let us know how you feel. What are some of the changes you think should be brought about to the current electoral system? You can compare this electoral system with the previous one whereby it used to have constituencies and now you have one constituency as Fiji. Anything you want to discuss, please, feel free to do so.

HON. DEPUTY CHAIRPERSON.- Thank you, Mr. Chairman.

(Translation from English to Hindustani language)

Aap sabhi ka hardik swagat hai aaj ke is public consultation me aur jabki aap ko ye malum ho chuka hai hamare Chairman dwara ki humlog aat jo khaas Bill ko lekar Fiji bhar a dawra karne jaa rahe hai, kal Navua me the, aaj yaha hai, parso Nadi me, Lauotka, Ba, Tavua, Rakiraki , Tailevu aur fir Nausori me rahenge. Jo aat Bills hai, usme se mukhyeta, waese sabhi Bills important hai, khaas jo teen Bills hai, wo business se talukat rakhta hai, investment se talukat rakhta hai aur uske kuch niyams hote hai jiska palan karna, chahe local ho, chahe videshi ho, jo bhi Fiji me invest karne ayega, uska kanoon kiya rahega, ukse liye niyam kiya rahega aur jo trademaark hum Fiji me istemal karte hai, duniya me koi uska itsemal nahi kar sakte hai. Aapko to ye malum ho chukka hai ki 2018 General Election samapt ho gaya hai. Aap apne andaza se hume bata sakte hai ki kiya kuch badlao aapne dekha hai, jo 2014 me huwa ya use pachele huwa tha. Aap log kiya kuch badlao lana chahte hai ya fir kiya kuch aapne kamiya mehsus kiye honge.

The trademark that we will use in Fiji will not be able to be used by anyone in the world. As you all know that the 2018 General Election is finished, so you may tell us what anomalies you all have faced and what changes you want to see in the future elections.

Hum log saamne baith kar baate karenge. App apna vichar vyakt karna chahete hai, toh shauk se apna vichar aap vyatkt kar sakte hai. Yahi mauka hai, yaad rakhiyega, jab Bill me badlao aa jayega tab aap log fir kuch nahi kar payenge.

We can have informal discussions as well. This is the time whereby you may be able to tell us the changes you want to see because once the law is enacted, you will not be able to raise issues for changes.

MR. M. JANIF.- I just want to say that before, when the General Elections were held in Fiji, there were candidates' names and symbols. That was very easy for people to tick and vote. The last Election was only full of numbers and it is very hard to recognise which candidate is which number and uneducated people will find difficulties to tick. Before it was symbol and the candidates' names and people find it very convenient to tick the candidate they are choosing. However, these ballot papers were all full of numbers and sometimes, people are confused on which number to tick.

MR. CHAIRMAN.- Just a question. How much help does the booklet actually give? Everyone is given a booklet whereby they can get the names, numbers and then actually tick. Does that actually help?

MR. M. JANIF.- Some people are not educated so sometimes they find it very difficult.

MR. CHAIRMAN.- So the suggestion would be like, there is a symbol and the numbers, or symbol, names and the numbers?

MR. M. JANIF.- It could be more convenient if there is a symbol and the candidate's name. That is my point of view on the previous Election.

HON. R.R. SHARMA.- *Aese hi baate hai jo aap apne experience se bol rahe hai.*

These types of issues, we know you are raising them through your experiences.

MR. M. JANIF.- *Ji haa.*(Yes).

HON. R.R. SHARMA.- *Pahele kaesa that aur abhi log difficultly ka saamna kar rahe hai. Aap chahte hai ki party ka symbol rahe, candidate ka naam rahe,?*

Do you suggest that a party should have a symbol together with the candidate name?

MR. M. JANIF.- Before, there were lots of symbols and people knew which party to vote for because some people were complaining about that. So it is my suggestion that the number system is not good for some people.

MR. M.W. FROST.- I am Mike Frost from Korotogo. I tend to agree with what Mr. Janif is saying. I found that there were too many numbers, whether it should(inaudible) but with an ordinary person, I think and triple seven is the lucky number in order to win.

To me, we should have focussed on the person without the numbers and the party, to merely vote for the name of the party. I just found it a little bit confusing and I am really a great supporter of the Alliance Party.(inaudible) The Party spirit, you know, having a good time has gone too. You guys have become very, very serious. There is nothing wrong with that but to me, there are too many numbers involved. It is very hard for me to describe what I like about this process but I just find it a little bit confusing with the numbers, that is all.

HON. DEPUTY CHAIRPERSON.- Thank you.

[Informal discussions ensued between the Committee and the general public. Mr. Chairman thanked all those attended the Meeting]

The Meeting adjourned at 3.05 p.m.