

MONDAY, 25TH APRIL, 2016

The Parliament resumed at 9.30 a.m. pursuant to adjournment

HON. SPEAKER took the Chair and read the Prayer.

PRESENT

Hon. Aiyaz Sayed-Khaiyum, Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications
Hon. Ratu Inoke Kubuabola, Minister for Foreign Affairs
Hon. Faiyaz Siddiq Koya, Minister for Industry, Trade and Tourism
Hon. Parveen Kumar, Minister for Local Government, Housing, Environment, Infrastructure and Transport
Hon. Mereseini Rakuita Vuniwaqa, Minister for Lands and Mineral Resources
Hon. Osea Naiqamu, Minister for Fisheries and Forests
Hon. Lt. Col. Inia Batikoto Seruiratu, Minister for Agriculture, Rural & Maritime Development and National Disaster Management
Hon. Captain Timoci Lesi Natuva, Minister for Immigration, National Security and Defence
Hon. Jone Usamate, Minister for Health and Medical Services
Hon. Dr. Mahendra Reddy, Minister for Education, Heritage and Arts
Hon. Commander Semi Tuleca Koroilavesau, Minister for Employment, Productivity and Industrial Relations
Hon. Lt. Col. Laisenia Bale Tuitubou, Minister for Youth and Sports.
Hon. Rosy Sofia Akbar, Minister for Women, Children and Poverty Alleviation
Hon. Lorna Eden, Assistant Minister for Local Government and Tourism
Hon. Commander Joeli Ratulevu Cawaki, Assistant Minister for Rural and Maritime Development and National Disaster Management
Hon. Veena Kumar Bhatnagar, Assistant Minister for Health and Medical Services
Hon. Vijay Nath, Assistant Minister for Infrastructure and Transport
Hon. Mosese Drecala Bulitavu
Hon. Mohammed Mursalinul Abe Dean
Hon. Roko Tupou Takeiwai Senirewa Draunidalo
Hon. Jiosefa Dulakiverata
Hon. Viliame Rogoibulu Gavoka
Hon. Semesa Druavesi Karavaki
Hon. Ro Teimumu Vuikaba Kepa
Hon. Ratu Kiniviliame Kiliraki
Hon. Jilila Nalibu Kumar
Hon. Dr. Brij Lal
Hon. Alvik Avhikrit Maharaj
Hon. Ratu Suliano Matanitobua
Hon. Alivereti Nabulivou
Hon. Ruveni Nadabe Nadalo
Hon. Ratu Sela Vuinakasa Nanovo
Hon. Mataiasi Akoula Niumataiwalu
Hon. Alexander D. O'Connor
Hon. Viam Pillay
Hon. Professor Biman Chand Prasad

Hon. Aseri Masivou Radrodro
Hon. Salote Vuibureta Radrodro
Hon. Lt. Col. Netani Rika
Hon. Balmindar Singh
Hon. Prem Singh
Hon. Ashneel Sudhakar
Hon. Ratu Isoa Delamisi Tikoca
Hon. Anare Tuidraki Vadei
Hon. Samuela Bainikalou Vunivalu

ABSENT

Hon. Rear Admiral (Ret.) Josaia Voreqe Bainimarama, Prime Minister and Minister
for *iTaukei* Affairs and Sugar
Hon. Iliesa Delana, Assistant Minister for Youth and Sports.
Hon. Niko Nawaikula
Hon. Ratu Naiqama T. Lalabalavu

MINUTES

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

That the Minutes of the sitting of Parliament held on Friday, 12th February, 2016, as previously circulated, be taken as read and be confirmed.

HON. A. SUDHAKAR.- Madam Speaker, I second the motion.

Question put.

Motion agreed to.

COMMUNICATIONS FROM THE CHAIR

Acknowledgement of Members and Visitors

HON. SPEAKER.- I welcome all Hon. Members to this sitting of Parliament. I also warmly welcome a group of politics students from the University of the South Pacific and others members of the public joining us in the gallery and those watching proceedings on television, in the internet and listening on the radio. Thank you for taking interest in your Parliament.

Tropical Cyclone Winston and subsequent flooding

Since Parliament last met, Fiji has endured some difficult times during the past few months in the devastation caused by *Tropical Cyclone Winston* and the subsequent flooding soon after. We grieve with those who have lost their loved ones during one of the most difficult times in Fiji's history because we are a resilient people, we are able to persevere and as we have come to see, we are indeed stronger than *Winston*. To echo the sentiments expressed by the Hon. Prime Minister, we are indeed grateful to all those, both here in Fiji and from abroad, who have directly or indirectly contributed or participated in the process of rehabilitation and recovery for the people of our beloved nation.

Speaker's Chair

On another note, Hon. Members, as you have undoubtedly notice, I am sitting in a different chair today. This Speaker's Chair was a gift from the Government of India to commemorate Fiji's independence in 1970. It was handed over in 1972 in a special ceremony and was received by the newly elected Speaker of the House of Representatives that year, the Right Hon. R.B. Patel from the Indian High Commissioner of Fiji, His Excellency Mr. Bhagwan Singh, It served as such until 1987 and since we have returned to this Chamber, I thought it is only right that this Chair also be used for the purpose it was gifted to us for.

Report on the 24th Asia-Pacific Parliamentary Forum Meeting

Lastly, for the information of Hon. Members, the *Report on the 24th Asia-Pacific Parliamentary Forum Meeting* in Vancouver, held in January is available on the Parliament Website and in the Parliament Library.

Finally, just a reminder of the time limits we adopted for warning bells during the February sitting. Firstly, for the regular 20 minutes' speeches, there will be a single warning bell at 18 minutes and a final bell at 20 minutes, upon which Members will resume their seats. For the framing of supplementary questions, from the time I acknowledge an Hon. Member, they will be given one minute to ask their question and the bell will be rung and I will call on the Hon. Minister to answer the posed question. I trust that this is clear. Thank you, Hon. Members.

PRESENTATION OF PETITIONS

Re-establish the Great Council of Chiefs (GCC)

HON. SPEAKER.- I now give the floor to the Hon. Viliame Gavoka.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I rise to present the petition to re-establish the *Bose Levu Vakaturaga* or the Great Council of Chiefs back to its rightful place in the governance of Fiji.

As you know, Madam Speaker, this was a body that was the apex of the *iTaukei* community and is no longer part of us. We believe very sincerely and in good faith that it needs to be brought back to be part of Fiji, to make this country stronger. We believe that it is critical for the *iTaukei* community to have this and to strengthen their position and in the event, strengthen relationship across the board.

I present this, Madam Speaker, with signatures from across Fiji, representing scholars, leaders and the common people in the villages. I wish, Madam Speaker, that this House would deliberate on this and pass it on to the relevant Committee for proper dialogue across our communities led by Government. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Petition has been moved, is there a seconder?

HON. M.R. LEAWERE.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Thank you, before I call upon the mover of the motion, I remind Hon. Members that the debate is on whether or not the petition should be referred to a standing committee. I now call upon the Hon. Viliame Gavoka to speak on his motion.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Let me just start by going back to what Ratu Sir Lala Sukuna had said in the 1936 Meeting of the Great Council of Chiefs. I say this, Madam Speaker, because there appears to be some misunderstanding of what a GCC is and some discomfort amongst the community about this august body. This is what he said and I quote:

“If other communities are poor, we too remain poor. If they prosper, we prosper, but if we obstruct other people without reason from using our lands following the laggards, there will be no prosperity. Strife will overtake us.”

These, Madam Speaker, are the words of a true statesman, one who we all know, Ratu Sir Lala Sukuna, to the Great Council of Chiefs. He told them at that time in 1936. “If others are poor, the *iTaukei* will also be poor.” This, Madam Speaker, had set the platform on how we manage our land from there onwards, leading up to the setting up of the NLTB, which has allowed the development of this country by making available the land to be developed by other communities.

The prosperity that Fiji has today through the land came from that; came from the understanding that we need to share our resources, and this came from the GCC. I would like us to remember that. The GCC were the strength that made Fiji what it is today.

Madam Speaker, the GCC, some people believe was the creation of the British in 1876. That is not true. The GCC had existed long before that. Ratu Cakobau while looking at all the options available to Fiji had convened a confederation of chiefs to look at how Fiji was to go forward, given the interest of the British, the Americans, the French and all the powers that were at the time dominant in the Pacific. It was already in existence, Madam Speaker, and we must dispel that belief that it was a British body.

The British, Madam Speaker, used it knowing that it was the best way, the most effective way of using the resources in the country then to govern the *iTaukei*. To me, it was wisdom on the part of the British to see that they do not want to reinvent the wheel. They had something in place; let us use it, give it official recognition and make it work for us, because the British as we know, one of their primary concerns based on the Deed of Cession was for Queen Victoria to look after the people of Fiji, especially at the time, the *iTaukei*.

Madam Speaker, from there, the system on the advice of the GCC on how to govern Fiji and the *iTaukei*. The *Roko* was set up in provinces. The *Roko Tui* was the premier authority in a province. Under the *Roko Tui* was the *Buli*. The *Buli* had supreme authority over the districts, and from the *Buli* into the *Turaga ni Koro*. This was a structure for administration that they set up at the time on the advice of the GCC which has worked very well.

This structure, Madam Speaker, supported the traditional structure or provided recognition to the existing structure in every community which had its *mataqali*, *yavusa* and its *tokatoka*. All these came under what was known as the *Matanitu iTaukei* and the structure on which the *iTaukei* were governed.

We can look back, Madam Speaker, and look back with pride for us as *iTaukei*, that today 90 percent of the land in this country is owned by us and the Fijian way, the tradition and culture are still very much intact.

In terms of resources, Madam Speaker, the ownership of resources, there are only two sovereign countries in the world where the indigenous people control and own the bulk of the land, that is, Fiji and Bolivia; only two countries in the world. It is something that we are proud of, and it is something that is unique to Fijians. It is something that should be the strength on which we build our country going forward.

Madam Speaker, going back to the words of Ratu Sir Lala Sukuna, how they set up the NLTB, going back to the beginning, a lot of people in this country, across the communities hold the GCC with high esteem. Indeed, we remember Hon. Jai Ram Reddy, when he said, “you are not only the chiefs of the Fijians, you are the chiefs of everyone in Fiji.” That was the esteem with which they were held.

Granted, Madam Speaker, along the way, during the turbulences of 1980, they were drawn into areas where they were not equipped to deliberate, and granted that impacted on this body. But, Madam Speaker, the underlying strength is there that one this country would do well to continue to tap into, to continue to hold as part of its Constitution, part of its structure going forward.

Madam Speaker, for an *iTaukei* like me, I belong to a *mataqali*, I belong to a *yavusa*, I belong to a *tokatoka* and I belong to a paramount chief. I am his subject and I owe my allegiance to him. I cannot do anything without him - I cannot. That is why, Madam Speaker, it is so important for the *iTaukei* to continue to have this before them. Yes, people are saying, "No, keep it at regional level, keep it at village level." No, Madam Speaker. We need the chiefs to be elevated nationally and to be linked together for the security, prosperity and peace in this country. We need to link them together. That is why the GCC was a link that was important to who I am in my village. When I saw my chief, I saw the GCC. When I saw my village, I saw myself as the *iTaukei* all over Fiji, covering the whole of Fiji.

And, the relationship, Madam Speaker, over the years has been so special and so unique that is so intricately woven into us, across the borders, across the provinces. I am not a stranger anywhere in Fiji. In the 14 provinces in this country, I am not a stranger. I have my door anywhere in this country, whether I am in Natuicake, I am in Ra, I am in Lomaiviti, or wherever I am, I am not a stranger there. I have a door, I have a place, I am welcomed and I am part of them. This, Madam Speaker, is something unique to us, this is something that was held closely and guarded by the chiefs. The way of life of the Fijian people, of the *iTaukei*, Madam Speaker, I use the term, "Fijian people" as if we are covering history here. I understand that today it is *iTaukei*, but when I do use "Fijian", I am referring to the *iTaukei*.

This is it, Madam Speaker. The strength that it gives me. And, Madam Speaker, this is one that we should respect. When we deal with a person, when we deal with a *mataqali* or a village, we are dealing with his chief. He is a subject of that chief. He is not a loner, he is not alone. He is more than anything I can ever get to fully appreciate.

Madam Speaker, I need to digress a bit. My field was tourism, and every year in tourism when we carried out all these surveys to people, why Fiji to people, and they always said, "number one was the people. Number two would be the beaches, number two would be the hotels and all that." They are always the people, and I have often wondered, what is it? Why are we so such a happy and contented people?

Madam Speaker, I have discovered that, number one, we own what where we are. Whatever we stand on is ours, or in the phenomenal of the *iTaukei*, "*Eda butuka tu*." Secondly, I have my extended system of relationship. That gives me the stability that I need. There is always someone who will stand beside me. Thirdly, I am a Christian. These three, Madam Speaker, makes us the most unique people, makes us the people that tourists come and visit as part of their attraction to this country.

That, to me, Madam Speaker, is very important. You take away the chiefs, things will begin to erode in this country. It may not happen today. I know that the slogan for tourism is, "Where happiness finds you." That happiness is from the people because of what is inside them, not the smile. We see smiles all over the world, but the smile of a Fijian, of someone from Fiji is very different because it comes from within. It comes from those three elements: number one, he owns what he stands on; number two, he is assured of his relationship; and number three he is a Christian. This, Madam Speaker, is critical of Fiji going forward.

Madam Speaker, I often look at other countries in the world knowing how family rooted I am in my *vanua*, in my chief. I often look around me and I say, "Why are other countries disintegrating?" Today we see the refugee problems in Europe. You see that face of hopelessness where people swim across dangerous seas. There was this photo of a four year old who was washed ashore, running from where he was, trying to find refuge in Europe. I look at these people and ask myself, "Do they not have

a Great Council of Chiefs, do they not have an anchor in their lives, do they not have their *vanua*, their relationship?" I just ask myself this question Madam Speaker. We are lucky in this country, there will never be refugees, we will never disintegrate, we will be a people who are owned by a *vanua*, owned by a chief, owned by our relationship and this relationship, Madam Speaker, is not only for the *iTaukei*, it goes across all the communities.

Going forward, Madam Speaker, I think we should have an honest dialogue that we must bring back the Great Council of Chiefs. They have played such a huge role in the development of this country, they continue to be the anchor for a vast majority of the people in this country and they must continue to play that role. What role it takes, it is up to us. We are the leaders of today, let us have this dialogue, let us look at the way they can complement what we have, look at the way of strengthening what we have as opposed to pushing them aside and in the process, push aside a people who endanger losing what they have, losing their sense of direction and can lead to disintegration.

Madam Speaker, the relationship with the British was through the Great Council of Chiefs, it was the chiefly system in Fiji and the chiefly system in the UK and one that kept us together all these years. We became part of the security umbrella that kept this country safe from the Second World War, from all other conflicts around the world or in the region, we had the British looking after us, Madam Speaker, in a relationship that was special.

Today, Madam Speaker, we think about changing the flag, we think about removing the Union Jack. Madam Speaker, let us look at it from the perspective of the people who belong to the Great Council of Chiefs. We want to maintain that link, we need that link, Madam Speaker, which has been part of us all these years and it will continue to be part of us in the future, assuring our prosperity.

Madam Speaker, the Great Council of Chiefs had one God, *Na Lotu nei Ratu Cakobau* - Christianity. It helped us all, it set the platform here for everything that we have today and we must, Madam Speaker, respect this. We must bring it back, Madam Speaker, we must bring back the name of Christ to be central in our lives, into this Parliament. These are all, Madam Speaker, the elements that make Fiji so special, the way they called it "The way the world should be", because there was an anchor, because there was a body not only the *iTaukei* could go to, but everyone could go to, Madam Speaker. For us the *iTaukei* they have been responsible for advancements, the Fijian Holdings Limited when they wanted to enter into commerce, that was it, when you are lagging behind in education, they set up the scholarship scheme. These were the things that they did that helped the *iTaukei* and not taking away anything from any other community.

Madam Speaker, if I go back to what Ratu Sukuna said in 1936, when they opened up Fiji in that manner, this country has flourished. People have flourished in this country, we know the economy of this country. Today we are talking about \$9.5 billion in GDP. That, Madam Speaker, came about by enabling of the Great Council of Chiefs to free up the resources and develop this country. All these, Madam Speaker, need to be appreciated and brought back. You cannot take away this very important issue, Madam Speaker, and expect this country to progress. Yes, it has been a few years and some people may say, "You do not miss it." But Madam Speaker, at the heart of the *iTaukei*, he wants his chief, he wants his anchor and he wants his *vanua* to be intact. He wants the integrity of that never to be compromised, Madam Speaker, and in the process, goodwill will flourish in this country. We can assure you of that, goodwill flourish, it will be like what Ratu Sukuna said, "If they are poor, we will be poor, if they are not well, we will not be well". Let us all come together, let us have a uniting force to unite us. Of course, additional to the *Constitution* not necessary out of the *Constitution*.

Madam Speaker, I believe we as a people in this House, the time has come that we have dialogue and I would urge this House to vote for this and take this matter into Committee so that the whole country can have dialogue and we hear what needs to be said and determine the format used to have going forward for this country. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The petition is now open for debate.

HON. RATU S.V. NANOVO.- Madam Speaker, I rise to support the motion that is in front of the House this morning and I would like to make few contributions towards the same.

First and foremost, the *Bose Levu Vakaturaga* is the pinnacle of our native institution. It is part of our being, our tradition and what makes us as an indigenous Fijian. So it is like a family without parents, if you take this away from Fiji. You will know what will happen, the children will be in a disarray and create chaos within the family setting and that can also happen if the Great Council of Chiefs is taken away from Fiji's situation.

Secondly, our Indian brothers' leaders have also pledged their support for the *Bose Levu Vakaturaga* that the chiefs are not only chiefs of the native Fijians but for all the people throughout Fiji. We can easily see this in the cane belt areas whereby the relationship between the indigenous Fijians and our Indian brothers are very much intact - they work together for the prosperity of this country. So, without restoring again the Great Council of Chiefs, surely this relationship will tend to fade away and it will create chaos later on in life.

Thirdly, SODELPA remains committed to re-instating the *Bose Levu Vakaturaga* because of the critical role the institution plays in the affairs of not only the indigenous population but of all the people or races in Fiji. So, on that note Madam Speaker, we on this side of the House do request the Hon. Members of this House to think deeply and make their assessments that this Great Council of Chiefs should be reinstated again.

Fourthly, the *Bose Levu Vakaturaga* in its wisdom has always made decisions for the good governance of the people of this nation. This can be realised whenever the country faces turmoil or hardships. I think we have seen this during times of the *coup*, when everything was in limbo, it was only the Great Council of Chiefs that came into place and tried to steer the nation back to safety in order for the people of this country to enjoy the full benefits of what the country offered.

Madam Speaker, the FijiFirst Party has made a mockery of the BLV and its resolve to rid this august institution has been met with a lot of opposition from SODELPA and other major political parties. This, Madam Speaker, has been done without even taking the necessary consultation with the indigenous people itself or for the whole of this country. So, for the idea to take the GCC away from us is such a step in the wrong direction. So, I stand here this morning to request this Hon. House to please reassess the situation of the GCC being reinstated. On that note, Madam Speaker, I support the motion at hand. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now call on the Hon. Leader of the Opposition.

HON. RO T.V. KEPA.- Thank you, Hon. Speaker. I rise also in support of this motion. As has been alluded to by the two previous speakers, the Hon. Jai Ram Reddy, when he spoke at the Great Council of Chiefs' (GCC) meeting in 1997, he spoke very much in support of how the Indo-Fijian citizens and the indigenous population were working well together, particularly when the indentured labourers arrived here in 1879 to 1916, when the indentured labour system was in place and the indigenous Fijians made available their resources for the well-being and livelihood of all the races who were here in Fiji at the time, including those who had newly arrived in 1879. That was the historic movement because that was the first time anyone outside of the GCC was invited to come and address the meeting, in terms of how the chiefs viewed the Hon. Jai Ram Reddy as Leader of the NFP at that time.

Hon. Speaker, I believe that this is a timely petition because we are committed to reinstating the *Bose Levu Vakaturaga* or GCC, as we have seen in times past when they have come to the assistance of the country when we have been in trouble, for example the various *coups* that have taken place in Fiji.

At this moment in time, Hon. Speaker, the Government is trying to relocate villages and settlements and most of these areas where they would relocate to, the land is owned by indigenous Fijians. So this is a mammoth task that they would have to undertake, in terms of finding out who owns the piece of land that they will relocate to, mark out the boundaries, demarcate the various areas that they have to relocate to and ask permission of the landowners through the Native Lands Commission (NLC).

This is a mammoth task, Madam. Speaker, that if addressed properly, can augur well into the future and offer peaceful existence for these people who are going to be relocating, because it is not only the villages that will have to relocate, it is the settlements also and also the *ikanakana*, or where they have their plantations because right now, an issue that we have is the food security, Madam. Speaker, so where will these people relocate their food gardens to? So, that is one of the issues.

When the *Bose Levu Vakaturaga* is in place, it makes it so much easier for Government to look at this particular issue which is a big one, and they will need to do very wide consultations.

Madam Speaker, it is not too late now to reinstate the *Bose Levu Vakaturaga* to come and address this very important issue. No one will lose face, Madam. Speaker, because we want what is best for the country and if this is addressed properly, it can be done well. If it is not addressed properly, Madam. Speaker, we are going to have issues with people who are relocating to a land that has not been authorised for them to relocate to, they have no connection with that piece of land and all sorts of issues can come up, Madam. Speaker, so what I am saying here is that we support the motion before the House.

Our party, Hon. Speaker, remains committed to the reinstatement of the *Bose Levu Vakaturaga* and it is a timely petition that has come before us and this is an issue, particularly with the relocation of villages and settlements that can be addressed properly through the *Bose Levu Vakaturaga*; thank you Hon. Speaker.

HON. SPEAKER.- I would like to remind Hon. Members that the revised Standing Order has actually allowed debate on petitions before it is referred to a Committee. I now give the floor to the Hon. Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Hon. Speaker. I speak on behalf of the National Federation Party and indeed, our position before the General Elections was that the Great Council of Chiefs was unilaterally abolished by the Military Government in 2012 and that the people were not consulted. What I want to contribute, Madam Speaker, on this motion is not the merits or demerits of re-establishing the Great Council of Chiefs, but more importantly, Madam. Speaker it is about the petition.

Petitions to Parliament are a very important way in which members of the public can bring issues through Members of Parliament for debate and discussion by the various committees. The ridiculous change in the Standing Orders, Madam Speaker, (when we were not here) requires that 40 percent of the Members of this Parliament approve whether a petition by the people, presented through their Members of Parliament, ought to be voted here for it to go to the Standing Committee. In fact, that was a very important avenue.

HON. A. SAYED-KHAIYUM.- Point of Order!

HON. SPEAKER.- Point of order.

HON. A. SAYED-KHAIYUM.- Madam. Speaker, the motion on the floor is regarding the petition. The motion on the floor is not regarding the amendment to the Standing Orders. Thank you.

HON. SPEAKER.- Thank you. I agree entirely.

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

HON. SPEAKER.- I have not finished, please. Let us debate on the merits and demerits of petitions, whether to refer it to a Committee or not and not really on the Standing Orders. Please, continue Hon. Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.-Precisely, Hon. Speaker, what I am trying to say in my contribution is whether this petition should be referred to the Standing Committee, that is the subject that I am now addressing and I am saying that because the Standing Order requires 40 percent of the Members of this House to approve before it goes to the Standing Committee means very simply, Hon. Speaker,

HON. SPEAKER.- Order! You are going back to the Standing Orders.

HON. PROF. B.C. PRASAD.- No, I am talking about why this petition should be referred to the Standing Committee.

HON. SPEAKER.- Merits and demerits of the petition, so

HON. PROF. B.C. PRASAD.- That is precisely what I am trying to do, Hon. Speaker.

HON. SPEAKER.- Can you allow me to finish, please, so that Members will decide on whether to refer this petition to the Committee or not, so it is the merits and demerits of the petition that we are talking about; thank you.

HON. PROF. B.C. PRASAD.- Exactly, Madam Speaker, what I am trying to say is that, this is a petition which has come from the people through a Member of this House and it is incumbent upon us in this House to support that petition to be referred to the Standing Committee, and the reason for this, Madam Speaker, is very simple.

The Government will have majority on the Standing Committee, the Government has a majority in Parliament. If this petition, on a matter of GCC, where GCC was abolished unilaterally by the Military Government, there are concerns about this issue and here is a petition in Parliament which ought to, in my view, referred to the Standing Committee because the Standing Committee, Hon Speaker, will do exactly what the petitioners are complaining that they were not consulted. So if the petition is referred to the Standing Committee, the Standing Committee will go around the country, consult the people, prepare a report and bring that back to Parliament. The Parliament will then vote on the petition, debate that motion and I think it is a good thing. I think it is a good thing, Madam Speaker that when petitions come to Parliament and they come from the people in a democratic process and that is what the Parliament is all about, it is to allow their space, allow the people to debate on any issue, whether it is a sensitive issue, whether the Government side likes it or not, whether Opposition likes this particular issue or not.

The fact of the matter is that, this is a Parliament where any issue can be debated and the Standing Committees, Madam Speaker, provide an extension of the debate in Parliament in terms of consultation on various issues. So from that point of view, Madam Speaker, I would urge the Government Members because without their support, no petition in this Parliament, presented on behalf of the people will ever get debated, discussed in **the** Standing Committee because that is the nature of the amendment that has been made. Thank you, Madam. Speaker.

HON. SPEAKER.- I give the floor to the Hon. Ratu Isoa Tikoca.

HON. RATU I.D. TIKOCA.- Thank you, Madam Speaker. I rise to support the petition and allow me to relate some historical facts, Madam Speaker.

The people of India did all they can to remove the British from India, the Muslims in India did all they can to create a Northern India called Pakistan. The British did all they can to keep the *Girmit* Indians here in Fiji.

The Great Council of Chiefs was humbled by Ratu Sir Lala Sukuna and gave their land to settle on, and used by Indians farmers and others under the administration of the Native Land Trust Board, an arm of the GCC. This is a selfless act and the generosity of the GCC and the *iTaukei* people. The Government and supporters ridiculed this august Council. Never have been in our political history of our nation has the GCC been belittled and totally politicised by this Government to force it to its termination.

These are the chiefs who gave our grandparents the life that we enjoy today. Fijis' greatest leader, Ratu Sir Lala Sukuna, the initiator to settle the Indians prominently in Fiji, allowed Indian farmers to own land through lease, has been removed from the annals of Fiji's history by the removal of this holiday - the Ratu Sukuna Day.

For us *iTaukei* or indigenous Fijians, we are robbed in the daylight as our strength to compete in the economy of our nation through Fijian Holdings Limited is rapidly diminishing. Fijian Holdings Limited is the baby of the GCC and this is the company that is owned by 100 percent by the *iTaukei* and administered by Government, and yet this Government is selling some of its profitable assets to the Fiji Broadcasting Commission, which is owned by the Government of the FijiFirst.

Would this move, a set up to challenge the *TV One* that is owned by the *iTaukei*, who owns the majority share of Fijian Holdings Limited? Why is the Government anti-*iTaukei* in business? We, the *iTaukei*, are lost in the field of business, so to develop them in this field, the GCC gave birth to this idea; not for them, but for their people so that they can contribute to the nation's economy and to help them grow financially strong as a group, rather than an individual as the success rate is guaranteed. So, why is your Government treating *iTaukei* people and their GCC in this manner?

Madam Speaker, the people have read the Attorney-General's thesis on 'Cultural Autonomy', and the thesis conclusion, the 'Sunset Clause'. This thesis, as a young student, is almost the Fiji's Constitution today.

The greatest sacrifice that Ratu Sukuna and the GCC did was the acceptance to give their land under the NLTB for the government and Indian farmers to use. Lo and behold what an insult, this Government created another so called Land Bank to undermine iTLTB operation. The Land Bank enticed landowners on the zero administration cost for attractive sum and quick return, but with a short-term gain that will induce long-term pain to the *iTaukei* people in the future.

This is suspicious and it could be the first step to abolish the iTLTB and transferring all the lands in Fiji under the custodian of a political authority. They have removed the GCC and now all the arms of the *iTaukei* administration: the *iTaukei* Affairs, the Native Land Commission and its business arm, the FHL are already politicised. Not long now, if we the *iTaukei* continues to slumber, we will no longer take control of our lands and destiny. Once that happens, sunset clause will have thoroughly completed its mission, indigenous people lose their heritage and ownership. A well-paid ignorant soldier at more than \$50,000 per year will protect this at all costs, even to the detriment of their own people and you can refer back to FBC TV news last Saturday.

We study the development design of the Government. The 'sunset clause' we know is doing its best to eradicate from the young people's minds the history of who they are, and this allow memorial

activities associated to great people of the past and discouraging and doing its best before we *iTaukei* from any institution that will develop the *iTaukei* people to be self-reliant.

The GCC sacrifice is no longer recognised by the FijiFirst and their supporters. The removal of these great achievements, the imposition of draconian laws and guarded by the Military are craftily designed and targeted against indigenous Fijians, including the *iTaukei* of our RFMF, to deprive them from their rightful ownership, target down to bondage of no freedom and eradicate us to peasants.

Our freedom is threatened. An American media company is highly paid by Government to suffocate the indigenous *iTaukei* people from the true democratic freedom we should be promoting, and emphatically depriving the *iTaukei* people from understanding the laurels of the GCC.

Do we people of Fiji accept this alien force that is firing bullets on people's brains, with the aim to totally removing the ideals of the rights of indigenous people and the importance of the GCC?

Has the Government conducted an investigation into the books of the Secretariat of the GCC and found it guilty of creating instability to this nation? Or is it an immature political accusation that is driven to weaken the indigenous chiefly system, break up the Fijian institution and cunningly manipulating them slowly to their demise?

The GCC is the answer to modern stability, Madam Speaker. It is relevant from its inception and will continue to be throughout the lifetime.

(Hon. Members interjected)

HON. RATU I.D. TIKOCA.- Only selfish politicians and dictators see this as an obstacle to their motives. GCC is harmless, chiefs are not wealthy but full of love, forgiveness, sacrifice and wisdom. The Government may have abolished the GCC on their term and to most of us in Fiji, indigenous Fijian, you cannot because the members are hereditary. They are God-chosen, I and on behalf of the silent majority of Fiji, Madam. Speaker, support this petition and seek support of the House to task the relevant Standing Committee to deliberate further on the issue. Thank you, Madam. Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Roko Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker, I wish to join my colleagues in supporting the motion to take the petition to the Committee and that is a very important point to note, Madam. Speaker, that the petition is not asking us to vote on the merits or demerits of re-establishing the GCC.

What the petition is asking is that the Parliament, this House, send that debate to be taken by the Parliamentary Committee, which is this House's Committee to the people, that is what the petition is asking for. It is not for any of us here to decide whether the GCC should come back or not, it is for the petition to go to the Committee and the Committee to take it out to the people and consult them.

HON. SPEAKER.- Hon. Members, after this debate, the House will vote on whether to take this petition to the Committee or not and the reason why they should know the merits and the demerits of this petition and this is the reason I have made that ruling and please, discontinue referring to the ruling that I have made and continue with your input.

HON. ROKO T.T.S. DRAUNIDALO.- If I may, Madam. Speaker, read what the petition says, what it says here, what we are asking for, and I quote: "We, the undersigned citizens of Fiji, petition the Parliament of Fiji to allow the people of Fiji, especially the *iTaukei* to make submissions and recommendations for the reinstatement of the GCC. It is an institution the *iTaukei* regard as pinnacle and

the existence and has served them well for generations and they are confident, will continue to do so in the future.

So, it is asking, Madam Speaker, that this petition be sent to the Committee to hear the views of the people on whether the GCC should be reinstated or not and I support what our parliamentary leader has already said on the matter and I am very pleased to see this petition. This is the first time I have seen it when it was handed to me this morning because it almost aligns with our party policy on the matter of the GCC, and that was, that the people of Fiji be consulted, particularly and in fact the *iTaukei* be consulted on what it is to be done on that pinnacle institution that belongs to them.

That was our party policy that they be consulted and it should not be for any one, two, or three people to decide the matter, it should be for the *iTaukei* people to decide on whether or not they find this institution relevant, and whether it should exist or not. A few people may not want it to come back and they may not like what has been done in the past by a few individuals in the institution, and I might be sympathetic to some of those views, Madam Speaker. But, that is the beauty of having the Committee of this House, Madam Speaker. That is the reason why we have democracy in this House to hear grievances from the people and grievances that come here through either Member's motions or petitions and then this House to deliberate on it. Otherwise, Madam Speaker, there really is no point in having Committees if the people cannot bring their grievances to this place.

Madam Speaker, if we want to build up this institution of Parliament, in view of our recent history, in the last 30 years, we should allow these things to go to Committee, and I urge the Government Members, and this will make the Government look very good because the Interim Government had made this decision unilaterally, and it is the majority on this Committee and for the Committee to be seen to be consulting Fijians on what is to be done, whether to bring it back or not bring it back or bring it back in a different form. The Government will get all the kudos for it and we encourage them to think about it in this positive manner.

Please have the Government-dominated Committee go and consult the people, make yourselves look good on this issue, the people may come back and agree with the decisions that have been made and who would get all of the benefits of that? But, Madam Speaker, if we do not allow these kinds of things to be deliberated by this House and its Committees, we are stamping our descent, we are stamping out other points of view which recent history has shown, Madam Speaker, they go and take the unlawful route which is what we do not want. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Ratu Matanitobua.

HON. RATU S. MATANITOBUA.- Thank you, Madam Speaker. Madam Speaker, I rise to support the petition to re-establish the *Bose Levu Vakaturaga* or the Great Council of Chiefs back to its rightful place in the governance of Fiji. Madam Speaker, our country is heading towards anarchy if the institution of the *Bose Levu Vakaturaga* is not put back to its rightful place in this country. Madam Speaker, it is not only the indigenous Fijians who are disenchanting with the removal of the Council of Chiefs but our Indian brothers are also raising this issue. Madam Speaker, we need the chiefs to filter, to review the decisions that are being made by the FijiFirst Government that impact on indigenous Fijians' rights and aspirations. It was through the chiefs that tribal wars came to a stop. It was through the chiefs that Fiji has slowly become a civilized nation, through the acceptance of Christianity. It was the chiefs, through their Council that had made the decision to cede Fiji to Great Britain, to Her Majesty Queen Victoria.

Our Indian leaders have also pledged their support for the *Bose Levu Vakaturaga* that the chiefs are not only chiefs of the native Fijians for all the people of our nation. The wise decision of a chiefs cannot be just put aside through the stroke of a pen, Madam Speaker. The irony of native Fijians regarding their group rights is that the FijiFirst Government is now widely saying that it is irrelevant and a source of discrimination. Government has been implementing mainstreaming

processes for its removal while the whole world are now embracing indigenous group rights under the International Labour Organisation Convention 169 (ILO 169) and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Since coming into power through a *coup* in 2006, the Bainimarama Government has announced publicly its intention to mainstream the indigenous community because it believes the recognition and maintenance of their customary institution under the apex of Fiji's Great Council of Chiefs is discriminatory. So too, are the group of rights that has been maintained since the cession of Fiji including the recognition of ownership of customary lands and the requirement of prior and informed consent entrenched in previous constitutions and Section 185 of the 1997 Constitution abrogated by Bainimarama, Madam Speaker. Fiji ratified ILO 169 in 1998, but the action of the Bainimarama regime in passing laws and policies to suppress the group of rights of native Fijians are in clear breach of ILO 169 as well as UNDRIP. Altogether there have been 16 Decrees namely:

- 1) The Fijian Affairs (Great Council of Chiefs) Regulations of 2007 that imposed Government control over the Great Council of Chiefs;
- 2) The Fijian Affairs (Great Council of Chiefs) Regulation of 2008 that suspended the Great Council of Chiefs;
- 3) The Fijian Affairs (Provincial Council) Amendment Regulation of 2008 to impose Government control and remove independence of provincial councils;
- 4) The Fijians Trust Fund (Amendment) Decree 38 of 2009 that imposed control by of Government of the Fijian Trust Fund;
- 5) The Native Lands Trust (Amendment) Decree No. 31 of 2009 that imposed control of the Government over native land by termination of all appointees to the board of then NLTB from indigenous bodies and replacement by Government alone and appointment of Prime Minister to the chairmanship of Native Land Trust Board;
- 6) The Native Lands Trust Regulation (Amendment) of 2010 that removed chiefly entitlement to rent and royalties;
- 7) The Mahogany Industry Development Decree No. 16 of 2010 that removed control of mahogany leases to the Government;
- 8) The Regulation of Surfing Areas Decree No. 35 of 2010 that terminated indigenous fishing rights over areas required for surfing and water sports;
- 9) The Fijian Affairs (Amendment) Decree No. 31 of 2010 that terminated the Great Council of Chiefs;
- 10) The Fijian Affairs (Amendment) Decree No. 20 of 2010 that forbid the term Fijian as reference to Indigenous Fijians and replacement by the word *iTaukei*;
- 11) The Native Lands Trust (Amendment) Decree No. 20 of 2012;
- 12) The *Taukei* Trust Fund (Amendment) Decree No. 22 of 2012;
- 13) The *Taukei* Trust Fund (Amendment) Decree No. 23 of 2012;
- 14) The Constitution of the Republic of Fiji of 2013;
- 15) The Unit Title (Amendment) Decree No. 38 of 2013;
- 16) The 2013 Constitution that purposely removed the entrenched provisions that require prior and informed consent through the Great Council of Chiefs representative in Senate.

These Decrees all have negative impacts on the governance and protection of indigenous rights and resources.

The restoration of the GCC will bring back the much needed consultation, which Government should be taking with the traditional leaders in order that 'free, fair and prior consent' are given before any decision is taken on their rights and aspirations.

Madam Speaker, I fully support this petition to be taken to the relevant Committee and I urge the Hon. Members on the other side to support this petition. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I rise to give my contribution in support of the petition to be referred to the relevant Committee of Parliament.

I realise that the issue, Madam Speaker, has now being put before us, before the House, is whether the petition is to be referred to a Standing Committee under Standing Order 37(5), and I note, Madam Speaker, that this is the first petition to be processed under the amendments that have been made to the Standing Order, specifically under Section 37.

I also note, Madam Speaker, that when we are debating now on the merits, we will be, if Parliament allows this petition to go to the relevant Standing Committee, when it comes back we will be debating on the merits and that is probably something that we have to look at because this is the first time, Madam Speaker, that we are looking at a petition under Section 37.

This petition, Madam Speaker, is one of opportunity. When I say 'it is a petition of opportunity', it is an opportunity for everyone: opportunity for the Government; Opposition; and also the citizens of this country. This issue that we are talking about was unilaterally decided by the Government to remove the GCC from its role that was therein a number of Acts or legislation in this country. Although there were opposition by the Opposition, but there are also views by the citizens of this country that we have not heard off.

Madam Speaker, if this issue is voted against in this petition, then we would not be able to hear the views of the majority. There are only a few of us here, Madam Speaker. We have the Government from the other side and we are in the Opposition. We represent thousands and thousands of people who are out there. In the social media and in the social gatherings also they talk about these issues, and where do they take their views too?

This is, Madam Speaker, the opportunity given to them, to bring their views to this relevant Standing Committee that would be given the task to look into this. They talk about a lot of things, Madam Speaker, including questions like, why were the entrenched provisions that were there in the *1977 Constitution* been removed and it is no longer part of the *2013 Constitution*? These entrenched provisions provided for the Upper House fourteen Senators who were nominated by the GCC. They were there to protect the interests, especially the land of the *iTaukei*. They also asked the question; why were those provisions been removed and not included in the 2013 Constitution? Even the 1977 Constitution, Madam Speaker, clearly stated and acknowledged the customary rights, the traditional ownerships.

Madam Speaker, those rights and traditional ownerships were being protected by the entrenched provision and these are the questions that are being asked by the people, not only by the Opposition here, but also by the people out there and they want answers. Many arguments, Madam Speaker, had been made; arguments for and against GCC's removal. These are being made by representatives and leaders, so why can you not listen to the people? Let the people come forward and air their views.

It is just simple, Madam Speaker, because this really impacts on the day to day issues that they are talking about, whether what had being aired in the media are correct or not. Let them bring it because they will be advised by the people sitting on the Standing Committee whether those views are correct or not. This will provide stability and peace to this nation because, Madam Speaker, many people may be misled and the democratic process that have been put into place is to safeguard our citizens and everyone against these kind of ideologists.

Madam Speaker, there are also questions about the Fijian Trust Fund. The Fijian Trust Fund was initiated by the BLV. A clear manifestation of that, Madam Speaker, is the building sitting at Draiba that was built from this Fund. It was for the purpose for the chiefs to meet over there, but now it is being used for other purposes. These are things that are being done without any consultation, Madam Speaker, and questions are being asked as to why these things have been done. We need consultations and we know

that BLV is no longer part of the Fijian Trust Board. Madam Speaker, instead the Hon. Minister for *iTaukei* Affairs has taken its place.

We look at how the Government had taken over the role of the GCC through that mechanism, even Ratu Sir Lala Sukuna, Madam Speaker, it was established by the GCC. Now, Madam Speaker, not even a representative of the GCC sits on the board of Ratu Sukuna. This makes me to think that if we look at this morally, nothing can make it right because what have been done by the people, we do not have the right to covert those rights. This is what the *Holy Bible* or the Word of God says: “do not covert anything that is your neighbours.”

Madam Speaker, I was staring at your new seat and I looked at the star and I was thinking to myself, “this is the star of David?”

HON. S.D. KARAVAKI.- I was thinking, Madam Speaker, about what the Bible says “that the bright and the Morning Star is Jesus Christ himself”.

(Chorus of interjections)

I praise the Lord for that, Madam Speaker, this morning and I believe that we can talk about this over here, but let us provide the avenue where we can listen to the people. Four years of separate Elections to another Elections and within this period, the only most appropriate avenue that we can continue to listen to the voice of the people is through petitions. Let them come in before us in Parliament and tell us their views. The Government can very well use that avenue to measure its performance and improve from there. This is an opportunity, Madam Speaker, to correct the wrong, this is an opportunity to hear the voice of the people, this is the opportunity to engage everyone holistically in Fiji and this petition provides that opportunity. Therefore I support this petition and hope with those few views that I aired before this House that the Government will support it because we will come back, Madam Speaker, at the end of that, to debate it again on the merits. I only want to touch on the issues why we should refer it over there, because without that, it is becoming very confusing to me legally. When I look at this, I say, “where is the premise that we are to debate on, when it says it is only to be referred to the Committee”, I think there should be a clear premise that we are to debate on, otherwise we will be duplicating our debate. I support, Madam Speaker that this petition to be referred to the relevant Standing Committee. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Salote Radrodoro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker and I take this opportunity to contribute to the debate on this petition. May I just highlight again the petition in which it says, “For Parliament to conduct dialogue across communities, especially the *iTaukei* for the reinstatement of the Great Council of Chiefs.”

Madam Speaker, the Great Council of Chiefs was a constitutional body from 1876 to March 2012 when it was decreed to be dis-established, and through those years we have seen how the Great Council of Chiefs has taken Fiji forward. The Great of Council of Chiefs represent the fabric of the indigenous people from the village, all through the various sectors of our society, right up to that high body. Madam Speaker, the gist of the issue here is, “How are going to hear the voices of the people?” Abraham Lincoln said, that Government is by the people and for the people. If Government is by the people, that is why we are all sitting here, they voted us in here and if it is for the people, then we should provide for an avenue, for a space to hear their voices and that avenue and that space is through the Committees.

Madam Speaker, while I was still in the Civil Service, when the new Interim Government came in to being after the *coup* in 2006, we were directed by the Government to take what was called

the Roadmap for Democracy Sustainable Social Economic Development (RDSSSED). We were directed to take it house to house. It was a very down to the community level consultation process. That had to be done because the Government wanted ownership of that development plan and in this instant, Madam Speaker, as I have already mentioned, the removal or the abolishment of the GCC was decreed and decreed, if you look it up in the dictionary, it is something that is done by force. Force means “no consultation”. We call this a House of democracy, if it is a House of democracy then Parliament must provide the avenue, it must provide an enabling environment where people can come forth and share their views. Why is Government not allowing that? Why have we taken it out from the Standing Order, as we have heard from Hon. Professor Biman Prasad? Why are we denying the people their opportunity and their right to be heard? This is what we call democracy, this is a mock democracy if we are going to keep on denying the people of Fiji their voices, their opportunities to be heard and one of that avenue is the Committee.

Parliament had the foresight to convene workshops on functions and roles of Committees. If the Government is going to use resources for that kind of training programme or for that kind of workshop to instil in us the know-how, the skill to be able to undertake our work in the Committees, then why are cutting it short here? Why are we going to vote for such petition when knowingly, we know that the Government has the numbers. I challenge the Government this morning, you vote for this petition, if indeed we stand for democracy, if indeed we want the voices of the people of Fiji to be heard. Someone, one of the Hon. Members from the other side interjected and said, “We have the numbers.” Indeed you have the numbers, so take it to the Committee and hear the voices of those numbers. Why are we denying the people, the voices to be heard? Madam Speaker, if it is all about democracy then we have to give the right for people to be heard and Parliament, that is our role in this House to provide that opportunity to the people to be heard.

We cannot just set up Committees, as a what, as a fuss, just to sit there and Parliament Secretariat conducts workshops for us to go there, to go and gain the knowledge to be able to be effective in Committees and then what? We come here and vote for the petitions, knowing very well that Government will vote it out. So what kind of democracy do we have, Madam Speaker, if this is how we are going to go on? Keep on denying the people of Fiji their voices and their rights to be heard and yet, at the same time, the Government is championing that we have democracy in Fiji. If the Government is indeed by the people, for the people, let the voices of the people be heard, provide that opportunity for the people to speak. Recently we heard the Hon. Minister for Finance saying that the National Development Plan, that is going to replace the RDSSSED has been taken out to the communities for consultation. I have set in one of those consultations, so why can we not take this petition to the people, what are we scared of; because we did not consult them in the beginning? Now we do not want to hear of their voices.

(Chorus of interjections)

HON. SPEAKER.- Thank you. Is that the end?

HON. S.V. RADRODRO.- Madam Speaker, we have heard not so much loud interjections from the other side. It was just a whisper, because you are passively agreeing that you are denying the people of Fiji their voices and their rights to be heard.

(Chorus of interjections)

You know sometimes, Madam Speaker, it says that silence is a sign of agreement.

(Laughter)

And Madam Speaker, yes, I will plead to this House.

HON. F.S. KOYA.- Point of Order, Madam Speaker.

HON. SPEAKER.- Point of Order!

HON. F.S. KOYA.- Madam Speaker, once again the idea is that once this petition is presented, its merits and demerits are put forward. Right now, I think we have gone off on some particular tangent that does not have anything to do with the actual petition.

(Chorus of interjections)

Madam Speaker, I think you made a ruling already, we are wasting precious parliamentary time.

(Chorus of interjections)

HON. SPEAKER.- Thank you. I am also aware of the Member's rights, freedom of speech. Please continue, Hon. Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. Yes, indeed we must have the freedom of speech in this House. If we cannot speak in this House then where else are we going to speak?

(Chorus of interjections)

Madam Speaker, it is important for this House to seriously consider this petition and allow it to go to the Committee for further discussion and deliberation, but most importantly, to allow the people of Fiji, who had being denied the right, who are never consulted in the removal of this august body to be heard through the Committees. Thank you, Madam Speaker.

HON.SPEAKER.- Thank you. I give the floor to the Hon. Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker Allow me to make a small contribution to the petition which calls for the Parliament of Fiji to allow the people, especially the *iTaukei*, to make submissions and recommendations for the re-instatement of the GCC.

I come from a *vanua* background, in the *Vanua* of *Naitasiri* of which the *Turaga Na Qaranivalu* is the paramount chief. The *Turaga ni Qaranivalu* was a signatory too in the Deed of Cession and the position had been allocated a seat in the GCC.

For the abolishment of the GCC, may I state categorically, it is wrong because, as for me, the people of *Naitasiri* were not consulted. It is a disrespect to our paramount chief for this abolishment of the GCC and it is the prerogative of this House to allow for that, to be fast tracked and to take it back to the people to make the wrong, right so that they can hear the people of Fiji with what they want in regards to the GCC.

Madam Speaker, you know that in the Methodist Church of Fiji, for the last week, it had a programme called "*Tekivu e vale*" for the family and I would reiterate that the message is from the family, it branches to the *mataqali*, *tokatoka*, *yavusa* and the *vanua*. So, it is a life, it has blood and *vanua* has the blood.

The chiefs are related not only traditionally, but in blood and so are the people. It is very important to have the GCC because it has a stabilizing influence in regards to the people, not only for the people,

but for the development of the country in terms of resources. People are the resources and the people respect their chiefs and the head of the house in respect of the *vanua* is the GCC when you have the family of chiefs in the three confederacies, so are the chiefs of the *vanua* and they come respectfully under the umbrella of the GCC as the head of the *vanua* in Fiji.

It is very disturbing, Madam Speaker, because we have a family of *vanua* without the head and because of the role of the GCC in promoting education, developments, influencing or making decisions in regards to the availability of resources of landowners and the people. A family without the head and you will imagine, as it is happening now in regards to important decisions in the development of resources: the mining, the resources of the *iqoliqoli* and GCC has been a stabilising influence in its role as what is alluded to by the previous speaker, Hon. Karavaki.

Madam Speaker, if I can elaborate on the role of the GCC in terms of education. The *iTaukei* people were not educated because of their cultural and traditional backgrounds and geographical locations in those years. After the Deed of Cession, it was through the GCC in the first sitting in Mualevu that they implemented this education for the people.

Firstly, it was for the chiefs, that is where the name '*Vuli ni Turaga*' came into being in 1883 when it was established in Arawai as a Technical School. When it came to Toga-Levu in 1889 until the GCC was brought forward to the Governor, they were even saying that they were going to pay 100 pounds for the establishment of Queen Victoria School in Nasinu in 1907.

The perception that Queen Victoria School was for the chiefs was wrong because it encouraged the education of even common people, coming out from Lau and Vanua Levu, because at that time there was a need for the civil service, teachers and doctors. If you go back to the history of these schools, Madam Speaker, the Colonial Government would come into the class and would ask the students, 'who wants to be a teacher? Who wants to be a doctor?'

That was the relevance of the GCC as we come today and that is the legacy that we must protect, not only at that time and this time also, as Fiji evolves in the developing world. So that is very important for the GCC to be there, to be embraced in Fiji, so that it has a stabilising identity, the legacy of the *iTaukei* people because once that is gone then we are a lost people in this world. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other input, I give the floor to the Hon. Bulitavu.

HON. M.D. BULITAVU.- My contribution this morning, Madam Speaker, will be limited as to why the petition which is before the House must be referred to the relevant Standing Committee.

The petition, Madam Speaker, talks about the re-establishment of the GCC, which we all know that was in the 1997 Constitution. We also know, Madam Speaker, that in order to re-establish that in the 2013 Constitution, we need to meet the requirement of 75 percent within the House and also it has to go through the referendum by the people.

Given those difficulties, let me take us back to the background of how this particular institution was abolished. If you look back, Madam Speaker, at the first document, the Bainimarama Government had published after its takeover in 2006 is the *SNE Report* and it contained the use of the people in regards to numerous issues; economic, social issues, and even issues in regards to the indigenous people, governance structures and the Government came up with the idea, a solution to those economic and social issues to draft a Peoples Charter.

The Peoples Charter contains 11 Pillars, Madam Speaker. Specifically at Pillar 3, "Ensuring Effective, Enlightened and Accountable" and Pillar 7, when you talk about integrated development

structures, therein you will find the idea of mainstreaming. The mainstreaming of indigenous interests into the national development framework.

The confusion we have, Madam Speaker, is that the system that was used previously before the adoption of the 2013 Constitution, the *Matanitu iTaukei* was a semi-autonomous body within the State system. Now, we still have that system but within all the complaints that have been made to the International Labour Organisation (ILO) 169 Commission, Madam Speaker, we have all heard that the ILO 169 Committee of Experts in 2012 had established that there were no consultations done. That case has already been established and the Permanent Mission Representative to the U.N, Mr. Jim Bai, we all know that he made representation last year. He has already confirmed too that the Government has adopted a 2013 Constitution which he says protects indigenous rights.

The issue now is, whether the protective role of the Great Council of Chiefs needs to be maintained or whether that protection has now become a right, within Section 28 of the Constitution. That issue, Madam Speaker, needs to be properly ventilated by the people, whether the safety net that was there in the 1997 Constitution needs to be brought back, what other safety nets that are there in the 2013 Constitution given that Section 28 is there in the Constitution, Madam Speaker, that only gives rights to *iTaukei* land.

We are talking about group rights here, Madam Speaker. The 1997 Constitution, we had the Preamble which we had some very important things about indigenous people, we had the Compact of the 1997 Constitution and we had a particular chapter, Madam Speaker, in regards to group rights or collective rights.

Removing the Great Council of Chiefs, Madam of Speaker, leaves a very important role that was in Cap. 120 of the Fijian Affairs Act that is in Section 3, Sub-section 2 which gives the Council the role to recommend and propose to the Governor General on changes that were for the good government and for the well-being of *iTaukei* people - that is the role, Madam Speaker. That role has been removed and that role is currently being undertaken by the *iTaukei* Affairs Board which is not a chiefly body. They are a board that looks into the policies and changes in regards to the *iTaukei* people. But we need a body, Madam Speaker, which will give advice and recommendation to a particular body within the Government machinery on what policies will be relevant to the *iTaukei* people.

For example, Madam Speaker, let us see the equal distribution of lease. This is an issue that was being discussed by the Native Land Trust Board, but we see the effects. Petitions are coming to the House from the people because they were not consulted. If a body was there to at least advice on what benefits and changes are relevant to the *iTaukei* people that are to govern them well and to protect their interest, it will be the way forward, Madam Speaker. That is why, Madam Speaker, I propose to this House, Madam Speaker, and for the other side of the House to understand the importance of referring this particular petition despite the different political ideologies that we stand on, to refer this to the Committee and Committee make a wider consultation, we will come into align ourselves to complying with what ILO 169 Committee of Expert has already established in 2012.

The difficulty we have here Madam, we those few people who become think tanks for *iTaukei* people who advise the board and it is very hard even for the Minster for *iTaukei* Affairs. When we are questioning issues in regards to changes and radical reforms for *iTaukei* people that has been implemented, we do not have the answers because it did not come from the people. It was just a few people who sat and thought about this and they thought of about putting it up into policy or into law and regulation and nothing has been done. You have seen the trend, Madam Speaker, once a policy or regulation is announced, you will see a taskforce going around Fiji explaining the new method of distribution of lease, et cetera. But that has to come from within the *iTaukei* system or the *iTaukei* structure. It is not only that, Madam Speaker, when you look at the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), if you look at Articles 4 and 5, you will also see, Madam

Speaker, that there is a need that *iTaukei* people need to have an autonomous organisation and their distinct political and economic institutions needs to be maintained. I do not see any solution so far by the Government when they have removed the GCC with whatever reasons they have said, whether it was political or whether it was not relevant, but we need to replace that. There has to be a solution into whatever we bring in, in order for the indigenous people do not really fall out into the whole governing system of our nation.

There will be issues that will be contentious in this regards, Madam Speaker, in regards to propriety rights and rights that are limited by the Constitution, bearing in mind Section 28 of the 2013 Constitution which the Government talks about protects *iTaukei* land is subject to limitation, which means that it can be changed. In the 1997 Constitution, the procedures to change all that, it went through the Lower House into the Upper House and it came down again, there were Members of the Senate who were appointed by the GCC in the Senate, who had veto powers and legislations that could affect the indigenous people, they voted it out. But we do not that safety net any longer, Madam Speaker, the only way we can do this is, is to bring it to this House and take it to the relevant Standing Committee, and let the people decide and let the people give their views on whether they like the reinstatement of the GCC or whether they support the abolishment or whether there is to be another body that has to be established, what role it should play, what are the composition, what are the functions, what powers should it be given, et cetera.

These are all things that will help the nation move forward in regards to this issue, Madam Speaker, and we should think broadly as Members of this august House. I urge the Members of Government to at least approve this and let us take this to Committee level and after the Committee makes a report and brings it back by way of a motion, then we see the findings of the Committee and their recommendations and we will be able to have a clear picture of what the people of this nation want about this particular institution.

Thank you, Madam Speaker.

HON. SPEAKER. – Thank you. Sorry, I was going to go for the right to reply but it seems that more debates are coming in. It is time to break for refreshments, so we will suspend this sitting until 11.30 a.m. We will now break for refreshments.

The Parliament adjourned at 11.07 a.m.

The Parliament resumed at 11.30 a.m.

HON. SPEAKER. - We will now continue where we left off and I now give the floor to Hon. Mikaele Leawere.

HON. M.R. LEAWERE. - Madam Speaker, I now rise to support the petition that is before the House. Let me take us back to the history when the Great Council of Chiefs was created by the then first Colonial Governor Sir Arthur Gordon following consultations with an assembly of chiefs on how the Fijians should be governed. It became a major symbol, Madam Speaker, of Fijian identity and strength in the political structure and it continued to have this significance after the Independence. However, in March 2012, the then Interim Minister saw it fit that it should be abolished. This is the pinnacle of the Fiji Institution in terms of the *iTaukei* structure because we look up to the Great Council of Chiefs for leadership and also taking us forward in terms of all the people of this nation.

The Great Council of Chiefs since its establishment has made significant development in this country. As alluded to by my fellow colleagues and Hon.e Members of this side of the House, the he Great Council of Chiefs has made some changes especially in the development of this country when it established a Fiji Military Forces and the Fijian Constabulary and also the enlistment of Fijians in the First and Second World Wars and the Malaysian Campaign and this was through the Great Council of Chiefs. Also, Madam Speaker, the establishment of the Fijian Affairs Scholarship which the indigenous people of this country look forward to in terms of pursuing further studies. Most of us here in this House are the products of the Fijian Affairs Scholarship. I am saying that because I am one of the recipients of the Fijian Affairs Scholarship through the Great Council of Chiefs dream that people of this nation especially the Fijian people to be educated and to lead this country. As alluded to by my honourable colleagues from the National Federation Party, Mr. Jai Ram Reddy spoke positively about the Great Council of Chiefs and it so fit he was also the first member to address the Great Council of Chiefs when he was invited to speak during one of its meetings.

Madam Speaker, the Great Council of Chiefs should be brought back to this country but we would like the people to decide whether it is going to be in that form where it was before or it is going to be reviewed in terms of what it is going to be, but we would like the people to decide because the petition here at hand is there for the people to decide as to what they want, because if we are going to curtail it and vote it out, especially at this stage of the process, we are depriving the people of their right to speak or their right to tell the Government what is it they want.

Madam Speaker, that is my brief contribution to the petition at hand and I stand to support it. Thank you.

HON. SPEAKER.- Thank you. I now invite the Hon. Radrodro to have the floor.

HON. A.M. RADRODRO.- Thank you Madam Speaker. I stand to put a small contribution in support of the petition that is before the House this morning.

I would like to start by taking us back in history, in 2006 when the *coup* was undertaken by Hon. Bainimarama. He went to the GCC to seek support for the takeover and fortunately, the GCC stood to uphold the rule of law.

So, this petition basically is seeking the views of the people to bring back the GCC, but first we have to ask, what was the real reason for the disabling of the GCC? Why was it taken away in the first place? Was there any research done by Government, to ensure that the will of the people is reflected? Unfortunately, this has not been done. Therefore, this petition seeks for the review of that decision.

Some of the highlights and the roles in which the GCC have played over the years, Madam Speaker, that I would like to bring to the attention of this House was in 1936 to 1940 through the high chiefs of Fiji's Statesman, Ratu Sir Lala Sukuna. The GCC, through the consensus of all landowning units agreed to establish the Native Land Trust Board, to administer all native land trust for their landowning units and to allow surplus native land to be leased out to especially Indian forefathers for their development after the Indentured Labour System and for the development of the Colonial Fiji.

That was one of the major highlights of the role of GCC, Madam Speaker and that decision is still happening to this day. This was the landmark decision for a multiracial Fiji. There are many other highlights but I would also like to bring to the attention of this House to the establishment of the Fijian Holding Limited (FHL), which was done in 1985, but we all know that the basic reason for this establishment was to improve the economic participation of *iTaukei*, which has been lacking for a while, then to this day even with the establishment of FHL, the *Yasana* Holdings Limited, which owns part of Fiji TV. These organisations have opened up their doors, not only specifically for the employment of the *iTaukei* people but it opened up their doors to include all other communities.

Therefore, these achievements have also highlighted that there were no political influence in the role of the GCC. I think the most important role in terms of the establishment of the GCC was the role it played in terms of the advisory role to Government that has been established in the past, that has also been proven that Government needs the advisory role of the GCC through the Senate. Therefore, this has been established, taking it away is not a solution to the issue at hand.

Madam Speaker, before I end my contribution this morning, it has been alluded to earlier by my colleagues, the ILO 169 Committee of Experts have established that there is a breach and therefore when it is established that there is a breach, that needs to be corrected and I support the petition of this House to go to a relevant Standing Committee. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Prem Singh.

HON. P. SINGH.- Thank you Madam Speaker. I just add to what has been said that the petition I believe should be referred to this Standing Committee.

The real issue at hand, Madam Speaker, a lot has been said about the GCC, whether it was unilaterally abolished or it was done by the then Government or the interim government are in good faith. Their issues with this matter which have been on the back burner of our political arena since its abolishment. A lot of people may agree that there is no need for a GCC, on the other hand, there are some people who feel that it should be brought back.

Madam Speaker, GCC is an establishment or an institution which is very dearly held by a certain group of people which are the *iTaukei* of this country and they did serve distinctively well until 1987, self-interest politicians came in and used them for their own gain and this dark spot which GCC continued to have until 1997 has marred our history, our political history.

Madam Speaker, the Bainimarama Government, in 2012 decided to abolish it. As I said, there may have been reasons for it and subsequently during the 2014 Elections, we had people voting on this, on both sides of the House as to the correctness or in correctness of it. So, as I said, this matter has been on the back burner for quite some time now and it would only be prudent if we refer it to a Standing Committee, where grievances outlined by the Hon. Members on this side and the petitioners will have a chance to voice their views and I can also say that this side of the House, if they feel that the Standing Committee comes up with their recommendation, where majority of the people do not want GCC, they would accept and will stop this matter for all, but if there are some impassive arguments, then naturally they will carry on but this is a matter, as someone said from the other side, you wait till 2018.

Let me remind you, this matter will not be as smooth be taken in 2018 as it is now. So, it is in this wisdom that I urge the Government side that at least you do not have to make a decision that Committee does not have to make a decision in one year. It is a process where people's views ought to be known and they will be given an opportunity and this sees an opportunity which should not be missed, Madam Speaker, thank you.

HON. SPEAKER.- Thank you, I give the floor to the Hon. Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker, and from the outset, I would like to support the petition before the House.

Madam Speaker, this is a very sad moment for the indigenous people of this country because we are debating something that should not have happened. Madam Speaker, as everyone would know that this is the action of people that were hungry for power. Now, the people have to bear the consequences of their actions. No matter how much this Government is trying to please the indigenous people of this country, they will never forget what it did to them during the last eight years.

Madam Speaker, the SODELPA maintains that the FijiFirst Party has shallow understanding and lacks foresight of the role of the BLV. I must remind the House that *iTaukei* people were the first settlers of this land and this nation. We all know that *iTaukei* had a structure in the administration of their daily lives. The chiefs have always been the pinnacle of their existence. So, the notion that the BLV was a creation of the Colonial rulers was not true.

Madam Speaker, most of the institutions that look after the interest of the *iTaukei* affairs have also been weakened by the regime and we believe that Hon. Khaiyum's thesis on "cultural autonomy" has played a part in this. The thesis conclusion of the sunset clause of removing the autonomy of the Fijian institutions and creating a stronger nation that has steered the way for the acts of the military regime to abolish the Fijian institution. Madam Speaker, we believe that we do not need a sunset clause. We believe, Madam Speaker, that Fiji needs a sunrise clause where all will rise to where we all meet and dialogue to determine the way forward for this nation. Thank you, Madam Speaker.

HON. SPEAKER.— Thank you. There being no other input to the debate, I will now invite the Hon. Viliame Gavoka for his right of reply.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. I gather the confusion from the other side is that we won the election so that is it. We do not have to justify what we do, wait until 2018. Madam Speaker, Parliament by its very structure with the Committees and the other subsidiary bodies ensures that the people are safeguarded from a government, especially one with the majority that we have today. The Committees, as you know, Madam Speaker, meets and they submit reports that appeal to the general populace. It does not favour one particular party, meaning, Madam Speaker, the people of Fiji have to be safeguarded from a government that can be tyrannical in the way it runs its administration. So I would urge my colleagues on the other side not to think that because you won the elections you do not have to indulge, you do not have to be part of any other parts or any subsidiary parts of Parliament. What we have here is a petition to enable the people, your people who voted for you to have dialogue because what the tick that they gave you to sit there is a tick that believes in you to safeguard their rights, their interests to be heard and this petition is one way of doing that.

You should remember that Parliament is a safety valve. The way the GCC was abolished, if I can use the word, was cruel. I was there that day when I heard about it on radio and I heard the reaction of the people, "Your GCC from the beginning of time is now no more by one person." It was cruel. So what we have here, Madam Speaker, is to bring into Parliament, use the safety valve of Parliament to have people air their views about this institution that is so important to them. By

not doing this, those views will be suppressed, those views will be withheld from normal dialogue and those views will continue to hurt the people of this country. We need to be open, we need to have dialogue even if they are difficult, we must have them. This is why we are all here. Let us not be afraid to have dialogue and this one, Madam Speaker, I am pleading with everyone from the other side of the House to allow this to go through Committees. Let the people speak. This is, as we have heard is a very special institution, dear to us, so precious, so integral to who we are. You cannot just say, "we will abolish it and we have no further dialogue in it." I would plead with you, "Please have that dialogue." In 2014, *Tebbutt* carried out a survey and 60 percent of the indigenous people said, "We must have the GCC." Madam Speaker, 30 percent of the Indo-Fijian people said, "We must have a GCC." That is telling, Madam Speaker, to just say to them, "it is not on, it is all gone." These are people who are expressing their views and they need, Madam Speaker, to be heard in a manner that we have all agreed should be the platform for hearing.

Madam Speaker, as my learned colleagues have articulated, it is a stabilizing factor - the GCC. Let me put it this way, Madam Speaker, the ALTA legislation was a landmark legislation whereby the *iTaukei* gave their land for sugar and other crops. That changed the complexion of this country. From where I come from, Nadroga, Navosa, Ba, Ra and Macuata, the whole landscape was just sugar, beautiful and blossoming during that time of harvest and all that. That was a landmark legislation, Madam Speaker, that the political leaders of that day, Ratu Sir Kamisese Mara, Ratu Sir Penaia and the National Federation Party came to, but for a Fijian leader, for an *iTaukei* to have this confidence to sign something like that, they needed the support of the GCC. I stand here today as an elected member, as an *iTaukei*. Today I can tell you, Madam Speaker, I would not have the confidence to sign away anything about our resources without referring it to a body like the GCC. They gave you the power, they empowered us. I do not know of any *iTaukei* in this House today who can be confident, who can be bold to say I will sign this away. Ratu Sir Kamisese Mara, Ratu Sir Penaia all those leaders of the past were able to do it because the GCC said, "yes you can do it." There was the confidence element that they provided to all leaders and that confidence element is what we need going forward.

Today we need to pass legislation to get more land to be developed. It saddens my heart. It pains me when I see land that lies idle and no one has a solution to it because people, I believe, are following the wrong channels to try and have this land made available for cultivation. That was only possible when leaders of those days had the backing of the GCC behind them. That is why, Madam Speaker, GCC is a stabilizing factor. It should not be viewed as a threat to anyone, never. As I have said or Ratu Sukuna said in 1936, "if other people are poor, the Fijians are poor." That is the way it is, that is the way we should go forward. This is a body, Madam Speaker, that the *iTaukei* place very highly. The resources of this country are in the hands of the *iTaukei*; 90 percent of the land are in the hands of the *iTaukei*. Does it make sense that you want to develop that land, you want to develop the resources by removing the apex body? Does it make sense? It does not make sense. We want to engage with you. We want to grow up with you, as we have said many times; set up a Committee, revive the sugar industry, have more land to have cane. But you come to the party, we have a body that we can refer to, this thing can be done. We have it with us here, the goodwill and part of the goodwill, Madam Speaker, is to strengthen the institution that gives us strength to do that.

Madam Speaker our youth going forward must remember what made this country great. We want this dialogue to happen so that our youths can get to understand that their forefathers had built a structure; a structure that brought Fiji to what it is today. We are the most developed nation in the South Pacific. It did not happen overnight, it took more than a hundred years and it took a structure that brought us here; a structure that was on whose foundation, of which was the GCC.

Madam Speaker, I would urge everyone, please, let us vote with our conscience. I know there may be party lines, but vote with your conscience. We want this country to progress, we want goodwill in this country, show that goodwill by respecting, by placing a sacred institution that is so dear to us and

where it should be so that goodwill will flow from it and brings prosperity, peace and brings in the country that we all want.

Madam Speaker, I cannot say anymore. I am lost for words on how I would be explaining this but let me just say as this as an *iTaukei*, my heart is for this country to grow, to prosper and I want all the elements that we can marshal to come in and help move this country forward. The pinnacle of which, to me, as my being is the Great Council of Chiefs.

Madam Speaker, I ask, I plead with everyone; please support this petition to go to the Committee and let the people of Fiji have dialogue on this in a manner that will give us some resolutions to the way we want our GCC. Thank you Madam Speaker.

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

The question is, that the petition be referred to the Standing Committee under which the subject matter of the petition falls. Does any Member oppose the motion?

(Chorus of yes and noes)

HON. SPEAKER.- There being opposition, Parliament will vote on the motion.

Votes Cast:

Ayes	:	16
Noes	:	29
Not Voted	:	5

Motion is defeated.

HON. V.R. GAVOKA.- Madam Speaker, I understand that if 40 percent of the House voted, then it should go to Committee and if you look at these figures (16 ayes and 29 noes), that is more than 40 percent, Madam Speaker.

HON. SPEAKER.- Thank you. Just had the 40 percent calculated and the 40 percent of the members of the House is actually 20, but there were only 16 ayes - those present and who have voted "yes".

Thank you, we will move on to the next item on the agenda.

PRESENTATION OF PAPERS AND CERTAIN DOCUMENTS

HON. SPEAKER.- I now call upon the Hon. Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications to table his reports.

HON. A. SAYED-KHAIUM.- Thank you, Madam Speaker. Madam Speaker, in accordance to Standing Order 38, I present the following Annual Reports to Parliament:

The Fiji Public Trustee Corporation Limited Annual Report 2014

The Public Rental Board Annual Report 2014

The Fiji Ports Corporation Limited Annual Report 2014

The Airports Fiji Limited Annual Reports 2014, 2013 and 2012

HON. SPEAKER.- Thank you. Pursuant to Standing Order 38(2), I refer the following Reports to the Standing Committee on Social Affairs:

The Fiji Public Trustee Corporation Limited Annual Report 2014

The Public Rental Board Annual Report 2014

The Fiji Ports Corporation Limited Annual Report 2014

The Airports Fiji Limited Annual Reports 2014, 2013 and 2012

(Reports handed to the Secretary-General)

I now call upon the Minister for Education, Heritage and Arts to table his Report.

HON. DR. M. REDDY.- Thank you Madam Speaker. Madam Speaker, in accordance with Standing Order 38, I present to Parliament the Fiji National University 2014 Annual Report.

HON. SPEAKER.- Pursuant to Standing Order 38 (2), I refer the Fiji National University 2014 Annual Report to the Standing Committee on Social Affairs.

(Report handed to the Secretary-General)

Hon. Members, we have received notice from the Hon. Attorney-General and the Minister for Finance that he wishes to seek leave of the House to table the 4th Quarter Appropriation Statement for 2015, as well as the 1st Quarter Appropriation Statement for 2016.

Hon. Members may recall that the 1st and 3rd Quarter Statements as well as the Media Statements for 2015 were tabled last year. The Hon. Attorney-General is seeking leave to table these documents, are there any objections?

There being no objections, I call on the Hon. Attorney-General to table the document.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker by leave of Parliament and pursuant to Standing Order 38, I hereby table the 4th Quarter Appropriation Statement for 2015, as well as the 1st Quarter Appropriation Statement for 2016. Thank you.

HON, SPEAKER.- Thank you. Pursuant to Standing Order 38(2) I refer the following documents to Standing Committee on Public Accounts:

4th Quarter Appropriation Statement for 2015

1st Quarter Appropriation Statement for 2016

QUESTIONS

Oral Questions

Local Government Elections in Municipalities (Question No. 30/2016)

HON. P. SINGH.- Thank you Madam Speaker, I rise to ask Question No. 30 of 2016, standing under my name. Madam Speaker before I ask the question, let me say at the outset that this question was asked last year and now six months have lapsed. There is no progress in the matter, so we are asking this question again. This is a directive to the Minister for Local Government, Housing and Environment, Infrastructure and Transport.

Would the Hon. Minister inform the House when will local government elections in our municipalities be conducted as announced by him after his swearing in as a Minister on 24th September, 2014?

HON. SPEAKER.- Thank you. I give the floor to the Hon. Minister for Local Government, Housing and Environment, Infrastructure and Transport.

HON. P.B. KUMAR.- Thank you, Madam Speaker and I also wish to thank the Hon. Member for his question.

Madam Speaker, the municipal elections may be decided upon after the review of the Local Government Act and also the associated legislation. Thank you.

HON. P. SINGH.- Supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. P. SINGH.- Why is the Government delaying the democratisation of local government under the pretext of reviewing the Local Government Act?

HON. SPEAKER.- Hon. Minister.

HON. P.B. KUMAR.- Madam Speaker, for the information of this august House, the work has begun. There is a Local Government Committee in place who are visiting all municipalities in terms of boundaries. The Town Planning Act consultation has begun. The Act is not only about electoral system, there are other legislation that needs to be addressed and I have said earlier on in this House that we are going to have a holistic approach to this review. Thank you, Madam Speaker.

HON. SPEAKER.- Hon. Salote Radrodro, you have the floor.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. In his response, I believe it was February last year that this question had come up and the Hon. Minister had stated that the review of the Local Government Act was in the Attorney-General's Office. Can he explain what the progress of that Act or is it still sitting there? It has taken a year for that piece of legislation to progress through AG's Office. Thank you, Madam Speaker.

HON. P.B. KUMAR.- Madam Speaker, when did I say that it is sitting at the AG's Office?

(Chorus of interjections by Opposition Members)

HON. OPPOSITION MEMBER.- Look at the *Hansard*.

HON. P.B. KUMAR.- What is sitting at the AG's Office? Be specific about it. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Vadei for the third and last supplementary question.

HON. A.T. VADEI.- Thank you, Madam Speaker. Now with the enormous delays and poor delivery of services, why are the ratepayers denied the right to manage their own municipalities? Thank you.

HON. P.B. KUMAR.- Madam Speaker, as I have said just now that the process has begun. What else should I say, what else they want to know, Madam Speaker? The Local Government Committee

had started their work. The Town and Country Planning Department has started consultation on the town planning. What else do they want? Thank you.

HON. SPEAKER.- I now give the floor to the Hon. Mikaele Leawere to ask his question.

Scholarship Available to Rural Students
(Question No. 31/2016)

HON. M.R. LEAWERE asked the Government, upon notice:

Would the Hon. Minister for Education, Heritage and Arts explain as to what scholarships are available to rural students from disadvantaged parents given that Government has taken away the Fijian Affairs and Multi-Ethnic Scholarships?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Madam Speaker, I want to thank the Hon. Member for asking this question. It gives me an opportunity to enlighten them again about our Government's position of ensuring that all Fijians are able to access tertiary education without any obstacles as they used to face before.

Madam Speaker, the Bainimarama Government has maintained its promise that all Fijians intending to obtain higher education will be assisted by the Government, following the problems that our Government noted since 2006.

Madam Speaker, the Government has dismantled the previous system of providing financial assistance based on ethnicity. The system put in place is that every Fijian child who qualifies to gain admission into a higher education institution, Government will provide financial support to pick up the tuition fees, subscriptions and accommodation expenses. Madam Speaker, the board which administers the scheme works on policies of equality and fairness and serves all students applying alike. The rural and disadvantaged student are also fully catered for in the Scholarship and Loan Scheme.

Madam Speaker, for the information of the Hon. Member and others on that side, in 2013, when the previous scheme was enforced which included, as mentioned by the Hon. Member, the *iTaukei* Affairs Scholarship which was formerly known as the Fijian Affairs Scholarship, Multi-Ethnic Scholarship and the PSC Scholarship. Madam Speaker, in 2013 under these schemes, 5,434 students were studying. Upon introduction of the new financial scheme by Government in 2014 to ensure that every Fijian child have access to tertiary education, we had in 2014, 12,943 students studying.

HON. OPPOSITION MEMBER.- They had to pay.

HON. DR. M. REDDY.- An increase.

No. Again, Madam Speaker, in 2013, under the old scheme, we had 5,434 students studying, that included the *iTaukei* Affairs Scholarship, Multi-Ethnic and PSC. Now, with the new scheme introduced by the Government included that scholarship, the Toppers and the Loan Scheme, in 2014 we had 12,943 students to do maths, we had 7,509 students more coming into the financial assistance scheme to study at the tertiary institutions.

Madam Speaker, in 2015 this number increased to 14,409. You can see the difference. To further assist the Hon. Member, to penetrate into the rural areas, from last year, we have three campuses of the technical college of Fiji. This year, we have got eight more, so we have 11 campuses of technical college throughout Fiji including the rural area, like what the Hon. Member mentioned the in Nawaca Campus, Navualevu Campus at Wainikoro, Sigatoka, Navua, Nausori, Rakiraki, Tavua and Lautoka. These are the new ones, Madam Speaker, which penetrates and captures those in the rural areas. Madam Speaker,

all those students are eligible to tap into the Government's financial assistance scheme provided through the TELS Scheme. That is how we are able to cater for all students who have dreams to enter the higher education system, to ensure that Government provides the financial assistance. Thank you.

HON. SPEAKER.- Thank you. A supplementary question, the Hon. Ratu Sela Nanovo.

HON. RATU S.V. NANOVO.- I thank the Hon. Minister for the response given regarding this question so far. However, my question is, since many of these students are from rural areas with very low income brackets who cannot really support their children successfully whilst studying in urban areas, why is the Ministry delaying the payment of their relevance allowances for the current semester?

HON. DR. M. REDDY.- Madam Speaker, we would want to know which students are being delayed and what is the reason. A number of times when we got queries from students that their allowances have been delayed, we have noted that their forms are missing, the relevant data is missing. So, if students who have been deliberately, according to the Hon. Minister, being delayed, I would want to see the data and I will examine with the TELS Board what was the reason for the students being delayed in terms of their allowances being given to them. We would want to see the information.

HON. SPEAKER.- I give the floor to the Hon. Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Just a quick question on the Minister's clarification in terms of the numbers. I was not sure whether the comparative figures that he gave was actually comparing apple to apple because what he is saying is that with the previous scholarship scheme, that many number of students ended up at the university, with the new scheme, you give a comparative figure. I think the clarification that I am seeking is whether, because when students are given a scholarship, they were also coming to the university on their own. So, the number of students could be quite a different thing. I am not sure whether the comparative figures that he is giving is comparing the scholarship and those who are coming to the university.

HON. DR. M. REDDY.- Madam Speaker, as I mentioned before, the numbers that I have given is the number of students who are on the scheme. These are the number of students who are on the scheme, the scheme includes Toppers and TELS.

HON. PROF. B.C. PRASAD.- Still not a comparative player.

HON. DR. M. REDDY.- No. Madam Speaker, again for the information of the Hon. Member, let me give you another data. To answer his question, the number that I gave on 2013 - 5,434, these were the numbers who studied under the three scholarship schemes. In 2014, a total of 12,943, these includes all the students on the Scheme. Thank you.

HON. SPEAKER.- Thank you. The Hon. Leawere?

HON. M.R. LEAWERE.- Madam Speaker, the question that was raised to the Hon. Minister is on scholarships, not the loan schemes. So, can we have a figure on how many have benefitted through the scholarships?

HON. SPEAKER.- Thank you, Hon. Minister.

HON. DR. M. REDDY.- In 2014 – 345 students got Toppers Scholarships. The reason why the numbers were low was because they were not able to align themselves with Government's priority areas. You will note in 2015, this number rose to 489. In 2016, this number further went up to 579. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Salote Radrodro.

Plans to Address Transition for Those Affected by *Tropical Cyclone Winston*
(Question No. 32/2016)

HON. S.V. RADRODRO asked the Government, upon notice:

Can the Hon. Minister explain what plans are in place that addresses the transition of those affected by *Tropical Cyclone Winston*, and still living in tents, into permanent houses?

HON. SPEAKER.- Thank you. I give the floor to the Hon. Minister for Agriculture, Rural and Maritime Development and National Disaster Management.

HON. LT. COL. I.B. SERUIRATU (Minister for Agriculture, Rural and Maritime Development and National Disaster Management).- Madam Speaker, I thank the Hon. Member for the question raised this afternoon. Again, let me assure the House, and of course, every Fijian that we are transitioning now from the humanitarian and relief side of operations into the recovery and long-term rehabilitation. This is, of course, a lengthy process, particularly the latter part of it, which is the recovery and long-term rehabilitation.

On housing for those people who are still living in temporary shelters, Madam Speaker, there are two initiatives in place. One has been announced by the Hon. Prime Minister on 9th April, that is on the Help for Homes Initiative.

What is the Help for Homes Initiative, Madam Speaker? This is based on the request made by most of our people, particularly Fijians in rural, remote areas who have the will to do their own housing reconstruction without waiting for too long for Government, and Government has provided them with some incentives, as announced by the Hon. Prime Minister on 9th April.

On the Help for Homes initiative, Madam Speaker, there is an Inter-agency Committee, headed by the Hon. Minister for Women, Social Welfare and Poverty Alleviation, simply because most of the people who are applying fall within that category and most importantly, they already have the facilities, particularly with the use of electronic cards for payment purposes already with the suppliers, and that is why that Interagency Committee is headed by the Hon. Minister for Women, Social Welfare and Poverty Alleviation on the Help for Homes Initiatives.

There are some people who are still waiting for Government's assistance and that will come as part of the Housing Rehabilitation plan, like any other previous disasters.

At this stage, Madam Speaker, we are waiting for the final Post-Disaster Needs Assessment Report provided by the World Bank, ADB and most of the leading agencies, including the United Nations Resident Office in here. Hopefully by mid this week, we will have that Report and that will form the basis in which we will draft the recovery and reconstruction plan and the housing rehabilitation will be part of that, together with the allocation of resources and timeline. Thank you, Madam Speaker.

HON. SPEAKER.- Supplementary question, Hon. Vunivalu.

HON. S. VUNIVALU.- Thank you, Madam Speaker. After the *Tropical Cyclone Winston*, there were a lot of fallen trees. My question is; what is the Ministry doing for the benefit of the rural community in regards to these fallen trees?

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

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I thank the Hon. Member for the question. It is probably one of the other initiatives that I failed to mention in my response. However, during calamities, disasters, there are what we call 'opportunities within the adversity', and I think this is one of the key ones out of this disaster.

A lot of our people have their own native timber within their *mataqali* land and of course, there are private wood lots as well, particularly in the remote rural communities. The Ministry of Forests was tasked by the National Disaster Controller to ascertain the volume of fallen trees within these respective regions, Madam Speaker, particularly those that were affected.

I am pleased to say, Madam Speaker, that most of these fallen trees have been utilized, again for the benefit of the *Winston* victims, particularly in assisting in their housing reconstruction. As we speak, the Hon. Minister for Fisheries and Forests has allocated chainsaws to most of these communities. There are quite a number of Fijians who have been trained in ripping timber for construction purposes and they have started with this. They are just ripping the fallen trees within their areas so that they can utilize it for the reconstruction of their buildings.

The other initiative, Madam Speaker, is the use of portable sawmills. As we speak, there is one in Koro Island that was shipped across to Koro on the second week, post-*Winston* and the latest report that I got from the Permanent Secretary two weeks ago is that they have prepared about 15-18 house frames already from these fallen trees.

So, all that we will need to do now is find the other materials for that purposes and of course, people of Nabukadra in Ra, and of course, Dawasamu is also using one and I have just checked also with the Hon Minister for Forests. I have been advised that they are getting an additional four portable sawmills this week and this again will be delivered to the communities, based on the need, and of course, the volume of fallen trees within these areas. So, it is a good opportunity for us to utilize what would have been waste for the benefit of the victims, and more importantly in their housing reconstruction. Thank you, Madam Speaker.

HON. SPEAKER.- Supplementary question, the Hon. Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. Whilst we commend the initiative of those affected to proceed with the building of houses and for the utilisation of their fallen trees, may I ask the Hon Minister, what is the guarantee of the resilience of these structures in terms of the climate phenomenon that we are experiencing; the strength and the quality of the materials, whether there is any guarantee in terms of any calamity that may rise again?

HON. SPEAKER.- Thank you. Hon. Minister?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, probably during the week, I will issue a Ministerial Statement to that effect. However, for the purpose of answering the question raised by the Hon. Member, definitely one of the principles of recovery is 'building better and stronger', and of course, raising the level of resilience and reducing vulnerability, that is taken into consideration Madam Speaker, and Hon. Members of the House would be aware that there has been discussions and probably some documents or a Bill to that effect will later come into Parliament about building codes and building standards for rural Fiji as well. And, of course, included in that is the quality of building materials itself. There has been some interesting assessment and analysis made by the Fiji Institute of Engineers that will help the Government particularly in preparing for future disasters, particularly building better and stronger, reducing vulnerabilities and raising resilience at all levels. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, I give the floor to the Hon. Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker and the Hon. Minister for the response.

If the Hon. Minister can give us some kind of timeframe, bearing in mind, people are still leaving in tents, it is very depressing and particularly the bad weather that is still with us. So, for the benefit of those who have been affected, can we be given some kind of time frame, is it six months or what kind of other alternative, shelter, that could be given to them?

HON. SPEAKER.- Thank you, Hon. Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I do not have a timeframe in response to the question. I have stated, reconstruction is a lengthy process, it takes years even Christchurch is still in the recovery process, they have not concluded with their recovery process. Even in Japan, reconstruction is a long term process. What will determine the time frame? It is the resources, Madam Speaker, and I am the Minister responsible for the disaster and recovery, I do not determine the resources but again that is something that the Government will take into consideration based on the post- disaster needs assessment, evident based, priority areas, what resources are available, that will determine the timeframe. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, we will now give the floor to the Hon. Leader of the Opposition.

Tropical Cyclone Winston - Rehabilitation Works
(Question 33/2016)

HON. RO T.V. KEPA asked Government notice:

Can the Hon. Minister inform Parliament on how Government is financing the *Tropical Cyclone Winston* rehabilitation works?

HON. SPEAKER.- I give the floor to the Hon. Attorney-General, Minister for Finance, Public Enterprises, Civil Service and Communications.

HON. A. SAYED-KHAIYUM (Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications).- Thank you, Madam Speaker. I would like to thank the Hon. Leader of the Opposition for this question.

As we all know that *Cyclone Winston* left a devastating trail, it came from a side of Fiji where traditionally cyclones do not come from and it affected both maritime areas and of course deep rural areas of Fiji, in particular, Viti Levu and of course the coastal areas in particular the north-west of Viti Levu.

Madam Speaker, it obviously disrupted a lot of lives, household, communities and of course affected the domestic production of goods and services including infrastructure, in particular electricity. Madam Speaker, when we presented the 2016 Budget, we stated that the nation sets its priority to its budget. After February, given the devastation of *Cyclone Winston*, we readjusted our priorities within the 2016 Budget that was approved by Parliament and of course, meeting the basic needs of ordinary Fijians took precedence.

Madam Speaker, we also said that Government must always be physically responsible between balancing worthwhile projects and of course against prevailing economic reality. In sticking to these principles, Madam Speaker, we have financed, it is not just the rehabilitation works but also the relief efforts through the existing 2016 budgetary allocations. Thank you.

HON. SPEAKER.- Supplementary question, the Hon. Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker. Can the Hon. Minister inform this House whether the Government will build evacuation centres for in villages as most of the evacuation centres being built by them were damaged during the cyclone?

HON. SPEAKER.- The Hon. Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, there is no doubt as has been highlighted by the Hon. Prime Minister recently in New York and as many scientists have said that climatic events such as *Tropical Winston* will become more frequent, not just the frequency of it but the intensity of these cyclones could actually become a lot more demanding for all infrastructure, not just Fiji. Fiji, of course, is now part of the Vulnerable 20 Group.

Now part of these is of course, when you rebuild, is there adaptation measures that we need to engage in? So, for example, one of the issues that we are looking at, when we are building back our electrical cables, we should not be going underground as opposed to having overhead power lines because that leaves us more vulnerable. So, we need to actually adapt to the environment around us. That obviously has cost implications. Similarly with the evacuations centres, if you are going to build that and as the Hon. Minister for Natural Disaster Management has highlighted, this is a long term project in terms of evacuation centres.

Traditionally, evacuation centres in Fiji are within schools, but as you saw in the last cyclone, a number of schools were damaged; 2 in 26 schools. So, he is absolutely right in terms what will be used as evacuation centres needs to be worked out quite thoroughly, no one has ever put a plan in place, as was specifically would be the case and the Hon. Minister for Natural Disaster Management obviously will be putting that through his work plan. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Hon. Leader of the Opposition.

HON. RO T.V. KEPA.- Madam Speaker, perhaps the Hon. Attorney-General and Minister of Finance will make a Ministerial Statement later on to let us know how exactly Government is financing and the figures please, Madam Speaker.

Just a question to the Hon. Attorney-General, many people helped themselves right away after the cyclone. They started rebuilding their homes and the question is rather than waiting for the cards to be provided, they are asking is there any tax exemption for construction materials to continue rebuilding their homes or to start rebuilding their homes and whether there is any assistance for skilled carpenters, so that it will be according to building code. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, just before we request the Hon. Minister to respond to that question, I seek the leave of Parliament that we extend this question time until 1.00 p.m. and then we will break for lunch. Does anyone oppose? There being no opposition, I give the floor to the Hon. Attorney-General.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Hon. Leader of the Opposition has highlighted something that the Hon. Minister for Natural Disaster Management said that there are some people who are obviously are willing to help themselves and some people may have already helped themselves in terms of in particular reconstructing their homes. In fact, when we went out, there were a lot of people who had, some people had gone and borrowed money, some people had savings and of course FNPF has now dispersed almost \$250 million. People have been able to access either \$1,000 or \$1,000 and \$5,000, so with the disbursement of those funds they have been able to access funding to be able to do their reconstruction.

Madam Speaker, after *Cyclone Winston* there was obviously a shortage for example, of timber in Fiji. There were a shortage of generators in Fiji, Madam Speaker, and indeed electrical cables. What Government has done, it has allowed these goods to come into Fiji now duty free because there is normally tariff rate on them and those goods have been allowed to come into the country duty free. In fact the duty free period ends at the end of this month. We are the moment looking at whether we need to extend that duty free concession to another month or two months and there it would appear that there is a very strong case to do that because there is still a shortage of those building materials.

Madam Speaker, as the Hon. Minister of Natural Disaster Management also highlighted and this partially also addresses what the Hon. Leader of the Opposition had highlighted, that is, what are the initiatives that Government is putting in place? Government has also put in place, as announced by the Hon. Prime Minister the Help for Homes initiative. It is very significant because it does allow people access to hardware and we have, Madam Speaker, also you would have seen the expressions of interest that we called for from hardware companies to give us a maximum price. We need to be able to then have a level of competition amongst them to be able to get people to have the best price from different hardware stores. So, these are some of the ways that we are also assisting with those initiatives. The blanket type of tax exemption, a person in the rural area, when you say tax exemption, most of them do not actually file a tax return. Most of them do not even meet the income tax threshold, so what good will a tax exemption do for them? What is actually beneficial for them, if we have allowed certain critical material to come into the country at a duty free rate so that reduces the cost, not just the cost, but at the moment, the cost is not the issue. The issue at the moment, Madam Speaker, is the availability of some of the critical resources and that is what we are addressing. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Hon. Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. This is a supplementary question to the Hon. Minister. He had just mentioned about the self-help homes initiative announced by the Hon. Prime Minister, only \$7,000 for totally destroyed houses.

In 1982, Madam Speaker, after two cyclones, namely *Gavin* and *Eric*, the Alliance Government gave about \$5000 and now 34 years later, nothing has changed. It is only about \$2,000 more, considering the extent of *Winston*, will Government renew the amount that is announced to build resilient, durable, safe houses, which are stronger than before *Cyclone Winston*?

HON. SPEAKER.- The Hon. Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Hon. Member has gone into areas other than the specific substantive question, but nonetheless I will address some of the issues that he has highlighted.

I cannot agree with his assessment of the \$5,000 they gained. They may have built homes at \$5,000, whether they actually gave \$5,000 is a completely different issue.

As the Hon. Minister for Natural Disaster Management also highlighted that there is, through his Ministry, also another programme where they actually go out and build homes for people and that has already been announced.

Madam Speaker, you would have seen expression of interests called for construction companies that actually can build these homes that Government will fund and that needs the various engineering certificates. For the first time in Fiji's history, Madam. Speaker, we have the Government now, working in very close unison with the Fiji Institution of Engineers that have given their input in terms of the engineering standards as required to ensure that we have resilient homes, homes that are actually adapting to the climate changes that we are having.

Madam Speaker, in respect of the \$7,000, \$3,000, and the \$1,500, that is essentially based on a basic home that a person needs to live in and that is enough. The assessments have been carried out that this amount would be enough hardware to be able to help them build a basic home or just to facilitate it.

The reality is, Madam Speaker, that that does not of course include the labour costs. Many people are actually quite happy. We have already got people following us up, saying that they are looking forward to this initiative. Madam Speaker, this is the first time that such an initiative has been undertaken.

Madam Speaker, in the past, governments may have built homes, that initiative of building homes will continue, as the Hon. Minister has highlighted, that is one initiative.

The second initiative is where we you are giving portable sawmills also.

This is the third initiative, Madam Speaker, where we are actually giving people access to hardware of their choice, to be able to go and buy themselves and to be able to rebuild themselves. Madam Speaker, so it is a whole plethora of areas of assistance that is being provided by the Government, which is completely unprecedented, Madam. Speaker.

Rio Olympic Athletes
(Question No. 34/2016)

HON. A.D. O'CONNOR asked the Government, upon notice:

Can the Hon. Minister advise this House if consideration has been given to the severity of the *Zika Virus* in South America and its possible effects on our athletes to the Rio Olympics?

HON. L.B. BALE (Minister for Youth & Sports).- Madam. Speaker, the Acting Prime Minister, the Hon. Leader of the Opposition, Cabinet Ministers and Members of the House: I must thank the Hon O'Connor for the question.

Just before I dwell on the answer, I must thank and congratulate our Sevens Team in winning both the Las Vegas and the Hong Kong Sevens.

(Acclamation)

Although they lost to Kenya in the Singapore Sevens, but we put our hats off to the Kenyans and congratulate them for the win, but our team were gracious in defeat. They were the first team to get to their opponents and they huddled after the game.

For the point series, we are way ahead, but last year, we were second to South Africa and according to the Coach Ben Ryan, that is according to his plan, so we must support him that we are in the lead in this series

Madam Speaker, the Ministry of Youth and Sports has indeed given consideration to the impact of *Zika Virus* in the team to the Olympics and Para Olympic Games, to be held in Rio de Janeiro this year. However, as my friend and colleague, the Hon. Minister for Health and Medical Services has been asked a similar question in relation to the *Zika Virus* in our own country, I refer to the medical experts in relation to the precautions, which have been taken.

Madam Speaker, the health and safety of our Team Fiji are paramount. The participating nations for the Olympic and Paralympic Games are taking a similar approach in relation to the *Zika Virus*.

On the assumption that the *Zika Virus* in Fiji is similar to the *Zika Virus* in Rio, the precautions that our teams and spectators should take are the same. They have been advised to use mosquito repellents, (oil of lemon, eucalyptus and/or picardin) and also to take tracksuits, long-sleeve shirts and long trousers, where possible, to stay where there is air-conditioning and screens on doors in Rio.

Madam. Speaker, the Director of the World Health Organisation has described *Zika* as “a global health emergency”, has nevertheless indicated that *Zika* should neither prevent international travel nor a successful Games being organised. The organising committee has undertaken an assessment of venues and facilities and, where necessary, has fumigated suspected areas. Inspections will take place during the Games and action taken as required.

Madam Speaker, the link has held the World Health Organisation to declare the *Zika* outbreak a global emergency. The WHO, whose Director visited Brazil earlier this year, gives the assurance that the virus should neither affect international travel nor prevent a successful Olympic Games in Brazil.

Madam. Speaker, with that assurance from the WHO, and the International Olympic Committee, Team Fiji is safe and the possible effect of *Zika* on our athletes to the Rio Olympics is very slim.

Madam Speaker, it has been mentioned that effective control of mosquitoes is the most important means of stopping transmission. For its part, the International Olympic Committee, is confident Brazil (with the aid of the World Health Organisation) can handle *Zika*.

Olympic Organizers in Rio say they are following World Health Organisation recommendations. Organisers and city officials say that game venues and major tourist attractions will be inspected daily during the games. This will start on the 5th August and end on 21st August this year, where they will ensure that there are no puddles, or possible breeding grounds for the insects.

Madam Speaker, they welcome the action taken by the World Health Organisation to deal with this issue and they will remain in close contact with them and are following their guidance. The World Health Organisation predicts the rate of *Zika* infection to fall off as Brazil dries out by August, as it is their dry season. The Director-General, Margret Chan said that visitors and athletes will get the maximum protection they need from *Zika*.

Personally, Madam Speaker, as the Hon. Minister for Sports and as a former Games Village Operations Manager in 2003 South Pacific Games, while consideration has been given to the severity of *Zika* in South America, we are sending one of the biggest contingent in the Olympic Games in history.

Madam. Speaker, the effect of *Zika Virus* to the games is partial. Its possible consequence on our athletes to the Rio Olympic is insignificant as the game venue will be fumigated daily.

Right now, sporting organisations in the Team Fiji that are qualified are fine tuning their online accreditation and ensuring that the right information are uploaded by the Section Managers before the deadline on 29th April, 2016.

Madam Speaker, the games will go on in Rio, there have never been a game in Africa or South East Asia so the 2016 Olympics will be the first in South America. So, to give the historical under represented nation a chance to host such a game is a noble honour. With that, Madam Speaker, I assure this august House that consideration has been given to the severity of the *Zika Virus* in South America and its possible effect on our athletes in Rio Olympics is negligible.

The Chef-de-Mission of Team Fiji has already attended the meeting that took place in Rio in late 2015 and *Zika Virus* was not a concern at that time. Madam Speaker, on the assumption that the *Zika Virus* in Fiji is similar to the *Zika Virus* in Rio, the athletes and the players are taking such a precaution

so the spectators should take the same. There is not much difference between the approach between living in Fiji and Rio on *Zika Virus*. Thank you, Hon. Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Ratu Isoa Tikoca.

HON. RATU I.D. TIKOCA.- A supplementary question, Madam Speaker. Would the members and management who will be going down to Rio all insured?

HON. SPEAKER.- Thank you, Hon. Minister.

HON. LT. COL. L.B. TUITUBOU.- The Fiji Association of Sports and National Olympic Committee (FASANOC) is taking advice from the International Olympic Committee. Yes, all players are insured in South Pacific Games and also this Olympic Games.

HON. SPEAKER.- Thank you. There being no other supplementary question, I now give the floor to the Hon. Netani Rika.

Challenges by the Disaster Management Office
(Question No. 35/2016)

HON. LT.COL. N. RIKA asked the Government, upon notice:

Could the Hon. Minister for Agriculture, Rural and Maritime Development and National Disaster Management inform this House of some of the major challenges experienced by the National Disaster Management Office during the recent series of natural disasters that swept through Fiji?

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Minister for Agriculture, Rural and Maritime Development and National Disaster Management.

HON. LT. COL. I.B. SERUIRATU (Minister for Agriculture, Rural and Maritime Development and National Disaster Management).- Thank you, Madam Speaker. *Cyclone Winston* is the first Category 5 to hit Fiji and before that we had *Cyclone Ula* and of course *Cyclone Zena* came our way as well, that gives us a very strong message about the vulnerability and the severity of what is coming our way. I should also mention, Madam Speaker, that we have never been stretched to such an extent probably in as far as disaster response is concerned.

A lot of lessons learnt and to be specific on the question raised this morning on some the challenges, I will just limit it to a few. Madam Speaker, as I have said, we have never been stretched to such an extent, but one most importantly is communications. It is very difficult to run operations when you have communication issues. For us, Madam Speaker, when I talk about communication, infrastructure on communication itself. When Devo Peak in Taveuni is down, most of rural Fiji (Lau, Lomaiviti, Vanua Levu) is down as well. So, it is about looking at contingencies now, because there is an over-reliance on Telecom Fiji Limited (TFL) and Vodafone facilities for Fiji, particularly. Of course in communications as well the equipment that the agencies use, all agencies have different sets of equipment and this again becomes as a challenge. Most importantly is communications and information flow, the management of information as well. Information needs to be again collated, analysed and then used again for future activities and strategizing, that was another big problem as well.

Secondly, Madam Speaker, on infrastructure, this is a big issue particularly in terms of air passage, sea passage and land passage. That is the responsibility of the Disaster Controller in the event of any disaster. For us, our airstrips, airfields, airports likewise our jetties, ports and roads were affected as well, and of course that took a bit of time but when your air, land and sea passages are affected, it of

course affects how you respond, particularly in a timely manner as well. So, I will not dwell on that as well.

The different agencies, Madam Speaker, we appreciate the work done by all the agencies and I take this Opportunity to thank all the agencies for their effort. It is a challenge in its own because agencies are responsible or answerable to their donors, their financiers and I have talked about Information Management. The Disaster Act, Section 33 if I remember correctly specifies that all the co-ordination efforts must be done through the structure at the District level and of course to the Divisional and the National level. But in some instances, it does not happen and that becomes a challenge particularly when working with all the different agencies - Non-Government Organisations, Civil Society Organisations, we have our bilateral partners, faith based organisations, our own communities, private sector and all these agencies coming together and that becomes a huge task as well.

Our capability, Madam Speaker, and capacity within. For us to be effective, you need to have the capability. Fiji has a diverse environment, if you look at the Lau Group, certain characteristics for that environment alone, if you look at the Lomaiviti, Vanua Levu including Taveuni and of course coastal Tailevu and then into Ra, build up areas, isolated rural communities, settlements, different environment have different characteristics and you need to have the capabilities to respond effectively to these as well. These becomes a challenge for the planners, and of course that is something that we will need to consider seriously.

For capacity as well, Madam Speaker, I feel sorry for the young District Officers and the Provincial Administrators. In small disasters they can ride on the experience of the Commissioners but in this instance, they had to run their own little operations as well, and though they are probably trained for office work and not for huge operations as such, again that is a challenges on its own as well.

Attitude of the community and awareness. Again this is another issue, Madam Speaker, we take for granted that, "oh, it is just another cyclone". The level of preparedness and of course, even the attitude, we unfortunately have lost a few lives because of laxity or attitude, and this is where our collective responsibility probably needs to be taken into consideration. Of course, I think, I have talked about resources and infrastructure but maybe, Madam Speaker, in terms of timeliness – delivering on time.

I have talked about the characteristics, I think it is the air capacity as well that needs to be looked into. Probably I will just limit it to those, Madam Speaker, unless there are any further questions from the Hon. Members of the House. Thank you.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Semesa Karavaki.

HON. S.D. KARAVAKI.- Madam Speaker, a supplementary question to the Hon. Minister and I thank the Hon. Minister for a very comprehensive explanation given the fact that the cost for any national disaster like this, will be provided from the annual budgetary allocation. I am saying this because of Section 16, Madam Speaker, of the Natural Disaster Management Act, and the fact also, that the Council is the one that will be responsible for preparing their budget and referring it to the Government to meet the cost, and whether the cost was adequately met from the national budgetary allocation this year. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Hon. Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, cost is not an issue but more on what I have explained previously.

The Hon. Opposition Whip from the other side of the House would know that it is normal Government practice during the event of any disaster, we create what we call IDAs and that is to run the

operations. Based on the assessments and reports, Government will then look at specific allocations. So, we had adequate funds to run the operations, Madam Speaker.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Ratu Isoa Tikoca.

HON. RATU I.D. TIKOCA.- Thank you, Madam Speaker. We were amazed about the exceptional speed that Australia and New Zealand did to arrive in matters of hours to help our country on the disaster. When in discussion with them, the reason why they are so fast in reaching our shores is because there are bulk storages of relief available in their stockyard.

Would the Government of Fiji think on that same line too? Now, sooner or later all these hurricanes and cyclones will be challenging us, so would be grateful if authorities put aside where bulk store also could be left on the ready to attend to cyclones as such. Thank you.

HON. SPEAKER.- Thank you. Hon. Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, a very relevant question. It addresses our issue also of pro-activeness and preparedness.

Definitely, we would love to forward base pre-position stores. For us, let me assure the Hon. Members of the House that after *Tropical Cyclone Evans* in 2012, we have started repositioning, but on a very limited scale. We are just using 20-foot containers for that purpose, one on each Divisional Commissioner but definitely storage is a logistic issue, Madam Speaker, and that is something that the planners seriously discussed during the conduct of these operations because in logistics, how far do you push and where do you pull, and for us, unfortunately, we cannot push even into the islands because there is no storage facility there. Probably, this is something that will be picked up in the 'lessons learnt', but as I have assured the Hon. Member, there is very limited storage facility right now. One 20-foot container, just the basic stores and included in that is one tin boat and one five horsepower outboard motor so that if there is flooding or whatever, they can use it because our people used to swim and put their lives at risk as well in previous disasters.

We will build on that slowly and of course, there are some stores that are probably (but it is not our intention to keep those stores) not going to be utilised, then maybe this will built up the stock for the next one.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Vadei.

HON. A.T. VADEI.- Thank you, Madam Speaker. This question is in relation to my visit to Ovalau in Levuka. The question is; can the Hon. Minister inform or prepare proper information that is properly understood by the people in the villages for cyclones approaching Fiji in future? Thank you.

HON. SPEAKER.- Thank you, Hon. Minister.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, the simple question is "yes". Definitely that has been discussed with our MET office to simplify the messages and of course, we will work with the Disaster Committees within the communities to look at addressing that issue, but definitely, it is something that will be done in future disasters and hopefully, it will be in the vernaculars as well. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Jilila Kumar.

HON. J.N. KUMAR asked the Government, upon notice:

Can the Hon. Minister inform this House about Women Friendly Space, its functions and benefits?

HON. R.S AKBAR (Minister for Women, Children and Poverty Alleviation).- Thank you, Madam Speaker. I rise to respond to the question raised by the Hon. Kumar and I thank the Hon. Member for the question.

At the outset, Madam Speaker, please allow me also to thank, on behalf of my Ministry and the Government, all those who assisted us in terms of the relief works for *Tropical Cyclone Winston* and as mentioned by the Hon. Minister responsible for Disaster, work is still ongoing and it will take us some time to complete the relief and the rehabilitation work due to the damages left by *Tropical Cyclone Winston*.

In relation to the question, Madam Speaker, *Tropical Cyclone Winston* not only left behind a trail of structural damages, but also traumatic experiences on those who were affected by this, and looking at that, the Ministry, in partnership with the UNFPA, Ministry of Health and Medical Services, our local NGOs (Women Crisis Centre and Power Pacific) took up this initiative to provide a women friendly space to those women, especially from settlements and villages, who may have experienced gender-based violence and who may be needing psychosocial counselling or any other health-related assistance and support that may have been worsened after *Tropical Cyclone Winston*.

So, putting that in perspective, women friendly spaces were set up, as the name indicates, spaces specifically for women and this is to address these issues that women and girls may have experienced during *Tropical Cyclone Winston*.

Madam Speaker, establishing a safe space does not mean building a new structure. The concept here is basically identifying a space that is safe for women and girls to use and this can range from health centres to schools, to community halls or to any open space that is within a community, village or settlement.

The whole idea behind these spaces is to provide an environment within the community, where women and girls feel comfortable to express themselves without any fear, prejudice or anyone judging them.

Madam Speaker, at this point, I would like to thank the Ministry of Health and Medical Services, UNFPA, the Fiji Police Force, the Fiji Women's Crisis Centre and our local NGOs in helping us provide the space.

The Government from my Ministry will be overseeing the coordination of the initiative while our local NGOs, such as the FWCC and Empower Pacific will lead the management and immediate supervision of the facilities. These tasks are at these centres and will include those who can refer women to prevention and response to gender-based violence, maternal health, medical services, sexual health, psychosocial and other medical health issues. They will include retired nurses, midwives and highly trained and expert counsellors who will ensure the best care and expert referrals are done for those women who seek our services.

The daily programmes at these spaces will include information sessions and of course activities facilitated by service providers as I have mentioned.

All in all, the Ministry of Women will take charge of the centres on a daily basis. We have launched the first one in Rakiraki on 16th April, 2016 and there are plans to launch others around the disaster struck priority areas in future. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, supplementary question, Hon. Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker, and I thank the Hon. Minister for that initiative, but I must say that it is five weeks down the line and this is a very important issue. It is not only to deal with the sexual violence about it but also the post trauma counselling. I am glad to hear that it has started but what are other plans in place to visit, particularly the maritime islands? Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, Hon. Minister.

HON. R.S AKBAR.- Thank you, Madam Speaker, and I thank Hon. Salote Radrodro for the question. Of course, altogether there are eight in our plan at the moment. We have already launched one in Rakiraki, there is going to be one more in Rakiraki, three in Ba, one in Tailevu, one in Cakaudrove and one in Levuka. Of course, we are looking at taking it up to the maritime areas as well.

HON. SPEAKER.- Thank you. There being no other supplementary questions, I have been informed that Hon. Maharaj has withdrawn his question, which is Question No. 37 of 2016.

Thank you, Hon. Members, at this point we will adjourn proceedings for lunch. Please note that lunch is provided to Hon. Members in the Big Committee Room.

We will resume proceedings at 2.30 p.m. Thank you.

The Parliament adjourned at 1.06 p.m.

The Parliament resumed at 2.30 p.m.

HON. SPEAKER.- Hon. Members, before we continue, I have received a request from Government that item 7, Ministerial Statements be deferred until item 10 is concluded. I have also been informed that the Leader of the Government in Parliament has withdrawn the motion in item 11, which will be deferred to later this week.

We will now therefore, move on to item 8 in today's Order Paper.

CONSIDERATION OF BILLS – FIRST READING

A Bill for an Act to provide for the Reform, Promotion and Regulation of the Sugar Cane Industry (Bill No. 19 of 2016)

A Bill for an Act to amend the Sugar Cane Growers Fund Act (CAP 207) (Bill No. 20 of 2016)

A Bill for an Act to provide for Local and Intercountry Adoption of Children and Access of Information Regarding Adoption (Bill No. 21 of 2016)

HON. SPEAKER.- Hon. Members, in accordance with Standing Order 84(2), the Bills have now been read for the first time. The Bills will now be listed in the Order Paper for second reading on a future sitting day.

I now call on the Hon. Attorney-General.

RIGHTS OF PERSONS WITH DISABILITIES (BILL NO. 12 OF 2016)

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 85(1), I move:

That the Rights of Persons with Disabilities Bill 2016, be now read a second time.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Thank you. Before I call upon the mover of the motion, I remind the Hon. Members that pursuant to Standing Order 85(1), the debate is on the principles and merits of the Bill. Further, the only amendment permitted is an amendment move pursuant to Standing Order 85(2), I trust that this is clear.

I now call on the Hon. Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker, this Bill was tabled in Parliament on 9th February, 2016 for first reading. We are now moving that this be moved as the second reading. Essentially, Madam Speaker, this Bill seeks to uphold and impose the rights of Fijians who live with disabilities to be in consonance with the United Nations Convention on the Rights of Person with Disabilities and also in consonance with our own Fijian Constitution.

Madam Speaker, in a survey in 2010, it was found that about 11,402 persons actually had registered as people with disabilities, of which approximately almost 50/50 are of males and females. We expected that the number of people who have not registered and indeed the number of people who have increased with disabilities would be a lot more today.

Essentially, Madam Speaker, without labouring the point in which we have raised in the first reading of this particular Bill in Parliament, we need to have the legal provisions and the legal framework to ensure that Fijians who live with disabilities are given those rights, as provided for them in the Constitution.

As you know, Madam Speaker, for the first time in Fiji's history, we have a Constitution that specifically sets out the rights of a person with disability and if I could go to that particular section. Section 42(1) of the Fijian Constitution says and I quote:

“A person with any disability has the right -

- (a) to reasonable access to all places, public transport and information;
- (b) to use sign language, Braille or other appropriate means of communication; and reasonable access to necessary materials, substances and devices relating to the person's disability”.

Section 41(2) of the Constitution also says and I quote:

“A person with any disability has the right to reasonable adaptation of buildings, infrastructure, vehicles, working arrangements, rules, practices or procedures, to enable their full participation in society and the effective realisation of their rights”.

Madam Speaker, the basic thing like, if you see the footpath that have been built in Fiji, cannot necessarily have ramps. If you want to cross from one side of the road to the other, you must have a small ramp. The person with a wheelchair can actually come all the way to Parliament. We have a ramp here but the footpath does not have a ramp. So, it is basically building and ensuring that we have these types of measures in place so these people can participate fully.

I had the opportunity a few months back when I went to a special school in Lautoka, where people with hearing deficiencies. There was a gentleman who I met who was at USP, studying in the area of ITC. Now, he wants to go and do his Masters and PHD but it requires certain devices to help him to achieve that.

So, they are worthwhile, they make very, very worthwhile contribution to the society. We must not underrate what they have. Generally in Fiji, over a number of decades, I suppose we had a stigma attached to disability. They tend to be those people who are left in the margins of the society and the idea is that, with this particular Bill, we are able to bring them to the fore of our society.

We have an existing Fiji National Council for Disabled Persons Act, Madam Speaker - 1994. It is about 22 years old but essentially, the Act creates the Fiji National Council for disabled persons and creates administrative roles for the Council but it is very limited in the manner in which it is able to enforce those individual rights that is required.

Madam Speaker, as you will also note that under item 10 of today's Order Paper, I intend to bring a motion under Standing Order 130, which is Fiji's ability to ratify the Convention on the Right of Person with Disabilities. There is a UN Convention on that, CRPD and again, Madam Speaker, this Bill seeks to capture some of those provisions in that particular provision and of course, the CRPD complements what is already in our Constitution.

Madam Speaker, without saying any further, I would just like to highlight that the Bill itself highlight that the Bill itself captures a number of provisions in terms of the enforcement of rights

regarding equality and non-discrimination, accessibility, children with disabilities and, of course, equal recognition before the law and access to justice, Madam Speaker.

With those words Madam Speaker, I would like to just table this Bill for second reading. Thank you.

HON. SPEAKER.- Thank you. The Bill is now open for debate. Hon. Netani Rika, you have the floor?

HON. LT. COL. N. RIKA.- Madam Speaker, I rise to express my support for the Rights of Persons with Disabilities Bill, Bill No.12 of 2016.

The United Nations Convention on the Right of Persons with Disabilities and its optional protocol were adopted in 2006 and entered into force in 2008. As of February 2016, there were 160 signatories. Fiji signed the Convention and its optional protocol in 2010, but is yet to ratify and become a party to the Convention.

The Rights of Persons with Disabilities Bill 2016, which was tabled here in Parliament on 9th February this year for first reading, seeks to provide for, uphold and enforce the rights of Fijians living with disabilities in accordance with United Nation Convention on the Rights of Persons with Disabilities.

In the *2013 Constitution of the Republic of Fiji*, Chapter 2, under the Bill of Rights Section 42(1)(2) and (3) specifies the right of persons with disabilities.

Madam Speaker, this segment of society needs our respect, love, compassion and care for they are just humans as we, abled people, are. Articulating the commitment and spirit of the United Nation Conventions on the Rights of Persons with Disabilities and the Constitution of the Republic of Fiji will demand our collective will at all levels of governance -that is Government down to the families.

Madam Speaker, over time, there has been marked improvement in how our Fiji society acknowledges, cares and makes provisions for this segment of society, which is a positive move in the right direction. With the given conducive environment, they have now excelled in education, sports and workforce and in politics, like our colleague, the Hon. Iliesa Delana.

Thank you and congratulations to these individuals, families, organisations and the Government for this positive move and will. However, much more is needed and could be done at all levels of society. It is now a challenge before us all and this will only be seen in the next five to ten years and we should all rise to that challenge.

Madam Speaker, it is good to note that there has been a revolutionary change in the approach globally, which has brought about the progressive paradigm shift, from traditional, charity oriented base, to medical-based approach and to what we have today, which is based on human rights.

Madam Speaker, the Rights of Persons with Disabilities, Bill No. 12 of 2016 offers the will and sufficient standard of protection and provisions for the civil, cultural, economic, political and social rights of persons with disabilities on the basis of inclusion, equality and non-discrimination.

Madam Speaker, Part 2 of the Bill Clause 3(1) stipulates the establishment of the National Council for Persons with Disabilities. Clause 5(1) is the Function of the Council, Clause 6 is the Power of the Council and Clause 7 is the Composition of the Council.

Madam Speaker, the National Council for Persons with Disabilities have its role to play and the Bill has laid down in detail their responsibilities and functions in order for the Council to carry out their duties efficiently.

Madam Speaker, now the days are much brighter for our persons with disabilities in Fiji and we, Fijians, must always remind ourselves of our roles and responsibilities as good citizens to see that we uphold the rights of our persons with disabilities.

Madam Speaker, I take this opportunity to convey my appreciation to all the Ministries and stakeholders that have been part of the effort in putting together this Bill and the extensive consultations made prior to the second reading of the Bill. May our efforts no doubt make the lives of people in this segment worth living and to enjoy their lives daily in Fiji now and beyond.

Madam Speaker, I thank you for this opportunity and I commend the Bill to the House. Thank you.

HON. SPEAKER.- Thank you, I now give the floor to the Hon. Akbar.

HON. R.S. AKBAR.- Madam Speaker, I also rise in support of the motion of adopting the Disability Bill 2016, introduced by the Hon. Attorney General and Minister for Finance, Public Enterprises, Civil Service and Communications.

Madam Speaker, the challenges faced by persons living with disabilities across the world is no different from what persons living with disabilities in Fiji are currently faced with.

At the offset, allow me to say that persons living with disabilities are continuously trying to seek their rightful place in their homes, in the society and in the nation. They continuously seek for a voice, equality and of course, recognition within, as I mentioned not only in their homes and communities, but also for a rightful place in our nation as a whole.

Madam Speaker, many families see disability as a burden and that is a sad thing to say, and this is what this Bill is trying to do right by persons living with disabilities, as persons living with disabilities are constantly at a risk of being discriminated, neglected and of being victimised.

Madam Speaker, disability also contributes to the risk of poverty and the conditions of poverty increases the risk of disability. Therefore, disability is not only an area of social concern but also an economic concern for us here. If one is to go by the National Baseline Disability Survey done in 2010, 1.4 percent of Fijian populations falls within this disability group and of course, many other Fijians living with disabilities are still invisible in all areas at all levels of development in the country. They are often uncounted, unrecognised and unheard. In general, Fijians living with disabilities have lacked access to education, employment and livelihood opportunities and have no or limited access to support services.

As a Ministry, Madam Speaker, on a daily basis, we receive an account of challenges faced by persons living with disabilities, therefore, we seek to address their plight for the endorsement of this Bill.

We all hear horrific stories of neglect, discrimination and abuse. These, Madam Speaker, is the reality. Fijians living with disabilities face and that is what this Bill is trying to emphasise.

Madam Speaker, Fiji's alignment to progress of making disability visible in the social aspect led to Fiji signing the United National Convention on the Rights for Persons Living with Disabilities on June 2nd, 2010. This Convention represents a clear cut development for persons with disabilities, articulating the equal and responsive human rights in all fundamental aspects to promote dignity for persons living with disability.

The Fijian Government's commitment to the signing of the Convention on the Rights for Persons with Disabilities in 2010, we had to ensure that domestic visibility legislation must be in alignment to the international convention.

The Ministry of Women, Children and Poverty Alleviation, Madam Speaker, works very closely with the Fiji National Council for Disabled persons in promoting equal opportunities, full participation in a barrier-free environment for all persons living with disability in Fiji.

Cabinet approved the review of the FNCDP Act in 1994, and providing the document with a simplified scenario of establishing provisions for the protection of rights of all persons living with disabilities to be in accordance.

Madam Speaker, emphasising on the importance of mainstreaming disability issues in all integral parts of development in Fiji has been largely invisible. Fijians living with disability, as I have mentioned, have lacked access to certain rights, like rights to education, employment, livelihood opportunities, rather having limited support services.

Considerably, Madam Speaker, if they are not integrated into all aspects of development, then the barrier to their social and economic empowerment and livelihoods will continue to persist. We encounter heartbreaking stories of people living with disabilities being denied employment, and to the extreme, some of them left to beg on our streets. Some have not been included socially from their families, and even left abandoned by their own communities.

Madam Speaker, people living with disabilities in Fiji need this Bill as it will provide them with robust opportunities and realisation of their rights, so they are protected and empowered in their own homes and communities. Their voices will now be heard, their rights will be given greater recognition through the adoption of this very important Bill.

Madam Speaker, persons living with disabilities are the most marginalised groups, even during disasters, and the recent *TC Winston* brought to light some very disturbing news of what they went through in their own communities, and even when they were trying to seek shelter. These are some of the issues that are only the tip of the iceberg, Madam Speaker.

People living with disabilities have also been victims of sexual exploitation and abuse, and the adoption of the Bill will create that much-needed protection that they deserve.

It is contrite, Madam Speaker, that the Fiji National Council for Disabled Act 1994 is found to be archaic as it was exclusively an administrative legislation that focussed on the establishment of the Disability Council rather the Act had no emphasis on the rights of persons with disabilities.

Madam Speaker, there is no other legislation that directly relates to persons with disabilities in Fiji apart from the FNCDP Act 1994. Thus, the Disability Bill 2016 is warranted to cohesively address the needs of all persons with disabilities, and gives them the recognition for their existence in our society.

As addressed by the Hon. Attorney-General, Fiji is ready to comply with the requirements set by the United Nations, and I am confident, Madam Speaker, that this Bill will definitely empower and allow all our persons with disabilities to exercise their rights under a sound legal framework like the Disability Bill 2016. The prevailing landscape for disabilities in Fiji warrants the adoption of the Disability Bill, as we all do know the day to day struggles persons living with disabilities go through. This Bill will further give effect to the rights of persons with disabilities as articulated under Section 42(1) of our 2013 Constitution, which states and I quote:

“A person with any disability has the right –

- (a) to reasonable access to all places, public transport and information;
- (b) to use sign language, Braille or other appropriate means of communication; and
- (c) to reasonable access to necessary materials, substances and devices relating to the person’s disability.”

Madam Speaker, I stand fully and ready to support the Disability Bill, and I urge all the Hon. Members to do what is right, and not disappoint the trust and hope of persons living with disability in our country.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.- Madam Speaker, I am happy that this Bill is before this House today, and I support the adoption of this Bill.

One of the things that I want to say with respect to this particular Bill, I think it is a timely Bill, it does and I agree with the Hon. Minister for Women and Social Welfare that persons with disabilities have suffered in many different ways, despite the fact that after the National Council for Disabled Persons Act 1994. We have had, as she said quite rightly, horror stories, many instances of discrimination with respect to employment, access to Government resources, access to Government services, and it happened partly because there was lack of education and advocacy with respect to how persons with disabilities were treated or how they needed help in different ways.

The only issue I have, and perhaps this is very important to point out at this point in time is, having a legislation and making sure that the domestic legislation complies with international conventions, such as UNCRPD, it is fine, but invariably, where we see failures, Madam Speaker, most of the time is the inability of policy makers and those who implement these legislations to ensure that there are reasonable, appropriate resources available to these targeted groups of people. I was just looking at the composition of the Council itself which includes a number of Permanent Secretaries and three independent members, I am just wondering if the Council itself is loaded with, I do not know whether this was raised within the Standing Committee, but I just want to put this as a warning bell that we do not want the National Council to become what we have experienced in the past, as a body which only talks about policies, yet fails to implement the spirit in which this Bill is being put forward to this House, in a way to address some of the very specific issues relating to persons with disabilities. For example, education. I know there are a number of programmes that are there, but whether there is enough co-ordination between the different ministries with the Ministry of Education as to how we can focus and identify all those people with disabilities, and make sure that they have the appropriate education.

Employment, Madam Speaker, is another issue, and I am happy that the Bill actually talks about it. It is not very easy to identify discrimination in employment, and especially discrimination against persons of disabilities with respect to employment. Again, I think the National Council will have to have some very clear guidelines as to how they are going to ensure that persons with disabilities are not discriminated and treated equally in the case of employment and salaries and wages, because even in cases where I know, where they have employment, they actually paid less than what equivalent person who might be doing the same work. The person with disabilities might be doing the same amount of work gets less. So, I think the Bill is timely. It is important that we comply with the UNCRPD, but I think we need to keep these issues at the back of our mind, and the implementing ministries, and the Minister responsible will have to take special care and require special effort if he wants to implement all the provisions of the Bill, and actually see the actual outcome of the implementation of the Bill, in terms of the improvement in the quality of life of people with disabilities.

With those words, Madam Speaker, I support the Bill.

HON. SPEAKER.- Thank you. Before we move on, I would like to extend a very special welcome to people with special disabilities that we have in the gallery this afternoon. You are very welcome.

I now give the floor to the Hon. Koya.

HON. F.S. KOYA.- Madam Speaker, I rise in support of the Bill before the House for the Protection of Rights for Persons with Disabilities.

Madam Speaker, it is enshrined in Fiji's paramount law, the Fiji Constitution that all Fijians are entitled to equal rights, no matter what race, religious, economic status or even with disability.

Madam Speaker, as alluded to earlier by the Hon. Attorney-General, there are 11,402 Fijians that are part of the 650 million people in the world that live with disabilities, and approximately 10 percent of the world's population, Madam Speaker, lack the opportunities of the mainstream population and they encounter a mere act of physical and social obstacles that prevent them from receiving an education, prevent them from getting jobs even when they are well qualified and prevent them from accessing information, prevent them from obtaining proper health care, prevent them from getting around and prevent them basically from fitting in and being accepted.

In this regards, Madam Speaker, Fiji has signed the Convention on the Rights of the Persons with Disabilities and agreed to universal standards for persons with disabilities. It is now important that we ensure that these principles and rights that are espoused by our Constitution and the Convention are brought into effect by incorporating them in our domestic laws. Now, through these laws, Madam Speaker, we will be able to send a clear message to all persons with disabilities that they are not forgotten and they will be given special protection to enable them to equally participate in our society. People with disabilities, Madam Speaker, are integral part of our Fijian society.

Madam Speaker, I can use my own Ministry as an example. We do not discriminate against any persons with disabilities in our recruitment processes and we have two employees who are with disabilities and they are very important part of the Ministry and one merely had a speech impediment and that would be a cause for concern when he came. We took him on and he happens to be one of the best employees that we have within the Trade Unit. Our own Minister, Madam Speaker, for Youth and Sports and our sevens sensation, Mr Matavesi Dakuwaqa, have done our country proud and their contributions to our society in being role models are mammoth.

Madam Speaker, I also understand just recently, correct me if am wrong, Minister for Sports, the sportswoman of the year happen to be with someone with a disability. Now, that is absolutely wonderful achievement on the part of our disable persons. Madam Speaker, having said that, as being said by the Hon. Minister for Women, Children and Poverty Alleviation, they are not always treated fairly and the Fijian Government will change this.

Furthermore, Madam Speaker, we actually want the employers to be mindful that you cannot discriminate against any Fijian because they have a disability. There is another side to all of these also, Madam Speaker, we are also now putting ourselves on the map around the world as a nation that is disability friendly and in terms of our tourism market, that is actually wonderful news. The ramification of this particular Bill, Madam Speaker, is therefore quite immense.

Madam Speaker, this Bill is another step for a modern and inclusive Fiji, as we are setting the foundation that we will ensure that no one is discriminated against, and the provisions of the Constitution is board into a fact through effective and practical laws. Madam Speaker, in the words of our Hon. Prime Minister, when it comes to this Government, no Fijian will be left behind.

Madam Speaker, in conclusion, I wish to reaffirm my support for the Bill on the right of persons with disabilities.

HON. SPEAKER.- Thank you, I now give the floor to the Hon. Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. I rise to make a contribution to this Bill and I and Hon. Members on this side of the House personally believe that we have no reservation to the Bill and we also support it. I am personally glad to see that this Bill has reached this House because it has been in the making for the past how many years.

If there is any issue that I would like to raise, Madam Speaker, in terms of the implementations of the Clauses from Clauses 28 to 48 which deals with the rights of people living with disabilities in terms of the provision of resources. I believe in the 2016 Budget, there is only about \$400,000 that is being allocated to FNCDP, to the centre that is specifically looks after the needs of those living with disability in terms of education, in terms of provision of resources or items that they need, for example the braille, wheelchair and the advocacy work is also undertaken by FNCDP.

Also, Madam Speaker, that requires huge resources and also Fiji has not ratified the international Convention, as alluded to by Hon. Rika, we have signed but we have not ratified. The ratification of this Convention means the localisation of the legislation which we are looking at here but also most importantly, is the provision of resources to be able to implement and actualise the rights of those living with disabilities from Clauses 28 to 48. So, to be able to give some teeth to this important piece of legislation which we are all supporting, I would actually like to see the provision of an increase of budgetary resources to FNCDP, the organisation that looks after the implementation, specifically looks at those Clauses from 28 to 48. Also how this piece of legislation is mainstreamed into other Ministries that also play a similar role. Are those legislation also going to be looked at in sync with this piece of legislation to ensure the effective implementation?

Since the 2017 session is coming around the corner, I urge Government that it also looks at the resources to be able to give the kind of bite or teeth to this legislation so that to ensure the effective implementation on the rights of those living with disabilities, as stated in the Bill from Clauses 28 to 48 and once again, Madam Speaker, I rise to express our support to the Bill. Thank you.

HON. SPEAKER.- Thank you, I give the floor to the Hon. Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. Just like my Hon. colleague has said that this side of the House supports the Bill that is before the House. But there are just a few thing, Madam Speaker, that I would like to add that could help the Hon. Attorney-General and the Government in regards to the Bill.

First of all, Madam Speaker, the Bill itself, I think it has to be translated into the language that is understood by our disable people. If it is in the *itaukei* language or in other languages or in other communication mode that will be understood by our disable people, that has to be done, Madam Speaker.

Secondly, Madam Speaker, in regards to part one, clarification of some of the interpretation of the tones that are used. I think we should consider more simple terms so that disable people are able to understand simple words that can be used and meanings that they can relate, even then most of them are not educated. Those are some of the improvements that can be done on this particular Bill.

In rural areas and outer islands, Madam Speaker, the council will have to deal with this. We are talking about town areas and having accessibility into buildings and we have some old buildings. I think there should be some changes that will be made by the municipal, town and city councils, in regards to

building owners who will have issues in regards to changing the design of their buildings. These are some of the issues, Madam Speaker, that will create frustrations when people are deprived from entering a shop because of their disability.

The other thing, Madam Speaker, the clarifications on some appointments that are there in the council and those will be representing the councils, their remunerations that will be dealt by the councils but those are the things that has to be clear to the disabled people on how the people who are serving them, officials or representing the councils are paid so they take on board their interest.

The other thing, Madam Speaker, is in regards to indemnity. If you look at Section 20, it indemnifies public officials but if you look at Section 3(2), it talks about the right to be sued and to be sued, whether that will only apply to individual members or to the council itself. Those are some of the areas that really needs to be clarified for the Hon. Attorney-General.

Madam Speaker, the enforcement, as the Hon. Salote Radrodro has said, that is in Section 20(2). How will that be monitored if members of the Council are doing dealings because there are many donors that will be interested in this Council? How can we ensure that members of the Council are properly monitored, not to be doing some outside dealings which they can also do, Madam Speaker?

Those are some of the areas we really need to tighten up in regards to enforcement. There needs to be a lot of awareness activity, Madam Speaker, especially the rural disabled people on these activities and where to take their complaints.

Madam. Speaker, as I have said, I totally support the Bill that is before the House and importantly, right at the end where the only avenue available to a person with disability if a particular right has been deprived is to seek remedies from the High Court.

Madam Speaker, you know very well that disabled people are not employed and the cost of legal fees are very high, if the Council can make another body to receive and evaluate complaints rather than taking the only option for disabled people, to address their issues at the High Court will be very expensive to them.

Those are some of the areas, Madam Speaker, I think that this Bill needs to be improved, but again, Madam Speaker, I support the motion as it is at the moment in the House.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Roko Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker.

The objectives of the Council, which are really the objectives I would hope of the Bill are set out in Section 4, and we are in total agreement with that.

Madam. Speaker, I just want to say my very short contribution that I think the purpose of this Bill is one of empowerment - empowerment of people and persons with disabilities. Interestingly though, Madam. Speaker, this Council has the powers under Section 6 and its functions under Section 5, this body, this Council is to determine virtually almost everything to do with persons with disabilities is to be made up of persons listed in Section 7, and I quote:

“Composition of the Council

- (a) the permanent secretary responsible for social welfare as chairperson;
- (b) the permanent secretary for justice;
- (c) the deputy secretary responsible for the health;

- (d) the deputy secretary for employment, productivity and industrial relations;
- (e) the deputy secretary for education, heritage and arts;
- (f) the deputy secretary for local government, housing and environment;
- (g) the deputy secretary for infrastructure and transport;
- (h) the deputy secretary for youth and sports;
- (i) the director of social welfare;
- (j) the director of women; and
- (k) three representatives from any non-government organisation appointed by the Minister.”

So, in terms of determining Government policies or advising the Hon. Minister on issues which are to do with them and the empowerment of persons with disabilities, they are, I would say, under Section 7, are not well represented.

There are only three there from the NGO possibly, that could include persons with disability, disabilities that the Hon. Minister will appoint and as my colleague on this side of the House has pointed out, the Indemnity Clause, Section 20 “the Council, Committee and any member”

So, this Council that takes all of these powers and functions, Madam Speaker, to determine things for persons with disabilities are persons we want to empower. We again are taking away so much power and giving it to a Government body and after giving that to this Council, then we have this Indemnity Section that the Council cannot be sued for action or inaction.

As has been correctly pointed out, Section 3, the Council is going to be a body corporate in Section 3(2)(a) and may sue and be sued; that really should say in light of Section 20, ‘that may sue and not be sued.’

Perhaps, the Hon. Attorney-General might want to have a look at that issue too, and again, Madam. Speaker, as I say, my colleagues and I commend the objectives of the Bill and empowering persons with disabilities, but again if we look at the things that will affect them day to day and government policies that will affect them into the future, I would say if we were empowering people, we ought to give them a lot of that say.

We ought to include them more into that Council, give them more, and I agree with the Hon. Salote Radrodro that we ought to in national budgets give more of the pies it were (money) if we were serious about this issue into empowering persons with disabilities. That is my contribution, Hon. Speaker.

HON. SPEAKER.- Thank you. There being no other input, I now invite the Hon. Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you., Madam Speaker. The Hon. Members probably need to provide a clarification, this is the second reading. We are actually going to go to the Committee and that is where the individual members of the Committee will obviously have an input. So, many of the issues that have been raised on the floor today, the members of the Committee can also discuss those matters and provide their recommendations to this House. So, we are not voting on the Bill today, we are simply going through the second reading.

Madam Speaker, the test of any society obviously is to see how we treat people on the margins of society and that is when you know how equal a society is, so it is very easy to get rid of the people on the side.

Also, there is a philosophical basis to this, is that neither do we have a homogenous society nor do we have homogenous groups, so whether its people (all from Kadavu) or whether it is a particular ethnic group, whether it is coming from a particular province and whether it is someone from a particular religious affiliation, we still have differences amongst those people. In the same way, we must recognise that their economic, disability or ability disparities, I should say and more to the point, when this is precisely what this Bill seeks to do is the recognition of lack of homogeneity.

Section 26(3) of the Constitution, Madam Speaker, which I also want to refer to is the unfair discrimination provision within which, we also have that no one has the right to be unfairly discriminated against on the basis of their disability.

Now, we also have the other institution called the Anti-Discrimination and Human Rights Commission that provides another forum for people who feel aggrieved because they have been discriminated against to go and lodge their complaints with them. This is not simply about human rights per say as we know it, but also regarding discrimination.

The idea of this, Madam Speaker, is that we build strong institutions and the institution strengthening is very, very critical. The other point that I think that addresses some of the other issues that have been raised from the other side of the House, Madam. Speaker, is that for the first time in Fijis' history, we now have the application of human rights, not only on a vertical basis, but on a horizontal basis.

What that means, Madam Speaker, is that previously under the 1997 Constitution in the application of rights on a vertical basis, in other words, you enforce your rights against the State. That still now continues under this Constitution, and that is what these laws seek to do, but it also allows for the application of the rights on a horizontal basis. In other words now, you can use the rights that is here and also the rights that is in this Bill to have it apply on a private basis. In other words, I can go to a shop, a club, a supermarket that may not actually be adhering to these provisions as required for disabled persons to access the building for a bus, to be able to provide access to a person to get into the bus.

So, for the first time, you now have your rights as an individual, being able to be enforced on a private company and they also have to adhere to the provisions in the Constitution in this particular Bill that we are presenting, Madam Speaker.

Now, Madam Speaker, I really beg to differ with Hon. Bulitavu. It was a very patronising manner in which he was talking about the Bill, saying most disabled people are not educated. In fact many of them are very well educated, just because a person cannot read this script. I can tell you they probably read more books than us then in the Braille language.

(Hon. Member interjected)

We now have, Madam Speaker, the Constitution for the first time, (he may not be aware) has already been translated in the Braille and the English languages. Braille language in the *iTaukei* language, it is in braille. We have given it for the Hindi translation, the only place that does it is in India. We are having some issues with the timing, but at least in those two languages, it has already been done.

Now, the sections that talks about the rights onwards, it actually relates to the particular rights regarding accessibility, children with disabilities, et cetera. Those rights are not only the premise of the Council to enforce, but it puts an obligation on the State and on the private sector to also be conscious of and indeed implement. So, Madam Speaker, the other issue that I would like to raise is that Hon. Radrodro said that we must ratify the Convention. As I mentioned in my introduction of this Bill, I said that later on today we are actually going to table the Convention documents for it to be referred to the Foreign Affairs Committee for the ratification of that particular Convention. So that is already there, Hon. Radrodro and that is why we are presenting the Second Reading of this

Bill today, so it goes in unison. So we have the flavour of the topic of today is the rights of disabled persons, Madam Speaker.

Madam Speaker, I would like to thank all those Members who have supported this particular Bill for Second Reading. We look forward to the Committee obviously having their input. We have members from the disabled associations over here, they will obviously feel very strongly about certain matters, we want them to come and present their views too. Of course, we must be able to improve upon this Bill. It not set in stone, it will go to the Committee and we would then be able to put in place a law that is applicable and not just for the people with disabilities but also for us as people without disabilities to be able to, I am sure but I would argue, all of us have some form of disability, figuratively or literally speaking, but Madam Speaker, the reality is that we must all work in unison as a country, as a nation to be able to give these people rights that they have not previously or hitherto enjoyed. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Parliament will now vote and the question is that the Rights of Persons with Disabilities Bill, 2016 be read a second time. Does any Member oppose the motion?

HON. MEMBERS.- No.

(Motion agreed to.)

A Bill for an Act to make provisions for the Protection of the Rights of Persons with Disabilities in accordance with the United Nations Convention on the Rights of Persons with Disabilities and for related matters (Bill No. 12 of 2016).

HON. SPEAKER.- In accordance with Standing Order 85 (4), the Bill has now been read for the second time. Pursuant to Standing Order 85 (4), the Bill will now be referred to the Standing Committee on Social Affairs.

HERITAGE BILL 2016

HON. A. SAYED-KHAIYUM.- Madam Speaker, pursuant to Standing Order 85 (1), I move:

That the Heritage Bill 2016 now be read a second time.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Before I call upon the mover of the motion, I remind Members that pursuant to Standing Order 85 (1), the debate is on the principles and the merits of the Bill. Further, the only amendment permitted is an amendment moved pursuant to Standing Order 85 (2). I trust this is clear. I now call on the Hon. Attorney-General to speak on this motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Heritage Bill 2016 was tabled here in Parliament on 9th February, 2016 for First Reading. The Bill essentially, Madam Speaker, provides for the recognition and management of places having world heritage values in Fiji. The Bill is introduced to domesticate the Convention concerning the Protection of World Cultural and Heritage List or the Convention, which Fiji is a party to. Fiji became a signatory to the World Heritage Convention in 1990. The Convention considers the protection and management of cultural and natural sites that are recognized as being exceptional to universal values that are used and share responsibility of the international community. Madam Speaker, I will not be very long.

Madam Speaker, essentially, the current laws of Fiji provide for the protection of its natural and cultural heritage. People generally know what are the heritage buildings, however there is no recognition or the protection of natural and cultural heritage as World Heritage Site pursuant to the Convention. Fiji now under the World Heritage Convention will have to nominate sites within Fiji that have the potential for being recognized as World Heritage Sites. Madam Speaker, the nomination of the List and the Tentative List under UNESCO and the World Heritage Committee will determine whether a nominated site should be listed in the World Heritage List or not. Madam Speaker, the places or property that are listed in the World Heritage List basically are supposed to attract international recognition and attention, give technical assistance for the conservation of a World Heritage Site, financial assistance for conservation and exclusive branding in the international tourism market. Fiji, Madam Speaker, in 1994 submitted four tentative sites to UNESCO:

- 1) Sigatoka Sand Dunes;
- 2) Yadua Taba Iguana Sanctuary
- 3) Sovi Basin Forest Reserve
- 4) Levuka Historical Town

As we all know now that in June 2013, they had accepted Levuka as a Historical Town and was nominated under the World Heritage List and this is Fiji's first World Heritage List, Madam Speaker. There are of course many other sites in Fiji, we have a wonderful Catholic church in Lomanikoro in Rewa, these are some very historical buildings. There are also cultural sites in other parts of Fiji that needs to be recognized and indeed that we need to actually take care of and provide protection for. Madam Speaker, very quickly, the Bill is in nine parts and without sort of laboring the points, the Bill essentially is to ensure that it sets up the Council and again there are certain provisions in the Bill itself to ensure that we have protection of our heritage sites and that we fall mainly in the fold of the World Heritage Convention that Fiji has signed up to, Madam Speaker. I recommend that this Bill now be read for the second time. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is now open for debate. Hon. Minister for Education?

HON. DR. M. REDDY.- Madam Speaker, I rise to support the Bill by the Hon. Attorney-General and as he has stated, the Levuka Town was listed in the World Heritage List in 2013 and that was the best ever heritage site that we got listed. One of the requirements of the World Heritage Convention is that we should have a specific legislation to protect our heritage sites.

As the Hon. Minister had alluded to, we do not have a specific legislation to provide a framework and protect our heritage sites. Therefore this legislation is intended to do that, Madam Speaker.

As the Hon. Minister alluded to, there was as submission for four sites to be listed in World Heritage under the UNESCO Convention and we were able to get one listed - the Levuka Town, but the other three - the Sigatoka Sand Dunes, the Yadua Taba Crested Iguana Sanctuary and the Sovi Basin protected area are now listed as a provisional site but pending us having a specific legislation. Therefore, Madam Speaker, the adoption of this legislation will give us the leverage to get those three sites listed.

Madam Speaker, as alluded to by the Hon. Minister, we got other sites that we would want to get listed first under the provisional list and then in the final list of UNESCO Heritage List. For example, the Laucala Beach Ring-Ditch Fortification in Suva, the Momi Gun Site (quite popular, in fact a number of people have seen that one), Garrick Reserve Rainforest in Navua, Waisali Rainforest Reserve in Savusavu, the old Levuka MH Building (the first MH Building), Borron House, (quite popular, quite a lot of people know about that), we would want to get that listed in the provisional list and then in the final as a World Heritage Site. In addition to that we have also got a lot of

archaeological sites, about 46 of them, and we got four protected sites about 184 of them but we could select large ones and get them listed as well but for that, we need to have a specific legislation which allows us to protect those sites as well.

As alluded to by the Hon. Attorney-General, this legislation will allow us to administer and protect the sites. At the moment the existing legislations that fall under the Arts Council, the National Trust of Fiji does not have any penalty clause and therefore does not allow for criminalization of the activities that will lead to degradation of these sites. This legislation allows that to be done, Madam Speaker. The legislation also allows for the establishment of a Council and gives power to the Council to declare new sites under the national list. As I alluded to earlier on, we only have about nine sites which are listed in the national list, Madam Speaker.

Madam Speaker, it also allows us to establish an Operational Trust Fund and a lot of people would want to give money to preserve these sites.

Madam Speaker, the objective is to get this listed overall and the site objective is to get Fiji into the international map and attract tourists as well to say that these are some of specific sites that you know when you are in Fiji, if you want to visit or when you want to come to Fiji to visit some of these sites.

Madam Speaker, I support the Hon. Minister in asking us to adopt this Bill. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Veena Bhatnagar.

HON. V.K. BHATNAGAR.- Thank you, Madam Speaker, I rise in support of the Heritage Bill 2016. Madam Speaker, heritage sites are our connection to the past. Heritage sites are living monuments and records of certain happenings and this is our real connection to the past. As alluding to what the Hon. Minister have said Fiji ratified the 1972 UNESCO Convention for the Protection of World Cultural and Heritage Sites in 1990, making it the first South Pacific state to do so. Fiji recently also celebrated the inscription of the historical port town of Levuka and its first UNESCO world heritage site.

Madam Speaker, Fiji is the land of diverse cultures and this Bill will enhance cultural and community development, national and international recognition, technical and financial assistance for conservation and along with the exclusive branding in the international tourism market. For these reasons and many others, I commend this Bill to the House. Thank you.

HON. SPEAKER.- Thank you. I now invite the Hon. Balmindar Singh to have the floor.

HON. B. SINGH.- Thank you, Madam Speaker, I rise in this august House to contribute to the Heritage Bill 2016 before us. Madam Speaker, before I contribute to the Bill, I rise in this House to sympathise with all Fijians who have lost their belongings and their loved ones during the recent cyclone.

Madam Speaker, I would also like to put on record and thank the NGOs, Civil Societies and the international Communities in assisting the Government in the rehabilitation process. Madam Speaker, heritage preservation is an essential part of any cultural values. To maintain existing public work is to maintain a respectful sense of history and cultural continuity in both symbolic and physically. Therefore, allowing public works to decay because of neglect is an act of disrespect for the artist and culture.

Madam Speaker, we should care about our heritage preservation because artifactual beauty is good for our brain, historical buildings are physical links to our past, historical significant buildings contribute to our cities, cultural and economic wellbeing, heritage designation boost property values, heritage preservation is more labour intensive which means more jobs and also good for our environment.

Therefore, the Bill seeks to the full obligations under the World Heritage Convention to provide for recognition, management protection of places having world heritage in values. Therefore, Madam Speaker, I commend this Bill to the Parliament, thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Dulakiverata.

HON. J. DULAKIVERATA.- Thank you, Madam Speaker. The Bill is very straight forward. I have some reservations on some of the provisions of the Bill and one in particular is for the development for the full potential of the properties that are declared National Heritage. Is there a compensation clause in the Bill that would compensate the owners because they would not be able to develop their properties to the full potential as it has been declared as National Heritage property. That is all my contribution for the Bill, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. I now invite the Hon. Attorney-General for his right of reply.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Just a couple of points straight to what the Hon. Member is saying. If you look at the listing that we have given, obviously, the listing of these sites under UNESCO they go through a very rigorous test regarding the compensation and indeed the declaration and if you look at the Bill, for example the management of the buffers they call the buffers zone also. It does say if it is talking about landowning unit, it does say special condition criteria to be considered by landowning units for the leasing of land and buffer zones.

All of that can be obviously sorted out at the Committee level. I worked in a legal practice in Australia, Madam Speaker, where there is a certain buildings in Sydney that were deemed to be heritage buildings. So, those buildings were obviously, only four storeys tall and you could not bring and tear them down. Right next to it was a block of land that is not a heritage site, so people could put up a 30storey skyscraper. So, the people who had a four storey building were saying precisely with what the Hon. Member is saying that we are losing out on our commercial potential because if this building was not here, I could have also put up a30 storey building.

So what they were doing, they started to let this building dilapidate they would never fix it up, it would become derelict and then reach a stage where we have to actually pull it down. So, the Sydney City Council what they did in order to stop that from happening said to these people who have four storeys; “ look, okay if you did not have this building here, you could have add up a 35 storey building. So, we give you the rights for those 35 storeys, you have got four storeys which is the heritage building, 35 minus four is31so you have the right to 31 storey building which is the balance. You could then sell those rights to other people who may be allowed by the Sydney City Council to build only 20 storeys but if they went and bought rights from these people then they could actually add another 31 if they wanted to.

So, they were able to trade on the rights of your ability to build a bigger building because you lost those rights simply because of the heritage rights. The Committee can look at that, most welcome to look at that if you want to go that far, Madam Speaker. But, Madam Speaker, for our purposes in Fiji, we do not have that. We obviously do not have that and there are not many heritage site buildings within the city of Suva or the city of Lautoka or various other townships. Levuka obviously, is a very unique situation, it is a smaller town and the entire town structures is very, very different.

So, the Committee can look in that but for our purposes, Madam Speaker, is to comply with the Convention to be able to, as the Hon. Minister said to be able to get attention at the international stage, so there are many for example, Catholic Church in Lomanikoro or whether there are sites in Momi, we will be able to access funding because if you see some of these buildings, they e are rather dilapidate if they are not looked after by the State.

So, this is the purpose of this and it is within that confines that this Bill has been drafted and of course, the Bill can look at what the Hon. former Director for Lands is talking about.

HON. SPEAKER.- Thank you. The Parliament will now vote. The question is that the Heritage Bill, 2016 be now read a second time.

Question put.

Motion is agreed to.

I seek leave of the House that we continue with the Order Paper, and then have afternoon tea at the end. Anyone in opposition? There have being no Opposition. Thank you, we will have to continue.

A Bill for an Act to provide for the recognition and management of places having world heritage values in Fiji (Bill No. 10 of 2016).

HON. SPEAKER.- In accordance with Standing Order 85 (4), the Bill has now been read for the second time. Pursuant to Standing Order 85 (4)(a), the Bill will now be referred to the Standing Committee on Social Affairs.

I now call upon the Hon. Attorney-General to move his motion.

FINANCIAL MANAGEMENT (AMENDMENT) BILL 2016

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, pursuant to Standing Order 51, I move, that:

- (a) the Financial Management (Amendment) Bill 2016, be considered by Parliament without delay;
- (b) that the Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (c) that the Bill must be debated and voted upon by Parliament on Wednesday, 27th April, but that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now call upon the Hon. Attorney-General and Minister for Finance, Public Enterprises, Civil Service and Communications to have the floor.

HON. A. SAYED-KHAIYUM.- Madam Speaker, this Bill seeks to amend the Financial Management Act. Essentially, it will cater for the Government's policy initiative to change the fiscal year of Government, Government's fiscal year from 1 January to 31 December to 1 August to 31 July the following year. So in other words, it is known as the 'Budget 2016-2017.'

Madam Speaker, to be brief, to very briefly talk about this, there are about three key reasons as to why we have looked at changing the fiscal year for our budget.

Madam Speaker, assessing the historical revenue performance of Government, the revenue from December receipts is always very buoyant, compared to other months, often leading to substantial revenue receipts on the last day of the calendar year.

For example, Madam Speaker, the fiscal year 2015, a tax collection on 31 December was of \$69.3 million, out of which \$62.6 million could not be released because it was received either after the working hours or not cleared by the banks. In other words, we had this revenue that we received, but Government could not spend it because it was received after 4 p.m., or the banks had not cleared the cheques.

This trend, Madam Speaker, is not something peculiar to 2015. In fact, this has been a trend for a very long period of time. Madam Speaker, just to put it into perspective, in 2005, unutilized tax revenue at the end of the calendar year or the fiscal year that time also stood above \$32.4 million. Similarly, 2008, \$36 million was not used, 2012, a staggering \$90 million was not used.

Now, Madam Speaker, if you actually look at the calculation of the budget, we take into account how much revenue we will receive; how much money we will spend; how much money we will borrow; and how much money we will spend in capital works.

Now, we have continuously said and it has in fact effected our revenue that we generate, it is enough to pay for our operating costs but we need to borrow to build for capital works; roads, hospitals, bridges, jetties, et cetera. Now, if your revenue shortfall has taken place, not because you have failed to raise the revenue, but because the revenue is not being able to be utilized because you receive it in the following year, practically speaking, it ends up being in the following year so therefore, it leaves a huge gap.

Now, I have got details about the various offices here, as to how much money they received. For example, in the Central division last year, two runs were made to the bank by FRCA, between 4 p.m., to 5 p.m., of \$16.88 million and \$24.3 million was lodged between 6 p.m., to 7 p.m., on 31st December.

Similarly, a figure of \$11.33 million in the Western division; Northern division was about \$866,000, but, Madam Speaker, the point is, that whenever a government delivers a budget and when we stand up here and we say “we will raise this much revenue and we will spend this much money and this is how much we will borrow and this is what we will use to build”, we need to ensure that we meet those targets. If those targets are delayed simply because of the fact that our timing of the receipt of that money and the inability to use it, it is obviously a flawed system, given our peculiar circumstances. That is the number one reason.

Now I know some people have talked about it said, “what if the companies change their financial year?” The reality is that many companies in Fiji do not have a financial year that is different. Assuming theoretically in the future they change their financial year, there are various ways and means of dealing with it. The most traditional other time financial year is 1 July to 30th June. Now even if 30th June is used as the day for them to pay, we still have the ability to calculate that input for that particular year because your financial year is beginning on 1st August.

So this is why we have actually dealt with this date in a very specific manner. We have, Madam Speaker, as has been said publically, we started thinking about these ideas last year, in fact, in December because we are constantly looking at how we can improve our financial status.

We initially talked to the World Bank and then they started doing some research for us. We also talked to PFTAC, which is the Pacific Financial Technical Assistance office that sat here of IMF and we worked in collaboration with them to come up with a date that is very suitable for Fiji, and indeed addresses these many, very practical issues.

The second reason, Madam Speaker, is also that, as we have experienced in the past couple of budgets, that when the budget is generally presented as the law currently stands, the budget must be delivered no later than the 30th November. So, the Ministers for Finance previously had presented in October, early November, middle of November, towards the end of November and you have the traditional one week break and then you have the debate. Previously, it used to have two weeks debate.

So you could have a budget effectively passed in the middle of December. Most people in Fiji go slow in December. It is the Christmas season, cocktails flourish, people go away on leave and many countries have that problem including New Zealand, we were talking to our counterparts, in New Zealand they have exactly the same issue. Everyone goes up to their batch, or whatever they call it because people slow down, people take their annual leave in that period of time. Now how can we expect when you deliver a budget and it is approved in November or say the first week of December, for all the civil servants to be very high and say, "Alright, let's start implementing and planning on the budget," everyone is on holiday mode: December, January and if you look at traditionally the uptake of budget and the implementation of capital projects in Fiji, for the past 20, 30 years, it normally picks up after the third or fourth month of that particular year.

The reason is, Madam Speaker, is that because there is a "go slow" process and the reality is that Fiji does have a Christmas tradition. The reality is, most people do go on leave, that is the reality and that is precisely the reality so we are addressing a very fundamental issue.

The third reason Madam Speaker, is of course, we need to be able to adapt. You have a budget, Madam Speaker at the moment that the fiscal year commences in the middle, in January. Our hurricane season starts in November, ends in April. You can have your budget that may be planned, you do your planning June, July, August, September, you have your capital workflow programmed, you may deliver the budget in November, you may approve it in November and you get a cyclone in January and everything gets out of whack.

Many countries, in fact, are looking at this and when we raised this issue at the recent IMF World Bank Spring Meeting in Washington, many countries were very much interested in what we are doing. They saw it as an adaptation measure. In fact, the other date, Madam Speaker, that we did look at was the 1st of April, because our tourism sector in Fiji sets the yearly rates and their year begins on the 1st of April. We looked at that, but it is still in the middle of the cyclone season. So, when you have that particular period covered, 1st August was the best period that we could have the new fiscal year commence from.

So, they are the three critical reasons Madam Speaker that we have identified and indeed, we have spoken to the World Bank and PFTAC and they have also supported this move because they see it as a positive move, in order for us to be able to have a better cash flow. It is not just simply about your deficit as presented of the GDP, but it is also about accessing cash flow. Cash flow is very, very important Madam Speaker.

At the moment Madam Speaker, we are working with the Commonwealth. The Commonwealth sent down a team a few months ago to look at our Treasury Bills, how we have been issuing our Treasury Bills. In Fiji, the tradition has been that we go out to the market with very small amounts. What that means, Madam Speaker, we do not have the ability to what we call, 'do secondary trading.' Most people buy the Treasury Bills and they take it and put it in the drawer. In many countries, the Treasury Bills are actually traded in the secondary markets. Now, the ability to trade on the secondary markets is always generally determined by the aggregate amount of the bills that your issue.

Firstly, the point is, if your revenue flow or cash flow is better attuned, you have to go less to the market. You have to depend less on issuing Treasury notes, short-term Treasury notes.

The other point also Madam Speaker, it will also help us. In fact, the team is coming back next month, in May, where we are looking at the number of Treasury Bills or those that have been issued over a period of time by previous governments, this Government and two Governments ago and seeing how

we can actually consolidate those treasury bills into larger volumes and then you can actually trade on them and develop secondary trading. As you know there are many people in other countries who are interested in buying our treasury bills, we want to create that secondary market.

That essentially, Madam Speaker, is the way forward in respect of the budget cycle that we are looking in and changing into the new fiscal year. The Financial Management (Amendment) Bill, of course primarily deals with the clauses of the definition of what the fiscal year will be, it also then has a number of consequential changes in respect of what it will mean in terms of the presentation of the quarterly reports and the half yearly reports, et cetera. It does bring about also some of the changes that has been required, for example, it still refers to the House of Representatives and the Senate, they obviously no longer exist. It also looks at things like the CEOs of various ministries, we no longer have CEOs of ministries, we actually have Permanent Secretaries. A lot of them a sort of perfunctory type of amendments that are needed to the particular Act but the gist of the Act, Madam Speaker, is to capture the fact that we need to change the fiscal year within the Government's finances and we are recommending that we have a debate on this on Wednesday for one hour. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is now open for debate. I give the floor to the Hon. Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. Let me start by first of all pointing out that the Government before bringing this amendment to the Financial Management Act to Parliament, from what we heard from the Attorney-General and the Minister for Finance, that the Government actually decided already that they were going to change the financial year. They announced it publically that the financial year will be changed.

Madam Speaker, this Parliament approved a budget after a debate and the budget runs from 1st January to 31st December and I have heard the Hon. Attorney-General very carefully, and his reference to the advice that he may have got from the IMF, World Bank, et cetera. They give important advice but they are not always the best advice. There are various instances of that kind of advice given to many countries around the world. I think, Madam Speaker, that if we are to change the financial year that we currently have and if we are going to change the Financial Management Act, then I do not think it should be done under Standing Order 51. I think we should have a proper debate on this, it should go through the Standing Committee, there has to be a wider consultation than of what we had in terms of the arguments presented for this kind of change.

It also intrigues me, Madam Speaker, a bit, we are in the middle of a crisis. We should be talking about our national strategy. The Hon. Prime Minister talked about unity and we supported that call for unity, to deal with the short, medium and long term strategies to reconstruct the damage that has been caused by *Cyclone Winston*. I do not think we need this kind of disruption this year and at this time.

Apart from that, Madam Speaker, there are some logics here and there about what the Hon. Minister for Finance has said with respect to cash flow. I know at the beginning of the year, in January there are always more treasury bills that are offered and it is largely to address the issue of cash flow that is understandable. But if we are going to talk about the fact that people are on holiday, people are going slow, I think there are fundamental problems with that argument. If we have a Government, if we have civil servants, if we are planning a budget, if we are planning its implementation, Madam Speaker, it is not just done in November or December. The Hon. Minister for Finance would know this very well that the November budget, the civil servants start working five or six months before that in looking at the budget for the following year. They understand the merits and the de-merits of the plans and the implementation strategies that they would put.

Madam Speaker, but also budgets once passed are the responsibilities of the Ministers and the Permanent Secretaries and it is up to the Ministers concerned, the Permanent Secretaries and all those

involved to ensure that the preparation and the planning for the implementation of the budget is done properly so that people who want to go on leave in December or people who are going to be away in January, I mean these things are management issues, these are human resource management, these are issues that the Ministers and the Permanent Secretaries ought to determine. I really do not think that those are great reasons to suddenly change the financial year.

The reason why I am saying that, if we are to change this, Madam Speaker, then this ought to go to a proper Standing Committee. There ought to be wider consultation with various stakeholders and also a broader consultation with the civil servants themselves as to what is the problem. I listened to the Hon. Attorney-General with respect to the real issues, I think those are planning issues, Madam Speaker. If they plan well, if they are co-ordinated well then I really do not think that changing the financial year is going to make some very significant material change to the whole issue of managing budgets, managing policies, making sure that we have an appropriate economic growth, making sure that we get the right tax revenue, making sure that we manage our budgets within the budgets approved by the Parliament. These are fundamental issues beyond the timeline of a financial year. These issues are not going to be resolved by changing the financial year. The fundamental issue could remain, so I think the best thing for the Hon. Minister would have been to do in light of Cyclone *Winston* and I agree with his earlier comments this morning that the Government will have to re-look at the 2016 Budget, realign some of the expenditure, there is a significant allocation in Head 50 as well which could be realigned, and I think the most appropriate thing would have been for this Parliament to consider revising the 2016 Budget, Madam Speaker...

HON. OPPOSITION MEMBERS.- Yes.

HON. PROF. B.C. PRASAD.- ... because that would have allowed us to also debate the merits and demerits of some of the players that the Government has with respect to long term, medium term reconstruction and to assess, we may still be able to do that after the new Budget is passed. But I think we could have achieved the same objective of realigning the budget for the rest of the year by looking at the revised budget for 2016.

While we did that, Madam Speaker, we would have had time to look at this whole issue of a new financial year through a proper Standing Committee consultation and report back to Parliament to look at. I have not seen any advice from the International Monetary Fund or the World Bank, I do not know if there are any written advice or any serious research been done to look at why having the year from 1st January to 31st December was not the right thing to do and alternatively, if we change from that to a new financial year what are some of the tangible benefits if there are going to be any. We have not seen that and I think referring this Bill to a Standing Committee, Madam Speaker, would allow us to do that, we may all agree in the end that there are reasons that we need to change.

If you are going to do it this way, Madam Speaker, where the government has already decided in fact the government might have reserved the powers of the Parliament already by announcing that we are going to change the Budget that was approved by Parliament.

(Laughter)

The Parliament approved the Budget, Madam Speaker and here is a Government outside of Parliament already making decision also asking you, Madam Speaker, in the Parliamentary processes to change the financial year. So, in fact, the government has already made the decision.

HON. GOVT. MEMBER.- We have not voted for it.

HON. PROF. B.C. PRASAD.- We have not voted for it but you announced it. Everyone out there knows and you have also announced the new Budget date. You have also announced that the new budget will be presented on the 22nd of June. So, we need to be mindful, Madam Speaker, of what the Parliament has decided and therefore, I think it makes sense that this Bill should not be

rushed through under Standing Order 51. It should be referred to the proper Standing Committee on Economic Affairs to look at the whole Act and then the Parliament decides whether it wants to change the financial year. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Viliame Gavoka. Please be mindful that the debate on the content of the Bill will take place on Wednesday, so we can just restrict ourselves to the matters and principles of the Bill.

HON. V. GAVOKA.- Thank you. Madam Speaker, like most people in Fiji, he was staggered by this announcement because it is a huge call to change things in this manner on a system that has existed for quite some time. I would like to support what my colleague, the Hon. Leader of the NFP has said that this should come through the proper channels. There should be broad dialogue on this, Madam Speaker, like I said, it is a huge call.

You talk about the tourism year in terms of rates, yet the operators, the hoteliers and other businesses still follow the calendar year, January to December, yet their rates would increase on the 1st of April. Alright, that is how my company did it, that is how our group did it, whatever happened in the 12 months is all part of planning, it is all planning issues. You do not have to change the way you do things, just because of some cash flow issues because that can all be planned in the way you do your books, Madam . Speaker.

It is the question of compliance cost, how are you going to pay for this, to change all the other forms, the compliant cost of this would be astronomical, Madam. Speaker and changing the mind-set, the culture of our people, we cannot do it overnight, you cannot do it with this Standing Order 51, it should be deliberated properly and I would say, you need about a year to discuss it properly, put it in place before you introduce it, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. I give the floor to the Hon. Ratu Isoa Tikoca.

HON. RATU I.D. TIKOCA.- Thank you. Madam Speaker, you have reminded us that the debate will be on Wednesday so, I will be very short. This is quite disastrous, you are blowing it....

(Laughter)

HON. RATU I.D. TIKOCA.- You are blowing everything down and you are worse than the cyclone, that is all . Thank you.

(Laughter)

HON. SPEAKER.- Thank you. I now invite the Hon. Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam. Speaker, I assume I can laugh to that.

(Laughter)

HON. A. SAYED-KHAIYUM.- Madam . Speaker, I would just like to speak on the motion, we will be debating the Bill on Wednesday and that again, I would like to reiterate that the Financial Management Bill will be considered by Parliament without delay. That is the motion. It must not be referred to the Standing Committee or the Committee of Parliament. The Bill be debated and voted upon by Parliament on Wednesday, 27th of April and that one hour be given for the debate on the Bill, Madam Speaker, there are number of issues that have been raised by the other side which we can respond to on Wednesday and I will have to move the motion. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Parliament will now vote, and the question is that, the:

- (a) Financial Management Amendment Bill, 2016 be considered by Parliament without delay;

(b) Bill must not be referred to a Standing Committee or other Committee of Parliament and;

(c) Bill must be debated and voted upon by Parliament by Wednesday, 27th April 2016,

but that one hour be given to debate the Bill with the right of reply given to the Hon. Attorney-General, as the member moving this motion.

Question put.

Votes Casts

Ayes -	29
Noes -	14
Abstain -	1
Not voted -	6

Motion agreed to.

HON. SPEAKER.- Thank you. We will move on to item 9 and I call on the Hon. Attorney-General to move his motion.

FALSE INFORMATION BILL 2016

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 51, I move that, the:

(a) False Information Bill, 2016 be considered by Parliament without delay;

(b) Bill must not be referred to a Standing Committee or other Committee of Parliament and that the Bill must be debated and voted upon by Parliament on Tuesday, 26th of April; and

that one hour be given to debate the Bill with the right of reply given to me, as the Member moving the motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam. Speaker, I beg to second the motion.

HON. SPEAKER.- I now call upon the Hon. Attorney-General, Minister for Finance, Public Enterprises, Civil Service and Communication to have the floor.

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, this Bill is a Bill that consists of 13 clauses and this Bills specifically is for the purpose of criminalising the giving of false information to Government authorities or entities that actually provide a pecuniary benefit to individual members of our society.

Madam Speaker, as we have seen through a number of years that a number of people have made claims within the governmental system, whether it be through the Agricultural scam, whether it be through some social welfare application, whether it is through some other benefits through a secondary party that government funds, where they make false declaration to gain a benefit tax payers monies which they are not entitled to.

There is an existing provision in the Crimes Decree, Madam. Speaker, but it only has a very limited scope and indeed, it has only been used as giving false information to the police. Generally, Sections 332 and 333 of the Crimes Decree deals with giving of false information. So, some people have been charged by the DPP's office, where people have given false information to the Police. But, it is not been used in the wider context, where people have actually given false information to Government entities to obtain a particular benefit.

Madam Speaker, given the fact now that we have a number of schemes and therefore, literally millions of dollars that Government will be disbursing through such initiatives, we need to ensure that there is a deterrent effect for the people, knowing that they need to make only true declarations.

So, as the Hon. Minister for Natural Disaster Management has highlighted, there are certain people whose homes will be built. If, for example, someone comes along who actually did not have a home and falsely declared that he actually had a home, it no longer exists, normally what happens is, they fill out the form, they get the benefit, no one really follows up on it, a slap on the wrist and we all go away and the money is gone down to an area where the person who did not deserve it actually gets the money.

Similarly, the Hon. Minister for Social Welfare will tell you. Many people attempt to make Ministry of Social Welfare claims when they are actually not entitled to it.

Similarly, we have now, as announced by the Hon. Prime Minister, the Help for Homes Programme that we have. We are looking at approximately the disbursement of about \$60 to \$70 million. Now, we want every person that comes along, when they sign the form, they need to make a true declaration and they need to know, Madam Speaker, that if they make a false declaration, the law will come down very hard on them and then there are consequences, because by them making false declarations, they are depriving people who actually deserve it from getting what they deserve.

So, this, Madam Speaker, is a law and the reason why it has come under 51 is because next week through the Ministry of Poverty Alleviation, the help for Homes Programme will be rolled out, and has already been announced, there is a number of very unique ways in which we will be dispersing these funds, and in fact it has again been lauded by many of our international partners who think that is a very good way to do that, but of course, we need to have the right law in place.

The laws also provide for a compensation in the event that a person has received the benefit that he should not, he should then compensate the State for the amount of money he has taken which he is not entitled to. So, these provisions have actually been put in and we request all Hon. Members that there will be debate on this tomorrow, and the motion that this:

- (a) Bill be considered by Parliament without delay;
- (b) Bill must not be referred to a Standing committee or other Committee of Parliament;
- (c) and that it be debated tomorrow, precisely for the reason to expedite it

So, we can start giving out the forms and we hope to disburse the forms because the forms will actually have the law in place. So, they are making a declaration under it and then when we roll it out, all the particular regulatory framework is in place. Thank you, Madam Speaker.

HON. SPEAKER.- I now invite the Hon. Members to speak on the motion, if they need to. I now give the floor to the Hon. Tikoca.

HON. RATU.I.D. TIKOCA.- Madam Speaker, the Hon. Attorney-General is talking about failures by the applicants who have been granted some assistance financially. I want to ask the Hon. Attorney-General that there is so much income tax is owed to the people of Fiji and you are not paying

them. Will this law actually rope in the Government too to answer for that? You owe us a lot of income tax. Would this law bind you too, as well? Thank you.

HON. SPEAKER.- Thank you, the Hon. Attorney-General will address the issue in his Right of Reply. Hon Roko Tupou Draunidalo.

HON. ROKO.T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. I am just speaking, objecting to this amendment going through this Standing Order 51 provision. It is quite technical and it needs amendment of various sections of the Act. I think it is too short to debate it tomorrow, if it is to go through all these quickened pace

Madam Speaker, I remember that there were some agreements from yourself (and I stand to be corrected), this Standing Order 51 would not be so regularly used.

It is almost as if no one here is even blinking when someone mentions Standing Order 51. It seems to be the norm, Madam Speaker. It is just our role in making laws. We should make it properly and take the time to get proper advice, the Parliament should and the Hon. Members of the Opposition may want to look more into it. I just noticed one section when I was going through it and we were only given this.

In Section 22, Section 84 is amended and it is a transitional provision for changing financial year, already talking about for the purpose of this actual 2016 Financial Year means a period beginning on, including 1 January, 2016.

Madam Speaker, there is a lot of excitement about it and that should show that we should not debate it. so willy-nilly.

(Chorus of interjections)

Madam Speaker, Standing Order 51 should not be used in this way. In fact, Madam Speaker, it has been abused. I thought that Standing Order was already resolved in the House, it was only going to be used for emergencies and urgent situations like, if the Government had a plan for reconstruction post-*Winston*, that should come under Standing Order 51, an itemised plan, that also should go under Order 51, not changing the financial year and bringing in this amendment to the Act.

HON. SPEAKER.- Thank you, there being no other input, I will now invite the Hon. Attorney-General to speak in the reply.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. We are not talking about the financial change, the financial year. This motion is about the false information, Madam Speaker, and it is urgent, this is actually about reconstruction. As I highlighted in my introduction of this Bill, we will be disbursing from next week Wednesday, somewhere up to about the tune of \$60 million to \$70 million.

We have about 40,000 homes, Madam Speaker, that have been demolished completely or have been partially demolished or the roofs have been completely blown away. If you do the fermentations from the figures that have been collected by NDMO, if you were to pay out to everyone, we are losing \$3,000 in average, we are looking at about a \$17 million payout. So it is obviously urgent.

Now, one would have thought that it would be actually given accolades for the fact we will trying to protect Government finances...

(Chorus of interjections)

... that no one *choro* from the system, that is what this Bill is about. It is about no one making false declaration to steal from the Government system and has been seen that people have done it in the past. It is a very simple matter, Madam Speaker. It is a law specifically for that and as I highlighted in my introduction, it is specifically being under Standing Order 51, so we can start the law, have it implemented, have it printed on the documentation that they will sign. The Minister for Social Welfare wants to go out and start giving out these cards that will have the value attach to it, so ordinary Fijians can build their homes.

Madam Speaker, ordinary Fijians, they raised the issue about not having a roof over their heads can put a roof over their heads, that is what it is about. That is why it is urgent, Madam Speaker, that I move that the:

- (a) False Information Bill to be considered by Parliament without delay;
- (b) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (c) Bill must be debated and voted upon by Parliament on Tuesday 26 April, 2016; and

that a one hour debate time will be given for a Right of Reply given to me as the mover of the motion.

HON. SPEAKER.- Thank you. Parliament will now vote and the question is, that the:

- a) False Information Bill, 2016 be considered by Parliament without delay;
- b) Bill must not be refer to the Standing Committee or other Committee of Parliament;
- c) Bill must be debated and voted upon by Parliament on Tuesday 26th April, 2016; and

that one hour be given to debate the Bill with the right of reply given to the Hon. Attorney-General as the Member moving this motion.

Does any Member oppose the motion?

HON. MEMBERS.- Chorus of “Yes” and “Noes”.

HON. SPEAKER.– There being opposition, Parliament will vote on the motion.

Question put.

Votes cast:

Ayes	:	28
Noes	:	16
Not Voted	:	6

There being 28 Ayes as reflected in the vote, but with your plus one, it is 29 Ayes and 16 Noes and 6 not voted.

Motion agreed to.

I now call upon the Hon. Attorney-General to move his motion.

FAIR REPORTING OF CREDIT BILL 2016

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. This is the last of Standing Order 51 applications for the day.

Madam Speaker pursuant to Standing Order 51, I move that, the:

- (a) Fair Reporting of Credit Bill, 2016 be considered by Parliament without delay;
- (b) Bill must not be referred to a Standing Committee or other Committee of Parliament; and, that the
- (c) Bill must be debated and voted upon by Parliament on Wednesday, and

that one hour be given to debate the Bill with the right of reply being given to me as a member moving this motion.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- I now call upon the Hon. Attorney-General to speak on the motion.

HON. A SAYED-KHAIYUM.- – Madam Speaker, there has been some debate in the public space about what we call “Credit Reporting Agencies” and in Fiji it is commonly known as the “Data Bureau”.

Madam Speaker, we have had a number of complaints about this matter for a couple of years and in fact it has now been highlighted and given a lot of significance in the wake of *Cyclone Winston*. Let me explain, Madam Speaker, what the issue is.

Madam Speaker, at the moment the Data Bureau operates in ambiguity. They are not regulated. Data Bureau Limited is privately owned by seven companies, one of them actually is supposedly owned by a company in Vanuatu. We did a search, that company no longer exists in Vanuatu.

The point is this, Madam Speaker, in any modern setup when you have a body that collects individual information on all of you as to how much money you owe and to whom, they need to be regulated. At the moment, it is not regulated. At the moment, anyone can go to Data Bureau and report anyone in this House or outside this House and we are concerned more about people outside this House and say, “that person owes me \$10.” Water Authority of Fiji, TFL, FDB, whoever it is. For a fee also on the other hand, Madam Speaker, I can go and get the information of that individual. What has happened to privacy? There is absolutely no protection for the individual citizen in this country when it comes to Data Bureau. We have numerous instances where people have, for example, had their names as defaulting debtors. They have gone out to lay-buy their bed, the daughter is getting married, they need to buy some hardware on loan, they go to a bank to borrow \$5,000, they will say, “oh, we have checked with the Data Bureau and you owe someone \$200. You owe someone \$50. You are not a good debt payer. I am sorry, you cannot get the lay-buy.”

Madam Speaker, when we were discussing this matter yesterday afternoon in our caucus meeting, coincidentally and quite ironically in fact, I received a phone call from a gentleman from

Toko in Tavua and his issue was precisely on this point. He said, “I went to my bank to borrow \$5,000 because I want to fix up my home and they said that Data Bureau has me listed as someone who has not paid their loan to FDB. He said, “I told them that I have already paid my loan to FDB, and why do they still have my name there?”

There is absolutely no rules regarding when they should take off your name, how long they should keep your name and on what basis can I can report person as a defaulter debtor. No rules. You may actually have a dispute, for example, I may have gone and lay-buy something from Courts worth \$1,000, a lot of people use that. At the end of the day, I may have a dispute about \$10. I have a dispute, and then if I do not pay it because we have a dispute, Courts can give my name to Data Bureau and even though I may be right because I should not be paying that \$10, they still put my name there. I have no recourse.

Madam Speaker, it is becoming a very very critical issue. They are not licensed by the Reserve Bank of Fiji and they need to be licensed by the Reserve Bank of Fiji. One of the shareholder companies over here, Madam Speaker, also owes a finance company. Now is there a conflict of interest? Are they accessing the data knowing that this person is actually finding it very hard time to get a loan from a mainstream bank to buy a truck? Why not we approach him and offer a loan at 18 percent. These are the kinds of rules that is necessary. There are many Ram Prasad’s in Fiji; what if they got the wrong Ram Prasad and put his name down.

HON. MEMBER.- Put the father’s name.

HON. A. SAYED-KHAIYUM.- And the real person has not actually been listed. Sometimes the father’s name is same to.

(Laughter)

Not everyone gives their father’s name as you know that. So the reality is, Madam Speaker, there is also no recourse if there is identity theft or if there is identity mistake and it has become very critical, Madam Speaker that we have a law that essentially licenses what we call a “Credit Reporting Agency.” There must be rules regarding how much of a debt you should owe to someone before they report you to the Data Bureau or the equivalent, what we have called the Credit Reporting Agency. It is very critical, Madam Speaker, that we have specific rules around that. So what this law does, Madam Speaker, is that it gives effect to us starting on a clean slate. We need to start on a clean slate.

We have had instances where, for example, some of you would know when Water Authority did its calibration of its new meters, there was dispute about bills. You can have a junior officer in Water Authority of Fiji in Lautoka sitting down and lodging a complaint saying, “Pauliasi owes \$500” - Data Bureau. When Pauliasi goes to do a lay-buy or buys a second hand car, they say, “you not a good debt payer, sorry.” And what he does then, he probably goes and borrows from someone to just pay off that \$500 so he can go and carry out the bank transaction that he wants to do. He is forced to settle a debt that he should not be paying because we have an unregulated credit reporting agency.

The third and last point, Madam Speaker, I would like to make is who can access this information? You may sign a form when you go to Courts or somewhere and say that I agree that in the event of me defaulting or I agree that my credit history will be given to any credit reporting agency but does it stop there? Can that Credit Reporting Agency pass that very vital personal information of yours to a third party? There is no rules around that, you can buy that information. So, Madam Speaker, at this point in time, in Fiji, when we have a lot of people trying to access loans, we have a lot of people who want to access loans, there are a lot of ordinary Fijians who want to

uplift themselves in their livelihoods have buy goods and services and take up the credit market. We need to start-off with a clean slate.

This Bill, Madam Speaker, and we hope the Opposition will support it, gives ordinary Fijians the ability to start off on a clean slate. It says that any credit reporting agency that at the moment, has that information, must quarantine that information and give it to the Reserve Bank of Fiji. If that same organization wants to commence business, they simply apply for a license. They need to meet the criteria and the Reserve Bank will give them the license. We do not want to stop anybody, we want to have more companies that can help provide this type of service. No problems, let us have competition, but please follow the rules because this pertains to the individual rights of individual Fijians in this country and their ability to access credit. Thank you Madam Speaker.

HON. SPEAKER.- Thank you very much. At this point, I note the time and call upon the Hon Leader of the Government in Parliament to move the suspension motion.

SUSPENSION OF STANDING ORDERS

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I move that under Standing Order 6 that so much of Standing Orders 23(1), be suspended to allow the House to complete the items of business on today's Order Paper.

HON. SPEAKER.- Thank you, is there a seconder?

HON. A. SUDHAKAR.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.-Thank you, Parliament will now vote and the question is, that so much of Standing Order 23(1) is suspended, to allow the House to complete the items of business in today's Order Paper. Does any Member oppose the motion?

Question put.

Motion agreed to.

RESUMPTION OF DEBATE OF FAIR REPORTING OF CREDIT BILL 2016

HON. SPEAKER.- We will continue where we left off and the Bill is now open for debate. I give the floor to the Hon. Viliame Gavoka.

HON. V.R.GAVOKA.-Thank you, Madam Speaker. Madam Speaker, again the fast tracking of this Bill is something that we disagree with. It is obviously, something that is important to our people, to the consumers of this country and it would really help if we have dialogue in the normal way, through the committees, take it across the country and show them why we are creating this law. It affects them, they should understand what it is. For instance, Madam Speaker, I am the member of the Economic Affairs Committee and I have asked our Chairman if he can look at the community to see and look at the money lending situation in Fiji, things that affect our people like this. I think fast tracking it in this manner, is not the way to go about this very important Bill. The way Fiji is today, Madam Speaker, you know it is now a consumer society. You look at your TV, your newspaper, your radio, it is products, products, products, before you every day. There is a lot of hire purchase, a lot of financing and all that. Sales is very important, just about everyone in Fiji now has some sort of financial obligation at any time and I think they should be taught about this. They should know about it but not through this way. That is why I think this Bill should follow the proper channels, do not take the short-cut and get dialogue, get people to be educated, to share ideas and experience on this.

Madam Speaker, remember after Winston, the way the Bills are coming through now, we also did our trips around Fiji to visit all those places that are affected. Remember we asked for a special sitting, to just focus on Winston. These people, the leaders of this country, to create unity, I wanted to raise it today, when the Minister responsible for Disasters was speaking on the challenges. It would have been better, Madam Speaker, if we all sat here, for two or three days, united and agree on the way forward and we all went together to do this, to do what need to be done and even in the international community, to go and talk to them say look even our Parliament is behind this. We tend to undervaluing our Parliament, Madam Speaker, and we are just combining things that are all over the place. Winston and all these Bills and in the process, Madam Speaker, a lot of things that slip through the cracks and I think, it does not help our situation here.

Madam Speaker, I would just ask that we do not fast track this under Standing Order 51 and go through the proper structure in getting this Bill through committees and the people to have their say. Thank you, Madam Speaker;

HON.SPEAKER.- Thank you, I now give the floor to the Hon. Faiyaz Koya.

HON. F. S. KOYA.- Madam Speaker, I will just be a minute. I totally support the motion before the House, but just a quick something that I need to raise. Whenever there is something raised here, we always ask the question, how long is it going to take; what is the time frame on this and what is the time frame on that? But let me remind the Hon. Members on the other side of the House, this is a matter of very great importance, very great importance to a lot of Fijians, the time frame being given to you now, in order to get this through the House, is Order 51. Thank you very much, Madam Speaker;

HON. SPEAKER.- Thank you, I give the floor to the Hon. Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.-Thank you, Madam Speaker. They are saying that the things that come here are not important, when we ask that it did not go under Standing Order 51. Like on the previous matter, all we asked was another two or three days, to look at it and not have the debate tomorrow. But that is gone now and previously, Madam Speaker, when a Minister wanted to move one of these under Order 51, to move it quickly through the House, we would already have that Bill in front of us and we would look at the substantive gleam through it and then we can make a meaningful contribution, of why it should and should not go through under Order 51. Now, after the Minister has spoken, we are stabbing around in the dark saying do not use Standing Order 51 but we cannot give you any substantive reasons why not. There might be good reasons to move it and there might be very good reasons why we should object, if sections of the Act let us say impose too high a fine and made it a statutory liability in those instances., Madam Speaker, where intentions are not required, those are serious issues and we can point to those when we are debating whether it should go under Order 51 or not. It is a simple matter, Madam Speaker, you directing the Orderlies in the House that when the Minister moves that certain Bills be moved through under Order 51 quickly, but that be distributed before he starts talking instead of afterwards, then it is no use to us - the time has gone.

HON. SPEAKER.-I now give the floor to the Hon. Prof. Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker, in fact, when I was listening to the Hon Attorney-General, I agreed with him on everything he said, with respect to the Data Bureau and I have had numerous complaints with respect to people, having this confrontation with that unregistered, unregulated institution, so I accept everything that he said, but I still feel that rushing this Bill, I think it would be very good to put it to the committee, let the committee consult and also get more information. I have not looked at the actual Bill yet, but, I think the one of the advantages

of taking it to the committee, I mean even if we can set a time frame, we can ask the committee to bring it into the next sitting or whatever, but I think it will allow members of the public and those who understand these things better and their experiences to come before the committee and we can, in a bipartisan manner, Madam Speaker, you know we can relook at the Bill, sort out anything that we may want to sort out there and then we can all support it here. I mean I would like to support that Bill, very much and the fact that it is an important issue, does not necessarily mean that we got to pass it tomorrow. I mean it has been there for a while, so if we take another month or two, to relook at that and consult more people, I think it would not do any harm to Government and to anyone of us in this House, Madam Speaker.

HON SPEAKER.- Thank you. I give the floor to the Hon. Bultavu

HON. M.D. BULITAVU.- Madam Speaker, I totally agree with the Hon. Leader of the NFP that from the outset, we really support what the Hon. Attorney-General has said, because it is the reality faced by many of our citizens and voters. The only issue we have here, we should not be using *Cyclone Winston* as an excuse of using Standing Order 51, because those issues they were already there and those are some of the problems the Bureau of Statistics faced that they really need to improve. We really need to examine this through our Committee stages.

During one of our Workshops that was organised by the Department of Legislature, Madam Speaker, I raised that nearly 95 percent of all the Bills that have been passed from 2014 to-date have come through Standing Order 51, and I asked them as to what are the practices in other Parliaments in regards to the usage of this kind of short-cut passage.

They gave us some situations like, what happened in the Companies Bill, where though the Act has already been implemented and there are some errors in there, in those kind of cases, Standing Order 51 can be used. However, I do not see any clear limitation on how this Standing Order must be used or should not be used. If we could put in place measures, Madam Speaker, especially from you, Madam Speaker, outlining on what could be used, because there will be other Bills that will be coming in, in this week's sitting, and even next sitting where the events of *Cyclone Winston* will be used as an excuse of coming through Standing Order 51.

We really need to consider that, because the most important thing that we must uphold is the right of the people of this country, which is also in the 2013 Constitution, for them to have access to parliamentary committees, which is here, it goes to the Committee, public consultations, comes back to Committee, then they bring it to the House as we all know, then we debate on the recommendations of the Committee once they have a fair idea of what the people who are out there that this particular law will affect them have to say about the Bill itself.

The last point, Madam Speaker, we will be creating something that we are going to regulate things, which I think, we should have the voice of the people heard on how this will be regulated, what are the consequences, whether it would be good, as alluded to by the Hon. Attorney-General. Again, Madam Speaker, there should be some clear indications into the House as to how and when Standing Order 51 should be used, and what matters of urgency that should qualify under Standing Order 51.

HON. SPEAKER.- There being no other input, I now invite the Hon. Attorney-General to give his right of reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, again, I would like to urge all Hon. Members of this House to vote for this motion. We have now until Wednesday for people to digest this Bill. It is a simple Bill, which essentially allows for licensing regime for credit reporting agencies.

I can assure the Hon. Members who has just spoken and others who have spoken from the other side of the House, every single citizen of this country will be very happy with this Bill. You do not need to go out and spend months on end to find out whether they are happy or not. The only people who probably would not be happy are the shareholders of this company, but, even then, Madam Speaker, they can still operate their business as long as they comply with the regulations. We do not want them to stop their business, but they need to comply with a clear set of rules that provides recourse to any ordinary Fijian.

If you go out into the public space now and ask anyone, Madam Speaker, do they want their credit information to be reported willy-nilly? Everyone will say, 'they do not want it done.' If you ask anyone, should they have the right to correct any wrong information about them, with the credit-reporting agency? They will say, 'yes, we want to have the right.' No one will say, 'well, yes maybe.' Everyone will want that. If you ask them, 'Do they want a right of privacy?' Yes, they will want that. Do you ask a person that, if you have a dispute with the creditor, and the dispute is still going on, but behind your back, they report you to a credit reporting agency? Do you think they should have the e right to do that? The ordinary consumers will say, 'no, they do not have the right to do that.'

These are the principles that are enshrined in this particular piece of Bill. It also says that no one can simply go, just for a fee and take out your individual information. The credit information of recipients also needs to be authorised by the Reserve Bank of Fiji (RBF) and the licensing is being given to an independent body that already regulates financial institutions. It says that there should be no conflict of interest, Madam Speaker. We all need to go out to members of the public, and *Cyclone Winston* is not an excuse. It is a reality, Madam Speaker, and there are many other Bills this week, I think there is about eight or nine of them that are yet to come, that we will bring for second reading. It still has not been dealt with since early this year or last year. We need the Committees to focus on them also, and we will also be, Madam Speaker, later on in the week, beginning from tomorrow, be introducing more Bills in Parliament. They will go through the Committee stage, and we have selectively, Madam Speaker, utilised Standing Order 5, and there is an urgency on that, Madam Speaker.

The reality is that we need to, as Parliament, be responsive to the immediate needs of the ordinary Fijians in our country.

(Hon. Members interject)

HON. A. SAYED-KHAIYUM.- Very simple, Madam Speaker, and these are everyday real issues, not some esoteric philosophical issue out there. They are everyday reality issues that we will all support.

Madam Speaker, with that, we move that pursuant to Standing Order 51, that the:

- a) Fair Reporting of Credit Bill 2016, be considered by Parliament without delay;
- b) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- c) Bill must be debated and voted upon by Parliament on Wednesday, 27th April, 2016,

and that one hour be given to debate the Bill, with the right of reply given to me as the Member moving this motion.

HON. SPEAKER.- Thank you. Parliament will now vote, and the question is, pursuant to Standing Order 51, that the:

- (a) Fair Reporting of Credit Bill, 2016, be considered by Parliament without delay;
- (b) Bill must not be referred to a Standing Committee or other Committee of Parliament; and
- (c) Bill must be debated and voted upon by Parliament on Wednesday, 27th April, 2016,

and that one hour be given to debate the Bill with the right of reply given to the Hon. Attorney-General, as the Member moving this motion.

Question put.

(Chorus of yes and noes)

HON. SPEAKER.- There being opposition, the Parliament will now vote on the motion.

Votes Cast:

Ayes	-	29
Noes	-	16
Not voted	-	5

Motion agreed to.

REFERRAL OF TREATY TO COMMITTEE

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 130, I move that the Standing Committee on Foreign Affairs and Defence review the United Nations Convention on the Rights of Persons with Disabilities.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.-. Madam Speaker, I beg to second the motion.

HON. SPEAKER.- The Hon. Attorney-General has moved a motion to refer the tabled Treaty to the Standing Committee on Foreign Affairs and Defence. I confirm that the Hon. Attorney-General has provided me with a copy of the Treaty and written analysis, as required by Standing Order 130(2).

Therefore, pursuant to Standing Order 130(3), the Treaty and the analysis stand referred to the Standing Committee on Foreign Affairs and Defence for consideration and review. The Committee may table a Report to Parliament no later than 30 days from today.

Hon. Members, the Government has agreed that the House adjourns after this and Ministerial Statements can be done tomorrow.

I thank you and that concludes our business for today. Any pending business may be dealt with at the conclusion of tomorrow's business, if time permits, or a suspension motion to that effect is carried.

The Parliament is now adjourned until tomorrow morning at 9.30 a.m.

The Parliament adjourned at 4.51 p.m.

