

ANNEX 4 - ATTORNEY GENERAL'S EVIDENCES

- 1) ANAND BABLA'S CASE**
- 2) BUTADROKA'S CASE**
- 3) SOCIAL MEDIA POSTS**

ANAND BABLA

v.

DEVAKAR PRASAD & THE ATTORNEY-GENERAL

[HIGH COURT, 1998 (Tuivaga CJ) 18 August]

Constitution- Parliament- whether subject to scrutiny by the High Court- whether internal disciplinary proceedings subject to fundamental constitutional rights and freedoms- whether suspension of a member of Parliament constitutional- whether standing orders constitutional. Constitution (1990), Chapter II, Sections 63 (1), 63 (3), 67 (1) - Parliamentary Powers and Privileges Act (Cap 5) Section 28- High Court Act (Cap 13) Section 22 (1).

The Plaintiff, who was a member of the House of Representatives, was suspended from the House after the Privileges Committee of the House found him to be in contempt of Parliament. The Plaintiff sought declarations that his suspension was unconstitutional. The High Court, relying on established precedents HELD: (1) absent specific constitutional provisions to the contrary the internal proceedings of Parliament are not subject to judicial scrutiny and (2) that neither the Plaintiff's freedom of movement nor his right to represent his constituents had been violated by his suspension.

Cases cited:

A.G. of Ceylon v. D'Olivera [1962] 11 All E.R. 1069
Bradlaugh v. Gossett (1884) Q.B.D. 271
Sakeasi Butadroka v. Attorney-General (1993) 39 FLR 115
Church of Scientology of California v. Johnson Smith
 [1972] 1 All E.R. 379
Keilley v. Carson (1842) - 4 Moo PCC 63
Madhavan v. Falvey & Ors (1973) 19 FLR 140
Rost v. Edwards [1990] 2 All E.R. 641

Proceedings for declaratory Judgment in the High Court.

Sir Vijay R. Singh Counsel for the Applicant

The Solicitor-General (N. Nandi) with *E. Walker* for the Respondents

Tuivaga CJ:

This originating motion is brought by Anand Babla, the Indian Member in the House of Representatives for Tavua/Ra West Constituency ("Babla" henceforth) claiming that the decision of the Deputy Speaker suspending him from the House for two consecutive meetings was unlawful and made without jurisdiction or in excess of jurisdiction.

The case arose in this way. In September 1997 Babla submitted in a letter to

The published article contained part of my reply to a question raised by the Hon. Member for Tavua. For the information of the House although he is not here, I will read out the question as the Honourable Member for Tavua has already deemed it fit to advise the media".

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The Speaker then gave details of the questions Babla had raised. The Speaker explained the position as follows:

"A question shall not be asked seeking information which can be found in accessible documents or ordinary works of reference.

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"As one who has never worked in a Government department, the honourable Member can be excused for not realising the mammoth task involved in gathering such data for the last four years from different ministries taking into account that this would have to be done manually; gathering of residential telephone bills for the last four years from different ministers, some of whom have now left Cabinet.

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..... I will leave it there for the time being because the honourable Member is not here. Instead of the honourable member coming back to me he has seen fit to give his questions to the press and I deeply regret that. If that was not enough, the honourable Member, following my decision, went further in the papers to say that the reaction to his queries was an obvious attempt to protect the interests of the Speaker, Government Ministers, President of the Senate, Senators, Members of Parliament and the Secretary-General.

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My decision is based on Standing Order 31 which is very transparent. I want to inform the honourable Member for Tavua to substantiate his claim that "this was an obvious attempt to protect the interests of the Speaker and Members of Parliament". I am giving him 24 hours to substantiate the accuracy of his own statement in writing and following that, I will decide what to do."

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On Tuesday, 25 November, 1997 when the House met Babla was present. He was questioned by the Speaker about the allegations he was making. The exchange in Parliament that morning is reported in Hansard as follows:

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"MR. SPEAKER - Honourable Member, I just want to ask whether you still stand by your statement or not, after hearing my communication.

HON. A. BABLA - No.

MR. SPEAKER.- Do you still stand by it? HON. A. BABLA -

4. contravenes 4 and 15(1) of the Constitution by denying the applicant the freedom of movement in and within the precincts of the House customarily enjoyed by other members of the House: A
5. contravenes the Constitution by usurping the functions of the judiciary, in particular section 11 of the Constitution, in that the first respondent has purported to adjudicate and impose a penalty upon the applicant for an alleged offence against section 20(h) of Parliamentary Powers and Privileges Act. B
6. contravenes the Applicant's right conferred upon him by Chapter VI Part 2 of the Constitution to represent the electorate of Tavua/Ra West Indian constituency. C
7. contravenes paragraphs (1) and (3) of section 41 of the Constitution to the disadvantage of the applicant"

and consequently Babla seeks the following relief and remedies -

- "1. A Declaration that the Deputy Speaker and House of Representatives had no lawful power to suspend him from the service of the House for two consecutive meetings of the House. D
2. A Declaration that the Deputy Speaker and House of Representatives had no jurisdiction or power to penalise him by suspending him as aforesaid for an alleged criminal offence against section 20(h) of the Parliamentary Powers and Privileges Act Cap 5 and in purporting so to do, infringed the protection afforded to the applicant by section 11 of the Constitution. E
3. A Declaration that the Deputy Speaker had no lawful power or jurisdiction to cause him to be removed from the precincts of the House. F
4. A Declaration that his fundamental freedoms conferred by sections 4, 13(1), 14(1) and 15(1) of the Constitution have been contravened by reason of his suspension. G
5. A Declaration that his suspension contravened the rights conferred upon him under Chapter VI Part 2 of the Constitution to represent the electorate of Tavua/Ra West Indian Constituency."

In the judgment of the Court of Appeal in Madhavan v. Falvey & Ors (1973) 19 FLR 140 a similar issue was raised and there the court held that the House of Representatives had exclusive control over its internal proceedings and

otherwise amend the privileges contained under those provisions but these can only be effected by legislative processes pursuant to the provisions of the Constitution. Sir Vijay submitted the House could have provided for itself the same regime of powers and privileges as is vested in the House of Commons of the United Kingdom under similar legislation to that of section 49 of the Australian Federal Constitution, which states:

"The powers, privileges and immunities of the Senate and of the House of Representatives, and of the members and committees of each House, shall be such as are declared by Parliament, and until declared shall be those of the Commons House of Parliament of the United Kingdom, and of its members and committees, at the time of the establishment of the Commonwealth."

In the absence of such legislation, the powers and privileges of the House of Representatives are necessarily confined to those provided under section 63(1) of the Constitution and those contained in the Parliamentary Powers and Privileges Act (Cap.5). Section 63(1) of the Constitution reads:

"Regulation of procedure in each House"

63.-(1) Subject to the provisions of this Constitution, each House of Parliament may regulate its own procedure and may make rules for that purpose, including, in particular, the orderly conduct of its own proceedings"

But as can be seen the Constitution or the Act makes no specific provisions for conferment of any power on the House to punish any member for contempt. Thus Sir Vijay argued that in relation to the case of Babla the House was purporting to exercise a power it did not have or possess. According to Sir Vijay the House could have under the provisions of section 63(3) given itself the requisite powers to deal with any form of disorderly or contemptuous conduct by a member of the House. Section 63(3) of the Constitution states:-

63.-(3) Parliament may, for the purpose of the orderly and effective discharge of the business of each House, make provision for the powers, privileges and immunities of each House and the committees and members thereof."

Sir Vijay contends that the House has not enacted under section 63(3) any legislation relating to parliamentary powers and privileges but the provisions of the Act have only dealt with certain aspects of those powers and privileges. However, the House has full control over its proceedings by virtue of section 63(1) under which Standing Orders are made for the conduct of its business. The Standing Orders made by the House to regulate its proceedings embody some of the law relating to parliamentary privileges relating to the conduct of the members of the House. Sir Vijay therefore questions the correctness and soundness of the statement in the Madhavan's case earlier quoted to the effect

where the Constitution specifically sets out the requirement that someone must preside at a sitting of the House of Representatives and defines who it is that should preside. The jurisdiction of the Court to inquire in such an instance being based on the fact that a part of the internal procedure of the House of Representatives has been specifically incorporated as a provision of the Constitution.

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It follows from this that where a procedure of the House of Representatives is not specifically incorporated into the Constitution, then the High Court has no jurisdiction to inquire into the internal proceedings of the House. From this, it would further follow that the manner of the application of Standing Orders by the Speaker, and the activities of the privileges committee, in matters concerning the internal proceedings of the House of Representatives, unless specifically provided for in the Constitution, are not cognisable in the Court."

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I am satisfied that the inquiry into Babla's conduct by the Privileges Committee of the House and the findings thereof are part of the internal proceedings of the House. As such this court cannot inquire into them. The court has no jurisdiction to do so.

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Sir Vijay also contended in his argument that the House of Representatives as a latter-day institution could not claim the same ancient usage and prescription: the *lex et consuetudo Parliamenti* (the law and custom of Parliament) as part of the common law as was explained in *Keilley's case*. It appears however that the common law of England also applies to Fiji, including ancient usage and custom of Parliament which are part of the common law of Fiji by virtue of section 22(1) of the High Court Act which states:

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"22.-(1) The common law, the rules of equity and the statutes of general application which were in force in England at the date when Fiji obtained a local legislature, that is to say, on the second day of January, 1875 shall be in force within Fiji"

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The Solicitor-General Mr. N. Nand in opposing this motion by Babla has submitted that the issues complained of in this case are all matters relating wholly to the internal proceedings of the House of Representatives. He said that the Standing Orders of the House could be described as being the statute law of the House which control the entire proceedings of the House. They regulate all proceedings on meeting and business of the House including rules on debates and privileges, motions and voting, standing committees, and select committees and the like. The members of the House enjoy as an incident of the inherent functions of the House various privileges. Breach of a privilege by a member may be dealt with under the Standing Orders or under the Parliamentary Powers and Privileges Act (Cap.5). Section 28 of the Act which contains an exclusion clause states:

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members' privileges to the minimum infringement of the liberties of others. Mutual respect for an understanding of each others respective rights and privileges are an essential ingredient in the relationship between Parliament and the Courts."

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I am satisfied both on principle and authority that the same legal relationship applies in Fiji between the Courts and Parliament. It is important that these two most revered institutions in the land should recognise and respect each other's jurisdiction. This is necessary to ensure the proper discharge of their respective constitutional responsibilities. It is not a mere matter of comity but one of well-established law and custom.

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On the other contentions of Babla on which declarations are being sought from this Court, I find them to have also been adequately dealt with in the Solicitor-General's submissions. If I may say so, his approach to them is clear and perceptive and one I would also adopt.

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One of these contentions is that Babla's suspension contravened his fundamental freedoms as conferred by Sections 4, 13(1), 14(1) and 15(1) of the Constitution. Those sections will be found under Chapter II of the Constitution which is concerned with the protection of the fundamental rights and freedom of the individual. Similar contentions had been raised in Butadroka's case and the following passage from the judgment of Ashton-Lewis J. at page 135 is apposite:

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"These dicta, in conjunction with an examination of the proviso's themselves set out in sections 11, 12, 13, 14 and 15 of the Constitution assist me in reaching the conclusion that the Fundamental freedoms set out in those sections are not absolute, but are tempered generally by the need to place their operation in the context of the competing interests of others in the setting to which they are to be applied.

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The limitation upon mutual operation of those sections in Chapter 2 of the Constitution when applied side by side with the authoritative decision in Madhavan's case, which would require the Constitution to do that which it has not done, i.e. to make specific provision for the application of Chapter 2 provisions to the internal proceedings of Parliament, further re-in forces me to the view that an alleged breach of any of Chapter 2 provisions of the Constitution arising from internal proceedings of the House of Representatives is neither cognisable nor reviewable in the High Court."

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That conclusion by the Court in that case is unexceptional which I would also apply in relation to the circumstances of the present case. In the result I would reject as of no substance any of those contentions.

SAKEASI BUTADROKA

v.

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ATTORNEY-GENERAL

[HIGH COURT, 1993 (Ashton-Lewis J), 18 June]

Civil Jurisdiction

B *Constitution-Parliament-whether subject to scrutiny by the High Court-whether internal proceedings subject to fundamental rights and freedoms contained in the Constitution-whether suspension of member from Parliament a violation of constitutional rights-whether Standing Orders unconstitutional-Constitution 1990, Chapter II; Sections 63(1), 63(3), 67(1)-Parliamentary Powers & Privileges Act (Cap 5) Section 28.*

C The Plaintiff who was a member of the House of Representatives was suspended from the House after a confrontation with the Speaker. He sought declarations from the High Court that the manner of his suspension was in breach of the House's Standing Orders, that the Standing Orders themselves infringed his constitutionally guaranteed freedoms and that he had been denied natural justice.

D The Court examined in depth the relationship between Parliament and the Court and HELD: (1) Save where specific provisions to the contrary appear in the Constitution the internal proceedings of Parliament are not subject to the jurisdiction of the High Court (2) the Standing Orders of the House of Representatives are not subject to Chapter II of the Constitution and (3) that the Plaintiff's suspension was in no way unconstitutional.

E Cases cited:

Bradlaugh v Gossett (1883-4) 12 QBD 271

British Railways Board v Pickin [1973] QB 219; [1974] 2 WLR 208

James Madhavan & Anr v John Neil Falvey 19 FLR 140

Nationwide News Proprietary Ltd v Wills (1992) CLR 658

F *Pickin v British Railways Board* [1974] WLR 208

R v Jackson (1987) 8 NSW LR 116

R v Secretary of State for Trade ex parte Anderson [1983] 2 All ER 233

Stockdale v Hansard (3 State TR NS) 748

S. Stanton and V. Parmanandam for the Plaintiff

G *A. Cope and W. Rigamoto* for the Defendant

Ashton-Lewis J:

In the case before the court the Plaintiff, by way of Originating Summons seeks the following Declarations:-

- A 4. A declaration that the suspension of the Plaintiff on the Report of the Select Committee of a Privilege was null void and of no effect on account of the fact that the Plaintiff was denied natural justice.
- B 5. A Declaration that in the events that had occurred the Plaintiff having been dealt with and suspended from attending the house of Representatives for 3 (THREE) days such suspension to occur on and from 20th April, 1993 the matter was of at an end and all parties were functus officio."

C The facts are as follows. The Plaintiff is the elected member for the Constituency of Rewa Province in the House of Representatives in the Parliament of Fiji. During the April 1993 sittings of the Parliament the Plaintiff took part in the debates of the House of Representatives. On Monday the 19th of April members of the House spoke against the Plaintiff because of alleged opinions he held in relation to a prominent member of Fijian society. After the morning tea adjournment the Plaintiff was accused in the House by some members of creating instability within Fiji, and damaging national unity. Reference again was made to the Plaintiff's opinion concerning the respected member of Fijian society.

D During the course of debate the Plaintiff took offence at the accusations made against him, and when he replied he spoke in equally strong terms in defence of himself. During the course of the Plaintiff's reply, the Speaker began to interrupt him and called him to order. The interruptions by the Speaker increased and eventually the Plaintiff and the Speaker began to raise their voices and shouted at each other. The House then adjourned.

E On Wednesday the 21st of April the House of Representatives reconvened and the Plaintiff resumed his speech. Shortly after resuming, another member of the House interjected with a point of order which the Speaker began to adjudicate upon. The plaintiff began to repeat the matter raised by the interjecting member and was ordered by the Speaker to withdraw certain remarks made by him.

F The Plaintiff questioned the Speaker in this regard and then became involved in another heated exchange with yet another member of the House. The Speaker again reprimanded the Plaintiff and indicated that he would be stopped from speaking further if he did not behave. The Plaintiff continued speaking and was interrupted by a member who sought a ruling from the Speaker on a point of order. Debate then took place on the point of order which had been raised.

G When the Plaintiff resumed his speech another member raised a further point of order for the Speaker to rule on. The Speaker discontinued the Plaintiff's speech and the Plaintiff again remonstrated with the Speaker over being discontinued. The Speaker then ordered the Plaintiff to leave the House which he did.

After the luncheon adjournment on that day the Plaintiff was advised in writing that he had been suspended from the House of Representatives for three sitting

A The power to limit and control debate is set out in Standing Order 39. Under that Standing Order the Speaker is vested with a wide discretion in order to ensure equal opportunity and fair play during the debates of the House. An adjunct to this is the power of the Speaker to enforce his decisions and maintain the order of the House. The ultimate authority on the matter of order etc. is the House itself, however, the Speaker occupies the position of Chief Executive Officer of the House by whom the rules set out in the Standing Orders are enforced. Standing Order 42 invests the Speaker with wide powers and discretion in dealing with breaches of order. This ranges from reprimanding a member and discontinuing his speech, to suspending him from the House. Standing Order 42 (8) empowers the House of Representatives to deal with any breach of order of the House in any way it thinks fit.

C Closely associated with the application of Standing Orders with regard to the maintenance and control of the order of the House of Representatives is the application of the privileges enjoyed by the members. I can do no better than quote from the 21st edition of "PARLIAMENTARY PRACTICE" by Mr. Erskine May at page 69 in this regard. At that page the learned author states:-

D "Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions, and which exceed those possessed by other bodies or individuals. Thus privilege, though part of the law of the land, is to a certain extent an exemption from the general law. Certain rights and immunities such as freedom from arrest or freedom of speech belong primarily to individual Members of each House and exist because the House cannot perform its functions without unimpeded use of the services of its Members. Other such rights and immunities such as the power to punish for contempt and the power to regulate its own constitution belong primarily to each House as a collective body, for the protection of its Members and the vindication of its own authority and dignity. Fundamentally, however, it is only as a means to the effective discharge of the collective functions of the House that the individual privileges are enjoyed by Members. When any of these rights and immunities is disregarded or attached, the offence is called a breach of privilege and is punishable under the law of Parliament."

G If a member breaches the privileges of the House he is then liable to be punished under Standing Orders.

One of the privileges of parliament is the right to the exclusive cognizance of its own internal proceedings. Such principle was clearly established in England in 1689 with the enactment of Article 9 of the Bill of Rights. Article 9 states:-

concerned; and that, even if that interpretation should be erroneous, this Court has no power to interfere with it directly or indirectly."

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The proceedings of the Houses of Parliament relate to the formal actions such as the business of the House of which a principal aspect is debate. A member takes part in the proceedings of the House by debating, and voting etc. The House of Commons Select Committee on the Official Secret Act in 1938-39, when reporting on the meaning of the term "proceeding" described it as covering:-

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".....both the asking of a question and the giving of written notice of such question, and includes everything said or done by a Member in the exercise of his functions as a Member in a committee of either House, as well as everything said or done in either House in the transaction of Parliamentary business. Officers of the House take part in its proceedings principally by carrying out its orders, general or particular.While taking part in the proceedings of a House, Member, officers and strangers are protected by the same sanction as that by which freedom of speech is protected, namely, that they cannot be called to account for their actions by any authority other than the House itself."

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See "PARLIAMENTARY PRACTICE" by E May 21st Ed. at p. 92.

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The question of jurisdiction between the Court and the Houses of Parliament in relation to their privileges and proceedings is not new, but has been litigated at various times over the past 500 years.

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From the mid 1400s attempts were made by litigants to have the High Court intervene in questions concerning the privileges and proceedings of Parliament. These attempts were always unsuccessful, the court holding that there was a body of law known as the Law of Parliament which was not part of the general law and was therefore not known to the common law of the realm and was thus not justiciable nor reviewable by the courts of judicature.

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In the 19th century the court continued to hold that the proceedings and privileges of the House of Parliament were part of the Law of Parliament and not part of the general law, and thus not reviewable in the High Court.

In 1836 in Stockdale v Hansard (3 state TR NS 748), the court accepted that the House of Commons had exclusive jurisdiction over its own internal proceedings and privileges, and that the court could only determine whether a particular claim fell within that category and inquire no further.

As mentioned previously the case of Bradlaugh v Gossett (1883-4) 12 QBD 271, established that in matters relating to its own internal management.

Position in Fiji

A I now turn to consider firstly the relevant statute law as applies in Fiji.

Section 2 of the 1990 Constitution states:-

“This Constitution is the supreme law of Fiji and if any other law is inconsistent with this Constitution, that other law shall, to the extent of the inconsistency, be void.”

B Section 61 of the Constitution recognises the supremacy of the Constitution within the realm of law making for Fiji. Section 61 states:-

“Subject to the provisions of this Constitution, Parliament may make laws for the peace, order and good government of Fiji.”

C These sections make clear that a law enacted by Parliament which breached the provisions of the Constitution would be void and of no effect. Parliament in its legislative role is thus clearly subordinate to the provisions of the Constitution with respect to law making for Fiji in general. While Section 61 addresses itself to the legislative power of the Parliament for Fiji as a whole, D Section 63 focuses on regulating the internal procedures of each of the House of Parliament. Section 63 (1) states:-

“S. 63 (1) Subject to the provisions of this Constitution, each House of Parliament may regulate its own procedure and may make rules for that purpose, including, in particular, the orderly conduct of its own proceedings.”

E This subsection gives the mandate to each House of Parliament to regulate its own procedure and make rules relating thereto, subject to the provisions of the Constitution. This would appear to be the subsection under which the Standing Orders of the House of Representatives are made, as these orders deal with matters such as the transaction of the business of the House, order of business, F debating and passing of bills, committees etc. Standing Orders along with Parliamentary Practice and Rulings of the Speaker from the Chair form the rules of procedure for regulating the smooth flow of the business of the House. The House can make, amend and alter any of its rules or orders in this regard provided that such rules or orders do not offend or violate the provisions of the Constitution applicable under that subsection.

G Thus, it would appear that under that Section 63(1) the same principles apply to each of the Houses of Parliament internally as apply to the Parliament externally under Section 61, to the extent that any Standing Order or Rules of Procedure which are inconsistent with, or violate an applicable provision of the Constitution, would be void and of no effect.

The Court of Appeal held inter-alia that:-

- A 1. The privilege of the House of Representatives to control its own proceedings had become part of the Law of Fiji unless the Constitution otherwise required, and,
- 2. The House of Representatives had exclusive control over its own internal proceedings under Section 63 (1) of the Constitution, and,
- B 3. The decision as to whom should preside as Speaker of the House was exclusively one of internal procedure and not reviewable in the Court.

C Their Lordships took the view that by Section 2 of the Constitution it was the supreme law of Fiji and that to the extent that the privilege of the House of Representatives having control over its own proceedings, was inconsistent with the Constitution then, to the extent of the inconsistency the privilege would be void. However, their Lordships held that the internal proceedings of the House of Representatives could not be inquired into by the court. In relation to the alleged breach of Section 67 (1) of the Constitution by the Respondents, their Lordships stated that the court could only ascertain whether the requirements of Section 67(1) had been met in so far as the Speaker, Deputy Speaker or an elected member had in fact presided at the sittings. Such a view would be in accordance with the requirements of the Constitution in relation to its application to the privilege of Parliament to control its own proceedings. The application of that principle did not however extend to reviewing the internal proceedings by which one of the persons mentioned in Section 67 (1) came to so preside, or the manner in which they came to so preside. That was a matter for the House of Representatives itself to determine free from the interference of the court

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In this regard their Lordships said at p.148 lines D-G and following:-

- F "With respect we agree entirely with' what the Chief Justice has said there about the purpose of Article 57(1)[S. 67(1)] being to ensure that there will be someone to preside over the sittings of the House. At least in part, it is procedural but, unlike most procedural matters, it has been made a part of the Constitution. That being so, it must be a provision of the Constitution within the wording of Article 97 [S.113] and
- G contravention of its terms may, provided the other requirements of Article 97 [S. 113] are fulfilled, be the subject of an application to the Supreme Court under that Article. The Court would have jurisdiction to ascertain whether there had been a contravention. The Constitution is, by Article 2 thereof, the supreme law, and to any extent that the Parliamentary privilege was inconsistent with it, but only to that extent, the

A provided for in the Constitution, such as found in Section 67(1) where the Constitution specifically sets out the requirement that someone must preside at a sittings of the House of Representatives and defines whom it is that should preside. The jurisdiction of the court to inquire in such an instance being based on the fact that a part of the internal procedure of the House of Representatives has been specifically incorporated as a provision of the Constitution.

B It follows from this, that where a procedure of the House of Representatives is not specifically incorporated into the Constitution then the High Court has no jurisdiction to inquire into the internal proceedings of the House. From this it would further follow that the manner of the application of Standing Orders by the Speaker, and the activities of the privileges committee, in matters concerning the internal proceedings of the House of Representatives, unless specifically provided for in the Constitution, are not cognizable in the court.

C Other relevant legislation which should be considered as supportive of this view is Article 9 of the Bill of Rights of 1989. By virtue of Section 22 (1) and Section 24 of the High Court Act Cap 13, Article 9 of the Bill of Rights is part of the Law of Fiji. That Article clearly established the supremacy of Parliament with regard to the control of its own proceedings, and not having them called into question in the courts of law.

D Also the Parliamentary Powers and Privileges Act Cap.5 is relevant Section 28 of that Act states:-

E "Neither the Speaker, Deputy Speaker, President or Vice President nor any other officer of Parliament shall be subject to the jurisdiction of any court in respect of the exercise of any power conferred on or vested in such officer by or under this Act."

F Clearly, the intention of Section 28 is that the activities of the named officers with regard to the internal proceedings of the House of Representatives are not subject to the jurisdiction of the Court.

Mr. Stanton, on behalf of the Plaintiff made a number of submissions which can be categorised conveniently as follows:-

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1. That the Plaintiff's suspension from the House of Representatives under the Standing Orders was void in that the procedure as set out in the Standing Orders had not been properly followed by the Speaker and the Privileges Committee.
 2. That the actions of the Privileges Committee in inquiring into and recommending the Plaintiff's further suspension from the House of Representatives for the June/July sittings amounted

"The Constitution is, by Article 2 thereof, the supreme law, and to any extent that the Parliamentary privilege was inconsistent with it, but only to that extent the privilege would be void."

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was ample authority for that proposition.

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Mr. Cope on the other hand, submitted that what might be called the narrow construction to Section 63(1) applied. He submitted that because the decision in Madhavan's case affirmed that the House of Representatives had exclusive control over its own internal proceedings, such proceedings were subject only to the Constitution where the Constitution specifically referred to, and provided for the proceedings of the Parliament, such as found in Section 67 (1). He said that in that Section the Constitution clearly referred to the office of the Speaker and who should occupy that position, and that it was only where specific provision was made, such as in that section, that the Constitution applied to the internal proceedings of the House of Representatives. He emphasised that Madhavan's case was not an authority for the proposition that all the provisions of the Constitution such as found in Chapter 2, applied to the internal proceedings of Parliament. In support of his submission he referred the court to page 148 of their Lordship's judgment where the court said:-

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"..... even the statute law will not be examined by the Courts if it relates to the internal proceedings of the House. We think it both permissible and proper to apply that approach to Article 57(1)[S. 67(1)] and to hold that the basic requirements that the Speaker, Deputy Speaker or elected Member shall preside are constitutional, and if material business is transacted at a sitting of the House not so presided over it may be a contravention of the Constitution challengeable (by a person qualified) under Article 97[s. 113]. But the decision which of the persons mentioned shall preside is essentially one of internal procedure, which must necessarily be resorted to be the House in deciding the question. In that sphere the privilege mentioned continues to operate and the Courts may not inquire whether the House has interpreted the law correctly or not. It has often been said that this particular privilege is one of necessity and it would lead to a chaotic situation if any member could rush to the Courts for a declaration that the election of a member to preside was in some way defective."

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I believe that it is this question, i.e. the degree or extent of the application of the Constitution to the internal Proceedings of the House of Representatives, as per the construction of Section 63(1) that is the nub of the case now before the court. It is the application of what I might call the Madhavan principle that will be decisive to the matters raised for consideration here.

- A Those which are to be exercised out of Parliament are under the protection of this Court, which, as has been shown in many cases, will apply proper remedies if they are in any way invaded, and will, in so doing be bound, not by resolutions of either House of Parliament, but by its own judgment as to the law of the land, of which the privileges of Parliament form a part. Others must be exercised, if at all, within the walls of the House of Commons; and it seems to me that, from the nature of the case, such rights must be dependent upon the resolutions of the House. In my opinion the House stands with relation to such rights and to the resolutions which affect their exercise, in precisely the same relation as we the judges of this Court stand in to the laws which regulate the rights of which we are the guardians, and to the judgments which apply them to particular cases; that is to say, they are bound by the most solemn obligations which can bind men to any course of conduct whatever, to guide their conduct by the law as they understand it. If they misunderstand it, or (I apologise for the supposition) wilfully disregard it, they resemble mistaken or unjust judges; but in either case, there is in my judgment no appeal from their decision. The law of the land gives no such appeal; no precedent has been or can be produced in which any Court has ever interfered with the internal affairs of either House of Parliament, though the cases are no doubt numerous in which the Courts have declared the limits of their powers outside of their respective Houses. This is enough to justify the conclusion at which I arrive.
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- E
- F We ought not to try to make new laws, under the pretence of declaring the existing law. But I must add that this is not a case in which I at least feel tempted to do so. It seems to me that, if we were to attempt to erect ourselves into a Court of Appeal from the House of Commons, we should consult neither the public interest, nor the interests of parliament and the constitution, nor our own dignity. We should provoke a conflict between the House of Commons and this Court, which in itself would be a great evil;
- G I am of the opinion that provided the privileges, set out in the Standing Orders do not breach a specific Constitutional provision with regard to the procedure of the House of Representatives, the court will go no further. The court will not examine the internal proceedings of the House of Representatives to see if the application of the Standing Orders by either the Speaker or the Privileges Committee was either incorrect in terms of its own procedure, or led to a breach of the Chapter 2 provisions of the Constitution. As the Parliament under S.63(3) is not subject to the provisions of the Constitution in providing

Court. I return to the dicta of their Lordships in Madhavan's case where at page 148 they said:-

- A "It is one of the functions of the court so to construe" the law
 as to avoid conflict if that can properly be done."

I believe that to apply the authority of the decision in the Madhavan's case in the manner as submitted by Mr. Cope fulfills their Lordships exhortation.

- B I am further fortified in this view by the dicta of Lord Morris of Borth-y-Gest in Pickin v British Railways Board [1974] WLR 208, where at page 220 His Lordship said:-

- C "The conclusion which I have reached results, in my view,
not only from a settled and sustained line of authority which I
see no reason to question and which I think should be endorsed
but also from the view that any other conclusion would be
constitutionally undesirable and impracticable. It must surely
be for Parliament to lay down the procedures which are to be
followed before a Bill can become an Act. It must be for
Parliament to decide whether its decreed procedures have in
fact been followed. It must be for Parliament to lay down and
to construe its Standing Orders and further to decide whether
they have been obeyed: it must be for Parliament to decide
whether in any particular case to dispense with compliance
with such orders. It would be impracticable and
undesirable for the High Court of Justice to embark upon an
inquiry concerning the effect or the effectiveness of the internal
procedures in the High Court of Parliament or an inquiry
whether in any particular case those procedures were
effectively followed."

- F Mr. Stanton submitted that the Plaintiff's suspension from Parliament was void because the Speaker and the Privileges Committee of the House did not follow, and did not apply correctly the procedure for suspending a member as set out in the Standing Orders. He submitted that the court had the jurisdiction to inquire into those allegations and if found to be true to declare it the resolution of the House void. Again, I think the decision of Bradlaugh v Gossett (1883-4) 12 QBD 271 is helpful to consider, remembering that in that case a similar question as here arose, but one relating to the House of Commons not complying with an act of Parliament as opposed to Standing Orders. The Court there nevertheless held that it could not interfere with the internal proceedings of the House of Commons. I am satisfied that the same applies in Fiji. The court does not have either the power or jurisdiction as contended for it by Mr. Stanton. The manner of the application of Standing Orders by the Speaker, and the activity of the Privileges Committee are purely matters of internal procedure over which the House has exclusive jurisdiction and control. Standing Orders
- G

A "The English and American authorities stress the immense historical importance of art 9 [of the Bill of Rights]. They also stress that the privileges and rights of Parliament go beyond the interests of an individual member of Parliament and are necessary to represent the interests of Parliament as a whole. "

B These dicta, in conjunction with an examination of the proviso's themselves set out in Sections 11, 12, 13, 14 and 15 of the Constitution assist me in reaching the conclusion that the Fundamental Freedoms set out in those sections are not absolute, but are tempered generally by the need to place their operation in the context of the competing interest of others in the setting to which they are to be applied.

C The limitation upon the natural operation of those sections in Chapter 2 of the Constitution when applied side by side with the authoritative decision in Madhavan's case, which would require the Constitution to do that which it has not done, i.e. to make specific provision for the application of the Chapter 2 provisions to the internal proceedings of Parliament, further reinforces me in the view that an alleged breach of any of the Chapter 2 provisions of the Constitution arising from internal proceedings of the House of Representatives is neither cognizable nor reviewable in the High Court. Thus, the words "Subject to the provisions of this Constitution" as set out in Section 63 (1) do not have the effect of applying the Chapter 2 provisions to the internal proceedings of the House of Representatives and making such proceedings subject to those provisions.

D The compelling authority of the common law and the law as applies in Fiji I believe forcefully and logically can only lead to the conclusion that Parliament in its internal proceedings should not be, and is not subject to the scrutiny or jurisdiction of the High Court unless specifically provided for in that capacity in the Constitution.

E Parliament must be free to control and regulate its own internal proceedings free from the interference of the court. In a society where the rule of law is paramount, Parliament is presumed to, and can be relied upon to act properly and to lawfully regulate itself. Given the unique and onerous responsibility of the Parliament as being in effect, and fact, the people of Fiji acting through their elected representatives as the supreme law making body of the land, it must be free to order its own affairs without interference from the court. It must be unfettered in controlling its own proceedings, empowering itself to give force and effect to those proceedings and applying those powers in a manner and with the discretion of its own choosing.

G The court can only inquire into, and adjudicate on those proceedings where the mandate to do so is clearly established. I am of the opinion that the law in Fiji is clear in this regard. In the management of its own internal proceedings,

to grant the declarations sought in those paragraphs.

- A With regard to the submission that the Standing Orders of the House of Representatives are unconstitutional, Mr. Stanton said that the Standing Orders as drawn infringed or at least had the tendency to infringe the provisions of Chapter 2 of the Constitution in that they were in breach of the Fundamental Freedoms set out in Sections 11, 12, 13 and 15 therein. Those sections provide for the protection of law, freedom of conscience, freedom of expression and freedom of movement. This submission is reflected in paragraph 3 of the
- B Originating Summons. I am satisfied that the authority of Madhavan's case establishes that under Section 63(1) of the Constitution the internal proceedings of the House of Representatives including Standing Orders are only subject to specific Constitutional provisions dealing with the procedure of each House of Parliament. They are not subject generally to all the provisions of the
- C Constitution, and this includes the Fundamental Freedoms set out in Chapter 2. I am satisfied that the Standing Orders of the House of Representatives as published refer to, and make provision for the regulating of procedure, privileges, powers and immunities of the House of Representatives in accordance with the requirements of Section 63(1) and (3) of the Constitution. They are not subject to the provisions of Chapter 2 and as such do not infringe the Constitution in this regard. Accordingly, I decline to grant the declaration sought in paragraph
- D 3 of the Plaintiff's Originating Summons.

That addresses matters raised in the Plaintiff's pleadings.

- E I now turn to consider further submissions made by Mr. Stanton on behalf of the Plaintiff that also raised grounds for relief, but were not pleaded in the Plaintiff's Originating Summons.

- F Those submissions were based on the allegation that the manner in which the Speaker applied the Standing Orders against the Plaintiff also violated his Fundamental Freedoms set out in Section 11(2) and (8) of the Constitution, and that his suspension from the Parliament was in itself a violation of Sections 12, 13, 14 and 15 of the Constitution, therefore unconstitutional and void.

- G Although those matters were not specifically pleaded in the Originating Summons, Mr. Stanton sought to raise them before me pursuant to Section 19 of the Constitution which gives the court power to hear complaints by persons who allege that any of their constitutional freedoms set out in Chapter 2 have been breached.

Mr. Cope on behalf of the Defendant objected to the court hearing submissions on those matters as they had not been specifically pleaded by the Plaintiff. I decided to hear the further submissions of Mr. Stanton as the allegations raised questions which were of constitutional significance and did not raise any new matters or take the Defendant by surprise.

to have and exercise the powers available to the House in respect of any matter for consideration by the House or any committee thereof."

A

Those matters relate to the privileges of the House of Representatives. The Privileges Committee is not empowered by any law to determine the existence or extent of the civil rights or obligations of the members of the House of Representatives. The Privileges Committee when acting under Standing Order 66 is not a court or authority that carries out any of the responsibilities set out in Section 11 (8) and thus is not a body to which Section 11 (8) is addressed or applies. That subsection I believe, would apply to bodies such as courts of law or administrative tribunals, e.g. immigration tribunals etc.

B

C

I turn now to consider the submission by Mr. Stanton that the Plaintiff's suspension itself breached Sections 12, 13, 14 and 15 in that the suspension violated the Plaintiff's freedom of conscience, expression, assembly and association and movement.

D

E

I am satisfied that the Plaintiff's suspension from Parliament was not in any way unconstitutional. The suspension does not breach any of the Fundamental Freedoms set out in Sections 12, 13, 14 and 15. All those freedoms are still available to the Plaintiff, unhindered outside the walls of Parliament. As I have mentioned earlier, those freedoms are not absolute but limited by the considerations of public order, and respect for those same rights in others. To fail to place such limitations upon those Fundamental Freedoms would, I believe, given the nature of man as it is, have a tendency to lead to anarchy. In other words those rights are limited for the orderly conduct of society. The Houses of Parliament are also mandated by the Constitution to regulate themselves to provide for the orderly conduct of their own business and proceedings.

F

G

I might further add that those sections anticipate that the Fundamental Freedoms set out therein may also be limited by the consent of the individual himself. The fact that the Plaintiff took his seat in the House of Representatives implies consent on his part to be bound by the rules of the House and to accept the limitations imposed on members for the orderly conduct of its business and proceedings. The suspension of the Plaintiff from the House of Representatives was pursuant to its own internal rules. As I have said earlier the suspension does not affect those Fundamental Freedoms in the Plaintiff outside the Parliament and in society in general, it is just that he cannot exercise them within the walls of Parliament for two months. I cannot see that any rights in the Plaintiff have been infringed, for his rights in relation to the taking of his seat in the House of Representatives is the right to take that seat in accordance and compliance with the rules and regulations of the House of Representatives.

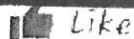
Finally, Mr. Stanton submitted that the suspension of the Plaintiff was void because the rights of all the constituents of Rewa to be represented by the Plaintiff in the Parliament had been breached. I am not persuaded by this



12:30 PM



Q Pita Waqavonovono



Like



Comment



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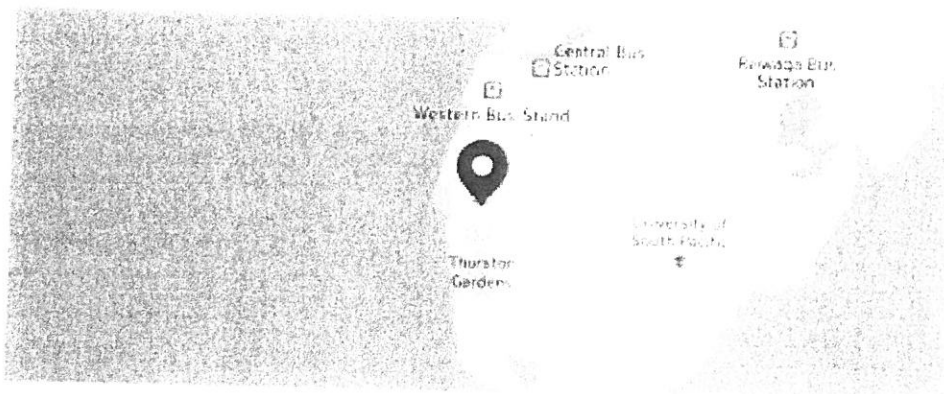


Pita Waqavonovono 🙄 feeling angry at
📍 Government Buildings, Suva.

1/06/2016 at 10:09am • Suva, Fiji • 🌐

Dear World,

the Minister for Education, MAHENDRA REDDY, just
referred to members of the Opposition as dumb
natives while referring to himself as a topper



Government Buildings, Suva



Government Organization

88 likes 40 comments 25 shares



Like



Comment



Share



Pita Waqavonovono

1/06/2016 at 10:15am • Suva, Fiji • 🌐



H+



12:22 PM



18 people like this.

**Neel Chand**

You sound like chaudhry mate.

Yesterday at 11:38 PM • Like • 2 • Reply

**Zoheb Ali** Trues up 😊😊😊**Vineet Singh**

Have u tried out the Chaudhry ones

Yesterday at 11:40 PM • Like • 2 • Reply

[View 3 previous replies](#)**Vineet Singh** Ws Rinesh**Neel Chand** Normally Rinesh says "that wa...**Vineet Singh** Dose Rinesh only hs a trade o...**Vineet Singh**

Ws Rinesh??

Yesterday at 11:45 PM • Like • 1 • Reply

**Aklesh Vince Singh**

RiNesh is on vacation for sometime.

Yesterday at 11:48 PM • Like • 1 • Reply

**Neel Chand** Oh I see. Aklesh just noticed y...**Tina Sharma** Lol.... is this forum like a pai...

Write a comment...





18 people like this.



Vineet Singh

So that opposition is Dumb natives btw this government hs done much compared to the previous government I hv seen with my own eyes hw poor's are struggling to feed their families most families just hv only two meals per day since Khaiyum hs placed 9% VAT on basic food items 45% of poor peoole hs to send more on foods but with previous government there ws on tax on basic food items . One thing Bainimarama has done is that it has created a milestone histroy in Fiji for corruption in which clean up mostly turns into cover up . This is the most corrupted government which we ever had in Fiji's history

4 hours ago · Like · 1 · Reply



Semi Tamanivalu

TO YOUR ATTENTION

Hello my brothers and sisters in Christ,
I found the smile it is thanks to this Mr LUCAS here is his email address:
charlelucas@yahoo.fr I got a loan from \$100,000 for my family and two of my colleagues have also received loans from this gentleman without any difficulty. I advise you do more wrong person if you



Write a comment...



23 people like this.



Michael Rohit
Really

Yesterday at 4:01 PM · Like · Reply



Wame Tabilai

We are natives alright but we ain't dumb.
If he really did make this comment, then
he and his likes are greater fools!

Yesterday at 3:35 PM · Like · Reply



Viven Lalanavanua



Yesterday at 12:11 PM · Like · Reply



Nicko Ledua

Moku!!

Via vialevu ga,, moku!!

See translation

Yesterday at 4:38 PM · Like · Reply



Ritesh Chand

Kuita Mada na minisito

Yesterday at 8:12 PM · Like · Reply



Write a comment...



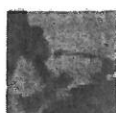


88 people like this.



See Translation

Yesterday at 2:42 PM · Like · 🍌 3 · Reply



Emele Duituturaga
waraka!!!!

Yesterday at 2:44 PM · Like · 🍌 3 · Reply



Della Niunitoga Yess waraka namaka...seg...



Gamnuel Naituvau
Binia tiko..sa varau dou mokuvata kece.
Wili kina ratou na galu tiko. Murimuri ni
kaiviti.

Yesterday at 3:04 PM · Like · 🍌 3 · Reply



Ella Tee
Don't worry He's just talking about
HIMSELF... LOL

Yesterday at 3:16 PM · Like · 🍌 4 · Reply



Filipe Savu
May fleas of a million camel infest his
crouch and may his hands be too short to
scratch it.

Yesterday at 4:22 PM · Edited · Like · 🍌 11 ·
Reply

[View 1 previous reply](#)



Ateca Cavu-barini LOL



Write a comment...





88 people like this.



His utterances confirms his childish level

of mentality as the phd is only a label to demarcate the level of education attained.

The Fiji Parliament has lost all its credibility with such utterances and mannerisms depicting the circus/ animal farm and parallels. To top it off a speaker that has no BALLS to ensure that both sides keep to the proper decorum of parliament. E mosi sara ga na noqu head.

Yesterday at 7:16 PM · Like · 5 · Reply



Onoria Filomena Vakaldoma

Lol.....seriously, does he own a mirror, because he's the joke! 😊

Yesterday at 7:17 PM · Like · 4 · Reply



Ramesh P Sharma

oppose to nothing but confidence to mend old damages and progress rather than dragging the valuable time being wasted.

Yesterday at 7:18 PM · Like · 2 · Reply



Divendra Sharma

He should be KICKED out of FFP and Parliment.



Write a comment...



12:28 PM



88 people like this.



Stir it up mate .It will dry out and u have nowhere to hide no more

Yesterday at 11:11 PM · Like · 1 · Reply



Mere-Wairita Ecawa Naisua

His utterances confirms his childish level of mentality as the phd is only a label to demarcate the level of education attained.

The Fiji Parliament has lost all its credibility with such utterances and mannerisms depicting the circus/ animal farm and parallels. To top it off a speaker that has no BALLS to ensure that both sides keep to the proper decorum of parliament. E mosi sara ga na noqu head.

Yesterday at 11:16 PM · Like · 5 · Reply



Onoria Filomena Vakaloloma

Lol.....seriously, does he own a mirror, because he's the joke! 😊

Yesterday at 11:19 PM · Like · 4 · Reply



Ramesh P Sharma

oppose to nothing but confidence to mend old damages and progress rather than dragging the valuable time being wasted.

Yesterday at 11:45 PM · Like · 2 · Reply



Write a comment...





88 people like this.



Tania Shepherd

Me tukuni ga vua "one globe"

6 hours ago · Like · 2 · Reply



Allen Lockington kaila.....



Peace Seleivalu

magai jina mu mahen..

4 hours ago · Like · 1 · Reply



Allen Lockington hahahahah meca sici.....



Onoria Filomena Vakaloloma

Reading through some of these comments and then making my own earlier. One thing I would like to say about this is the fact that of course we will take this to be of a racist comment. But I beg of us all to not even for one second think as such. It's not a racist attack even if it was....we shouldn't let it be about race. However, we ought to think that this is definitely a stereotypical ill-informed and pathetic use of power to demoralize another human being or a categorization of a group of people. Mr. Reddy should be held accountable for his actions because every parliamentarian represents us as a Fijian People, as a nation regardless of our



Write a comment...



88 people like this.



Load previous comments



Emele Duituturaga
waraka!!!!

Yesterday at 2:49 PM · Like · 3 · Reply



Della Niunitoga Yess waraka namaka...seg...



Gamnuel Naituvau

Binia tiko..sa varau dou mokuva kece.
Wili kina ratou na galu tiko. Murimuri ni
kaiviti.

Yesterday at 3:24 PM · Like · 3 · Reply



Ella Tee

Don't worry He's just talking about
HIMSELF... LOL

Yesterday at 3:56 PM · Like · 4 · Reply



Filipe Savu

May fleas of a million camel infest his
crouch and may his hands be too short to
scratch it.

Yesterday at 3:57 PM · Edited · Like · 11 ·
Reply

View 1 previous reply



Ateca Cavu-barini LOL



Write a comment...



H+



12:24 PM

Posts



The dumb or fool is a word that describe people who use vulgarity or insult of others than one's lack of intellectual knowledge or common sense and I am surprised that the self-proclaimed "learn toppers" Minister of Education did not aware of this, which leave a questions that who is actually the real fool thus putting the credibility of his academic achievements.

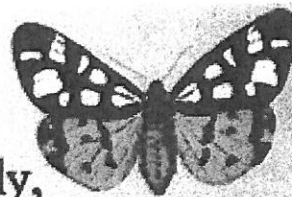
It reminds me of J.K. Rowling quote in Harry Potter and the Half-Blood Prince that correctly reflects the Minister of Education Mr. Hon Mahendra Reddy insensitive comment that "Once again, you show all the sensitivity of a blunt axe."

Kudos to the Opposition members.

Joe Gonewai
Suva

Karma

When people insult you, don't take offense, don't take it personally, but do listen to their words. They are telling you how they see the world, and they are telling you the exact negative qualities that they possess. "The Law of Mirrors" states that one can only see what's in them, regardless if it is what is



Write a comment...





Saving screenshot...



17 people like this.



Moses Brown

He needs discipline..

5 hours ago · Like · 1 · Reply



Sereana Aeregetabua Lesavi

If 1 of the natives in the opposition side said something like that z the indian brothers on the government side ,he will surely b asked by this ""masipolo"" speaker z apologize there n then....she is a disgrace z the natives.....selling her identity just z fill her pockets.....shameeeeeee...

5 hours ago · Like · 4 · Reply

Copied to clipboard



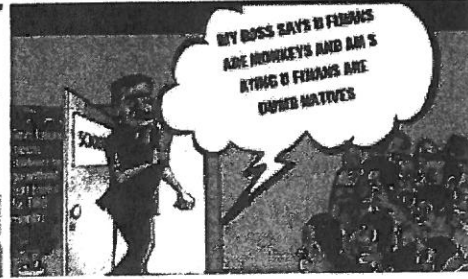
Write a comment...



← Posts



As Nelson Mandela once remarked, 'There Is No Easy Walk To Freedom'; Opposition is wasting time in Parliament and maybe deserve to be labelled "DUMB" for not waking up to REALITY. As for SODELPA, they are living in cuckoo land - thinking that come 2018, they will win the general election and restore Fiji to its 'glorious past' but unless the military is tested to its limit, their goal will remain a goal!



Write a comment...





H+



12:30 PM



Pita Waqavonovono



Like



Comment



Share

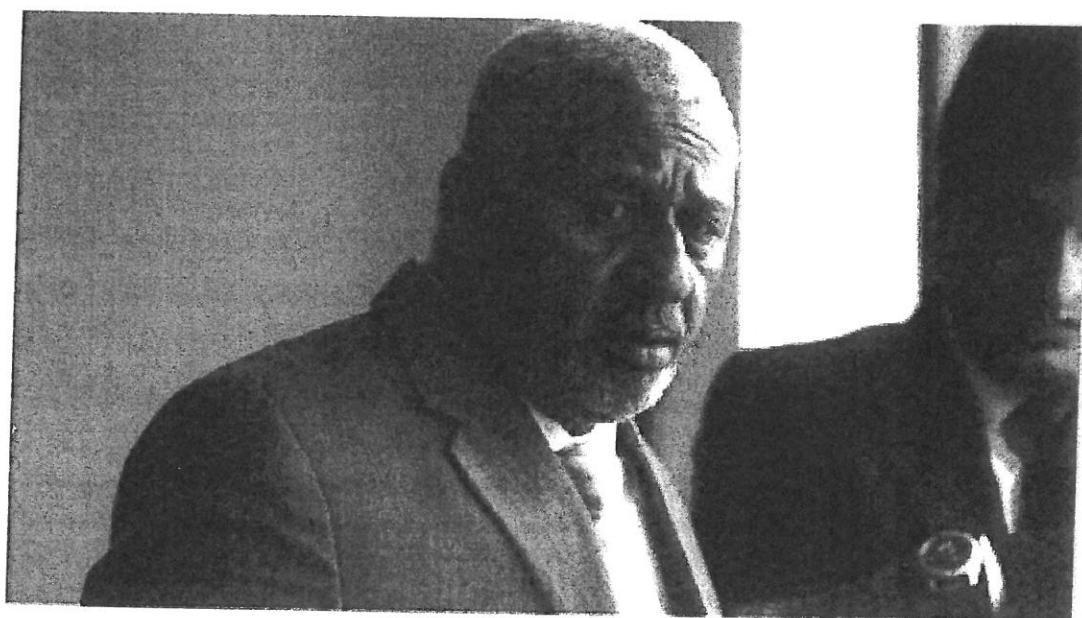
**Pita Waqavonovono**

50 mins • Suva, Fiji •

PM JUSTIFIES HIS ABSENCE BUT GETS TACKLED BY OPPOSITION

PM today decides to take up precision Parliament time to explain his trips overseas and how it was helping with WINSTON RECOVERY efforts!

He was met with to tackles from Hon. Mosese Bulitavu who called the PM greedy, canieving, misrepresenting, and asked the PM to show Fiji he cared by sta... [Continue Reading](#)



18 likes 6 comments 3 shares



12:30 PM

← Posts



Pita Waqavonovono

2 mins • Suva, Fiji •

FAIYAZ KOYA GETS KARATE CHOPPED FOR HIS DESIRE TO RE-BRAND FIJI

FAIYAZ KOYA walks into the rings crying about how hard he and his government have been trying to re-brand FIJI. And that he hopes that we will accept his demand to use millions of dollars to have events in Fiji.

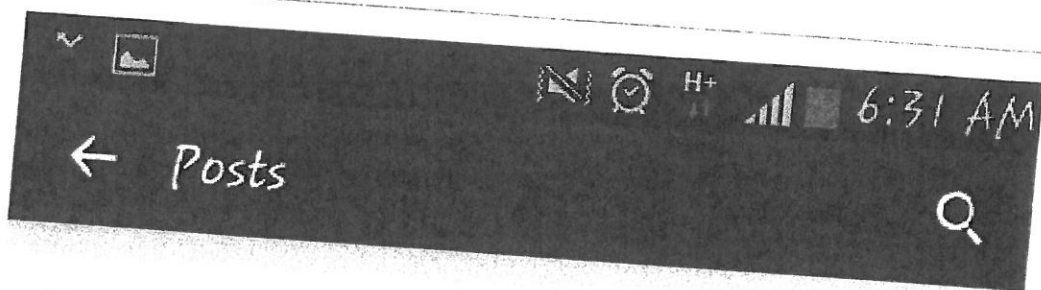
Hon Bill Gavoka, says we need to put that money back into the communities that host these events, we need to help our neighbors, and we also need to focus on saving money.

Hon Tupou Draunidalo, strolls into the ring and just mentions things like 'Bad Governance' 'Parliamentary Dictatorship' and 'cry babies'. She turns around, and Faiyaz is tapping out of the fight.



Write a comment...





Aklesh Vince Singh ▸ Fiji Exposed Forum

1/06/2016 at 3:11 pm • 0

2016

#Opposition_petition_to_have_tuition_fee_free_tertiary_education_defeated_in_parliament

The opposition petition to have tuition fee free education at the three universities and 14 technical colleges in the country has been defeated in parliament.

While tabling the petition, SOPELPA MP, Viliame Gavoka said that it is necessary for the petition to be referred to a Parliamentary Standing Committee as the government can afford to have free fee tertiary education.

Gavoka said \$110 million will be needed for this initiative, and this can be done by reducing the roads and water budget.

Finance Minister, Aiyaz Sayed-Khaiyum said more students are going to universities after the introduction of the Tertiary Education Loans and Scholarship Scheme.



Write a comment...