



STANDING COMMITTEE ON NATURAL RESOURCES



REPORT ON THE MARITIME SAFETY AUTHORITY OF FIJI- 2013 ANNUAL REPORT



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CHAIR'S FOREWARD

I am pleased to present the second report of the Parliament's Standing Committee on Natural Resources on the Maritime Safety Authority of Fiji 2013 Annual Report for Parliament to consider the performance of the Maritime Safety Authority of Fiji for the year 2013.

The Parliamentary Standing Committee under the 2013 Constitution and Parliament Standing Orders aims to enhance and uphold transparency and accountability across all Public Agencies and Officials in the conduct and performance of their duties and responsibilities.

The reforms to restructure the Maritime Safety Authority of Fiji commenced in 2010 with the objective that they enhanced their accountability through a review of the Ministry of Public Enterprises that operations are being streamlined to reduce the MSAF's reliance on government budget, improve service delivery and be self-sustained.

The Maritime Safety Authority of Fiji (MSAF) was established in 2011 through its law and MSAF acts a regulator responsible for Fiji's maritime safety, protection of marine environment, regulation of search and rescue and also hydrographical services.

Since its inception, there were some overlapping provisions of its Acts with the Fiji Ports Limited in terms of the jurisdiction of Fiji Ports Corporation Limited and also where MSAF comes in. Who is the licensing authority, who is the license collecting authority? So there was some clarification needed in the laws of MSAF. The review of the Act resulted in the Maritime Transport Decree and Ships Registration Decree that came into force on the 01st January, 2015 and has replaced the Marine Act of 1986.

The bipartisan Standing Committee unanimously agreed on a timetable to call all relevant stakeholders, and to hear their views and analysis of the MSAF's 2013 Annual Report and performances.

The Report examines all oral and written submissions from the following Ministries and Organisations:

1. Ministry of Public Enterprises
2. Ministry of Infrastructure and Transport
3. Ministry of Rural and Maritime Development & National Disaster Management
4. Small Boat Owners Association
5. Maritime Safety Authority of Fiji
6. Ministry of Infrastructure & Transport - Deputy Secretary Operation
7. Ministry of Lands & Mineral Resources
8. Ministry of Local Government & Environment

9. Ministry of iTaukei Affairs
10. iTaukei Lands Trust Board
11. Fiji Tuna Stakeholders Association

The negative bottom-line performance of MSAF for 2013 was due to a number of reasons as follows:

1. MSAF in 2013 was into its reorganisation phase where the majority of its commitments were towards its physical, material and human establishment;
2. MSAF in 2013 invested in establishing its Offices and accommodation spaces around the country;
3. MSAF in 2013 invested into the refurbishment of a number of existing lighthouses and other existing navigational aids around the country;
4. MSAF in 2013 invested in the construction of three new lighthouses and the erection of new navigational beacons and buoys.

The heavy capital investment commitment of MSAF as highlighted was to bring its maritime and navigational infrastructure services in line with International Maritime Organisation (IMO) standards and conformity to Fiji's obligations as both a Coastal and Port State.

On behalf of the Honourable Members of the Standing Committee on Natural Resources, I would like to sincerely express our gratitude and appreciation to all those Ministries, Departments and Organisations who willingly made oral and written submissions and attended our interviews. This final report is declaration of the voluntary commitment and time of groups and individuals making submissions and appearing before the Committee interviews. This was clearly manifest in the high quality of submissions and answers received during the Committee interview sessions.

I wish to genuinely extend my gratitude and appreciation to the Honourable Members of the Standing Committee on Natural Resources, my Committee colleagues Hon. Ro Kiniviliame Kiliraki MP (Deputy Chair), Hon. Alivereti Nabulivou MP (Member), Hon. Jiosefa Dulakiverata MP (Member) and Hon. Samuela Vunivalu MP (Member). I also wish to acknowledge and thank Hon. Ratu Sela Nanovo MP, Alternate Member for Hon. Jiosefa Dulakiverata.

Finally, I wish to sincerely thank the Committee Secretary, Ms Akanisi Rumasakea and the Committee Secretariat Staff, Mr. Kitione Bete, Mr. Penijamini Valebuli and Mr. Maurice Shute for their steadfast support and assistance with the production of this bipartisan report.

HON. CMDR JOWELI R CAWAKI
CHAIRMAN

LIST OF RECOMMENDATIONS

1. That given the high capital investment initiated by the reform, the authority envisages sustainable growth and financial stability in the medium to long term future.
2. The authority considers classification of fees and licenses in accordance with vessel sizes, vessel use, area of operations and whether for commercial or private use purposes.
3. The inshore fishing vessels, fees levied by “*Qoliqoli*” for granting of consents is standardized in the country.
4. MSAF to ensure total operational, compliant and enforcement coverage to all the coastal and maritime Islands in Fiji.
5. MSAF’s operation to be streamlined to reduce reliance on government budget and to be in a position to improve returns from its operational and capital investment.
6. Also as a regulator, MSAF to generate income from all Maritime Safety aspects and discipline breaches of environmental issues, search and rescue situations and hydrographical services.

LIST OF ACRONYMS

CAAFI	Civil Aviation Authority of Fiji Islands
CSA	Commercial Statutory Authority
FPCL	Fiji Ports Corporation Limited
FPTL	Fiji Ports Terminal Limited
FICL	Fiji Investment Corporation Limited
FHCL	Fiji Harwood Corporation Limited
FRA	Fiji Roads Authority
FCC	Fiji Commerce Commission
GCC	Government Commercial Companies
IMO	International Maritime Organisation
ISPS	International Ships and Ports Security
LTA	Lands Transport Authority
MSAF	Maritime Safety Authority of Fiji
MOF	Ministry of Finance
MARPOL	Maritime Pollution
NOSP	National Oil Spill Plan
PWD	Public Works Department
PAU	Plan Assessment Unit
SOLAS	Safety of Life at Sea
SOE	State Owned Enterprises
STCW	Standards for Training, Certificate and Watch Keeping
WAF	Water Authority of Fiji

1.0 INTRODUCTION

1.1 BACKGROUND

On the Friday the 6th of March, 2015, the committee first heard presentations from the invited relevant stakeholders that included the various Ministries, Departments and the private organisations such as the Maritime Safety Authority of Fiji and Two Small Boat Owners from Rewa .The relevant stakeholders continued to the 27th to 28th April, 2015 and on the 4th of May, 2015.The presentation was held at the small committee room in Parliament.

1.2 The Standing Committee on Natural Resources

The Committee is a standing committee of the Fijian Parliament and was established under Section 109(2) (c) of the Standing Orders (SO) of the Parliament of the Republic of Fiji. The Committee comprises five Honourable Members, drawn from both the Government and the Opposition parties.

The Committee is mandated to examine matters related to forestry,agriculture,mining environment fisheries, water and marine services and their administration, the Constitution, policing and human rights. Section 110(1) d of the SO mandates the Committee to consider petitions and papers referred to the committee in accordance with Standing Orders 37 and 38.

The House resolved that the petition be committed to the Standing Committee on Natural Resources to review and report back to Parliament as soon as it has completed its considerations and deliberations.

1.3 Procedure and Program

The committee had called in submissions from the various government Ministries and Departments from the 27th April to the 04th May, 2015 who had connections with the Maritime Safety Authority of Fiji to present their organisations overview and how their organisations would relate to the MSAF 2013 Annual report.

1.4 Committee Members

The members of the Standing Committee on Natural Resource Committee:

Hon. Joeli Cawaki, Assistant Minister for Rural and Maritime Development & National Disaster Management MP (Chairman)

Hon. Ratu Kiniviliame Kiliraki MP (Deputy Chairman)

Hon. Alivereti Nabulivou MP (Member)

Hon. Samuela Vunivalu (Member)

2.0 Oral and Written Submissions

2.1 Summary of all oral submissions

2.1.1 Submission One: Ministry of Public Enterprises

Mr. Shaheen Ali, PS for Public Enterprises

Mr. Mecuisela Lumelume, Deputy Secretary

Ms. Laisa Bolalevu, A/Director Commercialisation

Mr. Sujeet Chand, A/Director Policy Unit

Mr. Viliame Mavoa, Principal Financial Analysis

Mr. Nitesh Chand, Principal Economic Officer

The focus of the Ministry was to ensure that the Ministry continued with the divestment projects with the budgetary implications. It was noted that divestment was not purely to earn revenue but brought about reforms and efficiency and also created strategic partnership as was with the Fiji Ports Terminal Limited where Aitken Spencer PLC and internationally reputable company came and partnered with government and had managed to increase its revenue efficiently and dramatically. Divestment could inject new capital, new cutting edge management style, new technologies and provided a new outlook.

There were a number of projects public enterprises that were earmarked for divestment but it was crucial for the Ministry to revise the Act of 1996. The Public Enterprises Act of 1996 if modernized, it would ensure that the Ministry had tighter and better control over the public enterprises. Some of the reporting obligations needed to be strengthened so that entities would be obliged to report their half yearly reports, their Annual Corporate Plans and their Strategic Plans so that the Ministry could keep a better tap on these enterprises. Perhaps a penalty clause that would strengthen the reporting and compliance.

In terms of achievements the Ministry would continue with the reforms to restructure the Water Authority, the Bio-Security Authority and MSAF that commenced in 2010 with the objective that they enhanced their accountability after a review of the Ministry of Public Enterprises Annual Report. Operations were being streamlined to reduce the MSAF's reliance on government budget, improve service delivery and be self-sustained.

In terms of Maritime Safety Authority of Fiji (MSAF), that was also, a key agency that needed to be examined. It was established in 2011 through its law and MSAF acts a regulator responsible for Fiji's maritime safety, protection of marine environment, regulation of search and rescue and also hydrographical services. Currently its Act had some overlapping with the Fiji Ports Limited in terms of the jurisdiction of Fiji Ports Corporation Limited and also where MSAF comes in. Who was the licensing authority, who was the license collecting authority? So there was some clarification needed in the laws of MSAF. In terms of its budget. In 2015, it had been allocated \$5.2 million budget. Again, operating - \$2.2 million

and \$3 million allocated for its capital projects. The Maritime Transport Decree and Ships Registration Decree came into force 1st January, 2015 and had replaced the Marine Act of 1

2.1.2 Submission Two: Ministry of Rural & Maritime Development and National Disaster Management
Mr. Luke Moroivalu -Divisional Commissioner Eastern

The MSAF's delivery of service, the challenges for the people in the maritime areas in the Eastern and also in the Western, the Northern Division, the Central Division, the Ministry had seen that people were faced with a lot of challenges. Although the MSAF services provided a good framework for the people to ensure that those who used the sea for transportation and for communication was for their daily livelihood. It was good, services were provided in the sense that the protection of the people in terms of travelling by boats, however people in the islands still faced difficulties.

One area was the provision of all vessels that would be used for crossing or used in the maritime areas needed to be licensed. Most of the people in the Eastern Division derived their livelihood in fishing, subsistence fishing whereby they used small canoes, small boats and that had been a lifetime practice for these people as traditional fisherman. When these traditional vessels and traditional boats according to MSAF rules and regulations, needed to be licensed and passed with criteria's set up.

Secondly in terms of all fisherman, all boat captains must be licensed and that more time should be given in covering all the maritime areas in Fiji for proper training and provided with certificates. People in Ono-i-Lau people in the remote rural islands did not have plans. Since MSAF was a new organisation within government it should have time to go out in the rural areas to provide training for boats.

It should be tailor made to suit the rural maritime communities and perhaps not taken out from a foreign countries rules and regulations, placed into the country's use. It should be friendly to the people and could be accepted because life needed to continue, people needed to survive and with the absence of economic development and employment in the rural communities it would really be difficult for them to survive on a daily basis.

The Ministry's recommendation was to differentiate the fees and charges that was given to a subsistence fisherman, a subsistence vessel and different from a commercial or semi-commercial vessel, for example a fibre glass used for carrying students on a daily basis to school and a fibre glass that was utilised for a fisherman or for carrying paid passengers from one island to another because one was a business, it was making money and the other was solely for a transportation purpose or for a livelihood purpose and at subsistence level purpose.

2.1.3 Submission Three: Small Local Boat Owners
(1) Mr. Lashmi Narayan (Naivilaca, Rewa)
(2) Mr. Raj Kumar (Lokia, Rewa)

The local boat owner in the Rewa delta, Mr. Raj Kumar stated that he paid a sum of three thousand dollars (\$3,000) annually to the “qoliqoli” owners for approval to fish in the area. For boat registration it cost Mr. Raj a sum of two hundred and seventy (\$270) annually. Mr. Raj stated that boat registration varied from one year to another and depended on the area of fishing.

Mr. Kumar highlighted that fishing in Burebasaga areas cost him about \$500.00 to pay for the licenses and fishing in Kubuna areas was \$3000.00 annually. Another boat owner, Mr. Narayan, stated that he paid \$500.00 for his license to fish in the Levuka waters. Mr. Narayan added that fishing in the deep sea used to be \$110.00 now it has reached \$1,300.00 to get licenses for fishing. Both of the local boat owners had to pay the licenses through the Fisheries Department. Mr. Narayan stated that fisherman in the past used to pay \$500.00 during the time of the Vunivalu then, Ratu George. But the Vunivalu passed away, the “qoliqoli” owners increased the fees.

2.1.4. Submission Four: MINISTRY OF INFRASTRUCTURE AND TRANSPORT
Commander Francis Kean - Permanent Secretary for
Infrastructure & Transport

The financial performance of the Ministry over the last four years. In 2011 it was in the red, 100 per cent. The reason being was a misunderstanding into the allocation of the Water Authority of Fiji. In the Budget book it was under the Ministry of Infrastructure and Transport previously known as Ministry of Works, Transport and Public Utilities. However, the Ministry’s attempts during 2011 to correct this was made and that was corrected and as in 2012 onwards the Ministry had not gone into the red because Water Authority actually had the allocation permanently under the Ministry of Public Enterprise, but for 2015 they had come back to the Ministry of Infrastructure and Transport.

Maritime Transport Sector, again, the MSAF was mandated under the Promulgation of 2009 as the regulatory arm of Government for maritime administration, maritime security, maritime safety and most importantly, the protection of the marine environment. As of January 1st this year, the Ministry introduced two new legislations – the Maritime Transport Decree and Ships Registration Decree into the maritime industry, which included 34 Regulations. These new laws actually placed Fiji and the Ministry were benchmarked against international best practices.

Internally, the Ministry and MSAF had also developed a National Oil Spill Plan (NOSP). This Plan was currently with the Solicitor-General’s Office and undergoing final vetting. The Ministry had been waiting for this Plan for some time now, however the whole reason was they wanted the two legislations in place, including the Regulations. Another new initiative

by the Ministry was the Sea Route Licensing. This was a very good initiative by the Ministry in consultation again with the Commerce Commission, as well as MSAF but most importantly, the stakeholders, the shipping operators. It would bring about a lot of things for maritime and safety-wise, reduced congestion on the wharves, it brought about a comprehensive timetable where the ship operators could adhere to, most importantly, it brought about some semblance of confidence to the commuters and other sectors that used the maritime mode of transportation, particularly agriculture.

The tax initiatives by Government was introduced in 2013. One of the reasons these two came about was to attract/lure shipping operators to come into the uneconomical routes because at the moment the Ministry had a shortage of vessels. There was shortage in servicing the uneconomical routes but the Ministry would want to get in vessels, when the Ministry had increased the frequency to fortnightly basis to five of the routes. Those two tax initiatives were very supportive for investments to potential investors that wanted to come into the maritime industry.

Just some of the economic rationale at the bottom, again the maritime transport sector brought about 95 per cent of trade which were transported by sea. The remittances, at the moment the Ministry had about 500 plus of the seafarers currently serving abroad. The maritime, with that 500 plus seafarers, they contributed significantly to the total amount that was there on the table for 2010 and 2014.

2.1.5. Submission Five: MARITIME SAFETY AUTHORITY OF FIJI

- 1) Mr. John Tunidau - Acting CEO
- 2) Mr. Sunia Lavaki - Acting Chairman

MSAF was established in 2011 by the MSAF Decree of 2009 (No. 2 of 2010). It was gazetted on the 9th of November, 2011. MSAF was actually the National Maritime Safety Agency with a primary role for maritime safety and maritime security and protection of the marine environment. Supplemental revenue was derived through regulatory services or regulatory fees and levies, which were in the national regulations or the maritime regulations.

The financial problem, the financial performance of 2011 to 2014. In 2011 there was \$3,062,500 because the grant was treated as income under the international standards. It was treated as income so the income for MSAF plus the regulated fees, it came up to \$3,062,500. The expenses for MSAF for that year was \$1,900,000. Looking at the profit and loss, there was a profit in 2011, this must be made clear, that was audited accounts. But from 2012, there was a directive to treat the Government Grant as a grant and not as an income. So it could not be added to the income of MSAF.

The Ministry had an Operating Grant of \$2,800,000 treated as income. Those were the profit and loss.

From 2012 there was a grant that was \$2,858,432 that was put in, so that was the operating loss. Now, in 2013, there was a grant of \$2,200,000, and so the Ministry had a loss of that amount because the income for that year was \$1,294,000. For the income, it was still the

same income – a very low margin. The year 2012, \$1,295,921, \$1,294,671 and there was only a small increase in 2014, which would be explained later. But because of the treatment of Government grant as a grant, not as an income, that was why the Ministry had the loss, which must be made clear.

Apart from that, directive was issued from the PS Public Enterprises through a Cabinet decision not to treat Government grant as a revenue or income. This was treated as capital contribution and adjustments made to financial from 2011. Office of the Auditor-General qualified the audit report as treatment of Government grant in the financials was against the accounting standards of IAS 20 – that was the standard that the Ministry worked towards. So those were two contradicting statements, the Ministry had the statement from the Office of the Auditor-General and there was an international standard that the Ministry needed to work on, but the Ministry had to follow that directive. Such qualifications would continue in the audit report until such time that the decision of such treatment was revised by the Ministry of Public Enterprises.

To add to that, the Ministry would also like to bring up this second major factor, the non-commercial activities. The Ministry's Enforcement and Compliance Team were not raking in any fees at all. Their operational cost per year was about \$1 million. Investigation was an obligation by any government who were members to IMO to carry out, and it was very clear under the International Convention Regulations that it could not, as an Authority, levy any fees on investigation because investigation was investigation on any incident, accident or loss of life at sea. It was a cost being borne by MSAF, which was approximately \$60,000.

The question to ask why was there an increase in expenses? It must be made clear in the report that 67 per cent increase in 2012 over 2011. Some of the expenses which led to this increase were, and this was during the transition period from FIMSA to MSAF. Local travelling and accommodation; for your information, in 2011 it was only \$7,000. In 2012, it was \$90,000. This was because of staff movement, deployment, awareness, et cetera.

The consultancy fees, because the Ministry reviewed its legislation, it was \$16,000 in 2011 and \$19,000 in 2012. The increase was because the Ministry had to draft its own legislation. So, while drafting, the Ministry needed legal consultations and there were no lawyers there then to do the work. The Ministry had actually engaged a consultant to do the work in coalition with MSAF Officers.

The 15 per cent increase in 2013 over 2012 were due to the following expenses. Awareness expenses, the Maritime Safety Authority of Fiji did more than what was required, to cover all the areas except for Rotuma and the Lau Groups because of the problems of shipping and flights to these destinations. Therefore, their awareness expenses was quite enormous.

Again, 13 per cent increase in 2014, and there were the reasons given; Board Members Salary Fixed, and prior to this there was per sitting. Hiring and Leasing, outsourcing of IT service, the Ministry had to outsource the database, so there was a cost to that. Hosting of Server and Leasing of Links. Hosting of the Asia Pacific Heads of Maritime Safety Agencies meeting by Fiji,

that came up to \$120,000, and for your information that event was for quite earmarked by all the Asia-Pacific Heads of Maritime Safety Agencies that came in to Fiji.

However, there is a Committee within MSAF to review the fees because it has been there from 1990 or 1986. The Ministry had to review the fees, and if the fees needs to be reviewed, it needs to be put back to the operators, the maritime public for their comments.

**2.1.6 Submission Six: Ministry of Infrastructure, Works and Transport
Mr. Lui Naisara - Deputy Secretary, Operations**

The MSAF had come in to a transitional period, from 2011, 2012 and also 2013. That transitional period, the Ministry was very mindful of Fiji being a maritime island state, the vessels were quite old. So one of the major reason to note in the financial record that came out in 2013 was that the Maritime Safety Authority had undergone this same transitional period, the main target of government was to enforce or get compliance through safety. There was a lot of work that still needed to be done with the competency of the Ministry's seafarers, their safety. Also in terms of the financial audit reports, to note, most of them were qualified reports by the Auditor-General.

The very reason being was that, the Ministry of Public Enterprises had a different interpretation or gave a different decision in comparison to what the Auditor-General does. The Auditor-General worked on an international auditing standard. These standards were totally different from the decision that was given to MSAF where they had to treat the grant as revenue. They treated grant as revenue and then also looked at it from the Auditor-General's perspective, these reports started to conflict each other. This would continue, until such time that the Ministry was still there in Government would have to try and demarcate what would be the right interpretation.

For the Ministry to use the international audit standards, or to adhere to the Ministry of Public Enterprise Cabinet Decision, that decision needed to be done, and the Ministry was currently working with the Ministry of Public Enterprise and the Maritime Safety Authority. This was did not happen with the Maritime Safety Authority, it was also reflected with the Lands Transport Authority, but they had been able to make these amendments. Even the Water Authority of Fiji also faced the same decision. So, it was more or less the commercial statutory authorities that would have to undergo this process, in terms of the demarcation or interpretation of Government Grant being given by the Central government to the commercial statutory authorities. That was one of the biggest reasons what the Ministry was undergoing.

In terms of the Maritime Safety Authority, Fiji in 2013 had 242 registered vessels. In 2014, the Ministry had 332, whereas in 2013, the Ministry had 187 registered vessels. The growth rate had been going on and was an indication of why MSAF was not really going into that money-making mechanism. It was trying to get the local vessels registered and be compliant so that the Ministry could keep track of them. That was very important to Fiji, because if any mishap happened in Fiji, because Fiji had unsafe waters, and the Ministry do not have these compliance, it could be very detrimental to Fiji, the precinct environment, and to the nation as a whole in terms of its economy and the social wellbeing.

2.1.7 Submission Seven: Ministry of Lands and Mineral Resources

- (1) Mr. Tevita Boseiwaqa - Permanent Secretary for Lands & Mineral Resources
- (2) Mr. Malakai Finau - Director Mineral Resources
- (3) Mr. William Singh - Assistant Director Lands
- (4) Mr. David Chang - Surveyor General

The Ministry of Lands and Mineral Resources had two Departments, the Department of Lands and the Department of Mineral Resources. For the Department of Lands, it administers : First , the State Lands, secondly the Surveying, thirdly the Valuation and fourthly the Geo Special information Management commonly known as this stage GIS or Information System and the Land Bank, that was what the Department of Lands administered . In addition to that which was not here, was the administration of the transfer of Schedule A and Schedule B from Government to Native Lands. On the other hand, the other departments was the department of Mineral Resources. The Ministry had three main divisions, the Geological Services, Geological Survey and the Mining Division.

A quick look through on the roles of the each divisions under the department. For the state land administration, the Ministry administers state land in accordance with the Crown Land Act, leasing of these land, gave consent to transfer mortgage or caveats etc. and also worked on the documentation of lease documents as mentioned. On the Land Bank, of course the Land Bank in short was the designation of the native land into the land bank. Once it was designated, then the Ministry would work on trying to entice or getting investors to develop the land.

Another role of cadastral surveying which came under that was the Plan Assessment. For this one, all surveyors their survey plans had to be submitted through the Plan Assessment Unit. They actually checked, they assess that everything was in accordance with the guidelines so one that would be complied with then it was approved from the Ministry for further processing by the Town and Country Planning.

Another important one was what the Ministry referred to as the Control Survey. Basically this was done by the Ministry's Control section and what they did was to ensure that the Ministry had control reference points where the surveyors, where the shapes, where the airplanes etc. will take their reference once they map their way forward.

Again the divisions , before used to be called FLIS Fiji Land Information System, but the Ministry had moved to another level to keep a breast with the global trend as mentioned that was part of the mission and the Ministry had changed from FLIS to GIMD, Geo Special Information Management Division.

Basically , this where the Ministry information , the data being collected by different institutions on features under the sea, on top of the sea, on land , above land and then these layers of information were integrated, and when they were integrated and it could clearly show , given the different features, the different factors, it helped to make very sound

decisions. The Ministry had the Land Information Unit, which the Ministry was working on that now for state land and then the Ministry had a land use master plan, .The Ministry thanked the government for giving the Ministry a budget of about \$400,000 to acquire a satellite imagery sand work on this land use master plan. The Ministry had a national land register, basically this was consolidated land tenure mapping.

The Ministry worked on state lands, all state lands being mapped and the Ministry also now was about to finish with the freehold lands throughout Fiji and hoped that TLTB would give them maps on all Native land and then the Ministry would have one land register as information based so wherever anyone would like to know an area in Kadavu whether it was state, native or freehold, they could easily go into this database, the information system and know the status of that land.

For Mineral Resources basically they were free, Mining, Geological and Geological Services and the Geological Survey Division. For Mining, mainly deals with Mineral Resources directly on licensing compliance and monitoring. Geological services on consulting services in relation to bore holes and developments assessment and earthquake monitoring The Ministry also worked hand in hand with Disaster Management, DISMAC in relation to the assessment of earthquakes, or Seismological Assessment. The Geological Survey Division prospect mapping.

2.1. 8 Submission Eight: Ministry of Local Government, Housing and Environment

- | | | | |
|----|-------------------------|---|----------------------------------|
| 1) | Mr. Samuela Namosimalua | - | Permanent Secretary |
| 2) | Mr. Selevasio Tagivuni | - | Principal Environment Officer |
| 3) | Mr. Alipate Mataivilia | - | Senior Economic Planning Officer |
| 4) | Ms. Eleni Tokaduadua | - | Principal Environment Officer |
| 5) | Ms. Losana Rokotuibau | - | Director of Town and Country |

The Departments roles and responsibilities were to formulate, coordinate and monitor implementation of national environmental policies, programs and legislations in compliance with international agreements and instruments to ensure sustainable development. In terms of Natural Resources and in the context of the Ministry's mandate or the roles and responsibilities that I had just highlighted, natural resources was defined under the Environment Management Act 2005 as 'natural resources of the Fiji Islands set out in the Natural Resource Inventory (2010).

Under the Environment Management Act, the Department was mandated to apply the principles of sustainable use and development of this natural resources that was highlighted under the Natural Resource Inventory. In terms of the programs that drove the implementation or the scope of work of the Department, the scope of operational level could be best defined by the four Strategic Levels in which this programme were implemented.

The first programme, Guiding Policies one of the core mandate was to formulate Environmental Policies for Fiji which was to guide Fiji's priorities on environment and also

allowed the Ministry to identify corresponding management actions. In some of this guiding policies mandated under the Environment Management Act this include the Natural Resource Inventory, the State of Environment Report, the first being formulated in 1992, the National Environment Strategy also being formulated in 1993, this two reports were currently in its final draft. The National Bio-Diversity Strategy, the National Solid Wastes Strategy and a couple of others.

There were other obligations under the Conventions once the Ministry became party. These Conventions include the Convention on Biological Diversity, Convention of Climate Change, Convention to Combat Land Desertification, Ramsar Convention on Wetlands, Convention on International Trade in Endangered Species, there were wastes related Conventions also such as the Waigani Convention, Regional Convention within the Pacific Region which allows the trans boundary of hazardous wastes to and from Countries, Rotterdam Convention, Stockholm Convention and so on.

As highlighted by the Ministry official, the Department of Town and Country Planning supported significantly to the work of the Department of Environment in the protection of Management of the Natural Resources. The Vision of the Department for the next five years spoke on Spatial Harmony. Spatial being maps or plans and Harmony was simply on the principles of being inconsiderate with each other whether it was policies or whether it was the community or Agencies and Stakeholders. The Mission was to enable attractive investment environment with strategic directions for sustainable growth. To be mindful for the drive for Economic Development of the Country and its people but at the same time the Department was aware of Fiji context being an Island Nation and how important it was to manage the existing Natural Resources that the Ministry had.

The Department had two main laws, the Town Planning Act and the Sub-Division of Land Act based on these two laws it administers Land and Building Development in Fiji. As part of its contribution in managing Natural Resources the urban areas there were areas that had been identified and they were zoned.

On the coastal areas there was a standard requirement and that was covered in the Environment and Impact Assessment for any development. For Town Planning Control the Ministry would like to raise that it was not so much controlled but at least it is a regulating development.

There was a New Programme called the Participatory Urban Village Planning. The Ministry had worked with villages within the urban locality and was an exercise that allowed the village to map out where the reserves were, where their taboos areas were and it would also help them when it was time to design their Bio-laws.

The target was to have a collative and sustainable built environment. Not only in the urban but also in the rural areas particularly in the rural areas, this was where the Ministry controlled what needs strengthening by the Ministry or by the community of Fiji. In the next 5 years, the Department and the Ministry would have zoning that would help the

main iTaukei Land Trust Board. It would assist the Ministry of Lands and it would also assist the Infrastructure Agencies when they did their Capital Investment for Fiji.

Further continued, in regulating Development the Ministry would ensure with the public indicating the public how important it was to have plans that were consistent with the current policies, the current laws, and some of which were listed as Environment Management Act, Rivers as Streams Act, the Sub-Division of Land Act and how important it was to have correct documentation. All the information was critical before the Director determines a development, that was the reason it was important for the Department for Town and Country Planning to have zoning maps for Fiji. The Ministry worked towards its vision but at the same time the Ministry had Economic Development and as it had been related in the Pillars of Sustainable Development for Ecology Environment and Ecology that was where the Ministry was targeting through the Department of Town and Country Planning.

2.1.9 Submission Nine: Ministry of iTaukei Affairs

- (1) Mr. Savenaca Kaunisela - Permanent Secretary iTaukei Affairs
- (2) Ms. Marylyn Korovusere - An Official

The Ministry of iTaukei Affairs was mandated to oversee the governance and welfare of the iTaukei. In 2010, in alignment to the Road Map for Social Economic Development, common vision was adopted and sets the legal aspirations of iTaukei institutions which is “**An Enlightened Vanua for a Progressive Fiji**”. These aspirations were enforced in section 28 to 40 of the 2013 Constitution.

The Ministry adjudicates over lands, chiefly titles and maintains cultural records which were vital to the resolution of disputes referred to earlier as mandated in cap 1- 33 and 1 - 58 of the iTaukei Affairs Act. The Ministry, also facilitates the process of land administered under cap 134.

The Ministry was happy to state that they had built a reputation of sorts ,that corresponds with acknowledgment that successful implementation within the iTaukei required the participation and advise, in this case the Ministry of iTaukei Affairs. Noting the impact of climate change, the Ministry was also at the forefront of building a resilient iTaukei community. This was done in partnership with the Climate Change Division in the Ministry of Foreign Affairs and the National Disaster Management Office.

As stated the Ministry of iTaukei Affairs holds the Deputy Chairman of the National Climate Change Forum which was chaired by the Ministry of Foreign Affairs. Aligned to the 2005 Environment Management Act (EMA), the Ministry appointed an officer to oversee environment issues in 2011, and in 2011 also the Roko Tui were appointed Environmental Officers by the iTaukei Affairs Board, which was later revised to Provincial Conservation Officer under Cap 120.

The Ministry had also established a National iTaukei Resource Owners Committee, made up of 14 representatives from the 14 provinces, including the 14 Provincial Roko Tui's. Established by the National Environment Council in 2012, after various attempts with the assistance of GIZ (in full), a meeting was convened in 2014. The main objective of the forum is to:-

- i. Promote the capacity development of iTaukei to make informed decisions on the sustainable development of their natural resources;
- ii. Ensure the participation of the iTaukei in the decision making process that affect their resources;
- iii. Support efforts to increase resiliency of the iTaukei community to the impacts of climate change and natural disasters.

The Ministry continued to work in partnership with the Ministry of Fisheries and Forests, including Agriculture, and heavily relied on those agencies for technical advice and assistance to the National iTaukei Resource Owners Committee.

Sustainability and duplication of environmental projects was a concern for the Ministry. Lack of effective monitoring in place for individuals and organization that carried out research within Fijian communities to ethically hold them accountable was a concern. The Ministry was in the process of putting in place measures that would require the registration of individuals and organizations. This would ensure that the objectives of the project were achieved, but more importantly that there was sustainability and where appropriate the replication of these viable projects in other communities.

2.1.10 Submission Ten: iTaukei Lands Trust Board

- 1) Mr. Solomon Nata – General Manager, Operations Research & Development
- 2) Manager Central Eastern – Mr. Ela Manuku
- 3) Manager Landowners Affairs – Ms. Kelera Gadolo
- 4) Research Officer – Mr. Irfan Hussain

Also very important was the Conservation and biodiversity in ensuring socio economic development in the country, and conservation should be done in a global phenomenon in Fiji. By way of statutory obligations it always reminded itself of its role, why it was formed?

The two very important section in the iTaukei Land Trust Act, **section 4**: the control of all native land shall be vested in the Board and such land shall be administered by the board for the benefit of the Fijian owners. **Section 9**: No native land shall be dealt with by way of lease or licence under the provision of this Act unless the Board is satisfied that the land proposed to be made the subject lease or licence is not being beneficially occupied by the Fijian owners, and is not likely during the currency of such lease or licence to be required by the Fijian owners for their use, maintenance or support.

In terms of the trust monies that iTLTB collected from the landowners. In 2008, the Ministry had started off with 38m and there had been a progress in this, even last year the Ministry had so far collected 61m. There had been an increase in 2012. This was due to that assets being sold out to cover some profit. So overall, the financial performance of TLTB 2012 had been good and also contained the Auditor General's Report. For 2015, iTaukei Lands Trust Board worked on annual target for this year which was around 14 m.

The aim was to collect around \$14 m by end of this year be distributed to the iTaukei. In terms of growth, the Ministry were targeting 1200 leases, new leases for this year. Lease growth about 3.5 % net growth in terms of the Ministry's portfolio.

The arrears reduction, for the last two years, the company had being doing well for the lease collection. Land ALTA and TALTA renewal, 85% that the right resources by government in terms of the development to the sugar industry. These were the renewal of leases expressed in acquiring the ALTA Leases. They targeted 85 %. So far the organisation had not been able to provide to any landowner. In terms of, say for hotels, when the lease would expire in 20 years' time who would pay for that improvement.

There was nothing, no mechanism in place to foresee and prepare the landowner when to purchase the property or the hotel when the lease expired. Some of the things that iTaukei Lands Trust Board needed to have as information and that was what the organisation did as there were five thousand (5000) land units in villages in Fiji. The sketch of five hundred (500) landowners was such a huge task.

The latest update the organisation found out that the area of improvement on this hoped on the "iTaukei"land to reach 5 million dollar and that was alarming. When the lease had expired under the current law, who would pay for the compensation? iTLTB needed to identify the opportunity the landowners could capture based on their resources. Some of the landowners that had investments needed education in terms of their limited knowledge. Those were things the iTLTB tried to work on creating a database for the landowners.

The **Processing Return Time**, 4 to 6 months, very important, if the landowners provided all the requirements then iTLTB could grant the lease within two weeks or one week but if people do not provide all the requirements, it could go to six months six years.

The **Estates Team structure** deals with cases, two category, Pre 2015 and 2015 cases. The **Processing Lease Expiries to 2020**. iTLTB had no money to really develop the land. iTLTB relied on government for road construction, bridge construction and providing services and TLTB facilitated the land. Once the rural area is opened up, it also enhances the value of iTaukei land and ensured the land owners receives the fair equitable return from it and people must not compromise and understood that TLTB was there as an acting professionalism. People must protect the environment and the biodiversity. It was time to

review the TLTB legislation and other associated legislations one of which was ALTA, maybe Town Planning Act etc.

2.1.11 Submission Eleven: Fiji Tuna & Stakeholders Association Mr. John Lee

The Fiji Tuna Stakeholders Association an association made up of companies that had a direct involvement in the tuna industry. Companies that comprises of shipping agents ,freight forwarders, transport companies, ship building, metal workers, fish processes, customs agents, oil and fuel suppliers,hoteliers,travel agents etc.

In 2010, Government imposed the Fiji Levy Tax whereby a levy of \$350/ton was imposed on overseas fishing vessels who were using Fiji as a means to transport their Fish overseas. These fish were caught outside the Fiji Waters.

Also to add to this dilemma was other government departments who imposed their fee on the tuna industry. This year the fisheries department imposed a 11.5c/kg for monitoring and processing fee of fish that went through the fish processing plant.

Other Government regulators like the Ministry of Safety Authority/FIMSA /Immigration were adding their pound of flesh and imposed exorbitant fees which the industry could not sustain.

Questions that were being frequently being asked by those foreign boat owners were:

1. Imposing a tax levy on fish that was caught outside Fiji waters was wrong internationally. It could be compared to passengers who were using Fiji's port/airport to transit before catching the next available boat/flight overseas with a tax or levy to transit
2. Doing Business in Fiji was very expensive with the never ending procedures and red tapes.
3. Government need to seriously look at these factors and ask themselves on the survivability of the tuna Industry.

3.0 CONCLUSION:

It is common in develop countries to privatize the administration and enforcement of maritime licensing (e.g. deck officers, engineers etc.), shipping registry (e.g. Liberia and Vanuatu), sea worthiness certification provision and maintenance of navigation aid/pilotage services (e.g. Trinity in UK and Safety Services (very common in Australia).There must be a change of emphasis away from State funding to user pays – the charges must be structured to meet a budget subject to safeguard for special interest groups' e.g. residents of outlying islands. If going down the privatization route there must be safeguard minimum qualitative and quantitative standards of performance and a review of regular intervals.

A proper publicly accessible ongoing reporting and monitoring regime is required if mariner should be able to ascertain online about navigation aids and being unseaworthy, Improve and Eliminate organizational structure.

This would allow Managers to manage and would not cripple them with undue red tape and unnecessary layers of decision makings. In civil service it is not driven by the need to derive a profit or to innovate nonetheless it is worthwhile leaving it open to the Civil Service to complete with their own proposal. If a particular services cannot be provided economically locally it may be better to outsource that overseas where greater economies of scale exist. It was not necessarily to be more efficient to combine all the above functions in one organization e.g. It is not necessarily more efficient to have marine licensing and certification managed by the same people who are managing Search and Rescue.

An open invitation of expression of interest should be called for in respect of all or some of the above functions – that will allow a more select and a refining of the selection criteria.

The MSAF being a Commercial Statutory Authority (CSA) is allocated \$5.2 million in the budget for 2015- \$2.2 million for operation and \$3.0 million for capital projects.

It is challenge and task for MSAF to make a profit and be self-sustainable given its role as an international respected regulator and a provider and promoter of maritime safety and the protection of the environment.

However, to reduce MSAF's reliance on government budget, it must streamline its operation and improve service delivery in its operation to be self-sustainable and be in a profitable position.

Whilst MSAF is obligated to international maritime conventions and protocols, it must also be conscious of the local environment and condition of seafaring population in the maritime islands and coast and those costs of maritime safety compliant are affordable.

APPENDICES

Appendix 1

List of Presenters:

1. Ministry of Public Enterprises
2. Ministry of Infrastructure and Transport
3. Ministry of Rural and Maritime Development & National Disaster Management
4. Small Boat Owners Association
5. Maritime Safety Authority of Fiji
6. Ministry of Infrastructure & Transport - Deputy Secretary Operation
7. Ministry of Lands & Mineral Resources
8. Ministry of Local Government & Environment
9. Ministry of iTaukei Affairs
10. iTaukei Lands Trust Board
11. Fiji Tuna Stakeholders Association

APPENDIX 2

Copies of Oral Submissions

1. Ministry of Public Enterprise Ministry of Public Enterprises

- 1) Mr. Shaheen Ali, PS for Public Enterprises 2) Mr. Mecuisela Lumelume, Deputy Secretary 3) Ms Laisa Bolalevu, A/Director Commercialisation 4) Mr. Sujeet Chand, A/Director Policy Unit 5) Mr. Viliame Mavoa, Principal Financial Analyst
6. Mr. Nitesh Chand, Principal Economic Officer

MEMBER	QUESTION	MINISTRY'S RESPONSE
Hon. Ratu Kiniviliame Kiliraki	May I present a question not in regards to MSAF generally, it is for the role of the Ministry of Public Enterprise whether I am right or wrong. I did not hear anything you allude to in regards to FICL (Fiji Investment Corporation Limited) and I know <i>Viti Corp</i> too was financed too by FICL, if I am right. The Corporation Limited that was abandoned I guess. I think <i>Viti Corp</i> was financed by FICL?	It was Fiji Hardwood Corporation Limited that had some of its loan portfolio came from Fiji Investment Corporation Limited. Fiji Investment Corporation Limited comes under Ministry of Industry Trade and Tourism. The portfolios it has, it still has. So, it has in terms of its financial status it is still quite healthy but yes some of its portfolio are in trouble but not Fiji Hardwood Corporation Limited.
Hon. Ratu Kiniviliame Kiliraki	Does the Ministry has any infrastructure plans and developments for Port Denarau?	Port Denarau is not managed by the Ministry of Public Industry Trade and Tourism, but I guess they do have plans to invest in its infrastructure. I think they need some approvals to do that and the point on the Vuda Marina.
Hon. Ratu Kiniviliame Kiliraki	One of the objectives of GCC's-(Government Commercial Companies) is to be profitable. The PTL, PAF and the MASAF are government commercial companies. What are the avenues MSAF will be able to make money from?	There are plans from re-organization to corporatization and eventually to self – sustainability. This is a challenge that MSAF has to deal with. Again it will look at its fees and charges, but not to make fees and charges a deterrent to provision of those services.
Hon. Ratu Kiniviliame Kiliraki	Who regulates the levies for licenses? Where does the Ministry come in, in relation to MSAF being able to charge levy.	For the decision on fees and charges, it is principally done by the Board and the CEO and through their line Ministry which is the Ministry of Infrastructure and Transport in consultation with other government agencies such as Ministry of Finance, Public Enterprises, Commerce Commission and the other relevant stakeholders. The Ministry is still providing \$2 million each to ensure that their fees and charges are not outrages that people cannot afford and it is a deterrent. The Ministry monitors these entities financial performance.
Hon. Ratu Kiniviliame Kiliraki	Your Ministry looks after the financial performance of these entities, how did MSAF since, when it began the reorganization process.	Mr. Chairman, may I ask the Desk Officer to answer that question but if not we can come back and discuss it in detail when we present to you on MSAF.
Hon. Alivereti Nabulivou	You have a lot of portfolios under your responsibility but the only thing you mentioned about MSAF that you will come back again. You said that MSAF has some overlapping responsibilities here, can you explain that to the committee.	That overlapping is related to piloting charges - who sets it? Who collects it? We have established a committee comprising of SG's Office, Fiji Ports Corporation Limited and MSAF and we can look at that but just needs to be clarified under the law while for Fiji Ports they have the right to set and collect fees in their jurisdiction which is the Ports Jurisdiction. So we will elaborate on that, when we make the presentation.

2. Ministry of Rural & Maritime Development and National Disaster Management

1) Mr. Luke Moroivalu - Divisional Commissioner Eastern

MEMBER	QUESTION	MINISTRY'S RESPONSE
Hon. Ratu Kiniviliame Kiliraki	My question is whether these concerns, levies being levied on the boat owners especially subsistence fisherman and the certification of boat operators have been brought up through the provisional council meetings and through the Roko Tui's and eventually will reach your office Commissioner?	Yes. I can remember having served in the Central Division, served in the Western Division and now in the Eastern Division numerous development meetings, <i>bose ni yasana</i> , <i>bose ni tikina</i> , <i>bose vakoro</i> , all these issues and also consultation meetings with MSAFs included this same issues have been raised. MSAF have committed to do something about it but unfortunately there has not been any positive changes that has come around on the levies.
Hon. Ratu Kiniviliame Kiliraki	Having regards to the performance of MSAF to be able to do something on the concerns of the average people from the villages we have exhausted going through the <i>Bose ni Yasana</i> and through to your office as Commissioner whether there was any attempt to pursue this issue further with MSAF or other avenues, to be able to come out with some constructive solutions because this issue will definitely affect the average boat owners and fishermen in villages.	I had personally raised the issue during a consultation with the transportation sector whereby the CEO, MSAF was present and he had committed to providing a positive change for our rural people. Unfortunately, there was no other avenue that was followed to follow up on those issues.
Hon. Samuela Vunivalu	I have an issue, as for the LTA, for example, a person buying a car you have to produce a driving licence. In regards to the people from the islands, how do they buy the boat, do they have to produce any licence or certificate or something?	As long as you have the money, you can purchase a boat but in terms of driving the boat, you need to have appropriate licence for that. We fully support the safety of all our maritime people through the procedures and regulations that are provided by MSAF. That is something that is positive for everyone. It secures the passengers, the driver and also the boat. For our people, the avenue of getting the licence and the fee one needs to pay, all those things in comparison to their income being subsistence fishermen that is an issue that affects them. However, the safety of all our rural and maritime people is paramount. Therefore, we all support licencing of small boat captains. As has been raised, it is the fees that has been paid and all the relevant requirements is quite expensive for them.
Follow up Comments	Hon. Nabalivou - I think these are to be considered by this Committee so that it could be asked to the MSAF when they appear before this	

	<p>Committee. The only thing we have with regard to the process is that, the Government has to implement it. Not only the islanders, but those living close to the sea, have to be supported by this Committee, I think taking into consideration all these things so that we can address or ask the MSAF CEO and Chairman.</p> <p>Mr. Chairman - Honourable Nabulivou, your comments are noted and also comments by the Commissioner Eastern.</p>	
<p>Hon. Ratu Kiniviliame Kiliraki</p> <p>Follow up comments</p>	<p>Once again, apart from the small crafts, does any issue of safety or conditions of inter-island vessels that transport people and cargo to and from, is there any issues being raised through your office, Commissioner? In regards to the safety of these vessels, especially overcrowding, the condition of the vessels, that are allowed to leave Suva port to go to the islands?</p> <p>Mr Chairman. - <i>Vinaka</i> Divisional Commissioner. You have raised the subsistence level of people in the islands and in your capacity as Divisional Commissioner, what would be your recommendation so that the Committee can take into account and report to Parliament to be able to assist our people in the islands.</p> <p>Hon.S. Vunivalu- I just want to comment on that again. I have seen that in the coastal, in Nakorotubu that their main source of income is this because it is so many miles away from the main road and the place where they sell is Waimecia. They said they have been deprived of their rights to fish in their own fishing ground. They said that they have been instructed by the government to have licence. I think that is what they raise during our tour in Nakorotubu but in regards to the Commissioner Eastern, I support him, in terms of the fish, the commercial, etc. Thank you very much.</p> <p>Hon.Nabulivou - I just want to add on to honourable Vunivalu. It is about the license. I think they were told by the government to stop all these things. I made my points clear to you, Commissioner, is that right or wrong; the fishing boundaries? They stopped them from using their fishing grounds. They were told to have a license before fishing. What about their daily livelihood?</p>	<p>Normally this type of issue is very common during the Christmas holidays where a big number of people want to travel to the village and with limited inter-island vessel that serve the maritime zone, there is a tendency for overcrowding and limited space in the boat. That is where MSAF comes in on a daily basis to check the loading and ensure that capacity for a boat is met before it leaves the port</p> <p>Mr Moroivalu - Thank you, Chairman, my recommendation this morning is to differentiate the fees and charges that is given to a subsistence fisherman, a subsistence vessel and different from a commercial or semi-commercial vessel, for example a fibre glass use for carrying students on a daily basis to school and a fibre glass that is utilised for a fisherman or for carrying paid passengers from one island to another because one is a business, it is making money and the other is solely for a transportation purpose or for a livelihood purpose and at subsistence level purpose. Consideration should be given on the amount of fees that these two uses of vessels be given. For a subsistence fisherman, he needs to be given a fee that is able for a subsistence fisherman to pay because some of our traditional fishermen old men, young men and ladies, they all go out and fish in the sea and that is their traditional role. (one of the Recommendations of the Committee)</p> <p>I think, Mr Chairman, there is two different issues that we are discussing. One is a boat that needs to be registered and also the captain needs to have a license, which can be used. Whatever vessel that is used on the sea, it has to be</p>

		<p>registered under the regulation of MSAF and also the captain. Without that, you cannot board the boat for fishing. The other license, maybe the fishing licence. Fishing licence is given to those commercial fishermen who fish and sell on a commercial basis – their catch. Unfortunately, for our villagers they fish for consumption. So they have all rights to fish on their fishing ground – no license.</p>
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3. MINISTRY OF INFRASTRUCTURE AND TRANSPORT

Commander Francis Kean - Permanent Secretary for Infrastructure & Transport
Mr. Naisa Cama – CEO LTA, Land & Transport Association
Mr. Ravai - CEO WAF, Water Authority
Mr Hunter - CEO, Fiji Roads Authority

MEMBER	QUESTION	MINISTRY’S RESPONSE
<p>Follow up comments</p>	<p>Hon.S .Vunivalu - Mr. Chairman, in regards to the issue of fisheries, the two gentlemen who appeared before us (fishing boat owners) raised issues regarding the fisheries licences because I know the Authority for issuing of licences for those in the islands. When buying a car, we need to have a licence but with regard to people from the islands because I have noticed that there are incidents happening in our seas, for example, in Malolo, young children coming to buy bread in the Denarau Shopping Centre every morning before they go to school. Although there are no accident at the moment, but this should be considered in terms of issuing licence to the boat.</p> <p>Commander Kean -</p> <p>On another note, this has been a concern I believe for government and MSAF is looking at ways to trying to support, particularly our citizens that live out in the maritime areas. We are working at the moment with Post Fiji, because we are looking at an outlet that could sell products for us. Initially when we went to Ministry of Finance, MSAF was not given the green light to sell some of these products due to government protocol. So we are currently looking at Post Fiji, their outlet are well distributed around the country and we are intending to use them for them to sell some of the safety equipment that are required for some of our maritime commuters to ensure that they comply with our maritime laws like life jackets, the most important, torches, flares and what next. Maybe, Acting CEO, do you wish to add anything further?</p>	<p>One of the work that the maritime safety authority actually undertakes, is to try and bring about, we want to make the maritime industry self-regulatory because we wish not to be like a policemen because our overhead should go up because we do not have the manpower. So we have a station in Denarau and I can reassure you that Acting CEO will ensure that his staff at Denarau take note of this and hopefully, maybe one morning they stand out in the vicinity of the jetty to welcome them and to see whether they have compliant or not.</p> <p>Thank you, PS, honourable Members, our laws are similar to the laws of LTA now. All boat operators need to have a license and that depends on the area of operation. To give an example, for sheltered water, you will need the lowest class of license which is boat masters license. When you go further, the risk is more, the rules are more, you need to learn, you go further to class 6, Master in Engineer. That is for the operator itself. And for the laws of the vessel, it needs to be registered and surveyed, so that it has the minimum safety equipment that is required. I am thankful to this</p>

		government, from 2005, for the last nine years, we have been embarking, on training, free of charge, to all the provinces of Fiji carrying out boat masters course and I think the honourable Joeli Cawaki will certainly know this that we have been carrying out the cost for boat masters license. Only this year, we saw the need for the conducting of class 6 restricted because most of these small punts are crossing over from island to island. Therefore the need. So, we have embarked on conducting also class 6 restricted especially for our rural dwellers. Thank you.
Hon. Ratu Kiniviliame Kiliraki	For us as regards to FEA acquiring the four generators, what impact will be that on FEA Report as we have heard today?	Very quickly the idea of purchasing and establishing a new power station came about in 2012 when we had the floods up in the hills in Monasavu and we lost one of our towers on the transmission line that transport power from Monasavu to Suva. During that particular week in Suva, we had basically a week of, shall I say, sharing power. At that time, we decided that in future, should we have more floods or cyclone, and if we were to lose one of those transmission towers, then Suva and the Central Division, could go through this situation again. So then the FEA Board decided to actually increase the diesel capacity in Suva so that if the Monasavu Hydro Scheme was isolated in any way due to any reason, then we should have enough capacity out here within the central division to run the diesel stations to meet the demand in the central division.
Hon. Ratu Kiniviliame Kiliraki	I just want to ask some questions raised by the voters especially our people out there to the Transport CEO about the licensing of taxis and the Water especially the 1/10 or 1/3 who have already paid. I would like to ask a question on that about the taxi permits from 2007 until last year. There is a lot of arguments going on there just to make it clear to this Committee as you are here we are not supposed to ask these questions right now but as you are here I would like this committee to know and Water Authority and Rural Energy about the contribution made from the public or the community but there has been no developments yet.	Mr Naisa Cama -Sir, the taxi permits are still under freeze and that includes the mini bus permits plus the rural license that are given to buses. The only permits that we are processing at the moment is for the rural service license and Sir, for your case I know that we have been talking on this a lot. The only one that we are allowing for the rural now is the rural license for the rural. Commander Kean - As you are also aware last year there was an exercise that was undertaken by the Attorney General and his chambers on a look at some of the complaints that were directed towards the operations at the Land Transport Authority. The Ministry is awaiting for the decision whether to continue with the freeze or whether to lift the freeze. On that same note if I may wish

		<p>just for the information of the forum the Ministry is also investing this year into a Transport Database software. This software is something that is common globally but unfortunately we in this part of the world we are catching up with technology are very thankful to government that they have now given us the necessary budgetary allocation to invest in this very important technology.</p> <p>Mr Ravai - Good afternoon honourable Members, with regards to the question on the rural water contribution yes, it is one tenth. We usually have a cut-off date every year October 31st if the community pays before the October 31st then they are earmarked for the following year. There are some instances where we have taken in projects who paid after. It all depends on the funding because that is time when budgets are being presented for the following year.</p> <p>So, this year we are doing 34 projects that was the communities' one tenth that was paid before October 31st.</p>
Hon. Ratu Kiniviliame Kiliraki	There are some who have paid already but have not yet been attended to. They should come and see you?	Mr Ravai - Yes, they should come and see us. We have on record all those who have paid before the 31 st of October maybe some have paid after if we can slot them into this year's project we will do so.
Hon. Samuela Vunivalu	The question asked by most of the tourist in regards to the Nadi Mortuary, people sit down there and watch rugby and while they sit there is a dead man being carried from the Outpatient on the other side close to the main ground and everybody can see. Sometimes because most people die in the night and there is no light there, when they carry the dead person from there we need to have a light there or any other chance of building the mortuary in another place	FRA rep – Mr. Chairman and members of the committee I cannot be specific I know that we have increased our budget this year quite remarkably for street lights we use and new street lights. I cannot say whether the mortuary at Nadi is on the list but certainly you should notice by the end of this year a huge increase in the amount of street lights that are working and working well.
Hon. Ratu Kiniviliame Kiliraki	If the communities pay their contribution this year, are they entitled for electricity this year or next year?	Energy Rep - That depends a lot on some variables firstly we are working with FEA on the non-commercial obligations which is restricted so to speak. We also have surveys for this year that can be only accommodated for in next year's budget if we are given those particular allocations. For major grid extension projects we have been working with FEA on these extensive capital investments. For such projects if government can afford to pay the whole amount and those projects will be implemented earlier but otherwise it will take some years.

<p>Hon. Samuela Vunivalu</p>	<p>I am from Nadi and live near the roundabout in Votualevu. If you drive from the CAAF compound down to the railway during the crushing season, when the sugar cane train crosses, you can see 30 to 40 cars, stopping there. For instance, if the tourist is there and by the time, he reaches the airport, the same train crosses again. I am saying that because even though the road is wider now but the tourist who is in a hurry from Denarau, he will be caught up in this incident again. That is all I want to say. Thank you very much</p>	<p>Mr Hunter – We are currently considering ways on introducing warning for these crossings, particularly for night time use. I take your point about the timing that is something that we may need to consult with the Sugar Industry on because it is a particular issue at the airport entrance. As you said you can be caught twice by the same train and we will take that up with the sugar industry because it maybe that there are times of the day where it may be less disruptive for them to use that train.</p>
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4. MARITIME SAFETY AUTHORITY OF FIJI
Mr. John Tunidau - Acting CEO
Mr. Sunia Lavaki - Acting Chairman

QUESTION	MINISTRY RESPONSE
<p>First, whether you can correct me, there has been recognition of the certification of sea farers, Asian countries by the MSAF standardising the certification from being obtained from China or any other foreign countries that are registered locally in Fiji to operate in Fiji. Secondly, what do you have in place as far as this local recruits, those who do not have background in sea faring being recruited on board, off the wharf when they have shortages of compliment of crew on a trip.</p>	<p>We have tried to locate the authentic of the certificate from where it was issued. Because once we went to the main headquarters, the main headquarters always come back to us through the embassy to say that, they did not issue the certificate. China is a very large country and trying to go down to the issuing authority is still an issue for MSAF</p> <p>MSAF issues a manning certificate. When I say a minimum manning certificate that is the number of qualified sea farer that can take a fishing vessel or commercial vessel from one point to another in accordance with their area of operation safely and soundly Okay, the masters supposed to be class - the one that goes on a fishing vessel, chief mate and so on, engineer, rating and fish deck hand. Apart from that, whoever joins the vessel, is another different issue. That is the call by the owner or the operator of the vessel.</p>
<p>One is the Marine Transport Decree No. 13 the issue of the National Oil Pollution Pool.</p> <p>I see that there had been some seminars held and conducted by SPREP and other organisations. What I want to ask honourable Chairman, is this Pool, if the spill occurs in our territorial waters are the Fishing right owners compensated for this spills?</p>	<p>Under the MARPOL Convention it details the response of a nation to an oil spill not the compensation. There is a one million or one billion or one hundred million the maximum penalty that can be done, especially if there is a foreign vessel that has spilled in our waters. That means if that comes in that should address all the compensation not only for the customary fishing rights.</p> <p>Just to state if we look into the MTD there is a penalty clause that will cover but that depends on the severity of any oil spill or any other marine polluting spill in our waters.</p> <p>So in the Plan it is specific on what response we have, what authorities there are. It does not cover the compensation however, having stated that if there is a pollution under the MTD I have forgotten the Section.</p> <p>Having stated that there is a penalty there that can address all the parties that is affected by any pollution that is done in our waters and that will be addressed also within the MTD.</p> <p>We have to balance the act. However, having said that balancing act we are reviewing the fees. We are looking at reviewing the fees and probably by the end of this year or starting from next year we</p>

<p>The other question is I can see that the role of MSAF is basically to ensure the safety of vessels and the crews in our waters. And I see from the Report that we have been running at a loss since 2012 for obvious reasons and from the Report we can see that the only source of revenue is mostly from the fees and if this is the case you are anticipating to have a loss all the time. So do you have any other strategy or ideas that might arrest this situation and bring some profitability to the organisation?</p>	<p>will present to the Board our time and effort study because if you need to increase the fees there must be a justification otherwise the stakeholders will always say no, no, no.</p> <p>So that is what we are trying to do we are trying to get out the time and effort study where the fees now is always in accordance or whatever we are actually levying out to our stakeholders and from there we will take it forward to the Board and from there to the Cabinet and Parliament. So, that is what we are currently doing it will take some time. Because as I say there is regulated fees that includes survey not only survey of ships, it includes sea fares not only surveying of ships it will also include the protection of the marine environment. Even if you add 30% to this which is non profitable it is a non-commercial activity to charge the services that is done which we don't. It will bring it to about 2.2 million that offsets, completely offsets this is a negative on its own.</p> <p>All we have to do is to convert it to commercial activity it will see us off. First of all I think what we need from the Boards point of view is to try and get us to offset just for us to make ends meet first and then we can progress from there. And if we can do that this is a simple calculation give us the opportunity to get this in a proper commercial way of doing it and then another 30% of this one on top of it 130 1.3 you get about 2.2 million and that is likely to offset a lot of our negativities.</p>
<p>I would like to add on to the Director in regards to finance. A clarification Acting CEO about the MSAF was made not to make money. Am I right or not?</p>	<p>Yes, it is not a comment I would like to make I will probably reword it. It is there as a Commercial Statutory Authority. However, what I was trying to drive at has the main concern is the safety of life at sea that is important because if you are making money and there is no safety of life at sea that defeats the purpose of the entity anyway. We are losing life at sea so the main focus is supposed to be first safety of life at sea and protection of the marine environment.</p> <p>That is what we are trying to do here – to protect our seas, protect our marine resources, protect those who are travelling on the ship, make sure it is comfortable, make sure it is safe and secure.</p>
<p>One of the questions being posed by people in the rural areas, as you said the maritime areas during our campaign is the fees for compliance to all these regulations. I don't know what are the differences between the requirements for small vessels in coastal reefs with those in the outer islands that travel the open seas.</p>	<p>Inland waters there is only four that is required; life jackets because you are going to save your life, your mobile, record book because you need to know who you are taking. Small things, record book, an anchor or rope because you are there, you can just tie it alongside. For the other areas, the amount of survey equipment as stated there is very different. Sheltered waters, I would state here has got there is one or two flares required depending on the discretion of the surveyor. Looking at the area, if it's a risky area, it might increase. I was the one who headed the consultation throughout Fiji and I know a lot of problems because of that experience. That has been drafted into a legislation, reducing these things but however not compromising safety because at the end of the day, when an incident happens out there, the question comes directly to MSAF.</p>
<p>First of all, I want to thank the Acting Chairman and CEO for the well-done presentation today. I have only one concern in regard to what honourable Dulakiverata mentioned regarding those who live in coastal villages. Once they have</p>	<p>If it is registered and surveyed or if the operator has the license, he has every leeway to apply for loan because now, when someone applies for loan, the submission must be given. So, they should be given that loan.</p>

<p>the licence, are they entitled to go to the bank and loan in terms of doing business?</p>	
<p>In regards to MSAF, I think it is a very important body for safety, security and environment. Your budget set out for this year, is that enough for you to operate, especially for maritime and rural consultancies?</p>	<p>All the activities that will be undertaken by MSAF in 2015 have been budgeted under the Operating budget. So, we use our budget according to the month that includes awareness, survey team, et cetera. However, as has been stated before, the return is always not favourable because we are not supposed to be charging fees. Even when we go to the islands and we just had one in Yasawa, another one in Tawake, Vanua Levu and Nawi. During the Northern Tour by the Minister, they actually asked whether that could be done there, so we facilitated these things for them when they request. The budget is there, however, we cannot charge those fees.</p>
<p>Your rent was mentioned and you pay about \$13,000 a month. That is quite a lot of money and with all the old PWD Buildings in Walu Bay as well as the spaces available, have you tried to acquire one of those buildings or ask the Government for the building or tried to get a piece of land there to build your own building?</p>	<p>Obviously within the strategic plan, we would come up with that. We would like to have our own facilities, though we do not have to pay that kind of lease and maybe, lease it out. But because of the commitment and the obligations that we have been working on and focussing on, I would like to go back before I can answer that question. However, regarding the renting, \$9,000 or \$13.00 per month is affordable, however but \$26,000 which we never realised because it was never paid by the entity at the time, was paid by the central Government (PSC). The decentralisation plan is an overview because of the need to have surveyors there, rather than them coming all the way to have survey in Suva. In the decentralisation plan, we are looking at the Savusavu Office, Nabouwalu, Taveuni and Labasa, but that will be own premises so that we will not pay rent. Paying rent is something we are trying to avoid, to minimise our costs.</p> <p>MR. CHAIRMAN.- The Ministry of Rural Development can assist you in the acquisition of land.</p>
<p>Whether other line Ministries can take this on board, like the Rural Development so that they can subsidise in any way, that is affordable to the villages that when they are leaving from exploiting their resources, especially the marine resources?</p> <p>MR. CHAIRMAN.- That was the issue on support to MSAF. I think my Ministry, the Ministry of Rural and Maritime Development can assist in your decentralisation. The identification and acquisition of land through the Divisional Commissioners and the DO's, they can assist you. They are already out there. But, the second issue on the <i>bilibili</i>, this has been raised in the Naitasiri Provincial Councils and also in Ra, and also down the Navua River, that they</p>	<p>We are looking at sending one survey in Rakiraki, Savusavu, but there is no quarters in Savusavu. We have obtained a government quarter in Labasa, and is occupied by one of our officers. In Taveuni, we do not have quarters. We have just made formal contact with the District Officer and there is a quarters there. Even in Kadavu, it is a very strategic location and we need one in Kadavu. There used to be a Marine Officer there before but he is no longer there. But, if the Committee can assist in that one. Even in Kadavu, it is a very strategic location and we need one in Kadavu. There used to be a Marine Officer there before but he is no longer there. But, if the Committee can assist in that one.</p>

<p>are using <i>bilibili</i> for tourists through Tourism. Does your legislation also capture that?</p> <p>Secondly, How far is the regulation of the safety of crafts that ply the waters, by sail or by manual like the punts, the <i>bilibils</i>?As regards to the fibers that they use outboards, inboards, how far is the regulation applicable, especially those that do <i>silli ka</i>?</p> <p>You have to define what a 'vessel' is.</p>	<p>The 'vessel' is defined, It says there, 'non-propelled or propelled including barge. However, for the pleasure craft, you can be exempted. However, there is a clause that are put into this Ships Registration Decree. When one talks about '<i>bilibili</i>' that should be exempted.</p>
<p>As I said, all these years, you have been fully engaged with the infrastructure but there comes a time those infrastructure the cost will decrease but only the servicing and maintenance you will be doing on a yearly basis as your capital but most of that money will go towards your operation but that will level off or bring about some changes in your bottom line. If we can have that, as part of our presentation. As you said, increasing revenue, but how much so that the Committee can present to government by this year, all their infrastructure have been put in place. It is only the servicing and maintenance and increase in operation but also an increase in your revenue which will make you come up with a bottom line which is plus or profit margin.</p>	<p>We have plans in place, 2016, and 2017 when the reading is going to go down. Because if you look at the lighthouses, we have not finished the projections of the lighthouses. Chair, will know, there are some other locations we need to install. Once we finish with that then only the maintenance and servicing costs will come in. I understand where the Chair is coming in. I think it is 2017 but we will work with the Manager Finance to come up with the projection because we have other offices that we need to set up like in Kadavu and other areas.</p> <p>The Chair will know there are some other locations that we need to install. Once we are finished with that then only the maintenance and servicing cost will come in. I understand where the honourable Chair is coming from. I think it is about 2017 but we will work with the Manager Finance to come up with a projection because we have got other options that we need to set up like in Kadavu. There are no offices in Kadavu and other areas. Whether we come up to a current level that will depend on the projection and the revenue but we will do that for the Committee. When this specialised forum tables it to Parliament you have a holistic report.</p>

5. Ministry of Infrastructure, Works and Transport

Mr. Lui Naisara - Deputy Secretary, Operations

MEMBER	QUESTION	MINISTRY'S RESPONSE
Hon.Jiosefa Dulakiverata	<p>You mentioned that there had been an increase in the number of ships that had been registered which requires, these ships will require to be serviced and repaired somewhere.</p> <p>Is there any plan with MSAF to develop these dry docks to cater for this? Shipping is a very big business now and whether there is any plans to develop this thing. I know that Carpenters has gone into this floating dock thing to arrest the situation because most of the overseas ships cannot get all these things, they have to go somewhere. Otherwise, these big ships, we will have to take them to Papua New Guinea, Australia or New Zealand for servicing which is a very expensive exercise. Looking forward, what is the Government's plan?</p>	<p>In terms of shipbuilding, it really does not come directly under the Maritime Safety Authority, but in terms of the industry in total, yes it's Government's ambition to revive the shipbuilding industry. That is very much in Government's ambition to move forward and revitalise the ship building industry here in Fiji.</p>
Hon.Ratu Kiniviliame Kiliraki	<p>It's mandated to regulate the safety of marine vessels and all other crafts that operate on the sea, including small boats, motorised small boats and other vessels that use sea or river as a source of transportation. As we have heard yesterday, they could not be able to fulfil this to their satisfaction because of the limitations in this service for MSAF to provide these requirements to the islands. My issue this morning is whether the Ministry is in the know-how of this issue?</p>	<p>Yes, we have had some discussions with the Maritime Safety Authority in terms of the delivery of these safety equipment and the accessibility. We are still trying to firm up in the Ministry in regards to enforcements where we would be able to try and use the current mechanism that is out there in the islands, using our Divisional Commissioners and the <i>Roko Tui</i> with the <i>Turaga ni Koro</i>.</p>
<p>Hon.Samuela Vunivalu</p> <p>Follow up comments</p>	<p>My issue this morning is regarding the reduction of fees. As we know that the LTA is one of the departments that is generation revenue in Government. In terms of the vessels, can you just highlight what kind of fees is related to which kind of vessel? So that we can know how much money because we have seen that there is not much money coming from MSAF.</p> <p>Is there any government plan to subsidies all these small engines, outboard engines for these people for the alleviation of poverty in the rural areas?</p> <p>MR. CHAIRMAN.- Mr Deputy Secretary, may I add to the concern that is being raised by the members here is you own a vessel its less than 10 meters. That is the way you work out the fees but then again less than 10 meters it could be for fishing, it could be for transportation like they did in the Rewa River going as a charter boat. But for some of the people it's for</p>	<p>In terms of government subsidy government is not subsidising anything but we are doing it on the franchise alone. But in terms of registration for our small boat of small craft owners in the islands. For vessels less than 10 meters they have a certain reduced fee already it is when you start to go into a business and then you get to pay. But as you have mentioned earlier that in terms of the poverty side of it I believe one owning a vessel or a boat in the village is quite a luxury. It shows the earning capability of an individual so normally some of them also charge a fee to passengers who board those vessels.</p> <p>Thank you Mr. Chairman, your concerns are being taken on board. I agree with that. The determination of a fee should not just be across the board just like a 10 meter minimal.</p>

	<p>their family boat but if the Ministry or the MSAF that is why we had asked yesterday if this Committee can be part of the review of fees. Also if we can take into account the earning capability of the boat owner. Because at the end of the day all these boat owners of 10 meters and below will have to pay the same fee but for me this boat is only for the family because I live in the island. And it is a private boat not for business, it's not for fishing, but if that can be taken into account by the Ministry and MSAF the operation of the boat. Because at the end of the day this guy has to pay, his earning power, where does he get the money from? I think that is the concern that has been raised by our people in the rural areas and our coastal areas. So if that can be taken into account and also the review of fees we have been told yesterday by the Chairman and the CEO there will be a review of fees in terms of all the fees that you charge. But our concern is to be able to see the earning capability of that boat owner is he able to pay? Irrespective if he owns a 10 meter boat above or below 10 meters, but does he have the capacity to pay the fee. If that can be taken into account. I think that is one of the concerns of the Committee.</p>		
Hon.Ratu Kiliraki	Kiniviliame	<p>At MSAF level, this Committee has taken that to note; what is the line Ministry has in place for accommodating so that the compliance is in place by accommodating all your staff all over Fiji? I mean, you cannot enforce safety unless you have your people on the ground to be able to see that they are all compliant.</p>	<p>In terms of MSAF's deployment of its personnel to the whole of Fiji, currently MSAF and the Ministry are working on placing its officers at strategic locations more or less. We have the Labasa Office being identified, we have Savusavu, Taveuni, Nabouwalu. Also there are officers in Natovi. We are moving them to all the places where we have seen that there is an increase of usage of our vessels in the whole of Fiji. So, they would not be everywhere but at strategic locations. We will be taking up leases or even build new offices for them to accommodate our enforcement personnel in the MSAF. MSAF to enforce our <i>turaga-ni-koros</i> and <i>Mata-ni-Tikinas</i> because they are already part of the Government machinery.</p>
Hon. Chair		<p>Deputy Secretary, in 2013 Report the concern here is the bottom line. It is a loss. I would not say a negative profit but the Authority made a loss. You have rightly told us today about the auditing process, the disparity in the auditing process of the Ministry of Infrastructure and also Ministry of Finance. What comes out in the Report as rightly stated by the team yesterday and also reinstated by you today that their process is not to include the Government grant as an income? Whoever reads the report will imply that this Authority is not making money, it is making a loss even though if you add the grant plus the</p>	<p>In terms of what the Ministry is doing, we have had a consultation with the Ministry of Public Enterprises, the Office of the Auditor-General, all our Commercial Statutory Authorities (CSAs) that fall under the Ministry which is more or less the LTA, MSAF, WAF and FRA, together with the MOF.</p> <p>However, we can always go back to Cabinet and ask the PS for Public Enterprises if that decision could be reviewed because the international auditing standard would take some time because it is a standard that has been taken around the world.</p>

	<p>income, it is making a profit. If I am the Deputy Secretary or Minister, I would like to see a report coming in of an Authority under my Ministry, making a loss. As a Ministry, maybe you should make some consultation or negotiation on which auditing process that we should do, so that the books reflect profit not loss. In terms of this auditing process, as the Ministry responsible for MSAF, what is the Ministry doing in terms of this?</p>	
Hon. Jiosefa Dulakiverata	<p>Just one last point, I see a greater part of your budget is salary of your staff. Have you ever thought of outsourcing some of these things, instead of hiring more staff, you outsource these activities to these outlying areas?</p>	<p>Yes, definitely, we have taken on board issues of outsourcing, there are also some places of some certain areas of duties of the Maritime Safety Authority that we would be able to outsource. One of them would be enforcement. That is a very keen component of the MSAF. It is similar to the Lands Transport Authority that enforcement part. But we have looked at other areas too in terms of outsourcing some of the duties in terms of doing training, those are some areas that we have people of competent and maritime skills who are on shore now and who can also take on that same job. So the Ministry and Maritime Safety Authority are looking at that currently.</p>
Hon. Ratu Kiniviliame Kiliraki	<p>The question is, whether there is an income that you derive from all these capital investments from those who use these facilities like the international seafarers whether that is in the component like when you come into Suva port that comes into the jurisdiction of the Ports Authority but still they use your lighthouses as coming into the passages, coming into the harbour, whether there is some income you collect from the use of all these investments.</p>	<p>There is a fee that is been collected, we collect it light dues, that is a fee that each vessel operate - own a place to the authority, I will not be able to give you a figure on that but allow me that I could come back to you on that in terms of the cost structure and the fare structure and all that.</p>

6. Ministry of Lands and Mineral Resources

- (1) Mr. Tevita Boseiwaqa - Permanent Secretary for Lands and Mineral Resources
- (2) Mr. Malakai Finau - Director Mineral Resources
- (3) Mr. William Singh - Assistant Director Lands
- (4) Mr. David Chang - Surveyor General

MEMBER	QUESTION	MINISTRY'S RESPONSE
Hon.Ratu Sela Nanovo	Thank You Mr. Chair. I take this opportunity to thank the PS for Lands for the very wide plan that they have already put in place in trying to improve the work of the department up to now. The question that I want to pose on to them ,with all the plans that you now planning to implement , how far have you gone on this ?. How many percentage have you completed so far and when do you think the whole plan that you have now mapped out will be completed by your department.	All these plans are all divisional plans, is based on that platform. That platform, if you look at our Mission statement, it talks about systems and processors. So we have developed our standard operating procedures and this standard operational procedures, we have tested it or test run for one whole year, then we have revised , and we have complied second one, Now we are going to polish again for the next three months. That is from February to June we are going to come up with our final standard operating procedures. That is the process.
Hon.Ratu Sela Nanovo	Still on that, Mr. Chairman, we do thank them very much for what they have done so far on their resources or the processors that they are going to deal with. Just another question, on that, once the changes come into place, the staff, you must have your relevant staffs on hand and at the same time the staffs must also be given the capacity building in order to address the issues or the processors that are going to come up. How far have you gone in relation to the staff capacity building?	Thank You Hon. Member, first just like others we are working on having our internal capacity building training and we have our sections for example ,Plan Assessment game , they train our staffs and give relevant certificates. We also tap every opportunity for any outside training workshop and conferences that are available we do that too. We are coming up, which we have found very successful, to try and address the death or shortage of Surveyors and Valuation in the country especially the registered ones. We have been trying to encourage them, motivate them to go and do their registration but that has failed so last year we came up with a scheme which we referred to as the Surveyors Valuation Registration Scheme so for this we actually give them leave from their work to do full time on the projects that is required for them so that they could be registered. Instead of going in to the University, along the same line and spend one semester or two so give them three months ,it takes about an average of three months to complete this. For surveyors, I believe there are already three (3) on the verge now of being registered and likewise for valuation so if we continue with this there will be more. That is basically some of the trainings that we have done in terms of capacity building and in addition to that we do make our rounds to the Senior Managers and like the Assistant Director Lands going out to the

		divisions and try to work on some of the weak areas and also from the PS level right down including the Director Mineral Resources. Vinaka.
Hon.Ratu Sela Nanovo	Mr. Chairman, again on training that is very important in organizations like this especially when they are trying to improve the work within their Ministries. With all due respect, I Noted that the two gentleman on the left and right, they might be soon retiring from their jobs, what sort of progressive plans that you have in mind when you put all this into top gear by end of June, surely when your new staffs takes on new roles, you will always have gaps, to fill, who will be the one monitoring them and what sort of training will you apply, will you apply on the job training to them or you send them to other universities?	Thank You. First we have a succession plan in place and we are trying to strictly follow that and it is quite evident today, we are also training them or preparing them through exposure. So you will see that we are not inviting the Direct of Lands here, we are coming with the Assistant Director of Lands, and we are not coming with our Surveyor General so we are coming up with our young officer who is the Assistant Surveyor General. We are basically doing that and exposing them and all of us who are on the verge of retiring all we are doing now is to unload what we know and sued to tell our staffs you have to listen to us otherwise if you don't listen then we have to unload to our cassava patches and so on.
Hon.Ratu Sela Nanovo	I think right now, for civil servant, normally when we enter the civil service during our time, we are given work time right up to 55, we have been hearing that all this time all civil servants are all contracted like the our young gentleman at the back, he is given three years just to be contracted doing that job and end of the three years he might not be extended again the term of his work. What would you do there?	Yes, Hon. member what we are doing is the last thing that we would like to do is to terminate the performance for nonperformance at the end of the third year so we are actually working on monitoring their work very closely, and then counselling to develop them as we move on so that by the end of the third term they will perform to qualify for renewal. We are coming up with the idea that all post will be advertised when the contracts ends. This is a way to inform our staffs that the post they are in is not guaranteed after three years. They know it is going to be advertised. They know that they have to perform. Before coming up with this idea, we have seen in our assessment, that contracts have not been renewed, they just continued, because they are not conscious of this contract. The second one, some continue coming to work when their contract expires. Third, when we give them the form to express their interest to renew or not, most of them are just sitting on it, they are not coming with it. It is the attitude, the mindset and that mindset trickles down, it can reflect their work performance. It is when we come up with this idea we see that mostly, just from the outset, that their attitude begins to change. Not only them, even our Corporate Services. Vinaka.

Hon.Ratu Sela Nanovo	Just on contract basis that the government is now applying to their staffs , don't you think that is the demotivating factor to them , why can't you revert back to the old system whereby they work up to 55 years . By doing that they will be able to get their Housing loan, their car loan, three years contract, they want Housing loans, the banks won't give it to them. They can't pay their loans within three years. Why can't you revert it back to the old system?	Hon. Chair, we are talking about productivity. At the end of the day is Productivity and productive is survival. If we don't come up with old these mechanisms, then our citizens won't survive, our officers won't survive because they will be laying on their lore's complacent , so if they are not productive in the office, it is highly likely too , they are not going to be productive at homes or even in their own villages. We need to have the system in place and it's not for government to change this contract system because it is practiced in the global level, I think it is for men to change their system.
Hon.Ratu Sela Nanovo	What about the PMS system that was in place previously, don't that address that issue you are talking about?	Yes, the PMS system, I think is very related to this contract system. I think it didn't not really work well because we didn't really assess well so that needs capacity building there and the need to be honest by the officers who are doing the assessment, both systems which overlap good because it brings out productivity . But we just have to work on the process and strengthen that process but the whole concept should not be discarded.
Hon.Ratu Sela Nanovo	Just another question on that 10 million government grant that has been approve by the budget last year to assist local iTaukei to develop their land .Is that administered by the Lands Department or not?	No Sir. It is administered by the Ministry of Finance, I believe.
HonRatu Sela Nanovo	Are you also part of that?	No Sir, But we can only facilitate. Especially for those land owners whose land are in the land bank.
Hon.Ratu Kiniviliame Kiliraki	Thank You Chair. Firstly, I want to thank the PS Lands for the informative overview, one request if we could be given hard copies of the presentation this morning. Secondly there is one point I note with much interest is regarding the Land Bank that this is the opportunity for the landowners to lease their own land under the land bank which I have just heard qualifies them for the 10 million. Is that True? That is provided by the government for the land development? If that is true my question whether there is much information that gone out to the native landowners that his opportunity is there for leasing their own land for investment under the land bank? Whether there is much information that has gone to the landowners rather than leasing out to other outside investors whether they can develop their own land and so much awareness	Thank you Hon. member Kiliraki. The first one on awareness, we have an awareness team in the Land Use Division who goes around to two land owners, two categories of land owners. One, those who indicate their interest for their land to be designated in to the land bank, so they respond to that by going there. When they go there, they give all the information all about the Land Bank including the possibility of them developing their own land, that is one. We also use our website to advertise the available land and that does not stop any other land owner apart from applying that piece of land to develop .What we are looking at here is capability, one of the main assessment criteria is capability. Whether you are capable to develop the land or not because that is consistent with the intention with the objective of the Land Use Decree for the idle land to be utilized or to be developed. That is linked to your next question whether the landowners

	<p>that should be given the opportunity for the landowners specially as the purpose of this sort of meeting with the land owners can go into business as such to improve the live hood at the village level. The second one is there any native landowner has gone into leasing their own land under this provision under the land bank whether any landowner that has taken this initiative or that provision in regard to this land bank and whether you have provisions for the land owners especially in helping them to go into this way to invest in their own land and develop it into business purposes. Those are generally my questions. It is very general question. I hope that you can go beyond that so that we could be enlighten. Perhaps go to the country to the landowners and try to give this opening as an opportunity to develop their own land rather than being lease recipients which is a very negative way of investing because there is so much opportunity for them to develop their one land.</p>	<p>can lease their own land. We have a case where a land owner who has shown interest in designating their land to the land bank with a condition that they lease the land. But again we have to at their capability. So in other words the land owner can lease their own land but the main criteria is capability to achieve the objectives of the Land Use Decree. Maybe Sir, I have answered your question?</p>
<p>Hon.Ratu Kiniviliame Kiliraki</p>	<p>It is the capability whether in terms of financial capability or whether you have capability to develop it by joining with other investors as your partners.</p>	<p>Yes. The capability can be in many forms. It can be just in terms of Finance, it can be in terms with partnership, it can be in terms of just farming the land through the landowners themselves .They have the capability to do that with minimum capital input. It will be dealt with on a case by case basis.</p>
<p>HonRatu Kiniviliame Kiliraki</p>	<p>I am just raising this because so many investors coming in for our hotel industry. Those that have beautiful beaches at the village. Most of them just lease it just for the sake of being offered some premium payments but there is bigger opportunity for them to lease the land with some partners and be joint ventures so that they have the capacity to earn money while at the same time they are earning the lease. I mean there is an opening for us that we may be able to see lot the people to go beyond that rather than being the lease recipients because that is the kind of passive mindset that needs to be dealt with at the village level. That was just a comment.</p>	<p>Just to add on that. One is to develop the land .It might require a big capital. We are also promoting now is what we called the Bakewa Approach. You leas this land designated under the land bank and you have this big project. Beside that designated land, you still have the native land, so you take the Bakewa Approach. What can you do so that you can get some benefit from that development? I am referring to mainly to tourism development here. They have a big hotel here, why can't they have a Hangout, a tourist hangout because tourist they come in after one week they suffer from this so called tourist fatigue. They want to move out of the hotel and enjoy the natural environment. So that is how we can also what we have been promoting that native landowners whose lands is in the land bank, can get benefits because they don't really have the capital for the major</p>

Hon.Ratu Kiniviliame Kiliraki	I have another question to Director of Mineral Resources. Just in regards to gravel licenses, the soap stones from the Waimanu pit. I am from that area. For the grave there are two licenses, being the issuer of the licenses, from the native lands as well as from the department of Mineral Resources. Am I correct?	Yes .May I ask the Assistant Director of Lands to answer that question. MR .WILLIAM SINGH – Thank You, Chair. The gravel licenses within the rivers and streams is issued by the Director of Lands. Also some gravel deposits on the dry land and if they within the native lands, then the iTaukei Trust Board issues the licenses. But all the licenses, within the rivers and streams are issued by the Director of Lands. Thank You.
Hon.Ratu Sela Nanovo	Still on that Mr. Chairman, what is the rate? Have you reviewed the rate to those gravel up to now or you are still using the old rate, I think in Kadavu, two years back, they were complaining about the grave rate?	MR .WILLIAM SINGH – We are still using the old rate of \$2. 00 per cubic meter.
Hon.Ratu Sela Nanovo	It is time to review the rates	Hon. members. On the review we have just got an information or memorandum from the Ministry of Finance that they are going to review fees and charges.
Hon.Ratu Kiniviliame Kiliraki	Mr. Chair, still on the gravel licenses, I am talking from the ground because we have one license that is issued by the native land at the Waimanu pit. There is another that was being issued from the Department of Mineral Resources. We pay the royalty to NLTB, I am not aware whether those who have access to your license provisions are paying theirs because we pay directly the royalties. What is the requirement from the department of Mineral Resources for the payment of the royalties to the landowners? This is one concern that we have.	MR .WILLIAM SINGH – Thank you. For the payment of the royalties, the licensee pay us the \$2.00 cubic meter, and the one for the fishing right owners, the Department pay to the iTaukei Lands and the Fisheries Commission. Based upon the waiver forms that are given to us, prior to us giving the gravel license.
Hon.Ratu Kiniviliame Kiliraki Hon.Ratu Kiniviliame Kiliraki	That is being done by the licenses holder. I think we should review because we have been paying royalties to NLTB whilst we hold the license for the Waimanu pit. It is being going through the NLTB all the time.	MR. WILLIAM SINGH – The licensee pays the royalty to the Director of Lands, the \$2.00 per cubic meter. From the \$2.00 per cubic meter, \$0.50 c per cubic meter goes to the Fishing Rights Owners. That is the money that is transferred to the iTaukei Land and Fisheries Commission. MR. WILLIAM SINGH – Is the Waimanu pit on a dry land or inside the river?
Hon.Ratu Kiniviliame Kiliraki	From the river.	MR. WILLIAM SINGH – ok we will have to look into it.

Hon.Ratu Kiniviliame Kiliraki	<p>It has been like that from years. This going through obtaining licenses from the Native Land, NLTB and paying royalties to Native Lands we pay \$5.00 per cubic meter.</p> <p>It is good for the landowners because that money comes to the land owners rather than to NLC.</p>	<p>MR. WILLIAM SINGH- for the licenses issued by the Native Lands TRUST Board is more than ours.</p> <p>We have the approval from the Ministry of Finance to do the review this year.</p>
Hon .Chair	<p>\$ 2.00 per cubic meter gravel from the river and \$0.50c cubic meter go to the iTaukei Land and Fisheries Commission.</p>	
Hon.Ratu Kiniviliame Kiliraki	<p>We'd rather stay with NLTB, because they pay \$5.00 so the cartage that we have on contract for taking the gravel, they pay us \$5.00 cubic meter which is better for us because the money come direct to us rather than to NLC. We have all those trustees, this goes direct to the bank account. Probably reviewed it more to the landowners rather having paying \$0.50c, especially we have established our projects. At least that value has gone down because that is the main source of revenue as a small business enterprise for the yavusa. If any review of that royalty downwards it will held as for us we use that money for our education scholarships and all that. The vanua obligation that we do a lot from that money. We are very confused because of the duplication of the issue of licenses and we keep trace of those who have licenses for the Waimanu, going through the Ministry of Lands, there is no money coming in because it is going to NLC. We do not have any account with NLC.</p>	<p>May I throw some light into this discussion for further discussions. First on the review, we understand when we review, the fees can go up and it can go down. There is another benefit that is coming up now for the gravel extraction for flood mitigation to control floods. That might lead to the reduction. It is just the food for thought. The comment from honourable Nanovo, saying it can only go up. So what I am suggesting here, it can go up and it can also go down because of that factor. Now the second one, it's a big challenge when two institutions giving license for gravel, TLTB and Ministry of Lands. We have made a submission to Solicitor General's office for clarification on this and we have given them the ground on which we seek their legal opinion on and hopefully once that comes on board, that will sort out the challenge that we are currently facing on the dual administration of gravel and sand. Vinaka</p>
Hon. Chair	<p>For TLTB, the rate of gravel extraction, how much are they paying for?</p>	<p>MR. WILLIAM SINGH – I am just relaying on Hon. Kiliraki's \$5.00 fee</p>

<p>Hon.Ratu Kiniviliame Kiliraki</p> <p>Follow up comments</p>	<p>Yes, we are paying for \$5.00 cubic meter. As from this year, they have said this has gone up to about \$6.50. But we still levying the current contractor at \$5.00 so we've been associated with this gravel licenses for three (3) years. It is gone back far.</p> <p>MR. CHAIR –I think this is the aim for us meeting. How we better the services. The price in the market is really high. The \$2.00 per cubic meter, only \$0.50c you are getting to the Land Owners and \$1.50 is going to your pocket.</p> <p>HON. RO KINI KILIRAKI – The cost of gravel is not much, only for those buying gravel is the cartage. The payment of transport to transport from Waimanu to the other side of Suva that cost \$200.00. The gravel is not so much cost per cubic meter, but then the contractor has its cart too but most of its cart is on the transportation of that gravel. So that is why the cost of gravel is so high because of the cartage, how far you from the pit. That is the cost.</p>	<p>Just a comment on that statement, Lands is not only giving licenses on state lands whether it is on rivers. We have the Rivers and Streams Act where the rivers is owned by the Government. That is where we are coming from and I think TLTB is also relying on its act, Native Lands Act. Even if it is on the adjacent land is native, we can give licenses because the river, under the State Land Act or the Crown Land Act is owned by the Crown by the State.</p> <p>Hon. Chair, the way I see it here, the main issue is the inconsistency between these two laws, if we harmonize it, then it will come up with standards.</p>
<p>Hon.Ratu Sela Nanovo</p>	<p>One more question, Mr. Chairman, I think we are fortunate this morning that the Lands Department is here and they are talking much about Land, Development all those. One of the main crux of our matter this, morning, is to see how can the owners of the resources be further assisted and we are happy to note that also one of their roles is to do Valuation of land that wants to be put in to development purposes for Tourism etc. Can you do that? Can the Lands Department do that? Do the land owners have to pay for that service?</p>	<p>Under the Ministry of Lands its main purpose is to value state lands and also the native land that is leased by the state. That is basically. Sometimes when there is a request from the municipal councils, then we attend to that and they pay.</p>

<p>Hon.Ratu Sela Nanovo</p>	<p>Which means that if a land is going to be valued by you people, they have to pay for the fees?</p>	<p>MR. WILLIAM SINGH – Thank You. The valuers in the Lands Department they do what we called the Statutory Valuations. The leases of state land, the valuation is done under State Lands Act. For land that is acquired by the government, it is done by the State Acquisition of Lands Act. For the lands that are leased by government from the TLTB, the valuations are done under the Native Land Trust Act. The rate valuations are done under the Local Government Act. So the core function of the government valuers are to do what we called the Statutory Valuation that is the Valuation that is done under the law. Valuation that you are requesting, is for the investment officers, we don't do that in government, this Valuations need to be done by the private valuers. Thank You.</p> <p>PS-But for the land owners, we have valuers, we have the valuation unit under the land bank. They are value that land which is designated, only the designated which means it's legally recognized that it's in the land bank.</p>
<p>Hon.Ratu Kiniviliame Kiliraki</p>	<p>I have another question, I think we are very disadvantaged because of lack of information as far as the landowners are concerned. Especially in regard to their natural resources, valuation of their natural resources untapped, like I am seeing in my area in the Waimanu. There is a quarry that is being, it was an old quarry adjacent before in the 50s and 60s. Then there is another one I heard that is going to be in Lami in Qauia area for quarry also. One to be at the back of ColoiSuva. This is not confirmed confirmation as far as the landowners are concerned. Even mineral deposits that we just hear that there was exploration and gold deposits up in the Waimanu hills that overlaps to the landowners from Waidina. So are general information that need to be available to the land owners so that they make informed decisions in regards to their land. That is the strengthen for them, knowing that they have assets to certain value that needs to be developed so that they can form committee and access human resources because we have them available from their people. That they can plan for advancement, going into business and joint ventures as I had mentioned, whether this sort of information can be availed to the landowners from your department?</p>	<p>Thank You Sir. May I ask the Director Mineral Resources, perhaps he can just give a quick over view on mining and linking it to your question, Sir.</p> <p>MR MALAKAI FINAU - Vinaka Mr. Chair, Hon, Kiliraki. I think maybe I should confine myself to Quarrying. Firstly, just an overview of the licensing system, what happens is TLTB and Lands Departments are issuing the licenses for quarrying. Then the Mineral Resources come in later for the activity because quarrying is like excavation, it's like the mining activity but it is not considered mining. That is also where the grey areas are and also poses some problems maybe I could leave it for the committee to decide on that, but for the landowners, as you mentioned that there is disadvantage by lack of information, I think one the TLTB are the representatives of the landowners and I think that should be there first stop and then again our office, the Ministry and the Mineral Resources Department is always open for landowners should they need information on rock resources, mineral deposits as you mentioned. In that I would just like to link it to rock resources as a natural resources which the department administers but does not regulate because the rock belongs to the landowner. If it is state, the licenses are given by the Lands department .If it is on the native lands, it is given by TLTB. Thank You.</p>

Hon.Ratu Kiniviliame Kiliraki	Will we be able to access information if we request information in regards to this deposits and their value too, volume and all that, whether it is available also.	MR MALAKAI FINAU – Yes, Hon Kiliraki we have done that to some native landowners where we have been asked to conduct some survey and mapping for the rocks resources that they have.
Hon.Ratu Kiniviliame Kiliraki	And the costs do you have to bear the costs or the landowners?	MR MALAKAI FINAU – It is sometimes we charge a quotation, a fee, given that is a commercial venture. Unlike other natural resource which we also administer for example, Ground Waters Resources, we have heard the Hon. Chair mentioning about mineral water that comes under the Ground Water Resources as a natural resource which we administer and develop. If it is used for water supply, that's for the community good but if it is for commercial exploitation, that is when we charge a fee, a quotation just cover our costs because we are not a business, we are an arm of government sometimes we charge a small fee to cover our costs.
Hon.Ratu Kiniviliame Kiliraki	What I mean is, that is another step forward for going to commercial purposes, before for the general information for the landowners, that is what I was getting at, rather than taking the step further to go into commercial. I was just saying for the general information for the landowners at least they know what they own as landowners.	MR MALAKAI FINAU – I think we have done it for some landowners as part of our services.Mr. Chair, the information that we have, we hold in trust for the clients we don't share it with others.
Hon. Alivereti Nabulivou	Mr. Chair, I would to thank the Permanent Secretary and his team. I am thankful for all the submissions today on Natural Resources. Only one question about state land for the agricultural developments. I was looking at the paper in the last two days in the plane on my way back to Nadi, the Fiji Sun. The advertisement, I think PS will know if this information about the agriculture land in Muaniweni, all those areas for development purposes. What is the process, how long, the time frame, and the timeline of all this processing? A lot of people, you know very well have been evicted from Labasa. They are living around here in Navua, Nadroga. Some were very successful farmers especially in Muaniweni. I thought they came to me, looking for those land. But the process, how long it takes for the process and can you give me the time frame or the timeline of the processing to enable this farmers to utilize the land as you have already mentioned. Thank You Mr. Chairman.	Hon. Chair, you will note that we have been working on our SOP's and we have time line now in place which we can review but to answer that question I will ask the Assistant Director Lands to come up with the response. Thank You. Right now, when we advertise the land, the advertisement is open for 30 days. After 30 days it takes, approximately one more month before it is finalized. But the finalizing of the applicants, depend on how many applicants apply and then how many of them qualify for interviews. We have to give them at least two to three weeks' notice of the interview. This is the timeline that prolongs the process. We are reviewing each step in the process and see where we can make the times a bit shorter. Thank You.
Hon. Alivereti Nabulivou	Another question, on those farmers who really need the land, you look at the application, you said you are going to process the application, based on the past progress, you can rely on that	MR. WILLIAM SINGH – Previously only the staffs from the Lands department were involved in this process. Since we have got our SOP's in place now, the officers from the Commissioner's office plus the

	application for approval? The support from the Agriculture and Development Bank, say for example.	Agriculture department will be in the interview panel. In Lands we got very limited technical knowledge on agriculture that is why we need somebody from the Agriculture department to be with us in the interview so they ask the technical questions. Thank You.
Hon.Ratu Sela Nanovo	Just the last question from my side, Mr. Chairman. I do thank the Ministry for planning to kick off their program by June this year. Just one question, by doing that you will be also decentralizing the powers to all your divisional centers throughout out Fiji or just centralizing the powers from here.	Hon Chair, we have been decentralizing the authority specially the authority by the Director Lands. But very important we have to look at the capability of those who are going to exercise these powers and when we look at the capability, then we determine the powers that needs to be delegated. Just lately the Director Lands has delegated her powers on approval, giving consent for water and electricity. As we move we are going to look at other powers so very much depend on the capability of our staffs and we are working on them and then we will start decentralizing these authority.
HonRatu Kiniviliame Kiliraki	I have one last question. You mentioned that you administer schedule A and scheduled B, can you enlighten us more on the processors from where you start and where you end in the processing of schedule A and schedule B?	Honourable member for the reversion of schedule A and schedule B, from our record there is a total of 3,343 partials of land to be reverted and out of this we have 1,503, \$1,436 as leases that schedule A and 67 schedule B. We have been working with TLTB on this reversion so far we have reverted 234. That is the actual files going, but the leases, the land has been transferred, the administration in short has been transferred There some leases we also pay to TLTB that we have for these land we have transferred that to TLTB. There is a unit who are actually working on this. So that is basically the overview, if you would like then we can give detail brief on this. I have the brief here with me.
Hon.Ratu Kiniviliame Kiliraki	Thank You. I have particular mention of that, in regards to Nadarivatu any progress on Nadarivatu that was reverted back to the landowners and whether that has been taken care off.	This is regarding the Nadala land, NG 1. Tis land has been approved by cabinet to be reverted as you have mentioned Hon. member. Al what we need to do now is to do the survey and I believe at that time there must be some disputes over the boundaries. Our position to safeguard the welfare of our surveyors or our field officers whenever there is a dispute and for the relevant institutions like NLC or TLTB to sort the dispute out before we move in again , so that delays this process.
Hon.Ratu Kiniviliame Kiliraki	Otherwise it is all ok except the survey. After the survey?	After the survey then we will do the proclamation. We have, generally we have two main categories of reversion here. One is just the reversion of the native land. Some were acquired by the state for public purpose. The reversion of the schedule A and schedule B that

		is more or less capture under the Act. It was during the Land Claims Tribunal, some land were not claimed hence it came under the custodian of government. Some were believed to extinct, you know some landowners that too is under the custodian of the state. Then it was decided by that government to revert this to the landowners. That is the second category that we are talking about. Nadala is in the first category which is the reverting of the state land. Vinaka.
Hon. Alivereti Nabulivou	I would like to ask the Director for Mineral resource about the mines, how many mines is in operation now and how many licenses. You are talking about the mines. Thank You, Mr. Chairman.	MR. MALAKAI FINAU – Thank You, Hon Chair. For operating Mines, we have our oldest Vatukoula Mine, then we have the Mining leases. There is the Wainivesi Gold Mine in Tailevu. There is the Nawailevu Bauxite Mine in Vanualevu. Then the Ba Delta Mining Lease. There are 4 leases that had been granted. There is another category of mining lease but is much smaller. It is a permit to mine that was granted for Nasaucoko in the Navosa for the manganese. For Namosi they are in the exploration stage, they have not reached the mining stage so they are still exploring. The process of renewal, the time for renewal. It usually takes about between one to two months but it depends on the submission of information form the company. Sometimes it's incomplete, so that take long and also if there are issues to be dealt with that can also make it longer.
Hon.Ratu Sela Nanovo	Still on mining, Mr. Chairman. I just to know on the progress of two mineral exploration licenses for Kadavu. One for Solodamu and one for Kadavu Koro. What is the status?	MR. MALAKAI FINAU – Thank You. They are also some prospective areas in Kadavu as you have mentioned, Solodamu and Kadavu Koro and also in the areas in Nakaseleka including Ono islands, some areas there. For Kadavu Koro and Solodamu, I believe there are still current prospecting. Sometimes it depend on their work program. For example, the licenses was held by one company, AUK Mines Ltd which also has other prospects in Viti Levu, throughout the year they share their human resources on this prospects.
Hon.Ratu Kiniviliame Kiliraki	I did not hear anything about the oil prospects of Fiji. Whether that comes under your department	MR. MALAKAI FINAU – Thank You Hon, Kiliraki. If I may mention a brief about the natural resources that we have. There are three main categories of Natural Resources that we manage and we are responsible for as according to the correspondence that we received. So under minerals comes Petroleum which include oil and gas and also geothermal resources- the heat from the rocks which can be used for source of energy and other uses. The second category is Water, comes under our

		<p>responsibility some water resources as you know, we have service water and we ground water. Ground water resources is where you use bore holes to access them and this the preferred source of most mineral water companies that we have in Fiji. For example Fiji Water has made it very very popular. It is with us because it is under the rocks. We have the expertise for it, and also rock resources which are used for quarrying and other users. Rock resources which are not, because there are some rocks are considered as minerals some are not and also rock resources. Those are the three natural resources that we administer and which we are responsible for</p>
<p>Hon.Ratu Kiniviliame Kiliraki</p> <p>Follow up comments</p>	<p>Who administers soap stones excavation? A lot of refill in the land. They are taking a lot of soap stones form our areas. They damage the environment.</p> <p>There is particular interest because some of the soap stones are really not soft or soft rock.</p> <p>It is right on those boarder areas whether it is under the native land because it comes under the land or whether you take it on board to administer that for the benefit for the landowners. Our concern that the department has, some of these operator do not excavate it properly do not sort of remove it properly and it can cause serious damage to the environment, to the rivers, to the creeks nearby which the landowners depend on for their survival. This is one concern from the department and it lies with this two giving the</p>	<p>MR. MALAKAI FINAU – it depends on where the soap stone is .if it is on native lands, then it comes under the TLTB. If it is on state land then it comes under the Lands Department. This is agencies, the Lands and the TLTB, they give the licenses or the approval because soap stone is a common rock, it is classified as a land whereas minerals it's owned by the state. But the activity is mining. That is also where we come in after the granting of the licensing then we give the approval for the quarrying operations to use. Once they begin to use a screening and crushing equipment's and if they use explosives, this is where we come in. We do not have the power have the power to stop them because we don't give the licenses. This is what I sort of alluded to earlier. The licensing is like that. So the Lands or the TLTB gives, but the activity we sort of have the technical expertise. That is why they call us to come and see where they store their explosives. If they are going to drill and blast, if they are just going to excavate, the determination of the resources.</p> <p>Yes, they are quiet hard, Hon.Kiliraki, what we called the soap stone, some called it soft stone , some called it soap stone, but we have a geological name for it which is the MAO.</p> <p>Just a food for thought, Hon.Chair, We have been talking about monitoring compliance. One of the main challenges facing our Ministry and I believe other Ministries that have Natural Resources, is the Monitoring. Ensuring that the guidelines are followed. But we don't have enough resources to do that. Maybe the thought of having a trust fund for these developers or investors so that they can be accessed by the different Ministries especially we when we work together with environment etc. to monitor on the ground. Just food for thought.Vinaka. Perhaps an interesting one is on</p>

	<p>licenses but for the technical expertise is they don't have the expertise for the activity. Probably if it could be done in such a way where it can be environmentally friendly and also maybe more benefit as it we had talked earlier on how to increase the benefit to the landowners in terms of the royalties. Thank You.</p>	<p>sand. Maybe the Director Mineral can just give some light on the different types of sand that we have.</p> <p>MR. MALAKAI FINAU –Thank You Hon. Chair and Hon.members. For us for Natural Resources there are two types which are concerned with. Sand with no minerals and because we have sand which contains minerals, for example, the Mining Lease that we have granted to the company, AMEX for the Ba delta that involves mining the sand on the Ba delta. But then there are other sand which does not have any minerals like the common rocks like soap stones that we have discussed and other rocks that are used for quarry materials. But for us our concern for its safe extraction, sand uses materials. Some sand are protected, for example the sand dunes of Sigatoka and there has also been interest because it does contain some minerals and there is a concerned of the shortage of the sand to be used for the construction industry. I believe there are royalties as well for both this sand and their rates are different as well as given by TLTB and has given by the Lands department.</p>
<p>Hon.Ratu Sela Nanovo</p>	<p>Still on that, Mr. Chairman, How do you apply that principal to the Bauxite Mining in Bua? What are the minerals extracted from there?</p>	<p>MR. MALAKAI FINAU – Thank You, Hon. Nanovo. What they are removing from Bua is a mineral it's Bauxite. It looks very much red soil. But it is Bauxite. There is a different chemical composition of normal soil and Bauxite. But the looks is very very similar and that is why people confuse it for removal of soil. There was concern form the people of Bua initially that soil has been removed rather than Bauxite. Thank You.</p>
	<p>MR. CHAIR – Vinaka PS and members of the team. I would again thank the Ministry and the Department for availing yourselves today for the Natural Resource Committee to be able to hear from you. You understand this Committee is as I said from the beginning we are here to brief parliament and this is the committee that we will consult and look at the issues first, information issues before presenting the report to parliament. Thank You for your presentation today. But I would request some of this to be given to us in writing. How many exploration licenses in respective of other minerals and the area .How many mining licenses that has been approved and the mining licenses in the process and how many expected licenses in whatever types of minerals. These are statics</p>	

	in nature which will assist this committee in compiling its report to parliament.	
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7. Ministry of Local Government, Housing and Environment

- 2) Mr. Samuela Namosimalua - Permanent Secretary
- 2) Mr. Selevasio Tagivuni - Principal Environment Officer
- 3) Mr. Alipate Mataivilia - Senior Economic Planning Officer
- 4) Ms. Eleni Tokaduadua - Principal Environment Officer
- 5) Ms. Losana Rokotuibau - Director of Town and Country

MEMBER	QUESTION	MINISTRY'S RESPONSE
Hon. Alivereti Nabulivou	Mr. Chairman, just want to ask them about the Environment Act. A development is to be done, what process do you have to follow? Any Act on that or before or after the development?	MS. E. TOKADUADUA. – Mr. Chairman, for any development, the application should be included with the documents that outlines what is on the side, what is being proposed and what might be effected upon the Community. It is a requirement before the development can take place it requires a permit. Like I have mentioned that laws is only applicable at the moment for all areas except the village reserves.
Hon. Alivereti Nabulivou Hon.Ratu S Nanovo	I am talking about Hotel Development Foreshore. Any report needs there before or after the development? There are two issues there. Mr. Chairman still on EIA, why was the development at Raiwai that big development near Garden City, was the year carried out first before the development started? Or what is the hold up now?	MS. E. TOKADUADUA. – Before Sir. MS. E. TOKADUADUA. – An EIA is carried out before a Land Recognition is done. Land Recognition is an approval granted by the Minister for Lands. The Director of Town and Country Planning comes in terms of Zoning, jurisdiction on foreshore, the Director does have not have any rights to it until it is reclaimed then Town Planning can come in.

<p>Hon. Alivereti Nabulivou</p>	<p>Mr. Chairman one more question. I am talking about Vunidawa it will be a town soon. What procedure have to be followed to enable the process to carry on.</p>	<p>MS. E. TOKADUADUA. – Thank you Mr. Chairman. In order for a place to be declared as a town there is submission made to the Minister for Local Government under Section 5 of the Local Government Act. The declaration of the Town has to first submission from the people that they would like to be governed or at least governed themselves because it will be now a transfer of government, at the moment it is under Central Government. When it shifts to Local Government the Community or Representatives are telling the Central Government we are at the position to govern ourselves. So they first make their submissions, the Minister looks at the submissions, and he makes appointment of the Local Government Committee who will first carry out consultation before it makes its recommendation to the Minister whether they do qualify.</p>
<p>Hon.Ratu S Nanovo</p>	<p>Mr. Chairman in one of our earlier sitting in Parliament I think towards the end of last year whereby the Minister of Local Government promised us that the Local Government will soon be having a Municipal Council Election and later on he changed his tune again and when we asked him why he was saying that the Act regulating to that has been reviewed by the Ministry concerned. Can you just advise us the team from the Ministry when will that review be completed, regarding the Local Government Act in order for the Municipality Election to be carried out again.</p>	<p>Mr. Chairman, on the issue of the review of the Local Government Act just last month, the Minister appointed the Local Government Committee. The Local Government Committee will be responsible for setting the timeline and also but to take us back a little, there was a Committee sat by Government way back in 2008 that did review on the whole Local Government and they produced the Report so this Local Government Committee that has just recently been formed will be going through the recommendations as I understand it, on the implementation of this recommendations then they will set the timeline. It will be set by the Local Government Committee in line with the recommendation, there are some 30 something short term and there are some medium term as well as some long term recommendations.</p>
<p>Hon.Ratu Kiniviliame Kiliraki</p>	<p>Mr. Chairman, in regards to the protected areas or areas that are reserved for Catchment purposes I referred to Savura Catchment including Colo-I-Suva which I know especially for the Savura Pumping Station as well as Kalabu which I know have been decommissioned. As far as the source of water is from the Waimanu River the moment where there are two pumping stations including the Rewa which services the Suva Area. My question is, whether there has been a update or another assessment to this regards especially in the interest of landowners as far as those areas are concerned and you know Suva is developing and going into areas including the Sawani, Suva, and Nausori Corridor and representing the landowners from the area especially the economic values of the landowners in regards to this lands. Whether that is in your portfolio to have an assessment especially now Colo-I-Suva has gone back to</p>	<p>MS. E. TOKADUADUA. – I thank the honorable Member for those questions. Mr. Chairman, I am hearing a number of things, so if I may speak out issue by issue with regards to Mahogany plantation we are aware that the Department of Forestry is the relevant authority that is mandated to look at forest cover within Fiji. However the Mahogany Decree may not see the role of Department of Forestry effective in terms of Monitoring Mahogany Plantations. I think that question may best be addressed by the conservator of Forest. In terms of Catchment Areas, that are acting as water sources to Savura and all the other water dams, the Department has yet to receive proposals or studies. We have been part of the discussions towards having feasibility studies to be done especially with regards to Catchment Areas. However, we have not received some of this proposals, the only proposals that may have come into our hands is the one relating to Sovi Basin which is potentially being looked at to provide water services to the whole Suva, Nausori Corridor.</p>

	<p>being a reserved area after a while especially the Mahogany Plantations that has been there in place whether it is in your jurisdiction.</p> <p>To be able to make an assessment in favor or in a situation where the landowners can make a proper assessment of them that was in the beginning for a different purpose in the 50's, 60's and now it has different purpose all together for the Economic Development of the Nation. My question is, is that whether you are in a position to make proper assessment and be able for this assessment the possibility of the landowners having being accommodated for Economic Compensation or whatever and secondly for the RED-Plus for environment and carbon plus that we have heard so much in the Country or as a global phenomenon. What is the position of your Ministry in those regards I have been speaking on in a more general area and I hope you understand where I am coming from. Just for general information.</p>	<p>That is the only proposal that has come through the Department. The others has mentioned by the honorable Member for Rewa and the other Water Sources that are being highlighted by Government we have yet to receive technical reports but I am aware that our staff are part of the some discussions and certainly our area of interest should have been taken up during those discussion.</p> <p>In terms of RED-Plus in accessing Carbon Stock, again this is the responsibility and the mandate of the Ministry of Forest. Specifically the conservator of Forest maybe in a better position to respond to that. We do come in terms of ensuring that our obligations to this Conventions are guided but when it comes to the technical expertise it is the Department of Forestry that is offering that.</p>
<p>Hon. Ratu Kiniviliame Kiliraki</p>	<p>Just about Sovi Basin, I came from that area and with the Sovi Basin we were told about the redevelopment on the same spot. First of all, the National Trust conserve the area of Sovi Basin and second what is your opinion on what do you think about the area in regards to development? My village down there the development spot is up there.</p> <p>I just want you to ask the Environment, in thinking wise, what do you think about that area? There is a proposal been done by Government, we do not want to know what they have done, but conservation is better than anything else. If it is three developments in one place make sure that everything is in to safe guard the people down there as well as the rest of the villages in the Rewa River, Navuso and Sawani.</p>	<p>MS. E. TOKADUADUA. – Mr. Chairman, the Department of Environment is aware that there is currently a 99 yet conservation lease facilitated and currently managed and administered by National Trust and Conservation International. This is such an important area of Conservation because of the bio-diversity within. There is something that is unique within the whole region and it is also being piloted not really piloted but is reflected as only successful protected areas system within the region, within this Pacific Region. Given that scenario on the ground, the Department greatly values the decisions coming from the 9 mataqalis that are already part of that lease arrangement. So again we also do recognize the importance of the resource owners to be well informed and to make informed decisions before they give up their land. That is where we come in and because we do value the social aspects and definitely your village and the other villages, the surrounding villages will be impact.</p> <p>We have been discussing with Conservation and Conservation International and National Trust, they are also important partners in conservation. We have also been part of the Government Development discussions towards that area, however we have yet to make a decision on the plan. I think there has been some request for additional technical information to what we had initially requested or received that is something that is still an ongoing discussion around that issue.</p>

Hon. Alivereti Nabulivou	On the boundary, as the Chairman of the Provincial Council I would just like to know about the issue on that MJV. They have a development environment officer, so what is taking so long for them to submit their report. That is all the same spot? Moving from Sovi Basin to the boundary of that MJV on the boarder?	MS. E. TOKADUADUA. – That area is being year marked for depositary of that mining tailings. I am sorry honorable Members to this point in time I am not so well versed with the current discussions around that area, but all I can say is that we haven't made a decision. It has been identified under the EIA in terms of reference that we have been provided to MJV and they have come with the EIA. There may have been still some issue with the resource owners on the area especially because the two villages whose land part of the proposed site they are also part of the 99 Year Lease Agreement. We need to deal with those issues first and get them to either not be part of the 99 Year Lease, and that to me is the main contentions issues that we need to solve out.
Hon. Alivereti Nabulivou	About Squatter Settlement, about the resettling of squatters the relocation to another place. Say for example in Vatuwaqa the squatter settlement in Manuku Street and Veidogo, I am trying to liaise with your Ministry what does the Ministry of Town and Country Planning or whatever Ministry is possible to relocate those squatters into another area for the industrial sub-division in that area because Bhindi K Brothers Limited is trying get a hotel maybe somewhere there	MR. S. NAMOSIMALUA. – Thank you Mr. Chairman. At this stage there is a period given by the Bhindi Brothers in which the squatters a few years can resign and so the Ministry is at this stage working on to getting the public utilities for this residence. The next move will be as you have already mentioned, for them to be relocated because of the development that the Bhindi Brothers would like to do. In that case we will have to be liaising with Land Department on the availability of land which is something of a challenge in particular for the Housing Department in regards to the relocation of the squatter and the developments that takes place. But at this stage the priority now is to get in the utilities to be able to cater for them within the period that is given by the Bhindi Brothers. Vinaka.

8. Ministry of iTaukei Affairs

- (1) Mr. Savenaca Kaunisela - Permanent Secretary for iTaukei Affairs
(2) Ms. Marylyn Korovusere - An Official

Member	Question	Ministry's Response
Hon. Ratu Kiniviliame Kiliraki	How far has the Ministry gone into protecting this assets as far as copyrights is concerned?	In as far as the action on the traditional knowledge, Culture and Arts, I have already mention our effort in our cultural making exercise we have doing around the country. The information we have gathered from around the country, have been stored with us at Headquarters and it is gathered through village consultations. We go through every village around the country to gather what is special to them in as far as all the artifacts including chants and sites and so forth including handicrafts. From the stories that we have gathered, we have a staff that go out to the villages. They come back and they describe all those stories which are stored in our computerized system. But the information is made available to the owners at this point in time. We have two phases that we are actually doing right now: One is the Collision phase and the next one we are going

		<p>to do is the Verification phase. Currently we are doing that together at the same time because we noted that most of the gate keepers or those who have the information or provide information earlier on most of them have passed on and we are trying to quickly go back and verify all those. Now in as far as the marketing part, the Ministry of iTaukei Affairs had already prepared a decree what we call the TKEC, Traditional Knowledge and Expression of Culture which was a decree which is still now vetted by the Solicitor General's Office. In that particular part of the Legislations that we have already submitted, it covered well most of the areas in terms of protecting and promoting our traditional knowledge including the commercialization of all our traditional knowledge within the iTaukei. Should that come up soon, honourable members, it will be a milestone for the iTaukei because it also covers the benefits that should be proved to the iTaukei in case our traditional knowledge is commercialized. It is in that particular legislation, we are waiting for it.</p>
<p>Hon.Ratu Sela Nanovo</p>	<p>There is so many people coming from our rural areas to urban areas. With that they are creating lot of squatter settlements in the urban areas.</p> <p>What is the Ministry doing in relation to this in regards to the form. One is the village by laws that was supposed to be set up number of years back. Secondly is the village boundaries, how far have you gone on the land and when are you thinking of finalizing that? Thirdly since the iTaukei have so many resources both land and sea resources, if you can just advise the committee this morning. There is a lot of interpretations in making awareness to the iTaukei people in regards to the fact of the Surfing decree. But now it is beginning to change. They just go first and see this area or after visiting those areas then they come to the village to present their sevusevu. Why is that change?</p>	<p>Village boundary – the Ministry since 2012 had been doing this exercise vigorously in the various provinces around Fiji. I am sure you are fully aware this exercise was done previously by previous government but incomplete. So in 2012, we manage to push for that, the government was kind enough to allocate funds to actually demarcate the village boundaries</p> <p>On the village by laws, the village by laws as we have been saying in the past, we have withheld the village by laws. The draft that was circulated some years ago.</p> <p>On the surfing decree, on the change recently, I really don't know why the change at this point in time but we can find out what really happened to the changes in what we normally understand as a normal protocol, traditional protocol in terms of entering our villages or our fisheries by the developers or by the users of those resources.</p>

<p>Hon.Samuella Vunivalu</p>	<p>In fact some of the people of Rakiraki, they have mentioned that now they belong to Ba. But this information I had gathered from the people or some of the villages past Tavua, that is Rabulu and I cannot answer, but you have mentioned that we know that we are from Ra. But now we are from Ba. This is my first question. On the first part for Rakiraki now belong to the Ba Province and part of the village belong to Ra.</p> <p>Our traditional iTaukei lands owners if you may have gone out to all the villages around the country, I have mentioned this one yesterday to the Agriculture in terms of the land is taboo in some of villages Chiefs that some of the land are not to be used. It is very strict. I have come across in plenty places that some of the places are not to be developed in terms of the people want to develop maybe there are good site to be developed or land for farming but for the meeting of the Tokatoka and the Mataqali, the question that arises here they still have power to say that don't need the plan?. That is my second question.</p>	<p>On the first part for Rakiraki now belong to the Ba Province and part of the village belong to Ra.</p> <p>On the landowners, in terms of the land tribute,I am sure you are privy to the guidelines that needs to be done in terms of the development of the native land. There are in fact some parts of the land maybe good parts for development that the landowners are actually holding it back and not providing approval to the development of their land. I am sure you are also aware and that at the end of the day, the land that has been demarcated for development the approval still rests with the landowners. They will still need to give the consult, not the consent of land to be developed but they also have to be watchful or be mindful of the land they still have back for them not only for them but also for the future generations in that particular area. What I have just say I have just mentioned three prior informed consent which is one of the platform that the Ministry of iTaukei is trying implement now to actually get the full consent of the people prior to allocating their land for development. I am not saying that we are not encouraging our iTaukei people to develop what to say is they need to develop the land and they need to allocate wisely and also mindful of the land that they allocate and also the land that they will have, known as the i 'kanakana' for them in the future. That is what I can say at this point in time, honourable members.</p>
<p>Hon.Alivereti Nabulivou</p>	<p>My question is the iTaukei Affairs really involved in the supporting of the landowners for their concern area in dealing with conservation?</p>	<p>On the question of the conservation of the land, as I have just mentioned, we have just set up the National iTaukei Yau Bula Community and the terms of reference is quiet evaporate and it covers a lot of the areas that will be beneficial to the landowners to the landowners in terms of land conservation and the protection of their land. As I said earlier on, the National iTaukei Yau Bula Committee though the Ministry of iTaukei Affairs has been thinking about that for a long time. Fortunately, we manage to launch that committee last year and we have that in mind.</p>
<p>Hon.Alivereti Nabulivou</p>	<p>On the question of the conservation of the land, as I have just mentioned, we have just set up the National iTaukei Yau Bula Community and the terms of reference is quiet evaporate and it covers a lot of the areas that will be beneficial to the landowners to the landowners in terms of land conservation and the protection of their land. As I said earlier on, the National iTaukei Yau Bula Committee though the Ministry of iTaukei Affairs has been thinking about that for a long time. Fortunately, we manage to launch that committee last year and we have that in mind.</p>	<p>We are working on the Environmental Act for which is the Act that gives us the power to do environment impact assessment that and that is something that we are ensuring that must be done first, because it covers a lot of areas and impact of development within the areas of development within the areas not only the land that is being taken but also the impact to the owners of the land not only that it might cover also the fisheries close by so that is where we based our assessment from within as far as or before prior to development, firstly from the environment impact assessment. May I just add on to that prior to the technical team coming to do environment impact assessment who have our conservation officers</p>

		<p>who are working, who actually go down and discuss with the owners and advise on them on what really needs to be done before the technical team comes in to do the environment impact assessment because of the technical work that is involved in that particular area.</p>
<p>Hon. Ratu Sela Nanovo</p>	<p>This is my last question. We believe that one of your roles, the Ministry roles is to try and fill in the vacant Chiefly titles and you want to fill in those vacant ones, and yet you have taken away the resources which enabled the Chiefs to mobilize the Vanua, especially the lease money that normally goes to the Turaga I Taukei because the lease money is now being divided equally amongst all members of the mataqali. My question here is what the logic of doing all this is, you want the Chief to be there and yet you have taken away the resources which enabled them to be strong and being able to mobilize the Vanua towards the direction that can further benefit them in future. Just asking the logic, what is the logic of that?</p>	<p>On the chiefly titles, the filling of the Chiefly titles is directly the responsibility of the Ministry of iTaukei Affairs, yes, we are actually encouraging the Vanua to actually fill in the chiefly titles and we look at it from a different perspective. The filling in of chiefly titles will enable the Chiefs to guide, direct their people and at the same time the people also are comfortable that there is really a Chief there in the village who is providing the guidance for them as we all know. This is something that we have been doing but we cannot force anyone at the village level to fill the position by such a date or to be given to somebody else because I think there is a process that needs to be followed in this particular incidents. But we let it to the Vanua to decide and I must say that they are coming in now and they are actually understanding the way of the perspective of the Ministry of iTaukei in terms of the filling in of the vacant positions of Chiefs and they are coming now. Secondly on the lease money, indirectly not with us, it is with the TLTB and that is the decision of government that was taken which I think TLTB should be able to answer that well. But I understand that it was something that was done to empower everyone. Everyone to iTaukei landowners to get a fair share of the lease money and not like the imbalance that used to exist before. Do also understand that the Chiefs are disadvantaged by that not only the Chiefs but the other Turaga ni Mataqali or the Turaga ni Tokatoka or the Turaga ni Yavusa, most used to get a bit higher share on that during the lease distribution have ben disadvantaged on to that particular issue, and as I had said it was the decision of government that have been taken but TLTB would be able to answer that properly .Thank you honourable member.</p>
<p>Hon. Alivereti Nabulivou</p>	<p>The representative of the Provincial Council members. I know that should be an installation of Chiefs to be confirmed from the Vanua to enable them to be a member of the Provincial Council in the meeting. But for Naitasiri, there are some they are not being installed, is there anything role and responsibilities of the iTaukei Affairs.</p>	<p>Yes, under the iTaukei Affairs Act cap 120, it clearly states how the Provincial Council members are elected or appointed into becoming the member of the Provincial Council. There are some of them also by virtue of their ranks they come in and become the member of the Tikina Council right up to the Provincial Councils. In terms of some of the Chiefs that have not been installed, yes, I understand there are some, but maybe by the virtue of that they exist by some sort of acting arrangements, I know that they are holding on to the vanua and maybe that sort of give them the lieu way to be member of the Provincial Council through the Tikina representatives right to the Provincial level. As I said espalier on, we know</p>

		that there are chiefly household are there but the installation we cannot force it to members but I think that is left to the Vanua to decide.
Hon. Chair	Vinaka PS and the team, again on behalf of the Committee, we would like to thank you as I said , this is the first of the many meetings , that we will be doing together in terms of looking at natural resources and also very important is our iTaukei resources . Before we finfish the meeting today, we would like to have a iTaukei Relocation Plan and also the Cultural Mapping, some of the documents on that and the National iTaukei Resources Owners Committee, the terms of reference and the membership that will assist the committee in looking at the natural resources and the ownership mostly the ownership of our natural resources. We will be consulting with your Committee or yourself so that we can see the balance between development and environment and now climate change and the development on our natural resources.	

9. iTaukei Lands Trust Board

Mr.Solomone Nata – General Manager, Operations Research &Development.
 Manager Central Eastern – Mr. Ela Manuku
 Manager Landowners Affairs – Ms. Kelera Gadolo
 Research Officer – Mr. Irfan Hussain

MEMBER	QUESTION	MINISTRY'S RESPONSE
HON. SELA NANOVO	Under the NLTB Act, who actually owns the Fijian land? Is it the individual or the mataqali?	The ownership is the Mataqali. In certain areas, the Nadroga areas, owned by the Tokatoka. But in some areas it is owned by the Yavusa. It just depend on the registration of the land owning unit either Mataqali either Tokatoka either the Yavusa or the descendants of that person especially the Chief or even an iTaukei. Whatever is registered in the Veitarogi Vanua, those we recognise.
HON. SELA NANOVO	Why are they distributing the lease, I mean the lease money should just go to the landowners, in this case are the Yavusa or the Mataqali or the Tokatoka. Why to the individual now?	A very good question, maybe Jone can answer that. It is a difficult question. It was the promulgated in 2012, we were on a break, holiday, Christmas, when we came back there was this legislation So it was law

		and we are implementing as the amendment of the iTaukei land Trust Act. That is where my response will lie.
HON. RATU SELA NANOVO-	What goes back to my question to the iTaukei Affairs this morning? For them, the iTaukei Affairs what they are trying to do now is one of their rule is to try to fill in the empty chiefly title for the Chiefs to be able to, mobilise their vanua in such a way that they can do things that are wanted of them, he has to be given the required resources and under the previous lease sharing system, the Turaga i Taukei and down the line they are given far much share as compared to what is the trend right now. I was just asking that this morning, one hand they trying to fill in the empty Chiefly title and at the end of the day they take away the resources which should enable them to mobilise their Vanua. They have become a “tooth less tiger” at the end of the day. What is the logic behind all this?	Again a difficult question. The First part, the Chifley Titles need to be filled, whether they have money or no money. Even in some of this provinces, they don’t have any money where I came from. So that must be filled irrespective of whether they have lease money or no money. Then the second part, I have responded to that earlier.
HON.ALIVERE TI NABULIVOU	What happened with that? How many percentage of the money from that land money go to the Turaga ni Yavusa and Turaga I Taukei.?	That was previous change
HON. ALIVERE TI NABULIVOU	Before 5 % for the Turaga i Taukei and 24 % for the Turaga ni Yavusa.	15% Turaga ni Mataqali and the rest distributed to the members.
HON. ALIVERE TI NABULIVOU	What happened if those two doesn’t receive any money? Equal Distribution?	The equal distribution is designed for each member. The law says equally distributed to living members. If any member is born today, he is entitled with that, but you need to come and register with TLTB so we can distribute the money. So we rely on the VKB, Veitarogi Vanua to update us, if they do not update us, then that member can be missed out from the distribution . Well I hope that you understand, we are just implementing the laws.
HON. ALIVERE TI NABULIVOU	I know, I know, what I am taking about is that they normally receive that money before. Equal distribution everybody should have equal share, right now there is no money. My question is that, why?	What you saying they receiving no money now? If they do not have any money now, it is going to be difficult, because right now we are distributing to the deed of Trust, the Trustees represented by the landowners. They will distribute according to theirs.

HON. ALIVERETI NABULIVOU	I am taking about equal distribution. As you said, it up to the mataqali, or the Trustees, when was the change?	No, When the amendment came in 2012, we were not ready, our system was not ready, so we distribute to the trustee. Now then we come up with some programs to try to deliver accordingly to the amendment of the law which we are doing now in the equal distribution.
HON. RATU SELA NANOVO	Just another question honourable Chairman, is the current NLTB Act is still in place. No change with certain amendments which allows you to distribute lease money to individual.	
HON. SAMUELA VUNIVALU	In regards to this lease going to the each individual, it will not help in that project. Is there anything, because this is the question from them to me that they can do so that they can stop this lease going to the individual people of Nakovacake? The equal distribution.	I think we have made our position very clear to the landowners we cannot do that. This is the law. We are trying to facilitate the law, even though we are late we do not have the system in place. That is why we distribute to the Trustees for the time being. It is either, you receive the money by equal distribution or you wished for the other choice or any community development, landowners' development project we can apply to divert that lease money to equal share. So there is no question about us short distributing to the owners.
HON. RO KINI KILIRAKI	Whether the TLTB has that in place for the landowners, as you know the saying always goes that we have so much land but yet we are still poor, which means because native land, TLTB, is the trustee , whether you have taken that on board in the interest of the landowners.	First of all TLTB do promote and encourage landowners to use their land if they have a much more higher return rather than from the lease money and I think there is no question about that. We have been doing that all the time. But just look around, how many landowners are really doing that, productive utilising their land and lease it out. That is we are there for them all the time. No question about it. There are question on arable land. I mean the definition really change, what do you mean by arable land because arable land need to be connected to purpose. There is concept for hire and best use any land as its value. Land may not be suitable for agriculture but have potentials for other purpose, so the highest bid kicks in not only on the classification of the fertility of the land. The mineral artesian water, those are the kind of issues we want to capture in our profile. The profile is a new idea from last year, we are now working on it. It will be a major eye opener for the landowners. Because of the landowners do not understand their land. We need to capture that in their data base. Once we have the information then you can capitalise to asset as I said before. Maybe the best investment is education because the money is too small and the members does not have that, education I think the best investment for them is to buy

		properties something like that. But the important part is to consolidate this information. That is the key. The landowners can make informed decision in making their land for other people to come and lease them. Once you have the asset, then you have some sort of bargaining power as a party to any other party. TLTB want to facilitate. I think that is one of our core role that TLTB has not done in the past. We need a very good opportunity to really provide the landowners, empower with the right information to make good decision.
HON. RO KINI KILIRAKI	0.50c through the NLC or whether it comes to the landowners or not that is another question.	For us, is \$3.00 per cubic metre .Say for 10,000, cubic metre, but we operate from the amendment Act, TLTB regulation and Gravel regulation that is where we are operating from.
HON.SAMUE LA VUNIVALU	One last question. Just in terms of the arrears recovery that end up in court. I think this is one of the major downfall of the Fijian People that they can't pay their rent. Is there any other changes that we can do, either by going to jail or if they keep on going to court and tell them to pay, because of the landowners they need their lease money.	I think there should be a change in the mindset, especially in the iTaukei, having leases. Once you have the leases you are depriving the other members of the mataqali from from using that land. You yourself have the exclusive right. What you should do you should pay the rent, because the landowners too have the right to that piece of land. Those are the kind of education we are telling the landowners, awareness. Otherwise, TLTB now to analyse the data, you are true. Most of the iTaukei are very..... but we are now no longer are trying to differentiate between anyone. You owe us rent, you pay us or we will take you to court. Landowners and non – landowners. But before, the majority was landowners but now it is a bit all across the board. Most of the agricultural farmers too are not paying their rent on time. So ra lako mai, ra mai tagi,sa qai tukuni ga , drau lako ga drau qai lai vakamacala ga vei Turaga ni lewa. De lakolako e da na mai tagi vata tale tiko ena i vakamacala drau kauta tiko mai.

10. Fiji Tuna & Stakeholders Association

Mr. John Lee

MEMBER	QUESTION	ORGANISATION'S RESPONSE
Hon.Ratu S Nanovo	Under the NLTB Act, who actually owns the Fijian land? Is it the individual or the mataqali?	The ownership is the Mataqali. In certain areas, the Nadroga areas, owned by the Tokatoka. But in some areas it is owned by the Yavusa. It just depend on the registration of the land owning unit either Mataqali either Tokatoka either the Yavusa or the descendants of that person especially the Chief or even an iTaukei. Whatever is registered in the Veitarogi Vanua, those we recognise.
Hon.Ratu S Nanovo	Why are they distributing the lease, I mean the lease money should just go to the landowners, in this case are the Yavusa or the Mataqali or the Tokatoka. Why to the individual now?	A very good question, maybe Jone can answer that. It is a difficult question. It was the promulgated in 2012, we were on a break, holiday, Christmas, when we came back there was this legislation So it was law and we are implementing as the amendment of the iTaukei land Trust Act. That is where my response will lie.
Hon.Ratu S Nanovo	What goes back to my question to the iTaukei Affairs this morning? For them, the iTaukei Affairs what they are trying to do now is one of their rule is to try to fill in the empty chiefly title for the Chiefs to be able to, mobilise their vanua in such a way that they can do things that are wanted of them, he has to be given the required resources and under the previous lease sharing system, the Turaga i Taukei and down the line they are given far much share as compared to what is the trend right now. I was just asking that this morning, one hand they trying to fill in the empty Chiefly title and at the end of the day they take away the resources which should enable them	Again a difficult question. The First part, the Chifley Titles need to be filled, whether they have money or no money. Even in some of this provinces, they don't have any money where I came from. So that must be filled irrespective of whether they have lease money or no money. Then the second part, I have responded to that earlier.

	to mobilise their Vanua. They have become a “tooth less tiger” at the end of the day. What is the logic behind all this?	
Hon.Alivereti Nabulivou	What happened with that? How many percentage of the money from that land money go to the Turaga ni Yavusa and Turaga I Taukei.?	That was previous change
Hon.Alivereti Nabulivou	Before 5 % for the Turaga i Taukei and 24 % for the Turaga ni Yavusa.	15% Turaga ni Mataqali and the rest distributed to the members.
Hon.Alivereti Nabulivou	What happened if those two doesn't receive any money? Equal Distribution?	The equal distribution is designed for each member. The law says equally distributed to living members. If any member is born today, he is entitled with that, but you need to come and register with TLTB so we can distribute the money. So we rely on the VKB, Veitarogi Vanua to update us, if they do not update us, then that member can be missed out from the distribution . Well I hope that you understand, we are just implementing the laws.
Hon.Alivereti Nabulivou	I know, I know, what I am taking about is that they normally receive that money before. Equal distribution everybody should have equal share, right now there is no money. My question is that, why?	What you saying they receiving no money now? If they do not have any money now, it is going to be difficult, because right now we are distributing to the deed of Trust, the Trustees represented by the landowners. They will distribute according to theirs
Hon.Alivereti Nabulivou	I am taking about equal distribution. As you said, it up to the mataqali, or the Trustees, when was the change?	No, When the amendment came in 2012, we were not ready, our system was not ready, so we distribute to the trustee. Now then we come up with some programs to try to deliver accordingly to the amendment of the law which we are doing now in the equal distribution.
Hon. Samuela Vunivalu	In regards to this lease going to the each individual, it will not help in that project. Is there anything, because this is the question from them to me that they can do so that they can stop this lease going to the individual people of Nakovacake? The equal distribution.	I think we have made our position very clear to the landowners we cannot do that. This is the law. We are trying to facilitate the law, even though we are late we do not have the system in place. That is why we distribute to the Trustees for the time being. It is either, you receive the money by equal distribution or you wished for the other choice or any community development, landowners' development project we can apply to divert that lease money to equal share. So there is no question about us short distributing to the owners.

<p>Hon. Ratu Kiniviliame Kiliraki</p>	<p>Whether the TLTB has that in place for the landowners, as you know the saying always goes that we have so much land but yet we are still poor, which means because native land, TLTB, is the trustee, whether you have taken that on board in the interest of the landowners.</p>	<p>First of all TLTB do promote and encourage landowners to use their land if they have a much more higher return rather than from the lease money and I think there is no question about that. We have been doing that all the time. But just look around, how many landowners are really doing that, productive utilising their land and lease it out. That is we are there for them all the time. No question about it. There are question on arable land. I mean the definition really changes, what you mean by arable land because arable land needs to be connected to purpose. There is concept for hire and best use any land as its value. Land may not be suitable for agriculture but have potentials for other purpose, so the highest bid kicks in not only on the classification of the fertility of the land. The mineral artesian water, those are the kind of issues we want to capture in our profile. The profile is a new idea from last year, we are now working on it. It will be a major eye opener for the landowners. Because of the landowners do not understand their land. We need to capture that in their data base. Once we have the information then you can capitalise to asset as I said before. Maybe the best investment is education because the money is too small and the members does not have that, education I think the best investment for them is to buy properties something like that. But the important part is to consolidate this information. That is the key. The landowners can make informed decision in making their land for other people to come and lease them. Once you have the asset, then you have some sort of bargaining power as a party to any other party. TLTB want to facilitate. I think that is one of our core role that TLTB has not done in the past. We need a very good opportunity to really provide the landowners, empower with the right information to make good decision.</p>
<p>Hon. Ratu Kiniviliame Kiliraki</p>	<p>0.50c through the NLC or whether it comes to the landowners or not that is another question</p>	<p>For us, is \$3.00 per cubic metre .Say for 10,000, cubic metre, but we operate from the amendment Act, TLTB regulation and Gravel regulation that is where we are operating from.</p>
<p>Hon. Samuela Vunivalu</p>	<p>One last question. Just in terms of the arrears recovery that end up in court. I think this is one of the major downfall of the Fijian People that they can't pay their rent. Is there any other changes that we can do, either by going to jail or if they keep on going to court and tell them to pay, because of the landowners they need their lease money.</p>	<p>I think there should be a change in the mindset, especially in the iTaukei, having leases. Once you have the leases you are depriving the other members of the mataqali from from using that land. You yourself have the exclusive right. What you should do you should pay the rent, because the landowners too have the right to that piece of land. Those are the kind of education we are telling the landowners, awareness. Otherwise, TLTB now to analyse the data, you are true. Most of the iTaukei are very..... but we are now no longer are trying to differentiate between anyone. You owe us rent, you pay us or we will take you to court. Landowners and non – landowners. But before, the majority was landowners but now it is a bit all across the board. Most of the agricultural farmers too are not paying their rent on time. So ra lako mai, ra mai tagi,sa qai tukuni ga , drau lako ga drau qai lai vakamacala ga vei Turaga ni lewa. De lakolako e da na mai tagi vata tale tiko ena i vakamacala drau kauta tiko mai.” <i>Some of the landowners, come to the office to seek for further time to pay for the lease rents, our response to them is to go to Court ask for their assistance”.</i></p>

