

**TUESDAY, 26<sup>TH</sup> APRIL, 2016**

The Parliament resumed at 9.35 a.m. pursuant to adjournment

HON. SPEAKER took the Chair and read the Prayer.

**PRESENT**

All Honourable Members were present, except the Honourable Assistant Minister for Youth and Sports; Honourable V. Pillay and Honourable Ratu N.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 Monday, 25<sup>th</sup> April, 2016, as previously circulated, be taken as read and be confirmed.

HON. SPEAKER.- Is there a seconder?

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

The question is that the Minutes of the sitting of Parliament held on Monday, 25<sup>th</sup> April, 2016 be taken as previously circulated, be taken as read and be confirmed. Does any member oppose the motion?

There being no opposition, it is agreed to unanimously.

Point of Order – Media Misreporting

HON. N. NAWAIKULA.- Madam Speaker, may I raise a Point of Order.

HON. SPEAKER.- Point of Order.

HON. N. NAWAIKULA.- Madam Speaker, I am standing to raise a Point of Order under Standing Order 74, in which I am entitled.

There is an issue where practices of Parliament have been breached. The point that I want to refer to is the correctness of the recording and its reporting.

In the *Daily Hansard* that you have, which has now been confirmed as the Minutes, it stated there that I was absent yesterday. I submitted my apology, but then in the *Fiji Sun* this morning, when this was reported, it was stated that during the motion on the GCC, I absented myself during the time of the debate. That is totally incorrect and the Media is part of this Parliament.

It is important that they report correctly and they just had a seminar last week. So, I am just asking if they can be cautioned when they report matters within this House, they do so correctly and fairly because the implication that is stated here is that I did not support this side of the House in pushing that forward.

HON. SPEAKER.- Thank you. Your Point of Order is taken but the media accuracy is not usually an issue for the Speaker and this is not a Point of Order which I could make a ruling on. However, I would like to clarify that the Honourable Nawaikula did seek my permission to be absent from the sitting yesterday and the permission was granted. Thank you.

## COMMUNICATIONS FROM THE CHAIR

### Paris Agreement

HON. SPEAKER.- I welcome all Honourable Members to this sitting and at the outset, I really would also like to welcome the Honourable Prime Minister back to Fiji on his return from New York, where he signed the *Paris Agreement* under the United Nations Framework Convention on Climate Change.

As we are all aware Parliament had already approved the ratification of the *Paris Agreement* in the previous sitting. The Fijian Parliament was the first in the world to approve the agreement and we are indeed fortunate that the Honourable Prime Minister has championed this cause. It is so close to the hearts of those of us, not only here in Fiji, but in the Pacific and other small islands and developing States that will bear the brunt of climate change effects if the world does not unite to combat this real and present threat.

### Acknowledgement of Visitors

Yesterday, I had acknowledged a group of politics students from the University of the South Pacific. There is another group here today and there will be a new group for each day of the sitting. Professor Robert Nicole has been bringing his students to successive Parliamentary sittings and we hope the experience has been edifying for them.

I also warmly welcome other members of the public joining us in the gallery and those watching proceedings on television and the internet, and listening on the radio. Thank you for taking interest in your Parliament.

### Amendment to the Order Paper

Honourable Members, pursuant to Standing Order 35 (5), I am moving item 4 on the Presentation of Petitions to item 9 in the Order Paper,

We will now move onto item 5, which is the Presentation of Reports of Committees.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, I rise on a Point of Order.

HON. SPEAKER.- Point of Order.

HON. ROKO T.T.S. DRAUNIDALO.- Madam Speaker, my Point of Order is just to bring your attention to the Speaker's functions, duties and powers under Standing Order 18.

Madam Speaker, I am sure you are well aware of this but for the enlightenment of others, Standing Order 18(1) says and I quote:

“(1) The control and administration of the Parliamentary precinct (which is pretty wide) is vested in the Speaker, on behalf of Parliament, whether or not Parliament is in session, and the Speaker has authority to maintain order (there is an and there, Madam Speaker,

apart from that general statement), and the Speaker has authority to maintain order and decorum in Parliament, in accordance with these Standing Orders....”

It goes on to subsection 2, which says and I quote:

“(2) Without limiting clause (1), the Speaker is responsible

(a) for ensuring the rights and privileges of all members;”

Madam Speaker, I would just like to put to you that your powers include what is said in here and what is interpreted to have been said in here too. I mean that is the image of the House and I ask you, Madam, to please, your powers are very wide and it comes from a tradition where the King of England was subdued to the will of the people and the Speaker of the House. Thank you.

HON. SPEAKER.- Thank you. Your comment is noted but I am yet to be clear on what ruling you want me to make on that point of order. Are you referring to the issue that we just addressed?

HON. ROKO T.T.S. DRAUNIDALO,- I am referring to the misreporting in the media this morning and that your powers are not wide enough. I think, Madam Speaker, with all due respect to you, your powers do extend to that.

HON. SPEAKER.- Thank you, I need to clarify that. What is reported in the media is really beyond my responsibility. The accuracy of it, the onus is on the media but I can only request them to be responsible and accurate on their reporting. This is why this morning, I did make the clarification that yes, the Honourable Nawaikula had sought permission to be absent from the sitting yesterday and I had given my approval. So, that rests the issue.

HON. RO T.V. KEPA.- Madam Speaker, I rise on a Point of Order.

HON. SPEAKER.- Point of Order.

HON. RO T.V. KEPA.- Madam Speaker, I rise under Standing Order 34 on the Order of Parliament Business, where you have just told us that you are moving item 4 on the Order Paper on the Presentation of Petitions down to before item 9.

Madam Speaker, the Order of Parliament Business is there for us to follow. With your leave and it says here that the Presentation of Petitions is there for certain reasons and all the others follow.

This is your Parliament and you have to take ownership of it. Madam Speaker, with due respect to you, we should have it in its present form because we just had the Standing Orders amended at the last sitting. If we keep on doing this, Madam Speaker, we will have to keep on looking at the Standing Orders and amending it. It is there for certain reason where the petitions are and it should be kept there. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you very much.

HON. M.D. BULITAVU.- A Point of Order, Madam Speaker.

HON. SPEAKER.- I will deal with this Point of Order first before I come to you.

HON. M.D. BULITAVU.- Thank you.

HON. SPEAKER.- On the Point of Order before us, yes, we did have the Presentation of Petitions based on the Standing Orders, but I am also aware that Monday to Thursday is Government Business and the onus is on Government to make a ruling as to where and to ask for my permission to change the Order Paper, based on their needs, and this they had done this morning and I have agreed that we will change the Order Paper.

We will not remove the petition because this petition is really Opposition issue, but we will bring it back at a later time. That is my ruling. Thank you.

HON. M.D. BULITAVU.- Point of Order, Madam Speaker, on the issue that you have just mentioned and the ruling in regards to shifting.

HON. SPEAKER.- Point of Order.

Once I have made a ruling, Honourable Members should not go back onto that ruling.

HON. M.D. BULITAVU.- I just want to raise a point of unfairness, Madam Speaker.

HON. SPEAKER.- On the ruling that I have just made?

HON. M.D. BULITAVU.- No, an issue in regards to issues like this when it is Government's day and when it comes to 4:30 p.m., Madam Speaker, the likelihood of our issues, motions and petitions will not be heard.

HON. SPEAKER.- Thank you.

HON. M.D. BULITAVU.- That is an issue of unfairness and I am appealing to your powers, Madam Speaker.

HON. SPEAKER.- Your point of order is clear and my ruling is, you can bring it up at as a substantive motion and not as a Point of Order right now.

HON. M.D. BULITAVU.- Madam Speaker, but can there be ....

HON. SPEAKER.- I have made my ruling, thank you very much. We will move on in our Order Paper.

Honourable Members, please do not question any ruling that I have made, otherwise as you have said, it is going to be coming on and off and on and off all the time.

## **PRESENTATION OF REPORTS OF COMMITTEES**

### Report on the Ministry of Defence, National Security and Immigration 2013 Annual Report

HON. SPEAKER.- I now call upon the Chairperson of the Standing Committee on Foreign Affairs and Defence.

HON. LT. COL. N. RIKA.- Thank you, Madam Speaker.

The Honourable Prime Minister, the Honourable Leader of the Opposition, Honourable Members of Parliament, I rise this morning to table the Foreign Affairs and Defence Committee Report on review of the Ministry of Defence, National Security and Immigration 2013 Annual Report to the House.

Madam Speaker, if I may, before I table this report to the House, I would like to thank my fellow Committee members, the Honourable Ratu Isoa Tikoca (Deputy Chairperson), Honourable Alexander O'Connor, Honourable Roko Tupou Draunidalo and the Honourable Jilila Kumar.

On behalf of the Committee, I also extend my appreciation to the Permanent Secretary for Defence, National Security and Immigration and his team for their submissions.

My appreciation is also directed to the hardworking secretariat staff members namely, Mr. Savenaca Koro, Mr. Selveen Deo, Mrs. Kalo Galuvakadua, Mr. Josua Nameoce, Mrs. Shrutkeertee Devi, Ms. Heather Lyall (Consultant from the Scottish Parliament), Ms. Atelaite Leba, Mr. Lemeki Senibale and Mrs. Lavenia Ledua for their commitment and steadfast support rendered towards the production of this bipartisan report.

Madam Speaker, the Annual Report comprises of fifty three (53) pages at the most with six (6) main headings and five (5) sub-headings. The Annual Report contents were thoroughly examined by the Committee. The Committee notes that the report does not present a full picture of the functions and responsibilities entrusted to the Ministry.

In their submission, the Ministry confirmed that the Permanent Secretary does not have any oversight or control over the military and police. Those two institutions are headed by the Commander and Commissioner respectively and details of their functions, responsibilities and finances are not part of this report.

Madam Speaker, the officials of the Ministry were summoned to explain to the bipartisan Standing Committee on Foreign Affairs and Defence. There were a few grey areas that needed to be made clear to the Committee. The response from the Ministry was exceptionally positive. The exercise of reviewing the Ministry of Defence Annual Report of 2013 was a learning experience for both the Ministry officials and also the Standing Committee members.

The document was compiled and agreed to by the bipartisan Standing Committee on Foreign Affairs and Defence after the reviewing of the Ministry of Defence, National Security and Immigration 2013 Annual Report.

Madam Speaker, after analysing the submissions, the Committee Members agreed unanimously and made various recommendations in each section.

Madam Speaker, at this juncture, I hereby table the Committee's Report on Review of the Ministry of Defence, National Security and Immigration 2013 Annual Report and recommend that Parliament takes note of its report. Thank you.

*(Report handed to the Secretary-General)*

Madam Speaker, pursuant to Standing Order 121 (5), I hereby move a motion without notice that a debate on the contents of the report is initiated at a future sitting.

HON. SPEAKER.- Is there a seconder?

HON. A.D. O'CONNOR.- Madam Speaker, I rise to second the motion.

HON. SPEAKER.- The question is, that the debate on the contents of the report is initiated at a future sitting. Does any Member oppose?

There being no opposition, the motion is agreed to unanimously.

## QUESTIONS

### Oral Questions

Unpaid Royalty – *Mataqali* Nabure  
(Question No. 38/2016)

HON. V.R. GAVOKA asked Government, upon notice:

Can the Honourable Minister provide answer on the claim by the people of *Mataqali* Nabure of Nadrala Village in Nadroga/Navosa relating to unpaid royalty due to them for the excavation of gravel from their land at Kavanagasau from 1963 to 1989?

HON. SPEAKER.- Thank you. I give the floor to the Honourable Minister for Lands and Mineral Resources.

HON. M.R. VUNIWAQA (Minister for Lands and Mineral Resources).- Thank you, Madam Speaker. Unfortunately I am unable provide an answer because the Ministry of Lands only looks at gravel extraction on State Land, this is *iTaukei* Land that we are talking about. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you, we will move on to the next ...

HON. J. DULAKIVERATA.- Supplementary question, Madam Speaker. I would just like to ask a supplementary question to the Honourable Minister for Lands. Who owns the gravel in the river?

HON. RATU I.D. TIKOCA.- Yes, answer to that. You give it us, thank you.

(Chorus of Interjections)

HON. SPEAKER.- Please, Honourable Members, the Honourable Member can very clearly articulate this question without all the interjections and putting the House to disarray but thank you for your question. I will now give the floor to the Honourable Minister for Lands.

HON. M.R. VUNIWAQA.- As the Honourable Member knows very well, gravel in rivers and streams belongs to the State. Thank you, Madam Speaker.

HON. SPEAKER.- I give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- Please just explain then why, if the gravel belongs to the State, why is it being handled by iTLTB?

HON. SPEAKER.- Thank you, Honourable Minister.

HON. M.R. VUNIWAQA.- Thank you, Madam Speaker. I believe the Honourable Member is referring to the questions that was originally asked. The question that was originally asked was about gravel belonging to *Mataqali* Nabure, that would have been administered by the *iTaukei* Land Trust Board. If it is gravel extracted from State Land, rivers and streams included then it would be the Ministry of Lands. Unfortunately that clarification is not provided for in the question, thank you.

HON. SPEAKER.- Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. Can the Honourable Minister clarify because all gravel comes through the Ministry of Lands, and after royalties are paid to iTLTB, landowners will come to iTLTB. That is the process, the trustees normally come there. But according to her she does not have any record, Madam Speaker. The question is quite straightforward. If the records at the Ministry of Lands could also reflect the records at iTLTB because at iTLTB, only the lease money will be available in those records. Can the Hon. Minister clarify that?

HON. SPEAKER.- I give the floor to the Honourable Minister.

HON. M.R. VUNIWAQA.- Madam Speaker, the Honourable Member is wrong on that. That is not correct. The iTLTB also issues gravel licences on *iTaukei* land. Thank you.

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

Freedom of Information Bill  
(Question No. 39/2016)

HON. PROF. B.C. PRASAD asked the Government, upon notice:

When will Government, in accordance with the Attorney-General's information to this Parliament in December 2014, as well as His Excellency the President's Address last September, introduce Bills in Parliament with a view to enacting the legislation on the Freedom of Information as per Section 150 of the Constitution?

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Finance, Public Enterprises, Civil Service and Communications).- Madam Speaker, I thank the Honourable Member for this question.

Madam Speaker, under Chapter 8 of the Constitution there are two legs to it; one is the Accountability and Transparency Commission and the other one is Freedom of Information.

The Accountability and Transparency Commission does not require a law per se, a subsidiary law, but what it does require is a law that sets out the Code of Conduct. That will be, as we informed the Business Committee meeting on Friday, tabled later today, as part of Government business.

In relation to Freedom of Information, this is a very large piece of document indeed a very complicated one. We have done our first draft, in fact the second draft. We have also sought the assistance of the Governance section of UNDP to give their input. This has been forwarded to them. As soon as we get that back, we hope to table in the next session of Parliament. Thank you, Madam Speaker.

HON. SPEAKER.- I now give the floor to the Honourable Ratu Sela Nanovo.

Clarification on *TC Winston* Assistance  
(Question No. 40/2016)

HON. RATU S.V. NANOVO asked the Government, upon notice:

Can the Honourable Minister confirm to this House if the *Tropical Cyclone Winston* Hurricane Assistance that the Prime Minister recently announced on Saturday, 2<sup>nd</sup> April, 2016 is a partial assistance, and if the cost of materials that will be bought under the scheme will be VAT exclusive?

HON. SPEAKER.- Thank you. I give the floor to the Honourable Minister of Finance.

HON. A. SAYED-KHAIYUM (Attorney-General, Minister for Finance, Public Enterprises, Civil Service and Communications).- Thank you, Madam Speaker, I thank the Honourable Member for his question.

The Honourable Member may note that a lot of these issues were vented out yesterday when we had the question by the Honourable Leader of the Opposition, where we talked about the “Help for Homes” initiative announced by the Honourable Prime Minister.

Let me reiterate, Madam. Speaker, how this works. This is not a partial assistance as we said yesterday, his whole plethora of assistance being given out to individuals who had suffered through *Cyclone Winston* which was the strongest ever we have envisaged.

Madam. Speaker, we have under this proposal where we have the hardware companies, or people being given access to hardware materials through sums of money that was announced by the Honourable Prime Minister, that obviously will be applicable, but the consumer is not paying VAT because they are actually getting the money for it, now to then go and say, “there should not be any VAT”. Basically it will mean reversing VAT payments that the hardware stores had already incurred, so it is impractical to do that. So as an individual to just to put it into perspective what an individual is entitled to. They fill out the form, and if they say that the roof was completely blown away, they are entitled to \$3,000 so they get the card which is loaded with \$3,000, then they go to their hardware company that is being selected to provide hardware facilities to individuals, and buy roofing tin. They may go to hardware company B and buy light switches, so no money comes out of their pocket. It is being paid for by Government, so the issue about exempting that from VAT does not apply.

HON. N. NAWAIKULA.- Madam Speaker, a supplementary question. The Honourable Minister says that it is not partial assistance. Can he explain that for us, why the assistance to those whose houses are damaged is limited to \$7,000 but it is not a partial assistance?

MADAM SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Member who, as we noted earlier on was not here yesterday would have heard probably from the debates that the assistance is being provided to ordinary Fijians, Madam Speaker. There are homes that will be completely built through the Ministry of Natural Disaster and Management by the Hon. Minister and his team. There are also homes that are being assisted through various NGOs, et cetera, then we have those homes where we are giving assistance in respect of the various amounts that have been given. For many people, if they have a very basic home, \$7,000 is enough for them to use that material because they are providing their own labour.

The reality as we said yesterday, there is no legal requirement for Government to provide this, this is the first time any government is going to provide this type of assistance in such a direct form and probably up to the tune of about \$70 million, Madam Speaker, where they will be providing assistance. If I read the question, Madam Speaker....

HON. RATU I.D. TIKOCA.- Rubbish.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Tikoca said where are we getting this “rubbish” from. Is that language allowed under Parliamentary privileges? Not rubbish. This is not rubbish.

HON. SPEAKER.- A Point of Order, Honourable Ratu Isoa, did you say the word “rubbish”? Please, do not bring “rubbish” to the Parliament. Can I ask you to withdraw the word “rubbish”?

HON. RATU I.D. TIKOCA.- I have to explain myself, Honourable Speaker. This is wrong, they continue ....

HON. SPEAKER.- There is no further explanation.

HON. RATU I.D. TIKOCA.- Can there be a partial withdrawal? This is wrong. They continue to ....



HON. SPEAKER.- You could have asked a supplementary question after this but just to shout out “rubbish” like that in Parliament is not acceptable so, please, withdraw the word.

HON. RATU I.D. TIKOCA.- Withdraw.

HON. SPEAKER.- Honourable Minister, please, continue.

HON. A. SAYED-KHAIYUM.- Madam Speaker, if you read the question, it says ...

HON. RATU I.D. TIKOCA.- This Government continuing to say negative things to previous governments that have served this country well, “rubbish” is even better than what you are doing, and what you are doing is wrong. You will have to withdraw that statement.

HON. A. SAYED-KHAIYUM.- What!

HON. SPEAKER.- Thank you. The issue mentioned is really not a Point of Order, it is not against the rules and procedures of the House so it does not qualify the context, please, continue.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I will reiterate, no other government has provided this type of assistance ever before, no other government.

(Chorus of Interjections)

HON. A. SAYED-KHAIYUM.- Those are not the words that he used, no other government has done it. I emphatically stand on that statement, Madam Speaker, no other government.

(Inaudible Interjection)

HON. A. SAYED-KHAIYUM.- Not in such an extensive manner, Madam Speaker, no other government has given hardware directly to citizens of this country, no other government. Governments in the past, Madam Speaker, have built homes,. We will also build homes, we have also built homes in *Cyclone Evans*, but no other government has done what we are offering now for the “Help for Homes” initiatives, and I stand by that, Madam Speaker.

HON. RATU I.D. TIKOCA.- You have not done anything.

HON. RATU S. NANOVO.- With the \$7,000 now being heard that they are going to provide in order to build homes for all those cyclone victims, can the Honourable Minister advise this august House as to what size these houses will turn out to be; is it a three-bedroom, a two-bedroom or just a shed or *vakatuniloa*-type structure?

HON. A. SAYED-KHAIYUM.- Madam Speaker, the question is about VAT. Now, we are getting to the size of homes. The size of the homes, the capacity, the building of the roof are determined by the people who are the recipients of these monies, Madam Speaker.

HON. P. SINGH.- A supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question.

HON. P. SINGH.- I note that the Honourable Minister has answered the first part of the question, but he referred to certain selected hardware companies that would be eligible to provide hardware materials under this Scheme, the grant, “Help for Homes” which is almost \$60 million to \$70 million.

Madam Speaker, my question is, would there be a schedule where informal settlements and formal settlements have different allocations? And, how did they come about selecting the hardware companies? Were they through a tender process or just by the powers of the Honourable Minister?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, as announced by the Honourable Prime Minister when he launched this initiative, he said that we are calling for expressions of interest from hardware companies and I said in this House yesterday, that advertisements have gone out. In fact, they closed yesterday at 4.00 p.m. Assessments will be made and as I said in the House yesterday, we were asking for maximum prices because we want people to be able to compete with each other.

This is why I keep on saying in this honourable House that the individuals who do get the cards are not forced to simply go to one hardware company. They can use that card to go to different hardware companies where those machines will be available. So, there is competition amongst the hardware companies.

Let me give an example. When I was there in Ba with the Honourable Minister for Local Government and Infrastructure, we had a gentleman who came to us, he had bought one of the parts that is required for strapping homes. He had bought (there is a technical name for it, which I forgot) I think it is called a razor from a hardware store in Tavua at \$20, the same razor in Ba sold by one of the hardware stores was sold for \$6.

So this is one of the reasons why we have to go through an expression of interest as opposed to a normal tender process to be able to vet. And if you see in the expression of interest, Madam Speaker, we have set out almost about 200 items that we want them to price, because these are the 200 essential items that will be required for people, in particular, to put up their roofs, and various other basic things like electrical cables and lights switches, et cetera.

So, the process is, they are putting their expressions of interest, they put in their maximum price, we see who is giving the best price amongst that, we have a selection of hardware companies. Obviously, in an island like Taveuni, we have somewhat limited but there is, I think, a couple of hardware stores that they can choose from. But in a place all the way from North-West Viti Levu, even in Suva from maritime islands in Lautoka, there is a range of hardware stores and we want them to then advertise. So, when they have the cards, a person can pick up the paper and see where is the tinned sheet being sold and how much is the price of each feet compared to the other hardware companies. They get the best price available.

So, no one can actually gouge in this system that we put in place. Suddenly as we know, many businesses in Fiji, when they see some initiatives being put in place, they suddenly hike up the prices. This is why the Bill that we also presented, Madam Speaker, is very, very, critical that we will be debating today. Thank you.

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

HON. S.V. RADRODRO.- Thank you. Madam Speaker, but first and foremost may I acknowledge the presence of politics students from the University of the South Pacific who are here with us this morning, and who must be witnessing the Fiji brand of democracy displayed in this House...

(Chorus of Interjections)

HON. S.V. RADRODRO.-... and must be swimming in the huge gap as opposed to the ideal democracy you learn in the classroom.

HON. SPEAKER.- Order! Order! Do not involve our visitors in the gallery in this debate. Please ask the question, your time is going.

Repair Works for Jetties damaged by *TC Winston*  
(Question No. 41/2016)

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

Can the Honourable Minister for Local Government, Housing and Environment, Infrastructure and Transport advise this House as to when the repair works for jetties damaged by *Tropical Cyclone Winston* such as in Lomaloma, Cicia, Nabouwalu, Taveuni and others will start.

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

HON. P.B. KUMAR (Minister for Local Government, Housing and Environment, Infrastructure and Transport).- Madam Speaker, I thank the Honourable Member for her question. Madam Speaker, with your permission I would like to seek clarification from the Honourable Member on whether she is saying that the damage caused by *TC Winston* that the repair works has not been carried out, is she saying that? Then I will respond because there is a reason for it. Thank you.

HON. SPEAKER.- Honourable Radrodro, would you clarify?

HON. S.V. RADRODRO.- Madam Speaker, I believe the question is very clear for the Honourable Minister to tell this House when will the repair works to those jetties be done, because I have visited those areas and the vehicles cannot go into the boats as we used to do before. Now we are talking about rehabilitation works, and how will these heavy materials, like housing materials be taken particularly to the maritime areas because I have seen the men manhandling those big cargoes. That is why this question has been raised today, that there must be immediate attention given to the repair works and to look at long term repairs, not temporary repairs. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. P. B. KUMAR.- Thank you, it is clear now.

(Laughter)

Madam Speaker, all these jetties mentioned by the Honourable Member are up and running, I do not know when did she go.

(Laughter)

For the benefit of the Honourable Members, may I state that 10 FRA jetties were damaged by *TC Winston*, nine of those jetties are currently open for use after temporary repairs. One of those jetties was totally destroyed.

HON. N. NAWAIKULA.- Which one?

HON. P. B. KUMAR.- The Makogai Jetty.

HON. S.V. RADRODRO.- Just answer the question.

(Chorus of Interjections)

HON. SPEAKER.- Honourable Minister, please continue. Do not respond to interjections.

HON. P. B. KUMAR.- Madam Speaker, when I said that nine out of ten jetties have been repaired, she is asking which one was not repaired or totally destroyed, which I have responded and she is asking, I am not asking that.

(Laughter)

Madam Speaker, the temporary repairs to-date have cost \$700,000 and this figure will increase as claims from the FRA contractors comes in. Thank you.

HON. RATU S.V. NANOVO.- A supplementary question, Madam Speaker.

HON. SPEAKER.- Supplementary question, Honourable Nanovo.

HON. RATU S.V. NANOVO.- Still on the repairs of jetty, I was in Nabouwalu two weeks back and we thank the Hon. Minister that the jetty is back in operation. I think just last week it was in the media that the jetty will be closed for repairs for about six weeks. All I want to ask the Honourable Minister if he could advise this House if there is an alternative arrangement that the Government has put in place to ensure that connectivity to the North is not compromised, as this will affect the Vanua Levu economy in general. Thank you.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. P. B. KUMAR.- Thank you, Madam Speaker. The Honourable Member has picked that out from the media but I will inform the House on the Nabouwalu Jetty. This jetty was temporarily repaired and was open for restricted use within three days after *TC Winston*. The roll-on/roll-off ramp is currently having pre-planned maintenance repairs, there is a pre-planned upgrading of jetty and costs would be in the 2017 and 2018 budget. Thank you.

HON. SPEAKER.- Thank you. The Honourable Nawaikula.

HON. N. NAWAIKULA.- The Honourable Minister has said that these are only temporary, the problem with temporary is that they do not last, they invite accidents, so when will you do the permanent.

HON. S.V. RADRODRO.- Hear, Hear!

HON. SPEAKER.- Thank you. The Honourable Minister.

HON. P. B. KUMAR.- Thank you. Madam Speaker, as I have said that these are temporary repairs and we have submitted our projects under FRA's programme for all these jetties to be repaired permanently. Thank you.

HON. N. NAWAIKULA.- When?

HON. SPEAKER.- Thank you. There being no other supplementary questions, we will now move onto the fifth oral question, and I will now give the floor to the Honourable Netani Rika.

Compliance to National Building Code  
(Question No. 42/2016)

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

*Tropical Cyclone Winston* has exposed the weak link of building structures in most rural and maritime islands, as indicated by the number of buildings that were vastly damaged. Can the Hon. Minister for Agriculture, Rural and Maritime Development and National Disaster Management brief this House as to what are the plans in place to improve the construction of houses in compliances to the national building code?

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).- Thank you. Madam Speaker, and I thank the Hon. Member for that question. This is something that is dear to all Fijians, particularly those who were affected during *Tropical Cyclone Winston*.

Madam Speaker, the simple answer is we have a building code. I will come back to the building code but at this stage, there is a Committee under the Ministry of Industry and Trade and it is called the Trades Standards Advisory Committee that is also looking into the building codes, together with the Fiji Institute of Engineers. I will explain the reason why, Madam Speaker, the Fiji building code and the Home Builders Manual were introduced into Fiji in 1990. That was after the experiences from the cyclones in the 1970s and 1980s, the devastation. That led to the national building code.

We were assisted by Australia and the Home Builders Manual given to Government in 1990. However, in the implementation of the code, it was just restricted to the municipal boundaries and it does not apply to the rural areas. There were reasons behind that as well. During that time it was a question of affordability, given the stage of development that we were at and this was one of the reasons why Government then decided that the National Building Code, although relevant and applicable to all Fijians, but in terms of the implementation, it was optional to our people living in rural Fiji. So, that, Madam Speaker, is currently under review, and may I just add that there are few critical contributing factors to this and it is a major lesson for all of us. A key statement that we should give all Fijians today, everyone must invest in their homes but the contributing factors are these:

- 1) Quality of materials: Some materials used in most of the buildings that we assessed were not of good quality, inferior quality materials;
- 2) Quality of workmanship: This probably goes two ways. One, most people in rural areas, they just hire whoever has got some carpentry skills to do the work for them but most of them are not qualified. So that is an issue, and of course, those who are contracted as well, it is quite disappointing, even particularly in schools where contractors are hired but the quality of workmanship is not to the standard that we would expect;
- 3) Law: People were given options but because of their economic situations, they were not really investing into their homes and of course, there is another key lesson that we learnt from this. When the building code was passed then, it was under the Ministry of Health, under the Public Health Act, whether Health is the relevant Ministry that is something that is currently under review and probably it will end up in Parliament.

Thank you, Madam Speaker.

HON. SPEAKER.- Supplementary question. Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. I thank the Hon. Minister in regards to his answer. Given that, how will the Ministry monitor that all who will be benefiting from the Assistance Scheme (the card system) will be complying with the National Building Code and if those who will not comply, what will be done to the structures that have been built?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Thank you Madam Speaker, and Honourable Bilitavu for the question. There are two approaches. Again, consistent message is “building back better, building back stronger, invest in disaster risk reduction”. For those who are building, Madam Speaker, this is what we are giving them “tips to build back better, build back safer, *Na veika me taurivaki ena kena taravou tale vakamatau e dua na vale* and then the Hindi translation as well.

This is very basic and if our people can follow this, it would really save them a lot, particularly in terms of preparedness in the long-term. This was developed in 2012 after *Cyclone Evans*. We asked the Fiji Institute of Engineers if they could provide this to us so for those who are building, you can take a few, and even, Madam Speaker, about how you apply the strapping and the nails and screws on every group, this is something that most Fijians will appreciate. And then there is a question of retrofitting, some people do not build to standard but overtime, the encouragement should always be that they should start retrofitting, improve, invest into their homes because severity and intensity is going to continue. So, again, those are some key measures that Honourable Members of this House must take to the communities. Thank you, Madam Speaker.

HON. SPEAKER.- I give the floor to the Honourable Salote Radrodro.

HON. S.V. RADRODRO.- Thank you, Madam Speaker. We have heard this morning that the \$7,000 assistance for a house and we are hearing the Hon. Minister on the compliance to the National Building Code. I, for one, Madam Speaker, have got a quotation for a partially damaged house at Vanuabalavu and the cost is, for just the materials alone is almost \$13,000. The cartage, I tell you Hon. Minister will be about \$5,000 and the cost of labour will be about another \$6,000 or even \$8,000, so in total Madam Speaker for a house, even for repair works, this is just roof repair, we looking at about \$20,000 and Hon. Minister for Finance has confirmed to us this morning that we are only looking at \$7,000, \$3,500, \$1,000 for repair works and the Honourable Minister responsible for Disaster Management has mentioned that they are going to enforce the National Building Code.

The question is, how are you going to marry the two? How are you going to align these two? On one hand, you have housing assistance, which is very insufficient, it is actually an insult to the people, and on one hand, you are having the enforcement of building code, Madam Speaker.

MADAM SPEAKER.- Point of Order.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Honourable Radrodro is making a statement. As we have said, the supplementary question, you need to be quite concise and precise to be able to ask the question. It must be subject-related. She is going off on a fishing expedition.

HON. SPEAKER.- Thank you. I did mention yesterday that for supplementary questions, an Hon. Member is given one minute. So if the question is not asked within that minute, then she or he loses the question and this is why we were keeping tag on the time that was due. You have asked your question?

HON. S.V. RADRODRO.- Madam Speaker, can I clarify, the Honourable Minister for Finance asked for clarification so can I just state my question clearly now? The question is, can the

Honourable Minister explain to the House how you are going to marry the financial assistance given by Government and the enforcement of the Building Code? Thank you Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Minister.

HON. LT. COL. I.B. SERUIRATU.- Thank you. Madam Speaker, for the long question. Let me remind the Honourable Member that the democracy that she talks about requires a lot of wisdom and common sense as well.

(Chorus of Interjections)

HON. LT. COL. I.B. SERUIRATU.- As I had specifically stated yesterday that recovery and rehabilitation is a long process, and we have given options to the people because they are people who can go without waiting for the Government's rehabilitation and recovery process. That will come after the PDNA. I am just repeating now for her benefit again.

(Chorus of Interjections)

HON. LT. COL. I.B. SERUIRATU.- Those that have already or are willing to go ahead to construct their homes, those are the Build a Home initiative by Government.

Transportation into the islands, we are aware and Government can assist in the transportation of materials. Even in the rural housing policy that we have, homes that are built in rural Fiji, they can even buy their materials and bring it to Rural Development. Rural Development takes it to the islands and that is always the case as well, Madam Speaker, for post-disasters.

Secondly, we had made it clear yesterday that those that do not want to come under the Home initiative, Government has got its standard housing, the 24 x 16. That again, the plan is under review and there has been some recommendations for improvement and that will be what we will take to the communities as well after Government has assessed the PDNA Report which will be coming probably tomorrow then we will do the recovery framework. We will come up with a timeframe and then resources will be given accordingly.

So, whether they are in the maritime islands, options are there for them, Madam Speaker. If they will build now and need assistance on the transportation of materials, they can come and see us and we can provide for them. But for those who want to wait, of course, Government has plans on reconstruction and recovery process as well. But what we must consider, Madam Speaker, is there are about 31,000 homes that needs to be rebuilt, either partial or impartial. For example, just for 11,000 houses, if we allocate a cost of \$23,000 each, that is about \$393 million already.

HON. GOVERNMENT MEMBER.- Tell them.

HON. LT. COL. I.B. SERUIRATU.- So with democracy, we need to have wisdom and common sense, Madam Speaker. Thank you.

(Laughter)

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- Madam Speaker, yes, he has answered a part of my question because the people in my area from the maritime zone are paying about \$1,000 to transport their building materials to the islands and out of 7,000 it does not go really far. I just like the way this question is worded "*Tropical Cyclone Winston* has exposed the weak link". *TC Winston* has also exposed the level of poverty in this country that FijiFirst has been trying to hide all these years. That is something that we must always remember, Madam Speaker.

(Chorus of Interjections)

HON. N. NAWAIKULA.- Madam Speaker, supplementary question.

HON. SPEAKER.- Thank you. Can we have the answer to that supplementary question first and by the way, that is the third and last supplementary question. Honourable Minister, you have the floor.

HON. N. NAWAIKULA.- It has been withdrawn.

HON. V.R. GAVOKA.- He has partially answered.

HON. SPEAKER.- Sorry, you have withdrawn but the time taken for the third supplementary question has been taken up, thank you very much.

I have been advised that the Honourable Alexander O'Connor has withdrawn his question (Question No. 43 of 2016). So we will move on to the next Oral Question and now I give the floor to the Honourable Balmindar Singh.

HON. RATU I.D. TIKOCA.- Point of Order.

HON. SPEAKER.- Point of Order.

HON. RATU I.D. TIKOCA.- Point of Order under Standing Orders 72 and 84, Madam Speaker. I just want to correct the statement issued to us by the Honourable Attorney-General. I recall way back. . . .

HON. SPEAKER.- Order! Point of Order is not to correct a statement. A Point of Order has to be with the rules and procedures of the House.

HON. RATU I.D. TIKOCA.- Let me to deliver it, not to correct it but for the people's consumption.

HON. SPEAKER.- I will not give you the floor at the moment. You can present that issue as a motion, if you like.

Thank you. I will now give the floor to the Honourable Balmindar Singh.

Investigating Complaints Against Security Companies in Fiji  
(Question No. 44/2016)

HON. B. SINGH asked the Government, upon notice:

Can the Honourable Minister advise this House on the progress that the Ministry has made on investigating complaints against security companies in Fiji?

HON. CDR. S.T. KOROILAVESAU (Minister for Employment, Productivity and Industrial Relations).- Madam Speaker, I wish to thank the Honourable Member for the question. The Ministry has conducted 31 labour inspections and has calculated that the amount owed by security companies for their workers in overtime pay is totalling \$2,232,679.44. Our Compliance Section under the Ministry is working overtime to try and regain this amount of money and pay them to the security company workers.

Madam Speaker, the minimum rate of pay for security officers as stipulated under the Wage Regulation of 2015 stipulates that a permanent security worker should be paid \$2.51 per hour and \$3.14



for casual workers. The workers too in the security companies to have meal allowance, work overtime of \$6 and meal allowance of the same amount with 10 working days and annual holiday of 10 days. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Balmindar Singh.

HON. B. SINGH.- Thank you, Madam Speaker, to the Honourable Minister why the security companies and workers have come under scrutiny?

HON. SPEAKER.- Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker. The Wage Security Services Regulation was only introduced by the FijiFirst Government in 2015 and became effective on 1<sup>st</sup> July, 2015.

HON. SPEAKER.- Thank you. Supplementary question, Honourable Viliame Gavoka.

HON. V.R. GAVOKA.- The security workers are always the most underpaid in the country, Madam Speaker. I was just wondering, being a previous employer, they bid for their contract these security companies and they always give the contract to the lowest bidder which is normal in business. I just wonder, to lift the load of the security people, if Government would consider discouraging companies or rather set a minimum cost that they can handle to secure the services of a security company because it is the companies, Madam Speaker, who are paying the lowest rates who then are paying the security workers. I really think there is broader dialogue on this, Madam Speaker.

In Singapore, for instance, Government comes in and raises the minimum wage to a higher level. It is just something that we need to do, I believe, I suppose I could ask my colleague the Honourable Minister for Employment to start some dialogue on this. The companies should expect to pay minimum to enable the security company to pay decent wages to their people. I wonder if that can be considered, Madam Speaker.

HON. SPEAKER.- Thank you, Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Thank you, Madam Speaker. The wages for security workers was not regulated. Basically at the initial stage, they were paid at about \$1.81, now it is regulated, the minimum wage is \$2.51 per hour. For permanent workers and for casual workers is \$3.14. The basic supplementary statement that I would like to make is that the workers under the security companies are on demand and the provision of services to individual companies.

HON. SPEAKER.- Thank you. Supplementary question, Honourable Bulitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. The Honourable Minister will note that the increase in their wage will also increase the amount that is due by the employers to the securities and that is a trend. What is the plan of the Ministry in regards to looking into the trend of reducing the number of complaints that are coming in regards to security companies?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. CDR. S.T. KOROILAVESAU.- Madam Speaker, I thank the Honourable Member for his supplementary question. We are really just on top of this issue at the moment, with the previous 10 years of trying to regulate the wages for security workers. We hope that with the strict issues being carried out by our Compliance Section, we will be on top of this within the near future.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Dr. Brij Lal to ask his question.

Roles and Functions of the Higher Education Commission  
(Question 45/2016)

HON. DR. B. LAL asked the Government upon notice:

Can the Honourable Minister brief this House on what are the roles and functions of the Higher Education Commission?

HON. DR. M. REDDY (Minister for Education, Heritage and Arts).- Thank you. Madam Speaker, I want to thank the Honourable Member for asking the question.

Madam Speaker prior to 2006 or a decade before that, there was a large proclamation of training institutions offering all kinds of diploma and certificates, backyard operators throughout Fiji.

Madam Speaker, you may recall in those days, financial assistance to students undertaking tertiary studies were very limited, unlike what we have today. Parents used to withdraw their only social security to fund their children's studies in these backyard operators, offering all kinds of diploma and IT, all over the place. These qualification were not recognized. Parents used to lose their social security money, thinking that the child's education and them getting job will become a social security to them that again did not materialize.

Madam Speaker, after 2006, the Bainimarama Government decided, first to establish a legislation to establish a Higher Education Commission with a Bill to regulate these institutions. Screen out the genuine ones, Madam Speaker, to ensure the children's education, the final product is of high quality. To ensure that parent's money are not wasted. Madam Speaker with that in 2008, an Advisory Board was established with the promulgation of the legislation for the establishment of a Higher Education Commission.

After two years, the full Commission was established called the Higher Education Commission. Madam Speaker, with timely objective, regulating and registering institution which will offer higher education qualifications. Madam Speaker, the key functions, apart from screening and registering these training institutions. One is to safeguard, as I mentioned, the interest of students, taking complaints, deal with them in respect to issuance of quality programmes. There were cases Madam Speaker, when these institutions enrolled students, took the tuition money and flew out of the country. The Higher Education Commission can now also go and investigate those complaints and even close those institutions.

Apart from the self-operating institutions like the University of the South Pacific, Fiji National University, University of Fiji, there are other smaller institutions which are under the purview of the Higher Education Commission in terms of actual quality assurance.

Madam Speaker the Higher Education Commission also ensures that these qualifications that are offered out of these institutions are pegged at that particular level in the qualifications framework. Madam Speaker the qualifications framework has been developed and would be ratified by Fiji very soon, where qualifications are offered from levels 1 to 10: 10 being PhD, 9 being Masters, 8 being Postgraduate Diploma, 7 being the final year of degree, 5 to 7 is the degree units, Level 4 is equivalent to Foundation, Level 3 is Preliminary studies and Certificate to start from Level 1 so Trade Certificate 1, Trade Certificate 2, Trade Certificate 3, Trade Diploma at level 4, et cetera.

So Madam Speaker, it is the job of the Higher Education Commission to ensure that all those institutions were offering qualifications at different levels: Level 1, Level 2, et cetera are pegged at that level, based on the learning outcome. Madam Speaker, so, it is the job of the Higher Education Commission also to develop national standards for trade qualifications, Madam Speaker, that is what the Higher Education Commission does.

Madam Speaker, the Higher Education Commission also advises the Government about funding allocation to various tertiary institutions. The Higher Education Commission also fosters linkage between the tertiary institutions and the industry to ensure that industry needs are met. So, Madam Speaker, the Higher Education Commission is the holder of database on all tertiary institutions Fiji. If you want any stakeholder, the industry of students will want to know what qualifications were offered by various tertiary institutions, they can go to the Higher Education Commission and the one stop place will get you all the programmes offered by various tertiary institutions, where they are located, what are the tuition fees, et cetera.

So, Madam Speaker overall, the primary objective of Higher Education Commission is to regulate those institutions that are offering high education programmes in Fiji to ensure that these programmes are pitched at that level, which in the qualification framework is internationally benchmarked and therefore, allows for mobility of qualification between countries as well, Thank you.

HON. SPEAKER.- Thank you. Supplementary question, Honourable Leawere.

HON. M.R. LEAWERE.- I thank the Honourable Minister for his response regarding the Fiji Higher Education Commission. Could he inform the House as to how the Board of the Higher Education Commission is being appointed because Dr. Richard Wah was there and he was unceremoniously dumped before his contract expired. Thank you, Madam Speaker.

HON. SPEAKER.- Honourable Minister.

HON. DR. M. REDDY.- Madam Speaker, could I enlighten the Members from the other side? The appointment of the Board is done by the Minister responsible upon consultation with the Prime Minister. The person the Honourable Member has named has served two terms, he was Executive Chairman and therefore as per the legislation, he was not allowed to serve a third term. So that is why his contract expired on that day. He was not dumped, et cetera, so please get the correct information. Thank you.

HON. SPEAKER.- Thank you. Honourable Nawaikula.

HON. N. NAWAIKULA.- There is a lot of public concern in the number of Degrees that are coming out now in the public, moreso by the establishment of the Fiji National University and all those.

What is the role of the Higher Education Commission in relation to the vetting of the Degrees? As you go through some of the very basic but they all seem to be giving them VSC and BH, how do you regulate and vet the Degrees that are coming out now?

HON. SPEAKER.- Thank you. Honourable Minister.

HON. DR. M. REDDY.- As I have just explained, the larger tertiary institutions like the University of the South Pacific, Fiji National University, University of Fiji and Fulton College, they are self-operating institutions, they have their own mechanism for quality assurance. For example, most of the commerce programmes, the universities are required to undertake, or appoint an external

reviewer, to review once in three years. The external reviewer will be appointed by the Vice Chancellor upon recommendation from the Dean of the College to come and take a detail, there is a process which I can give to you later on, given my experience that the external reviewer will come and examine, talk to the students, examine the Course outline, the lecture notes, the exam papers, he said once in three years, all programmes are supposed to be done.

Now for programs which are longer than three years, for example, medical programs, you cannot do it in once in three years so there is one in six years, which has been done by the College of Medicine at Fiji National University. So, for this university, which is self-operating universities, they have their own, this is the procedure. For example, Accounting Degree is reviewed by the Fiji Institute of Accountants and some of the universities, both the universities, University of Fiji and USP have also been accredited by the Australian CPA.

So, these are the processes undertaken by the universities to ensure that the programme is internationally recognised. Now other than that, the other smaller institutions like, IT institutions in town, they are accredited by the Higher Education Commission that would hire experts to examine their programs.

There is a list Madam Speaker, list of things the institution must have in order for the programme to be offered. For example, you have qualified staff; you have the infrastructure, for example, if it is an IT program, you have computer labs.

You will find, Madam Speaker that some institutions offering Hospitality Programme, for example, Cookery, so the Higher Education Commission will get an expert from outside the industry to go and examine whether they have that production kitchen. If they are offering Pastry Programme, they will go and examine whether they have a pastry kitchen, an oven, et cetera, for hands-on training, Madam Speaker. They will examine the Programme documents to see whether they will have the number of hours for industrial attachment. So, without those, those programmes cannot be approved for offering to the students. Thank you.

HON. SPEAKER.- Thank you. We will now move on to the next item on the agenda and that is Ministerial Statements.

### **MINISTERIAL STATEMENTS**

HON. SPEAKER.- I give the floor to the Honourable Minister for Foreign Affairs, Minister for Health and Medical Services and the Minister for Education, Heritage and Arts. They all had given notice to make Ministerial Statements under Standing Order 34. Each Minister may speak up to 20 minutes. After each Minister, I will then invite the Honourable Leader of Opposition or her designate to speak on the statement for no more than five minutes. There will also be a response from the Honourable Leader of the National Federation Party or his designate to also speak for five minutes and there will be no other debate.

HON. RATU I.D. TIKOCA.- Point of Order.

HON. SPEAKER.- Point of Order.

HON. RATU I.D. TIKOCA.- I, as the Shadow Minister for Foreign Affairs on this side have not received anything in regards to this presentation. That is the requirement from Standing Order – one hour. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Ministerial Statements were actually sent to the Opposition Office yesterday. I now call on the Honourable Minister for Foreign Affairs to deliver his statement.

Relocation of Fiji Mission from Pretoria to Addis Ababa

HON. RATU I. KUBUABOLA.- Thank you. Madam Speaker, Honourable Prime Minister, Honourable Leader of Opposition, Honourable Ministers....

HON. RATU I.D. TIKOCA.- Point of Order.

HON. SPEAKER.- Point of Order.

HON. RATU I.D. TIKOCA.- Just to clarify that, is there any substantial evidence, have we signed that we have received it from you? Thank you.

HON. SPEAKER.- Thank you. Your office assistant had responded yesterday to confirm that she had in fact received these Ministerial Statements.

The Honourable Minister for Foreign Affairs, you may continue.

HON. RATU I. KUBUABOLA.- Thank you. Madam Speaker, let me continue where I left off. A very good morning to you all.

I wish to inform this Honourable House, Madam Speaker, on the newly established Fiji Mission in Addis Ababa in the Federal Democratic Republic of Ethiopia.

The establishment of our mission in Addis Ababa and the successive closure of our Mission in Pretoria in the Republic of South Africa represents a strategic move by our Government to better leverage our footprint in the African continent.

Madam Speaker, briefly by way of background, Fiji opened its Mission in Pretoria, South Africa in 2011. The major influence on our decision for diplomatic representation was based on the Government's sound Diplomatic Strategic Policy of being represented and establishing positive footprints in all continents of the world.

As our Ministry constantly monitors our Missions overseas, there was the realisation that despite South Africa being the second largest economy in Africa and with significant potential for trade, tourism and capital investments, however such potential was acutely limited due to the constraints of distance between the two countries. This placed limitations on the maximising of trade, tourism and capital investment initiatives with South Africa. As you know, Madam Speaker, South Africa is on the southern tip of the African continent.

Madam Speaker, people might ask why Ethiopia? Ethiopia, was one of the founding members of the United Nations, also a founding member of the Group of 24 (G-24), also a founding member of the Non-Aligned Movement, founding member of the G77+China and the Organization of African Unity, with Addis Ababa serving as the headquarters of the African Union, the Pan African Chamber of Commerce and Industry, the United Nations Economic Commission for Africa, African Aviation Training Headquarters, the African Standby Force and much of the global Non-Government Organisations are based in Addis Ababa.

Madam Speaker, Ethiopia is located more centrally to all African nations and as such, our diplomatic mission will have easy access to all African countries, if and when required. However, the biggest benefit lies in the fact that we are in the heart of all international institutions serving the African continent.

Ethiopia hosts approximately 85 diplomatic missions. Amongst others, the following are some of the important institutions that are either headquartered or have representative offices in Addis Ababa:

1. African Union (AU)
2. New Partners for African Development (NEPADS)
3. East African Community (EAC)
4. Economic Community of the West African States (ECOWAS)
5. Southern African Development Community (SADC)
6. Economic Community of the Central African States (ECCAS) and
7. EU's African Peace Facility (APF)

The relocation of our mission from Pretoria to Addis Ababa undoubtedly puts us in the midst of all major institutional bodies operating in Africa and the surrounding region. The move would see our mission strategically placed to further our interest in the continent. Our move from Pretoria to Addis Ababa shows our recognition that an enormous amount of potential lies untapped in the strategic sphere of forging stronger relations with African countries in the geo-political and security dimensions. It is also in-line with the Government "Look North Policy" in diversifying our foreign policy initiatives with our non-traditional development partners.

Madam Speaker, the Addis Ababa Mission's mandate is to achieve and undertake the following:

1. Defend Fiji's sovereign right as an independent State in the pursuance of Fiji's responsibilities in the international architecture;
2. Pursue proper accreditation to the governments of strategic interest, including regional and international institutions within the accredited region in accordance with both sending and receiving government protocols. This is in-line with our Annual Corporate Plan, the Strategic Plan 2016 to 2020 and our Foreign Policy Statement;
3. Engage with the following institutions for pursuance of Fiji's interest. As I have mentioned before the :
  - a) African Union (AU)
  - b) United Nations Environment Programme (UNEP) which is very close by to Kenya
  - c) New Partners for African Development (NEPADS)
  - d) East African Community (EAC)
  - e) Economic Community of the West African States (ECOWAS)
  - f) Southern African Development Community (SADC)
  - g) Economic Community of the Central African States (ECCAS)
  - h) EU's African Peace Facility (APF)
4. Safeguard Fiji's international trade, economic, political, social and cultural interests;
5. Acquire international support towards Fiji's national development priorities in the political, social, cultural and environmental interests;
6. Engage and support negotiations in international institutions in the sustainable development of the oceans, climate change and disaster risk reduction;
7. Support good governance, rule of law and goodwill in the conduct of bilateral and international relations;

8. Enhance Fiji's international relations and partnership with all relevant parties including but not limited to the UN, regional and international institutions, civil societies and private sector
9. Provide environment and space for societal cohesion and harmony between Africans and Fijians; and
10. Provide avenues for bilateral engagements, which may include and not limited to trade, sports, cultural exchanges, education, defence and tourism;

Madam Speaker, for the information of the Honourable House, Cabinet has endorsed the closure of our Pretoria Mission and the successive opening of our new mission in Addis Ababa.

Our first Ambassador to Addis Ababa or Ethiopia is Brigadier-General (Retired) Mosese Tikoitoga. He is supported by two diplomats, a Counsellor and a First Secretary. It is a relatively small mission like most of our missions around the world, but we are confident that given the mandates will be achieved in time to come.

Madam Speaker, Fiji has been welcomed in Addis Ababa. The Ministry of Foreign Affairs in Ethiopia via the media have reported and I quote:

“Ethiopian Government welcomed the decision to strengthen bilateral relations and work together on common socio-political, economic and cultural issues.”

Ambassador Tikoitoga has recently presented his credentials to the Minister of Foreign Affairs, Hon. Teye Atske-Selassie on the 25th March, 2016.

The Ministry of Foreign Affairs utilised existing financial resources under Head 8-1-3 for Overseas Missions to relocate to Addis Ababa, and this was done with the endorsement and consultation with the Hon. Ministry of Finance.

I would like to inform the Honourable House that our Honourable Prime Minister will officially open our Embassy at Addis Ababa on 27<sup>th</sup> May, 2016.

Madam Speaker, Honourable Members of Parliament, I thank you for your attention. *Vinaka!*

HON. SPEAKER. - Thank you. I now call upon the Leader of the National Federation Party or his designate to respond.

HON. ROKO T.T.S. DRAUNIDALO. - Thank you, Madam Speaker. I thank the Honourable Minister for his statement.

With all due respect, we have not heard enough about why we are in Africa. What we have heard is that, at the beginning, to strengthen our strategic footprints in Africa and positive footprints in all the continents of the World. I am beginning to wonder whether we are the United States of America or China.

I also heard somewhere in there, the mention of the United Nations and, Madam Speaker, coincidentally I read an article in a foreign journal some time not too long ago about how peacekeeping in Africa will be the new thing and the United Nations will get very heavily involved in that I am sure.

Madam Speaker, the question that I have for the Government is where our tax dollars are going to be best spent in terms of foreign affairs? Is that the only investment and export of peacekeeping forces

and strengthening that into the future? Is that what we are going to tie our future to, again, Madam Speaker?

Has a study been commissioned to do a cost-benefit analysis, Madam Speaker, of having these offices in very far flung places, which really are of not that much use to us, in comparison to the nations that are closer to us. For example, Madam Speaker, we would helpfully suggest that more consular officers are opened in Australia and New Zealand for trade, in Adelaide, Perth and other cities in Australia and New Zealand that have more relevance to us, Madam Speaker, than all of these other far flung places.

This will also, Madam Speaker, require that our National Budget priorities are changed, instead of investing heavily in the Military, we will invest more into fully paid tertiary and overseas tertiary education, like I asked for in the Budget last year, training our young people with great skills, Madam Speaker, we hear from foreign press, people from Fiji excelled in very highly educated areas that we may not even heard of.

Last week, a lawyer was telling me about his cousin, who was born in Fiji, went to New Zealand and got his education there. He specialises in an IT part of Medicine that most of world does not know of and he now is a great consultant in that area.

Madam Speaker, if we concentrated in these areas and be more in tune with Australia and New Zealand than those consular trade offices, the remittances from that type of export and remittances now is a big source of income to our country would be of much greater use to Fiji than opening offices in places that really bring us no benefit but soar up an institution which has brought us much harm.

Madam Speaker, Australia and New Zealand, the combined Gross Domestic Product (GDP) is \$1.6 trillion. We have our relations go way, way back and recently after *Cyclone Winston*, the Australians and New Zealanders showed us, how much that relationship meant to them. Unfortunately, it does not seem to mean that much to our elected government but that is another story.

In terms of people to people links, Madam Speaker, there is great advantage there to Fiji. Many of our people are there, they have settled there, they have done well there. In terms of proximity, three to four hours away by plane, Madam Speaker, and we would just like to ask the Government to re-focus its attention to countries that are more use and closer to us like Australia and New Zealand and opening those trade offices closer to us than all of these other areas that take us into places, and really, Madam Speaker, peacekeeping in Africa is to help failed States there rebuild after their *coup* culture. We would not want to go there and learn more things, let us be here because Fiji is different and I let us keep our priorities here, Madam Speaker.

HON. GOVERNMENT MEMBER.- It is a foreign affairs issue.

HON. ROKO T.T S. DRAUNIDALO.- It is very much a foreign affairs issue, Madam Speaker, and we ask the Government to refocus its priorities in this area. Thank you.

HON. SPEAKER.- Thank you. I now call upon the Honourable Leader of Opposition or her nominee.

HON. V.R. GAVOKA.- Thank you, Madam Speaker. Madam Speaker, I rise to speak on behalf of SODELPA in relation to this relocation of our Embassy from South Africa to Ethiopia. The question, Madam Speaker, why did we go to South-Africa in the beginning? Did we do a proper feasibility study? Why after only a number of a few years, we are relocating to the other side of the continent?

A lot of questions need to be answered as my learned colleague, Hon. Draunidalo has indicated. At one time, Madam Speaker, we were going to open an Embassy in Brazil. At one time there was so



many names that were being considered and names that were totally irrelevant to us, Madam Speaker. As a small nation, we are only 930,000 people, and here we are trying to set up an office in Africa.

Madam Speaker, to be relevant and to be cost effective, yes, Australia and New Zealand are close by, friends of ours from long way back. I have another friend, Madam Speaker, that I think if you want to go to the other side of the world, there is a family out there called Israel.

(Chorus of Interjections)

HON. V.R. GAVOKA.- If you want to set up in that part of world, go to Israel, which is right on the centre of gravity in the world. We have our boys in Sinai, we have our troops in the Golan and we have tours from Fiji going to the Holy Land almost every year. Our relationship with Israel is far greater than any other nation in any other continent. Why do we not set up in, Jerusalem, Madam Speaker.

Israel, Madam Speaker, today as I have said is the centre of gravity. It has a diverse economy in the likes of which this world has never seen; a population of all 6 million to 8 million people are so much in control of the global economy, it is unbelievable. Even their neighbours in Arabia, Madam Speaker, are looking to Israel, even Prime Minister Modi of India has forged a very strong relationship with Israel now because of the advance in technology, agriculture and all that, and Fiji would do well to link up with Israel and get them to help us in developing our agriculture; develop the various arms of our industry, medicine, IT, we have more to gain from Israel than any other country in Africa or any other country in all these far flung areas that Fiji First is taking us to.

Madam Speaker, for us people in Fiji, 60 percent of us are Christians. We know the land of the *Bible*, we relate to it, we know the future is Israel, so let us set up there now in Jerusalem as opposed to Addis Ababa. I know it is the land of the Queen of Sheba, but she is secondary to our interest in the land of King David and King Solomon.

Thank you, Madam Speaker.

(Laughter)

HON. SPEAKER.- Thank you. Honourable Members, we will now suspend the Parliament for refreshments and will resume at 11.30 a.m.

The Parliament adjourned at 11.05 a.m.

The Parliament resumed at 11.32 a.m.

HON. SPEAKER.- Thank you, Honourable Members. We will resume from where we left off, and I now give the floor to the Honourable Minister for Health and Medical Services to deliver his statement.

General Overview – Health Response to *Tropical Cyclone Winston*

HON. J. USAMATE.- Madam Speaker, Hon. Prime Minister, Hon. Leader of the Opposition and my fellow Members of the House. I rise this morning to give a brief Ministerial Statement basically in relation to *Cyclone Winston* and the impact that it has had on the health of our people, and the kinds of action that have been taken in order to respond to the effects of *Cyclone Winston*. We are all very familiar with the effects of *Cyclone Winston*, we have all heard that it is probably the second strongest ever hurricane to ever hit the world. So, the impact on it on health has been widespread and it is has impacted a great portion of our population.

Earlier this week, we have been talking about its impact on housing, and in terms of health, its greatest impact has been on the health of our people.

In the aftermath of *Tropical Cyclone Winston*, at its height, there were about 1,022 evacuation centres operating, and at this height there were approximately 55,000 people living in these evacuation centres, and this itself was something that was of great concern to the Ministry of Health.

Tragically, we feel for the lives or the families of those whose lives were lost during the cyclone. Madam Speaker, 44 lives were lost in total, with about 200 people suffering injuries as a result of the cyclone.

From the Ministry of Health, we have had to ensure that we have about 13 medical evacuations that had to take place to deal with the people who were affected, and a total of 120,000 people have undergone medical consultations during the duration of the tropical cyclone, and in the aftermath of the cyclone.

In terms of the Ministry of Health, the response has been in accordance with the strategies that have been developed in conjunction with the World Health Organisation (WHO), where in the immediate aftermath of the cyclone, there has been focus on making sure that the people that are affected have:

- (a) access to safe and nutritious food, safe drinking water, appropriate sanitation, shelter and other non-essential food items, including Water Sanitation and Hygiene Kits (WASH) ;
- (b) focus on trauma care for those that were wounded to make sure that they can be dealt with;
- (c) provision of medicines and medical supplies to all of our health facilities so that they can continue to provide services to our people.
- (d) establishment of emergency primary and secondary health care services for medical, surgical and obstetric emergencies, as has occurred in tropical cyclone areas;
- (e) in the immediate post-disaster, there is a focus on strengthening disease surveillance.

So, we can be on the alert and detect communicable disease outbreaks that are often expected after a cyclone has taken place;

- (f) there is constant information supplied out into the media, into our communities so that they are aware of what their risks are so that people can start taking action on these things; and
- (g) Continuity of care for patients with chronic diseases or infections, such as diabetes, hypertension, TB and HIV.

In the immediate short-term, priorities has been to:

- (a) Re-establish essential health care services, especially primary, secondary and tertiary health care.

In all the facilities that we had, Madam Speaker, a lot of the facilities were severely damaged, but the Ministry was able to operate to an extent that even where we had facilities that were severely damaged, services continued to be provided.

- (b) Emergency mental health care and psychosocial support.

For this, we are appreciative of the assistance that was given to us by Non-Governmental Organisations that came and worked with the Ministry of Health in providing psychosocial support.

- (c) Waste Management; and
- (d) Surveillance and control of vector-borne diseases.

In the medium-term priorities have been on:

- (a) Post-surgical care treatment of infected wounds and the management of disabilities.

Immediately after the cyclone people get wounded, injured, they are treated and two or three weeks after that, if they are not looked after, there can be complications to those cases. So, those need to be treated. The treatment of infected wounds and the management of disabilities.

- (b) Making sure that we revive our immunisation programmes, so we stop the spread of diseases, especially amongst our smaller children;
- (c) Monitor and respond to health care needs of displaced population; and
- (d) Surveillance of nutrition issues and management of acute malnutrition including medical complications.

In the long-term, the focus now is beginning to move towards looking at the reconstruction of Cyclone Resilient Health Facilities. We have found that some of our facilities were severely damaged, and now with the likely intensity of cyclones and floods in the future, Government will have to make sure that we build back better so that even in the worst of cyclones, health facilities are still functioning.

The health response to *Tropical Cyclone Winston*, I think one of the things that has been seen that has worked very well in *Tropical Cyclone Winston* has been the collaborative way in which we have dealt with issues. In the past, our organisations have dealt with things on their own, but using the Cluster approach, we have had different organisations that are involved in different aspects of the cyclone,

coming together, planning and sharing resources, and sharing information so they can deal with health issues.

In the area of health, we have had the Health and Nutrition Cluster, and also the WASH Cluster, and both of these have been led by the Ministry of Health and Medical Services.

Both of these clusters developed their Humanitarian Action Plan (HAP) and as a result of the HAP, they were able to estimate the response costs for Health and Nutrition Cluster they estimated to be around \$29 million, and for the WASH Cluster, the response was estimated to be at \$40 million. This is the cost of the response to areas that are needed in these areas.

In terms of the Health response to *TC Winston*, it has been carried out in three phases.

The 1<sup>st</sup> Phase in any cyclone, as I have said before, is to deal with the trauma, injuries and the medivac; the medical evacuations of affected population.

For this, the approach has been to make sure that we send our specialist teams away from our specialist hospitals to the locations where the most affected sites are. So, surgical teams from the CWM were sent to places like Vanuabalavu, Ovalau and Koro to be able to provide that assistance on the ground.

Teams from Lautoka were sent to places like Ba, Tavua and Ra so that they can provide the services there, and Teams from Labasa were sent to other facilities around Vanua Levu, such as Bua and in Taveuni so that they can provide their surgical response immediately where it is required.

We have also had the assistance of teams from other countries that have helped us. In CWM, we have had the teams from New Zealand that were also providing services in our hospitals here, allowing our surgeons in Fiji to move out into the rural areas and deal with issues on the ground.

The 2<sup>nd</sup> Phase of the response has to do with the Health Assessments. We have environmental health officers going out, visiting evacuation centres, villages and settlements, looking at the things that need to be addressed in order to mitigate and minimise the impact of the cyclone on health issues.

Health Assessments, Health Promotion and Communication continue to provide information. You would have seen during the aftermath of the cyclone and even continuing today in the press, there continues to be messages put out in the media about the things that people need to do in relation to communicable and even non-communicable diseases.

As part of this whole operation, in all of our divisions which have been affected by the *cyclone*, we have established outreach teams. The outreach team will consist of a doctor, a nurse and an environmental health officer. They will visit every single community, settlement and evacuation centre. The doctors in the clinic attend to clinical issues, the environmental health officers will look at issues to do with sanitation, hygiene, quality of toilets, and so forth. They will also provide psychosocial support where necessary, providing psychological first aid and the intent is to try to reach every single community at least two times.

So, all around Fiji, those outreach teams have been an operational, they largely consist of people from the Ministry but we have also had teams from the Australian Medical Assistance Teams who have been part of our outreach in Viti Levu and also in the other parts of the islands.

The New Zealand Medical Assistance Team and also our local bodies that are involved in health, like the Viseisei Sai, which is located in Vuda have their own clinic. They have also offered their services to go around with our outreach teams, visiting our people, together with the Rama Krishna people that

have been involved. So, for this we were very grateful. This is one of the reasons that we have been able to mitigate in terms of communicable disease because of these teams going out and meeting people on the ground, providing them advice, giving out the hygiene kits and other kits so we can try to make sure that we do not have a lot of outbreaks in our country. These teams have gone to all the villages, communities, evacuation centres and even individual homes.

The 3<sup>rd</sup> Phase which we are now moving towards to is looking at the medium to long-term recovery, involving the rehabilitation and reconstruction works, to make sure that we can continue to provide health assistance.

Looking at some of the health statistics related to *Tropical Cyclone Winston*, over 121, 500 people have received medical consultations in the cyclone. About 11, 246 people, according to our records, have received some form of psychosocial support or assistance. Most of these psychosocial support is psychological first aid, just talking to people, identifying by giving them an opportunity to sound of their fears and once we find that there are those who need more advanced levels of care, they are then referred to our people who have the clinical ability to do this.

A lot of NGOs have been involved, such as Empowerment Pacific and so forth, they have been part of the work to provide that psychological first aid. When it escalates to the next level, we then refer them to a psychologist and those who have expertise in those areas.

One of the interesting developments that have helped us out also in this cyclone is the development of an early warning system that gives us mobile apps and this is the one other thing that we are organising in the lab.

One of the e-problems that you have in managing a great cyclone of this nature is the need to be able to pass information quickly, so it can be collected in the centre, analysed, so that you can adapt your plans, and in this cyclone for the first time we had an early warning alert system which is a mobile app that is given out to people in our various centres. They fill the data and once they are back on the grid, the information is sent to the centre. It provides us an update of the situation in terms of likely diseases that will take place.

We are very thankful for the fact as a result of this cyclone, a lot of our friends came on board to help us out. We had a lot of assistance from the Australians, the New Zealanders, a lot of different countries came. We have had donations of medicines and to-date, as I speak today, we have already received a total of \$5.4 million of donated medical supplies that have been received in Fiji.

There have been \$5.8 million worth of supplies that have been pledged and \$5.4 million of that amount have been received and some of it is sitting in our warehouses in Jerusalem Road and others have been distributed to different parts around the country.

As I have mentioned also before, in the aftermath of a cyclone, there is always considerable concern about communicable diseases as the conditions after disaster can exacerbate communicable diseases. In a lot of the parts of Fiji where we thought this might explode, it did not happen but we all now familiar with the case that we have had of the Typhoid, the 47 confirmed Typhoid cases that were reported after the cyclone with four hotspots identified within Tailevu.

Normally in Fiji, we have around 250 typhoid cases per year, with around 30 typhoid cases reported per month. There was a surge in the aftermath of *Cyclone Winston*, where we had 47 confirmed cases. In order to deal with these cases, once we identified the hotspots, members, staff from the Ministry of Health had to go and stay in this communities to be able to teach them what they need to be able to do, to deal with the sanitation issues and to make sure that they take the medicines that they need to take.

This past week, we have just launched the vaccination for typhoid that we hope that will try to make sure that typhoid is restricted that it does not spread.

The other great concern for us in the aftermath of the cyclone, immediately after cyclone all the mosquitoes are blown away but one or two weeks later, they start coming back and it is that period that we are worried about.

HON. MEMBER.- It's *Zika*.

HON. J. USAMATE.- Yes, it is *Zika*. It blows them away, then they start breeding again.

So, we are always get worried about things like Dengue, *Chikungunya* and now *Zika*, which is now in the country today. Today, so far there have been 13 confirmed *Zika* cases and we are now looking at working together with the Ministry of Local Government and other parts of the Government machinery to organise "Clean up Campaigns" and we invite everyone in the House and also everyone in the country need to take some proactive steps to clean up and make sure that we can destroy mosquito breeding grounds, especially now that we still in the Dengue season, in the *Chikungunya* season and now we have cases of *Zika* in our country which is of great concern to us.

We have a specific national month-long "Clean-Up Campaign" that is being organised, targeting the cleaning of mosquito breeding containers.

The Environmental Health Team in the Ministry has looked at the provision of WASH Kits to all the affected sites and improvements of water and sanitation facilities of affected communities. Over 60,000 WASH Kits have been distributed in affected areas, and we are very thankful to those international bodies and our development partners that have financed the provision of these WASH Kits that we are being able to distribute.

Health assessments, vector surveillance and spraying works had also been conducted within affected sub-divisions. So, it is not only the outreach teams that are going out and visiting people, we have had teams going out and doing the spraying of mosquitoes to make sure that we can contain them all around the country.

The information that I have now is that, there is between 95 percent to 100 percent coverage for assessments, surveillance and spraying works within all the settlements and villages that we have come across in Fiji.

I would just like to highlight some of the areas in which there was a particular concern, especially from the health front as a result of *Cyclone Winston*, and I think one of the areas that have been most affected has been the Eastern Division, and we are very familiar and we have seen the impact of *Cyclone Winston* on the islands of Vanuabalavu, Koro and Ovalau.

In the Eastern Division, there was a total of 16 deaths, directly related to the cyclone; three in Ovalau, five in Vanuabalavu and eight in Koro, and most of these deaths were attributed to drowning as a result of the huge wave that swept into the villages on the eastern side of all of those islands and also the severe injuries sustained from fallen structures.

One thing that we have been very glad to see that on these islands in the Eastern Division, despite the widespread destruction that we have, we expected the ratio of communicable diseases to also jump up, but, that did not happen, and I think that is testimony to the work that was done by the Outreach Teams that went out and talked to the population and got to them to understand the kinds of proactive things that they needed to do to prevent this communicable issues from happening. We have had no major disease outbreak other than Conjunctivitis or *Cika* in the Eastern Division.

The big concern that we have also had in the Eastern Division has been the issue of malnutrition. It is something that is quite startling in Fiji that some of our most agricultural rich places in Fiji are the places that we get malnutrition. A few years ago, I remember when I was in Kadavu, it was in the parts of Kadavu that was exporting most grog and *dalo* to Suva were the ones where we found cases of malnutrition.

(Inaudible Interjection)

HON. J. USAMATE.- No, maybe in Nadroga too it happens.

But this is the case also in Koro. Koro is a place that has very high agriculture output but it also has a history of malnutrition in the past, but in the aftermath of *Cyclone Winston*, as people were only being fed with the rations, there was a survey done and about 44 percent of the children who were surveyed were malnourished at that stage. Because of this, the public health team had to respond by setting up feeding centres for all children less than five years old in all the fourteen villages and settlements. We have had to focus a lot on raising awareness in villages, evacuation centres, working very closely with *turaga ni koro*, health workers and village elders on the importance of timely meal time for all children especially the under five year olds. They need to be fed at least five times a day to make sure that they get nutritious food.

We have had a very strong programme on teaching mothers and care-givers on how to prepare healthy meals using available food and rations supplemented by micro nutrient powder Vitamin A and de-worming medicines. We have had to monitor the feeding centres and the response of the malnourished children to the special feeding programme.

In the Western Division, a lot of our focus was on the worst hit part of the Western Division which is the subdivision of Ra. It was very heavily hit and for that we are also very thankful to the assistance given by our friends from Australia and a team from the United States (MaryCares) that came with resources such as vehicle supplies, medicine and consumables and even satellite phones which allowed us to communicate. Our outreach teams in Ra were able to cover about 60 percent of the communities in the first week and by the third week, they had covered 90 percent and the 10 percent that was left were the ones that were not accessible.

Apart from overseas teams, we were also blessed with the support of our local non-governmental health teams such as Rama Krishna and Viseisei Sai Group which I have mentioned before.

The Ra Subdivision has always been an area of critical concern for us in terms of typhoid cases and the rise in area that has had a lot of typhoid cases in the past. But we are very glad once again, this is the work of the outreach teams that that did not happen in this particular cyclone. So we thankful to all of them for being able to work together with us to make sure that there is no outbreaks in Ra during that area.

Psychosocial Council was something that was essential not only for the members of the population who were affected but also our own staff. We had traumatized staff. In Ra we had one nurse, her whole health centre was blown down and the house that she was living in was blown down. She was sitting in the bathroom with her children with the roof gone, suffering all those kinds of situations and the very next day they had to deliver their services to the people. I have not been able to finish my speech during this one, but I will probably have another one later on to talk more about the health impacts of the tropical cyclone. Thank you Madam Speaker.

HON. SPEAKER. – Thank you. I now call on the Leader of the Opposition or her designate to respond to the statement.

HON. A.T. VADEI.- Thank you, Madam Speaker. I would like to thank the Honourable Minister for the statement presented to this House. In addition, I also wish to thank the two countries, New Zealand and Australia for the enormous assistance rendered during the rehabilitation, humanitarian work.

(Chorus of Interjections)

HON. A.T. VADEI.- There are questions that need to be cleared on the issue of responses during the time of cyclones, the treatment of people living in the evacuation centres, supplies of water, food and health to those areas during those trying times, and in addition, the immediate surveillance were not properly carried out as most of their spray machines were not in order. When I visited Ovalau and Moturiki after the cyclone, these were some of the cases that I came across during my visitation.

I also wish to highlight that some of the medical supplies which needs to be thought for future use and the storage of medical supplies and drugs especially in the health centres in the maritime areas to cater for those people during time of cyclones. In Koro Island after three days, those people from Nakodu, they were evacuated without having anti-biotics from the Koro Health Centre. The questions that had been raised in those villages, Madam Speaker, whether free medicine will be thought of by this Government to supply to those affected areas during the cyclone.

In addition, the medical authorities, that is, the nurses, doctors and staff working overtime during the cyclone whether they will be paid accordingly.

Transportation of medical staff during the cyclone or times of disaster, that should be in place and I thank the Ministry for having proper evacuations and action plans during cyclones and disasters in our country. Thank you.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Leader of the NFP or his designate.

HON. PROF. B. C. PRASAD. – Thank you Madam Speaker. I thank the Honourable Minister for Health for his detailed breakdown of how his Ministry responded to the needs of *Cyclone Winston* victims. I think he has provided a very good overview of all the strategies and plans that the Ministry of Health had put in place, and I want to, Madam Speaker, take this opportunity to thank all the doctors, nurses and salary staff because these people in those affected areas and those who went from areas which were not affected, were the real people you know trying to help many of those who needed immediate support in the midst of damaged equipment, in the midst of a lot of difficulties in communication and transport. I think they ought to be the real heroes of their time.

Madam Speaker, natural disasters do two things with respect to our systems, processes and procedures. Invariably they are tested very strongly and critically when you have disasters like this, and I want to also join the Hon. Minister in thanking all our international partners, not just Australia and New Zealand, other countries which provided medical supplies – India, China, United Nations and many others, and indeed many of the Non-Governmental Organizations who joined the Ministry's staff and other sections from the National Disaster Operations to help the people in need. But, Madam Speaker, I think there are lessons that we need to draw from disasters in terms of our systems.

With respect to the health services, Madam Speaker, a lot of the problems within the Ministry of Health, within the delivery, within the mechanism through which they delivered services have also been exposed as a result of this disaster and our systems and processes and the ability of the Ministry of Health to deliver services even before *Cyclone Winston* was not up to-date.



In fact, Madam Speaker, what I would like to say is that the Ministry of Health, in my view, cannot complain about resources. In fact, in the last Budget, I believe that the allocation for the Ministry of Health was reasonable but what we have seen, Madam Speaker, even before the cyclone and what we have now.

I can relate to you a little story. Yesterday, I was called at about 7.00 p.m., from an individual in the CWM Hospital where his sister was admitted for a week and the CT scan machine has not been working in the CWM Hospital since February. It is not working in Lautoka as well and what the doctors told the lady yesterday is that, they would have to take her to this person who has got this machine, where it will cost about \$1,300 for that person to take the ambulance from here to Lautoka or Nadi and another \$800 something for the actual scanning.

What we are seeing, Madam Speaker, is the vulnerability of the systems, the equipment and the infrastructure that we have in our hospitals and health centres and maybe, this is an opportune time for the Ministry of Health to look at those systems and processes, look at the infrastructure that we have, so that we can deal with this.

Metaphorically speaking, Madam Speaker, I think there are many arteries within the Ministry of Health that are blocked. They need to be cleaned and I do not think diet will help. We probably need cholesterol tablets to clear those blocked arteries before we suffer some kind of heart attack. I think it is true for the Ministry of Health, and I am saying this with all sincerity, Madam Speaker, because I have heard a lot of complaints, such as small things from cleanliness to availability of basic facilities for example in the Children's Ward in CWM Hospital where I went about a month ago. I met all these mothers with babies where they complained that the door of the washroom was not working. You could see dirt all over the place. It got cleaned after two days when I returned but that is the kind of thing that we need to address, Madam Speaker, and I think *Tropical Cyclone Winston* as I said, disasters do two things: they test our systems, they also provide an opportunity for us to deal with those systems, processes and failures that we might have experienced, so that not only after disaster, before disaster, we are providing the services to the people. Thank you, Madam Speaker;

HON. SPEAKER.- I thank you Honourable Member for your response. I now give the floor to the Honourable Minister for Education, Heritage and Arts.

HON. DR. M. REDDY.- Thank you. Madam Speaker; Honourable Prime Minister; Honourable Leader of the Opposition and Honourable Members of the House. Madam Speaker, before I begin, I just want to allude to the discussion before the break on foreign relations and I urge the Honourable Members on the other side to take advantage of my learned colleague here, to have a workshop on international relations to have a better understanding about foreign policies of Fiji.

(Chorus of Interjections)

HON. DR. M. REDDY.- Madam Speaker, I want to talk about the impact of *Tropical Cyclone Winston* and response from the education sector.

Madam Speaker, let me at this juncture, remember our fellow Fijians who fell at the fury of *Tropical Cyclone Winston*. May the 44 souls who are victims of the cyclone rest in peace and may God shower His blessings on the grief stricken families.

My prayer is also with those Fijians who are rebuilding and restoring their lives and livelihood after the tragedy.

I also take this opportunity to thank all those countries, countless individuals, groups, donor agencies and countries that assisted and continued to assist our beloved Fiji and the education sector in particular during these trying times.

Madam Speaker, *Tropical Cyclone Winston* caused havoc in Fiji. The ordeal of ordinary Fijians particularly in areas extending from Nausori to Nadi and the outer island regions was one of shock and horror. More so, never before in the history of Fiji as our Education Sector suffered so much damage and destruction, Madam Speaker.

Madam Speaker, the extent of calamity and chaos *Tropical Cyclone Winston* spread across the educational institutions, the children and their families was truly saddening. Many schools have been completely wiped out, whilst some have suffered extensive damage to certain aspects of infrastructure such as classrooms, labs, workshops, dormitories, and ablution blocks and staff quarters.

The issue was further compounded with the significant loss that communities in the areas suffered. Many children were left with nothing apart from the clothes that they were wearing. The very little that they managed to save at the height of the cyclone.

Madam Speaker, the Bainimarama-led Government immediately after *Tropical Cyclone Winston* announced that education remained top priority. Amidst the crisis, our Honourable Prime Minister made a decision which reflected flexibility and some prudence and his advice to the Ministry of Education, Heritage and Arts and other concerned authorities that all affected children must be assisted to return to school at the earliest. The scale of damages for the education sector in the wake of *Tropical Cyclone Winston* called for urgent planning and reorganisation by our Ministry in supporting the other ministries as well.

Madam Speaker, the Government of the day realised that bringing children to school during the state of disaster will cause trauma. Our children were also at the risk of other cyclone related issues such as health, as raised by my colleague, neglect malnutrition, bullying and other social problems. Once they get back to school, they will get a sense of routine back to their lives, something that should have deteriorated if they were left at home. The children's family were already grieving and the communities were in disarray, as such the Government took the bold step of first securing our children's welfare, Madam Speaker.

Madam Speaker, let me now provide a breakdown of data on schools damaged by *Tropical Cyclone Winston*, covering the districts from Eastern Division; Ra, Lautoka, Nadi, Yasawa, Ba, Tavua, Macuata, Bua, Suva, Cakaudrove, Nadroga/Navosa and Nausori, a total of 494 schools, Early Childhood Centres, Primary Schools and the High Schools suffered extensive damages of different magnitude.

Madam Speaker, some of the schools were left with walls only with roof, ventilation structures, furniture and other classroom essentials were severely damaged and beyond repair. The computer laboratories, science laboratories, woodwork, and IT workshops, staff room, administrative blocks, ablution blocks, walkways, halls, dormitories, bus bays, libraries and book rooms also felt the full wrath of *Tropical Cyclone Winston*.

Madam Speaker, equipment, chemicals, tools, laboratories, workshops, textbooks, files, office equipment, machines, stationery and PEMAC essentials in most cases have also been completely destroyed or blown away.

Madam Speaker, added to these, in many schools teachers' quarters have either been partially blown away or completely destroyed. Many teachers have also suffered considerable damages to their household items and properties.

Madam Speaker, the children who were left without exercise books as most of it became wet got blown away. Many of them had lost their clothes including their uniforms, shoes and bags. Returning to school became a major challenge for them, Madam Speaker, and the cyclone left them helpless in a helpless situation.

Madam Speaker, the estimated cost of construction of infrastructure with all the 494 schools stood at around \$58.7 million with another \$10 million for resources such as furniture, laboratory equipment chemicals, et cetera.

Madam Speaker, plus another \$4 million to the damage of the two campuses of the Fiji National University; the Ba campus and the Raiwai campus. The Ministry of Education took major steps and initiatives to oversee that in some schools, the building were old and worn out, they were replaced with solid modernised structures to serve the interest of the current stream of students. The schools have been advised frequently. I will explain that later on, Madam Speaker.

Madam Speaker, the Honourable Prime Minister from day one after *Tropical Cyclone Winston* had made it clear that it was imperative for his Government to see that all children returned to school as soon as possible. The Government and the Ministry of Education, Heritage and Arts teamed up with donor countries, agencies and groups and steadily made progress and assisted children get back to school.

Madam Speaker, you may have listened to the address by the Regional Head of UNICEF who said that over her last 30 years of work in UNICEF throughout the world, she has never seen the education sector bounce back so quickly as it was in Fiji.

Madam Speaker, let me now provide an overview of the strategies we adopted to get students back to school. Our children are innocent, school for them is home away from home, where they spend their greater active part of the day. Madam Speaker, from 8.00 a.m. to 5.00 p.m. is the most active part of the day and they spend it in school. The initiative to see that they return to school as soon as possible was specifically targeted. Although many of our children's schools were damaged, the interaction with their friends and teachers gave them something to cheer about. The efforts, initiatives and team work from the children, teachers and management of schools to use whatever resources were available and start schools was commendable, particularly when teachers and management themselves were affected by *Cyclone Winston*.

Madam Speaker, the greatest challenge was to provide space whether classes could actually take place. All avenues were sought for, to ensure that they have a proper space to start off their normal class on time. With the help of UNICEF, a total of 144 tents and 2,750 tarpaulins were provided to our schools to create temporary classrooms and learning space and tarpaulined-roof classrooms.

Many of our school heads made arrangement for their science laboratories or other specialist rooms and libraries to be used as classrooms. Some schools even used their office and constructed temporary sheds to cater for the lost classrooms. In a few villages, the church and community halls were also used as avenues to ensure that school students have a conducive learning environment.

In Raviravi Sangam School, the temple hall was used. In Tavua, the Tavua Muslim Primary School, the mosque hall was utilised for classes. The resources available in the schools such as furniture and blackboards were collated and made available in the tents and sheds. Moreover, we have relocated some school students, especially boarding students. This was done to ensure that the devastation caused to their dormitories do not become a reason for a halt in studies.

Madam Speaker, three schools which remained closed include the Bayly Memorial School in Ra, Madhuvani Primary School in Ra and Queen Victoria School in Tailevu. The students from these schools have been deployed to nearby schools.

Madam Speaker, after the cyclone, there were debris lying all around the school compound. Not only was it risky for students and teachers, in some places the debris were becoming a health hazard. However, with concerted efforts from District Education Offices, the teachers and school managements, officers from the Fiji Corrections Service, the Republic of Fiji Military Forces, as well as the New Zealand and Australian Defence Force officers, schools were cleaned up and prepared in time before it opened for classes.

Madam Speaker, I wish to thank all those institutions, organisations and individuals for their commendable work in such a short period of time. At this juncture, Madam Speaker, I want to thank the supporting institutions.

As students returned to schools, the issue of students not having proper meals surfaced. These children came from families whose homes and livelihoods had been totally ravaged by the cyclone. Assisted through the assistance from various donors, food was also provided to the children in these affected schools, some for a month, some for two months and some for three months and it is continuing. These donors included the access to quality education programme by the Australian Government, NDMO the cultural groups like TSI Sangam, the Fiji Muslim League and various other religious bodies like *Hare Rama, Hare Krishna* group, the *Shirohasham* and private donors as well, which ensured that families concentrate on rebuilding their home environment not worrying about what the children will take to school.

Madam Speaker, in a number of cases, school teachers and managements got together to prepare and cooked meals in schools themselves.

Madam Speaker, a number of schools were assisted with water supply rehabilitation. Provisions of water and storage tanks by the Ministry of Infrastructure and connections to existing water networks were also provided. Thus safe drinking water was stored for children. Added to this, Madam Speaker, the Ministry facilitated in giving out power generators to a number of schools which had boreholes so that water could be pumped up into the tanks for provision of water to an entire school infrastructure.

Madam Speaker, apart from this, we realised that after evaluation that most of the children and teachers in these areas were victims of the disaster and were traumatised. As such, we organised psychological support programmes through counselling sessions for these students and teachers and supported their efforts to realign themselves to school work. Of course, it was a difficult process but one that the Ministry of Education handled with great care and urgency.

Madam Speaker, 261 teachers and 3,492 students from 101 primary and secondary schools in Fiji have undergone psychological support. These sessions were funded by UNICEF and carried out by the Ministry of Education, Heritage and Arts counsellors. The affected schools and staff members' also organised school-based counselling sessions to talk to students and address their concerns.

Madam Speaker, the Honourable Minister for Women and Children also assisted us by extending the hours of the Child Helpline to 24 hours a day, so that children can get comfort in talking to someone qualified in counselling services. The magic number is 1325. The Honourable Minister for Women and Children launched the extended hours of the Child Helpline and the number 1325 provided professional service to the students and children, someone they could confide with and get advice anytime they would want to.

Madam Speaker, another issue that we needed to address was the high number of students who were without educational supplies. They had basically lost all their exercise books, uniforms, bags and shoes. Some of them were even embarrassed to return to school because they did not have proper attire.

The Ministry of Education took an immediate tour of the affected areas and distributed education essentials to the children. These included Child Friendly Space Kits, Easy e-kits, backpacks, stationeries, teachers' kits, shoes, bags and other teaching and learning materials. We also advised all school heads to allow all children to attend school, even if they did not wear the proper uniforms, at least for the first four months.

Madam Speaker, we are also supported by a number of other institutions, ministries, private organisations in terms of supplying stationeries and other materials to our schools. Many students had also lost their textbooks due to the extensive damage to classrooms and their homes. Thus, the Ministry of Education, Heritage and Arts made an effort to deliver textbooks to all the affected schools so that students do not lose out in terms of getting access to materials..

A total of 232 schools (196 primary and 36 secondary) were assisted with new sets of textbooks after *Cyclone Winston*. These included the schools in Vanuabalavu, Koro Island, Ovalau, Gau Island, Batiki, Nairai, Tailevu North, Wainibuka, Naitasiri, Ba, Tavua, Rakiraki, Bua, Savusavu and Taveuni. Immediately within three weeks, textbooks were supplied to the schools - new set of textbooks.

Since there was no communication in many areas, the survey teams were asked to visit schools and prepare on the spot the number of textbooks required per school. As such, all affected schools were assisted with textbooks, resumption of normal classes, however, few textbooks given was not enough, in some cases and therefore, this is now being supplied as we speak.

Madam Speaker, another measure in place to ensure that students learning hours are not compromised was the rescheduling of the school term breaks. Now, at the end of term one this week, school will break for one week only because we had given them one week immediately after *Cyclone Winston*, taking into account the loss of teaching and learning time due to the *Cyclone Winston* and the recent floods, we have also decided to reduce Term Two break from two weeks to one week as well, so that it will give one more additional week of learning hours. The one week gain will be added to term three and thus we get one more week of teaching and learning time. By teaching one more week, we will greatly assist the students in the cyclone affected areas, in particular, who have lost the teaching and learning time.

Madam Speaker, added to this, we have also made some adjustments to our year-end examination dates. This is in light of the time that was lost during the cyclone and aftermath of the cyclone. What we have done is, we have extended the external examination for Year Six, Eight and Ten by two weeks, which means those students sitting for Year Six, Eight and Ten will get two additional weeks of teaching and learning time.

Madam Speaker, school visits by senior staff and myself have been made to boost students and teachers morale; talk to them, listen to their problems and address some of their immediate needs. Rural and Maritime schools in the Ba, Tavua, Rakiraki, Lautoka, Nadi, Sigatoka and Taveuni, Koro Island, Vanuabalavu and Tailevu have been visited, Madam Speaker, by Ministry for Education staff and most of these areas, I visited them as well. We distributed education supplies, addressed the students, spoke to them, sat with them and had a *talanoa* with them to boost their morale and turn the experience of cyclone as a knowledge building thing for the children.

Madam Speaker, the Ministry of Education has now partnered with other tertiary institutions, in particular the University of the South Pacific to assist 14 secondary schools in the Western Division that have been severely affected by *Cyclone Winston*.

These schools lost important science equipment needed to conduct their scientific experiments, thus USP Science Faculty staff took selected mobile apps to the doorstep of these 14 schools so that Year

12 and 13 students could complete important practical components of their science subjects, Madam Speaker, and this is currently ongoing.

Madam Speaker, the heads of affected schools have been advised to ensure that children are involved in more school based activities. They should also make sure that students are not unnecessarily burdened to take lots of school work home in the interim. This is precisely because many families are still without electricity and other essential services in some of these areas. As such, school heads have been asked to assist students to complete as much work as possible in school.

Madam Speaker, school heads have also been advised to ensure that no child is without basic education supplies, such as exercise books, drawing kits, sewing kits and calculator. If they do come across this situation, they should give us the data and we will provide the materials from other donors, or we will find some resources.

In the case of expensive stationeries such as calculator, drawing kits, the school heads have been advised to buy sets, using their own free education grant and draw up a “used and return scheme” whereby students will borrow, use and return it and it could be rotated like a stationery bank, Madam Speaker.

Madam Speaker, now the District Education Officers with the Ministry of Education are working on conducting Community Outreach Programmes in the affected areas, talk to the community at large and discuss on challenges and pathways for success of children. The Ministry of Education is now more than ever fully involved with parents and engaging parents to take ownership of the child education, to fully understand the situation that the children have faced, Madam Speaker.

Madam Speaker, you may have noted the launching of “Adopt a School Project” by the Honourable Prime Minister. This project is spearheaded by the Ministry of Finance to attract external funding, to reconstruct our schools and this time around, as the Honourable Minister for Natural Disaster mentioned, to build back better, to withstand the wind force, I would say, more than category five force of the cyclone.

Madam Speaker, the children became an integral part of this rebuilding phase, the experiences they gained after returning to school has made them create a special bond with each other and understand the importance of team work during these trying times. If we would have kept them at their homes for longer intervals, we can imagine how their self-esteem and motivation would have been affected. We also realised that if you would have delayed the start in schools, there could be a high chance of probability that they would have lost interest and they would have dropped out, Madam Speaker, and we wanted to avoid that, we wanted to avoid them losing interests in their studies.

Madam Speaker, the classes started off and gradually students take little time to adjust in their makeshift rooms, but ultimately, we have been able to achieve the desired attendance and commitment. Madam Speaker, our Government is committed to ensuring that we build a knowledge- based society and ensure that every children get access to quality education. Thank you.

HON. SPEAKER.- Thank you, Honourable Minister. I will now call upon the Honourable Leader of the Opposition or her designate to deliver their response.

HON. M.R. LEAWARE.- Madam Speaker, I rise to thank the Honourable Minister for elaborating on the plans that are in place in terms of *Cyclone Winston* and its effects on our schools in this country.

First and foremost, I would also like to thank the donor organisations that have assisted us in this country, especially in the rehabilitation work of our schools and we also thank the teachers who are out

there all over the country and the civil servants who have endured the devastating effects of *Tropical Cyclone Winston*.

We have heard a lot of suffering from teachers and the people and though this suffering have affected their lives but they have toiled tirelessly in order for their homes and the classrooms are up and in order. Most of these teachers and communities they build schools on their own and this is another added effect on the finances of the community and this is unnecessary in terms of the reforms or the assistance that the Honourable Minister is advocating in this House.

Madam Speaker, the Honourable Minister also mentioned about reducing school terms. The curriculum is based in such a way that it is covered with the 14 weeks and if you condensed that, there will be not enough quality teaching and learning. It will affect them in schools and the school break as well because the students and teachers, Madam Speaker, they need to re-energize after this break. So, by cutting that short for that period will not help the students and the teachers as well in terms of delivering quality education in the schools.

Madam Speaker, in terms of examinations, again the coverage of the curriculum would be affected because as I have said, this is not going to help because of the shortage in time in terms of covering up for all the subjects that are being taught in schools. The exam dates that are being advocated in this House, Madam Speaker, is not going to help the preparation of our students, especially in sitting for their exams and they would be drastically affected when the exam time comes up.

Madam Speaker, the rotation of students like QVS and other students in Ra is not a very good move. The simple reason is, in QVS, there is a wide space there which can be used to build temporary classrooms and homes for the teachers but they have been relocated, like, for example, I was speaking to this student and he is attending ACS. He said that he feels very odd sitting amongst a group of girls.

This is the kind of issue that we are raising now, Madam Speaker, it is not very good and also in terms of assistance that have been given, are they going to be assisted as well, where they are currently attending schools?

The changes as I said, Madam Speaker, in terms of the teachers, even though they do not have enough opportunity with the space to recover and these are subjects that they are been told and been shoved down their throats in their classrooms that they happen to teach. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you Honourable Members. At this point I request the leave of Parliament to give us just five more minutes so that we can hear the response from the National Federation Party.

Does anyone oppose?

HON. MEMBERS.- (Chorus of Noes).

HON. SPEAKER.- Thank you, I give the floor to the Honourable Prem Singh.

HON. P. SINGH.- Thank you, Madam Speaker. Just very briefly at this juncture, let me acknowledge the timely assistance from our donor agencies, donor countries, international partners and both local and overseas communities, religious groups and NGOs for their timely assistance and of course, the Government's response to this recovery effort.

*Cyclone Winston* did not spare any of us: economically, socially and politically, particularly the FijiFirst Government. Madam Speaker, may I add that I also acknowledge the adoption of 26 schools by Australia and this goes a long way towards recovery effort.

Madam Speaker, whilst visiting these affected areas during the aftermath of the cyclone, three things stood out which probably the Hon. Minister would like to take on board: one was the construction of buildings, some of the buildings were so dilapidated and they got blown away before the cyclone hit them. There was little or no insurance coverage on most of these school buildings. These are very serious Madam Speaker, we had been to many times that the intensity of cyclones will increase in the future and I think we should look at the insurance coverage on our school buildings. We are providing solutions Madam Speaker. Together with the school buildings, the staff quarters they got badly damaged, so the staff and teachers they had constraints attending to the recovery rehab, and I believe there is a paper being presented by an overseas experts which outlines the number of students who continue to need assistance, who will be living in shelters for a long time during the course of our recovery efforts.

One of the other things that stood out was the storage facilities within the schools for students' notes, stationeries and other facilities.

The third thing, Madam Speaker, which really took me by surprise, I was very emotional on that day when we visited Ba Sanatan School, there was thieving on the night of the hurricane. The management told me that during the night of the cyclone, the Home Economics block was blown away and thieves brought in a truck to take away the appliances. These are some of the things that the community out there, whilst they are sympathising with us, we should really take them to task and I call upon the police to do the needful. Madam Speaker, while the recovery efforts are continuing, it will be a long time before we go back to normalcy.

Just one point that I would like to make is that most of our tertiary students studying under Tertiary Scholarship and Loans Scheme (TELS) have also been affected by the cyclone. On the one hand, they are mostly from outer islands, maritime areas and the rural population who live around the urban centres, their homes have gone. I am reliably informed that their fees that is due on the TELS Scheme are not paid on time, and these affect the students and they are not money-rich in the interim, so if the Ministry can look into it and correct this inconsistency that exists.

Finally, Madam Speaker, to all the teachers, parents and students out there, I salute them for their commitment during this recovery effort, let me give them some solace with this that our pioneers, when they started schools, our schools were started in *bure* and make-shift sheds. So all those students who continue to study in make-shift shelters, I say to them, "just remember your pioneers, they got through". We are all children who have been through that and we all started from humble beginnings. The cyclone, how big it may be, but it could not be bigger than our conscience and our commitment to take us forward.

HON. SPEAKER.- Thank you. Honourable Members, at this point, we will suspend proceedings for lunch.

Please note that lunch is provided for Honourable Members in the Big Committee Room.

The Business Committee Members are also hereby reminded of our meeting in the Small Committee Room. We will resume proceedings at 2.30 p.m.

The Parliament adjourned at 12.33 p.m.



The Parliament resumed at 2.30 p.m.

HON. SPEAKER.- Honourable Members, welcome back. We will move on with the order of the day.

**ROTUMA BILL 2015 & ROTUMA LANDS BILL 2015  
– RESTORATION IN THE ORDER PAPER**

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, pursuant to Standing Order 97, I move that:

The Rotuma Bill 2015 and the Rotuma Lands Bill 2015 be restored in the Order Paper.

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

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, this is simply a procedural matter as consistent with Standing Orders 97. Madam Speaker, because of the prorogation, a Bill that lapses due to prorogation before it has been passed may proceed in the next session, or at a stage it had reached in the previous session by resolution of Parliament. That is basically why I am bringing the two Bills again this afternoon for Parliament.

Basically, Madam Speaker, based on the issues raised by the Rotuman community, before the Rotuman Ordinance had gone through so many amendments in 1958, 1962, 1964 and so on until 1985, Honourable Members on both sides of the House would appreciate the fact that time has evolved, a lot of developments have taken place, the various needs within the communities, particularly in as far as development is concerned, and the decision-making body within Rotuma itself, and most importantly, the land which is the medium of development in most of rural Fiji, including Rotuma. Thus the request into the Office of the Prime Minister by the Rotuman Council and the people of Rotuma if the 1985 Rotuma Act, Cap. 122 be reviewed, and thus in 2009, Madam Speaker, there was a Committee set up to review both these two pieces of legislation, again, the Rotuma Act and the Rotuma Land Bill respectively, Madam Speaker.

The Review Committee consisted of Mr. Fatiaki Misau, a senior civil servant during his time, Ratu Jone Nakautoga and of course, Major Tiu Malo as well. The Review Committee was required to assess and determine a few areas, one was whether the provisions of the Rotuma Act are obsolete and limit the ability of the Council of Rotuma to adequately provide for the good governance and welfare of the Rotumans as I have mentioned, Madam Speaker.

Time has evolved, the dynamics of development keeps changing and, of course, the pressing needs within the communities and the decision-making process, and this is one of the key areas that was to be assessed and determined by the Committee and make recommendations as well.

Secondly, was on the Land Tenure System, Madam Speaker, whether it is able to ensure the protection for landowners and the improved economic development and opportunities. Rotuma, like most of our remote islands in Fiji, is full of potentials, agriculture particularly, and there has been an agreement with Tuvalu on a Rotuma-Tuvalu Trade. When Tuvalu ships calls into Fiji on its way back to Tuvalu, it gets goods loaded and then they are taken to Tuvalu for the benefit of the people of Tuvalu.

This, Madam Speaker, is continuing, but as I have stated there are, because of development the need for land to be utilised for agricultural purposes particularly, there are some issues which are arising and of course that needs to be addressed as well. Of course the performances of other functions imposed by the provisions of both laws as they see fit that needs to be amended or changed.

Those are the three major reasons behind the setting up of the Committee, to review and determine the Clauses within the two Acts respectively, Madam Speaker.

So, as I have stated, Madam Speaker, it is a procedural issue, consistent with Standing Orders 97 because of the prorogation and I ask the Honourable Members of the House to consider these two Bills to be brought back into the Order Paper. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is open for debate. The Honourable Leader of the Opposition.

HON. RO T.V. KEPA.- Madam Speaker, I thank the Honourable Minister for bringing these Bills back into the House. Last year, Madam Speaker, on 8<sup>th</sup> July, I presented a Petition that was signed by 577 Rotumans protesting the proposed Rotuma Bill and Rotuma Lands Bill. The Petition, Madam Speaker, demands more time for consultation with Rotumans in Fiji and abroad before any laws concerning their community are passed by Parliament.

Madam Speaker, you have ruled that the Petition be given to the Standing Committee on Social Affairs. In presenting the Petition, I mentioned that it was from the Rotumans and friends of Rotuma humbly asking the House to stop and defer the tabling and reading and the passing into law of the two Bills.

Madam Speaker, you as Chairman later said Petitions which on this side of the House we found enlightening and effective but are now being curtailed, where a fundamental right of the citizens which was preserved in the Standing Committee and I quote; ‘The Petition that has been tabled this morning, Madam Speaker, with Bills before this Parliament is clearly within the Houses’ jurisdiction’.

Madam Speaker, you further ruled that though the Bills were read for the first time on 14 May, and I again quote; “I should point out that those Bills have yet to be referred to the Standing Committee.” Madam Speaker, you also added that even if this had not been done, there was no reason why the Committee could not consider both Bills and the Petition,’ and I again quote, Madam Speaker, ‘It is then up to the Committee to determine how to deal with them, (this is the Petition) and report back to the House.’”

Madam Speaker, I therefore seek clarification from your Chair. Can a Bill pass through this House for a second reading when the plea of 577 citizens who objected to the Bill have yet to have a Committee look into their issues and they very much want to be involved with consultations, Madam Speaker, since it was brought to a Committee? But, there were no consultations with the stakeholders as per your Ruling on the Petition that was forwarded to the Standing Committee on Social Affairs. So, I need a clarification on that, Madam Speaker, thank you.

HON. SPEAKER.- Thank you. Before I make my Ruling, can I ask for clarification?

HON. LT. COL. I.B. SERUIRATU.- Thank you. Madam Speaker, for clarification purposes, I am just moving this motion, Madam Speaker, simply to bring the Bill back to the Order Paper. That does not in any way stop the work undertaken by the Committee that is responsible, but this is just because of the prorogation of Parliament. The motion is just to bring this back and be considered in the Order Paper, Madam Speaker.

We are not going to debate on it or pass the Bill whatsoever, there is no intention because it is for consideration at a later sitting. I am just raising the motion, so that it can be relevant and of course remain in the Order Paper. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Is the clarification clear?

HON. RO T.V. KEPA.- Is it not coming from the Standing Committee on Social Affairs, Madam Speaker?

HON. SPEAKER.- This is to be restored in the Order Paper.

HON. A. SAYED-KHAIYUM.- Madam Speaker, if I could provide clarification, this Bill like the other Bills yesterday, we are moving to second reading stage. So, once it moves and this House approves it for second reading, then it gets referred to the Committee in any case. So, that Committee can look at the Petition because it is already before it.

HON. SPEAKER.- The Honourable Karavaki.

HON. S.D.KARAVAKI.- Madam Speaker, I believe that the only issue that we have to look at now, the mover of the motion should have simply stated when the Bill was introduced into the House, and at what stage the Bill was at when the House was prorogued. His motion was to reinstate the Bill and the Bill to be considered at the stage where it was at, before the House had prorogued.

I was listening to that, Madam Speaker, I did not hear those issues being addressed. That would make it more easier. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, the Bills concerned when they were introduced they were in their first stage or First Reading, and that is where it was at when Parliament was prorogued last year. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is still open for debate and if there is no other input to the debate. Will the Hon. Leader of Government make a concluding remarks before we put this to a vote, if any?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, again we know the importance of the Bill to the community and, of course, as has been clarified, I have no further comments, Madam Speaker.

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

The question is that the Rotuma Bill 2015 and the Rotuma Lands Bill 2015 be restored to the Order Paper.

Does any Member oppose the motion?

HON. MEMBERS.- (Chorus of Noes).

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

### **BILL – FIRST READING**

A Bill for an Act to establish a Code of Conduct and for other matters as prescribed under Section 149 of the Constitution of the Republic of Fiji (Bill No. 22 of 2016).

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

I now call upon the Honourable Attorney-General to have the floor.

### **ROTUMA BILL 2015**

HON. A. SAYED-KHAIYUM.- Madam Speaker, just a point of clarification, the first reading I do not introduce the Bill, to tell what the Bill is about?

Madam Speaker, pursuant to Standing Order 85 (1) I move that the Rotuma Bill be now read a second time.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Before I call upon the mover of the motion I remind Hon. 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 Honourable Attorney-General to speak on the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, as highlighted by the Hon. Leader of the Government in bringing back these Bills, he had already mentioned a number of the key features of the two Bills in particular the Rotuma Bill and the one pertaining to the Rotuma Lands Bill.

Madam Speaker, Rotuma Bill itself came about through various consultations, a review committee was set up as highlighted by the Honourable Leader of the Government. In 2009 the Ordinances, the laws in fact have not being changed for a very long period of time. Essentially by way of background, the Bill I propose to repeal the existing Rotuma Act and establishes the Council, the functions of the Council, it sets it out, it also sets up the Rotuman People Forum which gives it a number of functions and indeed representation and also in terms of administering the Rotuman Development Fund.

The Bill itself, Madam Speaker, has a number of clauses set out in it which goes all the way up to about Clause 13 the substantive clauses. Essentially, Madam Speaker, it gives the Rotuman people a more say in respect of the governance and of course, the governance through the Council. That is all I have at the moment, Madam Speaker, and I recommend that this be now be read for the second time. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Bill is now open for debate. There being no input to the debate and I take it there will be no right of reply. Would you like to make concluding remarks?

HON. A. SAYED-KHAIYUM.- No, Madam Speaker. I think it is fine. Everyone seems to have agreement that this Bill be moved to a second reading and be referred to the Committee. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The Parliament will now vote. The question is that the Rotuma Bill 2015 be now read a second time.

Does any Member oppose the motion?

HON. MEMBERS.- No.

HON. SPEAKER.- There being no opposition, thank you the Bill is agreed to.

SECRETARY-GENERAL.- A Bill for an Act to provide for the regulation of Rotuman Affairs and for related matters (Bill No. 6 of 2015).

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.

### **ROTUMA LANDS BILL 2015**

HON. SPEAKER.- I now call upon the Honourable Attorney-General to have the floor.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, pursuant to Standing Order 85 (1) I move that the Rotuma Lands Bill be now read a second time.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Thank you, before I call upon the mover of the motion, I remind Honourable 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 Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, again this Bill came about by a review committee that was initiated by the Honourable Prime Minister's Office. As you know that the Rotuman laws pertaining to Rotuma falls under the Honourable Prime Minister's Office. This Committee had widespread consultations both in Rotuma and outside Rotuma as there are many Rotuman is living outside of Rotuma itself. It has a number of key features. It sets up an equivalent of the *iTaukei* Lands Commission or what was known as the NLC. Rotuma has not enjoyed that, there has been a number of issues that were raised pertaining to possessory rights and access to land in Rotuma.

The Bill also, Madam Speaker, looks at the registration equivalent of VKB which did not actually also exist or there was very loose rules around that, so the Bill actually seeks to tidy up those aspects and of course who is entitled to the land rights given now that people outside of Rotuma and their descendants, et cetera. So there needs to be some guidelines along that. There is also dispute mechanism. So their disputes and also the equivalent of an Appeals Tribunal where Rotumans who believe that they have access to certain land ownership or possessory rights can lodge their appeals with that, Madam Speaker. Thank you.

HON. SPEAKER.- Thank you. The motion before us is open for debate.

There be no input to the debate. Honourable Attorney-General, you may make concluding remarks if you so wish?

HON. A. SAYED-KHAIYUM.- Madam Speaker, I recommend the Bill now be moved for second reading and be referred to the relevant Committee. Thank you, Madam Speaker.

HON. SPEAKER.- The Parliament will now vote. The question is that the Rotuma Lands Bill 2015 be now read a second time"

Does any Member oppose the motion?

HON. MEMBERS.- No.

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

SECRETARY-GENERAL.- A Bill for an Act to provide for a lands commission in Rotuma, to provide for the registration of Rotumans to regulate the registration dealing with and transmission of land and related matters (Bill No. 7 of 2015).

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 Honourable Attorney-General to have the floor.

### **AQUACULTURE BILL 2016**

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, pursuant to Standing Order 85 (1), I move that the Aquaculture Bill now be read a second time.

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Thank you. Before I call upon the mover of the motion, I remind Honourable 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 Honourable Attorney-General to speak on his motion.

HON. A. SAYED-KHAIYUM.- Thank you, Madam Speaker. Madam Speaker, the Aquaculture Bill was tabled in Parliament on 9<sup>th</sup> February, 2016 which is a result of the review of the Fisheries Act (Cap. 158) and the Marine Spaces Act (Cap. 158A).

Madam Speaker, the review of these various laws were done in consultation and technical assistance input from the Forum Fisheries Agencies commonly known as FFA. Madam Speaker, nationwide consultations were of course held on this Bill which was facilitated by the Ministry of Fisheries and they had stakeholders from the aquaculture industry, local communities, central agencies and other Government Ministries, Non-Government agencies, civil societies groups, et cetera.

Madam Speaker, the Bill regulates the trade of aquaculture organisms which might otherwise be harmful to our marine ecosystems in the midst of the upsurge in the development of seaweed farming, fish spawning and the rearing of other aquatic organisms for commercial purposes.

The Bill, Madam Speaker, will be the first legal framework in Fiji to regulate and protect the aquaculture segment of the Fisheries Sector in Fiji. The Bill, Madam Speaker, I think it is very important for us to understand defines aquaculture as the cultivation, propagation of farming of aquatic organisms whether from eggs, spawn, spat or seed including rearing aquatic organisms lawful taken from the wild or lawful imported to Fiji and the culture of coral whether living or non-living by other similar processes for the purpose of trade business or research.

Madam Speaker, the Bill comprises of 12 parts. Part 1 of the Bill provides for its date of commencement, definition and scope of application. Part 1 also provides the scope of the Bill and states that the Bill applies to all aquaculture and related activities. All persons including non-citizens carrying on aquaculture related activities. Anybody corporate that carries on aquaculture, as we have seen there has been a lot of illegal type of activities in relation to aquaculture in Fiji. In the past, as you know some people destroyed both reefs, explode them and export them, et cetera.

Part 2 of the Bill, Madam Speaker, provides for the administrative provision of the Bill and provides for the powers and the functions of the Minister and the functions, powers and authority of the Director of Fisheries.

Parts 3, 4, and 5 of the Bill provide for the establishment of the Aquaculture Advisory Council, the Licencing Committee and the Scientific Committee.

Parts 3, 4, and 5 also provide for the functions, the members, the meeting and proceedings of these bodies.

Part 6 of the Bill, Madam Speaker, provides for the development and management of aquaculture areas. The designation of aquaculture areas and the development of management plans within those areas to conserve, manage and develop fisheries within the fisheries waters.

Part 7 of the Bill, Madam Speaker, provides for the licencing regime, applicable to aquaculture activities in Fiji.

Part 8 of this Bill requires all aquaculture licence holders to comply with any applicable law of Fiji relating to the import, possess, culture, sell or export of any aquaculture organisms and products.

Part 9 of the Bill address the monitoring and enforcement mechanisms to cater for the regulation of aquaculture and its related activities.

Madam Speaker, Part 10 of course relates to things like jurisdiction and evidentiary matters.

Part 11 allows for the issuance of fixed penalty notices, where an offence is committed under the Bill. Additionally, subject to the authorisation of the Permanent Secretary of Fisheries, this part allows prosecution of offences under the Bill by fisheries officers.

Part 12 of the Bill, Madam Speaker, provides for the powers of the Minister to make regulations through the implementation of the Bill and provide for general offences and penalties, duty of confidentiality and activities contrary to the laws of the State.

Madam Speaker, this is the introduction of the Bill for the second reading. Thank you.

HON. SPEAKER.- Thank you. The Bill is now open for debate. Honourable Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. I take it that this second reading refers this Aquaculture Bill to the Committee, to look further into the Bill and various parts of it, as the Honourable Attorney-General has explained.

On that note, Madam Speaker, I just hope that the Honourable Members of this House and members of the public who may be listening and who have an interest in this issue will present themselves before the Committee. I note that the Aquaculture Bill may have wholly replaced the Fisheries Act and that Act, Madam Speaker, at a few sections, protected native customary fishing rights.

Madam Speaker, if this Bill completely replaces that Act, that means those native customary fishing rights have also gone. I note from the Constitution of 2013 the much vaunted provision, Section 28, ownership of all *iTaukei* land, it only refers to land, nothing to do with fisheries, but Madam, Speaker, under the Fisheries Act, the native customary fishing rights went together with landowning unit and how they were recorded by the NLC. There may be constitutional issues there too and if there are, and this is not a compulsory acquisition of rights that maybe protected under the Constitution then there is a provision on how to go about that and also for compensation.

That is just my brief comments on the Bill at this stage. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. There being no other input, I will now give the floor to the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, of course this says it is a review of the existing laws and the Aquaculture Bill does not in any way negate from the fundamentals of the laws that have been put in places by the Fisheries Act is concerned. So in any case the Committee will be able to look at those provisions but suffice to say, there is no intention to subvert those provisions on the Fisheries Act. Thank you.

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

The question is that the Aquaculture Bill 2016 be now read a second time.

Does any Honourable Member oppose the motion?

HON. MEMBERS.- No.

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

SECRETARY-GENERAL.- A Bill for an Act to regulate Fresh Water, Brackish Water and Marine Aquaculture and for related matters 2016 (Bill No. 9 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 Natural Resources.

### **FOREST BILL 2016**

HON. A. SAYED-KHAIYUM.- Thank you. Madam Speaker, pursuant to Standing Order 85(1), I move that the Forest Bill 2016 be now read a second time.

HON. SPEAKER.- Do we have a seconder?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

HON. SPEAKER.- Thank you. Before I call upon the mover of the motion, I remind Honourable 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 Honourable Attorney-General to speak on the motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, the Forest Bill was tabled in Parliament on the 9th February of this year for its first reading and as a result of the review of the Forest Decree 1992, as you know this Decree issued after 1987, that was when this Decree was put in place.

The review of the Decree was endorsed by Government and conducted with a technical assistance provided by the Pacific Community, in partnership with a German organisation, commonly known as GIZ, that specialised in international development.



Extensive consultations on this Bill by the Ministry of Forest were held with stakeholders from the forest industry, local communities, central agencies and other Government Ministries and Departments, civil society and NGOs, the Office of the Solicitor-General and the Forestry Board.

Madam Speaker, the Bill provides for the sustainable management development sustainable use of Fiji's forest resources. The Bill also enables the full implementation and realisation of the current Fiji Forest Policy 2007.

The policy, Madam Speaker, embraces sustainable forest management and utilisation of forest resources while at the same time, ensuring the preservation of the environment.

Madam Speaker, the current Bill does not sufficiently cover or provide for the sustainable forest management measures which are reflected in the policy and therefore there is a need to amend the existing laws and rather than simply amending it, we have introduced a new law altogether.

Therefore, Madam Speaker, this Bill endeavours to further harmonise the current Policy with the legal regime of forestry. The recent relevant land use policies and environmental legislation such as Environment Management Act 2005, there is a bit of difference in those existing laws because one was a Decree back in 1992 and then Environment Management Act came into force in 2005.

Furthermore, Madam Speaker, this Bill is more encompassing legislation for the forestry sector and endeavours to resolve the deficiencies within the Decree relating to licencing and harvesting of timber.

Madam Speaker, the Bill consist of 9 parts which are:

Part 1 of the Bill includes the citation, the short title and of course, an interpretation. This part further outlines the objective of the Act, which is to ensure the protection, sustainable management and use of Fiji's forest in providing social, economic and environmental benefits to Fijians for the current and future generations. As you know, Madam Speaker, that we have a very well elucidated provision in the Constitution regarding the protection of the environment and also of course economic participation.

Part 2 of the Bill, Madam Speaker, contains provisions articulating the objectives of the Bill, the roles of the Conservator of Forest, the functions of the Department of Forest, the establishment of the Forestry Board and the administration and meetings of the Board.

Part 3 of the Bill, Madam Speaker, aligns all programmes and activities of the forest sector to the recent developments reflected in the Policy. The recent relevant land use policies and environmental legislation. This Part also, Madam Speaker, mandates the Department to classify forest, based on their forest functions and ensures that the Department undertake forest inventories and assessment of forest.

As you know in many instances, for long periods of time, probably even dating .to pre-independent days, a lot of the indigenous forests have been neglected and we have seen the culling of forests without much re-planting et cetera, in particular for indigenous species.

Part 4 of the Bill, Madam Speaker, confers new provisions which provides for other licences such as import and export licences, forest management licences, wood processing mill licences and the relevant provisions for the enforcement of these licences.

Madam Speaker, in order to maintain and update production statistics from all forest areas, this part also allows the Department to measure all logs extracted from native and plantation forest for commercial purposes and the processing plant, by people trained and licenced by the Department.

Part 5 of the Bill provides for the payment of fees and royalties, stemming from forest felling and timber extraction.

This Part also provides for the rights of resource owners and members of the community living around plantation forests to use forest resources for daily sustenance or for their own use.

Part 6 of the Bill, Madam Speaker, allows for the establishment of stakeholders' associations and the development and establishment of adequate regulatory framework to regulate and facilitate greater management of different partners in the development of the Forest Sector. As we have seen that without these kinds of regulations in countries such as the Solomon Islands, huge areas of forests have been degraded without a proper legal framework in place.

This Part also, Madam Speaker, provides for forest certification and forest carbon trading where all applications for certification and for the implementation of processing activities that involve the transfer of carbon property rights will have to be made through the Conservator of Forests. And, as you know now, that is actually, in a way a huge windfall for certain countries if they are able to conduct carbon trading well. Furthermore, Madam Speaker, this Part provides for the establishment of a Committee under the Board that looks after the reviewing of the list of forest species under the Endangered and Protective Species Act, 2002.

Part 7 of the Bill allows for the appointment of officers within the Department to act as law enforcement officers and ensure that the Bill is implemented accordingly. Madam Speaker, this is one feature that we have not had with specific Forestry Officers that actually have the legal ability to go and enforce these rules and regulations. Previously, it was given specifically only to the police, and if you see in many countries, not just regarding forests, but also resources in the sea.

Part 8 of the Bill, Madam Speaker, provides for offences and penalties in the Bill, and even if a company commits an offence, the Directors and employees of the company or the agent will also be held liable.

Madam Speaker, for the purpose of providing evidence in court, this Part also allows suitably qualified persons authorised by the Permanent Secretary to issue a certificate stating that he or she has analysed or examined the matter, substance and products, and to state that the result of the analysis examination is evidence admissible in Court for the offence prescribed in a certificate, and also for the correctness of the result of the analysis or examination.

Part 9, Madam Speaker, provides for the miscellaneous provisions and for transitional provisions which allow for the smooth transition from a Decree of 1992 to the new Forest Act of 2016, once of course, the Bill is passed, Madam Speaker.

I recommend the Bill for second reading. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is now open for debate. I give the floor to the Honourable Tupou Draunidalo.

HON. ROKO T.T.S. DRAUNIDALO.- Thank you, Madam Speaker. Through you, I would just like to encourage the landowning units that have forests standing in their native lands, if they could take a copy of this Bill to their lawyers. Please do not bring it to me, but there are many lawyers out there to explain the consequences of the Bill to them and how it affects the environment and their income.

Also, Madam Speaker, I note Clause 40 of the Bill will affect businesses that are dealing with native forests, timber yards, sawmills and timber merchants. Their businesses also need to take the Bill

to their lawyers and make presentations to the Committee, Madam Speaker, so that any issues they may have to bring it to the Committee.

HON. SPEAKER.- Thank you. The Honourable Kiliraki.

HON. RATU K. KILIRAKI.- Thank you, Madam Speaker. May I contribute to this Bill? I am concerned in regards to two institutions that govern the forest as by definition the mahogany falls into forest by definition. These institutions, in terms of transparency and accountability, which will avoid corruption in the harvesting of timber. I hope the Bill will take it also into consideration in regards to the existence of the Mahogany Decree, in respect to the existence of the Forest Bill as we go through now.

Madam Speaker, they are a duplication of the regulations, but two different institutions that enforce these regulations in terms of logging practices, environment compliance and all other issues. So, understandably and correctly, it should be all under forestry to be able to address all these issues.

Secondly, clause 33(5), the REDD+ Regulations has still not come into force. The universal focus is on COP21, and as we understand the Honourable Prime Minister has just signed the ratification in New York. To be able to have a zero balance in carbon emissions, emission must equal to how you retain in the carbon sink, either by the forests or by the oceans. The over retention of carbon dive sites in the water increases the carbonic acid in the water will impact aquaculture.

As far as the forest is concerned, the sustainability reforestation, and as I have already mentioned in the previous sittings that reforestation or replanting of mahogany has been lagging for two to three years. So, the sustainability to be able to stand in the world scene and talk about climate changes, Fiji must be in the front in climate mitigation by retaining forests. That comes into focus knowing that the landowners have 91 percent which are mostly forests, and that is where REDD+ must come in immediately so that the landowners can be compensated.

Madam Speaker, those are my general views before it goes to the Committee. Thank you.

HON. SPEAKER.- Thank you. I give the floor to the Honourable Nawaikula.

HON. N. NAWAIKULA.- Madam Speaker, I believe the position from this side now is that we do not oppose this so that this goes to the Committee. But, could I just raise this as a matter of concern to anyone, as what the Honourable Draunidalo had said.

The native agencies that are out there (iTLTB and the Provincial offices) should look into this legislation very closely. The reason is because the existing legislations that are now in place does not totally look into the interest of the indigenous people in relation to the ownership of this very important resource - timber. What it does, it gives them not the ownership, but only a measure of royalty, which is less than 10 percent of the value of a standing tree.

I would encourage them to please go and participate and go to the Standing Committee and in that, raise your concerns in relation to the fact that they should be the owners of the resources, not just the royalty. Thank you, Madam Speaker.

HON. SPEAKER.- There being no other input, I now give the floor to the Honourable Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Madam Speaker, I think the merits of the Bill has been highlighted, but I think the Honourable Members have highlighted some very critical points. Some of them worth in merit, others perhaps not. But, I think the point is, Madam Speaker, that precisely for decades, and that is what this Bill is trying to address, and Honourable Nawaikula in one of those rare

occasions is absolutely accurate the point is that forests has not always been seen as, the entire ownership is with the landowners. Because what has actually happened, and this is the failure of past administrations, and even one would argue with iTLTB, they have not actually seen the landowners as fit, competent business people to run a forestry business. He is absolutely right. They were simply given the royalties. The fault lies in the administrators that actually gave out these licenses to non-resource owners. This is precisely what we are saying, and that is what this Bill is trying to address. We have been harping on about this for a very long period of time, and if you see some of the leases that have been given to those people, they were given about 10, 15, 20 or 30 years ago. This is what is happening today, the landowners themselves are simply relying on the royalties. We must change the ball game. It is precisely what this side of the House has been saying.

Similarly, I know Honourable Kiliraki is obsessed with the mahogany industry, but precisely we had a similar problem there. Despite having the largest planted mahogany forest in the world, we were not marketing it as that. Despite it being majority on *iTaukei* owned land, we were not marketing it as that because if you go, for example, to Germany and say to someone that this mahogany has come from land that has been planted, not virgin forest, it has come from land that is owned by the indigenous people, as opposed to some timber that comes from Guatemala, it has been stolen in the middle of the night from virgin forests in Brazil in the Amazon. Guess what, they would have paid much more money for it? The one that comes from Fiji. This is why we have been branding Fijian mahogany, pure Fiji mahogany brand. They do not seem to understand that. They simply want to go back to the past and that is what this Bill is trying to do and that is the reason why there is a demarcation between the mahogany forests because these other forests, they are not planted, they growing wildly.

So, we need a particular and a different approach as to how we harvest this, how we manage it, how we replant it in the same way that we need to deal differently with mahogany forests. They need to have a new outlook and I hope, Madam Speaker, that the people who have already seeing the benefits of it will understand that and they can make a submission to the Committee.

I recommend that this Bill be now submitted, Madam Speaker, to the relevant Committee for its second reading. Thank you, Madam Speaker.

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

The question is that the Forest Bill 2016 be now read for a second time”.

Does any Honourable Member oppose the motion?

HON. MEMBERS.- No.

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

HON. SPEAKER.- Honourable Members, in accordance with Standing Order 85 (4), the Bill has now been read for a second time. Pursuant to Standing Order 85(4)(a), the Bill will now be referred to the Standing Committee on Natural Resources.

### **FALSE INFORMATION BILL 2016**

HON. SPEAKER.- Pursuant to the resolution of Parliament yesterday, the False Information Bill 2016 will be debated and voted upon today. This debate will be limited to one hour and I now call upon the Honourable Attorney-General to move his motion.

HON. A. SAYED-KHAIYUM.- Madam Speaker, as highlighted yesterday, we wish that the Bill now be debated and voted upon by Parliament through one hour debate on the actual Bill itself and that

the False Information Bill, as highlighted yesterday, be considered without delay for a vote today. Madam Speaker, the merits of the Bill is that Government has engaged in a large scale initiative.

HON. SPEAKER.- Do you have a seconder?

HON. LT. COL. I.B. SERUIRATU.- Madam Speaker, I beg to second the motion.

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

HON. A.SAYED-KHAIYUM.- My apologies for that, Madam Speaker.

Madam Speaker, as highlighted yesterday, the Fijian Government has actively put in place a number of initiatives for the Help for Homes Programme and many other initiatives that Government has put in place. There needs to be a specific law that addresses anyone that tries to beat the system or use the system to try and gain a pecuniary benefit that they are not otherwise entitled to.

As I also highlighted yesterday, there is a provision in the Crimes Decree that relates to False Information, but that has, in fact, Madam Speaker, been used primarily for people who give false information to the police. If you see the penalty in the offence provisions, the penalties are much lower in that particular provision of the Crimes Decree. In this particular instance, Madam Speaker, as a developing country, we need to be able to ensure that the resources that we do give out to members of the public, it is actually very well targeted.

We cannot obviously, Madam Speaker, go and always identify every single claim. If we were to do that, it can take us years before we can verify every single thing. So, the onus is on the people who are signing the form to say that, yes, for example, in this case, that their home or their roof was damaged completely, there is an onus on them to also tell us the truth.

Now, the Honourable Minister for National Disaster Management told us this morning that about 30,000 to 40,000 homes have been damaged. If we were to go back and see every single home, we will be here for the next 18 months before people get assistance. They have done a list already, there may be some others but when they do come and fill out the forms, we will rely on that list and we also rely on a certain level of honesty on the applicants. What we do also want to tell them is that, when you fill out the forms, please be honest. If you do not fill out the form honestly, there will be consequences. We need to, Madam Speaker, be able to inculcate a culture of honesty when people are making claims. It is not just for this particular initiative, as the Honourable Minister Akbar will also tell you, other people have sometimes obfuscated and tried to go around the rules and claim for social welfare.

As you would know, Madam Speaker, in your former position, there are some people who were receiving social welfare happily, they have various Sky television in two or three homes, but yet they are recipients of welfare.

So, these are the kinds of initiatives that we need to ensure are very well targeted and people to tell the truth. As the Bill highlights, it clearly rather than creating some definitions, it relies on the definitions of what has already been established precedents and jurisprudence, for example absolute liability in clause 9 relies on the Crimes Decree definition of it.

Madam Speaker, the other issue, for example, is that, it sets out a provision for compensation. For example, someone makes a claim on social welfare and has been for the past one year receiving a \$100 a month. If we do find out that they have been giving us false information, they are liable to then compensate the State for that \$100 a month which will work out to be \$1,200 for the year.

So, these are the kind of provisions that this Act puts in place and the reason is, Madam Speaker, as you know that we had highlighted this for it to be expedited is because the Ministry of Poverty Alleviation, Women and Children will be actually going out into the field from next week. We expect them to be out in the field from middle of next week and start disbursing these monies through the cards that we will be using.

Now, in order for the forms to be published, we need the actual law in place, so the actual form will have reference to this particular law and so people will be informed beforehand and what we are expecting is as the Honourable Minister Akbar has said that when they will go to various centres, they will inform the people, “look this is the form but please make sure that you are telling the truth. These are the consequences.” The form with the declarations will be in the vernacular language also. So, everyone is aware that there is certain level of understanding of what are the consequences, if they do not tell the truth.

Again, just to highlight, for example, this Help for Homes initiative, once the form is processed, a person will then be able to go and sit in front of the laptop or computer, they take a photo of yours, you give your Identification Card (ID) preferably your Voter ID card, they take your photo and they know exactly who you are, they will scan your form so that record is there. Similarly, when they take their card to the hardware outlet, they similarly have to show their ID again and that information will rest with those people to know that the right person is actually coming along and redeeming those card, with a value installed in that particular card.

Madam Speaker, this is why this Bill has been presented and this is why it has been done. You will see that the penalty is quite high, compared to, for example, the Crimes Decree, where it is only for one year sentence. In this, we have actually up to five years or 10 years.

Madam Speaker, the reason is, of course, it is up to, it does not mean they will get the necessarily 10 years, it is up to the Courts to decide that but the reason is, it needs to be a deterrent law. It needs to basically warn people not to do this. If you do this, there are consequences and we must all understand that we simply cannot just live off the State. I mean, the Honourable Members from the other side were talking about having a fully-fledged home and building it. If you are looking at \$10,000, \$20,000, or \$30,000, you are looking at about \$400 million or \$500 million, which the State has to fork out. The money has to come from somewhere. Even if the money is \$60 million or \$70 million, the reality is that the Fijian Government probably from Independence has been running almost invariably every year on deficit budgets. So, we have to essentially borrow money at the end of the day for even capital works.

So, we need to ensure that the money that we give out, is given out in a prudent manner and we need to ensure and inculcate and engender into the general public that. Yes, if you are entitled to free medicine, if you entitled to subsidise electricity and water, free education or social welfare or now “Help for Homes” initiative, you must be the person actually entitled to it, fill out the forms correctly and you will get it. That is what this law is all about, Madam Speaker, and I recommend that Parliament adopts this as an Act of Parliament. Thank you.

HON. SPEAKER.- Thank you. The motion is now open for debate. Honourable Karavaki.

HON. S.D. KARAVAKI.- Thank you, Madam Speaker. I rise to contribute to the debate to the discussion on this Bill.

I only wish this Bill was not brought by way of Standing Order 51, because it is a very short Bill, Madam Speaker, but it is one of the most complicated laws I have ever seen. It is a very short Bill, but it is so complicated, I do not think that ordinary citizens of this country can read this and understand it. That is why I am saying, Madam Speaker, I hope it was not brought through by way of Standing Order 51. It should have gone to the Committee to be looked at and there I can see a lot of tidying up that needs

to done to this Bill With my very little knowledge, Madam Speaker, I look at this, even after 20 years of practising, I find it very difficult to understand.

I believe, as I look at clause 3 of the Bill, it needs to be drafted in a positive way and not in a negative way. “Negative way”, I mean, Madam Speaker, clause 3(1) says that, “A person must not knowingly...”. I was trying to understand that “not knowingly” although the definition of “knowingly” is prescribed in clause 7. The simplest way of drafting this would be “a person who knowingly makes a false declaration.” That is a simple way of writing it down. Madam Speaker, I happen to just have a Post Graduate Diploma in Legislative Drafting and by looking at this, and that is why I am saying Madam Speaker, I find it very, very difficult to understand.

Madam Speaker, it also refers to the Crimes Decree. What is difficult to understand here that it incorporates Part 7 of the Crimes Decree without stating it here? It means you have to go to the Crimes Decree and read what the provisions under Part 7 are. You read it over there and you try to apply it over here in order to understand it because under Part 7 it is very important, as it applies to those who have something to contribute to the committing of the offence. That is very important to come here and not to be left in another legislation. For simplicity, Madam Speaker, all the things that are written over here, they are already contained under Section 331 to Section 335 of the Crimes Decree.

I do not see the urgency of bringing this Bill under Standing Order 51; no urgency at all. The only urgency, Madam Speaker, I can see is the increasing of the penalty. The penalty in the Crimes Decree, being two years and one year and in this Bill is 10 years.

You read clause of the penalty it states “10 years”. You read Clause 6, the penalty is 10 years. I do not see any five years, only 10 years. Madam Speaker, this Bill with all these penalties prescribed in it, they are indirectly telling the citizens of this country, “if you are suffering right now and you want to ask for assistance, you think again of applying because the penalty is so high.”

(Chorus of Interjections)

HON. S.D. KARAVAKI.- You think again of applying, you are putting over here the amount available to assist them - \$17 million and then on the other side, you are telling them, “Think again of applying”, because you can build your house and end up in prison and your house is empty.

(Chorus of Interjections)

HON. S.D. KARAVAKI.- This is exactly, Madam Speaker, what is going on because many things can happen. See if the *turaga ni koro* fills out the form because you go to the village, and you ask the *turaga ni koro*, “*Turaga ni koro*, what has happened over here, what other houses that have been damaged?” Then the *turaga ni koro* will say “come, come, come (to the officials), I will take you around the village”. That is exactly what always happens, Madam Speaker. I have been in the Civil Service. I have been in that kind of situation also, I have been observing it and understanding it. , You go through the villages, you see all the houses and write it down. The Government official can be the person who had written down the information wrongly. This is the kind of thing that will happen, Madam Speaker, and it is so substantial that I think the Government is telling the people, “just build your house, do not apply”.

Madam Speaker, as I have said we have the Crimes Decrees that already contains the provisions that are here, I do not see it necessary that we should bring this Bill in here again by way of Standing Order 51; that is making it more worse,. I suggest, Madam Speaker, if the Honourable Attorney-General can take it back and amend this Bill and put Part 7 of the Crimes Decree over here that would be easier because this is very hard, it has been the policy of Government to consolidate legislations.

We have gone through the Companies Bill and Income Tax Bill. Legislations have been consolidated, being brought together, the reason given in this House, “One stop shop”. That is good, but here we already have the Crimes Decree and then we are creating another one.

While we are creating this one, we are still using the existing one, the Crimes Decree. It does not only refer to the Crimes Decree, it also refers to the proceeds of Crimes Act and these are two separate legislations. I am saying, Madam Speaker, instead of making the law easier to read and understand, we now have a law that is so difficult to understand.

My contribution, Madam Speaker, is simply to say that every time there is a case that is brought before a Court, when the decision is made, that is the decision that is applied to that specific case and someone who wants to appeal it, you appeal to a higher Court.

However, in this one, after the decision is made, then it allows for the Honourable Attorney-General 28 days to come again with his application to Court and seek an order from the Court. The order is to do the things that are prescribed in this Bill and one of that is to forfeit the benefit that have been obtained by the accused. If they cannot forfeit, they will compensate. This Madam Speaker, takes a lot of time for the Court to process. We already have backlogs in the Court, and lawyers are finding it difficult even to get Judgement. Now we bring this again and I hope, Madam Speaker that this Government would have just remained with the Crimes Decree because if the Ministry of Women is seriously thinking of that, they do not have to worry about it, it is already here. You do not need to expedite any laws that comes in this way. This law needs to be tidied up, Madam Speaker, and the way it is, I feel sorry for the citizens of Fiji. They do not deserve this kind of law. They deserve a law that is better. The way this law is written, it might as well be referred to as a Decree not an Act. Because now we are contributing, the Government will not even want to consider what we are saying and then we are going to vote. We vote then that it is going to be passed in its state. It better be written down as a Decree. I would plead for the people of this nation, just rebuild your house. Do not ever apply for any assistance from the Government because they are coming for you. That is my contribution, Madam Speaker.

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

HON. F.S. KOYA.- Madam Speaker, I worry sometimes for the SODELPA Party.

HON. RATU I.D. TIKOCA.- Worry about yourself.

HON. F.S. KOYA.- I worry about you when a senior practitioner with about 20 years’ experience, I think, does not read the law in its fullest form.

Madam Speaker, I rise to support the Bill but I must point out something and I wish that Honourable Members of the other side of the House would not mislead the public. If you read the Bill, Madam Speaker, Clause 3(1) specifically says, and I read:

“A person must not knowingly make a false representation to any officer, agent or representative of the Government or an entity.”

Sub-clause 2 says:

“Any person who contravenes subsection (1) commits an offence and is liable upon conviction to a fine not exceeding \$10,000 or imprisonment for a term not exceeding 5 years, or to both.”

So it does have five years, my friend.



Madam Speaker, Clause 3 (1), so it is wrong to mislead the House or mislead the people of Fiji when you say, about 10 years.

HON. MEMBER.- False information.

HON. F.S. KOYA.- False information, exactly.

Madam, this particular Bill will have a positive impact on a number of key programmes that are currently being administered by the Government. Madam Speaker, from our part, the Ministry puts in sound administrative policy guidelines and effective monitoring and support mechanisms to ensure that the programmes are administered and delivered efficiently and effectively.

One of those programmes, Madam Speaker, is the Micro & Small Business Grant Facility that we do which provides assistance as we all know for the Micro & Small Business starters. The Ministry relies on the information provided by applicants. The applications are initially selected or rejected based on the information provided. This is also followed up by validation and a site inspection.

Madam Speaker, if an applicant provides false information to the Ministry, there is no specific action that can be taken apart from the rejection of application, if the false information is discovered. This is Government funds that are being used, Madam Speaker.

The Ministry ends up wasting valuable resources in undertaking assessments and site visits. The Ministry obviously with the FDB put in place additional protection mechanisms such as the grant cheques written in the name of the vendor rather than the grant recipient. This seemed sure that the recipient was actually using the funds for the right purpose.

Madam Speaker, the Bill actually sets out the provisions, which form the core of the Act and then persons providing false information for the purposes of attaining a benefit will obviously be liable for a charge under the Bill.

Madam Speaker, the Bill has a provision in it that any person that uses it for the benefit for the purpose other than what it was intended for, is liable upon conviction to a fine not exceeding \$20,000 or imprisonment for a term not exceeding 10 years or both. In other words, Madam Speaker, the Bill now ensures to a large extent that only those in genuine need, need to be assisted. With respect to the Micro & Small Business Grant and only those that need assistance should apply. It will act, Madam Speaker, as a deterrent for people intending to falsify information just to benefit from the particular facility.

Madam Speaker, another programme within the Ministry of Industry Trade and Tourism is the National Export Strategy (NES) which provides grants to boost export competitiveness for our exporters including small and medium enterprises. The applicants there also undergo a rigorous assessment process whereby a number of key economic agencies are also involved.

Madam Speaker, the initial assessment on this also is on the information provided by the applicants and also involves a site inspection. Following the recommendations for farming, the Ministry then signs an MOA with the recipient.

Madam Speaker, this Bill will strengthen this institutional arrangement as it clearly stipulates that if it is used for any benefit for a purpose other than what it was granted for, it is an offence.

Madam Speaker, in cases where diversion or abuse of this particular grant will occur, the Bill also has provisions for recovery if the person is convicted of an offence under the Act. I must remind this Honourable House, Madam Speaker, with respect to the NES grant, there are substantial amount of funds that are given. A court also may, in addition to the penalty to be imposed, order that the property that has

been obtained through the benefit received be confiscated and forfeited. The Bill therefore protects the Ministry's interest as well as it ensures that the grant is not misused and if so, the Ministry is in a position to recover some of its assets.

Madam Speaker, there is a lot that has been said yesterday and today on why the urgency of the passing of this Bill.

Madam Speaker, Fiji is going through a rebuild phase after *Cyclone Winston*. The Honourable Prime Minister announced the "Help for Home" initiative where the Fijian Government is investing close to \$60 to \$70 million. The distribution of funds would be based on an application, yet again, the information is provided by the applicants.

Madam Speaker, we want genuinely affected people to benefit from this initiative, not the cunning people who want to beat the system. I think the Hon. Member from the other side has said it all wrong when he says, "Don't apply" right from the beginning. Madam Speaker, 90 percent of the people in Fiji are honest about it, and we are saying that we do not want the dishonest ones to come through the system. Therefore we want each individual who fills up the application for the "Help for Home" to do it honestly, therefore we need a strong deterrent that will stop them and make them think before they give out this information.

Madam Speaker, the Bill is timely, not only is it timely, it is urgent. We need this law now to facilitate the rebuild process and all the different programmes that the Government is involved with.

Madam Speaker, I thank you for the opportunity and I reiterate my support for the Bill on false information.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker, laws are important, laws are made to deter people from committing different kinds of offences and so there is value in having laws to do that. However, Madam Speaker, laws by itself do not deter people from committing these kinds of offences and if I go by what the Honourable Koya had just said that if 90 percent of the people are honest, I think he is right. Majority of the people who applied for these Government benefits are generally honest people. Of course, a small minority will always do otherwise.

I have two problems with this Bill. The first one, as Honourable Karavaki said, I think the penalty is too draconian. I think Honourable Koya read clause 3 but he did not read clause 5 which reads, and I quote:

“(1) A person must not use any benefit received from the Government or an entity for a purpose other than for which it was granted.”

Then it says:

“(2) A person who receives an inventory from the Government or an entity must comply with any condition which the Government or entity may determine.

(3) Any person who contravenes this section commits an offence and is liable upon conviction to a fine not exceeding \$20,000 or imprisonment for a term not exceeding 10 years or both.”

Madam Speaker, I think the House Building Programme, I am not saying that this is going to happen, but people make mistakes, let us say that someone has got \$5,000. He takes the material spends 90 per cent of that material in building the house, 10 percent goes to building a chicken shed or something because the leftover, Madam Speaker, in my view, would constitute an offence and the person could end up under this clause. So, I think it is appropriate view to look at the seriousness of the amount or the term

of the prison for the fine that we are looking at in this Bill. I think it is too draconian, I think a reasonable prison term or a reasonable fine, in my view, would have been appropriate.

The other problem, Madam Speaker, with respect to the problems that the Hon. Attorney-General highlighted and I agree with him. There are people who use different mechanisms, who get lobbyists to work for them and here I want to make this comment, in fact, this has always happen in this country under most Governments. It is the politicisation of the process in which members of the community who seek government benefit that leads to some of these problems and I can give you examples, Madam Speaker.

This is a recent example, the Honourable Prime Minister soon after the cyclone call for unity and we supported that. I was called by two Advisory Councillors, Madam Speaker, to visit their area and obviously, I responded to their call because that is the duty of every Member of Parliament. I mean, we are all involved in listening to the people, trying to help them, if not with any material help, advice, counsel, directing them to appropriate authorities and talking to different government officers.

In this particular case, Madam Speaker, two members of the Government and I have talked to them afterwards and I said 'look you do not have to stop the advisory councillors from talking to me', and I was actually quite upset and disappointed, but I left the matter after talking to those two Honourable Members and the matter was resolved.

So, what I am saying is, a lot of the Advisory Councillors, Justice of Peace in the community they ought to behave in a very, very politically neutral manner because sometimes, Madam Speaker and this has happened, I am not talking about this Government, this has happened under most governments, where those who are appointed as Advisory Councillors, those who are appointed as JPs begin to think that they work for the government. That they need to advocate on behalf of the government and here I was telling them, you advocate on behalf of the people that you are supposed to serve, Madam Speaker.

I think part of the problem with the way in which people have been able to lobby, they would go to a Government Minister or a Government Member, if they do not get help they come to the Opposition. It happens and sometimes we check with the Government, we find that things have been settled, sometimes we do not check and we raise the issues, later on we find that they had already gone to another Assistant Minister or a Minister or a Member of the FijiFirst Government. It happens, we understand that, but I think the message that we ought to send, Madam Speaker, and I think this Bill has given that opportunity for me to talk about it because part of the problem is that, there is this view now and it is more prevalent at the moment, where you go and talk to an Advisory Councillor or a JP...

HON. GOVERNMENT MEMBER.- Talk about the Bill.

HON. PROF. B.C. PRASAD.- I am talking about the Bill, Honourable Minister for Education, you listen to me carefully.

... because that is where lobbying starts and sometimes it is not entirely the fault of the person who is seeking to get the Government benefit, it is actually the fault of the people who are lobbying on his or her behalf.

What happens is, information flows through and the Honourable Minister for Social Welfare is right. I know people who are receiving Social Welfare grants. I was in Vanua Levu and people said the advance payment was very much appreciated. In fact, the Government got a lot of kudos out of that.

However, there were people who were telling me that those that got the Social Welfare grants on the basis of the criteria, actually did not meet the criteria and I think that is what the Honourable Minister for Social Welfare was saying. This was purely because there were people lobbying for different groups. I think that the message that the Government should send to these people who receive the allowances

from Government, the tax payers work for the public and they ought to behave politically neutral when they conduct themselves in advising the people how to do this. I know the assessments had been done and the assessors are doing a good job. I spoke to some people in Rakiraki and they said that the assessors who went out there, they were actually doing an excellent job, Madam Speaker. They were asking the right questions, they were making sure that they actually got the right people and they were setting the right amounts for them. Those who deserve \$1,500, those who deserve \$5,000, those who deserve \$7,000 are being correctly established.

However, if that is being manipulated and that is having political influence by people who do not necessarily are told by the Government, I am not saying that the Government is telling these people but that is the kind of impression that is being sent out there and that could create more problems, even with this Bill, Madam Speaker.

So, I suggest to the Government that they send a very clear message for those who are dealing with the assessment and are making sure that the right information is passed on to Government. The onus is on the people in this Bill, but the onus is also on those who are going out and making the assessments and trying to help those people to get the assistance that they need. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Honourable Bulitavu.

HON. M. D. BULITAVU.- Thank you. Madam Speaker, my contribution to the Bill that is being moved by the Honourable Attorney-General. Madam Speaker, if you look at the Bill in summary....

HON. SPEAKER.- Honourable Bulitavu, please you just have five minutes because the one hour ends at 15.58 hours. Thank you.

HON. M.D. BULITAVU.- In summary, Madam Speaker, the Bill is a deterrent to people who want to make false representation or gain benefit under a false pretence, that is the whole purpose of the Bill. The issue here, Madam Speaker, there are many circumstances that the public should be aware in which they could be caught under this particular Bill when it becomes an Act.

For example, Madam Speaker, the Honourable Karavaki has already mentioned that if the *turaga ni koro* had filled in the information in regards to a need of a member of a *koro*, then the *turaga ni koro* will also be liable in that particular case. We live in a traditional village and we all know when we get materials, one of our cousin or a *tavale* comes, he wants to use a tinned sheet would replace it later, those are kinds of situations. We need awareness in regards to that, Madam Speaker, so people know that those kinds of materials are not used for other purposes, which is also listed here.

There are numerous issues here, Madam Speaker, but the Government has failed to prove that this particular Bill, first of all, I think one of the main intention is to protect the Scheme from being abused. People who will not know the law, people now are very smart, they break the law intentionally. These are the things, we are living in desperate times, Madam. People want housing and all those needs Madam Speaker and people will even sell what they have withdrawn from hardware's; they will sell roofing iron, timbers, nails, et cetera.

These are the things, Madam Speaker, I am highlighting because it will happen, it has happened. Government first in 2007 and 2008, the Honourable Minister for Rural Development will also agree with me, it supplied building materials, cement, pans and everything, it still remained in the village. The cement have hardened up because the *turaga ni koro* did not implement it. This is the other way around. We are giving them the cards and they withdraw the materials and we hope that they will go and build the house.

So the method that is implemented by Government needs to be relooked at. The solution to all that, Madam is for the Honourable Prime Minister to set up a Department for Relief and Housing and rehabilitation and do not give it to the Ministry of Women. From that, the Department can work with the Cabinet sub-committee. The chain of command will be very easy from the Divisional level of Commissioners, so TC *Winston's* recovery plan is ably implemented and the needs, human resource, budgetary allocations and needs are properly met.

If we have a piecemeal approach every time on solutions into whatever comes up, it will be very hard and we will be wasting our money, Madam Speaker. That is the solution here, Madam Speaker, and if Government can set up a Department specifically for TC *Winston* recovery in order for all these things to come under one monitoring body then that it can be properly reported and people are advised on what to do and what not to do.

Madam Speaker, if we also look at the Bill, in regard to third parties, if I get the material from that scheme and sold it to another person, what will happen? Who will be liable? If one reads the Bill, how will Government recover those benefits? I will go to jail because I did not use it, but Government, nowhere in the Bill that the Government will be able to recover that. It is not there, it is not there.

(Chorus of Interjections)

HON. M.D. BULITAVU,- Those are some of the basic things, Madam Speaker, in order to resolve all that and all these issues are not to come up, Madam Speaker. I think Government needs to re-strategize and follow a very simple thing, knowing very well that the Honourable Minister for Women is also administering other Social Welfare funding. We also know the problems that are faced and this is a very huge amount that will be given to her. I hope that Government reconsiders and sets up a specific Department to look into all these for proper implementation.

MADAM SPEAKER.- Thank you. I now give the floor to the Hon. Attorney-General to speak in reply.

HON. A. SAYED-KHAIYUM.- Thank you Madam Speaker. Madam Speaker, a number of issues have been raised from the other side. I think I will just start off with Hon. Karavaki who unfortunately is not here. He talks about the drafting. I mean I do not know when was the last time he did drafting, but drafting style obviously has changed and what we are talking about, it should be put in the policy, the modern day drafting has changed.

The reason why Honourable Koya talked about Clause 3 is because he said that there is nowhere in the Bill was there a five-year sentence. He simply highlighted, there was actually a five years sentence which is in Clause 3.

Madam Speaker, the Honourable Members, I think, are getting it wrong because the Honourable Minister for National Disaster Management and the Honourable Minister for Welfare had said that these applications - the \$7,000, the \$3,000 and the \$1,500 that the Honourable Prime Minister announced are going to individuals. It is not going to the *turaga ni koro*, it is not going to the advisory councillor. The *turaga ni koro* is not going to fill out the form. The advisory councillor is not going to fill out the form unless their own homes they need assistance for.. So it is signed by the individual, I do not know what the Honourable Bulitavu is talking about.

One other point the Honourable Karavaki raised from a technical perspective, he said we are referring to other laws. Obviously you are referring to other laws and that is what makes this law very simple because the jurisprudence in those areas of the law have already been established.

We are not trying to create new jurisprudence, that should give any lawyer who understands that a particular level of comfort and solace, and that is, we are not creating anything new; rely on the old jurisprudence, establish jurisprudence. So that, Madam Speaker, is why this law is more effective.

Yes, there is dishonesty going on. I do not necessarily agree with Honourable Minister Koya that the 90 percent of the people are honest, maybe at times they are. Sometimes there are more of them. Now, even if you take 90 percent, if you are disbursing \$70 million, 10 percent is \$7 million; that is a lot of money. If you take into account what the Honourable Minister for National Disaster Management is doing in taking into account all the relief supplies, the building of homes, if you are looking at \$250 million, 10 percent is \$25 million. So we are saying \$25 million is okay? Of course not. There should be a very low percentage. In the same way, we have a very low percentage of invalid votes for the first time in this country, Madam Speaker. It is below 1 percent.

Madam Speaker, the reality is that this law is there for a specific purpose, in terms of the people who receive pecuniary benefit from the State, we are simply asking them to fill out the form. It is in the same way where some lawyers were objecting to an Independent Legal Services Commission being set up. But if you are not going to do anything wrong, why object to an independent body? If you are not going to fill out the form correctly, why not want to fill out the form under these laws?

Now, Honourable Professor Prasad had raised the issue, I think he referred to Clause 5. Madam Speaker, the Government does not prosecute, the DPP prosecutes, as the criminal convictions are done in this country. The DPP, Madam Speaker, I have worked there and Hon. Professor Prasad has not.

(Inaudible Interjection)

HON. A. SAYED-KHAIYUM.- He is saying that if you inadvertently make a mistake.

When they assess that or they use 10 percent to build a chicken farm, inadvertently if they do that, the DPP will assess the evidence. The evidence is also based on the balance of probabilities whether the intention was there or not. These are the kinds of issues that are looked at.

The Honourable Bultavu talks about what if he goes and sells it, please do not sell it. The whole idea is for you not to sell it. The whole idea, Madam Speaker, is that you get it for the purpose because you deserve it. And if you do sell it, you will recover the money from you hopefully, if there is any left of it. Madam Speaker, that is the point.

Whilst we have the Clause 8 provision, the reality is, Madam Speaker, the DPP as carriage of this, the DPP will do the prosecution. As I highlighted when we talked about in the introduction of this Bill, the Ministry of Finance officials, the Audit Department will go off and do audit checks and the current Chair of the Public Accounts Committee should be actually happy with that, that we are here trying to protect Government finances. That is the purpose of this, Madam Speaker.

Madam Speaker, therefore, I move that this Bill now be adopted by Parliament as an Act of Parliament. Thank you, Madam Speaker.

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

The question is, that pursuant to the resolution of Parliament on 25th April, 2016 that the False Information Bill 2016 be debated, voted upon and be passed.

Does any Member oppose the motion?

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

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

Votes cast:

Ayes	:	29
Noes	:	14
Not Voted	:	7

The motion is therefore agreed to.

SECRETARY-GENERAL.- A Bill for an Act to establish liability for the provision of False Information to any officer, agent or representative of the Government or any entity (Bill No. 26 of 2016) enacted by the Parliament of the Republic of Fiji.

(Applause)

HON. SPEAKER.- Thank you. I now call on the Honourable Leader of the Government in Parliament to have the floor.

### **SUSPENSION OF STANDING ORDERS**

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, pursuant to Standing Order 6, I move that so much of Standing Order 46 is suspended so as to allow the Honourable Attorney-General to move his motion. Thank you, Madam Speaker.

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

HON. SPEAKER.- I now call upon the Hon. Leader of the Government to have the floor.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Thank you, Madam Speaker. Madam Speaker, as you are aware, in your Chambers this morning we discussed the issue about Standing Order 37 and how it is being used in this honourable House. Therefore, this motion is based on the discussion, particularly considering the fact that Monday to Thursdays are Government business days and it should be given priority. Standing Order 37 as it needs to be clarified because of the different interpretations so that the order of Government business remains priority. Of course, the Annual Budget as well, Madam Speaker, because of the changes we would want that to be considered as well. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. The motion is now up for debate.

HON. N. NAWAIKULA.- What is the motion?

HON. A. SAYED-KHAIYUM.- Suspension of the Standing Orders.

HON. SPEAKER.- Honourable Leader of the Government, please.

HON. LEADER OF THE GOVERNMENT IN PARLIAMENT.- Madam Speaker, the motion is pursuant to Standing Order 6, I move that so much of Standing Order 46 is suspended so as to allow the Honourable Attorney-General to move his motion.

HON. SPEAKER.- There being no input to the debate, the Honourable Leader of the Government may speak in reply.

HON. N. NAWAIKULA.- We do not know what is happening?

HON. RATU I.D. TIKOCA.- *Vakadomobula*, Madam Speaker, *na ka e caka tiko ena loma ni vale ni bose ogo*.

HON. SPEAKER.- It is a suspension motion. The Honourable Leader of the Government, please speak in reply.

HON. N. NAWAIKULA.- We really need some clarification in relation to this. First there are amendments that are being done here. This should go back to the Standing Order Committee then it comes back here. I am talking about the proposed amendments there are being made here to the Petitions. But talking generally about Petitions, when this august House started Petitions were our right. There is a very, very long authority in relation to that. It allows the individual to take his concern right up to the highest authority in the land without anyone because that is his right, because the role of this House is accountability and transparency. It does not go to an agency, it goes right up and that is the reason why Petitions are here. We know all that they can do is recommendations but it allows the public to be heard, it allows them to be heard then you were not happy. The other side of the House were not happy with that because it exposes a lot of their weakness...

(Chorus of Interjections)

HON. N. NAWAIKULA.-... a lot of their inefficiencies and that is why we are here.

(Chorus of Interjections)

HON. N. NAWAIKULA.- It is not meant for that, it is meant to teach you, that was meant for you to do your job better. You changed it to deny us that right. You came with an amendment and today you coming here using Standing Order 6 to even suspend proceedings here. What is wrong with that side of the House? You cannot take the flak ....

(Chorus of Interjections)

HON. N. NAWAIKULA.- No, you do not understand. You should know even better, you are a lawyer. We are entitled to this, this is our right, this is a democracy. What are they doing?

(Chorus of Interjections)

HON. RATU. I.D. TIKOCA.- *Vakaloloma*.

HON. SPEAKER.- Thank you for that input. The motion is still open for debate. Honourable Roko Tupou Draunidalo.

HON. ROKO T.T.S DRAUNIDALO.- Thank you, Madam Speaker. The Suspension of Standing Orders, Madam Speaker, and not following the Order Paper or giving us any more notice than we have been given now, it is like playing a hockey match or rugby match. Whenever one side wants to suspend the match and change the rules, we will suspend it. How can we bring that when it is not even allowed for *Kaji* Rugby to be brought to the National House of Debate - people voted in by thousands of people, Madam Speaker. We are just demeaning this House, this is meant to be the House of free speech. We want people outside to treat us with respect, Madam Speaker, treat the House with respect, treat the elected Honourable Members with respect, treat the elected Government and the Opposition with respect



and then we do these kinds of things. People outside do not have much respect for any of us if we allow it. Just to allow willy-nilly like this, we have an Order Paper, we have Standing Orders and the Government had made changes to the Standing Orders at the last sitting where we were not present. The Standing Committee could not agree so the Government used its numbers here, fine that is democracy, it is over. But, here we have just amended those Standing Orders in this House and here we are going to suspend Standing Orders as I say like in the middle of play. We do not even allow it for Primary School Games, why are we doing this to demean ourselves, Madam Speaker, and demean your authority in the House?

HON. SPEAKER.- Thank you. Please be reminded that the debate is really on the Suspension of Standing Order 46 (2). The motion is....

HON. V.R. GAVOKA.- Madam Speaker, if I can just say, we have been playing with the cards that we were dealt with; basically that first was the first part of the petition. It said, "you bring it up here, you read it and the Honourable Speaker gives it to a Committee". We are happy with that and then you changed it to 40 percent and we did it yesterday. You did not like what happened yesterday? It was your rules....

HON. S. V. RADRODRO.- Exactly.

HON. V.R. GAVOKA.- We played by the cards we were dealt with. What you could have done was in the Committee to negotiate it and say, "okay three speakers from that side and three speakers from this side" - there was room for negotiation. You just did not like what happened yesterday and you changed it today. You make a mockery of the old system.

(Chorus of Interjections)

HON. V.R. GAVOKA.- You make a mockery of it, Madam Speaker.

HON. SPEAKER.- Thank you. The Honourable Jone Usamate.

HON. J. USAMATE.- Thank you, Madam Speaker. The rules are not being changed, the rules are in the Standing Orders. Standing Order 6, says: "A Standing Order may be suspended in whole or in part only by leave of Parliament."

The rules are not changing. We are applying the rules that is all we are doing here today.

HON. SPEAKER.- Thank you. Honourable Professor Biman Prasad.

HON. PROF. B.C. PRASAD.- Thank you, Madam Speaker. The point by the Honourable Minister for Health is correct, you can suspend the Standing Orders to move a motion but what the Honourable Attorney-General is going to do after that is to move a motion to change the Standing Orders, Madam Speaker.

This is a complete abuse of the Parliamentary process....

(Chorus of Interjections)

HON. PROF. B.C. PRASAD.- A complete abuse of Parliamentary process, to change the rules when it does not suit the Government side. This change in the Petition requiring 40 percent of the Honourable Members of Parliament to decide whether the Petition is going to go to the Committee in the first place was the abuse of powers that Government had, the numbers that they had because they know that the Opposition does not have 40 percent.

HON. A. SAYED-KHAIYUM.- Of course.

HON. PROF. B.C. PRASAD.- And so, they would never allow a Petition to go to a Committee. Is that not ridiculous enough to make this a mockery?

HON. GOVERNMENT MEMBERS.- No.

HON. PROF. B.C. PRASAD.- What the Honourable Attorney-General is trying to do today because yesterday they realised that the change that they made to the Standing Orders with respect to the Petition was not what they wanted.

HON. V.R. GAVOKA.- Yes, absolutely.

HON. PROF. B.C. PRASAD.- So today, we see another change.

HON. A. SAYED-KHAIYUM.- You are abusing it.

(Chorus of Interjections)

HON. PROF. B.C. PRASAD.- You are abusing it, you are abusing it! You have abused, abused, abused and abused the Parliamentary process and you are making a mockery of the so called genuine democracy that the Hon. Prime Minister talks about throughout the world.

Is this the kind of democracy that we want to have, Madam Speaker?

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- Let us stop this nonsense, and be a bit more decent about running this Parliament.

(Chorus of interjections)

HON. GOVERNMENT MEMBER.- The camera is off.

HON. PROF. B.C. PRASAD.- I am not speaking to the camera, Hon. Minister.

(Chorus of interjections)

HON. PROF. B.C. PRASAD.- Madam Speaker, if we allow this to happen, we are sending a wrong signal. We are sending a message, we are confirming the views that majority of the people hold in this country that we are not in a genuine democracy. That this Parliament is a façade of democracy. Let us not make it a façade, let us progress and make it a better democracy and let the Parliament process work in a decent manner. Let me say this again, Madam Speaker, before I sit down, this is a complete abuse of the Parliamentary process and the rules that we have.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. SPEAKER.- Thank you..

HON. LT. COL. I.B. SERUIRATU- Madam Speaker, can I just clarify again when I met you in the Chambers this morning, it was just simply the interpretation of 37(5). Nothing to do with the petitions, petitions will go through but it is the interpretation of 37(5). Let me read 37(5), and I quote:

“Following the presentation of a petition by a member, that member must move a motion that Parliament vote on whether the petition is to be referred to the standing committee under which the subject matter of the petition falls.”

Our interpretation, Madam Speaker, is, it was just simply a motion and we vote on it but because of the word “motion” that led us to the debate.

(Chorus of Interjections)

It led us to the debate, Madam Speaker, but let me explain that this is motions specific to petitions.

HON. A. SAYED-KHAIYUM.- Exactly.

HON. LT. COL. I.B. SERUIRATU.- Standing Order 37(5) is just about petitions, motions regarding petitions. Standing Orders 45 and 46 talks about other motions. So 37(5) is motions specific to petitions, 45 and 46 in the Standing Orders, Madam Speaker, it is about any other motion apart from petitions and that was the clarification that we sought from your high office and that led to the motion before the House. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. I now give the floor to the Hon. Leader of Opposition.

HON. RO T.V. KEPA.- Madam Speaker, I thought that there is only one Speaker in the House and you should be allowed to do your job. In terms....

(Chorus of Interjections)

HON. SPEAKER.- Please withdraw that statement. I am not going to tolerate it. Withdraw the statement before you continue.

HON. RO T.V. KEPA.- Which statement, Madam Speaker?

HON. SPEAKER.- The Statement that you made on the Speaker. I have always mentioned do not bring the Speaker into your debate.

HON. RO T.V. KEPA. – Alright, I withdraw it, Madam Speaker.

HON. SPEAKER.- Thank you.

HON. RO T.V. KEPA. – But in saying that, Madam Speaker, there are different standing committees and there is a Standing Orders Committee which sat in February and they looked at that we thought at the various aspects of the Standing Orders and they rectified whatever was supposed to have been some shortcomings of the Standing Orders. But today, we are slipped in suddenly with this two page amendments which is not even in the Order Paper for today.

Madam Speaker, we should take it back to the Standing Orders Committee and have them look at it and bring it back the proper way and not to allow things like this to sabotage the workings of the Parliament, particularly the order paper for the day. Thank you, Madam Speaker.

HON. SPEAKER.- Thank you. Honourable Salote Radrodoro.

HON.S.V. RADRODRO.- Thank you, Madam Speaker. May I make a small contribution to this issue and you will recall that during the Business Committee at lunch time, I had specifically requested that because the petition had been pushed down on the agenda paper and there is a high possibility that it will not be discussed, I had requested that the petition should it not be covered today because of the time constraint, that it be included in tomorrow's Order Paper. The response I got from that discussion and that is what I walked away with from the Business Committee, that the Hon. Prime Minister gave his assurance that we are going to look at the petition this afternoon, Madam Speaker.

Now, we are here with this issue and we have discussed that petition yesterday on your ruling, Madam Speaker, that we be given the time to debate and then now, this Standing Order has come and then we are also looking at Standing Order 6 in line with Standing Orders 37 with new interpretation. There was the interpretation yesterday which we had adhered to, as given to us by the Speaker and now this new interpretation has come in and may I draw our attention to Matthew chapter 12 verse 34 which says and I quote: "From the abundance of the heart, the mouth speaks."

This reflects a confusion that is in the heart of the Members from the other side. On one day, we are looking at the same issue with different lenses, today, it is through different lenses. The goal post keeps on shifting. That reflects the kind of things that are in the heart of the Members of the Government side, that because we could attack it from this side, we shift and it is confusing to the people of Fiji that are listening in right now. Also, in the same chapter, in Matthew chapter 12 verse 34, it says that from a good heart, good things will come out through the mouth.

HON. OPPOSITION MEMBERS.- Hear, hear!

HON. S.V. RADRODRO.- From a bad heart, bad things will come out through the mouth.  
*Na lolo ca ena vosataka na vosa ca, na lolo vinaka ena vosataka na vosa vinaka.*

(Chorus of Interjections)

HON. S.V. RADRODRO.- Madam Speaker, I would just like to draw our attention back to that, why the sudden change or the sudden interpretation of Standing Order 37, when we had that interpretation yesterday and we adhered to that. We had a lively good debate. What is wrong with that? There is no harm, there is no harm...

(Chorus of Interjections)

HON. S.V. RADRODRO.- ...because you choose not to respond. So, Madam Speaker, may I plead with this House that we go back and adhere to the ruling in the interpretation of Standing Order 37 according to what we had gone through yesterday. Thank you, Madam Speaker.

HON.SPEAKER.- Honourable Bilitavu.

HON. M.D. BULITAVU.- Thank you, Madam Speaker. In 2014, we had the first Standing Order. In 2016, we have these amendments. Now, we have introduced the word used by the mover of the motion as the interpretation. The Hon. Minister for Health is quite correct in the procedure that is called but what is in the interpretation, what the Hon. Minister for Rural Development and National Disaster is trying to move, the rules that apply for Ministerial Statements, 20 minutes for the speaker and the reply for five minutes are to apply for petitions. That is the issue that we have here and specifically in the amendment or interpretation that is listed here, Madam Speaker, the words that are underlined, specifically says that there should not be any debate, no debate and that need came only after yesterday.

Yesterday's interpretation of that particular Standing Order, Madam Speaker, was your interpretation, when you allowed the debate yesterday, it was your interpretation, Madam Speaker. When the Government knew this morning, I was suspicious, Madam, when you were opening our sitting this morning, and you said to remove a particular item to be the last item. I suspected that Government would be making these changes somewhere and unfortunately, Madam Speaker, it came in their last item of the day, given that a motion by the Opposition was filed, a petition was filed to be heard today. It was listed in today's Order Paper but given the time that is limited by the Standing Orders because Monday to Thursday is Government's day, it will not be heard.

The other option that the Government could have taken was to just say simply, "that petitions by the Opposition can only be heard on Fridays." That could have been another option but to have this here, I do not see any purpose, even with these requirements, Madam Speaker, to be given 20 minutes and five minutes in reply, when we will come to a situation where we will reach 4.30 p.m., the petition will not be heard. We will arrive at the same circumstances that we have reached today, so the onus is on you, Madam Speaker.

I ask you, Madam Speaker, to invoke your powers under Standing Order 20, in order to review this and to look at this in deep thought with further legal opinion from an independent legal source, so you can be in a very safe legal ground, before we put this to the vote because it will only be to the dignity, honour and respect for this House.

HON. SPEAKER.- I thank you.

HON. N. NAWAIKULA.- A Point of Order. Madam Speaker, this is not part of the debate but I wish to raise a point of order and it may put a stop to that.

By this I am asking you, Madam Speaker, to make a ruling to refer this back to the Standing Order Committee. I am standing up in relation to Standing Order 128 which allows the Standing Orders Committee to consider continually, amendments to the Standing Orders.

This one is an amendment, and that being an amendment it is necessary and imperative and it is in accordance with the Standing Orders here that it be referred back to them, then you can bring it, and there is no need to invoke Standing Order 6. I wish if you could make a ruling in relation to that.

HON. SPEAKER.- Considering all the issues that have been highlighted in the debate on this issue, I will have to seek further advice of interpretation of this and will make my ruling later which means that the petition will also be deferred until the ruling is made. That concludes our business for today, the Parliament is now adjourned until tomorrow morning at 9.30.

The Parliament adjourned at 4.28 p.m.